



House Journal

FIRST REGULAR SESSION, 2006

Fifth Day

February 22, 2006

The House of Representatives of the Fifteenth Northern Marianas Commonwealth Legislature convened its Fifth Day, First Regular Session, on Wednesday, February 22, 2006, at 12:27 p.m., in the House Chamber on Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Oscar M. Babauta, Speaker of the House, presided.

A moment of silence was observed.

The Clerk called the roll and seventeen members were present. Representative Stanley T. Torres was excused.

Speaker Babauta: Thank you. A quorum has been duly established for the conduct of this session this afternoon. Representative Stanley T. Torres is excused.

ADOPTION OF JOURNALS

None

PREFILED AND INTRODUCTION OF BILLS

H. B. NO. 15-77: A Bill for an Act to impose a privilege fee of \$300 on initial and renewal employment contract application of a nonresident worker to be paid by the employee; and for other purposes.

Offered by: Rep. Justo S. Quitugua
Referred to: Committee on Commerce and Tourism

H. B. NO. 15-78: A Bill for an Act to amend 1 CMC §§ 2546(b) and (c); and for other purposes.

Offered by: Rep. Crispin M. Ogo
Referred to: Committee on Judiciary and Governmental Operations

H. B. NO. 15-79: A Bill for an Act to require refunds for security deposits to be issued in a timely manner; and for other purposes.

Offered by: Rep. Manuel A. Tenorio and four others
Referred to: Committee on Commerce and Tourism

H. B. NO. 15-80: A Bill for an Act to reappropriate the sum of Fifty-One Thousand Seven Hundred Eighty-Six Dollars (\$51,786) from the un-obligated fund balance(s) of Public Laws 11-79 and 11-89; and for other purposes.

Offered by: Rep. Manuel A. Tenorio and three others
Referred to: Committee on Ways and Means

H. B. NO. 15-81: A Bill for an Act to amend 4 CMC § 9503 and 9504.

Offered by: Rep. Manuel A. Tenorio and Rep. Joseph Deleon Guerrero
Referred to: Committee on Commerce and Tourism

H. L. B. NO. 15-19: A Bill for an Act to appropriate the sum of \$2,000,000.00 from fees collected under Saipan Local Law No. 11-2 for the construction of drainage and road paving for the Laulau Bay Drive and the Obyan Beach access road; and for other purposes.

Offered by: Rep. Joseph P. Deleon Guerrero and three others

H. L. I. NO. 15-1: A House Legislative Initiative to amend Article XV, Section 2(a) of the Constitution of the Northern Mariana Islands.

Offered by: Rep. Justo S. Quitugua

H. L. I. NO. 15-2: A House Legislative Initiative to permit the Legislature to provide by law that government retirees may be reemployed without losing retirement benefits for an unrestricted period of time by amending Article III, Section 20(b) of the Constitution of the Northern Mariana Islands.

Offered by: Rep. Justo S. Quitugua

PREFILED AND INTRODUCTION OF RESOLUTIONS

H. R. NO. 15-25: A House Resolution to urgently request the Honorable Benigno R. Fitial, Governor of the Commonwealth of the Northern Mariana Islands and Mr. Jose S. Demapan, Acting Secretary of the Department of Public Works to prioritize federal funding to expedite the construction and installation of guardrails and other safety barrier devices at Sadog Tasi.

Offered by: Rep. Ray N. Yumul and seventeen members.

Speaker Babauta: I understand that the Floor Leader requested that his resolutions be officially introduced and calendared for the next session. Is that an affirmation, Floor Leader?

Floor Leader Deleon Guerrero: That is correct, Mr. Speaker.

Speaker Babauta: Thank you, Floor Leader. With the consensus of the members, may I ask that we just suspend discussion on all the communications in the Order of Business, including the Senate Communications, so that we may go to the heart of the session?

There was no objection.

Speaker Babauta: So ordered.

MESSAGES FROM THE GOVERNOR

GOV. COMM. 15-17 – [2/6/06] – Certification of vacant positions for Director, Economic Development; Director, Central Statistics Division; Computer Operator III, and Computer Operator II at the Department of Commerce.

GOV. COMM. 15-18 – [2/10/06] – Certification of vacant positions for Special Assistant to DPW, Special Projects Coordinator, Director, Operation and Maintenance Division and Building Inspector Supervisor at the Department of Public Works.

GOV. COMM. 15-19 – [undated] – Certification of vacant positions for Mayor, Mayor’s Special Assistant, Agricultural & Economic Consultant, and Veterans Affairs Officer at the Tinian Municipal Council.

GOV. COMM. 15-20 – [2/14/06] – Certification of vacant position for an Executive Director at the Northern Marianas Islands Museum of History and Culture.

GOV. COMM. 15-21 – [2/14/06] – Waiver of Salary Ceiling for the Senior Policy Advisor.

GOV. COMM. 15-22 – [2/15/06] – Certification of vacant position for an Accountant at the Criminal Justice Planning Agency.

GOV. COMM. 15-23 – [2/15/06] – Certification of vacant position for Manager at the Administrative Services, Department of Labor.

GOV. COMM. 15-24 – [2/16/06] – Certification for vacant positions of Computer Specialist II and Commerce Enforcement & Compliance Technician II at the Department of Commerce.

GOV. COMM. 15-25 – [2/17/06] – Certification for vacant position of Physician (Internal Medicine) for the Department of Public Health.

GOV. COMM. 15-26 – [2/27/06] – Waiver of Salary Ceiling for Dr. Joel Reed Smith, Physician (Internal Medicine).

SENATE COMMUNICATIONS

SEN. COMM. 15-8: (2/9/06) Transmittal of a certified copy of S. R. NO. 15-7, entitled: “Conveying the sincere condolences and sympathy of the Senate of the Fifteenth Northern Marianas Commonwealth Legislature to the bereaved family of the late and Honorable Hilario F. Diaz on the occasion of his untimely passing and paying tribute to his fond memory,” which was adopted by the Senate on February 9, 2006. [For info]

SEN. COMM. 15-9: (2/9/06) Transmittal of S. J. R. NO. 15-2, SD1, entitled: “Respectfully requesting the Honorable Pedro A. Tenorio, CNMI Resident Representative to the United States, to seek the assistance of the Honorable Madeleine Z. Bordallo, Guam Congresswoman, and Dr.

