



**HOUSE OF REPRESENTATIVES**  
SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE  
SPECIAL SESSIONS, 2009

SESSION DAY	CALENDAR DAY	TIME
1 <sup>st</sup> Day, Third Special Session	Friday, May 8, 2009	9:30 a.m.

**ORDER OF BUSINESS**

*A Moment of Silence*

*FINAL 5/8/09 AM*

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

*House Bills:*

H. B. NO. 16-241: To amend Public Law 16-32 to clarify which outside General Fund sources the Department of Public Health qualified operational expenses are to be transferred to; and for other purposes. (Rep. Ray N. Yumul +1)

H. B. NO. 16-242: To amend the Victim Right's Act; and for other purposes. (Rep. Rosemond B. Santos)

H. B. NO. 16-243: To amend Public Law 16-32 to reprogram \$172,240.323 from MVA's non-personnel appropriation to its personnel appropriation; and for other purposes. (Rep. Ray N. Yumul +1)

*House Legislative Initiatives:*

*House Local Bills:*

H. L. B. NO. 16-33: To re-appropriate the sum of \$54,000.00 from Tinian Local Law 15-9; and for other purposes. (Rep. Edwin P. Aldan)

H. L. B. NO. 16-34: To re-appropriate lapsed funds under Saipan Local Law 16-1, Section 3(1); and for other purposes. (Rep. Ray N. Yumul)

#### **4. INTRODUCTION OF RESOLUTIONS**

*House Commemorative Resolutions:*

H. COMM. RES. NO. 16-71: Conveying the sincere condolences and sympathy of the House of Representatives to the bereaved family of the late Honorable Howard I. Macaranas on the occasion of his untimely passing and to pay fond tribute to his memory. (Rep. Edwin P. Aldan)

*House Resolutions:*

H. R. NO. 16-81: To request the Department of Public Works to draft and adopt a Right of Way Manual establishing uniform standard guidelines and procedures for acquiring private property for public highways in the Commonwealth. (Rep. Victor B. Hocog)

H. R. NO. 16-82 To recognize and extend sincere appreciation to Matson Navigation Company, Inc., for assisting in facilitating the donation of various items to the CNMI. (Rep. Rosemond B. Santos)

H. R. NO. 16-83: To recognize and extend sincere appreciation to the Division of Customs of the Department of Finance for assisting in facilitating the donation of various items to the CNMI. (Rep. Rosemond B. Santos)

H. R. NO. 16-84: To recognize and extend sincere appreciation to Reachout Pacific (REPAC): President and Hawaii State Representative Glenn Wakai for his assistance in facilitating the donation of various items to the CNMI. (Rep. Rosemond B. Santos)

H. R. NO. 16-85: To recognize and extend sincere appreciation to FAS Moving and Storage for assisting in facilitating the donation of various items to the CNMI. (Rep. Rosemond B. Santos)

H. R. NO. 16-86: To recognize and extend sincere appreciation to the Commonwealth Ports Authority for assisting in facilitating the donation of various items to the CNMI. (Rep. Rosemond B. Santos)

H. R. NO. 16-87: To recognize and extend sincere appreciation to Saipan Stevedore Company, Inc., for assisting in facilitating the donation of various items to the CNMI. (Rep. Rosemond B. Santos)

*House Concurrent Resolutions:*

*House Joint Resolutions:*

## 5. MESSAGES FROM THE GOVERNOR

GOV. COMM. 16-353: (4/15/09) Informing the House that he signed into law H. B. NO. 16-145, HD2 (To mandate the Commonwealth Government to prioritize and pay the retirement employer contributions of government employees who are eligible to retire.) [Became **Public Law 16-36**]

GOV. COMM. 16-354: (4/15/09) Informing the House that he signed into law H. B. NO. 16-187 (re Rota Casino Act). [Became **Public Law 16-37**]

GOV. COMM. 16-355: (4/3/09) Certification for an annual salary in excess of \$50,000 for Mr. Michael Curtis Brown, Assistant Public Defender.

GOV. COMM. 16-356: (4/16/09) Certification for an annual salary in excess of \$50,000 for Dr. Mary Elizabeth Hernandez.

GOV. COMM. 16-357: (4/16/09) Certification for an annual salary in excess of \$50,000 for Dr. Robert Silk.

