

SIXTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
FIFTH SPECIAL SESSION, 1988

FIRST DAY

Tuesday, May 3, 1988

The Senate of the Sixth Northern Marianas Commonwealth Legislature, Fifth Special Session, 1988, was called to order at 3:21 p.m.

The Honorable Benjamin T. Manglona, President, presided.

A moment of silent prayer was observed.

The Senate Clerk called the roll. Eight members were present. Senator Herman M. Manglona was absent.

Vice President Mafnas: Mr. President, point of privilege.

President Manglona: State your point of privilege, Vice President Mafnas.

Vice President Mafnas: May I be excused, please?

President Manglona: Yes, you are excused, Vice President Mafnas.

Senator Villagomez: May I be excused also?

President Manglona: Yes, you are excused, Senator Villagomez.

The Chair recognized Floor Leader Inos.

Floor Leader Inos: Mr. President, I move to suspend all pertinent Rules of the Senate, with the general consensus, so that we move on from line item B up to line item K.

Senator Babauta seconded the motion, and the motion carried by voice vote.

BILL CALENDAR

The Chair recognized Floor Leader Inos.

Floor Leader Inos: Mr. President, I move to suspend all pertinent Rules of the Senate so that we place House Bill No. 6-37, H.D.2, Committee Substitute 1, from First Reading to today's Second Reading.

Senator Babauta seconded the motion, and the motion carried by voice vote.

H.B. No. 6-37, H.D.2, Comm. Subst. 1: "A Bill For An Act To make appropriations for the operations of the Executive Branch of the Government of the Commonwealth of the Northern Mariana Islands for Fiscal Year ending September 30, 1988, to identify resources available for appropriations in FY '88, to identify Capital Improvement Projects Funds, and for other purposes.", for Second Reading.

Floor Leader Inos moved for its passage. Senator Babauta seconded.

The Chair recognized Senator J. Guerrero.

Senator J. Guerrero: Mr. President, since we are not adopting the Committee Report, I just would like to bring up a few concerns which I believe that without these concerns, in this respect, these provisions or sections identified in the Senate Standing Committee Report will not take force and effect. Specifically, I would like to identify these areas. The area that I would like at this point in time to bring to the attention of the Chairman is the provision on the Independent Programs, page 7, line 21. The distribution of the Independent Programs is not attached to the subject bill before discussion. And it is not reflected in the administrative provision as to how it is intended to distribute the funds. It is the normal procedure in the budgetary action of the Legislature that either an addendum or an attached list reflecting that this is

the manner either in the administrative provision or a separate sheet. And that is one that I would like to share and I urge that if this section is to be entertained that it should be included in the administrative provision or as an addendum to the budget. The other....

President Manglona: Can you pause, Chairman, so that I will ask the Chairman of the Senate Fiscal Affairs if he wish to respond to that first concern?

Chairman Inos: First of all, Mr. Chairman, the committee report indicates clearly the distribution of the \$2,189,000 for Independent Programs. Of course, the schedule should be attached. It is not attached because it is being xeroxed at this time. But you are assured that the complete detailed on page 5 of the committee report -- we ask that we skip this for that reason -- you can be assured that the distribution is spelled out there. With respect to the expenditure authority of this appropriated fund, I call your attention to page 9, the Planning and Budgeting Act of 1983, 1 CMC Section 7101, explains the distribution and administrations of appropriated funds. This section, in essence, say that the Chairman of the MIHA shall be the administering authority, Chairman of CDA, Chairman of CPA, Chairman of whatever board. And for that matter, Mr. Chairman, the one who administers the East-West Center, the Governor is the administering authority; Micronesian Legal Services, the Governor is the administering authority; National Government Association, the Governor is the administering authority, and so forth. So it stipulates in that section that I cited. I was informed by our legal counsel.

President Manglona: You may proceed on your other concern, Chairman Guerrero, J.

Senator J. Guerrero: Mr. President, I am aware of all the provisions under the Planning and Budgeting Act. However, again, like I stated in the beginning, we are not adopting the committee report, therefore, the committee report is in essence not an accompanied attachment. Unless we would go back and adopt the committee report then we would probably have substance.

Chairman Inos: Privilege, Mr. President. Just for information, I asked the general consensus to suspend all pertinent Rules. So I hope that's clear at this time.

The Chair recognized Senator Babauta.

Senator Babauta: I would like to register some concerns in regards to the budget for the Department of Education. I have numerous concerns which I don't want to go into at this time because I prefer that the item on the budget on the Department of Education be stricken out and taken out of this proposed appropriations bill and be entertained at a later date aside from what is contained in this particular bill. Because, Mr. President, I do not agree and I do not support the funding level that is being proposed for the Department of Education at the funding level of \$10,542,900. I think that the Department of Education is much more deserving than this and I would like at this time that in the line item with regards to the Department of Education be stricken out. I so move.

There were several seconds to the motion.

The Chair recognized Floor Leader Inos.

Floor Leader Inos: Mr. President, as a matter of consistency, the result and effect of such decrease, I so move that the other figures be subtracted otherwise to make it consistent with the bill. In other words, the amount of appropriations being appropriated here should be subtracted in the amount of whatever the Department of Education is being appropriated to make it consistent. That's an addendum to the motion under discussion.

(Vice President Mafnas took his seat.)

President Manglona: Is there any further discussion on the proposed amendment offered by Chairman Babauta? (Pause) Are you ready? (Pause) We will now vote on the amendment offered by Chairman Babauta. The amendment is to delete the Department of Education from this package and the figure reflected in this package should be adjusted accordingly, prior to transmittal to the House.