McClellan, CMS Administrator, Center for Medicaid and Medicare services, to include the CNMI in the Medicare Program utilizing qualified Philippines medical facilities for medical referral patients,” which was adopted by the Senate on February 9, 2006. [For action]

SEN. COMM. 15-10: (2/10/06) Transmittal of S. B. NO. 15-2, SD1, entitled: To amend the Commonwealth Code to permit the issuance of Temporary Work Authorizations only under circumstances; and for other purposes,” which was passed by the Senate on February 9, 2006. [For action]

SEN. COMM. 15-11: (2/10/06) Transmittal of S. B. NO. 15-3, entitled: “To amend the Commonwealth Code to require the Office of the Attorney General to state on the record its reasons for dismissing charges of Operating While Intoxicated, and for other purposes,” which was passed by the Senate on February 9, 2006. [For action]

SEN. COMM. 15-12: (2/10/06) Transmittal of S. B. NO. 16-6, SD1, entitled: “To give a CNMI Government Retiree who is subsequently re-employed with the government the option to waive their salary and instead continue receiving their retirement benefits; and for other purposes,” which was passed by the Senate on February 9, 2006. [For action]

SEN. COMM. 15-13: (2/10/06) Transmittal of S. B. NO. 15-28, entitled: “To amend the Commonwealth Code to criminalize the making of false statements in any matter within the jurisdiction of the Executive Branch and to provide penalties therefore; and for other purposes,” which was passed by the Senate on February 9, 2006. [For action]

HOUSE COMMUNICATIONS

None

COMMUNICATIONS FROM THE JUDICIAL BRANCH

None

COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE

None

HOUSE COMMUNICATIONS

None

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

DEPT. & AGENCY COMM. 15-1: (2/9/06) From Ms. Linda T. Cabrera, Special Assistant for Programs and Legislative Review, acknowledging receipt of H. R. NO. 15-6 thru H. R. NO. 15-22.

DEPT. & AGENCY COMM. 15-2: (2/16/06) From Ms. Linda T. Cabrera, Special Assistant for Programs and Legislative Review, acknowledging receipt of H. R. NO. 15-23, HD1.

OTHER COMMUNICATIONS

None

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

None

UNFINISHED BUSINESS

None

RESOLUTION CALENDAR

Floor Leader Deleon Guerrero: I move, Mr. Speaker, to place H. R. NO. 15-25 on today's Calendar.

The motion was seconded and carried by voice vote.

Speaker Babauta: The motion is carried.

Floor Leader Babauta: I now move, Mr. Speaker, for the adoption of the H. R. NO. 15-25.

The motion was seconded.

Speaker Babauta: Discussion. Representative Ada, recognized.

Rep. Ada: Mr. Speaker, I would like to make an oral floor amendment on the Resolution right after Sadog Tasi, insert, "Kagman at Piola's Store intersection and the road leading up from Laulau Bay, Papago Road up to Kagman."

The Chair called for a short recess.

The House recessed at 12:35 p.m.

RECESS

The House reconvened at 12:36 p.m.

Speaker Babauta: We are back in session. Floor Leader, would you consider a motion to withdraw your motion?

Floor Leader Deleon Guerrero: So moved, Mr. Speaker, to withdraw my motion for adoption.

The motion to withdraw the adoption of H. R. NO. 15-25 was seconded and carried by voice vote.

Speaker Babauta: House Resolution No. 15-25 remains on the Calendar. Without objection, Floor Leader motion on item number 12, Standing Committee Report.

REPORTS OF STANDING COMMITTEES

Floor Leader Deleon Guerrero: Mr. Speaker, if there is no objection from the members, I move for the placement of S. C. R. No. 15-1 on the Calendar for action.

The motion to place S. C. R. No. 15-1 was seconded and carried by voice vote.

Speaker Babauta: The motion carries. S. C. R. No. 15-1 is now on the Calendar. Floor Leader, I now recognize a motion for the adoption of S. C. R. No. 15-1.

Floor Leader Deleon Guerrero: Mr. Speaker, I move for the adoption of S. C. R. No. 15-1.

S. C. R. NO. 15-1: Reporting on H. B. NO. 15-57, entitled, "A Bill for an Act to repeal Executive Order 94-3 as codified, Public Laws 10-57, 10-76, 12-33, and 12-71 to the extent they are applicable to public lands; to abolish the Marianas Public Lands Authority; and to create the Department of Public Lands within the Executive Branch; and for other purposes." *Your Committee on Natural Resources recommends passage of the bill in the form of a substitute.*

Speaker Babauta: Discussion. I recognize the Minority Leader.

Rep. Palacios: I will yield, Mr. Speaker, to my senior.

The Chair recognized Representative Tenorio.

Rep. Tenorio: Mr. Speaker, *nanga fan. Hafa para ta discuss esti i S. C. R. No. 15-1.* Mr. Speaker, *parafa ta puni pago ha' manmanana'i hit ni esti ya* I am not a fast reader. I cannot go through this very quickly. So if we are going to discuss it better based on the comments...

Speaker Babauta: Okay, short recess.

The House recessed at 12:38 p.m.

RECESS

The House reconvened at 12:50 p.m.

Speaker Babauta: We are to our plenary session. We are now discussing S. C. R. NO. 15-1. Representative Tebuteb.

Rep. Tebuteb: Thank you, Mr. Speaker. I am just looking at the committee action on (b) and I am trying to set this on my frame of mind to go about this. The Committee recommended that this respective substitute, the introduced legislation, so we are going ahead with the committee findings and in part of the committee finding, there are some questions that I have on Section (c), but yet I do not know what is the substitute. Or do we not have any on substitute, have we adopted that.

Speaker Babauta: Are you referring to the bill, Representative Tebuteb?

Rep. Tebuteb: Yes, I am referring to the Committee Report. The Committee Report is saying what the committee recommends, which is the substitute of the bill, but we have not looked at the committee substitute yet we are adopting the Committee Report.

Speaker Babauta: Right, the Committee Report in itself.

Rep. Tebuteb: In subsection (c) on the changes, it alludes to the Committee Substitute.

Speaker Babauta: Which by now you should have a copy of the substitute....

Rep. Tebuteb: I have not had the chance to even go through the substitute, but let me just go specifically to Section 2. This section was also was amended and it goes down further to say on the first line of the conclusion that by the majority members of the committee that MPLA has presently constituted as an autonomous agency fails to comply with Section 4(f) of the NMI Constitution. And then it further goes on that MPLC shall be transferred to the Executive Branch of the government after its dissolution. I think the NMI Constitution is very specific and I am trying to get what the committee meant when they said that MPLA in its presently constituted as an autonomous agency fails on what MPLC is all about.

Speaker Babauta: Let me clarify. As a result of Executive Order 94-3, MPLC then in 1994 was abolished by that particular Executive Order and transferred its function under the Department of Lands and Natural Resources. MPLA was reconstructed by the Legislature through Public Law 10-57 as amended by Public Law 12-33 and lastly by Public Law 12-71. Now, the Committee Report is just alluding to the sections of that particular bill where it changes the findings as the Joint Committee of the House and the Senate recommended.

Rep. Tebuteb: The Committee Report states that MPLA as an autonomous agency fails to comply with Article XI, Section 4(f). What it should be referring to is MPLC.

Speaker Babauta: Well, MPLC was already MPLA. I see what you mean because the Constitution explicitly made mentioned of a corporation instead of authority. So as a result of the dissolution in Executive Order 94-3, the Legislature see fits that the (c) should be changed to (a) and instead of corporation, it should authority. So this is the scenario here and I assumed that you are trying to insert, instead of authority, corporation.

