



FINAL
09/17/08

THE SENATE
SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SESSION DAY	CALENDAR DAY	TIME
2nd Day, Second Regular Session	September 18, 2008	6:15 P.M.
ROTA COURT HOUSE, ROTA		

ORDER OF BUSINESS

A MOMENT OF SILENT PRAYER

- A. ROLL CALL - All nine (9) members are present
- B. READING AND APPROVAL OF THE JOURNAL:
 1. SJ 16-10 Referred back to members for review
- C. MESSAGES FROM THE GOVERNOR:
 1. **Gov. Msg. No. 16-243:** August 22, 2008 - To allow CUC to hire skilled foreign workers.
 2. **Gov. Msg. No. 16-244:** August 21, 2008 - Copy of resume, statement of financial interest, and drug test results for Mr. Fermin M. Sakisat to serve as a member of CPA Board of Directors.
 3. **Gov. Msg. No. 16-245:** August 21, 2008 - Withdrawing the appointment of Ms. Edith Dlg. Cruz to serve as a member of CPA Board of Directors.
 4. **Gov. Msg. No. 16-246:** August 21, 2008 - Appointment of Ms. Margarita T. Prater to serve as a member of CPA Board of Directors to represent Saipan.
 5. **Gov. Msg. No. 16-247:** August 25, 2008 - Signed into law H.B. No. 16-112, HD2, SD2, entitled, " To provide for the election of Delegate to U.S. House of Representatives, and for other purposes," becomes **PUBLIC LAW NO. 16-13.**
 6. **Gov. Msg. No. 16-248:** August 27, 2008 - Signed into law H.B. No. 16-142, HD2, entitled, " To amend 3 CMC § 4972(b)(5) as established by PL 15-108," becomes **PUBLIC LAW NO. 16-14.**
 7. **Gov. Msg. No. 16-249:** August 27, 2008 - Nomination of Ms. Cecilia T. Celes to serve as Secretary of DCCA of the CNMI.

8. **Gov. Msg. No. 16-250:** August 29, 2008 – Certification for vacant position for one (1) Executive Director for the Board of Professional Licensing.
9. **Gov. Msg. No. 16-251:** August 29, 2008 – Re-appointment of Mr. Perry B. Inos, Esq. to serve as an Associate Judge of the Superior Court of the CNMI.
10. **Gov. Msg. No. 16-252:** August 13, 2008 – Designation of the official CNMI Representative to the U.S. Coral Reef Task Force Mr. Ray Mafnas, Senior Policy Advisor.
11. **Gov. Msg. No. 16-253:** August 15, 2008 – Appointment of Mr. Michael James Ada as the Secretary of Commerce.
12. **Gov. Msg. No. 16-254:** September 02, 2008 – Resume, statement of financial interests, and drug test receipt for Ms. Margarita T. Prater to serve as a member of the CPA Board of Directors representing Saipan.
13. **Gov. Msg. No. 16-255:** September 03, 2008 – Termination of Declaration of A State of Disaster Emergency: CPA’ s approach of technical default on \$20 million indenture.
14. **Gov. Msg. No. 16-256:** August 21, 2008 – Withdrawing the appointment of Mr. Perry B. Inos, Esq, to serve as an Associate Judge of the Superior Court of the CNMI.
15. **Gov. Msg. No. 16-257:** September 03, 2008 – EO 2008-13 re Declaration of a State of Disaster Emergency: CUC’ s imminent generation failure and the need to provide immediate reliable power during repairs – Continuation #1.
15. **Gov. Msg. No. 16-258:** September 02, 2008 – Discussion regarding PL 110-229 negotiations under Section 902 of the Covenant to address the situation.
16. **Gov. Msg. No. 16-259:** September 05, 2008 – Signed into law S.B. No. 16-13, SD3,HS1,HD1, entitled, “ To forbear, in certain instances, the collection of the educational financial assistance liability of returning college students that cannot find employment within the private or public sector of the Commonwealth due to budgetary limitations, reduction in force or because a position is filled by a foreign national worker,” becomes **PUBLIC LAW NO. 16-15**.
17. **Gov. Msg. No. 16-260:** September 05, 2008 – H.L.B. No. 16-10, S1,D1, entitled, “ To appropriate \$4,752,000.00 from the revenues collected pursuant to SLL 11-2 as amended for FY 2009,” becomes **SAIPAN LOCAL LAW NO. 16-4**.
18. **Gov. Msg. No. 16-261:** September 05, 2008 – H.L.B. No. 16-16, S1,D1, entitled, “ To appropriate the lapsed funds from SLL 13-4,” becomes **SAIPAN LOCAL LAW NO. 16-5**.

