



House Journal

FIRST SPECIAL SESSION, 2007

Adopted:
May 15, 2007

First Day

April 4, 2007

The House of Representatives of the Fifteenth Northern Marianas Commonwealth Legislature convened its First Day, First Special Session on Wednesday, April 4, 2007, at 9:28 a.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 silent prayer was observed.

The Clerk called the roll and fifteen members were present. Representative Florencio T. Deleon Guerrero was excused. Representatives Martin B. Ada and Edwin P. Aldan came in late.

ADOPTION OF JOURNALS

Acting Floor Leader Jesus SN. Lizama moved for the adoption of the Fifth Day, Sixth Day, and Seventh Day Third Regular Session 2007 Journals; the motion was seconded.

5th Day (2/21/07), Third Regular Session 2007

6th Day (2/26/07), Third Regular Session 2007

7th Day (3/16/07), Third Regular Session 2007

There was no discussion and the motion to adopt the Fifth Day, Sixth Day, and Seventh Day, Third Regular Session Journal was carried by voice vote.

Speaker Babauta: The motion is carried.

Acting Floor Leader Lizama moved to resolve into the Committee of the Whole for the presentation of resolutions, was seconded and carried by voice vote.

Speaker Babauta: The motion is carried.

The House went into Committee of the Whole at 9:31 a.m.

COMMITTEE OF THE WHOLE

The House returned to plenary session at 9:44 a.m.

Speaker Babauta: We are back to our plenary session.

INTRODUCTION OF BILLS

H. B. No. 15-243: A Bill for an Act to amend 4CMC § 14204 to increase the amount of tax imposed by 4 CMC §§ 12-1 and 12-2; the Wage and Salaries and Earnings Taxes; and for other purposes.

Offered by: Rep. Justo S. Quitugua and one other

H. B. No. 15-244: A Bill for an Act to require the Commonwealth Utilities Corporation to establish a one year payment plan for residential consumers with outstanding balances; and for other purposes.

Offered by: Rep. Ray N. Yumul

H. B. No. 15-245: A Bill for an Act to repeal 8 CMC §§ 1723 and 1741 thru 1744 and to require the transfer of pertinent documents from the Clerk of Court's Office to the Health and Vital Statistics Office; and for other purposes.

Offered by: Rep. Ramon A. Tebuteb and five others

Rep. Palacios: Privilege, Mr. Speaker.

Speaker Babauta: Continue, Minority Leader.

Rep. Palacios: Mr. Speaker, before I introduce an unnumbered bill, may I ask the indulgence of the members for about 2 minutes of preambles.

Speaker Babauta: I hope that the preamble leads to the unnumbered bill.

Rep. Palacios: Yes, sir. Mr. Speaker and colleagues, on Friday last week, the Senate disapproved H. B. NO. 15-193, HS1, HD3, which was passed by the House and sponsored unanimously by all members of the House. The compelling reason for every member of this House at that time is almost nonpolitical. I would not say it is political. I think that each and every one of us are fully aware of the sufferings and the difficulties of our people, particularly those in the low-income brackets and the middle income brackets, and also, our businesses are faced with the exorbitant rates that our CUC imposed almost a year ago. We know that our CUC went out and fulfill their duties under the law to take it through a public hearing. The public hearing was 100%. The sentiments of our people and our businesses expressed that the rates that CUC had already instituted and implemented was accurately exorbitant. It was exorbitant. I thought and we all thought that when we introduced and passed the legislation to bring it down, we thought that the rate that we proposed was reasonable – reasonable to cover its cost of operations, to pay for the fuel. In fact, some of the members of the House inserted language to give flexibility to CUC relative to the fluctuating fuel cost. So we did build those in. In as far as the concern of the Senate President that has been coming out of the paper, regarding rate setting issue, Mr. Speaker, H. B. NO. 15-193 was introduced immediately after the rate went up to provide for immediate relief to our people particularly. We

now know some of the nightmares that our people are going through, numerous and hundreds of disconnections. If each of us can just swing by the CUC billing office, believe me, you will see the result everyday. I am not trying to dictate or we are not trying to dictate to CUC on how to do this, but what we are trying to tell them basically is that, the rates they have set are unaffordable for the Commonwealth people. It is the government or the responsibility of this government to make sure that it provides affordable and reliable power. We have given 100% reprogramming authority of CIP's. In fact, some of our Precinct projects funding have been reprogrammed to address the issue with our power plant which is the biggest cost outlay to make our system reliable. I am glad to here that Mr. Cohen from the Office of the Interior has finally approved of those reprogramming or request by the Governor so that we can use those funds for the power plant. The legislation itself gave the flexibility to the incoming PUC Committee. It is in the bill. The Senate President was concerned that if the cost of power goes down – his question was, do we have to amend the law? The simple answer is, no. We do not. Page 2 of the bill that we passed, line 18 says, any proposed increase of electric charges and any proposed changes of electric charges and rates that the Commonwealth Utilities Corporation or any privately owned or operated public utility shall be reviewed and approved by the Commonwealth Public Utilities Commission. So subsequent changes, if the PUC is already in place will address that issue. It does not have to come back to the Legislature. It is our duty and our responsibility to address this issue because the primary concern is to make this affordable – not just affordable so that we just do not leave our people out there without power and water. We talk about economic development – I am not sure, but most of the businesses are closing down because of the high cost of power. Most of the businesses that provide for basic goods and services are passing that to our people. I ask you, and I will reintroduce this identical legislation, Mr. Speaker, if nothing else...

Speaker Babauta: Please proceed.

H. B. NO. 15-246: A Bill for an Act to establish the electric charges and rates for the Commonwealth Utilities Corporation; and for other purposes.

Offered by: Rep. Arnold I. Palacios and thirteen others

INTRODUCTION OF RESOLUTIONS

Hse. Comm. Res. NO. 15-91: A House Commemorative Resolution to express sincere condolences and sympathy to the bereaved family of the late Ernie Teigita Dela Cruz on his untimely passing and to pay tribute to his contributions.

Offered by: Rep. Martin B. Ada and seventeen others

H. R. NO. 15-102: A House Resolution to recognize, commend and express sincere gratitude to Ms. Geri Lynn Willis for pioneering the Troops-to-Teachers program in the Commonwealth, a unique program designed to assist military and prior service personnel earn a college degree while working for the CNMI Public School System as instructional aides, and for her dedication, commitment and invaluable contributions to the educational system and community of the Commonwealth of the Northern Mariana Islands.

Offered by: Rep. Jacinta M. Kaipat and seventeen others

H. R. NO. 15-103: A House Resolution to commemorate Bank of Guam's 35th Year Anniverdary as a successful and reputable financial institution in the Commonwealth of the Northern Mariana Islands, and to recognize its generous contributions to the Commonwealth of the Northern Mariana Islands.

Offered by: Rep. Martin B. Ada and seventeen others

H. R. NO. 15-104: A House Resolution to urge the Secretary of the Department of Public Works to conduct research into other sources of federal funding or grants to fund a study for the establishment of an alternate entrance and exit route for the village of Kagman.

Offered by: Rep. Manuel A. Tenorio and seventeen others

H. R. NO. 15-105: A House Resolution to urge the Department of Public Safety to remain vigilant in their efforts to ensure that the provisions of Public Law 8-25 are being followed.

Offered by: Rep. Manuel A. Tenorio and seventeen others

H. R. NO. 15-106: A House Resolution to request the Office of the Governor to assess and determine the value of real property in the Commonwealth of Northern Mariana Islands for purposes of incurring public debt.

Offered by: Rep. Manuel A. Tenorio and seventeen others

MESSAGES FROM THE GOVERNOR

GOV. COMM. 15-219: (3/21/07) Informing the House that he signed into law S. B. NO. 15-71 (To change the title of the head of the Department of Corrections from Secretary to Commissioner). [Became **Public Law No. 15-51**].

GOV. COMM. 15-220: (3/21/07) Informing the House that he signed into law H. L. B. NO. 15-3, S1 (To reappropriate \$38,000 as matching funds for the Beach Road Pathway Restoration Project). [Became *Saipan Local Law No. 15-18*]

GOV. COMM. 15-221: (3/21/07) Informing the House that he signed H. L. B. NO. 15-23 (To appropriate \$55,500 from the Tinian local licensing fees to fund the Tinian Scholarship Program). [Became *Tinian Local Law No. 15-5*]

GOV. COMM. 15-222: (3/21/07) Informing the House that he signed H. L. B. NO. 15-35 (To appropriate \$40,000 from the Tinian poker fees for the Youth Summer Training Program). [Became *Tinian Local Law No. 15-6*]

Gov. COMM. 15-223: (3/21/07) Informing the House that he disapproved H. B. NO. 15-32, HD1 (CNMI Victims of Crime Assistance Act of 2006). [*Deadline 5/26/07*]

The Chair recognized Representative Seman.

Rep. Seman: Thank you, Mr. Speaker. In reference to GOV. COMM. NO. 15-223, I just want to share my disappointment with the Governor in vetoing this legislation in particular, the Governor cited 1 CMC § 3405(a) as his reason for vetoing this bill in which he stated that, the money collected by the Court in terms of fees are collected from fines – deposited and credited to the Judicial building fund. The specific bill, Mr. Speaker, did not touch that specific section of the Commonwealth Code. Basically, the bill requires the court to impose an additional fine to the perpetrator, and this additional fine is to be deposited into a “Victims of Crimes” revolving fund. I do understand that the court needs the monies collected, but I also know that the victims of crimes have been very under funded. There is no monetary assistance provided to a lot of victims of crime. He also mentioned that the court provides restitution for any expenses incurred by victims of crimes. Restitution is totally different from assistance provided to them. The Bill specifically addresses to fund three agencies out of these funds. These are critical agencies that are very under funded and are critical in terms of providing assistance to our victims. I just do not understand why the Governor would cite such section when the bill did not even touch that section, and for that, I would like to ask the indulgence and the approval of the members if we can move to override this vetoed message. Mr. Speaker, this bill like I said, would require the court to impose an additional fine on top of what they normally impose on a perpetrator, and it even spells out how much should be collected from the perpetrator. Guma Esparanza who caters to victims of domestic violence is usually well left with no funding in terms of providing those assistance to the victims. The Department of Community and Cultural Affairs Youth Program needs funding also to continue to provide programs to our youths, and the Community Guidance Center does need funding to continue to provide counseling to our perpetrators, and I think that this is a noble intent. If we do not take this action then I will be forced to reintroduce this bill again, and I will continue to lobby for this specific legislation. Thank you.

Speaker Babauta: Thank you. I was about to request if you can come up with a similar bill to this. I assumed that the Administration has engaged discussion with the Judiciary with respect to the language. Whether or not, the Committee have done the same, however, I was looking at that particular section where it says, in addition to all court fees and fines, this would probably be the compelling language that the Governor was convinced. So if you could sit down with our counsel and come up with a separate section that would not otherwise imply any fees and fines collected pursuant to those statutes as most of us know that the Judicial Branch was short by \$300,000.00 for their repayment of their loan to MPLT. I humbly urge you to work with our counsel to reconsider a similar legislation and we will get it out on the next session. I would sincerely extend my support to that legislation. I recognize Chairman Dela Cruz.

Rep. Dela Cruz: Thank you, Mr. Speaker. I just want to make a clarification on the page of the bill itself on line 21. It says that, “this sum shall be under the expenditure authority of the Office of the Attorney General”? I just want to get a clear picture of why these funds should be under the Attorney General’s expenditure authority, and not directly to the Guma Esparanza.

The Chair recognized Representative Seman.

Rep. Seman: The Guma Esparanza is in some ways connected under certain supervision with the Attorney General in terms of prosecution. There are certain funding also provided to the Office of the Attorney General to provide legal assistance to the Guma Esparanza. Guma Esparanza is basically under both the Karidat Program as well as supervised under the Attorney General's Office.

The Chair recognized Representative Waki.

Rep. Waki: Thank you, Mr. Speaker. Just for the author's information, on the cover page of the Governor's respond in vetoing the bill, at the very bottom of the paragraph it says, additionally current laws provide authority to the judiciary to provide compensation to victims. I think that is going to be a key to find out which particular laws that will provide compensation, and where the compensation comes from, and then under criminal law, the courts are allowed to provide restitution for any expenses incurred by victims of crimes. So I guess, in order for us to send this back to the Governor after you introduce it again – making sure we cover this particular areas so that way we know that there is funding or the funding was never appropriated for certain like, Guma Esparanza as well as DCCA for their certain programs. That may make it easier to clarify once we review it again and pass it – this would not be brought up again, just so that you can provide more clarity so that we can help you in getting this through.

Speaker Babauta: I hope that we have that legislation ready, Representative Seman on the next session so that we will craft out independent provisions for the intent of the legislation. Any more comments?

