

SIXTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
SIXTH SPECIAL SESSION, 1988

FIRST DAY

Tuesday, June 7, 1988

The Senate of the Sixth Northern Marianas Commonwealth Legislature, Sixth Special Session, 1988, was called to order at 9:26 a.m.

The Honorable Benjamin T. Manglona, President, presided.

A moment of silent prayer was observed.

The Senate Clerk called the roll. Seven members were present. Vice President Mafnas was excused. Senator Herman R. Guerrero was absent.

READING AND APPROVAL OF THE JOURNALS

On motion by Floor Leader Inos, seconded by Senator Babauta, the Journals for the 2nd, 3rd, 4th, and 5th Special Sessions, 1988, First Day, were adopted.

GOVERNOR'S COMMUNICATIONS

No. 6-11: Informing the Senate that he has signed into law, as Public Law No. 6-4, House Bill No. 6-73, H.D.2, "To establish a Vocational Education Program at the NMC.", on May 13, 1988.

REPORTS AND COMMUNICATIONS FROM HEADS OF DEPARTMENTS

None

HOUSE COMMUNICATIONS

No. 6-34: Transmitting for Senate action House Bill No. 6-27, H.D.1, entitled: "A Bill For An Act To establish consumer protection standards for the Commonwealth, to prohibit unfair business practices; to amend 4 CMC, Division 5, Chapter 1; to amend 1 CMC, Division 2, Chapter 3, Article 1; and for other purposes." (Assigned to R&D)

No. 6-35: Transmitting for Senate action House Bill No. 6-33, H.D.2, entitled: "A Bill For An Act To amend 9 CMC, Division 4, Section 4108 by adding new subsections to require a wearing of seat belts passenger restraints in motor vehicles and to require the drive of a ~~car~~ motor vehicle to secure all children up to the age of twelve to wear a child restraint system, seat belts or harnesses, and for other purposes." (Assigned to JGL)

No. 6-36: Returning Senate Bill No. 6-6, H.D.1 (with amendments), entitled: "A Bill For An Act ~~To amend 4 CMC, Section 7301(b)(1)(E), to amend the five years compliance statute~~ To provide for exemption to the five year compliance statute of 4 CMC, Section 7301(b)(1)(E), to amend and renumber 4 CMC, Section 7301(b)(2), to add a new 4 CMC, Section 7301(b)(2), and for other purposes." (Referred to HEW)

No. 6-37: Returning Senate Bill No. 6-44, S.D.1, H.D.1, (with amendments), entitled: "A Bill For An Act To amend 2 CMC §4333(e) regarding priorities for the issuance of a permit for a village homestead lot, and for other purposes." (Referred to R&D)

No. 6-38: Transmitting a certified copy of House Resolution No. 6-13, entitled: "A House Resolution Congratulating Miss Gloria Patricia Propst on her coronation as Miss CNMI International 1988."

No. 6-39: Transmitting a certified copy of House Resolution No. 6-14, H.D.1, entitled: "A House Resolution Congratulating Miss Ruby Jean Hamilton on her coronation as Miss CNMI Universe 1988."

No. 6-40: Transmitting a certified copy of House Resolution No. 6-15, entitled: "A House Resolution Relative to renaming Koblerville Homestead Subdivision, the southernmost community on Saipan, Saint Jude Village."

No. 6-41: Transmitting a certified copy of House Resolution No. 6-17, entitled: "A House Resolution Commending Jonathan D. Sakovich for his outstanding performances in the 8th South Pacific Games in Noumea, New Caledonia."

No. 6-42: Transmitting a certified copy of House Resolution No. 6-18, entitled: "A House Resolution Expressing appreciation to Mr. Hideo Kato, President of Wakai Nekko No Kai Ocean University, and extending a warm welcome to the association on the occasion of its twentieth voyage to Saipan on May 8, 1988."

No. 6-43: Transmitting a certified copy of House Resolution No. 6-19, entitled: "A House Resolution Extending congratulations to Continental/Air Micronesia, Incorporated on the occasion of the Twentieth Anniversary of its inaugural flight."

No. 6-44: Transmitting a certified copy of House Joint Resolution No. 6-7, entitled: "A House Joint Resolution Endorsing the application of the Northern Marianas Catholic Social Services for Youth Employment Strategies (Y.E.S.) Project Grant."

No. 6-45: Transmitting a certified copy of House Resolution No. 6-8, entitled: "A House Resolution Amending Rule VIII, Sections 1 through 6 of the Official Rules of the House of Representatives so that the allowed number of members of each Standing Committee is increased by one member."

No. 6-46: Transmitting a certified copy of House Resolution No. 6-10, entitled: "A House Resolution Commending Candido Babauta Taman for his success, contributions and for the excellent leadership and talent in his music profession, provided both to the entertainment industry and our community."

No. 6-47: Transmitting a certified copy of House Resolution No. 6-11, entitled: "A House Resolution Commending Manuel S. Villagomez on his recent appointment as 'Civilian Aide to the Secretary of the United States Army'."

No. 6-48: Transmitting a certified copy of House Resolution No. 6-12, entitled: "A House Resolution Strongly urging the agencies of the MPLC and CRM, when considering the leasing of public land and the issuance of permits for commercial development to give priority consideration to the requirement of all persons in the CNMI to a clean, healthful, adequate and dependable service of water, electrical power, sewage and waste disposal."

WASHINGTON REPRESENTATIVE'S COMMUNICATIONS

None

STANDING COMMITTEE REPORTS

Standing Committee Report No. 6-52, from the Committee on Resource and Development, reporting on Senate Bill No. 6-42, Comm. Subst. 1, entitled: "A Bill For An Act To amend 1 CMC, Division 2, Chapter 13, Section 2654(j) to expand the jurisdiction of the Department of Natural Resources so that it will be responsible for the management of the submerged lands in all areas of activity, including those activities already prescribed by the Submerged Lands Act; and for other purposes.", for adoption.

Floor Leader Inos moved for its adoption. There were several seconds to the motion, and the motion carried by voice vote.

Standing Committee Report No. 6-53, from the Committee on Resources and Development, reporting on Senate Bill No. 6-5, entitled: "A Bill For An Act To amend 4 CMC, Div. 1, Section 1403 to provide for the earmarking of liquid fuel excise taxes collected, and for other purposes.", to file.

Floor Leader Inos moved for Senate Bill No. 6-5, as reported out on Standing Committee Report No. 6-53 to be filed. Senator J. Guerrero seconded the motion.

The Chair recognized Senator J. Guerrero.

Senator J. Guerrero: The Committee would like to emphasize at this time that the Committee is in support of the proposed legislation. However, as it is highlighted in the committee report, the main reason why we are recommending that a similar legislation be first introduced in the House. We solicited the opinion of the Attorney General in which the AG came up with the opinion that all legislations -- proposed legislations that entails or has the provision that would appropriate, reserve or earmark must originate in the House of Representatives. And that is the only reason that the Committee recommended that this bill be filed. However, the Committee is in full support of the intent of the bill as written. So with that, thank you.

The Chair recognized Floor Leader Inos.

Floor Leader Inos: Mr. President, I'm not a member of that committee, however, while I agree with the version expressed by the Acting Chairman I have another observation. The liquid fuel taxes as proposed in this piece of legislation recommends that the taxes collected from that Senatorial District shall be expended in that Senatorial District for the purposes of improvement of primary roads. I feel it is unfair for the island of Rota not to have a direct shipment anywhere so that it can levy liquid excise tax. The island of Tinian, to my understanding, has zero liquid excise tax -- fuel taxes. The island of Rota has no more than \$5,000 of liquid excise tax. You see, what happen here is that we levy taxes upon importation of fuel from any place outside of the Commonwealth. Since Rota and Tinian is not the primary discharge for any of these fuels, we get very minimal amount. What Rota and Tinian get are the fuels that have already been levied taxes from Saipan. Therefore, we get zero taxes. While I air this concern, I would request that the Committee takes a careful review and assess the amount of liquid fuel taxes imposed in the island of Rota and the information I received that Tinian has zero liquid fuel taxes. Thank you, Mr. President.

