



HOUSE OF REPRESENTATIVES
EIGHTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
SPECIAL SESSION, 2013

| SESSION DAY | CALENDAR DAY | TIME |
|--------------------------------|-----------------------|------------|
| 1st Day, Sixth Special Session | Friday, July 19, 2013 | 10:00 a.m. |

ORDER OF BUSINESS

A Moment of Silence

1. ROLL CALL

2. PUBLIC COMMENTS

3. ADOPTION OF JOURNALS

First Day, First Special Session Journal – April 18, 2013

4. INTRODUCTION OF BILLS

A. House Bills:

H. B. No. 18-94

To repeal and re-enact P.L. 17-69 to effectively repeal and re-enact Title 4 of the Commonwealth Code, sections 6106(i), 6513, and amending section 6514 to add a new subsection as set forth herein.

REP. EDMUND S. VILLAGOMEZ of Saipan, Precinct 3 (*for himself*)

H. B. No. 18-95

To amend Public Law 17-8 Section 2, as amended by Public Law 18-11, to include necessary changes to earmark 10% matching fund in the amount of Fifty Thousand Dollars (\$50,000.00) for Grant 11440661, The Tinian Rota Veterans Cemetery Project, of the reprogrammed One Million Dollars (\$1,000,000.00) as appropriated under Section 2(b) of Public Law 13-56; and for other purposes.

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

H. B. No. 18-96

To authorize the Marianas Visitors Authority in consultation with the Division of Fish and Wildlife to charge entry fee by amending 2 CMC section 1643; and for other purposes.

REP. ROMAN C. BENAVENTE of Saipan, Precinct 1 (*for himself*, Representative Lorenzo I. Deleon Guerrero)

H. B. NO. 18-97

To allocate funds received pursuant to U.S. Public Law 110-229.

REP. TRENTON B. CONNER of Tinian, Precinct 6 (*for himself* Representative Ramon A. Tebuteb)

H. B. NO. 18-98

To make appropriations for the operations and activities of the Government of the Commonwealth of the Northern Mariana Islands, its agencies, instrumentalities, and independent programs, and to provide budget authority for government corporations for Fiscal Year 2014.

REP. ANTONIO P. SABLAN of Saipan, Precinct 1 (*for himself*, Representatives Antonio R. Agulto, and Ramon A. Tebuteb)

H. B. NO. 18-99

To amend certain sections of Public Law 6-37, The Commonwealth Litter Control Act of 1989, codified as amended at 2 CMC §§ 3411-3416; and for other purposes.

REP. ANTONIO R. AGULTO of Saipan, Precinct 5 (*for himself*)

H. B. NO. 18-100

To amend 1 CMC sections 9301 and 9302 relating to the Commonwealth Lottery Commission; and for other purposes.

REP. ANTONIO R. AGULTO of Saipan, Precinct 5 (*for himself*)

H. B. NO. 18-101

To enact the “Law Enforcement Mandatory Drug Testing Act of 2013” and provide for mandatory drug testing of all law enforcement each year.

REP. CHRISTOPHER D. LEON GUERRERO of Saipan, Precinct 4 (*for himself*, Representatives Antonio R. Agulto, Roman C. Benavente, Lorenzo I. Deleon Guerrero, John Paul P. Sablan, and Mariano Taitano)

H. B. NO. 18-102

To amend the forfeiture laws by making both real and personal property subject to forfeiture and eliminating the requirement of a jury trial.

REP. CHRISTOPHER D. LEON GUERRERO of Saipan, Precinct 4 (*for himself*, Representatives Roman C. Benavente, Lorenzo I. Deleon Guerrero, Mariano Taitano, and Edmund S. Villagomez)

H. B. NO. 18-103

To amend 9 CMC Section 8210 Penalties for Violations of 9 CMC 8203 and 8204 (a) Civil Fines and Section 2107 Registration: Expiration and Renewal; and for other purposes.