GOV. COMM. 16-358: (4/16/09) Certification for an annual salary in excess of \$50,000 for Mr. Braddock Huesman.

GOV. COMM. 16-359: (4/16/09) Certification for an annual salary in excess of \$50,000 for Dr. Glen Richard.

GOV. COMM. 16-360: (4/20/09) Certification for an annual salary in excess of \$50,000 for Dr. Chad C. Lowe.

GOV. COMM. 16-361: (4/20/09) Certification for an annual salary in excess of \$50,000 for Mr. Anthony Raho (Pharmacist).

GOV. COMM. 16-362: (4/24/09) Informing the House that he signed into law S. B. NO. 16-22, SS1, SD1, HS1, HD1 (Amending the Election Reform Act). [Became **Public Law 16-38**].

GOV. COMM. 16-363: (4/24/09) Informing the House that he disapproved S. B. NO. 16-49, HD1 (re Resident Directors' Salary Increase). [*Deadline: 6/23/09*]

GOV. COMM. 16-364 (4/6/09) Congratulating Mr. Edward C. Sablan on his confirmation to serve as a director of CDA.

GOV. COMM. 16-365: (4/6/09) Congratulating Mr. Jose P. Kyoshi on his confirmation to serve as a commissioner of CEC.

GOV. COMM. 16-366: (4/20/09) Certification for an annual salary in excess of \$50,000 for Dr. Chad C. Lowe.

GOV. COMM. 16-367: (4/29/09) Certification for an annual salary in excess of \$50,000 for Dr. Priyantha Wijayagunaratne.

GOV. COMM. 16-368: (5/1/09) – Executive Order 2009-04 – State of Disaster Emergency Declaration, Continuation #9.

GOV. COMM. 16-369: (4/29/09) Certification for an annual salary in excess of \$50,000 for Dr. William Lytowski.

GOV. COMM. 16-370: (4/29/09) Certification for an annual salary in excess of \$50,000 for Dr. Martin P. Rohringer.

GOV. COMM. 16-371: (5/4/09) Certification for an annual salary in excess of \$50,000 for Ms. Bertha-Jermay P. Camacho.

GOV. COMM. 16-372: (5/4/09) Certification for an annual salary in excess of \$50,000 for Mr. Brian D. Gallagher.

GOV. COMM. 16-373: (5/5/09) Second Interim Report – Constitutional Authority to Declare a State of Disaster Emergency with respect to the Commonwealth Utilities Corporation (EO's 2008-13 thru 2009-03). [Report attached to communication on the Legislature's network]

GOV. COMM. 16-374: (5/4/09) Certification for an annual salary in excess of \$50,000 for Mr. Hazel Christine Brown.

GOV. COMM. 16-375: (5/6/09) Informing the House that he signed into law H. B. No. 16-129, HS1, HD2 (FY 2009 Tobacco Control Fund Appropriations). [Became **Public Law 16-39**]

## 6. SENATE COMMUNICATIONS

SEN. COMM. 16-147: (4/16/09) Returning H. J. R. No. 16-26 (Joint Session to receive the Governor's State of the Commonwealth Address), which was adopted by the Senate without amendment on April 15, 2009. [For info]

SEN. COMM. 16-148: (4/16/09) Returning H. B. No. 16-47, HD2 (Smoke-free Air Act of 2008) which was passed by the Senate with amendments on April 15, 2009, in the form of **H. B. No. 16-47, HD2, SD1**. [*For action on Senate Amendments*]

SEN. COMM. 16-149: (4/16/09) Returning H. B. No. 16-129, HS1, HD1 (Appropriating Tobacco Control Funds for FY 2009) which was passed by the Senate without amendment on April 15, 2009. [For info – Became law]

SEN. COMM. 16-150: (4/16/09) Returning H. B. No. 16-179, HD1 (Amending the Probation Reform Act) which was passed by the Senate with amendments on April 15, 2009, in the form of **H. B. No. 16-179, HD1, SD1**. [*For action on Senate amendments*]

SEN. COMM. 16-151: (4/15/09) Transmitting S. B. NO. 16-54, SD1 (To amend 1 CMC, Division 8, § 8282; and for other purposes), which was passed by the Senate on April 15, 2009. [*For action*]