The Chair recognized Senator J. Guerrero.

Senator J. Guerrero: One thing that I did not bring up is that there were also concerns raised by the Attorney General as to the section here that contains the ambiguity and the language and that sort of question did pop up. Also the opinion of the Committee with the concurrence of the Chairman it also is vested with fiscal. This, in essence, really would generate funds for the Commonwealth. Therefore, it also lies within the Committee on Fiscal Affairs. Thank you.

The Chair recognized Senator Babauta.

Senator Babauta: I just want to make a brief comment about this bill. And my comment relates to the Constitutional requirement that any bill that appropriates or obligates or commits or otherwise merely insinuates that certain funds be used for a particular purpose must originate from the House. I have a difficult time trying to accept that language in the Constitution and if there is language existing in the existing statute of the Commonwealth, I also have difficult time trying to accept that because I would venture to say that if we look at all of these legislations that have been introduced in the Senate that they in one way or another commits or otherwise obligates or has financial obligation committed for such legislation. We have to be very careful that we don't give away a very necessary legislative power of the Senate. If we continue to follow the language as it is written in the Constitution and look at legislations as it either obligates or try to commit funds we will probably end up not being able to pass any legislation in here because almost all of the legislations have something to do with money. And although I agree with the Committee's recommendation that it be filed by virtue of the direct language that if the legislation earmarks funds that "earmark" language is in the Constitution that is directly out of the Constitution and I fully agree with that, but Mr. President, if we are not careful we will not be able to pass legislations here other than the passing of resolutions. I certainly don't want to see this Senate pass nothing but resolutions. So I would like, at the Chair's discretion, to ask the assistance of our legal counsel to look into this matter and see just where the fine line is drawn on what kind of legislation can this body pass that affects the financial prohibition that is in the Constitution. With that, Mr. President, I close my remark.

The motion to file Senate Bill No. 6-5, as reported out on Standing Committee Report No. 6-53, was voted on and carried.

Standing Committee Report No. 6-54, from the Committee on Resources and Development, reporting on Senate Bill No. 6-94, entitled: "A Bill For An Act To halt for up to six months the issuance of nonresident workers identification certificates under 3 CMC 4435(b) when such certificates are for workers who will perform services or labor within the Third Senatorial District of Saipan, and for other purposes.", for adoption.

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

The Chair recognized Senator H. Manglona.

Senator H. Manglona: I would like to ask the Chairman of this Committee or any member of this Committee whether or not a public hearing has been conducted and whether or not the contractors from Saipan were invited or the Commerce and Labor people were invited. Because it might jeopardize any future projects or any intended immediate projects if we have to immediately cease the importation of the alien workers. Mr. President, I believe that we don't have enough manpower of labor force that the demand of the construction industry in the Commonwealth -- that we can support the demand of the labor force. The government is depending on us on the labor force. If we have to do this, I don't know -- we might jeopardize the immediately intended projects. I understand the infrastructure issue here. I do understand that we are really facing the power and water situation. But to retard the impending projects that will benefit the Commonwealth islands in terms of revenue, I would like to ask the Chairman or any member of this Committee whether contractors were invited and voiced out their concerns. Thank you, Mr. President.

President Manglona: Will the Acting Chairman please respond to the question asked by Senator Manglona, H.?

Acting Chairman J. Guerrero: Definitely, Mr. President. I would like to start off by saying that a public hearing was conducted in which a great number of participants attended the public hearing. The proposed bill as addressed by my colleague from Tinian in his concern -- which it does is that it would provide for a moratorium of 180 days. However, the moratorium does not preclude or except those applications that were filed prior to the effective date of this act. Also, it does not restrict replacements. In other words, what it does is that after the date it would freeze for a period of 180 days and would allow replacement of workers -- nonresident workers up to that number. One of the reasons why this proposed legislation was introduced -- first, the Department of Commerce and Labor is not undertaking any enforcement aspect of the duties and responsibilities. The Department of Commerce and Labor, at this time, is basically a reviewer, grantor of nonresident worker applications. They are not going out making enforcements. They are not taking any action to rectify a lot of the ongoing problems that we are seeing now here in Saipan. However, in the statement also by the Chief of Public Health Division, Mr. Iriarte, that the congestion in the physical or the requirement that the nonresident worker is supposed to go to the public health for entry physical is so -- has created a burden and it's going to take throughout the rest of the year before any new nonresident worker would be given the physical requirement provided under the law. So not only have we overburdened our infrastructure, we have overburdened our health facilities and the Department of Commerce and Labor is so far behind in doing the enforcement aspect in their responsibility that we are just bringing in people. Also, this legislation was not only introduced with the concurrence of the Department of Commerce and Labor but also the Governor was informed of it. The Governor did not say that he is in opposition. He just said that he would look at it and try to work with Commerce and Labor to rectify all the problems and deficiencies within that Department. Thank you.

The Chair recognized Senator Villagomez.

Senator Villagomez: Can I ask the Chairman again to repeat his statement what will happen after 180 days? Can you enlighten me more?

Acting Chairman J. Guerrero: After 180 days, this legislation would automatically be inactive. So there is only 180 days provision for the island of Saipan. The bill in

itself does not address the same concern for Tinian or Rota. It's just for the island of Saipan. It would provide for a moratorium for 180 days period and after that, everything again would go back in its own place.

Senator Villagomez: What was the position of the Director of Commerce and Labor?

Acting Chairman J. Guerrero: The position of the Department of Commerce and Labor is in full support of this legislation.

The Chair recognized Senator P. Manglona.

Senator P. Manglona: Mr. President, I agree with the intent of this bill, however, like many other legislations, it does not attack the problem. We are just beating around the bush here on all different forms. We have to attack the main issue. The main issue here, Mr. President, is development and control of it, and I believe that this legislation doesn't do anything again. It only serves special interest group in that it just holds back the processing of needed workers. I think it is just going to benefit the private companies who are now in business with alien labors as employees. If you notice, there is an amendment there to include replacement. What's the purpose for including replacement when you are trying to cut down the needed manpower. What will happen with replacement....

President Manglona: Will you stick to the committee report until we come to the Bill Calendar, then I will permit you to deliberate on the bill?

Senator P. Manglona: Thank you. Mr. President, this discussion is part of the committee report. They mentioned that the Department of Commerce and Labor is in full agreement with this legislation. Of course, when you are not doing your job, you will be open to any recommendation. So I just don't agree with this committee report that our utilities are being overtaxed and all that. This is not addressing that effectively. It is just another legislation that is not effective. Thank you.

The Chair recognized Senator Babauta.

Senator Babauta: Mr. President, I also have some grave concerns on this bill because what it will do is prohibit individuals and I'm primarily concern with residents of this Commonwealth -- in venturing into businesses that they would like to venture into because in the next six months they cannot import laborers. And those that have the laborers now would enjoy continuing having the laborers and it will essentially shut off any opportunity or any resident to have business that require outside laborers. That's a concern that I have with regards to this bill. Secondly, I concur with Senator Paul Manglona in that the crux of the problem, Mr. President, is the control on economic growth that now prevails over the Commonwealth, especially Saipan. This Legislature must pass legislation in zoning, in building codes, and in controlling the economic growth in this Commonwealth. That is where the problem is. Once we have controlled that it will naturally follow in order such requirements for laborers for the Commonwealth. I think we are putting a band-aid cure to a big, big problem that we now have and experiencing in the Commonwealth, especially Saipan. Thirdly, Mr. President, I do not know and I would venture to say also that this could affect such developments that are now potentially in line for the islands of Rota and Tinian in their construction activities whether it be private or commercial where they need such laborers coming in for construction and other activities where labor is needed. So although I agree with the idea that we have too many aliens coming to our islands, I think that we should find a more reasonable and more fair solution to the problem.

