



HOUSE OF REPRESENTATIVES
SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
FIRST REGULAR SESSION, 2008

SESSION DAY	CALENDAR DAY	TIME
4th Day	Thursday, February 29, 2008	9:30 a.m.

ORDER OF BUSINESS

A Moment of Silence

- 1. ROLL CALL**
- 2. ADOPTION OF JOURNALS – None**
- 3. INTRODUCTION OF BILLS**

House Bills:

H. B. No. 16-28: A Bill for an Act to reappropriate \$3,000,000.00 of the \$3,700,000.00 from Section 702 for 2008 allocated to Puerto Rico Dump for Northern Marianas College building improvements and repair, and for the development of a master plan and A&E design for the new campus; and for other purposes. (Rep. David M. Apatang)

H. B. No. 16-29: A Bill for an Act to provide for the efficient winding-up of large-scale business operations in the Commonwealth of the Northern Mariana Islands; and for other purposes. (Rep. David M. Apatang +8)

H. B. No. 16-30: A Bill for an Act to repeal and reenact 1 CMC § 8248(b) as amended by Public Law 15-81, to provide for flexibility, parity and accountability in the compensation paid to licensed professionals employed by the Commonwealth Government in order to attract and retain qualified and dedicated professionals to serve the needs of the Commonwealth; to repeal 1 CMC § 1272; and for other purposes. (Rep. Heinz S. Hofschneider)

H. B. No. 16-31: A Bill for an Act to amend the Weapons Control Act to promote and allow resort developments offering target ranges for competitive rifle competition and skeet shooting, and for other purposes. (Rep. Raymond D. Palacios +2)

H. B. No. 16-32: A Bill for an Act to re-appropriate \$1,500,000.00 of the \$3,700,000.00 from Section 702 Funding for 2007-1 allocated to Puerto Rico Dump, \$750,000.00 from the Kalabera Cave development and \$750,000.00 from Lake Susupe Boardwalk Trail for Northern Marianas College building improvements and repair, and for the development of a master plan and A&E design for the new campus; and for other purposes. (Rep. David M. Apatang)

H. B. NO. 16-33: A Bill for an Act to amend 3 CMC § 7831 by adding a new subsection (e) and (f) that shall remove the requirement that the Commonwealth Utilities Corporation and the Northern Marianas College pay one percent of its annual budget to the Office of the Public Auditor; and for other purposes. (Rep. David M. Apatang +4)

H. B. NO. 16-34: A Bill for an Act to amend the Open Government Act of 1992 to provide specific statutory authorization for executive sessions to be held for the governing body of an agency to conduct executive deliberations; and for other purposes. (Rep. Joseph N. Camacho)

H. B. NO. 16-35: A Bill for an Act to limit government reemployment and double dipping, and for other purposes. (Rep. Joseph N. Camacho +1)

H. B. NO. 16-36: A Bill for an Act to provide for the Board of Trustees to reorganize pursuant to Chapter 9 of the Federal Bankruptcy Code in order to avoid the debilitating financial effect of unfunded liabilities. (Rep. Joseph N. Camacho +1)

H. B. NO. 16-37: A Bill for an Act to repeal and reenact Chapter 16 of Division 5 of Title 4 of the Commonwealth Code as established by Public Law 15-36 to regulate recycling businesses operating in the Commonwealth; to repeal Public Law 15-55 in its entirety; to establish the offense of theft of copper; and for other purposes. (Rep. Ray N. Yumul +5)

H. B. NO. 16-38: A Bill for an Act to repeal Section 3 of Public Law 13-1, to repeal and reenact Chapters 1-3 of Part 1 of Division 8 of Title 1 of the Commonwealth Code; and for other purposes. (Rep. Raymond D. Palacios)

H. B. NO. 16-39: A Bill for an Act to repeal and reenact Chapter 8, Division 5, Title 4 of the Commonwealth Code relating to mechanics' liens, and for other purposes. (Rep. Oscar M. Babauta+3)

H. B. NO. 16-40: A Bill for an Act to amend parts of 1 CMC 6101 et seq., and for other purposes. (Rep. Oscar M. Babauta +1)

H. B. NO. 16-41: A Bill for an Act to provide for nonrefundable tax credit for cash expenditures made by educators during the tax year for books or instructional materials to be used in the classroom; and for other purposes. (Rep. Oscar M. Babauta +2)