19. **Gov. Msg. No. 16-262:** September 05, 2008 – Copy of resume, statement of financial interest and drug test receipt for Mr. Michael J. Ada appointed to serve as Secretary of the Department of Commerce.
20. **Gov. Msg. No. 16-263:** September 05, 2008 – Certification for vacant positions for three Physicians at CHC.
21. **Gov. Msg. No. 16-264:** September 05, 2008 – Certification for annual salary in excess of \$50,000 for Dr. Jeanolivia Dean Grant, Physician at CHC.
22. **Gov. Msg. No. 16-265:** September 05, 2008 – Certification for annual salary in excess of \$50,000 for Dr. Timothy Taylor, Physician at CHC.
23. **Gov. Msg. No. 16-266:** September 05, 2008 – Certification for annual salary in excess of \$50,000 for Dr. Hazel Christine Brown, Physician at CHC.
24. **Gov. Msg. No. 16-267:** September 07, 2008 – EO 2008-14 re: Declaration of a State of Emergency: Water System Pollutants; Public Health Emergency; Closure of Certain Public Schools.
25. **Gov. Msg. No. 16-268:** September 09, 2008 – EO 2008-15 re Rescinding the Declaration of A State of Disaster Emergency in EO 2008-14.
26. **Gov. Msgs. No. 16-269:** September 09, 2008 – Signed into law H.B. No. 16-113, entitled, “ To name the baseball field in Sinapalo, Rota as the ‘ Joaquin Mesngon Ogo Baseball Field’ ; becomes **PUBLIC LAW NO. 16-16.**
27. **Gov. Msg. No. 16-270:** September 10, 2008 – Certification for vacant position for one Supply Specialist IV at the Div. of Procurement & Supply, DOF.
28. **Gov. Msg. No. 16-271:** August 26, 2008 – Clarification of emergency directive eliminating PUC pre-review of generating contracts.
29. **Gov. Msg. No. 16-272:** September 11, 2008 – Certification for vacant position for one Accountant at the DEQ.
30. **Gov. Msg. No. 16-273:** September 11, 2008 – Certification for vacant position for one Environment Technician at the DEQ.
31. **Gov. Msg. No. 16-274:** September 11, 2008 – Certification for vacant position for one Executive Secretary at the Dept. of Commerce.
32. **Gov. Msg. No. 16-275:** September 11, 2008 – Certification for vacant position for one Physician (Surgeon) at the CHC, Dept. of Public Health.
33. **Gov. Msg. No. 16-276:** September 11, 2008 – Certification for annual salary in excess of \$50,000 for Dr. Delinda D. Wills, (Surgeon) at the CHC.

34. **Gov. Msg. No. 16-277:** September 15, 2008 – Disapproval of H.B. No.16-77, HS1, HD6, SD1, entitled, “ To allow and encourage CUC to engage the private sector to partner with the Commonwealth to secure reliable utility services at affordable rates, and for other purposes.”
35. **Gov. Msg. No. 16-278:** September 17, 2008 – Copy of resume, statement of financial interest and drug test receipt of Ms. Cecilia Taitano-Celes appointed to serve as the Secretary for DCCA.

D. COMMUNICATIONS FROM THE JUDICIARY: (NONE)

E. COMMUNICATIONS FROM HEADS OF EXECUTIVE DEPARTMENTS:

1. **Dept. Msg. No. 16-46:** August 21, 2008 – Director of Energy Div., regarding Energy Awareness Month on Take the Right Route on October 10, 2008.
2. **Dept. Msg. No. 16-47:** August 22, 2008 – Secretary of the Dept. of Labor regarding Representatives Salas and Sablan on the Department of Labor’ s request of the policies and procedures.
3. **Dept. Msg. No. 16-48:** August 26, 2008 – Secretary of Finance to PUIC Chair Tina Sablan on CUC fuel subsidy.
4. **Dept. Msg. No. 16-49:** August 28, 2008 – DOL Deputy Secretary Kaipat’ s position to Representative Christina Sablan on the labor policies.
5. **Dept. Msg. No. 16-50:** September 02, 2008 – DOL, Deputy Secretary on the impacts of PL 110-229 on revenues from the Labor Department.

F. COMMUNICATIONS FROM THE HOUSE:

1. **Hse. Comm. No. 16-117:** August 27, 2008 – Returning *without amendments* S.B. No. 16-37, entitled, “ To reserve public lands in the areas known as Chalan Famalao’ an and Pina areas on the Island of Tinian for Agricultural Homesteads and commercial uses.”
2. **Hse. Comm. No. 16-118:** August 27, 2008 – Acceptance of Senate amendments to H.B. No. 16-25, HD2, SS1, entitled, “ To require the advice and consent of the Senate for appointees to the Medical Professional Licensing Board.”
3. **Hse. Comm. No. 16-119:** August 27, 2008 – Transmitting for Senate action H.B. No. 16-78, HD1, entitled, “ To amend PL 15-22, and for other purposes.” (Reform & Tort Compensation Act of 2006)
4. **Hse. Comm. No. 16-120:** August 27, 2008 – Transmitting for Senate action H.B.