The Chair called for a short recess at 9:54 a.m.

RECESS

The Senate reconvened at 10:00 a.m.

President Manglona: Let us continue with our session. We are still discussing Standing Committee Report No. 6-54. A short recess was called by the Chair in order to consult with the members of the Senate on the issue under discussion.

The Chair recognized Senator H. Manglona.

Senator H. Manglona: Mr. President, since this is only under First Reading, I would like to make a recommendation to the members that we pass this on First Reading and whoever has a concern there will be enough time for him to make floor amendments on the Second and Final Reading.

Floor Leader Inos: Mr. President, this is a committee report. We are under Standing Committee Reports, Mr. President.

Senator H. Manglona: I know, Mr. President, but I am only making a recommendation so that we can expedite the discussion on the committee report.

The Chair recognized Floor Leader Inos.

Floor Leader Inos: Mr. President, a short recess was called in order to accommodate some concerns that were raised by some members and the concerns raised were all legitimate concerns. I feel that if we were to put out all these concerns at this time, it would take us a little more time. The concerns in which the delegation from Tinian expressed and I feel they are meritorious -- the same as Rota -- the concerns really are that of local in nature that could be considered local legislation. With that in mind, Mr. President, we feel that the committee report is worth reviewing further to make sure that all of these concerns raised during the brief recess are met. With the indulgence of the author of the bill and the members who signed the committee report, I so move, Mr. President, that we defer action on this committee report, further on the bill itself, so that it probably will be addressed by the committee itself to be incorporated as a local legislation.

Senator Babauta seconded the motion, and the motion carried by voice vote. Standing Committee Report No. 6-54, reporting on Senate Bill No. 6-94, was deferred and referred back to the Committee.

Standing Committee Report No. 6-55, from the Committee on Health, Education, and Welfare, reporting on Senate Bill No. 6-32, entitled: "A Bill For An Act To amend Title 3 CMC, Division 2, Articles 7 and 8, to establish protection for those persons who have successfully completed training in Cardiopulmonary Resuscitation, First Aid, Advance Lifesaving or Lifeguarding; and other persons with specified health training who offer assistance to those in need of emergency care; and for other purposes.", for adoption.

Floor Leader Inos moved for its adoption, seconded by Senator Babauta. The motion was voted on and carried. Standing Committee Report No. 6-55 was adopted.

Standing Committee Report No. 6-56, from the Committee on Executive Appointments and Governmental Investigations, reporting on the Governor's appointment of Mr. Eugene A. Santos to serve as a member of the Civil Service Commission representing Saipan, for adoption and confirmation.

Floor Leader Inos moved for its adoption and confirmation of Mr. Eugene A. Santos. Senator J. Guerrero 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	Absent
Senator Juan T. Guerrero	Aye
Senator Joseph S. Inos	Aye
Senator Jose P. Mafnas	Excused
Senator Herman M. Manglona	Aye
Senator Paul A. Manglona	Aye
Senator Manuel P. Villagomez	Aye
President Benjamin T. Manglona	Aye

The motion to adopt Standing Committee Report No. 6-56, confirming Mr. Eugene A. Santos to serve as a member of the Civil Service Commission representing Saipan, unanimously passed the Senate, the members being present, with a roll call vote of seven "ayes".

Standing Committee Report No. 6-57, from the Committee on Judiciary, Government and Law, reporting on Senate Bill No. 6-31, entitled: "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 adoption.

Floor Leader Inos moved for its adoption, seconded by Senator Babauta. There being no discussion, the motion was voted on and carried.

Standing Committee Report No. 6-58, from the Committee on Judiciary, Government and Law, reporting on Senate Bill No. 6-39, entitled: "A Bill For An Act To enact enabling legislation of the establishment of an Office of Special Assistant to the Governor for Women's Affairs as mandated by Constitutional Amendment No. 21; to amend 1 CMC, Div. 2, Section 2051, and to add to 1 CMC, Div. 2, Chapter 1, a new Article 5 and for other purposes.", for adoption.

Floor Leader Inos moved for its adoption, seconded by Senators Babauta and Villagomez. There being no discussion, the motion was voted on and carried.

Standing Committee Report No. 6-59, from the Committee on Judiciary, Government and Law, reporting on Senate Bill No. 6-11, entitled: "A Bill For An Act To prohibit children under the age of six (6) years old to be left unattended in a parked motor vehicle in the Northern Mariana Islands, to amend 9 CMC, Division 5, Chapter 6 and for other purposes.", for adoption.

Floor Leader Inos moved for its adoption, seconded by Senator Babauta. There being no discussion, the motion was voted on and carried.

Standing Committee Report No. 6-60, from the Committee on Resources and Development, reporting on Senate Bill No. 6-60 and House Bill No. 6-70, H.D.1, entitled: Senate Bill No. 6-60, "A Bill For An Act To prohibit non-U.S. or non-CNMI citizens from engaging in the business of agricultural production unless certain requirements for local participation are met; to allow exceptions upon a finding by the Director of Natural Resources in cases where the non-citizen will provide a unique new product or technology and will not be in competition with existing local producers; and for other purposes.", and House Bill No. 6-70, H.D.1, "A Bill For An Act 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.", for filing of Senate Bill No. 6-60 and for adoption of House Bill No. 6-70, H.D.1.

Floor Leader Inos moved for the adoption of the committee report reporting on House Bill No. 6-70, H.D.1, and to file Senate Bill No. 6-60. The motion was seconded by Senator Babauta.

The Chair recognized Acting Chairman J. Guerrero.

Acting Chairman J. Guerrero: Mr. President, just for clarification, I think the title is misleading because if you look at the committee report on the last page it recommends to file Senate Bill No. 6-60. However, the committee is recommending that House Bill No. 6-70, H.D.1, in its amended form, is now the subject matter that the committee is recommending for First and Final Reading. So when this was typed, it did not contain the full description of the intent or recommendation.

President Manglona: Please note the correction made by the Acting Chairman. I would like the motion offered by the Floor Leader to be consistent with the clarification just stated. Is there any second?

Acting Chairman J. Guerrero: Can the Floor Leader restate the correction?

Floor Leader Inos: Mr. President, I read what's written. The inconsistency perhaps is between the two different copies -- the Order of the Day and perhaps the title of the bill, Senate Bill No. 6-60. The motion as it was earlier stated is that the committee recommends adoption and Senate Bill No. 6-60 be filed. That's the motion, Mr. President.

The motion was seconded by Acting Chairman J. Guerrero, and carried by voice vote.

Standing Committee Report No. 6-61, from the Committee on Executive Appointments and Governmental Investigations, reporting on the Governor's appointment of Mr. Pedro L. Cruz to serve as Board of Directors of MPLC Tinian, for adoption and confirmation.

Floor Leader Inos moved for its adoption and confirmation of Mr. Pedro L. Cruz. Senators J. Guerrero and Villagomez 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	Absent
Senator Juan T. Guerrero	Aye
Senator Joseph S. Inos	Aye
Senator Jose P. Mafnas	Excused
Senator Herman M. Manglona	Aye
Senator Paul A. Manglona	Aye
Senator Manuel P. Villagomez	Aye
President Benjamin T. Manglona	Aye

The motion to adopt Standing Committee Report No. 6-61, confirming Mr. Pedro L. Cruz to serve as Board of Directors of MPLC Tinian, unanimously passed the Senate by the members being present with a roll call vote of seven "ayes".