The motion to delete the Department of Education from the budget package was voted on and carried.

The Chair recognized Senator J. Guerrero.

Senator J. Guerrero: I would like to ask the Chairman -- after this appropriated amount, what would be the remaining balance of the unappropriated?

The Chair recognized Chairman Inos.

Chairman Inos: Mr. President, the information at this time, we have a remaining balance of \$18,244,400. So we will then add \$10,542.9 to that figure and that will be the remaining figure -- \$28,784,000 -- around this figure. With the deletion of the Department of Education, we will have a remaining amount unappropriated of \$28,784,000.

Senator J. Guerrero: What are the outstanding departments and activities of the government that are not budgeted yet?

Chairman Inos: The Executive Branch?

Senator J. Guerrero: The entire that is not being accommodated under this and also that was already taken care of under the public law.

Chairman Inos: The departments that we have yet to act on is the Executive Branch, the Northern Marianas College, the Mayor of Saipan, Commonwealth Utilities Corporation, Commonwealth Development Authority, Senior Citizen Center, Construction and Other Projects.

Senator J. Guerrero: How much is that in terms of dollars?

Chairman Inos: Roughly in the neighborhood of \$19.5 million.

Senator J. Guerrero: The Executive Branch is \$25,742 million and you just stated....

Chairman Inos: What is that figure?

Senator J. Guerrero: The amount stricken out under the Executive Branch, is that \$25,742,000?

Chairman Inos: That is the House version but that is incorrect. The Executive Branch will be in need of around \$15 million at this time and having already appropriated in Public Law 6-3 \$13 million for the Department of Public Health and Environmental Services.

Senator J. Guerrero: The question I'm trying to lead up, Mr. President, is will there be sufficient amount to take care of all the unbudgeted departments and activities? The reason why I'm asking that question is if we adopt this, this will be the second budget or omnibus bill. Therefore, it will not be in line with the intent of the Constitutional Amendment about a balanced budget. So that's basically what I'm trying to get at, Mr. President. Thank you.

Chairman Inos: Mr. President, it is true that we do not have the revenues that we would like to have to accommodate all the needs to our desire. You are assured, however, Mr. Chairman and members of this committee, that although we are down by roughly \$1,300,000 in our budget requirements your Committee and in conjunction with the House Ways and Means Committee is working hard with the Executive Branch in trying to identify resources to meet these requirements.

Senator J. Guerrero: I have no further questions, Mr. President.

President Manglona: Thank you, Chairman Guerrero, J. Any other members wish to speak?

(Pause) Can the Chair raise some concerns on the budget? First, Chairman Inos, regarding the Mayor's allocation, how much is given to the Mayor of Rota for personnel services and for operations?

Chairman Inos: Mr. President, the Mayor of Rota, for operations is given \$529.6. This is a tremendous decrease from last year's budget considering that the Mayor is given additional responsibilities for the Agriculture Fair, Farmers' Typhoon Relief Program, and the Agriculture Revolving Loan Fund. There is a big decrease. However, within the budgetary means we have increased the personnel in the amount of \$2 million some which is indicated in the budget worksheet. Please take notice that the amount of personnel will also increase for Rota. This is going to the Office of the Mayor (Rota). I can assure you, Gentlemen, that the total amount given to Rota does not increase as a result of the change from operations to personnel for the Office of the Mayor. The total amount for Rota is \$3,238,400. This remains and does not change and in no way affect the total amount of the budget.

President Manglona: I noticed under the total for the First Senatorial District (Rota) that this figure is somewhat comparable with the Senate Draft 4 on the proposed budget that was packaged by the Fifth Legislature of the Senate Fiscal Affairs Committee. For that matter, I am satisfied with the total figure. The only concern I have, Chairman Inos, is that it appears that based on the Senate Draft 4 on the proposed budget that was passed by the Senate during the Fifth Legislature under personnel for the Mayor, the Mayor is reduced by \$57.7 -- in other words, \$57,700. I would like to ask the unanimous consent of the members that since I'm satisfied with the total figure for Rota, an internal allocation of \$57.7 should be added on to the Mayor's Office budget under personnel services for the First Senatorial District. That adjustment will not affect the grand total figure for that Senatorial District. I would like to add \$57.7 under personnel and the new total for the Mayor's Office is increased by this amount.

Chairman Inos: The total operations money for the Office of the Mayor is \$529,600.

Senator J. Guerrero: Mr. President, where are all those numbers coming from? I'm confused. I don't see those in my worksheet. Are those privilege....

Chairman Inos: No, they are not, Mr. Chairman. I'm glad you raised that question. What we are saying is the total amount for Tinian, the total amount for Rota, and any other here is not changed. The only change is from personnel to all others and vice versa. But the overall is not changed.

President Manglona: The figure you just gave me is the total for Rota, right?

Chairman Inos: Yes.

President Manglona: \$529,600, right?

Chairman Inos: No, Mr. President. The total amount for Rota is \$3,238,400.

President Manglona: Yes, but for operations....

Chairman Inos: For operations, it's \$529,600.

President Manglona: Okay. Within that figure, how much is for the Mayor of Rota? Is it \$159,000 or \$57,000?

Chairman Inos: No, Mr. President.

Senator J. Guerrero: Mr. President, with all due respect, I cannot follow your questioning. I don't have those details.

President Manglona: Chairman Inos, would you care to respond?

Chairman Inos: Mr. President, the budget worksheet which was already submitted during the previous summer by the Governor is used as official references for today's discussion. The \$426.8 is for personnel and for all others is \$102,000.

