HOUSE OF REPRESENTATIVES

SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
SECOND REGULAR SESSION

SESSION DAY	CALENDAR DAY	TIME
16th Day, Second Regular Session	Friday, December 19, 2008	8:30 a.m.

ORDER OF BUSINESS

A Moment of Silence *DRAFT 12/19/08 AM*

1. ROLL CALL

2. ADOPTION OF JOURNALS – None

3. INTRODUCTION OF BILLS

House Bills:

H. B. NO. 16-199: To amend Title 4, Division 5, Chapter 5, by adding a new section 5569 and amending section 5593 to criminalize the sale and/or resale of products purchased or obtained from the Army and Air Force Exchange Services ("AFEES") and to authorize the Commonwealth of Department of Commerce, Division of Alcohol Beverage and Tobacco Control, the Department of Public Safety and the Office of the Attorney General to enforce and prosecute violations of this Act; and for other purposes. (Rep. David M. Apatang +3)

H. B. NO. 16-200: To amend the Phosphate Detergent Act (2 CMC §§ 3701 et seq.); to amend 6 CMC § 2301(a) to prohibit the importation of any cleaning agent that contains phosphate; and for other purposes. (Rep. Christina M. Sablan)

H. B. No. 16-201: To establish a government service severance package for employees funded by the General Fund with at least eighteen years of government service; and for other purposes. (Rep. Heinz S. Hofschneider +7)

House Legislative Initiatives:

House Local Bills:

4. INTRODUCTION OF RESOLUTIONS

House Commemorative Resolutions:

H. COMM. RES. 16-67: Conveying the sincere condolences and sympathy of the House of Representatives, Sixteenth Northern Marianas Commonwealth Legislature, to the bereaved family of the late Francisco Matagolai Pangelinan "Bokonggo" on the occasion of his untimely passing and paying tribute to his fond memory. (Rep. Ralph DLG. Torres +19)

House Resolutions:

House Concurrent Resolutions:

House Joint Resolutions:

5. MESSAGES FROM THE GOVERNOR

GOV. COMM. 16-262: (undated) Certification for a vacant position at the Division of Customs, Department of Finance.

GOV. COMM. 16-263: (11/27/08) Certification for an annual salary in excess of $50,000 for Dr. Robin S. Shearer.

GOV. COMM. 16-264: (11/27/08) Informing the House that he signed into law H. B. NO. 16-186, HD2 (Reappropriating $400,000 from Section 2 of PL 13-48). [Became Public Law 16-24]

GOV. COMM. 16-265: (11/28/08) Informing the House that he signed into law H. B. NO. 16-176, HD1 (Regarding Health Care Professional Licensing Board). [Became Public Law 16-25]

GOV. COMM. 16-266: (11/28/08) Certification for a vacant position at the Department of Public Health.

GOV. COMM. 16-267: (11/28/08) Certification for a vacant position at the Division of Customs, Department of Finance.

GOV. COMM. 16-268: (11/28/08) Certification for vacant positions at the Community Guidance Center, Department of Public Health.

GOV. COMM. 16-269: (11/28/08) Certification for an annual salary in excess of $50,000 for Dr. Edward H. Kolner.

GOV. COMM. 16-270: (11/28/08) Certification for vacant positions at the Commonwealth Health Center, Department of Public Health.

GOV. COMM. 16-271: (12/1/08) Urging the members of the Legislature to attend the presentation by Mr. Malcolm D. McPhee on the Comprehensive Assessment of the CNMI Economy. (See GOV. COMM. 16-252 – Economic Report)

GOV. COMM. 16-272: (12/3/08) Executive Order 2008-21 - Declaration of a State of Emergency: CUC's Imminent Generation Failure and the need to provide Immediate Reliable Power during Repairs, Continuation #4.

GOV. COMM. 16-273: (11/28/08) Certification for a vacant position within the Department of Finance-Rota.

GOV. COMM. 16-274: (11/28/08) Certification for an annual salary in excess of $50,000 for Dr. Kenneth Taguchi.

GOV. COMM. 16-275: (11/28/08) Certification for an annual salary in excess of $50,000 for Dr. Debesh Basu.

GOV. COMM. 16-276: (12/2/08) Certification for vacant positions at the Department of Public Lands.

GOV. COMM. 16-277: (12/2/08) Certification for a vacant position at the Office of the Special Assistant for Administration, Office of the Governor.

GOV. COMM. 16-278: (12/2/08) Certification for a vacant position at the Tinian Health Center.

GOV. COMM. 16-279: (12/5/08) Certification for a vacant position at the CHC, Department of Public Health.