SENATE COMMUNICATIONS

SEN. COMM. 15-171: (4/2/07) Returning H. B. NO. 15-222 (To authorize NMC to enter into a loan agreement for the sum of \$250,000) which was passed by the Senate on without amendment March 30, 2007. [For info – Will go to Governor]

SEN. COMM. 15-172: (4/2/07) Returning H. B. NO. 15-224 (Amend Immigration Act regarding marriage fraud), which was passed by the Senate without amendment on March 30, 2007. [For info – will go to Governor]

SEN. COMM. 15-173: (4/2/07) Returning H. B. NO. 15-227 (Amend the Immigration Act regarding entry for medical purposes), which was passed by the Senate without amendment on March 30, 2007. [For info – will go to Governor]

SEN. COMM. 15-174: (4/2/07) Returning H. B. NO. 15-235 (To clarify the appropriation of \$200,000 to the Dept. of Finance from the poker fees), which was passed by the Senate without amendment on March 30, 2007. [For info – will go to Governor]

SEN. COMM. 15-175: (4/2/07) Returning H. B. NO. 15-237 (Amend PL 15-40 regarding bidding requirements), which was passed by the Senate without amendment on March 30, 2007. [For info – will go to Governor]

SEN. COMM. 15-176: (4/2/07) Transmitting for House action S. B. NO. 15-55, SD1, entitled, "To amend Section 2201 of Title 9 of the Commonwealth Code to reduce the penalty for operating a

motor vehicle upon a highway in the Commonwealth without having on his person or in his immediate possession a valid license issued by the bureau or a valid operator's license from outside the Commonwealth; and for other purposes," which was passed by the Senate on March 30, 2007. [For action]

SEN. COMM. 15-177: (4/2/07) Informing the House that the Senate accepted the Conference Committee amendments to S. B. NO. 15-70, SD1, HD2. [For info - *See Conf. Cmte. Rep. No. 15-3*]

SEN. COMM. 15-178: (4/2/07) Transmitting for House action S. B. NO. 15-86, entitled, "To reduce unemployment among resident workers by encouraging them to work under contracts for services to the Commonwealth Government or for capital improvement projects that pay the employees under such contracts at least the prevailing U.S. minimum wage; and for other purposes," which was passed by the Senate on March 30, 2007. [For action]

SEN. COMM. 15-179: (4/2/07) Returning H. B. NO. 15-193, HS1, HD3 (Establish electrical rates for CUC), failed to pass the Senate on March 30, 2007. [For info- *Defeated*]

SEN. COMM. 15-180: (4/2/07) Transmitting for House action S. B. NO. 15-87, SD1, entitled, "To amend 4 CMC § 3214; and for other purposes," which was passed by the Senate on March 30, 2007. [For action]

SEN. COMM. 15-181: (4/2/07) Transmitting for House action S. B. NO. 15-61, SD2, entitled, "To correct certain errors and inconsistencies in the Public Law of the Commonwealth; and for other purposes," which was recalled from the Governor and repassed by the Senate on March 30, 2007. [For action – please see attachments on PDF file]

The Chair recognized the Acting Floor Leader.

Acting Floor Leader Lizama: So move Mr. Speaker to accept all the Senate Communications that appear on today's Order of Business.

Speaker Babauta: Is that a motion for acceptance?

Acting Floor Leader Lizama: Mr. Speaker, before I do that, there is a correction on SEN. COMM. NO. 15-172 referenced returning H. B. NO. 15-225 to put H. B. NO. 15-224, and SEN. COMM. NO. 15-174 referenced returning H. B. NO. 15-236 to put H. B. NO. 15-235. Thank you.

Speaker Babauta: Please take note. Discussion on the acceptance motion, and I recognize the Minority Leader.

Rep. Palacios: Thank you, Mr. Speaker. I would like to make a correction on SEN. COMM. NO. 15-179.

Speaker Babauta: Proceed.

Rep. Palacios: H. B. NO. 15-193 did not pass. It was disapproved by the Senate.

Speaker Babauta: Yes. The Clerk had asked me to extend her apology. It was an oversight on her part. So please take note on that.

Rep. Palacios: I understand, Mr. Speaker. Further Mr. Speaker, let me clarify again. We are just accepting the Communications?

Speaker Babauta: Minority Leader, you have my word.

There being no discussion, SEN. COMM. 15-171 through SEN. COMM. 15-181 were accepted through a voice vote.

Speaker Babauta: The motion is carried. You may proceed with your second motion, Floor Leader.

Acting Floor Leader Lizama: So moved, Mr. Speaker, for the suspension of Rule IX, Section 15 to accept SEN. COMM. NO. 15-180 and SEN. COMM. NO. 15-181.

Speaker Babauta: Discussion. I recognize the Minority Leader.

Rep. Palacios: Mr. Speaker, therefore, we are now voting basically for passage for the two legislations?

Speaker Babauta: No, it is for placing on our Bill Calendar.

Rep. Palacios: Placement only?

Speaker Babauta: Yes.

Rep. Palacios: Thank you.

There being no discussion, the suspension motion to accept and Calendar, SEN. COMM. NO. 15-180 and SEN. COMM. NO. 15-181 was carried by voice vote.

Speaker Babauta: The motion is carried. Under SEN. COMM. NO. 15-176 and SEN. COMM. NO. 15-178, the Chair would refer that to the respective Committee. The others are all information purposes and we thank the Senate for recognizing those important bills that have passed their House. Ready? Let us move down to item number 7.

HOUSE COMMUNICATIONS

Speaker Babauta: Just to remind you members again that the other day, I have distributed memo to each member about the invitation of our Washington Representative to have a luncheon meeting at 12 noon tomorrow, Holy Thursday, at the Hana Restaurant for the purpose of meeting with the House Senior Staffer from the Subcommittee of Insular Affairs. Please take note and I humbly ask that you all make time for that tomorrow. Also, I wish to inform the Chair of the Commerce and Tourism that I officially withdraw H. B. NO. 15-174 from your Committee and directly, and officially transfer that particular bill to the Committee on Ways and Means. This has to deal with gaming regulation and control of gambling. The Committee on Ways and Means would be

conducting a public hearing on the 17th and 18th in the House Chamber. I recognize Representative Tenorio.

Rep. Tenorio: Are we still under Senate Communication?

Speaker Babauta: Under item number 7.

Rep. Tenorio: Can we go back to item number 6?

Speaker Babauta: Without objection, we will move back to item number 6.

SENATE COMMUNICATIONS

The Chair recognized Representative Tenorio.

Rep. Tenorio: Thank you, Mr. Speaker. Under SEN. COMM. NO. 15-177, is it my understanding that we have adopted that with the amendments?

Speaker Babauta: That is only for informational purposes for the House to be informed that the Senate adopted that Joint Conference Report.

Rep. Tenorio: Okay. Thank you.

Speaker Babauta: Any more? I recognize the Minority Leader under House Communication.

HOUSE COMMUNICATIONS

Rep. Palacios: Mr. Speaker, several of my colleagues and I not necessarily raised concerns, but we are very anxious and eager to know more about the ongoing 902 talks. But before I pose the issue, I would like to congratulate you for being on the consultation team. It should rightfully be the Speaker that represents this body, and I would not speak for the Senate. I have every confident that you would do justice in representing this body. I would like to further recommend, Mr. Speaker that the Chair provides the members of this body some briefing whether it is prepared by legal counsels or the staffs that you choose to bring to the talks. I think a communiqué from the Chair would be appropriate so that we are appraised of the ongoing discussions so that we can also fully understand what is going on and what is being discussed, and also to help you disseminate the issues clearly to our constituents and to our people. It is imperative that when our government meets with anyone outside, whether it be a regional government, regional body, or federal agency, we have some sort of a unified position on the issue. I think it would certainly help everyone to know what was discussed and craft their own position on this. I hope you are amendable to such an arrangement. Thank you.

Speaker Babauta: Let me just go into that briefly. I want to thank you for your humble comment. I and the Senate President were privileged to be invited to partake in this two day event and so as the Chairman on Committee on Federal and Foreign Relations, Representative Waki. Basically, we agreed in principal that the whole issue about federalizing Immigration is a complex one not only to the CNMI, but also as far as American Samoa. One is because of our present economic conditions and our present financial conditions. The others...while this government try to reinvigorate our

economy, it requires that we continue to avail ourselves with all these programs that are granted to us under our Covenant – one of them as Mr. Cohen and the Governor recognized is the two to be able to have a flexibility as far as tailoring the needs of the Commonwealth in terms of human resources, investments and others. So yes, we are very much cognizant to some of us that have executed and recommended those important items that are send out to the Committee. We live around that parameters that is very – it is just plain necessity that we need to have those. The education industry, the service industry, the hospital, and those other items – so we agreed in principal that the Interior has expressed that although they were asked to do the drafting services, Mr. Cohen does not guarantee that the administration would otherwise support that stands. So in essence, he is saying that even if he and the CNMI agree to have a special craft out provision strictly for the CNMI needs, he cannot guarantee that members of the Committee or for that matter the administration would support. So we are working with them diligently to come up with an initial draft that would recognize the needs of the CNMI, but he also agreed that before that is presented to the Committee, that he would again have a dialogue with the Governor prior to the submission of that draft bill. That is one understandable consensus that was reached between the Governor, Mr. Cohen, and to those who were in attendance. I recognize the Minority Leader.

Rep. Palacios: Thank you. I appreciate that, and I think everyone of us appreciated that briefing. One of the concerns that I would like to point out is something that has to do with the work in Committees of legislations relative to Immigration issues. Chairman Kaipat has been very involved in looking at H. B. NO. 15-38, which has major implications on Immigration issues. So those are the types of collaboration that we really need to see what is going on. If anything, a briefing to the Committee – in fact, we also have on the Calendar, H. B. NO. 15-167 having an Immigration implication. We need to collaborate these issues with how the talk is conducted, and we should make...[End of Tape 1, Side A]

Rep. Palacios:...[Beginning of Tape 1, Side B]...the Governor aware of this pending legislation in the Committee, which we have expended a lot of efforts, and we would like to make sure that this thing do not fall in the waste side as the process continues. Thank you.

Speaker Babauta: Again, I would like to thank you for your continued participation in that particular legislation. I continue to impress upon the Chairwoman that although we have these issues hanging over our heads from the U.S. Congress, I continue to impress upon her and the JGO members to continue to work on that particular legislation. It is very important that we also have that in place should nothing prevail from Washington just so that we have something to start with again in compliance with our Labor and Immigration needs. I recognize Representative Kaipat.

Rep. Kaipat: Mr. Speaker and members, I just want to assure you that JGO continues to work diligently on H. B. NO. 15-38, and we have every intention to get this bill finalized so that we can report it out of Committee, and get it voted on. Meanwhile, the meetings that we are having with Labor and Ombudsman Office are very critical because they are looking at the draft that we have thus far and raising questions. It is very important that we take the time to work out the kings right now, otherwise, if we go ahead and pass it, and later on the Feds have issues with it or we have issues with it because we have not taken the time – what I am trying to do is, make it more practical. So we are addressing the questions that are being raised, and at the same time, we are moving that much closer to having final report. This has been a really – it requires a lot of work and a lot of stamina to work together, and we have consulted many people in this community who do work with

Nonresident Workers Act so that they can give us their assessment on what the loopholes are and what the problems and weaknesses so that we can plug up those holes. At the same time, I am bringing in my experience as a former hearing officer to make sure that the weaknesses and the act that I observed while I was working as a hearing officer are dealt with including new parts of this Act which is the orientation section and that is a major piece that was missing and never been part of this Act. This will go along ways – cutting down on a lot of the trafficking in of sponsorships and bringing in people into the Commonwealth who are here not for actual approved employment services, but to circumvent the laws. So again, the staff, the House Counsel assigned to JGO, has been tremendous as well as the other staff who really assisted and those members who continue to be very active. I continue to urge our colleagues in the Senate to also participate in any deliberations that we have because our intention is to not only streamline this Act, but to streamline the process. If we were all involved in the beginning in educating ourselves about what changes were made to this Act, that way when it comes time to vote on this very important significant piece of legislation that we all feel comfortable that we voted our conscience and we have voted on a bill that we all can be proud of and will last for a long period of time. Thank you.

Speaker Babauta: I understand that you are in a draft stage of the Committee Report?

Rep. Kaipat: That is correct. We have been working simultaneously on that.

Speaker Babauta: Do you have any time frame?

Rep. Kaipat: I would say in a couple of weeks. Again, it also depends...working with people with different schedules – I can move along if I were working on this myself and the staff, but I have to accommodate other people's schedule as well.

Speaker Babauta: Very good, understood. I recognize Representative Tenorio.

Rep. Tenorio: Thank you, Mr. Speaker. On the same note, Mr. Speaker, with regards to tomorrow's meeting with the Congresswoman from the Virgin Islands, I have not heard...

Speaker Babauta: Let me just correct that, staffers.

Rep. Tenorio: Thank you for that correction, Mr. Speaker. At any rate, I have not heard any discussion on what issues or what particular position this legislature would take during that discussion. I am not privy to any information on the leadership, but I would appreciate if the Speaker would perhaps inform or let us know what report or what we are going to be doing tomorrow, whether there would be joint position from this House to report to them or just a generalization of the...

Speaker Babauta: I think the way I heard about that particular lunch meeting with the staffers is primarily to just get a general idea. So please, each one of us is being elected to represent the best interest of what is good for our constituents and for our Commonwealth. I felt that lunch meetings is an open minded meeting of the minds. I understand that they just want to feel what would be the general consensus of the House members that would be there tomorrow. To me, as the Speaker of this House, I continue to live within the parameters of our framers of our very vital provisions of our Covenant that have enabled us over the years to...those opportunities. There is nothing impeding

U.S. Congress to enact legislations that would otherwise outright remove some of those provisions, but our argument could be premise. As I mentioned earlier, if that should be the case, we should have something carved out for the Commonwealth, because the Commonwealth is unique in terms of geographical locations unlike the State of Hawaii or for that matter even Virginia...that is the only plea that we can ask and that is – some of you have recommended those points which is a very welcomed thought to both sides, and let us try to pattern ourselves to be at the same time realizing the importance of our Covenant provisions, but at the same note, should that happen, please consider the Commonwealth in another manner similar to what we have requested for the minimum wage that would be pattern towards American Samoa. I do not know what are the intentions of the staffers other than that there is an impending oversight hearing with respect to the same issue as what has been conducted in February with the Senate Committee. Let me recognize Representative Tenorio.