President Manglona: Well, I still say that \$57.7 thousand is supposed to be pumped in into the Mayor's Office budget allocation.

Chairman Inos: Mr. President, let me clarify something. I'm talking about in overall Rota budget. You're talking about the department or an office. Now, Rota, as well as Tinian, is given certain amount and out of those amounts they are broken into different departments. Now, you are asking how much is going to the Mayor of Rota. Okay, Mr. President, the total amount going to the Mayor of Rota is \$426.8.

President Manglona: How much is for operations and all others?

Chairman Inos: \$102 thousand.

President Manglona: The reason why I said that we need to pump in about \$57.7, Mr. Chairman, is because we need to provide the Mayor of Rota with the same amount he had requested under House Bill No. 5-201, House Draft 1, Senate Draft 4.

Chairman Inos: Mr. President, your question is within the budgetary means of the worksheet. You are assured that nothing shall exceed the intended amount. It shall not exceed.

President Manglona: So you are going to pump in about \$57.7 to the operational budget of the Mayor's Office without affecting the total figure for the First Senatorial District.

Chairman Inos: That is clearly reflected in the budget worksheet.

President Manglona: Any other questions? Yes, Chairman Babauta?

Senator Babauta: During the budget formulation here in the Senate, I have earlier requested the assistance of the Chairman of the Fiscal Affairs Committee to item budget the request made by Judge Villagomez for \$5,000 for the Northern Marianas Chapter of the American Field Services and the Northern Marianas Nurses Association. And upon the Chairman's insertion of these items, I was informed by Judge Villagomez that the Northern Marianas Chapter of the American Field Services has been dissolved and I would like to ask and move at the same time that if this such line item is in the budget that the \$5,000 that was earmarked for the AFS be consolidated in the Northern Marianas Nurses Association so that it'll be \$15,000 rather than \$10,000. It will be just adding -- moving the \$5,000 from the American Field Services adding it to the \$10,000 for the Nurses Association which I requested earlier and that will result in a total \$15,000 for the Nurses Association.

Chairman Inos: Mr. Chairman, I have no objection over that. It is too bad we haven't come to the Committee Report. The Committee Report indicated that request as requested by Senator Babauta. The \$5,000 should go to the Commonwealth of the Northern Marianas Nurses Association and the total amount will be \$15,000.

Senator Babauta: Thank you, Mr. President.

The Chair recognized Senator J. Guerrero.

Senator J. Guerrero: I just noticed on this water project on the administrative provision, on page 16, Section 318. I would just like to ask where is this amount budgeted -- under what category.

Chairman Inos: I'm sorry. Where is that?

Senator J. Guerrero: On page 16, Mr. Chairman, Section 318. The Water Catchment Revolving Fund.

Chairman Inos: Mr. President, the Water Catchment Revolving Fund is not being addressed in this measure. They are calling for \$1 million. The House Committee Chairman and myself indicated a great concern and interest to put this in the third partial funding of this appropriation budget. You are assured that the \$1 million is being considered in the original \$18 million that we have yet to appropriate. With good intention, we did put and we did not change -- did not amend any of the administrative provisions to ensure that money shall be provided here. The \$1 million, Mr. Chairman, for your information, shall be administered by the Executive Director of the CUC. It's at zero interest rate.

Senator J. Guerrero: So in other words, the provision on page 16 is useless. I would like to move that we strike it out.

Chairman Inos: I have consulted the legal counsel. In all honesty, we would like to put it here to retain the virginity of the House's version on the administrative provision because we do intend to inject certain amount of money here.

Senator J. Guerrero: The only problem is the way it's -- it there a conforming amendment, Mr. Chairman?

Chairman Inos: No. I have no qualm if we make an amendment and place this out. But in good faith and in conformity with the House committee that we place this here to ensure that something is coming in the future. And I did exactly what we agreed upon.

The Chair recognized Vice President Mafnas.

Vice President Mafnas: Mr. President, thank you very much. Are we still discussing House Bill No. 6-37 at this time, Mr. President?

President Manglona: Yes.

Vice President Mafnas: Mr. President, in view of the fact that there is a substantial reduction on the Mayor's budget on Tinian for Fiscal Year 1987 and in view of the fact that a substantial displacement of the employees of the Mayor for the proposed Fiscal Year, I would like to ask the support of the Fiscal Affairs Chairman to defer action on the Mayor's budget for Tinian until at a later date. I so move.

Senator J. Guerrero seconded the motion.

The Chair called for a short recess at 3:48 p.m.

RECESS

The Senate reconvened at 3:53 p.m.

President Manglona: Let us continue with our session. We are still under discussion on House Bill No. 6-37, H.D.2. The Vice President still has the floor. Proceed, Vice President Mafnas.

Vice President Mafnas: Thank you very much, Mr. President. If I may be permitted to withdraw my original motion so that I can make a new motion.

President Manglona: No objection.

Vice President Mafnas: I would like to make a motion, Mr. President, at this time to ask the support of the Fiscal Affairs Chairman and the full Senate to defer action on the Second Senatorial District budget at this time.

Senator Babauta seconded the motion.

President Manglona: Is there any discussion on the motion? (Pause) We will now vote to delete from the package the Second Senatorial District budget. Ready? (Pause)

The motion was voted on and carried. The Second Senatorial District budget is being deleted from the budget package.

President Manglona: Is there any further discussion on the bill?

The Chair recognized Chairman Inos.

Chairman Inos: Mr. President, in reference to the amendment I so move that the figure be made consistent to the decreased of the amount for the Second Senatorial District so that the appropriation amount should be made consistent to the amount being decreased to this appropriation bill.