- No. 16-144, entitled, “ To amend 1 CMC § 1604 reorganizing the composition of the CNMI Youth Congress, and moving the election date in order to allow ample time for student registration and other necessities, and for other purposes.”
5. **Hse. Comm. No. 16-121:** August 08, 2008 – Representative Edward Salas and Representative Christina Sablan’ s inquiry from the Secretary of DOL on Dept. of Labor policies and procedures.
 6. **Hse. Comm. No. 16-122:** September 10, 2008 – Transmitting for Senate action H.J.R. No. 16-13, entitled, “ To respectfully inform the President of the United States that on behalf of the People of the Commonwealth of the Northern Mariana Islands that the Sixteenth Commonwealth Legislature strongly opposes the creation of a Northern Islands National Monument.”
 6. **Hse. Comm. No. 16-123:** September 10, 2008 – Transmitting for Senate action House Concurrent Resolution No. 16-2, entitled, “ To approve revenues of the CNMI, as identified pursuant to Article III, Section 9(a) of the Constitution, as amended, and 1 CMC, Division 7, for FY 2009, beginning October 1, 2008, and ending on September 30, 2009.”
 7. **Hse. Comm. No. 16-124:** September 10, 2008 – Representative Stanley Torres to Attorney General Gregory regarding his position against the proposed changes to the gambling exemption.

G. COMMUNICATIONS FROM THE WASHINGTON REPRESENTATIVE:

1. **Wash. Rep. Comm. No. 16-09:** August 21, 2008 – Letter to Secretary of Labor requesting that the DOL extend the end of the Transition Period.
2. **Wash. Rep. Comm. No. 16-10:** August 21, 2008 – Letter to the Governor regarding the request made to the Secretary of Labor on the extension of the Transition Period.
3. **Wash. Rep. Comm. No. 16-11:** September 11, 2008 – Adopted budget resolution for FY09 and requested to be included in the exemption provisions.

H. UNFINISHED BUSINESS: (NONE)

I. PRE-FILED BILLS AND RESOLUTIONS:

1. **Senate Bill No. 16-39:** To amend Parts of 1 CMC 9901 ET SEQ., The Open Government Act of 1992 (as amended). **(SEN. PETE P. REYES – 09/04/08)**
2. **Senate Bill No. 16-40:** To amend 1 CMC § 6103(a) to permit a member of the Commonwealth Election Commission to serve multiple terms. **(SEN. JOSEPH M. MENDIOLA – 09/17/08)**

3. **Senate Bill No. 16-41:** To amend Section 3105 of Title 7 of the Commonwealth Code to permit breastfeeding mothers to be excused from jury duty upon request. (SEN. PATERNO S. HOCOG – 09/18/08)

J. INTRODUCTION OF BILLS AND RESOLUTIONS:

1. **S.R. No. 16-22:** Extending sincere appreciation to Monsignor Louis Antonelli of San Isidro Mission, Sinapalo, Rota, for his dedication and devotion in serving the residents of Rota and preaching the word of God with devotion and years of commitment to the Community.

K. REPORTS OF STANDING COMMITTEES: ALL ADOPTED AND CONFIRMED

1. **Standing Committee Report No. 16-29:** September 18, 2008 – Reporting from the EAGI Committee on the nomination of Ms. Margarita T. Prater to serve as a member of the CPA Board of Directors representing Saipan.
2. **Standing Committee Report No. 16-30:** September 18, 2008 – Reporting from the EAGI Committee on the nomination of Mr. Manuel A. Sablan to serve as a member of the CDA Board of Directors representing Saipan.
3. **Standing Committee Report No. 16-31:** September 18, 2008 – Reporting from the EAGI Committee on the nomination of Mr. Michael James Ada to serve as the Secretary for the Department of Commerce.
4. **Standing Committee Report No. 16-32:** September 18, 2008 – Reporting from the EAGI Committee on the nomination of Mr. Sixto K. Igisomar to serve as a member of the Northern Mariana Islands Retirement Fund Board of Trustees.
5. **Standing Committee Report No. 16-34:** September 18, 2008 – Reporting from the EAGI Committee on the nomination of Mr. Perry B. Inos to serve as an Associate Judge for the Superior Court.
6. **Standing Committee Report No. 16-35:** September 18, 2008 – Reporting from the EAGI Committee on the nomination of Ms. Cecilia T. Celes to serve as the Secretary of DCCA.

RECESS: 6:45 P.M.

RETURNED: 7:20 P.M.