The Chair called for a short recess at 10:13 a.m.

RECESS

The Senate reconvened at 10:17 a.m.

President Manglona: Let us continue with our session. We are still under Standing Committee Reports on our Order of Business.

The Chair recognized Floor Leader Inos.

Floor Leader Inos: Mr. President, with all concern by the members of the Committee on EAGI, I move to suspend pertinent Rules of the Senate so that we place Standing Committee Report No. 6-62. The genuine copy of which is with me is yet to be xeroxed but it was signed by five out of seven members of the committee.

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

Floor Leader Inos moved to place Standing Committee No. 6-62 on today's calendar under Standing Committee Reports. Senator Babauta seconded the motion.

The Chair recognized Senator J. Guerrero.

Senator J. Guerrero: I would like to ask the members of this body that the confirmation should be on the individual -- not both of them at the same time -- that the motion should be made relative to the individual. I would like to vote on the nominee one by one because I'm not supporting both. I'm only supporting one.

President Manglona: I believe the Floor Leader can make a separate motion on each of the nominees if that is the unanimous desire of the members. Floor Leader Inos, you're recognized.

Floor Leader Inos: I have no idea which one he's voting for, but I will make a motion.

The Chair called for a short recess at 10:19 a.m.

RECESS

The Senate reconvened at 10:20 a.m.

President Manglona: Let us continue with our session. We are still discussing Standing Committee Report No. 6-62. Floor Leader Inos, proceed.

Floor Leader Inos: Mr. President, as a matter of detail here, Standing Committee Report No. 6-62 is being dissected into "A" and "B".

The Chair recognized Senator Babauta.

Senator Babauta: Mr. President, I believe we have a pending motion on the floor and the motion is that the standing committee report be placed on today's calendar. I don't think we have acted on that yet.

The motion was voted on and carried. Standing Committee Report No. 6-62 was placed on the Calendar.

Standing Committee Report No. 6-62 (A), from the Committee on Executive Appointments and Governmental Investigations, reporting on the Governor's appointment of Mr. John Schwarz to serve as a member of the Board of Regents, representing the private sector, for adoption and confirmation.

The Chair recognized Floor Leader Inos.

Floor Leader Inos: Mr. President, under Standing Committee Report No. 6-62, we have "A" and "B". Mr. President, I move for the confirmation of Mr. John Schwarz to the Board of Regents representing the island of Saipan.

Senator Babauta seconded the motion. There being discussion, the Senate Clerk called the roll with the following result:

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

Senator H. Manglona: Mr. President, may I make a privilege statement before I cast my vote?

President Manglona: State your point of privilege, Senator Manglona, H.

Senator H. Manglona: Mr. President, I do not question the ability or the educational background of the nominees that we have today before us for confirmation. But like I stated before that I'm reluctant to take any action because of the fact that the Vice Chairman who chaired the hearing did not sign the report. I feel that we should give him the opportunity to make the report since he's the one who chaired the hearing. With that, Mr. President, I will vote "yes" with reservation.

President Manglona: So your vote is "yes", Senator Manglona, H. (Pause) Continue with the voting, Senate Clerk. Senator Manglona, H. just voted "yes".

Senator Herman M. Manglona	Aye (with reservation)
Senator Paul A. Manglona	Aye
Senator Manuel P. Villagomez	Aye
President Benjamin T. Manglona	Aye

The motion to adopt Standing Committee Report No. 6-62, reporting on the Governor's appointment of Mr. John Schwarz to serve as member of the Board of Regents representing Saipan private sector passed the Senate with a roll call vote of seven "ayes".

Standing Committee Report No. 6-62 (B), from the Committee on Executive Appointments and Governmental Investigations, reporting on the Governor's appointment of Mr. Juan L. Babauta to serve as member of the Board of Regents to represent Saipan, for adoption and confirmation.

The Chair recognized Floor Leader Inos.

Floor Leader Inos: Mr. President, I move for the adoption and confirmation of Mr. Juan L. Babauta to serve as member of the Board of Regents representing Saipan.

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

The motion to adopt Standing Committee Report No. 6-62, confirming Mr. Juan L. Babauta to serve as member of the Board of Regents representing Saipan, passed the Senate with a roll call vote of six "ayes" and one "nay".

SPECIAL/CONFERENCE COMMITTEE REPORTS

None

UNFINISHED BUSINESS

None

PREFILED BILLS AND RESOLUTIONS

Bill No. 6-108: A Bill For An Act To ensure maximum contribution to the local economy by garment manufacturers, to prohibit importation by garment manufacturers of goods available locally, other than machinery and equipment and raw materials and other goods used directly in the manufacturing process, to prohibit any garment manufacturer from owning or engaging in any other line of business, and for other purposes. (Senator Herman R. Guerrero -- Assigned to R&D)

Bill No. 6-109: A Bill For An Act To eliminate all nonresident workers in bars and nightclubs within one year, by prohibiting the issuance of any new or renewal non-resident worker certificates for employees of such establishments, unless such establishment is wholly owned by U.S. or CNMI citizens; and for other purposes. (Senator Herman R. Guerrero -- Assigned to R&D and HEW)

Bill No. 6-110: A Bill For An Act To make pregnancy of a nonresident worker grounds for termination of employment and for deportation; to add a new subsection (e) to 4 CMC §4438; and for other purposes. (Senator Herman R. Guerrero -- Assigned to HEW)

Bill No. 6-111: A Bill For An Act To prohibit immediate relatives of nonresident workers from staying in the Commonwealth, regardless of income; to prohibit the issuance of any new nonresident worker permits to any immediate relative of a nonresident worker already in the Commonwealth; to repeal 3 CMC §4437(j) as enacted by P.L. 5-32; to amend 3 CMC §4321(c); and for other purposes. (Senator Herman R. Guerrero -- Assigned to R&D)

Bill No. 6-112: A Bill For An Act To establish a Commonwealth Health Trust Fund which will provide a health benefits plan for Government employees and retirees; to require alien workers to initially participate in the Commonwealth Health Trust Fund; to provide for indigent residents to participate in the Commonwealth Health Trust Fund; to allow for voluntary participation in the Commonwealth Health Trust Fund by private sector employees and other residents; and for other purposes. (Senator Juan N. Babauta -- Assigned to HEW)

Bill No. 6-113: A Bill For An Act To provide for the administration and compensation of Municipal Council, and its members on the islands of Rota and Tinian and to amend certain provisions of 1 CMC, Div. 1, Chapter 4, and for other purposes. (Senator Joseph S. Inos -- Assigned to FA)

Res. No. 6-10: A Senate Resolution Expressing commendation and appreciation to Dr. Jose L. Chong and recognizing 39 years of outstanding and distinguished public service as a medical practitioner in the Commonwealth of the Northern Mariana Islands. (Senator Juan N. Babauta -- Assigned to HEW)

Res. No. 6-11: A Senate Resolution Expressing a hearty 'WELCOME BACK' and Thank You to the Continental/Air Micronesia upon resuming flights to the island of Rota. (Senator Joseph S. Inos +1 -- Assigned to Committee of the Whole)

Local Bill No. 6-2: A Local Bill For An Act For The Second Senatorial District (Tinian and Aguiguan) To establish a cockfighting board, to provide for issuance of a franchise license by public bid; to provide restrictions on wagering; and for other purposes. (Senator Herman M. Manglona +1)

BILL CALENDAR

S. B. No. 6-32, S.D.1: "A Bill For An Act To amend Title 3 CMC, Division 2, Articles 7 and 8, to establish protection for those persons who have successfully completed training in Cardiopulmonary Resuscitation, First Aid, Advanced Lifesaving or Lifeguarding; and other persons with specified health care training who offer assistance to those in need of emergency care; and for other purposes.", for First Reading.

