



HOUSE OF REPRESENTATIVES
SEVENTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
FIRST SPECIAL SESSION, 2010

AMENDED AGENDA

SESSION DAY	CALENDAR DAY	TIME
2nd Day, First Special Session	Friday, April 30, 2010	11:24 a.m.

ORDER OF BUSINESS

A Moment of Silence

- 1. ROLL CALL**
- 2. PUBLIC COMMENTS**

There were no oral or written testimony from the public.

- 3. ADOPTION OF JOURNALS - None**
- 4. INTRODUCTION OF BILLS**

A. House Bills:

H. B. 17-70

To amend Public Law 16-46 relating to smoking in public places.

By **REP. FROILAN C. TENORIO** of Saipan, Precinct 1 (*for himself*)

Referred to Committee on Health and Welfare

B. House Local Bills:

H. L. B. 17-17

To appropriate Ninety Two Thousand Dollars (\$92,000) from the local license fees collected for pachinko slot machines and poker machines in the Second Senatorial District; and for other purposes.

By **REP. TRENTON B. CONNER** of Saipan, Precinct 6 (*for himself*)

H. L. B. 17-18

To appropriate \$525,000.00 from the revenues collected pursuant to Saipan Local Law 11-2 as amended for fiscal year 2010 and for other purposes.

By **REP. FROILAN C. TENORIO** of Saipan, Precinct 1 (*for himself*) Representatives Basa, Iguel, Raymond Palacios, and Ogumoro)

H. L. B. 17-19

To appropriate \$196,379 from the unobligated/lapsed funds and fund balance accounts from completed and closed projects; and for other purposes.

By **REP. JOSEPH M. PALACIOS** of Saipan, Precinct 1 (*for himself*)

C. House Legislative Initiatives: None

5. INTRODUCTION OF RESOLUTIONS

A. House Resolutions:

H. RES. 17-11

To encourage the United States Department of Defense and officials of the nation of Japan to consider Tinian as the best location to relocate the Futenma air base currently located on the island of Okinawa.

REP. TRENTON B. CONNER of Tinian and Aguiguan, Precinct 6 (*for himself*, and Representative Tenorio)

H. RES. 17-12

Respectfully requesting the Commonwealth Public Utilities Commission (CPUC) to not authorize the Commonwealth Utilities Corporation (CUC) to raise water and waste water rates in the Commonwealth.

By **REP. FRANCISCO M. DELA CRUZ** of Saipan, Precinct 3 (*for himself*, Representatives Basa, Benavente, Cabrera, Camacho, Conner, Joseph P. Deleon Guerrero, Frederick P. Deleon Guerrero, Demapan, Iguel, Ogumoro, Joseph Palacios, Raymond Palacios, Sablan, Tebuteb, Tenorio, McGinnis Torres, Villagomez and Yumul) on April 30, 2010

B. House Joint Resolutions:

H. J. R. NO. 17-3:

To strongly encourage the National Telecommunications and information Administration (NTIA) to proceed with due diligence and the unbiased process of awarding American Recovery and Reinvestment Act (ARRA) money in the second round of the broadband Technology Opportunities Program (BTOP) for the Commonwealth of the Northern Mariana Islands and Guam.

REP. STANLEY T. MCGINNIS-TORRES of Saipan, Precinct 3 (*for himself*, Representatives Cabrera, Benavente, Dela Cruz, Fred Deleon Guerrero, and Sablan) on April 30, 2010

C. House Commemorative Resolutions: None

D. House Concurrent Resolutions: None

6. MESSAGES FROM THE GOVERNOR

Gov. COMM. 17-80: (4/23/10) **Executive Order 2010-4** – Declaration of a State of Emergency: CUC's Imminent Generation and Other Failure and the need to Provide

Immediate Reliable Power, Water and Wastewater Services, *Continuation #21. Referred to Committee on Public Utilities, Transportation, and Communications*

7. SENATE COMMUNICATIONS

SEN. COMM. 17-31: (4/23/10) Transmitting a certified copy of S. R. NO. 17-13, entitled: "To acknowledge and recognize the Education Development Center in its mission to prevent suicide," which was adopted by the Senate. (For info)

SEN. COMM. 17-32: (4/23/10) Transmitting a certified copy of S. R. NO. 17-14, entitled, "Expressing the Senate's opposition to legislation that would legalize casino gambling on the island of Saipan," which was adopted by the Senate. (For info)

SEN. COMM. 17-33: (4/23/10) Transmitting a certified copy of S. R. NO. 17-17, entitled, "To encourage the United States Department of Defense and officials of the nation of Japan to consider Tinian as the best location to relocate the Futenma Air Base currently located on the island of Okinawa," which was adopted by the Senate. (For info)

8. HOUSE COMMUNICATIONS

HSE. COMM. 17-29: (4/16/10) From Representative Dela Cruz to the Commonwealth Public Utilities Commission opposing to CUC's petition to increase their water and wastewater rates.