REP. LORENZO I. DELEON GUERRERO of Saipan, Precinct 5 (*for himself*)

B. House Local Bills:

H. L. B. NO. 18-21

To amend 10 CMC section 3618 to provide monetary fines as an alternative to imprisonment for illegal cockfight activity.

REP. CHRISTOPHER D. LEON GUERRERO of Saipan, Precinct 4 (*for himself*, Representatives Antonio R. Agulto, Anthony T. Benavente, Roman C. Benavente, Lorenzo I. Deleon Guerrero, John Paul P. Sablan, and Ralph N. Yumul)

C. House Legislative Initiatives:

H. L. I. NO. 18-7

To amend Article XV, Section 2 of the Constitution of the Northern Mariana Islands to authorize the election of the members of the Northern Marianas College Board of Regents; and for other purposes.

REP. ROMAN C. BENAVENTE of Saipan, Precinct 1 (*for himself*, Representative Lorenzo I. Deleon Guerrero)

5. INTRODUCTION OF RESOLUTIONS

A. House Resolutions

H. RES. NO. 18-30

Respectfully urging the Honorable Eloy S. Inos, Governor of the Commonwealth of the Northern Mariana Islands and Honorable Jude U. Hofschneider, Lieutenant Governor of the Commonwealth of the Northern Mariana Islands to direct the Commonwealth Utilities Corporation to solicit proposals for Renewable Energy Sources for the islands of Saipan, Tinian, and Rota.

REP. LORENZO I. DELEON GUERRERO of Saipan, Precinct 5 (*for himself*)

B. House Joint Resolutions:

C. House Commemorative Resolutions:

D. House Concurrent Resolutions:

6. MESSAGES FROM THE GOVERNOR

GOV. COMM. 18-55: (6/21/13) Informing the House of his nomination of Mr. Dave B. Guerrero to serve as a member of the Public Utilities Commission (PUC) representing Saipan. [*Deadline: 9/13/13*]

GOV. COMM. 18-56: (6/25/13) Certifying and granting approval for Dr. Glenn D. Cunningham, Physician (Orthopedic Surgeon), at the Commonwealth Healthcare Corporation to receive an annual salary of \$185,000. [For info]

GOV. COMM. 18-57: (6/26/13) Inviting Members of the Legislature to a Leadership Forum on July 2, 2013, at 1:00 p.m. at the Administration's main conference room. [*For info*]

GOV. COMM. 18-58: (6/30/13) **Executive Order 2013-13** – Declaration of a State of Emergency: CHC's Imminent threat of disruption of critical medical services in the Commonwealth and the danger that such a condition poses to the public because of the great increase in otherwise preventable deaths that would result.

GOV. COMM. 18-59: (7/2/13) Informing the House that he signed into law H. B. NO. 18-50, HD1 (Pension Obligation Bond Authorization Act of 2013). Became **Public Law 18-12**. [*For info*]

GOV. COMM. 18-60: (7/8/13) Informing the House that he disapproved H. B. No. 18-9 (Amending the Developer Infrastructure Tax Act (re: to include construction and repair of gov't building and structures)) [*Deadline 9/6/13*]

GOV. COMM. 18-61: (7/8/13) Informing the House that he disapproved H. B. No. 18-21, HD1 (Employment Tax Credit) [*Deadline 9/6/13*]

GOV. COMM. 18-62 (7/15/13) Informing the House that he signed into law H. L. B. NO. 18-10, D6, (Saipan Zoning Law of 2013.). Became **Saipan Local Law 18-4**. [*For info*]

GOV. COMM. 18-63: (7/15/13) Informing the House that he disapproved H. L. B. NO. 18-11, (To establish a Tinian Medical Assistance Review Board.). [*Deadline 9/13/13*]

GOV. COMM. 18-64: (7/11/13) Certifying and granting approval for Mr. Charles E. Brasington, Assistant Attorney General to receive an annual salary of \$54,000. [For info]