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

The Chair recognized Senator Babauta.

Senator Babauta: Mr. President, this bill, when it was publicly heard, received a lot of support. I chair the committee that handled this piece of legislation and I support passage of this piece of legislation with one minor comment which I would like to share with the members and it treads on a very fine line between doing a good deed and taking away the civil rights of a person to file suit. And what this bill does is it will free a person from liability in his or her attempt to save a person's life. Where in the event of a person dying when this person is trying to save that particular person, if that person dies, then the family or friends of that person cannot file suit on what they think may be a liability and charge. The person can save the person's life from any liability on that person if that person dies. So that, to me, is the fine line between trying to take somebody's life and taking away somebody's liberty -- civil liberty to file suit against the particular person. We had a difficult time trying to reconcile those two fine lines of civil liberties of individuals as provided for under U.S. Constitution and our own Constitution. So with that, Mr. President, I give that a very special consideration and I support the legislation and we will see how it comes out if it's passed into law.

The motion to pass Senate Bill No. 6-32, S.D.1 on First Reading was voted on and carried.

S. B. No. 6-39, S.D.1: "A Bill For An Act To enact enabling legislation for the establishment of an Office of Special Assistant to the Governor for Women's Affairs as mandated by Constitutional Amendment No. 21; to amend 1 CMC, Division 2, Section 2051, and to add to 1 CMC, Division 2, Chapter 1, a new Article 5 and for other purposes.", for First Reading.

Floor Leader Inos moved for its passage. Senator Villagomez seconded the motion, and the motion carried by voice vote.

H. B. No. 6-70, H.D.1, S.D.1: "A Bill For An Act Amending the Commonwealth Code by adding a new Division 7 to Title 2, prohibiting the activity of commercial farming to all persons who qualify to own land in the fee simple in the Northern Mariana Islands, and for other purposes.", for First Reading.

Floor Leader Inos moved for its passage. Senator Babauta seconded the motion, and the motion carried by voice vote.

S. B. No. 6-42, Comm. Subst. 1: "A Bill For An Act To amend Chapter 2 of Division 1 of Title 2 of the Commonwealth Code in its entirety; to extend the authority of the Department of Natural Resources over submerged lands so as to allow for licenses and development leases for water and non-water dependent uses of submerged lands in the Northern Mariana Islands; to provide for approval of such leases by the Legislature and to require a public hearing on such lease prior to granting said approval; to prohibit granting of a freehold interest to a private developer; to restrict the terms and conditions of leases of submerged lands; and for other purposes.", for First Reading.

Floor Leader Inos moved for its passage. Senator Babauta seconded the motion, and the motion carried by voice vote.

S. B. No. 6-6, H.D.1: "A Bill For An Act ~~To amend 4 CMC Section 7301(b)(1)(E)~~ ~~to amend the five years compliance statute~~ To provide for exemption to the five year compliance statute of 4 CMC Section 7301(b)(1)(E), to amend and renumber 4 CMC Section 7301(b)(2), to add a new 4 CMC Section 7301(b)(2), and for other purposes.", for acceptance of House Draft 1.

Floor Leader Inos moved for the acceptance of House Draft 1. 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	Absent
Senator Juan T. Guerrero	Nay
Senator Joseph S. Inos	Aye
Senator Jose P. Mafnas	Excused
Senator Herman M. Manglona	Aye
Senator Paul A. Manglona	Aye
Senator Manuel P. Villagomez	Aye
President Benjamin T. Manglona	Aye

The motion to accept the House Draft to Senate Bill No. 6-6 passed the Senate with a roll call vote of six "ayes" and one "nay".

S. B. No. 6-11: "A Bill For An Act To prohibit children under the age of six (6) years old to be left unattended in a parked motor vehicle in the Northern Mariana Islands to amend 9 CMC, Division 5, Chapter 6 and for other purposes.", for Second Reading.

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

The Chair recognized Floor Leader Inos.

Floor Leader Inos: This is a very good piece of legislation. It modernizes the society to prohibit the children under the age of six years old to be left unattended. Mr. President, my question is that, who will check whether the child is six years old? Or shall we put this legislation for any underage, instead of six? Can we put in seven years old? I was thinking -- what's the magic number of six years old? I'm all for six years old, seven years old, or ten years old, but I think the language may be improved than the way it is written. Section 5607 says "Child Safety. The operator of a motor vehicle shall not leave a child under the age of six (6) in or on a motor vehicle unless the child is attended by a responsible adult." What is a "responsible adult"? And why did we put this six years old instead of seven or eight? Can I ask the Chairman, Chairman Villagomez, what is the legislation elsewhere in which we have modeled this piece of legislation?

The Chair recognized Chairman Villagomez.

Chairman Villagomez: According to the analysis of the committee report, this incident happened in Guam and we don't want this thing to happen in the CNMI. The committee

report explained that the two children were left unguarded and the car caught fire. It is the intent of the Legislature that such accident must be prevented by prohibiting the operator of a motor vehicle from leaving a child under the age of six years in a parked motor vehicle without a responsible adult supervision. It is very clear in the committee report, Mr. President.

President Manglona: Does that address your concern, Floor Leader Inos?

Floor Leader Inos: Yes, Mr. President. It is very difficult to enforce this piece of legislation, but hopefully it will be respected and honored by all concerns.

The Chair recognized Senator P. Manglona.

Senator P. Manglona: Chairman Villagomez, is there any consideration for mentally-ill persons who might be over the age of six years old and were left unattended in the vehicle?

Chairman Villagomez: The committee report did not address that, but I think the individual should be responsible of the handicap person. Somebody has to be responsible.

The Chair recognized Senator Babauta.

Senator Babauta: Mr. President, I support this piece of legislation. This is a fine piece of legislation and I think that the responsible person in this case -- in most instances, will be the parents of the child who is six or under the age of six years old. Or otherwise the parents could designate other responsible person to look after the child in a parked vehicle. It is a good measure both for the child and for the parents and I fully support this legislation.

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

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

The motion to pass Senate Bill No. 6-11 on Second Reading passed the Senate with a roll call vote of seven "ayes".

S. B. No. 6-31, S.D.1: "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 Chairman Villagomez.

Chairman Villagomez: Mr. President, I think the only correction is the dimension of the flag. There are changes in the dimension. You can take a look on page 2 -- there is a change in the figures as to the size of the flag. That's the only change during the last session. I think Senator Paul (Manglona) went through the dimension and he mentioned that the dimension has to be consistent with the Constitutional Amendment.

The Chair recognized Senator Babauta.

Senator Babauta: Mr. President, it is time we have an official flag of the Commonwealth and settle the problems in the differences as to how the mwaar is going to look like

or what color it is going to look like. Even with the Carolinians, there are differences of opinions on the color and the type of flower. I think that this bill will settle that problem once and for all.

The Chair recognized Chairman Villagomez.

Chairman Villagomez: Since we are passing this official legislation, I urge the President to have the House pass this urgent piece of legislation. As Senator Babauta had mentioned that now that we are passing it, we will have an official Commonwealth Flag.

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

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

The motion to pass Senate Bill No. 6-31, S.D.1 on Second Reading passed the Senate with a roll call vote of seven "ayes".

S. B. No. 6-44, H.D.1: "A Bill For An Act To amend 2 CMC §4333(e) regarding priorities for the issuance of a permit for a village homestead lot, and for other purposes.", for acceptance of House Draft 1.

Floor Leader Inos moved for its acceptance. The motion was seconded by Senator Babauta.

The Chair recognized Senator Babauta.