Rep. Tenorio: Thank you, Mr. Speaker. I know that some of us have came up with some recommendations on how we would like to see this thing go, and it is good to know that at least three of the Congressman including Senator Inouye is helping us out and sympathizes with our problem here along with American Samoa where similar situations exists. However, I thought whom perhaps the Chair would come up with some written not position but perhaps suggestions to the members that we are meeting tomorrow so that we can consolidate our concerns and have a position other than just going around in circles.

Speaker Babauta: First of all, there was never an official invitation for any hearing other than the...that there would be an oversight hearing to be conducted by the Committee on Insular Affairs, and that is represented by Chairwoman Christensen. We do not know who are invited yet. I was reading an article the other day, and our Washington Representative was not also privy about the invitees of that particular – my only conclusion is, I had a strong assumption that the staffers are here to weigh – similar to what staymen and Johnson did several weeks ago, probably trying to weigh the Commonwealth's feelings with respect to the impending federalization of immigration. Hopefully, they would be reaching the same conclusion with what the Senate staffers has publicly pronounced two weeks ago. Again, to me, tomorrow's meeting with the staffers is a social meeting just to gauge what is to be expected out of the CNMI. I recognize the Minority Leader.

Rep. Palacios: Thank you, Mr. Speaker. Let me just kind of reflect on this issue because we have gone through the motion like you have just stated – we have separate meetings with Senate staffers, and by large, I think most of the members of the House have basically consistently expressed our concern and our sentiments on these issues with immigration. I think that by large we will be able to do the same thing. We should just consistently be consistent with our positions and our concerns. I am not sure – in fact, we have formulized communications to the Governor and to the staffers, and I think it would be the same process, although it might be a little less formal then what we had before – I am pretty sure that Representative Tenorio would participate just as he participated when Mr. Staymen were here.

Speaker Babauta: Well, do not miss it tomorrow. Seriously, anyone that has the time, please try to make it. I encourage everyone to join our Washington Representative to have a social dialogue with our visiting staffers from Congress. I recognize Representative Waki.

Rep. Waki: If we remembered correctly, I think that the staffers are here because in actuality, they are willing to listen to report back to their superiors, but on the subject of immigration, it is a

unilateral thing rather than a bilateral. It is unfortunate, but I think the questions that we should be asking them – because they are thinking of putting out a bill to talk about federal immigration take over. I think the question that we need to ask them rather than to give them our position is, what are the reasons that they would want to have federal take over of immigration. There has got to be issues, and I think that if we try to find out what the issues are, then we can best tackle the issues which may stave them off from considering federal immigration take over, because of the fact that if we do not get to the root of problem which is the reason why they would want to do something like this then how do we know what position to take? We can tell them that we should not have it because of this and that, but that does not actually answer the questions or the issues that they have. I think that would probably be the most strategic way to approach this because we could go in with different positions of why we should not have the federal immigration take over, but then again, can we properly answer the reasons why they would even want to consider it. I think that when we meet with some of the staffers tomorrow, since the bill has not been introduced – and even David Cohen mentioned that they are going to be drafting something based on input from the CNMI government, but if I remembered correctly, the Governor was also asking for specific issues. What are the specific issues that needs to be addressed so that they can properly put together something that may be able to address and put in the language, or maybe not have it necessarily be put in language because of the fact that those issues are actually being addressed or have been addressed. A lot of the issue that I have come up are old issues from past years, and a lot of Congressional members – they have not been looking at us over the past so many years, but they remembered because Congressman Miller has constantly has been saying this and this, and of course his colleagues are also be listening because he is an old time member, but do they have all their facts correct? That is the whole point. I think we just have to ask, what facts do you need, and that is why the particular – the funding grant to do a study – and what good is a study when it could be generalize? We need to be kind of specific in trying to find the answers that they need to make sure that they could report back exactly what they need to know in order to properly look at the idea of legislation for the CNMI. I believe tomorrow when we meet with some of the staffers that we ask them just basically questions in reference to what is it that we have done in the past or not done in the past that we may need to do, or show them that we probably done it already. I think that is where we should be going rather than saying we should not have the federal immigration take over. I think we should just try to ask the intelligent questions to get the real issues that they are concerned about. I believe that is how we should start and it is just my recommendation. I know that each and one of us would go in with different feelings with how we should address them, but I think that if we go in asking questions that we may be able to look at our own house and see where we need to address these things, and eventually report to them what they need to know so that way we have a better communication. That is just my recommendation. Thank you.

The Chair recognized Representative Joseph Deleon Guerrero.

Rep. Joseph Deleon Guerrero: Mr. Speaker, I am not going to touch on what was already discussed, but I just wanted to ask clarification if we can – if there no objection from the members going back to Senate Communication under item number 6.

There was no objection.

SENATE COMMUNICATIONS

The Chair recognized Representative Deleon Guerrero.

Rep. Joseph Deleon Guerrero: My notes show that you referred two bills from the Senate Communication to Committee. Is that correct?

Speaker Babauta: Yes.

Rep. Joseph Deleon Guerrero: I do not have anything relating to SEN. COMM. NO. 15-180 and I just want to find out if we are going to be acting on that?

Speaker Babauta: It would be calendared.

Rep. Joseph Deleon Guerrero: Thank you.

Speaker Babauta: Ready. Any comment under item number 10.

COMMUNICATIONS FROM THE JUDICIAL BRANCH

None

COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE

None

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

DEPT. & AGENCY COMM. 15-56: (Undated) From Mr. Frank Rabauliman, Director of DEQ, to the Speaker regarding the Environment Exposition scheduled for April 24, 2007.

The Chair recognized Representative Tebuteb.

Rep. Tebuteb: I assumed that we will also have – I know that you have provided copies to the respective Chair, but I would also like to assist if we already have some sort of a display.

Speaker Babauta: Pretty much, Director Rabauliman is requesting the Speaker and members of the House to support the symposium. So please, if there is anything that would be available out of office, I would leave that up to you.

Rep. Tebuteb: The reason why I was asking, Mr. Speaker, is because of the RSVP. I was assuming that the respective Chair had already secured that – an area for the House of Representative to...

Speaker Babauta: Are you referring to a specific Chair?

Rep. Tebuteb: Yes, you have provided copies to the Natural Resources and Health, Education and Welfare, and...

Speaker Babauta: Right. I am sure that they have received this already. In fact, I talked to Chairman Lizama to...they should have it already. Ready. Let us move down to item number 13.

OTHER COMMUNICATIONS

None

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

None

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

CONF. CMTE. REP. NO. 15-3: Reporting on S. B. NO. 15-70, SD1, HD2, entitled, “To exempt renewal applicants from the Mandatory Firearms Safety Education Class; and for other purposes.” *Your Conference Committee recommends passage of the bill as amended.*

The Chair recognized the Floor Leader.

Acting Floor Leader Lizama: So moved, Mr. Speaker, to adopt CONF. CMTE. REP. NO. 15-3.

The motion was seconded.

Speaker Babauta: There is a motion to adopt CONF. CMTE. REP. NO. 15-3. Discussion.

Rep. Tenorio: Clarification, Mr. Speaker.

Speaker Babauta: State your point of clarification, Representative Tenorio.

Rep. Tenorio: Is that also under the Senate Communication?

Speaker Babauta: It is the same bill but in a form of information informing the House that the Senate has adopted the same Conference Report dealing with the same bill.

Rep. Tenorio: Thank you.

Speaker Babauta: Discussion, and I recognize Representative Joseph Deleon Guerrero.

Rep. Joseph Deleon Guerrero: Mr. Speaker, I wanted to ask the Conferees...since the Conference Committee Report basically has one sentence to describe their findings...just that it best serves the people, but there was really no discussion as to why they decided to amend the version that was passed by the House – I just want to find out from any of the conferees as to why they decided to take out some of the amendments that we included? Was it just to compromise so that we can get a passable motion?

The Chair recognized the Vice Speaker.

Vice Speaker Quitugua: Whenever we do Conference, Mr. Speaker, the compromise is always in there, but we looked at the accidents that happens – driving has more fatalities in terms of accidents than guns. Also, Mr. Speaker, we looked at the concerns with Tinian where DPS is not really ready to implement such program, as it is called for in our amendment, and therefore, the people there were surrendering their guns to DPS because the law is not flexible. Therefore, we decided – it

really serves the best interest of the people especially those that are licensed to hold guns by – having their class, the certification upon their first or before their first gun license issued, and subsequent renewals, we felt that it is not really that necessary. Thank you, Mr. Speaker.

The Chair recognized Chairman Waki.

Rep. Waki: Thank you, Mr. Speaker. If you looked at the bill in itself on page 1, starting with Section 1, under Findings and Purpose, it states, “The Legislature finds that persons renewing their firearms identification card should not be burden with attending another firearms safety course.” Now, if I remembered correctly, another means after you have taken one. This bill basically cancels you taking a one that you have never taken before, but it says it in the findings “from taking another.” So if you have never taken one in the first place, how can you cancel out another? So it contradicts itself. This is the reason why I brought it up in the first place. I understand the law is a good intended law. We all passed it and the Senate passed it, and now the Senate wants an amendment to grandfather some people because they feel that DPS is not administering it properly. I understand that there is more accidents then there are guns, and of course, there are more cars than guns, but one accident with a gun is more than I would want, and all we are asking is for those who have not taken the course to take the course. We are sorry that if DPS is not administering it properly, we should just enforce the law to have them administer it properly because it is a good law. To take a good law and to change it to make it not as strong – to me, why do we even pass it in the first place – If we are going to constantly amending it, we might just not have it at all. This to me is like making it – forget it, we do not need it. For those people who want to get guns in the future, they are going to have to take a test, and if it is not administered in Tinian, then what are going to do. Maybe have them come to Saipan, I do not know. That is something DPS has to administer, but to put down from burdening or attending another firearm safety course, it contradicts the whole bill. So now basically those people that were grandfathered in – because they never took a firearm test before, all they have to do is fill out an application, turn in the guns and show them that they have a gun, get a firearms identification card, but never took the test. I got my firearms and I have never had to take a test. So how can you not take another one when you never took one in the first place. So to me, I still believe that the law is a good law, and if we need to enforce the law, we need to work with DPS to have them enforce that particular law, and not change it so that certain people do not have to go through certain frustration. I think the law is good. We need to make sure that DPS enforces it, administers it properly, and I think that is the issue, and not the law in itself. If we are going to continue to discuss this, I have another amendment, Mr. Speaker, and if the time comes where we can actually make amendment, if it is not at this particular time, then whenever – I would like to make an amendment to this particular bill.

Speaker Babauta: Let me just clarify one thing. Under Public Law 14-51, the provision that mandates a licensee of a firearm to go through a firearm test that is mandated presently – so the word another is, when you take your initial license, this provision as stated on S. B. NO. 15-70, this allows you for the second time to go through a mandate test. The initial step is there. Once you procure your firearm, you need to be tested and be licensed, but to renew subsequent license pursuant to this proposed amendment, you do not need to go through that test anymore because you have done so in the initial test. This is what the intent of this bill is trying to do, and that is to get to be tested and be certified, but upon renewing your license, you do not have to go through that other than just pay the fees. Counsel, am I correct on this explanation?

Legal Counsel Ian Catlett: Thank you, Mr. Speaker. I do not have the full law in front of me – if I can retrieve that from my office...

Speaker Babauta: You may answer that later on. Representative Waki, you still have the floor.

Rep. Waki: Interesting enough, the author of the bill does not see it that way. His intention was to just whoever has a firearm identification card at present time without having to take the mandatory firearms safety course – should not have to take it. He says that this is a money making bill for the government, and it has nothing to do with safety. The intention of the bill was to make revenues for the department, and whether we are making money for the department and having a safety firearms training, I still believe it is a good bill, and the way it is written that I can see it, is you will grandfather everybody who has an existing firearms license who has never taken a mandatory firearms training course and to just be given a renewal, and do not have to worry about it. Like we have said before, there is a reason for certain things that need to be done, and I believe this bill or this law is a great law, and I want to thank Representative Tebuteb for bringing it up, and I still fight to keep the law in the way it is in the books right now. Thank you.

Speaker Babauta: Again, if you look at Section 2, line 11, this does not preclude the renewal because evidently when the law becomes or when the Firearm Act became law mandating every permit to go through that exercise or process and be certified, you need to be tested initially if you have not been tested. It says, prior to the issuance of I.D. cards by DPS, applicants applying for the I.D. card for the first time are required to attend mandatory firearms course and shall be conducted as follows. So assuming that I have one that I got caught in between the issuance and the date this bill or Public Law 14-51 became law, prior to me renewing my permit, I need to go through that exercise and be certified, but subsequently after the expiration, I would not have to because I have already taken it. That provision is still there in the original law. You may continue, Representative Deleon Guerrero.

Rep. Joseph Deleon Guerrero: I think I should have perhaps be more specific with my comments. I was referring to the amendment that we made regarding the military – waiving people who have undertaken weapons training, and why you guys have decided to omit that. You did not really answer that. I am assuming that it was removed because what?...I do not know why. Why did they decide to remove that amendment? For clarification, Mr. Speaker, we cannot amend this right now. We are just either vote for it to approve or deny it.

Speaker Babauta: Absolutely.

Rep. Joseph Deleon Guerrero: That is all we can do. So...