GOV. COMM. 16-280: (Undated) Certification for an annual salary in excess of $50,000 for Dr. Theodore McMenomy.

GOV. COMM. 16-281: (12/5/08) Certification for vacant positions at the CHC, Department of Public Health.

GOV. COMM. 16-282: (12/5/08) Certification for an annual salary in excess of $50,000 for Dr. Eric Bernon.

GOV. COMM. 16-283: (12/5/08) Certification for an annual salary in excess of $50,000 for Dr. Rodney Klassen.

GOV. COMM. 16-284: (12/5/08) Certification for vacant positions at the CHC, Department of Public Health.

GOV. COMM. 16-285: (12/5/08) Informing the House that he signed into law H. L. B. NO. 16-19, D2, the Saipan Zoning Law of 2008. [Became *Saipan Local Law 16-6*]

GOV. COMM. 16-286: (12/11/08) Informing the House that he disapproved H. B. NO. 16-108, SD1 (To restrict the application of disaster emergencies). [Deadline 2/9/08]

GOV. COMM. 16-287: (12/11/08) Certification for a vacant position at the Commonwealth Superior Court.

GOV. COMM. 16-288: (12/11/08) Certification for a vacant position at the Tinian Mayor's Office.

GOV. COMM. 16-289: (12/11/08) Certification for vacant position at the CHC; Department of Public Health.

GOV. COMM. 16-290: (12/11/08) Certification for annual salary in excess of $50,000.00 for Dr. Ruben P. Arafiles.

GOV. COMM. 16-291: (12/11/08) Certification for vacant position at the Commonwealth Election Commission.

GOV. COMM. 16-292: (12/12/08) Certification for vacant position at the Department of Public Works.

GOV. COMM. 16-293: (12/12/08) Certification for vacant position at the Office of the Mayor of TinianTinian.

GOV. COMM. 16-294: (12/12/08) Certification for vacant position at the CHC, Department of Public Health.

GOV. COMM. 16-295: (12/12/08) Certification for vacant position at the Division of Customs.

GOV. COMM. 16-296: (12/16/08) An invitation to meet with him together with a major energy company operating in India on Thursday, December 18, 2008, at 10:00 a.m.

6. SENATE COMMUNICATIONS

SEN. COMM. 16-101: (11/20/08) Transmitting a certified copy of S. R. NO. 16-24, entitled, "A Senate Resolution commending Mr. Francisco Sasakura Mendiola for his achievements and for becoming the first commercial pilot from the Commonwealth of the Northern Mariana Islands, Island of Rota." [For info]

SEN. COMM. 16-102: (11/25/08) Returning H. B. NO. 16-92 (To allow the sale of alcoholic beverages at the commercial airports without restrict), which was passed by the Senate without amendment on November 25, 2008. [Before the Governor]

SEN. COMM. 16-103: (11/25/08) Transmitting for House action S. B. NO. 16-44, CS1, "To amend Public Law 14-62; and for other purposes," which was passed by the Senate on November 25, 2008. [For action]

SEN. COMM. 16-104: (11/26/08) Returning H. J. R. NO. 16-4 (Re Joint Task Force on the U.S. Military expansion in the Marianas) which was adopted by the Senate without amendment on November 25, 2008. [For info]

SEN. COMM. 16-105: (11/25/08) From Senate President Pete Reyes appointing members to serve on the Joint Legislative Task Force on the Military Expansion in the Marianas. [For info]

SEN. COMM. 16-106: (12/4/08) Transmitting for House action S. J. R. NO. 16-8, entitled, To express the gratitude of the People of the Commonwealth of the Northern Mariana Islands for the recent statements of support of the Commonwealth's position concerning any designation of a marine monument in the waters adjacent to the Commonwealth made on behalf of the People of Guam by their elected representatives," which was adopted by the Senate on December 4, 2008. [For action]

SEN. COMM. 16-107: (12/4/08) Informing the House that the Senate reconsidered its previous action on Joint Conference Committee Report No. 16-1 which reported on H. B. NO. 16-169, HD9, SS1, CC1 on December 4, 2008. [For info]

SEN. COMM. 16-108: (12/5/08) Informing the House that the Senate adopted Joint Conference Committee Report 16-2 and passed H. B. NO. 16-169, HD9, SS1, CC2, the "Appropriations and Budget Authority Act of 2009," on December 4, 2008. [For info]