Senator Babauta: Mr. President, I am trying to look for a copy of my bill, but I've read it before and if my memory serves me correctly, the bill will authorize the issuance of a second homestead lot to a person who is previously married. I just hope that this is not going to encourage divorces in the Commonwealth by virtue of trying to get a second chance for a second lot. I know there are circumstances now in the Commonwealth in which that is happening. I sympathize with those individuals but I just hope that this is not going to be a social trend for the Commonwealth.

The Chair recognized Senator P. Manglona.

Senator P. Manglona: Just one concern. Let's assume -- because I had the same concern in the First Reading -- let's assume that two people are married and filed for divorce. And let's say that the judge passed the homestead lot to the children. Can both be qualified for a homestead lot? Can both parties be qualified?

Senator J. Guerrero: Unless they have children with them. They cannot be qualified just because they are divorced. They have to apply and be on the list for at least three years. Their priority is based if they are remarried and have....

Senator P. Manglona: I'm not talking in terms of priority. I'm talking in terms of qualification for village homestead lot. Can the mother and the father be qualified each for a homestead lot because the judge declared the homestead lot to be the property of the children?

Senator J. Guerrero: They still have to follow the criteria of the qualification. Just because they are divorced doesn't mean that they are automatically qualified, and that is a misconception that some of our distinguished Senators have. There is a qualifying criteria that they have to comply with.

Senator P. Manglona: Maybe I should rephrase my question. Is there a possibility -- even one possibility -- that both parents will get a lot once they are divorced and the land goes to their children? Is there a single possibility?

Senator J. Guerrero: There might be a possibility, but again, that possibility only lies provided that they are remarried and they are with children. Because this exception here we are trying to qualify is when the court without the concern of one party of the divorced is -- you know, they take that land away and then this individual remarries and have a kid. Therefore, their need is the same as that of married with dependents. So those are criteria set forth by MPLC.

Floor Leader Inos: Mr. President.

President Manglona: I see the hand of Chairman Babauta first.

Senator Babauta: I yield.

The Chair recognized Floor Leader Inos.

Floor Leader Inos: Mr. President, what we have here is for the acceptance of the House version. So there is only one amendment made by the House version. And that is -- although the concerns are really legitimate the only acceptance that we have to accept is the five-year provision. So I thought that's the issue at hand. The House has deleted the five-year requirement in order for someone -- any individual person to receive a homestead. So the House has deleted that and it is up to the MPLC depending to the availability of land or the qualification of the individuals applying. As such, I am in agreement with that deletion of the five-year provision.

President Manglona: Your point is well taken, Floor Leader Inos.

The Chair recognized Senator Babauta.

Senator Babauta: But I also believe, Mr. President, that the House added in that provision about having a person eligible to apply if they qualify. I want to make it perfectly clear that I do not have a misconception about this bill. My understanding of this bill is crystal clear. There is no misconception whatsoever. When a person upon the divorce, of course, will have to go to MPLC and apply and go through the process and MPLC will have to declare whether or not they are eligible. But the mere fact that if the person is divorced who was previously been given homestead lots that those persons upon having applied will qualify if they are qualified to receive a second homestead lot. I also want to touch upon the issue raised by Senator Paul Manglona and I don't think that it was clearly discussed. I think his concern is that if the two individuals were divorced and the property is declared by the court to be owned by the children of the two individuals -- his question is whether or not the husband and wife who just got divorced may go through the process of applying for a homestead lot and eventually being given one. That, I believe, would have to go through the same process of application and the MPLC then deciding whether or not they are eligible. And also MPLC will determine where they appear on the list.

The Chair recognized Senator P. Manglona.

Senator P. Manglona: One point that I want to make clear. This does not have any effect on the existing legislation as far as divorces are concerned. This amendment here about the qualification for a divorced person does not apply as far as other sections of the present....

President Manglona: Excuse me, Chairman Manglona, P. Are you referring to the House amendment? The motion is to adopt the House amendment. Are we discussing the House amendment? Or are we discussing the bill?

Senator P. Manglona: I am discussing the bill. That is related to the House amendment.

President Manglona: I suggest that you stick to the House amendment. What we're discussing is the House amendment and not the bill. You can deliberate on the bill when we reach the Bill Calendar.

The Chair recognized Senator Babauta.

Senator Babauta: Point of clarification, Mr. President. Although the committee report says that we adopt or accept the House amendment, that doesn't necessarily mean, Mr. President, that we cannot debate on other sections of the bill.

President Manglona: The bill was debated on two separate days in the Senate and also two separate days in the House. Since the House made an amendment to the Senate bill, the House amendment has to be accepted by the Senate. We're now deliberating whether to accept or to reject the House amendment on Senate Bill No. 6-44, H.D.1. Therefore, we have to focus our attention to the amendment made by the House. The Chair rules that we limit our discussion on the amendment made by the House, unless I am overruled by the majority members of the Senate.

Senator P. Manglona: This is a point of clarification, Mr. President.

President Manglona: State your point of clarification.

Senator P. Manglona: I would like a clarification on this provision here about a divorced person being qualified for a homestead lot. Does this provision apply in other section of the law other than as far as priority is concern?

President Manglona: Can the appropriate Chairman respond to the concern raised by Senator Manglona, P.?

Senator J. Guerrero: Mr. President, as you stated, the motion on the floor is to accept the House amendment. The question being raised is irrelevant to the House amendment.

President Manglona: The Chair wishes to take a little exception to the rule, Chairman Guerrero, J. Senator Manglona, P., you may continue with your statement.

Senator J. Guerrero: Can you repeat the question?

Senator P. Manglona: The question is, does this section here that pertains to the qualification of the divorced person apply to other sections of the existing law as far as qualification is concern other than priority? Because I understand in the present law now as mentioned by the Executive Director of MPLC, there is no provision there that pertains to qualification of divorced person for a homestead lot. This is placed in this legislation because you are concern about priority status only. I'm saying for clarification, does it also apply to the qualification?

Senator J. Guerrero: It does apply for qualification because it says here "may be" eligible to receive. If you read the section on page 2 of the bill, they still have to comply with the criteria set forth under the qualification. They just don't automatically become eligible to receive.

The Chair called for a short recess at 10:53 a.m.

RECESS

The Senate reconvened at 10:55 a.m.

President Manglona: Let us continue with our session. We are still discussing Senate Bill No. 6-44, H.D.1. Is there any more discussion?

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

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

The motion to accept the House amendment to Senate Bill No. 6-44, H.D.1 passed the Senate with a roll call vote of seven "ayes".

(Senator J. Guerrero was excused at 10:56 a.m.)

RESOLUTION CALENDAR

S. R. No. 6-10: "A Senate Resolution Expressing commendation and appreciation to Dr. Jose Lujan Chong and recognizing 39 years of outstanding and distinguished public service as a medical practitioner in the Commonwealth of the Northern Mariana Islands.", for adoption.

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

The Chair recognized Senator Villagomez.

Senator Villagomez: Mr. President, if there is no objection from the introducer, I would like to ask if we could change this to the Committee of the Whole as the introducer.

Senator Babauta: Absolutely no objection.

The motion to adopt Senate Resolution No. 6-10 was voted on and carried.

S. R. No. 6-11: "A Senate Resolution Expressing a hearty 'WELCOME BACK' and Thank You to the Continental/Air Micronesia upon resuming flights to the island of Rota.", for adoption.

Floor Leader Inos moved for its adoption. There were several seconds to the motion, and the motion carried by voice vote.

The Chair recognized Floor Leader Inos.

Floor Leader Inos: Mr. President, with the general consensus of the members of the Senate, I move to suspend our Rules so that we place Senate Joint Resolution No. 6-7 on today's calendar.