Speaker Babauta: We can amend it later on when it becomes law. Let me just recognize Chairwoman Kaipat. I mean, you yield, Representative Deleon Guerrero?

Rep. Joseph Deleon Guerrero: I think the Vice Speaker was ready to answer me.

The Chair recognized the Vice Speaker.

Vice Speaker Quitugua: Thank you, Mr. Speaker. In regards to those from the military, the members felt that they still have to – that is not really a necessity to be placed in the law.

Speaker Babauta: Unless the policy of this Legislature would like to always exempt. We have already exempted part of it by giving some license plate out to specific group of people. Well, we will continue to discuss the Committee Report, and I recognize Representative Ogo.

Rep. Ogo: Yes, Mr. Speaker, but I believe you pointed out page 1, line 11, and that is what I was trying to refer to. I recognize Representative Tenorio.

Rep. Tenorio: Thank you, Mr. Speaker. I just have a clarification. It appears to me on Section 2 (d) that those people who have applied before and have with them the identification card that they are not required to attend a mandatory firearm. In other words, this particular provision kind of grandfathered those people. It is only for the first time. If you are applying for an identification card for the first time then you are required to attend the mandatory course. So it seems to me that we grandfathered those people that have firearms in their possessions prior to this law – firearms identification card or license. Several people called me up on this and their concern is why are they required to again do a mandatory testing or mandatory safety education if they have in their possession a firearm permit for a long time and they are only renewing their firearms permit. I think that the provisions that was stricken out or amended that this might be something new because for each firearm purchase...in other words, if you have two firearms now and if you buy another one, you have to take another test, but that requirement was stricken out...

Speaker Babauta: No. Public Law 14-51 mandates that as of today everyone that procures a firearm shall be licensed pursuant to certification, and that MFSEC – they have to go through that process. So what the intent of S. B. NO. 15-70 is to remove the second class or rather second certification by having you going through the initial certification. So it is like the drivers license, you get your first driving test, they give you 60 days – so when you renew your drivers license for the next three years after it expires, you do not have to go through the second test again other than the eye check and those...

Rep. Tenorio: I just want the record to show that I support this bill as amended.

Speaker Babauta: Thank you. I recognize Representative Torres.

Rep. Torres: Mr. Speaker, I am a little bit puzzled and correct me if I am wrong. I know that all the policemen are certified and to be recertified every period of time, right? And, here we are passing a bill that would not require a recertification.

Speaker Babauta: I assume that the CNMI firearm does not allow you and I to have 9mm other than .22 and 410 shotgun. So those people with the law enforcement capacity is very different from the regular citizens who wish to shoot birds, cows, pigs and...

Rep. Torres: May I continue?

Speaker Babauta: You may.

Rep. Torres: Just to point out an information that most if not the entire policemen now are not been recertified for whatever reason, I do not know – there is corruption or mismanagement in the department.

Speaker Babauta: Thank you for your keen observation. We will do that at a separate level of discussion. I would like to move on with the Committee Report. I recognize Representative Yumul.

Rep. Yumul: Thank you, Mr. Speaker. Actually, that was my point of clarification, and that is I think that we are just supposed to debate on the Conference Report itself and not get into the details of the bill until we discuss it. I think for the benefit of the members, we should just keep our comments to the Committee Report only. Thank you.

The Chair recognized Representative Tebuteb.

Rep. Tebuteb: Mr. Speaker, I did not get a clear clarification from Representative Deleon Guerrero's question to Committee on the changes that we passed and went to Conference Committee. It does not say much on the findings for example. Maybe the other Committee members could answer.

The Chair recognized the Vice Speaker.

Vice Speaker Quitugua: Mr. Speaker, S. B. NO. 15-70 – if you have five firearms permit, and if we are going to just follow the existing law, you have to go through five classes to get your five firearms permit, because Section 3 of the existing law says for each firearm purchased, transferred or renewed, you have to go through the classes. This is some of the concerns that were brought up by those that are licensed to have firearms. They are being required to go through five classes if they have five firearm permits. That is the interpretation of DPS. They have to go through every single application. The Committee, Mr. Speaker, is concerned on the burden that we placed on getting the permits especially those that are under renewals. This will create more of having unlicensed gun holders rather than allowing them to go through an easier process of renewing their existing gun permit. The bill is amending the existing statute that if you are applying for the first time for a gun permit, you are required to take a class, and that if you have attended the class, passed the class – even if you have a second firearm application, you are only required to attend that one class. Thank you, Mr. Speaker.

The Chair recognized Representative Tebuteb.

Rep. Tebuteb: That is what I was trying to get back and that if that is what the Committee is saying, I think it is important that we reflect that on the Committee Report. The question that Representative Deleon Guerrero was posing is not even answered.

Speaker Babauta: I guess the one sentence pretty much says it all. It depends on who interprets it. At any rate, I guess in the absence of the original law, many of this questions had to be reflected back to the entire Public Law 14-51 to read it generally so that we understand.

Rep. Tebuteb: Point of clarification.

Speaker Babauta: State your point of clarification.

Rep. Tebuteb: Basically, the original law is in this particular section.

Speaker Babauta: Right.

Rep. Tebuteb: And we are looking at the point of discussion in this particular original law.

Speaker Babauta: Right, because some of the concerns that were raised were practically in the original law, and this is only a portion of that section that we are amending from the original law. Ready.

Several members voiced, “ready.”

Speaker Babauta: I recognize Chairwoman Kaipat.

Rep. Kaipat: Mr. Speaker, with the members indulgence, I was not here – I was at a funeral when this bill was pulled out of my committee, and was voted upon. I am very disappointed, and I just want to go on record and state that, and that this was pulled out of my Committee without my authorization. What are we talking about here? We are talking about gun safety here. We are not talking about small thing. I heard the comparison being made with the driver’s license. Is it really the same? You get in the car everyday and you drive, but we are talking about guns here. We are talking about very dangerous weapon, and if we are talking about just a couple guns like BB guns and 27’s or whatever you need to go out and shoot cows and fanihi with, if it is just a very limited number of guns then why do you need to go to class five different times. If the law is nonsense and it is impractical, then let us fix the law, but let us not go to the extreme of lowering our standard of safety to accommodate whoever we want to accommodate. Come on. Let us have some common sense about this. We are talking about taking out the part that requires you to go to class if you transfer the gun or if I buy a gun from someone. What are the chances that I know how to operate that gun? We are talking about – it is okay if you are an expert on guns and you can operate them, but what about that people that do not know much about guns, are they not required to be held to the same standard of safety? That is something that I believe this body really needs to seriously need to think about. If safety is providing protection for communities and is important to us, then we need to take the time to fix this law instead of running it through. This is a very flimsy Committee Report, and it is unacceptable. We should not be voting on something this serious as exempting people from taking the test for guns based on a report like this. What are we? We are not passing laws here on how to regulate the sizes of zories here. We are talking about something far more serious that affects public safety. I am not trying to be disrespectful, but come on. Let us not do this. Let us take our job seriously and take our responsibilities seriously and take a look at this. Go back to the drawing board if we have to. I did not have my opportunity to vote on this, but if I were present then, my vote would have been, no. I am not in support of this and it will be, no again when we vote on this. Thank you.

Rep. Tenorio: Clarification, Mr. Speaker.

Speaker Babauta: State your point of clarification.

Rep. Tenorio: Thank you. Mr. Speaker, it appears to me and I want the counsel to enlighten us whether there is potential Constitutional concern here if we have to go back and try to mandate those people that we have already given licenses to come and take the test. I agree with her. This is not a bill that would change a size of a zorie from size 2 to 20. It is something more serious than that, but then again, we have to be cognizant. We have a statute in our Constitution that we have to abide with.

Speaker Babauta: Let me just share your point of clarification. On page 2, Section 3 and 4 would solve that problem.

Rep. Tenorio: Does that solve the problem, Mr. Speaker?

Speaker Babauta: Of course.

Rep. Tenorio: But my question is, will this provision be considered on ex post facto?

Speaker Babauta: You want the counsel to answer that?

Rep. Tenorio: Yes, Mr. Speaker.

The Chair recognized Legal Counsel Ian Catlett.

Legal Counsel Ian Catlett: Thank you, Mr. Speaker. There is a pretty clear answer to that. The permit is issued for duration of time. You have a right to add permit during that duration of time, but you do not have a right to renewals under the same condition. So if your permit conditions are changed, your permit then expires, then you would be under the conditions of the new permitting process. There would be no problem of ex post facto laws.

Rep. Tenorio: My question also is, at the time that you do not require a test and you were given a permit and pay for your license, why would you require the same individual under the same law to take the test again? I am not really quite satisfied with the explanation.

Legal Counsel Ian Catlett: Well, if you have changed the conditions, you are not changing the condition of the current license. So if no test is required today which actually the test is required today under Public Law 14-51, but if no test is required today, then that person does not have to take the test unless they want to renew. Under the renewal, that is a new license, new terms and conditions, new requirements, and that is fine. There is no property being taken or any right being taken.

Rep. Tenorio: Thank you, Mr. Speaker.

Speaker Babauta: Ready. We are now voting on the...

Rep. Waki: Mr. Speaker, point of clarification.

Speaker Babauta: State your point of clarification.

Rep. Waki: If we vote accepting the report, does it automatically pass this particular amendment or this Conference Committee Report?

Speaker Babauta: Let me just clear this. Once the Committee Report is adopted, then the bill is transmitted to the Governor for his signature. Okay. Everybody clear with the Conference voting method? Okay. How do you prefer this, voice vote or...

Several members voiced, "voice vote."

Speaker Babauta: I know that we are going to have Division on the floor.

There being no further discussion, CONF. COMM. REP. NO. 15-3, reporting on S. B. NO. 15-70, SD1 had a Division on the floor during the voice vote.

Rep. Torres: I think there is a Division on the floor.

Speaker Babauta: Division on the floor? Okay, Clerk, to clarify the voting, roll call please.

The Clerk called the roll on the motion to adopt S. B. NO. 15-70, SD1 on First and Final Reading:

Rep. Martin B. Ada	yes
Rep. Edwin P. Aldan	yes
Rep. Francisco S. Dela Cruz	no
Mr. Speaker, with great reservation, you mentioned yourself that Section 2, (3) and (4) would solve the concerns that we have in the bodies here. Although, I begged to defer on Section 3, and I do not want to take too long, but I just want to point out that a new purchase of firearms on Section 3 – if a person wishes to purchase three or four guns, he would still be required to take the three or four test for each gun. But as it stands right now, lines 3 and 4 being omitted, I would have to vote, no.	
Rep. Florencio T. Deleon Guerrero	excused
Rep. Joseph P. Deleon Guerrero	yes
Rep. Jacinta M. Kaipat	no
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	no
Rep. Ramon A. Tebuteb	yes
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	no
Rep. Absalon V. Waki, Jr.	no
Mr. Speaker, since it is still not clear, my answer is, no.	
Rep. Ray N. Yumul	yes
Rep. Oscar M. Babauta	yes

Speaker Babauta: Well, we could have avoided this exercise in fertility, but I would like to give the benefit of the doubt to the members at any rate. By a vote of 12 "yes", CONF. COMM. REP. NO. 15-3 reporting on S. B. NO. 15-70, SD1, HD2 passes the House on its final form. Under privilege, I recognize the Minority Leader.

Rep. Palacios: Thank you, Mr. Speaker. Although it looks so insignificant issue, this is a very significant issue, and I certainly understand the concerns of my colleagues who voted against the legislation. I was just thinking about this particular issue of gun safety. When I was at the Division of Fish and Wildlife, this is one of the issues that had to be on the forefront when we were issuing hunting permits, and we were getting federal funds for wildlife conservation. One of the biggest requirements that we had to comply with for those federal grants is to put together what is called, a hunters safety education program where before a hunting permit is issued to an individual, he would have to go some sort of a safety class. I am glad to say that a lot of the program under which this firearm safety program was tailored is funded by funds that the Division of Fish and Wildlife was able to procure from federal agencies for firearm safety and hunting safety. I would also like to encourage the author and some of our colleagues to consider even extending this program so that not only do we require people who are new to get new firearms permit or take safety education, but we should have a program that sets aside from these funds that we get these permits to have a firearm safety program or even brochures that are given out to owners. It should be a continuing program. I think we could certainly access to certain extends some federal programs for this, but it is something that is worthwhile pursuing. Thank you.

Speaker Babauta: Thank you. At this time, the Chair would like to recess for lunch so we can allow our Bureau Staff to go to lunch, and come back at 1:30 p.m. I ask the Sergeant-at-Arms to secure the entire Chamber. We will recess for lunch.

The House recessed at 11:33 a.m.

RECESS

The House reconvened at 1:50 p.m.

Speaker Babauta: We are back to our plenary session, and since we are done with item number 13, are we ready for the adoption of the Resolutions, Floor Leader? Clerk, please take note that the Floor Leader has arrived.

Rep. Palacios: Mr. Speaker, privilege.

Speaker Babauta: State your privilege, Minority Leader.

Rep. Palacios: With the indulgence of the members, Mr. Speaker, I have finally gotten an authorization from my good Chairman on Ways and Means to withdraw first time from his Committee one of my bills, Mr. Speaker. I would like to pass out the authorization with his signature and ask that this bill be put on the Calendar.

Speaker Babauta: Minority Leader, if you can pass that out, and once we get down to the Bill Calendar after the Resolution Calendar, we would acknowledge that bill.

Rep. Palacios: Thank you for your kindness.