Rep. Tebuteb: I am looking at the committee recommendation so that we go into the Substitute over the sections that need to be changed and part of that is where the transfer of functions which is stated in this subsection(c)(2).

Speaker Babauta: Let me recognize the Vice Speaker who is very privy to the Joint Committee meetings.

Vice Speaker Quitugua: Mr. Speaker, this section that Representative Tebuteb is raising, in reference to the existence of MPLA is not consistent with Article XI, Section (f) which states that the MPLC which is now MPLA shall be dissolved after 12 years of existence and return to an Executive Branch. That was done by Executive Order 94-3 and then the Legislature created MPLA. So what

this part is saying is that, MPLA is not in compliance with Article XI, Section (f) that is why we are taking this action to return MPLA to the Executive Branch.

Rep. Tebuteb: And it is not only through the Executive Order that necessarily transfers those functions of MPLC. It is very clear in Section (4) that the word shall be dissolved. It is already there.

Speaker Babauta: Better yet, without objection, I will like to request the legal counsel to work with the bill and the Committee Report along with the Joint Committee, if no objection from the members.

There was no objection from the members.

Speaker Babauta: Mr. Bermudes, you may clarify that with Representative tebuteb.

Legal Counsel Jose Bermudes: What Representative Quitugua stated is exactly the point. Based on the Constitution, it says that upon the dissolution of the MPLC, shall be transferred to the Executive Branch but through legislation, somehow it created an autonomous agency. So the finding of the bill rather than deleting all those from the original bills, like 13, 15 findings and the change course and just apply the finding of the provision of the Constitution that it shall be transferred to the Executive Branch.

The Chair recognized Representative Joseph Deleon Guerrero.

Rep. Deleon Guerrero: Thank you, Mr. Speaker. This decision we are going to make is perhaps one of the most monumental decision we are going to make during the 15th Legislature. I have listened to the people that spoke at the public hearings; even they felt that this thing is just moving too fast. If you recalled those members that were there, even the public has asked that we slow down and give them a chance to digest and submit recommendations. We just got the Standing Committee Report a few minutes ago and the Committee Substitute 1. I am sorry, I am trying to be a fast reader but this is just too little time to digest what has been given out right now and as much as I would like to expedite the process, I do not think I will be asking too much if I ask for perhaps a few hours to go over this completely. There are other information that I just got that I need to read in order to carefully analyze what is being proposed in the Committee Substitute, and I just feel that we are rushing. I do not what the impending room is that compels us to have to act on this right now. I am sure it can wait maybe two hours for those of us who at least who have not gotten an opportunity to review the committee report or not subject to the deliberations in the committee. Please, I appeal to you to give us some time to digest the information and to make reasonable or reason decision. Please, call for recess and give us maybe lunch break so we can also digest some food as well, Mr. Speaker before we act on this very important bill. I am not asking for a week or couple of days but just an hour or two to give careful consideration to what is being proposed.

Speaker Babauta: Let me recognized the Minority Leader.

Rep. Palacios: Thank you, Mr. Speaker. I want to just comment on the report. First of all, it is one of the most monumental decisions that we will be making, I have no question about that. It is going to be one of the most important decision that I will be making in the 15th Legislature. I want to

credit the committee, Mr. Speaker, for the Senate and House for conducting what I believe under the circumstances a fully extensive public hearing given the time that we have. So I congratulate him for taking the leadership role of a Chairman of a legislation taking it to the public and getting inputs from the public. Having said that, Mr. Speaker, I also noticed that there are several very important issues that were discussed in the committee that were really not incorporated into the substitute. In effect, some of those that were eliminated have to deal with the fundamental policies, particularly in Section 108 and the Committee Report alluded to it that some members raised concerns about it but it was decided that it should be taken out because of the economic conditions. One of the issues is how to appraise, how to charge rentals on public lands...those were taken out. I believe that those should be and should continue to be in Law, in statute and should govern whoever is going to manage Public Lands. I thought that in the Committee meetings, we agreed that...and even the legal counsel thought that those specific provisions which were in the original fundamental policies be put back because it is very important. It says here, Fair Market Value...should be assessed; all rentals should be assessed at a Fair Market Value. So what is the standard? After you look at the Fair Market Value then what, 8%, 1%, 3%? That policy that was in existence in the previous legislations and even when MPLA was in the executive branch had those fundamental policies that are now absent in the substitute legislation. That is a concern that I want to raise, Mr. Speaker. There are other issues that I wanted to raise and hopefully it would be addressed but because we are having the session to pass this legislation, I will not be able to question about the funds. The legislation is very quite on how the funds are going to be used other than for operations of this agency which will be created under this statute. It says, it should be appropriated to a department and it would probably be less than what is now being spent by MPLA. The legislation is very quite on how those remaining funds are going to be treated and where that money would go, and who has jurisdictions over them. Throughout the deliberations that we had, Mr. Speaker, and even in the public hearing, there is no question of the need to reform Public Lands Authority and even people that came out and testify or in accord that if indeed allegations which are rampant out there are true, then the Governor should invoke his executive power and terminate these board members for cause. I tried to ask our Clerk whether she was able to transcribe some of the public comments from these extensive public hearings that we had at least on Rota and Tinian but because of the limited amount of time that she had, she had just about to finish the Saipan testimonies. I believed that when we went through the motion of holding public hearings, we should have at least the transcription of those public hearings so that we can incorporate some of those comments and consider some of those comments into the legislations that we eventually submit to the floor for passage. I am afraid that we failed in the sense and this Committee Report will probably not incorporate those comments. So those are the two areas of concerns that I have on the Standing Committee Report, Mr. Speaker. Thank you.

The Chair recognized Representative Tenorio.

Rep. Tenorio: Thank you, Mr. Speaker. I do not know whether I should speak in the vernacular but for the benefit of those who do not...

Speaker Babauta: No objection, Representative Tenorio.

Rep. Tenorio: Actually, i rules ha allow ha yu para bai hu kuentos fino Chamorro. I punto guini, Mr. Speaker, ya yahu esti muna klaru. Guaha siha public hearing manma conducta giya Saipan, Rota yan Tinian. Pues i Committee gi magahit checho-na para ufan matachong ya uma evaluate eyu siha i public hearing ya ufan ma atan hafa sina ta incorporate guini gi bill. I committee man meting

guini gi Holiday, we met on Monday and the purpose was for us to get together and come up with the Committee Substitute and then report back to the committee or at least give the Committee the opportunity to read what was proposed for the actual action for today. As you should probably know, Mr. Speaker, this session was supposed to be held Thursday and we have not had the chance amongst ourselves, the minority group to actually get together and get a position on this bill. We are supposed to come up with a position paper per our meeting. At the same time, the other discussion that we had during that meeting, because one of the questions of constitutionality relative to Public Law 10-57, we requested the legal counsel to come up with a legal opinion on this and submit that legal opinion to the committee. I have not seen that legal opinion, Mr. Speaker, and that is very fundamental because nobody ever challenges the constitutionality of Public Law 10-57 since its becoming law which was back in the 10th Legislature. So this is one area that we need to really address as both of my colleagues mentioned. This is not an easy task. We are not lawyers here. We are trying to carve a new milestone to our history by changing a very substantive law. We have already changed from MPLC to Department of Public Lands by the Executive Order 94-3, and we gave that opportunity to the Executive Branch to implement public land prices and administer the distribution of public land but when that did not work we created MPLA and gave the Board the power to administer public lands. Now we are back to square one with H. B. NO. 15-57. We should learn from our history that a matter as important as the disposition and management of our public lands should never be placed under a line agency. Our lands is safer in the hands of a trusted Board.