SEN. COMM. 16-152: (5/4/09) Transmitting S. B. NO. 16-48, SD1 (To establish the Vocational – Technical Education Program Scholarship for five years; and for other purposes) which was passed by the Senate on May 1, 2009. [*For action*]

SEN. COMM. 16-153: (5/5/09) Transmitting a certified copy of S. R. NO. 16-35, “A Senate Resolution expressing the Senate’s best wishes to all participants for a fruitful and successful meeting at the 2<sup>nd</sup> Annual Pacific Mayors’ Conference and Trade Fair held on May 14 to 17, 2009, at the Fiesta Resort & Spa, Saipan.” [*For info*]

## **7. HOUSE COMMUNICATIONS**

HSE. COMM. 16-105: (4/9/09) From Representative Ralph Torres informing the Speaker that he will be off-island fro April 21 – 24, 2009.

HSE. COMM. 16-106: (5/5/09) From Representative Quitugua informing the Speaker that he will out of the office from May 7-15, 2009.

## **8. COMMUNICATIONS FROM THE JUDICIAL BRANCH**

JUD. BR. COMM. 16-15: (3/27/09) Certification for replacement hire within the Supreme Court.

JUD. BR. COMM. 16-16: (4/27/09) Submitting for legislative review and consideration the Proposed Addition to the Commonwealth Rules of Civil Procedure – Dormant Docket for Mortgage Foreclosure Proceedings. [*Deadline: 6/26/09*]

## **9. COMMUNICATIONS FROM THE NMI DELEGATE (U.S. CONGRESS) - None**

## **10. COMMUNICATIONS FROM DEPARTMENTS & AGENCIES**

DEPT./AGCY. COMM. 16-84: (4/20/09) From BOE Chairwoman Lucy Blanco-Maratita and PSS Commissioner Rita Sablan with regard to the Legislative Summit scheduled for April 30, 2009.

DEPT./AGCY. COMM. 16-85: (4/16/09) From NMIRF Administrator Mark A. Aguon concerning double-dipping.

DEPT./AGCY. COMM. 16-86: (4/16/09) From NMIRF Administrator Mark A. Aguon with regard to obligations to the Worker’s Compensation Commission (WCC).

## 11. OTHER COMMUNICATIONS

MISC. COMM. 16-71: (4/14/09) From Mayor Juan B. Tudela certifying to the vacant position of an Accountant be filled pursuant to P.L. 16-32, § 604(b).

MISC. COMM. 16-72: (4/14/09) From Mayor Juan B. Tudela certifying to the vacant position of an Executive Secretary be filled pursuant to P.L. 16-32, § 604(b).

MISC. COMM. 16-73: (4/15/09) From Co-Chair Antonio M. Tudela, APILG, regarding the Association's 2<sup>nd</sup> Annual Pacific Mayors' Conference to be held next month.

MISC. COMM. 16-74: (Undated) From the Association of Mariana Islands Mayors (AMIM), Vice Mayors and Elected Municipal Council Members transmitting a certified copy of Resolution 2008-24 regarding fees assed to boaters entering the CNMI.

MISC. COMM. 16-75: (4/22/09) From the CNMI Nursing Association President Lee Castro to Rep. Tebuteb seeking funding support from the Saipan Delegation in the amount of \$35, 0000 for the APNLC Conference.

## 12. REPORTS OF STANDING COMMITTEES

S. C. R. NO. 16-85: Reporting on H. R. NO. 16-42, entitled, "To acknowledge the enactment of the Northern Mariana Island Immigration, Security, and Labor Act as set forth in Public Law 110-229 on May 8, 2008; to express concerns about the economic impact of this Act on the Commonwealth economy; to recognize the Governor's Statement on June 24, 2008, regarding the Act; and to support the Governor's action in seeking further legal advice before initiating any litigation challenging the Act in federal courts." *Your Committee on United States and Foreign Relations recommends the filing of H. R. No. 16-42.*

S. C. R. NO. 16-86: Reporting on H. B. NO. 16-127, entitled, "To amend 2 CMC § 4324(c); and for other purposes." *Your Committee on Natural Resources recommends the filing of H. B. No. 16-127.*

S. C. R. NO. 16-87: Reporting on S. B. NO. 16-42, entitled, "To amend Public Law 15-2 to reinstate the board of directors to oversee the Department of Public Lands within the Executive Branch; and for other purposes." *Your Committee on Natural Resources recommends filing of S. B. No. 16-42.*