HSE. COMM. 17-30: (4/19/10) Representative Torres submitting a letter from NMI Delegate Gregorio Kili C. Sablan with regards to H. J. R. 16-28 (Downlist Reed Warbler from *endangered* to *threatened* species) which was authored by Rep. Torres.

9. COMMUNICATIONS FROM THE JUDICIAL BRANCH - None

10. COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

DEPT./AGCY. COMM. 17-13: (4/23/10) From Robert A. Schrack, Special Assistant to the Secretary of Finance enclosing the quarterly report ending March 31, 2010, in accordance with PL 16-31, § 401(a).

11. MISCELLANEOUS COMMUNICATIONS - None

12. REPORTS OF STANDING COMMITTEES

S. C. R. 17-8: Reporting on H. B. 17-38, entitled, "A Bill for an Act to amend 2 CMC Title 2, Division 1 Chapter 3, § 1301 *et seq.*, "The Nuclear and Chemical Free Zone Act of 1983". *Your Committee on Public Utilities, Transportation, and Communications recommends that the House pass H. B. 17-38 in its current form. (Adopted)*

S. C. R. 17-9: Reporting on H. B. 17-19, entitled, “A Bill for an Act to amend 2 CMC § 4335; and for other purposes.” (Natural Disaster Homestead Waiver Act of 2010) *Your Committee on Natural Resources recommends that the House pass H. B. 17-19 in its current form. (Adopted)*

S. C. R. 17-10: Reporting on S. B. No. 17-4, entitled, “A Bill for an Act to amend 6 CMC 3154 and 3156(1)(3); and for other purposes.” (To include *video lottery machine* in the definition of gambling device) *Your Committee on Commerce and Tourism recommends that the House file S. B. No. 17-4.*

S. C. R. 17-11: Reporting on H. B. 17-28, entitled, “A Bill for an Act to empower and define the authority, duties, responsibilities and functions of the Marshal Service Division of the CNMI Judicial Branch; and for other purposes.” *Your Committee on Judiciary and Governmental Operations recommends that the House pass H. B. 17-28 with amendments.*

S. C. R. 17-12: Reporting on H. B. 17-29, entitled, “A Bill for an Act to require the Department of Public Lands to fund an independent study to conduct an environmental sampling and consultation of areas within the CNMI possibly contaminated with chemicals of concern; and for other purposes. *Your Committee on Health and Welfare recommends that the House pass H. B. 17-29 on First and Final Reading. (Adopted)*

S. C. R. 17-13: Reporting on H. B. 17-39, entitled, “To amend 3 CMC Title 3, Division 1, Chapter 3, § 1316 et seq., ‘The Postsecondary Education Act of 1984’.” *Your Committee on Education recommends that the House pass H. B. 17-39 in its present form. (Adopted)*

13. REPORTS OF SPECIAL AND CONFERENCE COMMITTEES - None

14. UNFINISHED BUSINESS – None

15. RESOLUTION CALENDAR

Resolution	Subject	Action
H. RES. 17-7	A House Resolution to amend the Official Rules of Procedure of the House of the Seventeenth Northern Marianas Commonwealth Legislature.	Adopted with amendments (HD1)
H. RES. 17-9	To recognize and commend the Mount Carmel High School Mock Trial participants in their triumphant victory at the Commonwealth-wide 2010 Mock Trial Competition held at the Guma Hustisia on February 26-27, 2010.	Adopted
H. RES. 17-10	To commend and congratulate the Saipan Southern High School Manta Ray Band for their many achievements and outstanding performance at the New York International Music Festival.	Adopted

Resolution	Subject	Action
H. RES. 17-11	To encourage the United States Department of Defense and officials of the nation of Japan to consider Tinian as the best location to relocate the Futenma air base currently located on the island of Okinawa.	Adopted