Senator Babauta seconded the motion.

Senator Babauta: Can the good Chairman read the title of that resolution?

Floor Leader Inos: Mr. President, Senate Joint Resolution No. 6-7 is a resolution introduced on the 2nd of February, 1988, protesting the manner of nominating the Federal Judge for the NMI District Court and requesting the establishment of the procedure for such nomination involving prior consultation with the Commonwealth of the NMI.

President Manglona: Can you clarify your statement, Floor Leader Inos? I believe your motion is to recall Senate Joint Resolution No. 6-7 from the House and to place it on the calendar.

Floor Leader Inos: This is to place first -- to suspend so that we place.

President Manglona: The explanation is still not too clear to me. Do I take it that we have to place it first on the calendar and then recall the bill?

Floor Leader Inos: To place under Resolution Calendar then a motion will be made whether we adopt, we file, or we recall.

The Chair called for a short recess at 11:00 a.m.

RECESS

The Senate reconvened at 11:01 a.m.

President Manglona: Let us continue with our session. We are still under the Resolution Calendar. There is a motion offered by our good Floor Leader Inos to suspend pertinent Rules of the Senate in order to place Senate Joint Resolution No. 6-7.

Senators Babauta and P. Manglona seconded the motion, and the motion carried by voice vote.

The Chair recognized Floor Leader Inos.

Floor Leader Inos: Mr. President, I move to recall the Senate's action on Senate Joint Resolution No. 6-7.

Senator Babauta seconded the motion, and the motion carried by voice vote. Senate Joint Resolution No. 6-7 was recalled from the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The Chair recognized Senator H. Manglona.

Senator H. Manglona: Mr. President, I just would like to bring to the attention of this body that the Tinian Delegation this morning prefiled Senate Local Bill No. 6-2, so there will be no more misunderstanding as to the procedure in filing of the local bill in this body. Thank you.

The Chair recognized Floor Leader Inos.

Floor Leader Inos: Mr. President, as a matter of explanation, the local bill should it be introduced should be placed in the Senate for each member's perusal whether we feel that that is for the interest of the Commonwealth-wide as a whole or just local in nature. I would hope that each member of the Senate be given the courtesy to review the copy. Thank you, Mr. President.

PETITIONS, MEMORIALS AND MISCELLANEOUS COMMUNICATIONS

None

MISCELLANEOUS BUSINESS

The Chair recognized Senator P. Manglona.

Senator P. Manglona: Mr. President, please allow me to speak in Chamorro. I have no intention of being disrespectful to the media or to the public. I am just asking for your permission to express my thoughts comfortably.

President Manglona: According to our Rules, any member may choose to speak in English or Chamorro. You may proceed with your statement in Chamorro, Senator Manglona, P.

Senator P. Manglona: Mr. President, mangachongho siha membron este i sanhilo na guma Legislatura, hu gagagao todos hamyo para in baba potfabot i korason miyo, na klaro i hinason miyo kosa ke hu guaha aire guine gi halom este na Chamber anai sina gi intalo todos hit u guaha ina komprende, inagoflie yan kooperasion. Mamos gi fino niha hana puti i sinenteho anai hu tungo na guaha uno gi cheluta guine halom mamos makat problemana. Anai hu tungo na mamos kana ti ha lalangag gi apagana i problemana siha, ya komo cheluta este, ya manhihita mona, ya para hu guaha mauleg na aire, debe ta ayuda. Mamos ana maase yo, ana pute i sinenteho este na cheluta. Hana maase yo sa este i gachongta ha deside na esta ti para hu falago para Senadot. Mamos mato china i sinentena na guaha gera, osino gayera, osino palitada guine gi gima sanhilo na Legislatura. Mamos mato china ihinasona na guaha gera. Esta ilekna na if you can't beat them, you're suppose to join them, but hell if I will. Mato china hinasona na guaha boxing guine halom. Kao sina, Mr. President yan man gachong ho guine halom, tana fan tunuk sensiaata ya tana guaha airen kooperasion, inaguaiya yan inakomprende. Mamos i amigota, i cheluta makat problemana, esta ti sisina mamattinas maulek na desision. Maila ya ta ayuda este na cheluta sa man hihita mona. Anai pago hu taitai gi gaseta na guaha problema gi entalo i mangachong siha, mamos i sensiaho kumahulo. I finenena na

sinenteho para bai hu lalalo, para bai hu chatfino, para bai hu disatendo. Lau anai sige mona hu haso ya hu lipara hafa finona este i gachongta, Mr. President yan mangachong ho siha, hana maase yo i taotao. Hulipara na hanesisita i ayuduta, kinenprendeta. Hanesesita na ta guaiya gui. Hanesesita na tanae atension. Hu gagagao hamyo pago membros na maila ya tana tagpapa i sensiata ya ta nae atension pot fabot i ameguta kosa ke sina ta polo tate gi dinanche na chalan anai sina pareho talie mona i obligasionta para ta setbe i publikon Marianas, ya tana tatkilo i interes niha, ya tana takpapa i petsonat na interesa. Piniti yo lokue sa ha sangan i gachong ta na guaha guiya hita mampos man tai eskuela ya ginen enao i tai eskuelata ti man kualifikao hit, ti man kapas hit, ya ti ta tungo i interes i publiko. Na piniti sa ha sangan klaro este, ya dispensa yo mangachong ho yangin guaha fuera di guaho man tinitika lokue nu este na palabra. Hina soko na este i edukasion yan esperiensia magahit na uno anai sina tamidi kao hu futuna mona i karera lao ti todo i tiempo este ha na midida guaha. Parehoha gi halom i gobetnamento pat sino gi halom i business. Atanha si Joeten, man pareho ha buente eskuelata lao atanha mona i bisnesna, maseha ti gef takfena i eskuelana. Lao ti pot esti na kumentos yo pago. Talo bai hu repiti na hu gagagao hamyo na maila tafan aayuda mona, tanafan tagpapa hit ya ta ayuda i gachongta munae atension. Hungan vocal este i uno na miembro nai husasangan. Gi fino Chamorro "aggang, ridu, buruka". Hungan todos hit sina umatmiti na vocal, buruka este i gachongta. Taimano ha todos hit sina muatmiti na este i latan ganta yangin tai sinaguan ya yangin un nayiyi acho mas aggang ki este i latan ganta nai gai sinaguan hanom, ya un nayiyi acho ti aggang este. Pues aggang este i gachongta. Mampos pininiti este i lata ni tai sinaguan. Lao ahe talo ti este nai kumekuentos ho. Kumekuentos yo para bai kombida hamyo ya tana guaha airen inakomprende, inaguflie yan inaayuda guine na guma. Mr. President yan man gachongho, ayuda yo ya tana takpapa i sensiata ya tanae atension i gachongta. Kumekuentos yo pago para bai hu gagao hamyo nu este na klasen sensia. Ti kumekuentos yo para bai hu ke tulaika i hinasona i gachongta ya hu deside ya hu falago talo gi mamamaila na eleksion. Hinasoku na esta buente man magof tungo hit nai membron kongresista na seso ta tulaika i hinasota. Pues ti hu keketulaika i hinasona. Hina soko na manmagof tungo hit na seso ta tulaika i hinasota. Mr. President yan man gachongho, maila ya ta guifiyi mona i gachongta nai gai problema ya puedi hu maulek mona gi planuna anai ha deside na para hu business consultant. Mampos megai gi apagana magahet kinatgagana este na cheluta. Makat este i parahun Senadot. Seso este na cheluta maakusa or masangan na manakukusa otro membron Legislatura gi public hearing pot bribery. Masangan este na amiguta na ha kekepuno i poker industry, ya man lalalalo i amiguna siha nu guiya. Masangan este na amiguta na guaha siha ha kokontra pot alien labors, ya eyo na esta muhuyung ya ilekna na hae pago i waitress yan garment factory workers debi de humana fan para. Masangan este i amiguta na tiyana ma estototba despue de i checho gobetno, ya eyo na muhuyung ya hasangan na debe ha lokue de hu gai ora yan i familiana, ya hu gai tiempo despues de i checho i gobetno. Masangan este i amiguta na gi 1989 para hu falago para gobetno. Mampos bula problemana. Makat magahet este i para hun kongreso. Pues maila ya ta komprende este i amiguta. Makat este i para hun kongreso. Ya ta desea mohon na hu maulek mona i planuna nai para hu business consultant. Todos ha hit tumungo na esta mas ki sinko anos de kumongreso pues hinasoko buente na u taiproblema nu enao. Esta ha guatdia mona i planona. Lao maila ya ta konseha mona ya ta tatiyi gi planuna mona nai para hu business consultant, ya ta taitaitaiye mona. Pues, Mr. President yan man gachongho siha, maila ya tana guaha airen inakomprende, inaguaiya, inagoflie, kooperasion ya ta nae i gachongta eyo na sensia i if you can't beat him, don't join him but heaven I'll be, if I will quit. Si Yuus Maase.