Speaker Babauta: Thank you. I would now recognize the Floor Leader for suspension under Resolution Calendar.

UNFINISHED BUSINESS

None

RESOLUTION CALENDAR

Floor Leader Florencio Deleon Guerrero: So moved, Mr. Speaker, for the suspension motion for the adoption of HSE. COMM. RES. NO. 15-91, H. R. NO. 15-102, H. R. NO. 15-103, H. R. NO. 15-104, H. R. NO. 15-105, and H. R. NO. 15-106.

The suspension motion was seconded and carried by voice vote.

Speaker Babauta: The motion is carried. I would now recognize the adoption motion.

Floor Leader Florencio Deleon Guerrero: So moved, Mr. Speaker, for the adoption of all the Resolutions that appear on the Calendar.

The adoption motion was seconded.

HSE. COMM. RES. NO: A House Commemorative Resolution to express sincere condolences and sympathy to the bereaved family of the late Ernie Teigita Dela Cruz on his untimely passing and to pay tribute to his contributions.

H. R. NO. 15-102: A House Resolution to recognize, commend and express sincere gratitude to Ms. Geri Lynn Willis for pioneering the Troops-to-Teachers program in the Commonwealth, a unique program designed to assist military and prior service personnel earn a college degree while working for the CNMI Public School System as instructional aides, and for her dedication, commitment and invaluable contributions to the educational system and community of the Commonwealth of the Northern Mariana Islands.

H. R. NO. 15-103: A House Resolution to commemorate Bank of Guam's 35th Year Anniverdary as a successful and reputable financial institution in the Commonwealth of the Northern Mariana Islands, and to recognize its generous contributions to the Commonwealth of the Northern Mariana Islands.

H. R. NO. 15-104: A House Resolution to urge the Secretary of the Department of Public Works to conduct research into other sources of federal funding or grants to fund a study for the establishment of an alternate entrance and exit route for the village of Kagman.

H. R. NO. 15-105: A House Resolution to urge the Department of Public Safety to remain vigilant in their efforts to ensure that the provisions of Public Law 8-25 are being followed.

H. R. NO. 15-106: A House Resolution to request the Office of the Governor to assess and determine the value of real property in the Commonwealth of Northern Mariana Islands for purposes of incurring public debt.

Speaker Babauta: Discussion on any of those Resolutions, and I recognize the Minority Leader.

Rep. Palacios: Thank you, Mr. Speaker. On H. R. NO. 15-106, I wish to recommend amendment on the heading. After the word, "Governor" insert, "and the Department of Public Lands." Please make subsequent amendments to wherever it appears. Thank you.

The oral amendment offered by the Minority Leader was seconded.

Speaker Babauta: Everybody understands the amendment? Is that cleared?

There being no further discussion, the oral floor amendment offered by Representative Palacios was carried by voice vote.

Speaker Babauta: The motion is carried. We will continue to discuss all the Resolutions as it appears on today's Order of Business Committee of the Whole. Ready.

There being no other discussion, The adoption on HSE. COMM. RES. NO. 15-91, H. R. NO. 15-102, H. R. NO. 15-103, H. R. NO. 15-104, H. R. NO. 15-105, and H. R. NO. 15-106, HD1 were carried by voice vote.

Speaker Babauta: The motion is carried. I now recognize the Minority Leader under item number 16.

BILL CALENDAR

Rep. Palacios: Thank you, Mr. Speaker. I wish to ask that H. B. NO. 15-042 be placed on today's Order of Business.

Speaker Babauta: H. B. NO. 15-042 is hereby granted recalled from the Committee on Ways and Means Chairperson. Any objection?

There was no objection.

Speaker Babauta: So ordered. I would now recognize Chairman Ogo.

Rep. Ogo: Thank you, Mr. Speaker. I am personally asking the indulgence of the members to recall, H. B. NO. 15-241 to be placed on today's Calendar for action. At the same time, I passed out a letter from the Secretary of Health supporting this House Bill. Thank you.

Speaker Babauta: Is that assigned to the Ways and Means Committee?

Rep. Ogo: Yes.

Speaker Babauta: Does everyone have that copy?

Rep. Ogo: I provided everyone a copy of that letter from the Secretary of Public Health, but the House Bill, I only have one with me, and I will have the Sergeant-at-Arms to make copies.

Speaker Babauta: Let me dispose of the request made by the Minority Leader first before we go into that request.

There being no discussion, the recalled motion made by the Minority Leader on H. B. NO. 15-42 was carried by voice vote.

Speaker Babauta: The motion is carried. Representative Ogo, you may now make that official request so that we may entertain that motion.

Rep. Ogo: Thank you, Mr. Speaker. Without objection, I would like to personally recall H. B. NO. 15-241 to be placed on the Calendar as I stated the reason for that. Thank you.

There being no discussion, the recalled motion offered by Chairman Ogo was carried by voice vote.

Speaker Babauta: The motion is carried. I now recognize the Vice Speaker.

Vice Speaker Quitugua: Thank you, Mr. Speaker. I am withdrawing from the Calendar, H. B. NO. 15-231. Thank you.

The withdrawal motion of H. B. NO. 15-231 from the Calendar offered by the Vice Speaker was carried by voice vote.

Speaker Babauta: The motion is carried. H. B. NO. 15-231 is officially withdrawn from the Bill Calendar and is filed permanently by the House. I recognize the Floor Leader.

Floor Leader Florencio Deleon Guerrero: So moved, Mr. Speaker, for the passage on First and Final Reading, H. L. I. NO. 15-2, HD1.

The motion was seconded.

H. L. I. No. 15-2, HD1: 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.

Speaker Babauta: Discussion. I recognize Representative Tenorio.

Rep. Tenorio: Mr. Speaker, it is not on the Bill Calendar, is it?

Rep. Joseph Deleon Guerrero: Yes, it is.

Rep. Tenorio: Okay. Thank you, Mr. Speaker.

The Chair recognized Representative Joseph Deleon Guerrero.

Rep. Joseph Deleon Guerrero: Mr. Speaker, if I may ask the author to expound on the findings. It is very short, and I wanted to ask perhaps for the rationale behind this Initiative. We do have more and more of our returning graduates coming back looking for employment, and the current system as it stands limits it to two years, therefore, allowing their term to expire, and as we get more of our youths coming back from their education, they may be able to get employed. If this goes through, this may restrict employment opportunities for our youths. Can I ask for the rationale behind this, Mr. Speaker?

The Chair recognized the Vice Speaker.

Vice Speaker Quitugua: Thank you, Mr. Speaker. Mr. Speaker, the present Constitution gives classroom teachers, doctors, nurses, and other medical professions two years to return to work without losing their pension. For the past years, the Public School System has been experiencing recruiting enough teachers to the classrooms. Two weeks ago, the Commissioner came out in the paper saying that they need more than 39 additional teachers for next school year, and probably more. I understand that there are few more that have submitted their resignation to PSS, not to return the next school year. These retirees are – many of them have already double dipped for two years. So regardless whether PSS needs more teachers, they cannot come back to teach anymore because they have already fulfilled the two years. In the past also and even now, there are still some retirees from Guam and other places that are double dipping in our system. They are allowed by our law. Instead of having PSS have substitutes to fill for these shortages of teachers, PSS is supporting this Initiative because these retirees are more than qualified teachers. There are many of them that have masters degrees, many of them served for many years in the system, and they know the system, and in addition to that, Mr. Speaker, this Initiative indicate that any qualified non-retiree resident applicant shall be priority for hiring at PSS. That means that if they have new graduates that are coming from college and would like to teach, they shall be priority in terms of hiring at PSS. Retirees are not priority. There is a phrase here on page 2, line 5, it says, “provided that qualified non-retiree resident applicants are given priority as provided by law.” So, if this is ratified, the Legislature will have to enact an enabling legislation to this regard limiting the number of years that retirees can double dip at PSS. Or, expounding on the language of priority for qualified residents. At the same time, Mr. Speaker, these returning retirees to PSS or to the hospitals would benefit the Retirement Fund because they will contribute to the fund, but their compensation or pension would not be recomputed when they leave again the government regardless of how many years they double dipped. They will go back to their pension as is, no increase in their pension regardless of the additional years that they served or regardless of their additional earnings. In addition to that, Mr. Speaker, the money remains here in the CNMI, and one of the problems that we face in the CNMI is that the money goes out of the CNMI, and that is one of the factors that really hurt our economy here. So those are some of the factors, but the primary factor here is that as of now, we cannot still get enough teachers coming from college to fill the available vacancies at PSS. When this Constitutional law took place that allowed the teachers to go back and double dip, we rarely have any vacancies at PSS because these double dippers where there waiting for the college graduates to come and be employed by PSS. But now that they are not allowed to double dip anymore, we are experiencing more shortage of teachers at PSS. We are not receiving enough college graduates that

are interested in working at PSS to fill the vacancies. We are facing it now and will be facing it in the future.

The Chair recognized Representative Joseph Deleon Guerrero.

Rep. Joseph Deleon Guerrero: Thank you, Vice Speaker. While I understand the situation at the Public School System, your Initiative does not just limit its scope to teachers. As a matter of fact, what this Initiative does is basically strike out the prescription of the various professionals, and now it basically opens it up – if I am not mistaken, to any – it is no longer limited to professionals. As I understand it, they were very restrictive initially limiting it only to classroom teachers, doctors, nurses, and other medical professionals for a reason. They did not just want to open it up to any profession or any category. Your Initiative goes one step further, and now it basically opens it up so that any former retiree can come back to work. This may be subject to politics. This may open up a can of worms here to reemploy people who have retired, and I do not see really the concept of reemploying retirees. Why did they retire in the first place, and now we are going to allow them to come back. There is no set limit. Is that your intent, Vice Speaker?

The Chair recognized the Vice Speaker.

Vice Speaker Quitugua: Mr. Speaker, that is why the Initiative that was placed on First and Final Reading was H. L. I. NO. 15-2, HD1, and the HD1 kept the classroom teachers, doctors, nurses and other medical professionals intact.

Speaker Babauta: Have you introduced this already as HD1?

Vice Speaker Quitugua: I passed this out.

Speaker Babauta: So you have not made the substitute yet? Short recess.

The House recessed at 2:06 p.m.

RECESS

The House reconvened at 2:08 p.m.

Speaker Babauta: We are back to our plenary session, and I recognize the Vice Speaker.

Vice Speaker Quitugua: Thank you, Mr. Speaker. For the record, I am introducing as a substitute to H. L. I. NO. 15-2, HD1. Thank you.

Speaker Babauta: Any discussion. I recognize the Minority Leader.

Rep. Palacios: Thank you, Mr. Speaker. This legislation or this type of Initiative has come before us before the Fifteenth Legislature – I believe couple of occasions. One of the concerns is the issue of double dipping, and that is what this is allowing, to allow those in the professions of teachers, doctors, nurses, and allied professions be allowed to double dip. Perhaps, 5 or 10 years ago, this would have been not a big problem in terms of the compensation, but being where the Retirement

Fund is, we need to be mindful of that, being where of the governments coffer is, we also need to be mindful of that. Although I agree that in cases where we are short of teachers, and we end up bringing in teachers from the outside, we need to have some sort of flexibility. I have looked at this, Mr. Speaker, and I believe that if we give this to the Retirement Fund, they would oppose to this bill. Of course they would and we know that. But in order to accommodate their concerns, I believe we need to strive some sort of a compromise so that we do not fully pull a full pension out of the Retirement Fund, and we do not fully pull a compensation out of the operations of the government. What I am saying is that, perhaps, what we ought to think about is that, in order to give incentives for retired teachers and medical professionals to come on board, is to give them 25% to 40% of their salaries with full pensions or allow them to retain 30% to 40% of their pensions and get compensated with the scale that they come in. We cannot just fully compensate from the operations of the government, and continue to have them compensated as fully retired. I think we need to consider compromising. Perhaps, I think that would be a very attractive incentive in and of itself. If we give them 25% of their compensation on top of their annuities or vice versa, that is something that we ought to consider. I am not sure where we can inject that in this kind of compensation.

The Chair recognized the Vice Speaker.