16. BILL CALENDAR

Bill/Initiative	Subject	Action
H. B. 17-26	A Bill for an Act to impose an excise tax on the sale of imported bottled drinking water; and for other purposes. <i>[No public comments were received in a open and public meeting when the legislation appeared on the House Agenda of 3/11/10 & 4/27/10]</i>	None
H. B. 17-28	A Bill for an Act to empower and define the authority, duties, responsibilities and functions of the Marshal Service Division of the CNMI Judicial Branch; and for other purposes. <i>[No public comments were received in a open and public meeting when the legislation appeared on the House Agenda of 3/11/10]</i>	None
S. B. No. 17-18	A Bill for an Act to amend subsection (d) of section 8122 of Title Four of the Commonwealth Code to merely clarify an ambiguity regarding the Commonwealth Utilities Corporation's authority to set rates until such time as the Public Utilities Commission shall issue an order setting rates, fees, charges or rents for a utility service; and for other purposes <i>[See SEN. COMM. 17-30] [No public comments were received in a open and public meeting when the legislation appeared on the House Agenda of 4/27/10]</i>	PASSED on First and Final Reading
H. B. 17- 38	A Bill for an Act to amend 2 CMC Title 2, Division 1 Chapter 3, § 1301 <i>et seq.</i> , "The Nuclear and Chemical Free Zone Act of 1983". <i>[See S. C. R. No. 17-8]</i>	None
H. B. 17- 19	A Bill for an Act to amend 2 CMC § 4335; and for other purposes. Natural Disaster Homestead Waiver Act of 2010 <i>[See S. C. R. No. 17-9]</i>	PASSED on First and Final Reading with amendments (HD1)
H. B. 17-29	A Bill for an Act to require the Department of Public Lands to fund an independent study to conduct an environmental sampling and consultation of areas within the CNMI possibly contaminated with chemicals of concern; and for other purposes. <i>[See S. C. R. No.17-12]</i>	PASSED on First and Final Reading
H. B. 17-39	A Bill for an Act to amend 3 CMC Title 3, Division 1, Chapter 3, § 1316 <i>et seq.</i> , "The Postsecondary Education Act of 1984". <i>[See S. C. R. No. 17-13]</i>	PASSED on First and Final Reading
S. B. No. 17-16	A Bill for an Act to empower and define the authority, duties, responsibilities, and functions of the Marshals Service Division of the CNMI Judicial Branch; and for other purposes. <i>[See SEN. COMM. 17-29] [No public comments were received in a open and public meeting when the legislation appeared on the House Agenda of 4/27/10]</i>	PASSED on First and Final Reading with amendments (HD2)

17. MISCELLANEOUS BUSINESS

18. ANNOUNCEMENTS

(ADJOURNMENT)

The House of Representative adjourned its 2nd Day, First Special Session on Friday, April 30, 2010, at 5:50 p.m., subject to the Call of the Chair

APPEARANCE OF LOCAL BILLS

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

SECOND LEGISLATIVE DAY:

H. L. B. 17-12:

To reappropriate funds from Rota Local Law 15-4 and Rota Local Law 15-6; and for other purposes.

By REP. TERESITA A. SANTOS of Rota, Precinct 7 (for herself)

H. L. B. 17-14:

To repeal the appropriation and to re-appropriate the unexpended funds from Saipan Local Law 15-12, Section 2(f).

By REP. SYLVESTRE I. IGUEL of Saipan, Precinct 4 (for himself)

H. L. B. 17-15

To re-appropriate \$80,000.00 from section 2(b)(8) and (10) of Saipan Local Law 16-4; and for other purposes.

By REP. GEORGE N. CAMACHO of Saipan, Precinct 4 (*for himself*, Representative Cabrera and Iguel)

H. L. B. 17-16

To name an existing unnamed road.

By REP. FROILAN C. TENORIO of Saipan, Precinct 1 (*for himself*)

THIRD LEGISLATIVE DAY:

H. L. B. 17-13:

To amend 10 CMC § 3921(c) and (e), and 3927; and for other purposes.

By: Rep. Felicidad T. Ogumoro of Saipan, Precinct 3 (for herself)

Appearance of Measures introduced on the House Floor during the House Session on 4/27/10:

H. B. 17-54

To repeal Public Laws 14-80, 15-65, 15-106, 15-110, and 16-39; To suspend funding for Public Law 15-109; To appropriate the funds deposited in the Tobacco Control Fund pursuant to Public Law 13-38; and for other purposes.

By: REP. ELICEO D. CABRERA of Saipan, Precinct 1 (for himself) was referred to Committee on Ways and Means

H. B. 17-58

To reform the qualifying certificate program by repealing and reenacting Chapter 13, Division 5, Title 4 of the Commonwealth Code; and for other purposes.

By REP. JOSEPH P. DELEON GUERRERO of Saipan, Precinct 1 (for himself, Representatives Cabrera, Dela Cruz, Joseph Palacios, Sablan and Tebuteb) was referred ton Committee on Commerce and Tourism

H. B. 17-59

To amend 3 CMC Title 3, Division 1, Chapter 3, §1312, "The Postsecondary Education Act of 1984".

By REP. STANLEY T. MCGINNIS-TORRES of Saipan, Precinct 3 (*for himself*, Representatives Joseph M. Palacios, Raymond D. Palacios, Basa, and Dela Cruz) was referred to Committee on Education

H. B. 17-60

To amend the Revenue and Taxation Act of 1982 to provide a tax incentive for individuals and businesses to donate to the public facilities of the Commonwealth.