7. SENATE COMMUNICATIONS

SEN. COMM. 18-48: (6/19/13) Transmitting for House action S. J. R. NO. 18-4, S1, entitled, "Respectfully petitioning the United States Congress to amend the Radiation Exposure Compensation Act of 1990 to include the Commonwealth of the Northern Mariana Islands, to affirm that all Americans shall be given the same consideration when

it comes to compensation for exposure to radiation from the U.S. nuclear testing and to increase compensation for those affected,” which was adopted by the Senate on June 19, 2013. [*For action*]

SEN. COMM. 18-49: (6/19/13) Returning H. B. NO. 18-28, HD1, “To provide an amnesty period to expire on January 1, 2014 for the filing of delinquent returns under Title 4, Chapters 2, 3, 4, 5 and 7, Division 1 of the Revenue and Taxation Act of 1982, as amended, and the payment of delinquent taxes without imposition of penalty and interest, with certain exceptions and for the waiver of penalty for failure to obtain a business license; and for other purposes., which was passed by the Senate with amendments on June 19, 2013, in the form of **H. B. 28, HD1, SD1**. [*For action on Senate amendments*]

SEN. COMM. 18-50: (6/19/13) Returning H. B. NO. 18-50, HD1 (To authorize the Commonwealth Development Authority to issue pension obligation bonds on behalf of the Commonwealth in an amount up to three hundred million U.S. Dollars to pay the Commonwealth Government’s obligation to the Northern Mariana Islands Retirement Fund.), which was passed by the Senate without amendment on June 19, 2013. [*For info – Became P.L. 18-12*]

SEN. COMM. 18-51: (6/19/13) Informing the House that the Senate accepted the House amendments to S. B. NO. 18-21, HD1 (To amend 1 CMC § 8282; and for other purposes.) on June 19, 2013. [*For info*]

SEN. COMM. 18-52: (6/19/13) Informing the House that the Senate accepted the House amendments to S. B. NO. 18-22, HD1 (To amend 6 CMC § 1434(b).) on June 19, 2013. [*For info*]

SEN. COMM. 18-53: (6/26/13) Transmitting a certified copy of Senate Commemorative Resolution No. 18-5, entitled, “Honoring the life and achievements of Anthony Pellegrino and commending him for his distinguished contributions to the Commonwealth of the Northern Mariana Islands and service to the people,” which was adopted by the Senate on June 19, 2013. [*For info*]

SEN. COMM. 18-54: (6/26/13) Transmitting a certified copy of Senate Resolution No. 18-15, entitled, “Honoring the life and achievements of the late Honorable Senator Luis Palacios Crisostimo and commending him for his dedicated services and contributions to the Commonwealth of the Northern Mariana Islands and its people,” which was adopted by the Senate on June 19, 2013. [*For info*]

SEN. COMM. 18-55: (7/5/13) Returning H. B. NO. 18-64 (To amend Rota Local Law No, 17-6; and for other purposes.), which was passed by the Senate without amendment on July 12, 2013. [*Will go to Governor*]

SEN. COMM. 18-56: (6/19/13) Transmitting for House action S. J. R. NO. 18-5, entitled, “To provide legislative approval to the request made by the Law Revision Commission to

reprogram more than ten percent of its lapsed personnel funds,” which was adopted by the Senate on July 12, 2013. [*For action*]

8. HOUSE COMMUNICATIONS

HSE. COMM. 18-46: (6/26/13) From Representative Anthony T. Benavente informing the Speaker that he will be off-island from July 1, to July 5, 2013, and request to be excused from any sessions or meetings.

HSE. COMM. 18-47: (7/8/13) From Representative Taitano informing the Speaker that he will be off-island on personal leave from July 8, 2013 to July 15, 2013, and request to be excused from any sessions or meetings.

HSE. COMM. 18-48: (7/9/13) From the Speaker informing all Members that he will be out of the Commonwealth on official business from Monday, July 15, 2013 to Thursday, July 18, 2013 and designates Vice Speaker Dela Cruz as Acting Speaker.

HSE. COMM. 18-49: (7/10/13) From Representative Yumul informing the Speaker that he will be off-island on personal leave from July 15, 2013 to July 31, 2013, and request to be excused from any sessions or meetings.