H. B. NO. 16-42: A Bill for an Act to amend Title 4, Division 6, Chapter 5, by adding a new Article 6 to ensure that alcoholic beverages bottled or imported for sale in the Commonwealth contain health warnings on their containers in compliance with federal laws and regulations and to ensure that the Commonwealth Department of Commerce, Division of Alcohol Beverage and Tobacco Control has the power to enforce the requirement for such labeling; and for other purposes. (Rep. Oscar M. Babauta +2)

H. B. NO. 16-43: A Bill for an Act to amend Title 4 Section 50138 of the Commonwealth Code regarding the sale of cigarettes, and for other purposes. (Rep. Oscar M. Babauta +3)

H. B. NO. 16-44: A Bill for an Act to amend the definition of “alien” under Title 3 of the Commonwealth Code; and for other purposes. (Rep. Oscar M. Babauta +3)

H. B. NO. 16-45: A Bill for an Act to amend 4 CMC § 8158 to allow customers of Commonwealth Utilities Corporation who succeed in their complaint in court to receive his or her costs and attorney fees, and for other purposes. (Rep. Joseph N. Camacho)

H. B. NO. 16-46: A Bill for an Act to require that all statutes and rules and regulations pertaining to the operation of the Commonwealth Utilities Corporation be readily available for review by consumers; and for other purposes. (Rep. Joseph N. Camacho)

H. B. NO. 16-47: A Bill for an Act to repeal and reenact Title 6, Division 3, Article 4 of the Commonwealth Code to prohibit smoking in all workplaces and public places, and for other purposes. (Rep. Justo S. Quitugua)

H. B. NO. 16-48: A Bill for an Act to amend 4 CMC, Section 1503 to provide for the licensing of poker machines on a calendar year basis; to require the installation of a centralized monitoring system for all poker machines; and for other purposes. (Rep. Justo S. Quitugua)

H. B. NO. 16-49: A Bill for an Act to establish a fuel subsidy account for the Commonwealth Utilities Corporation; and for other purposes. (Rep. David M. Apatang +3)

House Legislative Initiatives:

H. L. I. NO. 16-6: A House Legislative Initiative to amend Article III, Section 9 of the Constitution of the Northern Mariana Islands to require the adoption of an annual budget. (Rep. Heinz S. Hofschneider)

H. L. I. NO. 16-7: A House Legislative Initiative to amend Article II, Sections 2, 3, 5, 10, 13, 16, and 17 of the Constitution of the Northern Mariana Islands to improve efficiency and accountability in the Legislative Branch of Government. (Rep. Heinz S. Hofschneider)

H. L. I. NO. 16-8: A House Legislative Initiative 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 restriction on the alienation of land with respect to its senatorial district. (Rep. Victor B. Hocog)

H. L. I. NO. 16-9: A House Legislative Initiative to amend Article XV, section 1(c) and (e) of the Constitution of the Northern Marina Islands. (Rep. Justo S. Quitugua)

House Local Bills:

H. L. B. NO. 16-5: A Local Bill for an Act for the Third Senatorial District to repeal and reenact Article 2 of Chapter 2 of Title 10 of the Commonwealth Code, as established by Saipan Local Law No. 13-21, to reorganize the Saipan Higher Education Financial Assistance Program; and for other purposes. (Rep. David M. Apatang +9)

H. L. B. NO. 16-6: A Local Appropriation Bill for an Act for the First Senatorial District to appropriate \$50,000 from the local license fees for pachinko slot machines and poker machines in the First Senatorial District; and for other purposes. (Rep. Victor B. Hocog)

4. INTRODUCTION OF RESOLUTIONS

House Commemorative Resolutions:

House Resolutions:

H. R. NO. 16-8: A House Resolution to recognize the Borja Family of As Teo, Saipan, for their continued and untiring efforts in maintaining Our Lady of Santa Lourdes Shrine and hosting the annual fiesta, and to encourage the Marianas Visitors Authority to provide logistical support for the operations of the site. (Rep. Joseph C. Reyes)

House Concurrent Resolutions:

House Joint Resolutions:

H. J. R. NO. 16-2: A House Joint Resolution requesting and urging the United States Congress to increase the authorization authority of Public Law No. 99-396 for payment of annual amounts of direct grant assistance for the Government of the Northern Mariana Islands to assist the Commonwealth of the Northern Mariana Islands in its efforts toward economic recovery. (Rep. Victor B. Hocog)

5. **MESSAGES FROM THE GOVERNOR**

GOV. COMM. 15-36: (1/26/08) Extension of the Declaration of Emergency for the island of Anatahan.