Vice Speaker Quitugua: Just to further clarify the intent of the Initiative, Mr. Speaker. When you double dip, even at the present system, if you retire under Class II, you are required to contribute - if you are reemployed as teachers, you have to contribute 9% of your reemployment salary to the Retirement Fund. But at the end of your double dipping, your contribution to the Retirement Fund remains with the Fund which the Fund wins. However, your pension remains the same. Your pension will not be recomputed to give you credit for the extra years that you return as a double dipper to the government. It is 100% win to the Retirement Fund. You contribute to the Fund 9%, and you get nothing out from the Fund. You keep the pension that you have been receiving from the very beginning until you stop double dipping. Another clarification or rationale, Mr. Speaker is that, I received some information that some of the schools in the private sectors would be reducing their staff. So this is an added number of teachers that PSS can recruit while waiting to have more teachers come into the system. Mr. Speaker, in terms of hurting the Retirement Fund, I think the Retirement Fund is really hurting now by a good number of retirees from Guam that came here and double dipped in our system, and are now not in the system. They are either in Guam or in the States receiving every 15 days from our Retirement Fund. I understand that some of these retirees have adopted their grandchildren so that they can continue their pension from our Retirement. Mr. Speaker, personally, I would like to see our own people get these additional benefits because I know that it is not going to hurt the Fund. The Fund is going to gain 100%, and our economy here would be helped because the money remains here with our own people, and the money will generate within our islands here. Mr. Speaker, what I understand with PSS is that, if you are a returning retiree, you are not going to get the same compensation that when you leave the system. When you double dip at PSS, they have a policy that you will be hired at Step I. If you retire at PSS with Step 12, you are not going to go back and earn the same salary when you return. So that means that there is a reduction of your salaries at PSS. It is still a win situation for the Public School System and the government. Let me tell you – for those of us who have thought in the past, if you have thought in the past, I tell you, it is so hard. It is easy to teach in the 70's, but nowadays, the parents nowadays want you to do everything for their kids. They do not want to do much at home anymore. They want the teachers to do it at school. So it is really, really difficult, and even if we compensate these teachers \$60,000. a year, I will say, it is still hard to teach. Probably that is why many of our

graduating students, when they come, they try to teach, but they leave because working for the other departments is much easier and less headache, but in the School System, it is extra hard. Even if the current compensation – I still feel that it is not getting enough compared to what they do – with the additional requirements that now they have to pass PRAXIS I, PRAXIS II, and they have to fulfill the Board of Education’s requirements, in which you have to take NMI History and other courses. So working for the other departments, you are not required to have all these certifications. For their pensions, they have worked for their pensions for so many years, and I believe that they deserve that. That is theirs. And if they have to be reemployed, I think they should be paid some money. In our system, Mr. Speaker, retirees return to the government, they give up their pensions, they get a higher salary, then they retire at a higher salary. That is what hurts the pension now. If you are a retiree earning \$30,000.00 per year, and you go back and teach at PSS for two to three years, you are not going to have any adjustment on your salary. Although there are complaints from those who have double dipped that Retirement is taking away 9% of their income, but they are not going to get anything back after they have double dip. So the gain is at the Retirement Fund, and the gain is with our students at the School System.

Speaker Babauta: Let me just inform the members. The present language as it is on the bill is the present language under the Constitution other than the underlined and the strike out. It was in the form of H. L. I. NO. 10-4 that was ratified in 1997. So I guess the amendment here is the underlined requiring that a non-retiree resident applicant are given priority as provided by law.

Rep. Palacios: Mr. Speaker, do I still have the floor?

Speaker Babauta: You still have the floor, Minority Leader.

Rep. Palacios: Let me correct you, Mr. Speaker. With all due respect, there is a significant change to the Constitution on reemployment of teachers because it presently has a clause not to exceed two years.

Speaker Babauta: That is the only changes.

Rep. Palacios: This one would allow almost in perpetuity or in an indefinite period of time. What I am concern about – I fully agree with a lot of the issues that the Vice Speaker brought up that really needs to be reformed in our Retirement System. Teachers coming in from outside and they are retiring through the age requirement, those issues need to be reformed as far as continuing to contribute into the Retirement System without having your annuity recomputed when you leave service. Perhaps by law, that needs to be taken up, and that needs to be given due consideration and rectified. I still have a big reservation, Mr. Speaker, because what we are trying to do is use those areas that needs to be reformed in our Retirement System to justify a very big expenses that would drain the Retirement Fund. That is my concern. I want to see our people, those that have called Saipan, Rota, and Tinian their home, continue to work as teachers. But I think that to pay full pension and to pay full salary indefinitely would drain both system. I think that what we are trying to do here is to accommodate the needs of the teachers and medical professional needs of our government and our Public School System by enticing and allowing teachers to go back to teaching without losing their compensation or their annuity, and be fully compensated or vice versa. That is what we need to do. We cannot and I do not think that we can fully fund this indefinitely. It is a very grave concern that we must be mindful of. I raise this issue, and I know that the Vice Speaker

tried to allay my concerns by giving us other reasons or other issues that needs to be reformed – just because there are other problems in our Retirement System does not mean that we should add on to the system. That is my only concern. I would like to have our teachers come back and we give them incentives to come back – maybe 50% of their annuity, but to be fully compensated as a retired individual and then continue to work indefinitely is not. Everybody is going to end up being teachers and doctors.

Speaker Babauta: Let me ask this...is this presently the practice of the double dipping?

Vice Speaker Quitugua: Yes, Mr. Speaker, presently.

Speaker Babauta: So the underline phrase for the two years – that would allow any non-retiree resident to be prioritize first before any retiree, is that correct?

Vice Speaker Quitugua: Yes. The reason why I inserted, “provided that non-retiree resident applicant should be prioritized is because...”

Speaker Babauta: So in essence, you are saying this would diminish in the future the double dipping.

Vice Speaker Quitugua: At present, if a retiree is double dipping at this time, you cannot fire this retiree and bring in the new graduate unless there is a vacant. So the present situation blocks the incoming new graduate because it does not give the system the authority to make sure that the incoming are prioritized. The reason why, Mr. Speaker, I indicated, “as provided by law” is so that the Legislature can come up with legislation, and if the Legislature so desires to say that in two to three years, we can eliminate. Or if the legislature so desires to say, you can only double dip for one year, so be it, one year, but if we have two years or even if we have enough teachers, by next year, we still have because this is a Constitutional Law. The two years is still an opportunity for you to double dip, but if you remove the two years and let the Legislature come up with an enabling legislation, and come up with the language that says, okay PSS or the Hospital, after one year, if you have enough, then no more double dipping. But now, we cannot say that because the Constitution is saying two years. What this underlined and the deletion of not to exceed two years is to give the Legislature to make this more flexible based on the needs of the system. In terms of hurting the system, I do not think the system is going to get hurt. I think it is more on the benefit of who are we trying to service in these areas. I will go back again, the Retirement Fund is not going to get hurt by the double dippers. The Retirement Fund is going to get back 9% of what they earn other than their double dipping, and they are not going to get it back when they stop double dipping. The Retirement Fund collects 9%. If it is for 12 months, then 12 months, but you as a double dipper would not get one penny of the 9%. You cannot even withdraw it. You can even have your Retirement Annuity recomputed, because the existing language in the Constitution is saying, you cannot re-compute after you finish double dip. So it is a more of a win than an expense to the system. Thank you.

The Chair recognized Representative Tenorio.

Rep. Tenorio: Thank you, Mr. Speaker. This has been a concern problem especially with the Retirement Fund. If I recalled correctly, at one time, we had this 30% bonus to encourage people to take it and retire, and the purpose is so that we can get the new employees in. I do not know how

many teachers took this, but I am sure that some of them took this opportunity. That was the original intent of the 30% bonus, then, we allowed this double dipping for teachers, doctors and nurses, and at the same time, we boosted out the education budget of the College by giving them opportunity to go off-island and pay them while they go to school. If I am not mistaken, we did get quite a few teachers back into the classroom with that program, but we still allowed them to come in and teach and at the same time double dip. There are some practical problems here if not legal problem. If we allow this to happen and all the slots are filled by the retirees into this program, then how can you accommodate new non-retiree applicants coming in? What is the methodology to use? Do you remove these people? I know that you said, as provided by law, but I rather have it in here if we are going to have to do that, and later on argue as to who is going to go in and go out. I agree with my Minority Leader. No matter how you cut it, this would be a burden to the Retirement Fund. Another question that come into mind, will these people be considered new employees or all employees of the government – for the purpose of their retirement? Be it whether they go to retirement contribution or the benefit plan. These are the questions that pop up as you read into the impact of this Initiative. Another question is, what is the fiscal impact on this double dipping for teachers, nurses, doctors and all these professions that are listed here? How would this affect the Retirement Fund? You mentioned something about teachers coming in and getting the lowest salary...I have a little reservation on that because these people have already passed the NCLEX, and when they went out, they got certain level, and that would be a demotion. I do not know if they would take it, but I would rather see that we have something in place for the elected officials where they would have a choice whether they get the highest of the two salaries. I rather we go into that type of a program, and if the teacher comes back and gets hired at a higher rate, but do not double dip. Return the other portion or the benefit to the Retirement Fund, and in that way, I think you would be helping the system more so than doing it this way. Those are some of the confusions if I may say.

Vice Speaker Quitugua: Clarification, Mr. Speaker.

Speaker Babauta: State your clarification.

Vice Speaker Quitugua: Presently, Mr. Speaker, double dipping is allowed by the Constitution for two years. The Retirement Fund is not going to re-compute the pension of the returning retiree at the end of the double dipping. If they are receiving \$1,500.00 every 15 days now, and they double dip, they will still receive \$1,500.00, but they will not have any re-computation. The Constitution does not allow re-computation. Mr. Speaker, what I was saying earlier is that, PSS' policy is that, if you are a double dipper, they are not going to pay you \$47,000.00 which is the Step 12. They will pay you – an employee on Step 1. You are not going to be allowed to get the same salary as when you retire. Now, if you decide to give up your retirement and go on full employment, you are allowed to be paid at your qualification.

Rep. Tenorio: Do you have a bill prepared for that already?

Vice Speaker Quitugua: No. But we cannot do this at this time because we do not know whether it be passed by the Senate and would be ratified by the people. I think, Mr. Speaker, having it more flexible for the Legislature to come up with legislation to govern this – at this time – when PSS hires a retiree, and then there is a graduate coming in June, they cannot kick out the retiree to accommodate the new graduate. That is one of the problem of the existing Constitution. That is

hwy we are adding the phrase, “provided that qualified non-retiree resident applicant shall be given priority as provided by law.” If this is ratified, the Legislature can come up with an enabling legislation saying that retirees who are double dipping will be temporary, and as soon as PSS identifies any new graduates that is applying for teaching – then your contract ends today, and then the new incoming college graduate would start employment. That should be done by law because as of this time, they cannot be kicked out because the Constitution says you are allowed to double dip for two years.

The Chair recognized Representative Tenorio.

Rep. Tenorio: I do not want to give the impression that I am against these people who want to come back as retirees and work double dipping. There are many occasions where some of these people come and say, can you support the bill and such, but the unknowns are still plenty here that perhaps we should send this over to the Committee and iron this thing out. I think that it is best, Mr. Speaker – my suggestion is probably get this down to a Committee and iron out some of these concerns that we are putting out today. I think that there would be a substantial impact or at least get something from the Retirement Fund that would be administering the program. I would like to listen to them and see whether they are in support of this bill or against it. I am not trying to delay this because I think it is important, but at the same time, I feel that the implication of this Initiative is such, and I do not think this government can afford to deal with this matter at this time. Although you are telling us that there is no impact, at the same time, I am not too sure.

Speaker Babauta: One clarification that I would like to make is the double dipping does exist presently under Article III, Section 20...[end of tape 2 side A]

...[beginning of Tape 2 side B]

Speaker Babauta:...and a mechanism was provided by Public Law 11-2, and this was ratified in 1997 election by the people. I guess his amendment is redefining that particular provision not necessarily adding another hurdle of double dipping, but allowing the local retirees, meaning, Chamorros and Carolinians who are residing in the CNMI to avail themselves of those positions other than allowing PSS to bring somebody from the FSM, Republic of Palau or for that matter from the neighboring island of Guam. Besides that, the provision further mandates that a non-retiree resident is prioritized over the retirees. Okay.

Rep. Palacios: Privilege, Mr. Speaker.

Speaker Babauta: State your privilege, Minority Leader.

Rep. Palacios: Can I ask for a five minute recess, please.

Speaker Babauta: I am sorry, I forgot about your request. Let me call for a short recess.

The House recessed at 2:45 p.m.

RECESS

The House reconvened at 3:05 p.m.

Speaker Babauta: We are back to our plenary session, and I recognize Representative Tenorio.

Rep. Tenorio: Thank you, Mr. Speaker. In light of the many concerns brought about regarding this particular Initiative, my suggestion if I may put it in a form of motion is to refer this to the Committee, and guarantee that by the next session, we would take positive action and entertain all those questions that were placed today. I move, Mr. Speaker.

Speaker Babauta: Before I recognize that motion, let me recognize the author, Vice Speaker.

Vice Speaker Quitugua: Mr. Speaker, if you look at the Initiative, it was prefiled on February 22, 2006, and introduced on February 22, 2006. It is already one year since this was introduced. So instead of returning it to the Committee for another year, Mr. Speaker, let us vote today. If we do not like it then let us kill it. It is as simple as that.

Speaker Babauta: That is another recommendation. Any more recommendation?

Rep. Tenorio: Clarification.

Speaker Babauta: State your point of clarification.

Rep. Tenorio: You mean for the past year, this bill never reached the Committee level or none was done to get some of the concerns or have a written request for comments? I thought that was pretty much the normal procedure that we should do on bills or what have you.

Speaker Babauta: There are a lot of un-normal procedures that normally happens during sessions. So aside from the House Rules, members are – the Speaker normally get the desire of the majority of the members whether it be in the form of recall or Committee Report requested by members...

Vice Speaker Quitugua: We received some comments, Mr. Speaker, from the affected offices. I just read the comment from PSS strongly supporting this Initiative because due to the shortage of the teaching staff that they are experiencing and will be experiencing in the future.

Speaker Babauta: If any member wishes to engage in reforming some of our policies as far as hard to fill positions, I think we need to reassess and mandate all these individuals that are receiving special financial assistance, mandate them to be in that institution for a good number of years before they move on to other programs of our government. I understand that for some instances, a graduate of a teacher academy or teaching position would teach for a year or two and they hop to another department like Public Works, the Hospital or other branch of government working for other divisions, and not necessarily helping the intended goal of having them to be given the financial or scholarship for that purposes. So we really need to reassess our financial assistance programs, and maybe mandate a minimum of 5 years, and once you are given a scholarship for teaching position or masters in education that you perform at least a minimum of 5 years with the Public School System or for that matter maybe 10 years so that we do not have a shortage of teachers in our Public School System. So whoever wants to take that lead, I welcome and I will support such reformation of policy. Okay.