Speaker Babauta: With an oversight of the Legislature of course.

Rep. Tenorio: You know, Mr. Speaker, that is true but at the same time, the Secretary have no power. He is an appointed individual and he answers only to the Governor. I am not questioning the Governor, perhaps our Governor is trying to consolidate everything and put it under his wing but this matter of Public Land is so dear to everybody here. It is a sacred thing and that is why when they started MPLC, they have a board of directors to manage the public land. So you have more people involved in the disposition of public land. We have scarcity of land here in the CNMI and that is the very purpose of why the founding fathers of the Constitution created MPLC. So the time given, Mr. Speaker, even with the three public hearings that I have attended, only in Saipan where the government agencies came and testify where maybe two out of ten voted to abolish it. Why? Because they work for the administration, but the result of the working people is different. My record tells me that out of fourteen in Rota, four voted, "yes" and ten voted, "no." In Saipan and Tinian the response is the same. Why do we have to change? And I agree with them. There are some maladies happening in the agency but like they say, please get rid of those people but let them have to have their day in court. Let the court decide what to do with them. We took off all the accusations in our findings. If you notice, all those findings of irresponsibility and wrongdoings are all gone. You wonder why. Some of the findings as you know are not true. For instance, the findings on the exorbitant compensation and the per diem rate, they are statutory, P. L. No. 12-71, and you are a part of it. You authorized the board and give them broad powers to manage Public Land and the 12th Legislature there is probably a reason for doing so at this time. The current Governor was the Speaker. I know that we all make mistakes but why do we have to continue. Why can we not give ourselves an opportunity, give us more time to really study this bill and the committee report. I would like to ask any of the members who can actually come up and tell me what is happening in this particular report. I do not recall all of these changes. We all agreed, Mr. Speaker, that we have to fix the problem. Taya nai. Todu ha hit tumungo na dankulu na problema I tafafana lau ti eyu ha lokue. Bula lokue otro departamento man problema ayu nai incumbent upon

this legislature to do an oversight on MPLA and get this things straighten out. Nesisita ha, Mr. Speaker, sa sigi ha hit ta gasta tiempota nu este ya mampos nu accusatory esti iyota findings ya eyu nai na mana fan suha. Eyi gui na guaha siha pago duru man mumun newspaper pago kulan ni ti man nesesario. Sometimes I wonder what is going on. Why the rush? Will this fix our financial problem? Maybe the Governor should just stop all travel and other excessive spending. I know that there are problems with salaries and wages also with MPLA. We are seeing these things just now. What we can do here is try to correct these problems and I know that this is a difficult process but the thing that we are doing now by rushing decisions is something that I disagree. I am in the opinion that we did the right thing with P. L. 10-57 when we took the power from the Governor and give it back to the Board because I believe, Mr. Speaker, that an issue important as public lands so sacred and dear to all of us the decision making on those issues should be place in the hands of a Board, a trusted group people that represents the community. They have made mistakes in the past but who does not make mistakes, but we have to correct those mistakes and learn from them or we progress. Is what we are doing the right way to correct it? Do you have to abolish the system? I question whether the system is the problem. There are definitely some changes that need to be addressed but there is no need to abolish and replace it with a new system? I did not sign the Committee Report because number one, I never get a chance to read the report. Secondly, I also just received a copy of the substitute bill and never get a chance to read it. In principle, Mr. Speaker, I do not believe that the power to administer our public lands our most important asset is better served by a single person on the contrary a Board composed of trusted members of these community should be entrusted with the management and disposition of our scarce resources, our indigenous lands. I thank you, Mr. Speaker.

The Chair recognized Representative Tebuteb.

Rep. Tebuteb: Thank you, Mr. Speaker. I guess I was a little bit specific on the Section by Section changes and there are about fourteen changes in the Section by Section that the committee had recommended along with the intent of the substitute bill. I have had the opportunity to go over the original bill and I have not had the opportunity to really scrutinize the committee substitute. In the original bill, one of the questions that I had in mind was if the intent was to abolish the MPLA, does the bill also intent to abolish the Department of Lands and Natural Resources? I guess one of the recommendation that I am going to recommend or allude to is that we need to be very cautious and careful in the deliberation of the changes that the committee has submitted. I believe that even with these new changes, they have not had the opportunity to go to through the public for scrutiny. The Legislature should also, and we should also wait and try to see the completion of the Public Auditor's on their auditing or investigation if that may be the case. If the alleged abuses and that is also in part of the committee report that the MPLA has failed to comply to Article XI, then we should also be very cautious and examine more and be focus on the merits of changing our land management and the policy. For that matter, even the long-term effect of ramification of vesting one individual with the ultimate authority of our scarce public lands. I just ask for caution even on the discussion of this committee report. Thank you, Mr. Speaker.

Speaker Babauta: Let me just clarify some of the issues that were raised by the members. For one, the impending looming effect that if no actions taken by the Legislature immediately, one is the closure of the main road in Chalan Pale Arnold leading to Aqua Resort, Plumeria Hotel, Nikko Hotel. That is one. Number two, the impending proposed increase of deficit for the remainder of Fiscal Year 2006 for the agency in itself. Number three, is the scarce resource but when we see a

legal counsel of the authority putting his name as a priority under the land compensation program, would you call that scarce? What about those ladies and gentlemen that were waiting for the past fifteen years. The owners of the Achugao road, the owners of the various road here in Chalan Pale Arnold, Monsignor Guerrero, this is what we are trying to solve my colleagues. We need to rectify this. Yes, I personally admit that we made a mistake when we reconstitute Marianas Public Lands Authority under P.L. 10-57 as amended by P.L. 12-33 and of course giving a board power under P.L. 12-71. We realized that if we are to regain the required strict fiduciary responsibility of the board, we thought then that Public Law 12-71 is the answer, but I guess all of us are contained that it is up to the individual board members whether or not how lengthy are those extended authority granted to them. So I wish you all understand the rationale behind the implementation of a new executive department. Any more concerns? Representative Kaipat.