GOV. COMM. 16-37: (2/8/08) Informing the House that he signed into law S. B. NO. 15-104, SD1, HD1 (The Youth Congress Curfew Bill of 2007). [**Became Public Law 15-129**]

GOV. COMM. 16-38: (2/13/08) Delegating authority to Lt. Governor Villagomez until his return on March 4, 2008.

GOV. COMM. 16-39: (2/12/08) Certification for a vacant position at DPH and waiver of salary cap for Dr. Shirish K. Balachandra.

GOV. COMM. 16-40: (2/14/08) From Acting Governor Villagomez informing the House that he disapproved S. L. B. NO. 15-3 (To enact a Charter for the Municipality of Tinian and Aguiguan).

GOV. COMM. 16-41: (2/15/08) Certification for vacant positions at the Department of Community and Cultural Affairs.

GOV. COMM. 16-42: (2/19/08) From Acting Governor Villagomez appointing Mr. Joaquin S. Mangloña to serve as a member of the PUC representing Rota. [*For legislative consideration*]

GOV. COMM. 16-43: (2/19/08) From Acting Governor Villagomez waiving the salary cap for Dr. Saied Safabakhsh and Dr. Joe. R. Smith.

GOV. COMM. 16-44: (2/19/08) From Acting Governor Villagomez waiving the salary cap for Dr. Rafael Loutoby.

GOV. COMM. 16-45: (2/19/08) Certification for vacant positions at the Department of Public Health.

GOV. COMM. 16-46: (2/19/08) Certification for a vacant position at the Department of Public Lands.

GOV. COMM. 16-47: (2/19/08) Certification for a vacant position as the Department of Public Health.

GOV. COMM. 16-48: (2/19/08) Certification for a vacant position at the Department of Public Safety.

GOV. COMM. 16-49: (2/19/08) Certification for a vacant position at the Department of Public Safety-Tinian.

GOV. COMM. 16-50: (2/20/08) Certification for vacant positions at the Division of Revenue and Taxation, Department of Finance.

GOV. COMM. 16-51: (2/20/08) Certification for a vacant position at the Department of Public Lands.

GOV. COMM. 16-52: (2/20/08) Certification for a vacant position at the Office of the Public Auditor.

GOV. COMM. 16-53: (2/25/08) Certification for a vacant position at the Tinian Mayor's Office.

GOV. COMM. 16-54: (2/25/08) Certification for a vacation position at the Department of Labor.

GOV. COMM. 16-55: (2/26/08) Submitting a copy of Ms. King-Hinds' resume', statement of financial interest, and drug test receipt.

6. SENATE COMMUNICATIONS

SEN. COMM. 16-4: (2/22/08) Transmitting a certified copy of S. R. NO. 16-2, entitled, "A Senate Resolution expressing satisfaction on the performance of Legislative Director Joaquin P. Omar and to allow him to remain as director for the duration of his employment contract," which was adopted by the Senate on February 21, 2008. [For info]

SEN. COMM. 16-5: (2/22/08) Transmitting a certified copy of S. R. NO. 16-3, entitled, "A Senate Resolution expressing grave concern for the social and economic well-being of the Commonwealth in the absence of accommodating the concerns of the Commonwealth Government, community and business leaders with respect to H. R. 3079; and respectfully requesting (1) additional opportunity to allow the Commonwealth Government, community and business leaders to work with the U. S. Committee on Energy and Resources on H. R. 3079 and (2) a Government Accounting Office report on the intent, implementation and possible socio-economic impact H. R. 3079 will have to the Commonwealth before final action on the bill is taken," which was adopted by the Senate on February 21, 2008. [For info]

7. HOUSE COMMUNICATIONS

HSE. COMM. 16-18: (2/8/08) From Representatives Hocog and Tebuteb submitting the Japan Trip Report.

HSE. COMM. 16-19: (2/12/08) From Representative Hocog attaching a proposal for alternative energy being offered to the Rota and the CNMI.