SEN. COMM. 16-109: (12/4/08) Transmitting for House action S. B. NO. 16-45, entitled, "To amend 4 CMC § 5941(a) to abolish the security deposit requirement for long term business certificate applicants; and for other purposes," which was passed by the Senate on December 4, 2008. [For action]

SEN. COMM. 16-110: (12/4/08) Transmitting for House action S. B. NO. 16-46, entitled, "To amend § 8422 of Public Law 15-35; and for other purposes," which was passed by the Senate on December 4, 2008. [For action]

SEN. COMM. 16-111: (12/4/08) Transmitting for House action S. L. I. NO. 16-11, entitled, "Proposing to amend Article VIII, Section 1 of the CNMI Constitution regarding regular general elections," which was passed by the Senate on December 4, 2008. [For action]

SEN. COMM. 16-112: (12/12/08) Transmitting a certified copy of S. R. NO. 16-28, entitled, "A Senate Resolution requesting the Honorable Governor Benigno R. Fitial to immediately conduct an internal oversight on the Commonwealth employment and training programs and to provide the 16th Commonwealth Senate a written and oral report on or before the first Thursday in March 2008; and for other purposes," which was adopted by the Senate. [For info]

7. HOUSE COMMUNICATIONS

HSE. COMM. 16-86: (12/1/08) From the Speaker appointing members to the Joint Legislative Task Force on the Military Expansion in the Marianas.

HSE. COMM. 16-87: (12/2/08) From the Vice Speaker informing the Speaker that he will be off-island from December 3rd thru December 6, 2008.

HSE. COMM. 16-88: (12/9/08) From Representative Reyes informing the Speaker that he will be off-island from December 10-19, 2008.

HSE. COMM. 16-89: (12/11/08) From the Speaker and the Senate President to Mr. Nikolau Pula requesting funding support from the OIA in the amount of $40,000 for travel costs associated with upcoming Micronesian Youth Services Network (MYSN) Conference.

HSE. COMM. 16-90: (12/11/08) From Representative Sablan making an Open Government Act request to the Secretary of Finance regarding *CNMI v. USA, et al*., 1:08-cv-01572 concerning U.S. Public Law 110-229.

8. COMMUNICATIONS FROM THE JUDICIAL BRANCH

JUD. BR. COMM. 16-8: (12/3/08) From Presiding Judge Robert Naraja certifying that a position for Law Clerk is vacant and must be filled.

9. COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE - None

10. COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

DEPT./AGCY. COMM. 16-58: (11/26/08) From Secretary Eloy Inos, Department of Finance, attaching an advance and preliminary report on the revenues and expenditures for the CNMI Government operations and activities for FY'08.

DEPT./AGCY. COMM. 16-59: (12/11/08) From PSS Commissioner Rita A. Sablan to the Governor regarding unfunded liability to the Retirement Fund.

11. OTHER COMMUNICATIONS

MISC. COMM. 16-57: (11/13/08) From Mr. James L. Connaughton expressing his appreciation to the Speaker during his visit to the Commonwealth.

12. REPORTS OF STANDING COMMITTEES

S. C. R. NO. 16-57: Reporting on **H. B. NO. 16-119**, entitled, "To reappropriate $60,000 from the Office of the Resident Representative to the United States' FY 2008 Budget to fund the November 4, 2008 Election for the CNMI Delegate to the U.S. House of Representatives; and for other purposes. *Your Committee on Ways and Means recommends that the House file H. B. NO. 16-119.*

S. C. R. NO. 16-58: Reporting on **S. B. NO. 16-9**, entitled, "To amend Section 4101 of Title seven of the Commonwealth Code relating to the computation of interest on judgments; to specifically assert the Commonwealth's Sovereign Immunity as it pertains to claims for post-judgment interest; and for other purposes." *Your Committee on Ways and Means recommends passage of S. B. NO. 16-9.*

S. C. R. NO. 16-59: Reporting on **H. B. NO. 16-76**, entitled, "To amend 2 CMC § 7181; and for other purposes." *Your Committee on Judiciary and Governmental Operations recommends passage of the bill in the form of H. B. NO. 16-76, HS1*.

S. C. R. No. 16-60: Reporting on **H. L. I. NO. 16-8**, entitled, "To amend Article XII of the Constitution of the Northern Mariana Islands by adding a new Section 7 to allow each senatorial district to amend or repeal the restrictions on alienation of land with respect to its senatorial district.." Your Committee on Natural Resources recommends that the full membership of the House shall decide upon the H. L. I. No. 16-8.