S. C. R. NO. 16-88: Reporting on H. B. NO. 16-229, entitled, "To establish an Office of Grants Management under the Office of the Governor; and for other purposes." *Your Committee on Ways and Means recommends passage of H. B. No. 16-229.*

S. C. R. NO. 16-89 Reporting on 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.” *Your Committee on Commerce and Tourism recommends passage of S. B. NO. 16-45 in the form of House Substitute 1.*

**13. REPORTS OF SPECIAL AND CONFERENCE COMMITTEES - None**

**14. UNFINISHED BUSINESS – None**

**15. RESOLUTION CALENDAR**

Resolutions	

**16. BILL CALENDAR**

Bills/Initiatives		
H. B. NO. 16-201	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.	
H. L. I. NO. 16-8	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 [ <i>See S. C. R. No. 16-60, Subst. 1</i> ]	
S. L. I. NO. 16-10, HS1	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. [ <i>See S. C. R. No. 16-69</i> ]	
H. B. NO. 16-188	To mandate the Department of Public Safety to remove dead animals from public highways and roads and thereafter contact the Mayor’s Office for its proper disposal; and for other purposes. [ <i>See S. C. R. No. 16-77</i> ]	
S. B. NO. 16-51, SD1	To repeal and re-enact Section 2152 of Title 1 of the Commonwealth Code to clarify that an individual, absent Senate confirmation, shall neither occupy nor serve in the capacity of Attorney General, Acting Attorney General, or Interim Attorney General in excess of 30 days absent nomination to the Senate nor in excess of 90 days upon nomination; and for other purposes. [ <i>See Sen. Comm. No. 16-131</i> ]	



### **Bills/Initiatives**

H. B. NO. 16-204	To amend Public Law 16-17 sections 3(c) to modify PSAA requirements and 3(g)(2) to clarify contractor eligibility requirements for Private Sector Assistance Agreements (PSSA) and adding a new section 3(h) defining "United States Certified Contractor"; and for other purposes.	
H. B. NO. 16-224	To vest the Department of Public Lands and Natural Resources with the management and disposition of a certain public land in Sadog Tasi, Saipan for the development of a public park; and for other purposes. [See S. C. R. No. 16-81]	
H. B. NO. 16-236	To amend 1 CMC § 8362 by adding a criminal penalty, notice requirement and cause of action; and for other purposes.	
H. B. NO. 16-132, HD1	To authorize the Marianas Visitors Authority to regulate tour operators and tour guides by amending 4 CMC § 2103; and for other purposes. [See S. C. R. No. 16-79]	
H. B. NO. 16-146, HS1	To establish a Village and Agricultural Homesteading Program in the Northern Islands; and for other purposes. [See S. C. R. No. 16-82]	
H. B. NO. 16-15	To amend Title 1 CMC § 8365 to establish that the Northern Marianas Retirement Fund receive its tax revenue from the hotel occupancy tax and alcoholic container tax directly into a special fund within the Department of Finance. [See S. C. R. No. 16-83]	
H. B. NO. 16-225	To amend 4 CMC § 1503(a)(5) to reduce the license fee for pachinko slot machines; and for other purposes. [See S. C. R. No. 16-84]	

## **17. MISCELLANEOUS BUSINESS**

## **18. ANNOUNCEMENTS**

### **(ADJOURNMENT)**

---

#### ***APPEARANCE OF LOCAL BILLS***

**FIRST APPEARANCE:** 1<sup>st</sup> Legislative appearance of a local bill is on the day it is introduced.

**SECOND APPEARANCE:** NONE

**THIRD APPEARANCE:**

H. L. B. NO. 16-31: A Local Appropriation Bill for an Act for the Second Senatorial District to appropriate \$15,000.00 from the local license fees collected for pachinko slot machines and poker machines in the Second Senatorial District; and for other purposes. (Rep. Edwin P. Aldan)

H. L. B. NO. 16-32: A Local Appropriation Bill for an Act for the Third Senatorial District to appropriate \$1,500,000.00 from the Developer Infrastructure Tax funds to be collected in Fiscal Year 2010; and for other purposes. (Rep. Rosemond B. Santos)