Rep. Kaipat: Thank you, Mr. Speaker. I too was present at these public hearings along with my colleagues in the Natural Resources Committee. Representative Tenorio was there as well as the Minority Leader. I must make an observation that we share your concerns, your deep concerns about the protection of scarce land resources. We do not take this lightly at all and you are right to bring up those concerns but I do not want to give the impression that the committee did not take those concerns seriously. We did. As you mentioned, we came in during the Holiday, we sat down, we debated, talked about these issues. The public hearing in Saipan, there were quite a few family members of MPLA Chairwoman Ana Demapan-Castro who came in and testified and they all said that if they used the analogy that if arm was broken, you do not cut of the arm but it was interesting that not a single one of them asked the board to step down and resign if they thought they were not performing and meeting their fiduciary responsibilities. I understand the need to move cautiously and I do not feel that we are moving quickly at all. There were people that were upset at the Tinian public hearing because they wanted MPLA to come and face them. So it is not like we have not been aware that there are problems. This is an emergency situation. On the contrary, there were a lot of people who are wondering why the Governor has not taken steps to fire these people. What I want to emphasize here is this emphasis on giving authority to one individual. This bill is not intended to deny us or deprive us legislators of our responsibilities...to also how the board or how the responsible people in...and question them...but how they are going about their business of disposing of our scarce valuable lands. We still have that responsibility and we will exercise that responsibility but when you pick up the paper and you read that \$600,000.00 is being spend on legal fees alone and you said, people have been waiting for years for land compensation, it boggles my mind and that is what the public cannot understand. My colleagues, I ask you, the public demands that we take action on this bill now. Not a day later and not a few hours later. I urge you. Amendments can be made. They are good amendments that are good Honorable Palacios had mentioned that should be incorporated into this bill. I agree with you but we need to stop the bleeding. This is an emergency situation and we need to do it now and I respectfully humbly ask each and everyone of you to please let us all take action on this bill now. Thank you.

The Chair recognized the Vice Speaker.

Vice Speaker Quitugua: Thank you, Mr. Speaker. I think we have heard enough of the debate and I move to end debate.

Rep. Joseph Deleon Guerrero: I object to that.

Speaker Babauta: Order please. There is a motion on the floor offered by the Vice Speaker to end debate...undebatable.

The chair called for a division on the floor for the motion to end debate and ask for a roll call.

The roll called on the motion to end debate on S. C. R. NO. 15-1 is as follows:

Rep. Martin B. Ada	yes
Rep. Edwin P. Aldan	yes
Rep. Francisco S. Dela Cruz	yes
Rep. Florencio T. Deleon Guerrero	yes
Rep. Joseph P. Deleon Guerrero	no
Rep. Jacinta M. Kaipat	yes
Rep. Jesus SN. Lizama	yes
Rep. Crispin M. Ogo	yes
Rep. Arnold I. Palacios	no
Rep. Justo S. Quitugua	yes
Rep. Benjamin B. Seman	no
Rep. Candido B. Taman	no
Rep. Ramon A. Tebuteb	no
Rep. Manuel A. Tenorio	no
Mr. Speaker, this issue is so important to us. I would like to hear each and every member to speak on this issue and my answer is no.	
Rep. Stanley T. Torres	absent
Rep. Absalon V. Waki, Jr.	yes
Rep. Ray N. Yumul	yes
Rep. Oscar M. Babauta	yes

Speaker Babauta: The motion to end debate carries.

The chair again called for a division on the floor for the motion to adopt S. C. R. NO. 15-1 and ask for a roll call.

The roll called on the motion to adopt S. C. R. NO. 15-1 is as follows:

Rep. Martin B. Ada	yes
Rep. Edwin P. Aldan	yes
Rep. Francisco S. Dela Cruz	yes
Rep. Florencio T. Deleon Guerrero	yes
Rep. Joseph P. Deleon Guerrero	no
Rep. Jacinta M. Kaipat	yes
Rep. Jesus SN. Lizama	yes
Rep. Crispin M. Ogo	yes
Rep. Arnold I. Palacios	no
Rep. Justo S. Quitugua	yes
Rep. Benjamin B. Seman	no
Rep. Candido B. Taman	no
Rep. Ramon A. Tebuteb	no
Rep. Manuel A. Tenorio	no
Mr. Speaker, again for the record, I hope that more time will be given to the members to review the report.	
Rep. Stanley T. Torres	absent
Rep. Absalon V. Waki, Jr.	yes
Rep. Ray N. Yumul	yes

Rep. Oscar M. Babauta

yes

Speaker Babauta: By a vote of 11-6, S. C. R. NO. 15-1 recommending passage of H. B. NO. 15-57 is hereby adopted. Representative Yumul.

Rep. Yumul: Mr. Speaker, may we recognized the presence of the Governor and the Lieutenant Governor. Thank you?

Speaker Babauta: Governor and Lieutenant Governor, welcome to the Chamber. Floor Leader.

BILL CALENDAR

Floor Leader Deleon Guerrero: So moved, Mr. Speaker, to suspend pertinent House Rules for the suspension of H. B. NO. 15-57 on the Bill Calendar for First and Final Reading.

The suspension motion was seconded and carried by voice vote.

Speaker Babauta: Motion carries. H. B. NO. 15-57 is hereby placed on today's Order of Business for passage. Floor Leader.

Floor Leader Deleon Guerrero: So moved, Mr. Speaker for the passage of H. B. NO. 15-57, CS1.

The motion was seconded.

H. B. NO. 15-57, CS1: A BILL FOR AN ACT TO REPEAL EXECUTIVE ORDER 94-3 AS CODIFIED, PUBLIC LAWS 10-57, 12-33, AND 12-71 TO THE EXTENT THEY ARE APPLICABLE TO PUBLIC LANDS; TO CREATE THE DEPARTMENT OF PUBLIC LANDS WITHIN THE EXECUTIVE BRANCH; TO TRANSFER THE OBLIGATIONS AND RESPONSIBILITIES OF THE MARIANAS PUBLIC LANDS AUTHORITY TO THE DEPARTMENT OF PUBLIC LANDS, AND FOR OTHER PURPOSES.

Speaker Babauta: Discussion. Representative Arnold Palacios.

Rep. Palacios: Are we on discussion?

Speaker Babauta: Let me clarify this Floor Leader. The initial motion was for the suspension of Rules for the placement. So I ask that you restate your motion to suspend Pertinent Rules for the passage on First and Final Reading. The next motion would be passage motion. So the second motion should be suspension of Pertinent Rules for the passage on First and Final Reading only.

Floor Leader Deleon Guerrero: I understand that we put H. B. NO. 15-57, CS1 on today's Calendar and now we move for the suspension of Rules for passage on First and Final Reading.

The motion was seconded.

Speaker Babauta: So clarified now. The motion is for the suspension of Rule IX, Section 9 and 10 for the passage on First and Final Reading, H. B. NO. 15-57, CS1.

The suspension motion was carried by voice vote.