Rep. Tenorio: I still have a motion on the floor, Mr. Speaker.

Speaker Babauta: Did we second that motion?

The motion to refer H. L. I. NO. 15-2, HD1 to the Committee offered by Representative Tenorio was seconded.

Speaker Babauta: Discussion on that motion? Ready.

The motion to refer H. L. I. NO. 15-2, HD1 was called with a Division on the floor.

Speaker Babauta: There is a Division on the floor. Clerk, call the roll.

The Clerk called the roll on the motion to refer H. L. I. NO. 15-2, HD1 on First and Final Reading:

Rep. Martin B. Ada	Absent during voting
Rep. Edwin P. Aldan	no
Rep. Francisco S. Dela Cruz	no
Rep. Florencio T. Deleon Guerrero	no
Rep. Joseph P. Deleon Guerrero	no
Rep. Jacinta M. Kaipat	yes
Rep. Jesus SN. Lizama	no
Rep. Crispin M. Ogo	no
Rep. Arnold I. Palacios	yes
Rep. Justo S. Quitugua	no
Rep. Benjamin B. Seman	yes
Rep. Candido B. Taman	no
Mr. Speaker, considering the urgency that the PSS Commissioner is calling for additional teachers, my vote is, "no."	
Rep. Ramon A. Tebuteb	yes
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	no
Rep. Absalon V. Waki, Jr.	yes
Rep. Ray N. Yumul	no
Rep. Oscar M. Babauta	no

Speaker Babauta: The motion to defer is defeated, and we continue to discuss. Are we ready for the question? I recognize the Minority Leader.

Rep. Palacios: Thank you, Mr. Speaker. Mr. Speaker, I have already articulated my concern, and I am ready to offer a floor amendment to allay some of these concerns. Mr. Speaker, therefore, I offer the following floor amendment...on page 2, line 7, after the word, "law" put a comma "(,)" after the word that was crossed out "years", please add the following: "and further provided that during the period of reemployment under this section, a retiree shall receive 50% of accrued retirement benefits only."

The oral floor amendment offered by the Minority Leader was seconded.

Speaker Babauta: Discussion on the oral amendment, and I recognize Representative Yumul.

Rep. Yumul: The Minority Leader alluded to “years,” but under the HD1 not exceeding two years is struck out. So is he...

Speaker Babauta: No, no, no.

Rep. Palacios: That is what I am referring to which is the crossed out “years”.

Rep. Yumul: So the comma should really be after the word “law” on line 7.

Speaker Babauta: No. His motion is a period after the word “law” on line 7, and adds in a new sentence and further...

Rep. Yumul: Okay.

Rep. Palacios: I am just trying to leave the crossed out words so that we know where the changes are being made.

Rep. Yumul: Okay.

Speaker Babauta: Is that clear.

There being no further discussion, the oral amendment offered by the Minority Leader was carried by voice vote.

Speaker Babauta: The motion is carried. We will continue to discuss H. L. I. NO. 15-2, HD2. Ready. Clerk, call the roll.

The Clerk called the roll on the motion to pass H. L. I. NO. 15-2, HD2 on First and Final Reading:

Rep. Martin B. Ada	absent during voting
Rep. Edwin P. Aldan	yes
Rep. Francisco S. Dela Cruz	yes
Rep. Florencio T. Deleon Guerrero	yes
Rep. Joseph P. Deleon Guerrero	yes

Clarification, before I vote, Mr. Speaker.

Speaker Babauta: State your point.

Rep. Joseph Deleon Guerrero: This is for the amendment, correct?

Speaker Babauta: It is for the main motion.

Rep. Joseph Deleon Guerrero: Then my vote is, “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

Mr. Speaker, this 50% is going to hit on lower retirees, which are the teachers, the nurses, and other medical professions. These are the people that are earning less than \$30,000.00 a year, and even if they are reemployed, they are not going to get probably much more than their regular pay and compensation, because they will be contributing to the Fund, they will be paying all the applicable taxes, and their pension would not be recomputed. This amendment actually is to penalize any retiree who would like to come back to system. Mr. Speaker, I urge all of us here to take a look at some of the existing statutes that really hurts the Fund and

the government coffer. I am pretty sure that if you review that, it is not the double dipping law that is hurting the Fund and the government. It is all the other perks that once upon a time we gave it to our retirees, because once upon a time we had a lot of revenues in the government. With that reservation, Mr. Speaker, I will vote for the amendment and the Initiative, but I know that this 50% will not attract our low income retiree back into the system. My vote is “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	yes
Rep. Absalon V. Waki, Jr.	yes
Rep. Ray N. Yumul	yes
Rep. Oscar M. Babauta	yes

Speaker Babauta: With a vote of 17 “yes”, H. L. I. NO. 15-2, HD2 passes the House on First and Final Reading. Floor Leader.

Floor Leader Florencio Deleon Guerrero: Mr. Speaker, just a clarification on your side. I think we are supposed to make a suspension of the Rules for the other bills.

Speaker Babauta: Thank you. Please make the proper motion for the official placement and passage of H. B. NO. 15-241, H. B. NO. 243, H. B. NO. 15-42, H. B. NO. 244, and H. B. NO. 15-245.

Floor Leader Florencio Deleon Guerrero: Mr. Speaker, we also have the one from the Senate.

Speaker Babauta: Short recess.

The House recessed at 3:23 p.m.

RECESS

The House reconvened at 3:24 p.m.

Speaker Babauta: We are back to our plenary session, and I recognize the Floor Leader.

Floor Leader Florencio Deleon Guerrero: So moved, Mr. Speaker, for the suspension of House Rules VII, Section 9, 10, and 11 for the placement of H. B. NO. 15-243, H. B. NO. 15-244, H. B. NO. 15-245, H. B. NO. 15-246, H. B. NO. 15-241, H. B. NO. 15-042, S. B. NO. 15-87, SD1, and S. B. NO. 15-61, SD2.

The suspension motion was seconded and carried by voice vote.

Speaker Babauta: The motion is carried. Continue, Floor Leader.

Floor Leader Florencio Deleon Guerrero: So moved, Mr. Speaker, for the passage on First and Final Reading, H. B. NO. 15-244.

The motion was seconded.

H. B. No. 15-244: A BILL FOR AN ACT TO REQUIRE THE COMMONWEALTH UTILITIES CORPORATION TO ESTABLISH A ONE YEAR PAYMENT PLAN FOR RESIDENTIAL CONSUMERS WITH OUTSTANDING BALANCES; AND FOR OTHER PURPOSES.

Speaker Babauta: Discussion. I recognize Representative Yumul.

Rep. Yumul: If no objection, Mr. Speaker, I would like this bill be Committee as a Whole. Second, I would like to amend line 12. Strike out “(h)” and insert letter “(i).” I so moved.

Speaker Babauta: What about line 11?

Rep. Yumul: And anywhere else that appears on the bill, Mr. Speaker.

Speaker Babauta: So this is adding a new subsection.

Rep. Yumul: Subsection (h) is already taken.

Speaker Babauta: So it is changed to (i).

Rep. Yumul: Yes.

Speaker Babauta: Let me ask you. Does CUC have personally a payment plan for...

Rep. Yumul: Yes. After consulting with the former CUC Chair back here, it is limited to six months, and they do not want to amend their rules. So we are just asking that the payment plan be given up to 12 months.

Speaker Babauta: Let me further ask this clarification...if a tenant after six months knowing that he/she would be departing the Commonwealth on the 7th month, how would you handle these unpaid bills?

Rep. Yumul: Mr. Speaker, this is limited first of all to residents only, and of course, CUC would be given the local promulgation of rules to ensure that these issues are dealt with. We are just giving them the authority to go up to 12 months. Again, it is going to be upon their discretion, they may require certain safeguards.

Speaker Babauta: So CUC does not have that authority now?

Rep. Yumul: No.

Speaker Babauta: Even if they promulgate rules and regulations?

Rep. Yumul: Well, right now from the community at large, CUC is unwilling to go beyond six months on a repayment schedule. This is mostly from the customers that have pending issues, and are now having to be required to pay back amounts.

Speaker Babauta: I am just concern, Representative Yumul, because we might end up with a lot of IOU's that maybe most of these people would fled the CNMI for that matter, and not paying these bills.

Rep. Yumul: Under current CUC rules, CUC even would not reconnect a residential dwelling unit unless prior passed accounts have been paid up. Again, this is strictly for residential users and not for commercials. In other words, if someone where to rent or lease a dwelling unit, CUC requires that the person who is applying for the account show proof of ownership of the property, and if they cannot show ownership then they have to show documents stating that they have a lease agreement. That kicks them out of this program. So we are only after the owners of the dwelling unit, and whether they flee or not, it is speculated...

Speaker Babauta: One thing, extending the payment plan, but you have a different thing with the owners because what you negotiate with the owner pursuant to your agreement to live in that house for one year, my concern is, what if these individuals fled after the six months?

Rep. Yumul: CUC for my understanding will not even reconnect the building. They could even go to court and have a lien on the property. Again, if you look at the issues here, Mr. Speaker, it is for those that are in need. We are not trying to set up a scheme here. Again, if you are not the original owner of the property...

Speaker Babauta: I understand...you need to show proof of rental agreement.

Rep. Yumul: Right, if you show the rental agreement then that is a commercial property. They might not even be qualified for this.

Speaker Babauta: But who would be responsible if that tenant left after the 7 months period?

Rep. Yumul: Mr. Speaker, you are talking about tenants again. Those are commercial...

Speaker Babauta: What I am saying is that, if they make a payment plan for one year, assuming that they got reconnected based on that payment plan, what if that payment plan is not amortized?

Rep. Yumul: CUC charges interest already on the repayment plan.

Speaker Babauta: Who do they charge, the building owner or the person living in the particular dwelling?

Rep. Yumul: I like to defer to Congressman Torres.

Rep. Torres: Mr. Speaker, I have an answer to that.

Speaker Babauta: I recognize Representative Torres.

Rep. Torres: If you own the apartment and your tenant left with \$500.00 back bill, you know who is going to be penalized? You, the owner of the apartment.

Speaker Babauta: That is exactly my concern.

Rep. Torres: They will not reconnect you until you pay three times the deposit plus whatever...

Speaker Babauta: For that particular unit?

Rep. Torres: For that particular tenant that...

Speaker Babauta: That was my concern. Why would we have to expand one year and penalizing the building owner for something that they do not owe.

Rep. Yumul: Mr. Speaker that is an apartment. It is a commercial.

Speaker Babauta: Yes, but you as an individual applied to live in the dwelling, right?

Rep. Yumul: Right, but they would have to seek the landlord's permission also for that 12 month period.

Speaker Babauta: The intent is a very normal one, but I am just concern that many of these local owners of these units would be left with a humungous amount of utility fees that originally was not their doing by getting into a promissory note. I am just sharing that concern, Representative Yumul. I recognize the Vice Speaker.

Vice Speaker Quitugua: Mr. Speaker, the bill does not clarify that the outstanding balance is when your bill is disconnected. Right after this bill is signed into law, I am going to go to CUC and sign a promissory note so I can stretch my payment for one year. It just says here "outstanding", and it does not say that when you are disconnected, your outstanding after disconnection, you can have one year to pay it up. The bill is not clear. Mr. Speaker, I know some of the uncollectible receivables for utilities for residential customers that are no longer here. They did not pay and they left, and these are some of the uncollectible receivables that is hurting CUC, and as a result, we got hit with the increase in utilities because we have to cover up the uncollectible receivables at CUC. One year, Mr. Speaker is a very big window for abuse, and CUC pays its fuel as they order, and if we are all going to go up there and sign promissory notes to pay up our outstanding for one year, I do not know how CUC is going to get the money to pay for the fuel. Are we going to get another increase in utility rates so that we can cover up the supposedly to be coming payments? It is very hard, Mr. Speaker, even the six months is good and it is long enough for residents to do that.

Speaker Babauta: Let me recognize Representative Torres.

Rep. Torres: Mr. Speaker, I think this bill would become mood because my offer to the CUC two weeks ago, I made an offer to pay 10% and 9 months period to pay up my past due. So I have not rejected my offer, but I pay and I have a receipt so I assume that it is accepted.

Speaker Babauta: So if we pass this bill, it would benefit you or...

Rep. Torres:...And my constituents. So if that is not opposed, the 9 months payment is in record.

Speaker Babauta: So what do we do with for instance CUC not meeting the monthly fuel cost?

Rep. Torres: I am still paying my current bill, but what I am saying is, my \$2,000 sum of disputed bill – before I start paying in good faith...

Speaker Babauta: This is something that we really seriously need to consider because we are limiting the resources of the Utility Corporation in maintaining its operation. I recognize Representative Dela Cruz.