HSE. COMM. 18-50: (7/16/13) From Representative Agulto informing the Speaker that he will be off-island on personal business from July 19, 2013 to July 23, 2013, and request to be excused from any sessions or meetings.

HSE. COMM. 18-51: (7/16/13) From the Floor Leader informing the Speaker that he will be off-island on personal business from July 19, 2013 to July 23, 2013, and request to be excused from any sessions or meetings.

9. COMMUNICATIONS FROM THE JUDICIAL BRANCH - NONE

10. COMMUNICATIONS FROM DEPARTMENTS & AGENCIES - NONE

11. MISCELLANEOUS COMMUNICATIONS

MISC. COMM. 18-3: (5/13/13 received 7/8/13) From the Honorable Tommy E. Remengesau, Jr., President of the Republic of Palau appointed Mr. Joe Lifoifoi, as Honorary Consul of Palau to the Commonwealth of the Northern Mariana Islands.

MISC. COMM. 18-4: (7/8/13) From Ms. Angie V. Leon Guerrero, Executive Director, enclosing a copy of Karidat's independent audit of financial statement for the years ending September 30, 2011 and 2012.

12. REPORTS OF STANDING COMMITTEES

S. C. R. NO. 18-11, S2: Reporting on H. B. NO. 18-29, entitled: “To amend the Weapons Control Act to promote and allow Outdoor Shooting Ranges, Skeet shooting developments offering competitive rifle competition and skeet shootings and to amend the Customs Violations provisions to accommodate Outdoor Shooting Ranges and revision to correct technical errors.” *Your Committee on Judiciary and Governmental Operations recommends that the House pass the bill in the form of H. B. NO. 18-29, HDI.*

S. C. R. NO. 18-34: Reporting on H. B. NO. 18-36, entitled: “To establish higher mandatory sentences for crimes that occurs within 1,000 feet of tourist sites and recreational areas.” *Your Committee on Judiciary and Governmental Operations recommends that the House pass H. B. NO. 18-36 in its current form.*

S. C. R. NO. 18-35: Reporting on H. B. NO. 18-81, entitled: “To amend 6 CMC §3113 to improve the enforcement of the prohibitions on loitering and change the criminal penalty to an infraction.” *Your Committee on Judiciary and Governmental Operations recommends that the House pass the bill in the form of H. B. NO. 18-81, HDI.*

S. C. R. NO. 18-36: Reporting on H. B. NO. 18-82, entitled: “To create “The Commonwealth of the Northern Mariana Islands Anti-Violence Leave Act of 2013”.” *Your Committee on Judiciary and Governmental Operations recommends that the House pass the bill in the form of H. B. NO. 18-82, HDI.*

S. C. R. NO. 18-37: Reporting on H. B. NO. 18-42, entitled: “To set a fine schedule for possession of Marijuana non-criminal infractions under 6 CMC section 2142; and for other purposes.” *Your Committee on Judiciary and Governmental Operations recommends that the House pass the bill in the form of H. B. NO. 18-42, HDI.*

S. C. R. NO. 18-38: Reporting on S. B. NO. 18-12, entitled: “To amend 1 CMC §2902 regarding executive appointments; and for other purposes.” *Your Committee on Judiciary and Governmental Operations recommends that the House pass the bill in the form of S. B. NO. 18-12, HDI.*

13. REPORTS OF SPECIAL AND CONFERENCE COMMITTEES - NONE

14. UNFINISHED BUSINESS - NONE

15. RESOLUTION CALENDAR

| Resolution | Subject | Action |
|--------------------------|---|---------------|
| H. RES. NO. 18-23 | To honor and commend Lawrence Allan Lee for his outstanding services and contributions to the Commonwealth of the Northern Mariana Islands most especially his contribution of Higher Education to the CNMI Educational System. | |
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16. BILL CALENDAR

| Bill/Initiative | Subject | Action |
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17. MISCELLANEOUS BUSINESS

18. ANNOUNCEMENTS

(ADJOURNMENT)

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. No. 18-20

To rename the Kagman Fire Station #5 to “Ernie T. Dela Cruz Fire State #5”; and for other purposes. Introduced by REP. ANTONIO R. AGULTO of Saipan, Precinct 5 (*for himself*) on June 21, 2013.