Speaker Babauta: Motion carries. Passage on First and Final Reading, Floor Leader.

Floor Leader Deleon Guerrero: So moved, Mr. Speaker, for the passage of H. B. NO. 15-57, CS1.

Speaker Babauta: Discussion. Representative Palacios.

Rep. Palacios: Thank you, Mr. Speaker. After we debate on this issue. I hope that every one of us will partake in giving your opinions and your positions. We will be voting on probably one of the most important piece of legislation and that is where we are going to place and how we are going to place the management and disposition of Public Lands in the Commonwealth. Whether we put it in the Executive Branch as proposed in H. B. NO. 15-57, CS1 versus what is now Public Law 12-71. When I first read this proposal, the initial legislation that was put before us had about a dozen allegations of mismanagement by the agency that we have empowered to manage our lands. I was just as every one of us, I was uphold by the allegations. I also want to ensure that if these allegations are true then we should prosecute, we should terminate and we should kick out the members of the board of Public Lands and take them to court. That is our obligation as officials elected or not. That is what the public demands and that is to take this people to court if those allegations are true. But today, we do not know what the Public Auditor's report will be. So I do not want to jump the gun and tell them to do that. When then, Governor Froilan Tenorio executed Executive Order 94-3, and put the management of Public Lands under the Executive Branch, there were accusations and allegations of abuses also within an Executive Branch. What I am trying to say is really...if you have a history where you put it in the Executive Branch and there were abuses, and you do not have a strict guidelines when you changed it back, which was done in the 10th Legislature and subsequently amended in the 12th Legislature, you will continue to have abuses. I ask you, does H. B. NO. 15-57, CS1 provide for the strict guidelines, statutory guidelines? In looking at these versions, I failed to see any of these guidelines. As it has been said, this is a scarce resources. I talked to the Speaker that we do have urgent needs to pass this legislation. We all have to decide whether that is the case. When it was under MPLC, there were people that were prosecuted after the Office of the Public Auditor's found abuses. We hope that when everything is said and done whether we put this in an executive branch or keep it as an autonomous agency that we do not revisit the issue of abuses again. It is a big concern. We changed the original legislation in the findings in order to avoid abuses in the management and disposition of public lands, we are proposing it to be put under the executive branch as a line agency. Then we changed it and we came up with another findings and used these findings and that there a questions of constitutionality. I was bothered by that because if that was the case then the 10th and the 12th Legislature had failed to see the potential constitutional conflicts in establishing MPLA. You know, I have also got advice from other legal counsels outside our legal here in the Legislature and there seems to be a very lively debate as to who and what or whether this is constitutional or not and I told the counsels, believe me I do not have no vested interest in MPLA today. So that to me is still questionable whether MPLA as it is today being autonomous as it is, is constitutional. You have line agencies under the Executive Branch with board members and seemingly have certain degree of autonomy and function well within the Executive Branch. You have for example, CRM has a board that approves or disapproves permits and they are under the Executive Branch. The question is how much autonomy can we give or should we give to an agency? How much autonomy should we give one person? Our substitute bill does not provide those guidelines. I share everyone's concern about the scarcity of land and it is

very scarce now. Some of them were squandered by MPLC and some of them were squandered while it was under the Executive Branch. And yes, some of them were squandered under the present Public Lands Authority. The question is where do we go from here to make sure that we protect our scarce public land? That is the question. Without a strict guidelines and provisions in our present legislation that we have, I think we failed again to do that. Thank you, Mr. Speaker.

Speaker Babauta: Before I recognized any one, without objection from the members, resolve into Committee of the Whole so that we may invite our counterparts from the Senate.

The House dissolved into Committee of the Whole at 1:50 p.m.

COMMITTEE OF THE WHOLE

The House returned to plenary session at 3:01 p.m.

Speaker Babauta: We are back to our plenary session from Committee of the Whole. We are still discussing H. B. NO. 15-57, CS1. I recognized the Vice Speaker.

Vice Speaker Quitugua: Just some computer errors, Mr. Speaker. On the First line on the title after Public Law 10-57, delete, "10-7," and also on page 5 under Section 105, line 24, after homestead period (.) delete, "Upon approval by the board" and put a Capital (A). This phrase is inconsistent with the other provision on the advisory board. On page 7, there is a repeated words, on line 6, there are two (2) "consult with" so strike out the first consult with.

Speaker Babauta: Without objection from the members, the Vice Speaker requested computer error so if no objection, we consider that as technical.

There was no objection.

Speaker Babauta: Please take note of the computer error. We are still discussing H. B. NO. 15-57, CS1 and I recognized Representative Tenorio.

Rep. Tenorio: Thank you, Mr. Speaker. Esti public comment nai guini gi the past several nights giya Rota, Tinian yan Saipan. Guaha esti mu mention ya man dinanche. Meggai-na public comments against the bill. Ya hita taya, we did not consider any of that public comments. Ti ha reflect gi i Committee Report which is important. That is number one. Number two, the Mayor's of Rota and Tinian actually wanted the centralization. They want more decision making at the local level. This bill does not have that and I recalled back the issue that was brought up by Senator Manglona. What we have created here is a something like is between a dog and a cat. It is not an animal. This creature now that we are creating is not an autonomous agency. It is not a semi-autonomous agency. It is a department but it has no directors but a secretary run by an advisory board. What kind of...not even run by an advisory board...a power less advisory board...no function at all? Seriously, what are we creating here? I understand the problem, the basis of the problem why people are so concerned about taking action because of the inequities and allegations. All the allegations are gone now with the exemption of one or two. Because of these allegations, Mr. Speaker, the Public Auditor went full force and are doing four different audits at one time to find out what is wrong and where can we plug the loopholes. We have not had that opportunity to get a