HSE. COMM. 16-20: (2/25/08) From the House Speaker and the Senate President informing Mr. Aren Palik of Representative Benavente's appointment to the PIDB Board of Governors. [See MISC. COMM. 16-5]

8. COMMUNICATIONS FROM THE JUDICIAL BRANCH - None

9. COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE

WASH. REP. COMM. 16-3: (2/25/08) Submitting his comments on H. B. NO. 16-32.

10. COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

DEPT./AGCY. COMM. 16-7: A copy of the Department of Public Health's Strategic Plan for 2007.

DEPT./AGCY. COMM. 16-8: (2/13/08) From Deputy Secretary of Labor Cinta Kaipat providing the First Interim Progress Report on Implementation of PL 15-108.

DEPT./AGCY. COMM. 16-9: (2/19/08) From Public Auditor Mike Sablan informing the Presiding Officers about presentations by Mr. Steve Potts that might be of interest to the legislature.

11. OTHER COMMUNICATIONS

MISC. COMM. 16-4: (2/8/08) From Rear Admiral W.D. French (US Navy) in response to Representative Yumul's request for records pertaining to the FDM firing range.

MISC. COMM. 16-5: (2/21/08) From the Honorable Aren Palik, President PIDB, regarding the legislature's member representative to PIDB.

MISC. COMM. 16-6: (2/22/08) From Chairman Joseph M. Mendiola informing the House that the 16th Tinian & Aguiguan Legislative Delegation has duly organized and ready to transact business.

MISC. COMM. 16-7: (2/25/08) From the 12th Rota Municipal Council requesting support of their FY 2008 budget submission.

MISC. COMM. 16-8: (2/12/08) From Ms. Shirley Dotts, PTI Human Resources Manager to Representative Torres regarding the hiring policies of PTI.

12. REPORTS OF STANDING COMMITTEES

S. C. R. NO. 16-1: Reporting on H. B. NO. 16-4, entitled, "A Bill for an Act to amend Public Law 12-61 governing the deposit security required of funds of the CNMI Government and its various agencies, including autonomous entities; and for other purposes." *Your Committee on Commerce and Tourism recommends passage.*

13. REPORTS OF SPECIAL AND CONFERENCE COMMITTEES - None

14. UNFINISHED BUSINESS – None

15. RESOLUTION CALENDAR

RESOLUTIONS		
H. C. R. NO. 16-1	FY 2008 Revenues & Resources	
H. R. NO. 16-6	Re Disabilities Parking	
S. J. R. NO. 16-1, SD1	Joint Session to receive the State of the Commonwealth Address & Washington Office Report [See Sen. Comm. 16-1]	

16. BILL CALENDAR

BILLS/INITIATIVES	

17. MISCELLANEOUS BUSINESS

18. ANNOUNCEMENTS

(ADJOURNMENT)

APPEARANCE OF LOCAL BILLS

FIRST APPEARANCE: 1st Appearance of a local bill is on the date of introduction.

SECOND APPEARANCE:

H. L. B. NO. 16-1: A Local Appropriation Bill for an Act for the Third Senatorial District to reappropriate \$38,000.00 from Section 2(h) of Saipan Local Law 15-16; and for other purposes. (Rep. David M. Apatang)

H. L. B. NO. 16-2: A Local Appropriation Bill for an Act for the Third Senatorial District to reappropriate \$324,802.00 from the FY 2007 lapsed funds collected pursuant to Saipan Local Law 11-2 for the settlement of judgment in *Jose Ch. Camacho v. CNMI Department of Public Works, et al.*, Civil Action No. 04-0220E; and for other purposes. (Rep. David M. Apatang)

H. L. B. NO. 16-3: A Local Appropriation Bill for an Act for the Third Senatorial District to reappropriate section 2(a) of Saipan Local Law 14-31 and section 2(f) of Saipan Local Law 15-12; and for other purposes. (Rep. Justo S. Quitugua)

H. L. B. NO. 16-4: A Local Bill for an Act for the Second Senatorial District to appropriate \$98,000.00 from the local license fees for pachinko slot machines and poker machines in the Second Senatorial District to fund the Tinian Municipal Scholarship Program; and for other purposes. (Rep. Edwin P. Aldan)

THIRD APPEARANCE: NONE