President Manglona: Thank you, Senator Manglona, P., for your remarks.

The Chair recognized Floor Leader Inos.

Floor Leader Inos: Mr. President, I understood that draft copies of the 7-year plan drafted by A. D. Little is being circulated to some individuals. I have yet to become a recipient of that copy and I'm very interested to read it, Mr. President. Furthermore, I understood that there will be some briefings by the officials with the consultants of A. D. Little regarding the contents of such report. Mr. President, I would hope that no schedule be made for us to be briefed the report until we have at least three or four days time to review the draft report. Can we be enlightened, Mr. President, when can each member or members of the Senate be given a courtesy copy of the report and when is the scheduled meeting for this briefing, Mr. President?

President Manglona: For your information, Floor Leader Inos, about a month ago I had the opportunity to meet with the representatives from Arthur D. Little to solicit our supports in the planning and formulation of the 7-year CIP. I remembered in that meeting that some members of the Senate were involved. Those who were present at that meeting were asked to represent their respective committee in discussing the 7-year plan. I believe the following Senators were present: Chairman Babauta, representing the HEW Committee and Saipan's interest; Chairman Paul Manglona, representing Rota's interest; and Chairman Villagomez, representing Tinian's interest. I strongly recommend to Arthur D. Little that they be informed of any meeting or discussion to be held so that they will participate. It is, therefore, the responsibility of those members in attendance that they should brief other members of the Senate about their meetings. I must admit that I haven't closely monitored that matter after the meeting. Again, it was my understanding that the Senators who are members of the respective 7-year CIP planning group should be called on a regular basis to participate in the various discussions, and in turn, they should come to the Legislature to brief us. I believe there has been a draft report -- interim draft report, that has already been distributed. The office of the President has one set available. Because of our xerox problem, we were not able to reproduce copies of the report. Any Senator who wish to see the report, please feel free to borrow the set that is in the office of the President. I will also check with Arthur D. Little if copies of the report can be provided to each member. I hope the explanation I just made will satisfy you, Floor Leader Inos.

Floor Leader Inos: I overheard yesterday that there will be a meeting today with representatives from A. D. Little regarding the report.

President Manglona: Well, my office was not informed of the meeting today. Our understanding was that each appropriate standing committee chairman of the Senate is to be informed if there is a panel to sit in these discussions to be held.

Floor Leader Inos: Thank you, Mr. President.

The Chair recognized Senator H. Manglona.

Senator H. Manglona: In relation to what my good Senator from Rota mentioned regarding the 7-year plan, I am very disturbed by the action of several staff of the Executive Branch. The Tinian Delegation wrote a letter to the Governor, cc to the Lt. Governor, and to the people involved in the 7-year plan, appointing a representative so that they can meet on every meeting to represent Tinian's interest and to advise the Tinian Delegation as to the outcome of the meeting. Unfortunately, we found out that they had several meetings without inviting our representative. I called up the Governor's office to verify whether or not those people that should be given the copy of the letter receive it and I was informed that they did receive it. For me, it is quite disturbing because why when we appointed the representative to represent our interest, rather for the island of Tinian, that was never honored or at least accepted. I don't know, Mr. President, what action that we should take but I just want to ask your good office to write a letter to the Executive Branch that when we write a letter to them at least -- if they refuse our representative -- at least tell us that "we don't want your representative at this meeting". Thank you.

President Manglona: Yes, Chairman Manglona, H. The Chair would like to take up that with the Governor's office. I will ask the Governor to be responsive to all correspondence or letters sent to him from members of the Senate or the Legislature or from the respective Senatorial District Delegation. Once again, as I explained to our Floor Leader, that there were occasions when the office of the President put out notices to all members of the Senate urging them to attend briefings from Arthur D. Little. I hope that any call of such briefing in the future should be well attended by our members. Our participation is necessary, because we will be the ones that would be approving these final reports. I'm hoping that when it comes to us we should be ready to act on it promptly. Because of this concern, let me assure you that I will convey the Senate's concerns to the office of the Governor to make sure that members of the Legislature will be consulted regularly on the formulation of the 7-year plan so that they can make an intelligent decision in approving it.

ANNOUNCEMENTS

The Chair recognized Chairman H. Manglona.

Chairman H. Manglona: The Committee on EAGI would like to announce that there will be a public hearing on June 9, Thursday at 10:00 a.m., in the Senate Chamber on the nomination of Mr. Efrain F. Camacho to serve on the Board of Professional Licensing and also on the same day there will be a public hearing at 2:00 p.m. on the appointment of Mr. Francisco Tomakane, Saipan; Mr. Victor M. Igitol, Saipan; and Mr. Roy C. Manglona, Rota to serve on the ABC Board. Thank you.

The Chair recognized Chairman Babauta.

Chairman Babauta: Mr. President, I would like to announce a meeting with the Special Joint Legislative Committee on Water Resources which I will schedule for Tuesday next week in the Speaker's Conference Room for the purpose in reviewing the draft water committee report on water. The time, Mr. President, I have not yet determine pending consultation with members of the House, but the written notice should indicate the exact time for the meeting. Thank you.

The Chair recognized Chairman Inos.

Chairman Inos: Mr. President, I am calling for a meeting with the Conferees of the budget at one o'clock this afternoon in my office. Hopefully we can dispose of some things.

President Manglona: If there is no further announcement, the Chair would like to make a short announcement. First, I would like to recognize the outstanding work of our Chairman, Senator Babauta and his members for completing our Rules of Procedure booklet which includes compilation of our Covenant, Northern Marianas Constitution, Constitutional Amendments, and also the U.S. Constitution. On behalf of the members of the Senate, I would like you, Chairman Babauta and your committee, to know that we appreciate and acknowledge your very fine work.

Chairman Babauta: Thank you, Mr. President.

President Manglona: Also, I'm glad to acknowledge the very hard work of our Chairman of the Senate Fiscal Affairs Committee in addressing vigorously the FY 1988 budget. There are several departments that are visiting the office of the President urging us to expeditiously pass the FY 1988 budget. Chairman Inos, I would like once again to urgently request that you meet with your House counterpart to try to get the budget out of the Legislature as soon as possible.

There being no further announcements, Floor Leader Inos moved that the Senate stand in recess subject to the call of the Chair. The motion was seconded by Senator Babauta and carried by voice vote.

The Senate recessed at 11:25 a.m., subject to the call of the Chair.

Respectfully submitted,


Antonia M. Apatang
Senate Journal Clerk