full report of the audit. Here we are making decision already. For us to make decent decision, you have to have those data's or findings from the Public Auditor supporting or otherwise not supporting those allegations...I do not know what we are rushing. The problem here, Mr. Speaker, I do not know what kind of creature we are creating right now. Is this a department? What happen to the Department of Lands and Natural Resources? What happen to the Land Registration Division? Where does it go to? It remains in the Natural Resources or it goes to this new animal or whatever you call it. Where do we put the people? These are serious things. We are carving something that I do not think that we fully understood the final impact of what we are doing here. Part of this bill are actually written from the fundamental policies of the Marianas Public Lands Corporation with some exemption that were thrown out. But it goes to show, Mr. Speaker, that there was actually nothing wrong with the system created when we had MPLC. MPLA tends to mimic MPLC but without the constitutional backing because it is the legislative creation and place under the Executive Branch. Still the question remains. There are legal opinions interpreting one that is not under the executive branch. There is another legal opinion that says it is. We have not even come to a conclusion. Who do we listen to, the people or party that says that this is wrong, this is unconstitutional? We are only asking for a legal opinion in writing and even perhaps our legal counsel...I do not know what he thinks about this but my concern is there is not enough information. There are so many questions unanswered and in principle, I agree with the Public Lands in the hands of a board. I was part of the First Constitutional Convention and this is one issue that we tackle. You cannot tackle this lightly here and say, let us just move it from one place to another not having a true picture of what we are creating. We are creating something here, we are creating a Department of Lands and I do not know if any one can answer me as to what will happen to the Land Registration? Where will it go? Who do they answer to? You have a Department of Lands with a Secretary and no Deputy. Someone mentioned that from Rota. Shall we have a resident representative, resident secretary or a resident director? It is not addressed in this bill. Those are the issues that are still in the air and here we are today with so little time given to even sit down and have some other people look at this bill and go item by item and try to figure out what we are trying to create. I do not know if really time is of the essence that we have to act now or we go broke...maybe some roads are going to be closed and some businesses will close down...I do not know. But to compromise the principle at an issue as such which must be protected by the Constitution will be just rush out so lightly. The framers of the Constitution maybe at one time...when they decide that they want to move this over to executive branch in twelve years, they probably think that in twelve years, the government will mature and we will probably have a system that is good but obviously, it did not work that way. We are only how many years now about thirty years...this government is very young. United States is over two hundred years and they are still making mistakes. We start blaming people...we have to blame ourselves too sometimes. The point that I am trying to drive at, Mr. Speaker, confuse yu nai, Mr. Speaker, lao kao necessario na debi ha na tafan act on this issue today. We are going to act on this bill despite the fact na tatungo ha na bula kumontra gi san hiyong. Guaha dankulon issue pago pot i allegations. Ti tatungo para ufan malak mano siha i empleao i MPLA. We have the mechanism at hand so let us put it into practice. Yangin guaha magahit para ufan ma kondona and we do not condom the kind of misbehavior that have been reported to exist from any public official, for this reason stated, Mr. Speaker, I am voting against the bill. I am against the bill not because of the intention of the bill but because of the way it was written. I think it is an half ass bill. Taya esti nifena na bill. Kulan ti klaru hafa na klasen gaga ta create. We are creating or have created something that I think will haunt us in the future. Enao ha, Mr. Speaker. Thank you.

Speaker Babauta: Amen. Si yu'us ma'ase. Let me recognized Representative Ogo.

Rep. Ogo: Thank you, Mr. Speaker. While everyone are arguing, I was reading the bill. I know that they just gave us this bill earlier. I was reading the bill and this is how I see this. If you think about representation for each island of Rota and Tinian, there are five members. If you look at Section 104 which is the Advisory Board, one from Rota appointed by the Mayor approved by the Municipal Council, one from Tinian, three from Saipan and one of them is appointed by the Governor. So each Mayor's have the opportunity to appoint a single individual to represent the Municipality of Rota, Tinian and three from Saipan. The nice thing about this bill is there is a Section also in 104 where it mentioned about monthly meeting and members of this advisory board will be receiving per diems from the Department of Finance...prescribed per diems not honorary. So that is cut off esta. If we go down and you are saying that this board does not have authority, believe me, Section 105 (b) and Section 105 (f)...if you look at the strength of this board, even though the Secretary of Public Land have this idea, he cannot continue with his idea himself without the approval of this Advisory Board. So clearly it states on Section 105 (b) that any homestead that the Secretary of Department of Lands and Natural Resources decides to have for the CNMI, the board must approve that. It clearly says there. Now, let us go to Section 105 (f) after this bill becomes law then the Secretary is supposed to promulgate rules and the board has to approve that. So clearly, the strength is there. So, Mr. Speaker, just those sections, I clearly believe that the board have the authority. Ready for the question, Mr. Speaker.

Speaker Babauta: Before I do that...for the last speaker this afternoon, I would recognize the humble Chairman of the Natural Resources.

Rep. Aldan: Thank you, Mr. Speaker. I hope that I would be the last one speaking regarding this very controversial bill. Yes, the Committee did conduct the public hearings in Saipan, Tinian and Rota. I have sorted out the comments that were submitted to the committee. I have sorted out the comments that were submitted to the committee. I have all the comments in my office and it is a very big stack of opposition and support of the bill. I understand that the members are concerned about how we are fast tracking this bill but I hope that my colleagues understand the situation that we are in regarding MPLA. They are conducting themselves thinking that this Legislature is not going to do anything to stop them from whatever they are doing. So I question my colleagues that, are we going to stand idle and let MPLA continue to plunder that funding supposedly to go to projects for land compensation and projects for our homestead farming. I beg you to consider the bill. I understand those sections that have to be amended down the line but that is for us to work as we go down as we move on. But now we have to take action. We cannot let MPLA board continue to deny our indigenous, those land owners. I am happy to say that I thank the two senior members in the Committee and also to the Vice Speaker for consulting and discussing the issues. I know that on several of the issues, we disagree but it is democracy, you say what you want, say your peace and we have to move on. Thank you, Mr. Speaker.

The Chair recognized Representative Kaipat.

Rep. Kaipat: Thank you, Mr. Speaker. I move to end debate.

The motion to end debate was seconded.

Speaker Babauta: Before I do that, let me just recognized the member that have not yet spoken, Representative Taman.

Rep. Taman: Thank you, Mr. Speaker. I believe that Executive Order 94-3 fulfill the constitutional mandate of putting back Public Land into the Executive Branch and then subsequently, the Legislature created the agency again, and while we were discussing this matter, I heard one senior member of the House and two senior members of the Senate admitting to the fact that they did make mistakes when they recreated the agency. I am pretty sure that this administration and most of us do agree that we need to do something about MPLA, but in the course of doing this, we must be careful and we must be prudent. Let us not come back again and say that we made a mistake in 2006. Thank you very much.

Speaker Babauta: For the last time, I want to recognize Representative Tebuteb.

Rep. Tebuteb: Thank you, Mr. Speaker. I know that everybody is anxious to end the debate and it is a very important issue and that we should all have something to say. We already know the results of this and it reflects on the discussions that has happened but for the record, Mr. Speaker, there are only three branches of government and MPLA is definitely not under Legislative and it definitely also is not under the Judicial Branch. Article XI is very specific and I think the key word was that, after twelve years, the corporation and the word is, "shall be dissolved and its functions shall be transferred" as it also states in the bill itself in the substitute. However, the subsequent sentence on MPLA changed that. The contention is that in its current function or structure, they are not complying with the constitutional provisions. Public Law 12-57 also states that, and was eluded by Representative Joseph Deleon Guerrero, and that MPLA is within the third branch or within the Executive Branch. To further amplify that, it is under the Executive Branch. Section 21 of Article III also recognizes the power that is given to the Governor to change the board and I think that is what we are all afraid of. I ask this body that maybe one of the things that we should do is to have an oversight because of the things that are mentioned in the bill that they failed to comply with the constitutional provisions and even to the original bill. Someone stated that if the allegations are true, if they are plundering the money that they are constitutionally mandated to or supposed to do then we should bring them in for an oversight. Thank you, Mr. Speaker.