President Manglona: Is there any objection on the proposition made by the Chairman of the Fiscal Affairs Committee?

Vice President Mafnas: May I ask the Chairman of the Fiscal Affairs Committee to clarify the statement?

Chairman Inos: Mr. President, at this time, we have left for appropriation \$28,784,000. With the deletion of the Second Senatorial District of Tinian of \$2,528,000, I so move that the amount now left for appropriation is in the neighborhood of \$31 million. That is the explanation.

Vice President Mafnas: That is clear. Thank you.

The Chair recognized Senator H. Guerrero.

Senator H. Guerrero: I would like to go on record that I saw the Northern Islands' budget. The original figure that I was working before was a lot higher than what I see in House Bill No. 6-37. Mr. President, during the recess, I discussed with the Senate Fiscal Affairs Committee Chairman and he informed me that there was a consensus between the House members and our Fiscal Affairs Chairman to bring the amount down from 441 to 297 thousand dollars. So if there is that consensus, Mr. President, I don't think that I should make any change at this point in time, but I would like to see that we bring this budget back up again to the original figure that I requested. When we submitted the total package, I would like to see that this happens.

The Chair recognized Chairman Inos.

Chairman Inos: In explanation to the statement raised by the good Minority Leader, please be assured that this budget package gives an additional 5 employees to the Northern Islands Mayor. This is done in anticipation of the proposed grown economic increase in the island of Pagan. Additionally, your request, Senator Guerrero, is accommodated here. The good Minority Leader requested for \$50,000 to buy an LCU M-Boat which is Coast Guard approved and is presently in San Francisco. This is approved in this budget, including the \$25,000 freight. So officially, I have accommodated your request in addition to the \$20,000 Mayor's office to be built on the island of Anatahan. So all of your requests for the Mayor of the Northern Islands have been accommodated. Inasmuch as we would like to accommodate everything, it is pretty difficult at this time. I hope you have the pleasure to approve this budget. Thank you.

Senator P. Manglona moved to the previous question. Floor Leader Inos seconded the motion, and the motion carried by voice vote.

The Senate Clerk called the roll with the following result:

Senator Juan N. Babauta	Aye
Senator Herman R. Guerrero	Aye
Senator Juan T. Guerrero	Nay
Senator Joseph S. Inos	Aye
Senator Jose P. Mafnas	Aye
Senator Herman M. Manglona	Absent
Senator Paul A. Manglona	Aye
Senator Manuel P. Villagomez	Excused
President Benjamin T. Manglona	Aye

House Bill No. 6-37, H.D.1, Comm. Subst. 1, S.D.2 passed the Senate on Second Reading with a roll call vote of six "ayes" and one "nay".

The Chair recognized Floor Leader Inos.

Floor Leader Inos: Mr. President, I move to suspend pertinent Rules of the Senate so that we go back to line item B.

Senator Babauta seconded the motion, and the motion carried by voice vote.

(Senator P. Manglona was excused from the session.)

READING AND APPROVAL OF THE JOURNALS

Floor Leader Inos moved to suspend the Reading and Approval of the Journals. The motion was seconded by Vice President Mafnas and carried by voice vote.

MESSAGES FROM THE GOVERNOR

No. 6-9: Informing the Senate that he has signed into law as Public Law No. 6-3, House Bill No. 6-94, "The Government Partial Operations and Personnel Appropriations Act of 1988" on April 26, 1988.

No. 6-10: Informing the Senate that he has disapproved Senate Bill No. 6-22, H.D.1, "The College Land Act of 1988" on April 26, 1988.

REPORTS AND COMMUNICATIONS FROM HEADS OF DEPARTMENTS

None

HOUSE COMMUNICATIONS

No. 6-33: Transmitting for Senate action House Bill No. 6-70, H.D.1, entitled: "Amending the Commonwealth Code by adding a new Division 7 to 2 CMC, prohibiting the activity of Commercial Farming to all persons not of Northern Marianas descent and for other purposes." (Assigned to Senate Committee on Resources and Development)

WASHINGTON REPRESENTATIVE'S COMMUNICATIONS

None

STANDING COMMITTEE REPORTS

Standing Committee Report No. 6-49, from the Committee on Resources and Development, reporting on Senate Bill No. 6-27, S.D.1, entitled: "A Bill For An Act To add a new Chapter 5 to 3 CMC, Division 4 to establish a noncitizen business permit and the business activities that can be performed under said permit; to establish procedures for suspension, revocation of the noncitizen business permit; and for other purposes.", for adoption.

Floor Leader Inos moved for its adoption. The motion was seconded by Senator Babauta and carried by voice vote.

Standing Committee Report No. 6-50, from the Committee on Fiscal Affairs, reporting on House Bill No. 6-37, H.D.1, Comm. Subst. 1, entitled: "A Bill For An Act To make appropriations for the operations of the Executive Branch of the Government of the Commonwealth of the Northern Mariana Islands for the Fiscal Year ending September 30, 1988, to identify resources available for appropriations in FY '88, to identify Capital Improvement Projects Funds, and for other purposes.", for adoption.

Floor Leader Inos moved for its adoption, seconded by Senator Babauta.

The Chair recognized Floor Leader Inos.

Floor Leader Inos: Mr. President, for consistency and clarity purpose, I move to strike out in the Committee Report everything that deals with the Second Senatorial District (Tinian) and the Department of Education Commonwealth-wide. I so move to make that amendment on the Committee Report.

The motion was seconded.

President Manglona: Let us now vote on the amendment offered by Chairman Inos. His amendment is that we delete from the budget package, the Department of Education and the Second Senatorial District. Am I correct, Floor Leader Inos?