By REP. TERESITA A. SANTOS of Rota, Precinct 7 (*for herself*) was referred to Committee on Ways and Means and Committee on Judiciary and Governmental Operations

H. B. 17-61

To eliminate fees for the maintenance of small parcels of public land.

By REP. TERESITA A. SANTOS of Rota, Precinct 7 (*for herself*) was referred to Committee on Natural Resources

H. B. 17-62

To reprogram one million (\$1,000,000.00) from appropriations under section 2(b) of Public Law 13-56 for the renovation and rehabilitation of abandoned municipal buildings; and for other purposes.

By REP. TRENTON B. CONNER of Tinian and Aguiguan, Precinct 6 (*for himself*) was referred to Committee on Ways and Means

H. B. 17-63

To impose a six month deadline for private property taken under eminent domain to be properly processed and legally consummated.

By REP. TERESITA A. SANTOS, of Rota, Precinct 7 (*for herself*) was referred to Committee on Natural Resources

H. B. 17-64

To require that the Inter-Agency One-Start Earthmoving and Erosion Control Permit for areas of less than five hectares be reviewed and approved by the respective agencies in the senatorial district in which the permit originated.

By REP. TERESITA A. SANTOS, of Rota, Precinct 7 (*for herself*) was referred to Committee on Natural Resources and Committee on Judiciary and Governmental Operations

H. B. 17-66

To reform the Commonwealth's election statutes to conform with federal requirements.

By REP. RAFAEL S. DEMAPAN of Saipan, Precinct 2 (*for himself*) was referred to Committee on Judiciary and Governmental Operations

H. B. 17-67

To amend the Open Government Act to ensure that government operations are not unduly burdened by vexatious requests; to ensure that government operations are not unduly disrupted; and for other purposes.

By REP. RAFAEL S. DEMAPAN of Saipan, Precinct 2 (*for himself*) was referred to Committee on Judiciary and Governmental Operations

H. B. 17-68

To increase the limits for medical school professional scholarships.

By REP. FROILAN C. TENORIO of Saipan, Precinct 1 (*for himself*) was referred to Committee on Health and Welfare and Committee on Education

H. B. 17-69

To amend 8 CMC Section 1331(g) and to repeal and re-enact 8 CMC Section 1332 pertaining to divorce or dissolution of marriages; and for other purposes.

By REP. GEORGE N. CAMACHO of Saipan, Precinct 4 (*for himself*) was referred to Committee on Health and Welfare

H. L. B. 17-12

To reappropriate funds from Rota Local Law 15-4 and Rota Local Law 15-6; and for other purposes.

By REP. TERESITA A. SANTOS of Rota, Precinct 7 (*for herself*)

H. L. B. 17-14

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By REP. SYLVESTRE I. IGUEL of Saipan, Precinct 4 (for himself)

H. L. B. 17-15

To re-appropriate \$80,000.00 from section 2(b)(8) and (10) of Saipan Local Law 16-4; and for other purposes.
By REP. GEORGE N. CAMACHO of Saipan, Precinct 4 (*for himself*, Representative Cabrera and Iguel)

H. L. B. 17-16

To name an existing unnamed road.
By REP. FROILAN C. TENORIO of Saipan, Precinct 1 (*for himself*)

H. RES. 17-8

Respectfully urging the Governor to require all recipients of housing allowances to lease/rent apartments and/or houses that are financed through the Commonwealth Development Authority, Marianas Public Land Trust, or Northern Marianas Housing Corporation's loan programs.
By REP. JOSEPH M. PALACIOS of Saipan, Precinct 1 (for himself, and Representative Cabrera)

H. RES. 17-9

To recognize and commend the Mount Carmel High School Mock Trial participants in their triumphant victory at the Commonwealth-wide 2010 Mock Trial Competition held at the Guma Hustisia on February 26-27, 2010.
By REP. DIEGO T. BENAVENTE of Saipan, Precinct 1 (*for himself*, Representatives Cabrera, Conner, Dela Cruz, Joseph Deleon Guerrero, Joseph Palacios, Sablan, Tebuteb, Yumul, Basa, Camacho, Frederick Deleon Guerrero, Demapan, Iguel, Ogumoro, Raymond Palacios, Tenorio, McGinnis-Torres, and Villagomez)

H. RES. 17-10

To commend and congratulate the Saipan Southern High School Manta Ray Band for their many achievements and outstanding performance at the New York International Music Festival.
By REP. GEORGE N. CAMACHO of Saipan, Precinct 4 (*for himself*, Representatives Basa, Benavente, Cabrera, Conner, Dela Cruz, Joseph Deleon Guerrero, Frederick Deleon Guerrero, Demapan, Iguel, Ogumoro, Joseph Palacios, Raymond Palacios, Sablan, Tebuteb, Tenorio, McGinnis-Torres, Villagomez, and Yumul)