Speaker Babauta: The Chair now recognized the motion to end debate which is undebatable. We are now voting on the main motion to pass H. B. NO. 15-57, CS1. Clerk, call the roll.

The roll called on the motion to pass H. B. NO. 15-57, HD1 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. Edwin P. Aldan	yes
Rep. Francisco S. Dela Cruz	yes
Rep. Florencio T. Deleon Guerrero	yes
Rep. Joseph P. Deleon Guerrero	no
Rep. Jacinta M. Kaipat	yes
Rep. Jesus SN. Lizama	yes
Rep. Crispin M. Ogo	yes
Rep. Arnold I. Palacios	no
Rep. Justo S. Quitugua	yes
Rep. Benjamin B. Seman	no

Rep. Candido B. Taman	no
Rep. Ramon A. Tebuteb	no
Rep. Manuel A. Tenorio	no
Rep. Stanley T. Torres	absent
Rep. Absalon V. Waki, Jr.	yes
Rep. Ray N. Yumul	yes
Rep. Oscar M. Babauta	yes

Speaker Babauta: H. B. NO. 15-57, HD1 passes the House on First and Final Reading, 11-6. Let us take a short recess, there is one companion bill that needs to be addressed with this bill and it will be recalled by the Chairman on Committee on Ways and Means. This is the bill that is sponsored by the Minority Leader to stop payment on any executive officer of the government to be compensated for termination of contract services.

The House recessed at 3:25 p.m.

RECESS

The House reconvened at 3:27 p.m.

Speaker Babauta: The House shall reconvene. I would like to recognize Representative Ogo.

Rep. Ogo: Thank you, Mr. Speaker. By the request from our good Minority Leader, as the Chairman of Ways and Means I hereby recall H. B. NO. 15-62 for action on today's Calendar.

There was no objection.

Speaker Babauta: Without any objection, I now recognized the Floor Leader for placement of H. B. No. 15-62 on the Calendar and passage on First and Final Reading. Lump sum motion, Floor Leader.

Floor Leader Deleon Guerrero: So moved, Mr. Speaker, to suspend all pertinent rules to place H. B. No. 15-62 on today's Calendar for passage on First and Final Reading.

The motion to place and pass H. B. NO. 15-62 was seconded and carried by voice vote.

H. B. NO. 15-62: A BILL FOR AN ACT TO PROHIBIT GOVERNMENT EMPLOYMENT CONTRACTS BUYOUTS FOR EXECUTIVE DIRECTORS OR THE TOP ADMINISTRATIVE OFFICER OF A PUBLIC CORPORATIONS, BOARD, COMMISSION OR OTHER AUTONOMOUS AGENCY OF THE COMMONWEALTH GOVERNMENT; AND FOR OTHER PURPOSES.

Speaker Babauta: Passage motion.

Floor Leader Deleon Guerrero: So moved, Mr. Speaker, for the passage of H. B. NO. 15-62 on First and Final Reading.

The motion was seconded.

Speaker Babauta: Discussion. Roll call.

The roll called on the motion to pass H. B. NO. 15-62 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. Edwin P. Aldan	yes
Rep. Francisco S. Dela Cruz	yes
Rep. Florencio T. Deleon Guerrero	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Jacinta M. Kaipat	yes
Rep. Jesus SN. Lizama	yes
Rep. Crispin M. Ogo	yes
Rep. Arnold I. Palacios	yes
Rep. Justo S. Quitugua	yes
Rep. Benjamin B. Seman	yes
Rep. Candido B. Taman	yes
Rep. Ramon A. Tebuteb	yes
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	absent
Rep. Absalon V. Waki, Jr.	yes
Rep. Ray N. Yumul	yes
Rep. Oscar M. Babauta	yes

Speaker Babauta: H. B. No. 15-62 hereby passes the House on First and Final Reading, 17-0. I ask the Clerk to expedite transmittal of the same bill including H. B. No. 15-57 to the Senate for action. With that, the Chair would like to a recess until Tuesday morning instead of tomorrow morning. The Committees are finalizing a lot of committee reports to be reported to the House. The House stands recess until Tuesday morning at 10:00 a.m.

MISCELLANEOUS BUSINESS

None

ANNOUNCEMENTS

The House recessed at 3:30 p.m.

Respectfully submitted,

/s/

Victoria T. Guerrero,
Assistant House Clerk
House of Representatives

APPEARANCE OF LOCAL BILLS

SECOND APPEARANCE

H. L. B. NO. 15-16: To appropriate \$2,000,000.00 from Saipan Local Law 11-2 for the design and construction of the Saipan Southern High School Gymnasium; and for other purposes.

H. L. B. NO. 15-17: To appropriate \$280,000.00 from the revenue collected pursuant to Saipan Local Law 11-2; and for other purposes.

H. L. B. NO. 15-18: To repeal and reenact Saipan Local Law No. 13-21 which established the Saipan Higher Education Financial Assistance Board; and for other purposes.

THIRD APPEARANCE:

H. L. B. NO. 15-7: To appropriate \$245,400 from the Third Senatorial District Developers Infrastructure Tax Fund for the paving shortfall of the Sihek and Papago Roads in Capitol Hill, to upgrade the power poles and lines in the remote areas in Capitol Hill, to hook up the lighting system at the Dandan Baseball Field, to install pedestrian crossings at all school bus shelters/stops in Saipan, and to pave the Dandan Elementary School parking area; and for other purposes.

H. L. B. NO. 15-8: To appropriate \$310,000 from the Managaha Landing Fees for the construction and repairs of the pavilions at Paupau Beach; Youth Indigenous Cultures, Arts, and Language Proms; the Flame Tree Festival; and public sculptures; and for other purposes.

H. L. B. NO. 15-9: To appropriate \$12,296.00 from Resident Identification Card Fund pursuant to Saipan Local Law 13-16 for the Office of the Mayor of Saipan to pay for heavy equipment maintenance and operations; and for other purposes.

H. L. B. NO. 15-10: To repeal and reenact Section 2(a) of Saipan Local Law 14-31; and for other purposes.

H. L. B. NO. 15-11: To prioritize the disbursement of the funds collected pursuant to 10 CMC § 3821 to the Saipan Higher Education Financial Assistance established by Saipan Local Law No. 13-21; and for other purposes.

H. L. B. NO. 15-12: To repeal and reenact Section 4(3) of Saipan Local Law 14-23; and for other purposes.

H. L. B. NO. 15-13: To appropriate \$90,000.00 from the local license fees collected for pachinko slot machines and poker machines in the First Senatorial District; and for other purposes.

H. L. B. NO. 15-14: To designate that the Kagman Community (Kagman I, Kagman II, Kagman III) as a residential community only in accordance with the Village Homestead Act of 1979 and the Village Homestead Rules and Regulations; and for other purposes.

H. L. B. NO. 15-15: To appropriate funds for the design, construction, and paving of various roads in Precinct I; and for other purposes.