Floor Leader Inos: Yes, Mr. President. That is done in good confidence with the committee members, but please be assured that the Chairman of the Committee takes good stand that whatever is communicated in the Committee Report, they stand in good standing.

The motion to delete the Department of Education and the Second Senatorial District from the Committee Report was voted on and carried.

President Manglona: We are still discussing Standing Committee Report No. 6-50, as amended.

The motion to adopt Standing Committee Report No. 6-50, as amended, was voted on and carried.

Standing Committee Report No. 6-51, from the Committee on Judiciary, Government and Law, reporting on Senate Bill No. 6-15, entitled: "A Bill For An Act To amend Title 2, CMC, Division 5, Chapter 2 (Restrictions on plane landings) by requiring the written permission of the Mayor of the Northern Islands before any aircraft or personal landings may be made on any of the Northern Islands, and for other purposes.", for adoption.

Floor Leader Inos moved for its adoption. The motion was seconded by Senator Babauta and carried by voice vote.

SPECIAL/CONFERENCE COMMITTEE REPORTS

None

UNFINISHED BUSINESS

None

PREFILED BILLS AND RESOLUTIONS

Bill No. 6-102: A Bill For An Act To provide for a Commonwealth Groundwater Management and Protection Act of 1988, and for other purposes. (Senator Juan N. Babauta - Assigned to Special Senate Committee on Water)

Bill No. 6-103: A Bill For An Act To add a new Section to Title 6, Division 4, Chapter 1 of the Commonwealth Code requiring a Victim Impact Statement prior to sentencing of a felony, and for other purposes. (Senator Joseph S. Inos - Assigned to JGL)

Bill No. 6-104: A Bill For An Act To add a new Section 2607 to Title 1, Division 2, 1 CMC, providing for a Commonwealth Solid Wastes Management and Disposal Act of 1988, to amend 1 CMC, Section Section 2605(x); and for other purposes. (Senator Juan N. Babauta +2 - Assigned to HEW/FRIA)

Bill No. 6-105: A Bill For An Act To provide for a Commonwealth Littering Control Act of 1988, repealing 6 CMC, Section 3106 and 9 CMC, Section 5803, and for other purposes. (Senator Juan N. Babauta - Assigned to HEW)

Bill No. 6-106: A Bill For An Act To amend 1 CMC, Division 2, Part 2, Section 2901(i) (Appointment Provisions), to add a new subsection (i) providing for a five (5) year term of office for the Chief Executive Officer, and for other purposes. (Senator Paul A. Manglona - Assigned to FRIA)

Resolution No. 6-9: A Senate Resolution Honoring the successful voyage to Saipan of the Satawalese traditional navigators. (Senator Juan N. Babauta - Assigned to HEW)

BILL CALENDAR

Senate Bill No. 6-15: "A Bill For An Act To amend Title 2, CMC, Division 5, Chapter 2 (restrictions on plane landings) by requiring the written permission of the Mayor of the Northern Islands before any aircraft or personal landings may be made on any of the Northern Islands, and for other purposes." for Second Reading.

Floor Leader Inos moved for its passage. Senator Babauta seconded the motion.

The Chair recognized Senator J. Guerrero.

Senator J. Guerrero: Mr. President, the Committee Report recommended passage of said bill for First Reading -- that's how I signed the bill.

President Manglona: Will the Floor Leader please suspend pertinent Rules of the Senate in order to place it for Second and Final Reading?

Floor Leader Inos: Mr. President, I withdraw the earlier motion. I move to suspend pertinent Rules in order to place Senate Bill No. 6-15 for Second Reading on today's calendar.

Senator J. Guerrero and Senator Babauta seconded the motion, and the motion carried by voice vote.

President Manglona: Senate Bill No. 6-15 is placed on today's calendar for Second and Final Reading.

Floor Leader Inos moved for its passage. Senator Babauta seconded the motion.

The Senate Clerk called the roll with the following result:

Senator Juan N. Babauta	Aye
Senator Herman R. Guerrero	Aye
Senator Juan T. Guerrero	Aye
Senator Joseph S. Inos	Aye
Senator Jose P. Mafnas	

Vice President Mafnas: Mr. President, I am trying to find out who introduced this bill. (Pause) Thank you, Mr. President. I am ready to vote now.

Senator Jose P. Mafnas	Aye
Senator Herman M. Manglona	Absent
Senator Paul A. Manglona	Excused
Senator Manuel P. Villagomez	Excused
President Benjamin T. Manglona	Aye

Senate Bill No. 6-15 passed the Senate on Second Reading.

Senate Bill No. 6-21, Comm. Subst.: "A Bill For An Act To amend Title 2 CMC, Div. 3, Chapter 1, relating to Environmental Protection by adding a new chapter, addressing the problem of abandoned or wrecked marine vessels, and for other purposes.", for Second Reading.

Floor Leader Inos moved for its passage, seconded by Senator Babauta. There being no discussion, the Senate Clerk called the roll with the following result:

Senator Juan N. Babauta	Aye
Senator Herman R. Guerrero	Aye
Senator Juan T. Guerrero	Aye
Senator Joseph S. Inos	Aye
Senator Jose P. Mafnas	Aye
Senator Herman M. Manglona	Absent
Senator Paul A. Manglona	Excused
Senator Manuel P. Villagomez	Excused
President Benjamin T. Manglona	Aye

Senate Bill No. 6-21, Comm. Subst. passed the Senate on Second Reading.