THIRD LEGISLATIVE DAY:

H. L. B. No. 18-19

To appropriate \$19,000 from the Third Senatorial District Developers Infrastructure Tax Fund; to re-appropriate the unobligated/lapsed funds under Saipan Local Law 17-6; to amend Saipan Local Law 17-6; to amend Saipan Local Law 17-6, as

amended by Saipan Local Law 18-1; and for other purposes. Introduced by REP. RAFAEL S. DEMAPAN of Saipan, Precinct 2 (*for himself*) on June 5, 2013.

Appearance of Measures introduced on the House Floor during the House Session on 6/21/13:

H. B. No. 18-86

To repeal 1 CMC § 8392 (reemployment and double dipping) (5) (c) and (d); and for other purposes. Introduced by REP. ANTHONY T. BENAVENTE of Saipan, Precinct 3 (*for himself*) on June 21, 2013, referred to the Special Committee on NMI Retirement Fund.

H. B. No. 18-87

To establish the offense of Abuse of authority/Issuance of Unlawful Orders. Introduced by REP. CHRISTOPHER D. LEON GUERRERO of Saipan, Precinct 4 (*for himself*), Representatives Antonio R. Agulto, Roman C. Benavente, Trenton B. Conner, Francisco S. Dela Cruz, Antonio P. Sablan, John Paul P. Sablan, Mariano Taitano, and Ralph N. Yumul) on June 21, 2013, referred to the Committee on Judiciary and Governmental Operations.

H. B. No. 18-88

To amend Title 4, Division 5, Chapter 5, by adding 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 Service (“AAFES”) and to authorize the Commonwealth 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. Introduced by REP. JOHN PAUL P. SABLAN of Saipan, Precinct 2 (*for himself*) on June 21, 2013, referred to the Committee on Commerce.

H. B. No. 18-89

To establish the offense of Obstruction or Interference with a Court Order or Subpoena and dispose of all fees within Article 1 by amending Offenses Against Public Administration, Article I, Chapter 3 of Title 6 of the CNMI Code. Introduced by REP. CHRISTOPHER D. LEON GUERRERO of Saipan, Precinct 4 (*for himself*), Representatives Antonio R. Agulto, Anthony T. Benavente, Roman C. Benavente, Trento B. Conner, Francisco S. Dela Cruz, Lorenzo I. Deleon Guerrero, Antonio P. Sablan, John Paul P. Sablan, Mariano Taitano, Ramon A. Tebuteb, Edmund S. Villagomez, and Ralph N. Yumul) on June 21, 2013, referred to the Committee on Judiciary and Governmental Operations.

H. B. No. 18-90

To increase all fines under Title 9 sections 1101 et seq. (Vehicle Code) of the Commonwealth Code by ten percent (10%). Introduced by REP. FRANCISCO S. DELA CRUZ of Saipan, Precinct 3 (*for himself*), Representative Ralph N. Yumul) on June 21, 2013, referred to the Committee on Ways and Means.

H. B. No. 18-91

To establish a school choice program administered by the CNMI Public School System in order to increase the quality of education for all students by Fall 2013. Introduced by REP. RAMON A. TEBUTEB of Saipan, Precinct 3 (*for himself*), Representative Lorenzo I. Deleon Guerrero) on June 21, 2013, referred to the Committee on Education.

H. B. No. 18-92

To authorize the CNMI Department of Public Safety (DPS) to impound vehicles and to promulgate all policies and procedures necessary to enforce this authority. Introduced by REP. CHRISTOPHER D. LEON GUERRERO of Saipan, Precinct 4 (*for himself*), Representatives Anthony T. Benavente, Roman C. Benavente, Lorenzo I. Deleon Guerrero, Janet U. Maratita, Antonio P. Sablan, John Paul P. Sablan, and Mariano Taitano) on June 21, 2013, referred to the Committee on Judiciary and Governmental Operations.