L. REPORTS OF SPECIAL AND CONFERENCE COMMITTEES:

1. **JCR NO. 16-01** – September 16, 2008 – Governor's request for funding to pursue a lawsuit against the Federal Government. (ADOPTED)

RECESS: 8:05 P.M.
RECESS: 8:38 P.M.
RECESS: 8:45 P.M.

RETURNED: 8:06 P.M.
RETURNED: 8:39 P.M.
RETURNED: 8:51 P.M.

M. RESOLUTION CALENDAR:

1. **S.R. No. 16-22** – Extending sincere appreciation to Monsignor Louis Antonelli of San Isidro Mission, Sinapalo, Rota, for his dedication and devotion in serving the residents of Rota and preaching the word of God with devotion and years of commitment to the Community. (ADOPTED)

N. BILL CALENDAR:

FIRST READING

LEG. NO.	<u>TITLE</u>

FINAL READING

LEG. NO.	<u>TITLE</u>
H.B. No. 16-108, SD1 (Hse. Comm No. 16-52) PASSED as amended	To amend 3 CMC §§ 5514 and 5121(c) to restrict the application of disaster emergencies RECESS: 8:55 RETURNED: 9:20 P.M. RECESS: 9:27 RETURNED: 9:45 P.M.
H.B. No. 16-144 (Hse. Comm No. 16-120) PASSED	To amend 1 CMC § 1604 reorganizing the composition of the CNMI Youth Congress, and moving the election date in order to allow ample time for student registration and other necessities
H.B. No. 16-102 (Hse. Comm No. 16-114) NEXT SESSION	To appropriate (\$350,000) from the Tobacco Control Fund pursuant to PL 13-38 beginning FY 2009 for the PSS Coordinated School Health Education Program
S.L.I. No. 16-02 PASSED	To propose a constitutional amendment to explicitly state that qualified retirees may be reemployed as classroom teachers, doctors, nurses, and other medical professionals without loss of retirement benefits, regardless of the individual's occupation prior to retirement, to eliminate the time limitation on such reemployment, and to clarify that the term "medical professionals" includes dentists, dental lab technicians, dental assistants, medical lab technicians, medical assistants, therapists, veterinarians, animal health officer or equivalent, and the like.

H.B. No. 16-77, HS1, HD6,SD1 PASSED	To allow and encourage CUC to engage the private sector to partner with the Commonwealth to secure reliable utility services at affordable rates
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O. PETITIONS, MEMORIALS AND MISCELLANEOUS COMMUNICATIONS:

1. **Misc. Comm. No. 16-183:** August 26, 2008 – Chairwoman of Fiscal Affairs regarding consideration of H.B. No. 16-102, SS1 (Seeking to appropriate revenues received in FY 2009 from Tobacco Control Fund, established by PL 13-38).
2. **Misc. Comm. No. 16-184:** Invitation to the Japanese Traditional Tea Ceremony on September 07, 2008, 10:00 a.m. at Susupe Multi Purpose Center.
3. **Misc. Comm. No. 16-185:** July 29, 2008 – PUC regarding CUC Contract with Aggreko International Products, Ltd.
4. **Misc. Comm. No. 16-186:** August 20, 2008 – Bill Stewart/Thoughts on Fund’s proposal.
5. **Misc. Comm. No. 16-187:** August 27, 2008 – PSS Board of Director Chairperson regarding the start date for school and request for a meeting.
6. **Misc. Comm. No. 16-188:** September 02, 2008 – The New York Times regarding President Bush to develop a plan for creating sanctuaries in the water around the NMI.
7. **Misc. Comm. No. 16-189:** September 04, 2008 – Dr. Jack Tenorio urging the Legislature not to pass a resolution in opposition to the proposal for a marine monument.
8. **Misc. Comm. No. 16-190:** September 09, 2008 – NMI Retirement Fund regarding new employee contribution rate effective October 1, 2008.
9. **Misc. Comm. No. 16-191:** September 02, 2008 – 39th General Assembly and 73rd council Meeting of the Asian-Pacific Parliamentarians Union (APPU).
10. **Misc. Comm. No. 16-192:** September 10, 2008 – Senate Legal Counsel Michael Ernest’s regarding Tax issue FY1.
11. **Misc. Comm. No. 16-193:** September 11, 2008 – From Sen. Maria Frica Pangelinan to Chairman, SNILD on HEW comments on H.L.B. No. 16-05, “ To repeal and re-enact Article 2 of Chapter 9 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.”
12. **Misc. Comm. No. 16-194:** September 11, 2008 – Rota Casino Gaming Commission.

- P. MISCELLANEOUS BUSINESS:
- Q. ANNOUNCEMENTS:
- R. ADJOURNMENT. *RECESS AT 9:50 P.M. UNTIL TUESDAY, 92308*

APPEARANCE OF SENATE LOCAL BILLS

LEG. NO.	<u>TITLE</u>
	NONE