Senate Bill No. 6-27, S.D.1: "A Bill For An Act To add a new Chapter 5 to 3 CMC, Division 4 to establish a noncitizen business permit and the business activities that can be performed under said permit; to establish procedures for suspension, revocation of the noncitizen business permit; and for other purposes.", for Second Reading.

Floor Leader Inos moved for its passage. Senator Babauta seconded the motion. There being no discussion, the Senate Clerk called the roll with the following result:

Senator Juan N. Babauta	Aye
Senator Herman R. Guerrero	Aye

Senator Juan T. Guerrero	Aye
Senator Joseph S. Inos	Aye
Senator Jose P. Mafnas	Aye
Senator Herman M. Manglona	Absent
Senator Paul A. Manglona	Excused
Senator Manuel P. Villagomez	Excused
President Benjamin T. Manglona	Aye

Senate Bill No. 6-27, S.D.1 passed the Senate on Second Reading.

Senate Bill No. 6-31: "A Bill For An Act To amend 1 CMC §211 and 1 CMC §221 of the Commonwealth Code in order to conform to Amendment No. 43 to the Commonwealth Constitution, and for other purposes.", for Second Reading.

Floor Leader Inos moved for its passage. Senator Babauta seconded the motion.

The Chair recognized Senator J. Guerrero.

Senator J. Guerrero: Mr. President, I remember on our last session when this was calendared, I indicated to the Chairman to make sure that the blue color, I believe, is the same as in Section 2 and Section 3 and the entire section of the bill. Please just give me a moment.

The Chair called for a short recess at 4:14 p.m.

RECESS

The Senate reconvened at 4:16 p.m.

President Manglona: Let us continue with our session. There was a concern raised by the Acting Chairman, Senator Guerrero, J. According to the Chairman Guerrero it seems that there is inconsistency pertaining to the color called for under the bill. In one section of the bill it says "blue", the other section of the bill says "ocean blue". So for consistency purposes, we would like to make it uniformly as ocean blue. If there is no objection from the members of the Senate I would like to ask the unanimous consent to follow that suggestion. (Pause) So ordered. Let us proceed with our discussion. Is there any further discussion?

There being no further discussion, the Senate Clerk called the roll with the following result:

Senator Juan N. Babauta	Aye
Senator Herman R. Guerrero	Aye
Senator Juan T. Guerrero	Aye
Senator Joseph S. Inos	Aye
Senator Jose P. Mafnas	Aye
Senator Herman M. Manglona	Absent
Senator Paul A. Manglona	Excused
Senator Manuel P. Villagomez	Excused
President Benjamin T. Manglona	Aye

Senate Bill No. 6-31 passed the Senate on Second Reading.

RESOLUTION CALENDAR

Senate Resolution No. 6-9: "A Senate Resolution Honoring the successful voyage to Saipan of the Satawalese traditional navigators.", for adoption.

Floor Leader Inos moved for its adoption. Senator Babauta seconded the motion.

The Chair recognized Chairman Babauta.

Chairman Babauta: Thank you, Mr. President. I introduced Senate Resolution No. 6-9, entitled, "A Senate Resolution Honoring the successful voyage to Saipan of the Satawalese traditional navigators.", which at this time I would like to share this resolution with the rest of the members so that it will be introduced by all of the members, those present and those not present.

Senator J. Guerrero: I'm in favor. No objection.

Floor Leader Inos: Is it Satawalese navigators or Yapese Navigators?

Chairman Babauta: Satawalese.

The Chair recognized Senator H. Guerrero.

Senator H. Guerrero: Yes, Mr. President. Your attention was distracted when the good chairman wants to share the resolution with all members. So instead of him introducing the resolution, it should show that it is being introduced by the entire members.

Senator J. Guerrero: No objection.

The Chair recognized Chairman Babauta.

Chairman Babauta: Thank you very much, Mr. President. I asked that it will not only include the members present, but also those who are absent.

President Manglona: So let that be the case in this situation that it be as a whole. Is that the contention?

Chairman Babauta: Yes.

Senator J. Guerrero: No objection from me, Mr. President.

There being no further discussions, the motion was voted on and carried. Senate Resolution No. 6-9 was adopted.

INTRODUCTION OF BILLS AND RESOLUTIONS

The Chair recognized Senator Babauta.

Senator Babauta: On behalf of Senator Paul A. Manglona, I have a bill here before me and it's been approved for introduction. However, it has not been numbered. I will ask the Senate Clerk to number it, but at this time I would like to introduce this bill on behalf of Senator Paul A. Manglona. "A Bill For An Act To amend Title 4, CMC, Division 4, Chapter 1 (corporations, partnerships, and associations), by adding a new Section to provide that all corporations incorporated and doing business in the Commonwealth keep an English language version of their books of account; financial records, minutes of meetings, audits, and all other official and essential corporate business records." I am introducing this on behalf of Senator Paul A. Manglona. (Senate Bill No. 6-107)

President Manglona: Thank you, Chairman Babauta.

Senator Babauta: I have a second bill which Senator Paul A. Manglona asked again that I introduce for him. It's a Senate Local Bill. It has not been numbered, but it's ready for prefiling. It's a local act for the First Senatorial District of Rota to address a local matter in the island of Rota, that is, the operation of cockfighting, repealing any inconsistent Municipal Ordinances, and for other purposes. (Senate Local Bill No. 6-1)

PETITIONS, MEMORIALS AND MISCELLANEOUS COMMUNICATIONS

None

MISCELLANEOUS BUSINESS

The Chair recognized Senator H. Guerrero.

Senator H. Guerrero: Mr. President, I have a few remarks to make before the august body in the Senate.