H. B. No. 18-93

To provide for Commissioners of the Public Utilities Corporation to be elected at large. Introduced by REP. LORENZO I. DELEON GUERRERO of Saipan, Precinct 5 (*for himself*) on June 21, 2013, referred to the Committee on Public Utilities, Transportation, and Communications.

H. L. B. No. 18-20

To rename the Kagman Fire Station #5 to “Ernie T. Dela Cruz Fire State #5”; and for other purposes. Introduced by REP. ANTONIO R. AGULTO of Saipan, Precinct 5 (*for himself*) on June 21, 2013.

H. RES. NO. 18-24

To recognize and commend Angelica Seloterio Lucero for placing First and over-all champion in the 6th-8th grade category in the 2013 CNMI PSS Island-wide STEM Fair and First Place in Division 3, the Energy and Invention Category during the 35th Annual Island-wide Science Fair held in Guam. Introduced by REP. FRANCISCO S. DELA CRUZ on behalf of REP. TERESITA A. SANTOS of Rota, Precinct 7 (*for herself*) on June 21, 2013 and calendared.

H. RES. NO. 18-25

Respectfully urging Honorable Eloy S. Inos, Governor of the Commonwealth of the Northern Mariana Islands and Honorable Jude U. Hofschneider, Lieutenant Governor of the Northern Mariana Islands to issue homesteads to those pending applicants who have been waiting to get a homestead lot to which they are entitled to. Introduced by REP. TRENTON B. CONNER of Tinian, Precinct 6 (*for himself*) on June 21, 2013, and calendared.

H. RES. NO. 18-26

To recognize and congratulate Janica Quitano Lizama as Valedictorian of the Senior Class of 2013 from Kagman High School. Introduced by REP. ANTONIO R. AGULTO of Saipan, Precinct 5 (*for himself*) on June 21, 2013 and calendared.

H. RES. NO. 18-27

To recognize and congratulate Tasha Deleon Guerrero Dela Cruz as Salutatorian of the Senior Class of 2013 from Kagman High School. Introduced by REP. ANTONIO R. AGULTO of Saipan, Precinct 5 (*for himself*) on June 21, 2013 and calendared.

H. RES. NO. 18-28

To respectfully urge the Honorable Eloy S. Inos, Governor of the Commonwealth of the Northern Mariana Islands, to nominate a highly qualified and competent female as the next Associate Judge to the Commonwealth Superior Court. Introduced by REP. JANET U. MARATITA of Saipan, Precinct 1 (*for herself*) on June 21, 2013 and calendared.

H. RES. NO. 18-29

Respectfully requesting the Department of Navy and the Department of Interior to pay employer contributions to the Northern Mariana Islands Retirement Fund for services rendered by members of the fund during the Naval Administration and Trust Territory Government from September 1945 through the end of the administration of the Trust Territory Government. Introduced by REP. MARIANO TAITANO of Saipan, Precinct 1 (*for himself, Representatives, Antonio R. Agulto, Trenton B. Conner, Lorenzo I. Deleon Guerrero, Rafael S. Demapan, Christopher D. Leon Guerrero, Antonio P. Sablan, John Paul P. Sablan, and Ramon A. Tebuteb*) on June 21, 2013, referred to the Special Committee on NMI Retirement Fund.

House information on deadlines for override:

GOV. COMM. 18-60: (7/8/13) Informing the House that he disapproved H. B. No. 18-9 (Amending the Developer Infrastructure Tax Act (re: to include construction and repair of gov't building and structures)) [Deadline 9/6/13]

GOV. COMM. 18-61: (7/8/13) Informing the House that he disapproved H. B. No. 18-21, HD1 (Employment Tax Credit) [Deadline 9/6/13]

GOV. COMM. 18-63: (7/15/13) Informing the House that he disapproved H. L. B. NO. 18-11, (To establish a Tinian Medical Assistance Review Board.). [Deadline 9/13/13]