S. C. R. NO. 16-61: Reporting on **H. L. I. NO. 16-6**, entitled, "To Amend Article III Section 9 of the Constitution of the Northern Mariana Islands to Require the Adoption of an Annual Budget". *Your Committee on Committee on Judiciary and Governmental Operations recommends that the House file H. L. I. NO. 16-6.*

S. C. R. NO. 16-62: Reporting on **H. B. NO. 16-24**, entitled, "To implement Article XI, Section 6 reporting by the Board of Marianas Public Land Trust; and for other purposes." *Your Committee on Judiciary and Governmental Operations recommends that the House file H. B. NO. 16-62.*

S. C. R. NO. 16-63: Reporting on **H. B. NO. 16-29**, entitled, "To provide for the efficient winding-up of large-scale business operations in the Commonwealth of the Northern Mariana Islands, and for other purposes". *Your Committee on Judiciary and Governmental Operations recommends that the House file H. B. NO. 16-29.*

S. C. R. NO. 16-64: Reporting on **H. B. NO. 16-73**, entitled, "To establish an attorney reciprocity program with the Territory of Guam; and for other purposes." *Your Committee on Judiciary and Governmental Operations recommends that the House file H. B. NO. 16-73.*

S. C. R. NO. 16-65: Reporting on **H. B. NO. 16-74**, entitled, "To amend 4 CMC § 3216 to establish an 'inactive status' period for the renewal of certificates or licenses; and for other purposes." *Your Committee on Judiciary and Governmental Operations recommends that the House file H. B. NO. 16-74.*

S. C. R. NO. 16-66: Reporting on **H. B. NO. 16-125**, entitled, "To amend Public Law 15-46; and for other purposes." *Your Committee on Judiciary and Governmental Operations recommends that the House file H. B. NO. 16-125.*

S. C. R. NO. 16-67: Reporting on **S. B. NO. 16-26, SD1**, entitled, "To amend section 3304 of Title 1 of the Commonwealth Code to reduce the salary of the Commonwealth's jurists; and for other purposes." *Your Committee on Judiciary and Governmental Operations recommends that the House file S. B. NO. 16-26, SD1.*

S. C. R. NO. 16-68: Reporting on **H. L. I. NO. 16-2**, entitled, "To amend Article III, Section 11 of the Constitution of the Commonwealth of the Northern Mariana Islands to authorize the election of an Attorney General; and for other purposes." *Your Committee on Judiciary and Governmental Operations recommends that the House pass the initiative in the form of H. L. I. NO. 16-2, HS1.*

S. C. R. NO. 16-69: Reporting on **S. L. I. NO. 16-10**, entitled, "To amend Article X of the Constitution of the Commonwealth of the Northern Mariana Islands by amending Section 7 to require the reduction of government employment and to add a new section 10 to authority the Commonwealth to issue pension obligation bonds; and for other purposes." *Your Committee on Ways and Means recommends that the House pass initiative in the form of S. L. I. NO. 16-10, HS1.*

13. REPORTS OF SPECIAL AND CONFERENCE COMMITTEES - None

14. UNFINISHED BUSINESS – None

15. RESOLUTION CALENDAR

Resolutions

16. BILL CALENDAR

Bills/Initiatives

H. B. NO. 16-135, HS1	To establish a Commonwealth Autism Commission to develop a state plan to guide services for individuals with autism spectrum disorders; and for other purposes. (*See S. C. R. NO. 16-43*)	Passed First Reading 12/4/08; For **Final Reading**
H. B. NO. 16-172	To establish an Economic Stimulus Investment Program; and for other purposes.	
H. B. NO. 16-12, HS2	To repeal and reenact Title 4, Chapter 10, as amended by Public Law 15-16; repeal and reenact 3 CMC § 4303(q)(10); amend 3 CMC § 4331(k) as established by P.L. 15-16; and for other purposes. [See S. C. R. NO. 16-52]	

17. MISCELLANEOUS BUSINESS

18. ANNOUNCEMENTS

(ADJOURNMENT)

APPEARANCE OF LOCAL BILLS

FIRST APPEARANCE: 1st Legislative appearance of a local bill is on the day it is introduced.

SECOND APPEARANCE:

H. L. B. NO. 16-25: A Local Appropriation Bill for an Act to appropriate $42,000.00 from the local license fees collected from pachinko slot machines and poker machines in the Second Senatorial District; and for other purposes. (Rep. Edwin P. Aldan)

H. L. B. NO. 16-26: A Local Bill for an Act for the Third Senatorial District to establish the unarmed combat sport and to establish the Athletic Commission Act; and for other purposes. (Rep. Stanley T. Torres)

THIRD APPEARANCE: NONE