President Manglona: Please proceed, Senator Guerrero, H.

Senator J. Guerrero: Mr. President, before he proceed, can I find out if it's 15 pages or just one page?

Senate H. Guerrero: Only a page and a half, Mr. President.

President Manglona: Proceed, Senator Guerrero, H.

Senator H. Guerrero: Mr. President and fellow colleagues.

"In our last session, Mr. President, I introduced a bill to keep certain families together. Those families happen to be alien families that were already in the Commonwealth when Public Law 5-32 was passed, but who do not meet the new minimum income requirements of that law.

"My bill was a simple bill, just one page long, but it has now become the center of a storm of controversy. For this reason, I feel compelled to comment.

"I introduced this bill mainly out of humanitarian concerns. As good Christians, I do not think we should ever be responsible for the split-up of families. Under the law as it now exists, the nonresident worker is allowed to continue to work here for another three years but their dependents will have to leave in July unless he or she makes more than \$20,000.00 per annum. Thus, the nonresident worker is faced with a dilemma: either the family breaks up or the worker gives up his job sooner than otherwise required by law. Neither outcome is in the best interests of either the worker or his or her local employer.

"Another reason I introduced this bill is my belief that the Legislature should always have a specific piece of Legislation to serve as the focus for debate on matters of public policy. This issue had been raised in the community for sometime and creating a lot of confusions and misunderstandings, focusing attention away from urgent local matters.

"With the introduction of this bill, it will speed up debate within the Legislative Chambers and finally decision will be made either to support or not to support the amendment bill, thus allowing the Legislature to focus its attention and energy on other more pressing problems facing our people such as water, roads, electricity and other community concerns.

"If this bill has placed me at the center of controversy, then so be it. I believe it is our responsibility as elected officials, under our oath of office and before God, to do what is right, regardless of whether it might be controversial or even unpopular at the moment.

"Mr. President, as a result of my introduction of this bill, some have even gone so far as to accuse me of favoring aliens over local people. This criticism is unfair and both unjustified and ironic. You will recall, Mr. President, that during our work in the Fourth Legislature on Senate Bill No. 4-54, which was the forerunner of Public Law 5-32, I was the one who first suggested that an income test be applied to determine eligibility for a nonresident worker's family in order to cut-down and limit the number of families entering the CNMI. In fact, my suggestion to stop alien worker's families from entering the CNMI was rejected. Our concern about Public Law 5-32, was to close a loophole in the then-existing law and ensure that alien dependents not be a drain on local resources or otherwise become a burden on our local lifestyle. But we never anticipated that the income test would be applied with respect to family members already in the Commonwealth.

"Also during the Fourth Legislature, I introduced a bill to restrict the ownership and operation of taxis to local persons only. The bill passed the Senate but died in the House. During the Fourth, Fifth and Sixth Legislatures, I have introduced legislation to strengthen the enforcement of immigration and labor laws, maximize the participation of the hotel and garment industries in the local economy, close loopholes in the issuance of business entry permits, protect local farmers from noneconomic fragmentation of their markets, and many other related topics.

"With respect to my proposed legislation to keep these families of alien workers together, it is important to note that we are talking about only a very few persons. Only about fifty or sixty families are involved, fewer than 300 people out of approximately ten thousand alien workers now in the Commonwealth.

"It makes me sad and concerned, Mr. President, to see all of the ill-feelings and frustrations that have been generated because of the present administration's failure and mismanagement over the past six years. The people are justifiably upset over bad roads, unreliable power, and no water, traffic jams, the proliferation of "girlie" bars, lines at the hospital and crowds of pushing and shoving persons at the stores. They could have been avoided by sound management and planning, and proper assignment of priorities and allocation of resources. We should remember that all of the aliens now in the Commonwealth were admitted under the policies and with the approval of the present administration.

"During the past six years, there have been virtually no initiatives from the administration to deal with public policy issues and the problems we face. The administration almost never submits draft legislation to the Legislature on how to curb the importation of a-lie labor and their families. Contrast this with the Federal government and the governments of the fifty states, where the Executive Branch takes the lead on almost every issue.

"I would hope, Mr. President, that we can see beyond these problems and give these few alien families our humanitarian compassion and fair consideration.

"Thank you, Mr. President."

President Manglona: Thank you, Senator Guerrero, H., for your very kind statement.

ANNOUNCEMENTS

The Chair recognized Chairman Babauta.

Chairman Babauta: Thank you, Mr. President. I would like to announce that the Committees on HEW and FRIA will be conducting a public hearing in the Senate Chamber on Friday, May 6, 1988 at 10:00 a.m. on Senate Bill No. 6-104, "A Bill For An Act To add a new Section 2607 to Title 1, Div. 2, 1 CMC, providing for a Commonwealth Solid Waste Management and Disposal Act of 1988; to amend 1 CMC, Section 2605(x); and for other purposes." And another public hearing will be held on May 10, 1988 at 10:00 a.m. on Senate Bill No. 6-105, "A Bill For An Act To provide for a Commonwealth Littering Control Act of 1988, repealing 6 CMC, Section 3106 and 9 CMC, Section 5803, and for other purposes."

The Chair recognized Acting Chairman J. Guerrero.

Acting Chairman J. Guerrero: Mr. President, it looks like there is a conflict on May 10 scheduling. I will get together with the Chairman to discuss it. Perhaps we can reschedule the R&D for the afternoon -- the same day.

President Manglona: That is a good suggestion. I would like both of you to get together to iron out your schedule.

Chairman Babauta: I apologize for the conflict. I will reschedule mine so that Senator Guerrero retains his schedule.

President Manglona: Thank you for your understanding, Chairman Babauta, J. Is there any further announcement? If there is no further announcement, the Chair has two announcements to make. First, the Chair may be leaving tomorrow or Thursday to appear before the United Nations Trusteeship Council meeting at New York. For that matter and as prescribed by our Rules that the Vice President will automatically take over the Senate as Acting President as soon as the President leaves the Commonwealth. I would like to ask each and everyone of you to please extend your cooperation to our Vice President who is going to be the President of the Senate during my absence. Second, today, I made an appointment to a special committee, but before I announce it, I would like you to be the first one to know, before it went out to the public or to the news media. The letter is dated today, May 3, 1988 and it's addressed to Senator Herman R. Guerrero, Senate Minority Leader, Sixth Northern Marianas Commonwealth Legislature. "Dear Senator Guerrero: It is my pleasure to appoint you to the chairmanship of the Senate Special Committee on Intergovernmental Affairs.

"This important special committee shall be responsible for looking into questions of war claim reparations, Covenant 902 negotiation issues, passport questions, and similar issues touching upon the relationship of the Commonwealth and other government entities.

"This special committee assignment is made with a view toward making this a permanent standing committee appointment in the near future.

"Senator, thank you very much for accepting this important role."

It is signed by the Senate President. I would like to solicit also the support of my colleagues so that the distinguished Senator from Saipan will carry on his added responsibility. There is no doubt about it that Senator Guerrero has been assuming this chairmanship in the past. In the past, he assumed the chairmanship of War Claims and with that I hope I have the unanimous support of the Senate to continue on this added responsibility.

The Chair recognized Floor Leader Inos.

Floor Leader Inos: Mr. President, I move for the advice and consent of Senator Guerrero.

Senator J. Guerrero: Second. (Laughter)

President Manglona: I don't feel that it is necessary. I believe the President, by our Rules, is authorized to make a special appointment. If there is no objection, I feel that that will not be necessary.

Vice President Mafnas: Just for clarification, Mr. President, does Senator Guerrero have any members in his committee?

President Manglona: Well, at a later time, as I stated in my letter, that it is my desire to put this into a standing committee. What we can do is to amend our Standing Rules of the Senate so that we can increase our Standing Committee of the Senate. So for the time being, Senator Guerrero, H., will be working by himself until we appoint the other members.

Senator J. Guerrero: Is it "Intergovernment"?

President Manglona: Yes.

Senator Babauta: It seems to me, Mr. President, that from the short description of this committee that will be chaired by Senator Herman R. Guerrero, I hear potential conflicts between this committee's duties and responsibilities to that of the Committee on Federal Relations and Independent Agencies. I hope that these two committees will divide the task in those areas where there are similarities.

President Manglona: Well, Chairman Babauta, prior to making this appointment, I took it upon myself to call the Chairman of the Federal Relations and Independent Agencies and consulted him on my proposed appointment. I trust that the two will divide up their duties so that there will be no conflicts.

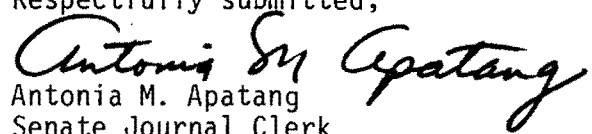
The Chair recognized Senator H. Guerrero.

Senator H. Guerrero: I just want to thank you, Mr. President and my colleagues, for the trust and vote of confidence that I am feeling. I will do my utmost to work as hard as possible to protect the interest and the integrity of the Senate and the government as a whole. To that effect, should this appointment materializes and become a full standing committee, then whoever members are to be appointed here I do ask in advance for full cooperation. Thank you.

President Manglona: Thank you, Senator Guerrero, H. If there is no objection, I would like to ask the unanimous consent of the Senate to make this appointment letter (attached) as part of today's journal. (Pause) Is there any further announcement?

On motion by Floor Leader Inos, seconded by Senator Babauta, the Senate recessed at 4:37 p.m., subject to the call of the Chair.

Respectfully submitted,


 Antonia M. Apatang
 Senate Journal Clerk



OFFICE OF THE PRESIDENT
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BENJAMIN T. MANGLONA
President of the Senate

Phone: 322-5647

May 3, 1988

Senator Herman R. Guerrero
Senate Minority Leader
Sixth Northern Marianas Commonwealth
Legislature
Saipan, MP 96950

Re: Appointment to Special Committee
Chairmanship

Dear Senator Guerrero:

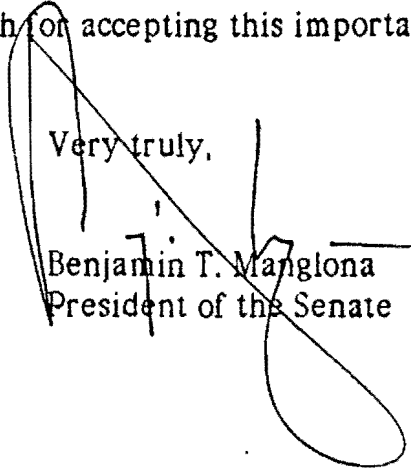
It is my pleasure to appoint you to the chairmanship of the Senate
Special Committee on Intergovernmental Affairs.

This important special committee shall be responsible for looking into
questions of war claim reparations, Covenant 902 negotiation issues,
passport questions, and similar issues touching upon the relationship of the
Commonwealth and other government entities.

This special committee assignment is made with a view toward
making this a permanent standing committee appointment in the near
future.

Senator, thank you very much for accepting this important role.

Very truly,


Benjamin T. Manglona
President of the Senate