Rep. Dela Cruz: Thank you, Mr. Speaker. First of all, I just want to say that I look at this bill as a form of relief to consumers of CUC that are having a hard time making ends meet. I look at it in a way as – the 6 month period to pay off a promissory note and basically stretching it out to 12 months period is just basically trying to help out the consumers that are in the state of the economic problems that they are all facing. We face our constituents out there on a daily basis asking what if any kind of relief, what is there that is inside right now, and we just look and say, we are doing something, but...something like this to give relief to stretch out their payment plans so that they may be able to apply food for their kids and so forth...this would definitely help. Even the banks, we have asked them before for people that have mortgages and loans, if they can consider putting up some sort of a restructured payment plan, and at this time when CUC has these high rates for the electricity – I think we owe it to the people here in the Commonwealth to give them some sort of relief. Like I stated earlier, we are being faced as Representatives of our Commonwealth, we are being approached almost on a daily basis asking, what are you guys doing? Do you have any plans? And I tell them that we are working on something, but it is not going to materialize overnight. This is something just so that they are relieved of making payments within certain period, and they know that they are hurting. Just right now during the recess, somebody came up because they are having a really hard time. They cannot do it in just six months. So if they cannot do it in six months and they can do it in twelve months, I do not think that CUC would be dented by an additional six months. After all, they will still be receiving the money except that it will take a longer period of time. But the bottom line is, the people need some sort of a relief right now, and this bill is one form of relief. I think we owe it to the people, I think we owe it to pass this. Some people out there – they cannot face the day knowing that they do not know when their power is going to get cut off. I just want to say, Mr. Speaker that I am for this bill, at least for this one relief bill. I know that we are doing something right now, and eventually we will see the light at the end of the tunnel. Thank you.

Speaker Babauta: I am just cautioning the members of the ramification of this financially. You may probably be experiencing some of these scenarios that I just told you earlier, but it is a policy call the every member is allowed. Let me recognize Representative Joseph Deleon Guerrero.

Rep. Joseph Deleon Guerrero: Mr. Speaker, this bill does not say that residential consumers would be granted one year to pay. It says, they may be granted up to one year. So that still gives CUC the flexibility of determining what the appropriate length of their promissory notes. If it is a small bill where they disconnected because they did not pay \$200.00, then I assume that two months would be reasonable to pay for that. However, there have been consumers that owe CUC in the thousands, and there are cases that it is not the consumers fault. I am aware of some instances where a person stayed in a new house, was hooked up to water and power, but CUC failed on their part to bill that consumer for awhile and it took them a long time to finally get their billing done, and by the time the consumer got his/her bill, it is already months. As a matter of fact, I am one of those customers that

signed a promissory note to pay for something – the point I am trying to make here is that it is warranted in some cases that it requires up to one year, but it does not say that they would be given one year. It just says up to one year, and I think this bill is flexible enough, and that it does grant relief, but it also gives CUC the discretion to determine what the reasonable amount of time up to one year. So that with, Mr. Speaker, I also encourage my colleagues to consider this bill and support it. Thank you.

Speaker Babauta: Granted, that sentence gave flexibility to CUC to grant up to one year, but only if line 12 where the word, “shall” is replaced to “may.” That would be more flexible, but shall is already mandating one year. I recognize Representative Tenorio.

Rep. Tenorio: I want to ask my colleague if he is finish, Mr. Speaker.

Speaker Babauta: He is done.

Rep. Tenorio: Thank you. Mr. Speaker, I have listening to the concerns aired, and both sides have merits. This is just a clarification because I am not really sure how the mechanics of this is going to be done. But for instance, if I owe CUC for the month of April \$300.00, can I get a promissory note for as long as I want? Right now, I think they only give you up to three months for an outstanding balance, but if the bill is contested, you can carry on forever, but the interest keeps piling up – you can do a prepayment arrangement right now. I have done that for one year for bigger amounts. But, if I do not pay now and I ask that I be given three months and the next bill comes but I cannot pay...right now people are having a big problem with the cut down in their salaries and now their utilities have gone up so it is an ever unending problem, and it will keep piling up because you got that window for one entire year. By the time that year is finished and you pay \$100 to \$300 dollars, but you would have accumulated all the months back in the interest...I do not know how the mechanics is going to be done, although it gives leverage or allowance for CUC to come up with their own regulations. There are existing regulations right now. I am just afraid that if this is done that way, and it is allowed to accumulate, I think sooner or later, we would not have any power. But that is not saying that I do not have any feelings for the poor consumers because I know that they are out there and having hard time making ends meet, but it is just the practicality of this thing on how we can...maybe we can perhaps limit this to one to two promissory notes for a certain period of time. It is just that I am concern that this thing might pile up, but at the same time, we want to help our consumers that are having hard time. I understand that CUC just cuts your power for a balance of \$5.00 and charge you \$75.00 to reconnect. I think that is actually punishing these people.

Speaker Babauta: I do not know whether that allegation is true or not, because I have yet to see one. I know some complaints were launched in Tinian and Rota, but in Saipan, I do not know. But I guess the mechanic as I understood from some constituents is, CUC would issue you a promissory note for three months, and at the same time, you will be allowed to pay based on those three months – they prorate the amounts, and at the same time, you get to update your current billing as well as the arrears on the promissory note. That is what I know about the policy of utility payment. Let us take a short recess so that we can clarify this provision. Short recess.

The House recessed at 3:47 p.m.

RECESS

The House reconvened at 3:50 p.m.

Speaker Babauta: We are back to our plenary session, and I recognize the Vice Speaker.

Vice Speaker Quitugua: Just for clarification. After listening to some of the comments on residential consumers, and I would like to be corrected...I heard that people who are staying in an apartment are considered commercial?

The Chair recognized Representative Yumul.

Rep. Yumul: Mr. Speaker, they are residential customers, but they have to show proof of a tenancy agreement before CUC could hook up the power. That means that the landlord has to authorize. So you are still getting landlord authorization.

Speaker Babauta: So to all of you who are landlords, I wish you luck on your utility promissory note.

Rep. Joseph Deleon Guerrero: Point of clarification.

Speaker Babauta: State your point, Representative Deleon Guerrero.

Rep. Joseph Deleon Guerrero:...[microphone off]

Speaker Babauta: I think there are some units that are rented out or leased out that includes utility. So if that is the case, it should be assessed commercial. In some units, some owners have rent them out as dwelling and have separate meters. I noticed that many apartments have many meters numbered on their wall. It is similar to a house being extended silently on the side, and has a separate meter. It is called a separate unit. I recognize Representative Waki.

Rep. Waki: Thank you, Mr. Speaker. I understand the need to make promissory notes for billings because of the rise or the cost of power – the problem that we are going to have here if you look at it is it is going to be – how many times can you make a promissory note? If you are delinquent this month, you are short by a \$100.00, you make a promissory note. Next month, you say you are going to be short another \$100.00 again, and \$100.00 a month after. Responsibility lies in the consumer. It is unfortunate that we have the problem that we are having, but the bottom line is, everybody is going to try to conserve knowing what it is going to cost them that they can afford to pay. What do they need to do to cut it down so that way they do not have to make these promissory notes. I can tell you one thing, you make a promissory note once, twice, the likelihood of you ever catching up is unlikely, and then what we do is, we are putting people in an additional burden rather than just them cutting back or going to the Energy Office trying to find a way to conserve energy based on their consumption. I mean, this is something that is inevitable, we need to try to conserve, and I know with the loss of revenues on government sides, and everything else. This is nothing new and we understand that people are just basically going out complaining, I cannot pay my bill. Well, if your bill was \$300.00 and you cannot pay for it, and then again, the next following month your bill is \$300.00, what did you do to cut down? You knew you cannot afford \$300.00, but your bill is back up to \$300.00, did you do anything to conserve? I am just saying that it is our responsibility to help

the people as much as we can, but it is also their responsibility to help themselves. That is all I am saying. We give promissory notes to people – it only perpetuates the problem because people have a tendency to go ahead and borrow money or utilize money especially when we close on an austerity Friday and they get paid. But the bottom line is, you are still going to have to live your life, power and gas is part of your life, but you have to learn to budget. I know it is very difficult. It is difficult for everybody, but that is just life. You have a loan at the bank and you know you have to pay that loan. If you go to the bank with a short, you are considered delinquent. It is irrelevant, and then two to three months of being short, depending, if it is a car, they will take your car. These are just the responsibilities when you make a decision to utilize certain amount of services. You are going to have to make a payment. The agency had already gives you an opportunity for three to six months, giving them anything more than that is helping them to stay in debt for however long. I do not think that is the right thing to do. We have not even called in CUC to find out what is the real problem. What do they face on a daily basis? What are the issues? That is why to pass a bill like this without a Committee review, without any input from the agency – I am not saying the agency is going to tell us all the truth, but at least a little bit of information based on track record of the type of people that come in with the same problem that need assistance. Which ones do we help? And where do we draw the line? Do we do a \$50.00 promissory note? Is it a minimum of \$200.00 for a promissory note, and how many times do you give them in promissory note? This does not answer all those questions, and I just hate for us to allow CUC to go ahead and give them a promissory note because the law says that they may, and then people say, the law says, and then when they give the promissory note, they will get cut off because they cannot even pay that. This is where I am just saying that we are going to perpetuate a problem that is already an issue at CUC, and I think what it comes down to is just trying to be as responsible as possible and hopefully we will get our power problem fixed so that it would be a lower cost. But still, the responsibility is in the hands of the consumer who uses the power, and to need to cut so that they can afford for the time being to stay within that means. That is all I wanted to say. I do not believe that this is the answer to solving this particular problem. Thank you.

Speaker Babauta: Let me clarify something from the Counsel. Can we discriminate from residential and commercial as far as policy is concern in payment?

Legal Counsel Ian Catlett: Thank you, Mr. Speaker. I do not think commercial businesses are protected class under the Constitution. That is the best answer I could give you - so you would not have to show much of a basis, and your basis for helping residents is helping families, helping people pay their power bills, which commercial businesses do not really have that same problem unless they are going out of business. I guess my short answer would be, I do not think that they are a protected class that the Constitution gives a maximum protection too, so yes, you would be able to differentiate.

Speaker Babauta: Okay. I recognize Chairman Dela Cruz.

Rep. Dela Cruz: Thank you, Mr. Speaker. First of all, I just want to say that CUC has a regulation as far as promissory notes go. They can only provide one promissory note and just one. Once you renege on paying the promissory note within a three months period, you are disconnected. So, there is no - as far as being given more than one promissory note at any time. First of all, I wanted to let everyone know that I did passed out the reply letter from the Department of Energy of Public Works, and also a reply letter from CUC, and I do not know whether anyone here has not received any of the

two letter, but by looking at both letters especially on CUC's reply, they have not given me any form of answer as to their financials. They are giving me the curve right now trying to say that they are working on it. They are working on the 2005 and 2006 audit report. I am asking for the raw data, and this is the reply that they give us. We can be nice, but when we are being thrown a curve, we have to wake up and say, these people are not being helpful. They are not being cooperative. They are being arrogant. This is what we have to live with day by day? One of the things is that, a lot of consumers out there, I can honestly say that they are very honest paying customers, but at times, they feel the pinch when their bills start adding up, and then they look at it. There is a reason why their bills are adding up. I can understand the concerns here about conserving energy. That is all I do, and my house, I changed all incandescents to the CFO bulbs. I know the government is probably not doing that. I know they are not. Let me give you one good example, right across the street, there is a government office here, and they have recently renovated, and what do they put outside on their overhangs? They put four streetlights outside, 175 watt bulbs per street light. That is 700 watts total. Is the government doing conservation as far as energy goes? No. We are wasting a lot of on utilities here. But going back to the point, Mr. Speaker, we have a lot of people here that have been making payment all their lives, and they have been doing it diligently. But at a time right now when their CUC bills have a little bit more than doubled, you know, I can say that it is hard for them. This is one relief that might help these people here. CUC is not going to close up because we extend the three months period to a one year period. They are not going to close down. I can safely say that, but we try almost everything to figure out what we can do, but most of all, we have to think about these people out there. People that are coming up and saying, I am really having a hard time right now, and I wish they can just structure it a little bit further so that I can have a little extra for other things in the house, and that is the issue of the discussion that we have right now, and that is to find some way of helping these people. If they do not pay within one year, by all means, cut them off, but they should be given a chance. Thank you, Mr. Speaker.

Speaker Babauta:...[beginning of tape 3 Side A]...to request CUC not necessarily the names of the people or rather the customers that were given more than one promissory note for the last two years. The total number here in Saipan, Rota, and Tinian.

Rep. Dela Cruz: Yes, Mr. Speaker.

Speaker Babauta: I understand that many of them were given from three to six times of promissory note. If we have that data, I think we can pretty much focus whether or not we need to move on in helping these individuals. I recognize Representative Tenorio.

Rep. Tenorio: I think what is happening now is that CUC is giving out promissory note for three months, and you can pay this as fast as you can so that on the next billing, you can ask for another promissory note if you are delinquent. Maybe that is how you do it, because if you have a problem every month – today you cannot sign a promissory note for one year for only \$250.00, but what about the next month's bill?

Speaker Babauta: I think the policy has been changed now, so I think they give you one promissory note for one arrear.

Rep. Tenorio: That is what I am saying, but if you pay that promissory note...

Speaker Babauta: So if you failed that promissory note, they will cut you off, and they will not reconnect that particular account even if you transfer name.

Rep. Tenorio: Exactly. But what I am merely saying is that, you have a promissory note for six months, you pay it in two months then you can do another promissory note if you cannot pay the succeeding bill.

Speaker Babauta: I do not know whether they can do that, but I understand that...

Rep. Tenorio: That is the question that you are asking, Mr. Speaker.

Speaker Babauta: That is why I asked the Chairman to inquire the numbers in Saipan, Tinian, and Rota who were given more than one promissory note in one year so that we can look at that.

Rep. Tenorio: Maybe the Chair can answer my question.

Rep. Dela Cruz: Well, I certainly inquire, Mr. Speaker. To be honest with you, I am not sure whether we can gather that information from them, but I will certainly ask.

Speaker Babauta: I think you could because I chanced upon few individuals that I try to help, but these individuals were given more than three promissory notes for several occasions, and they would not reconnect their utility until they amortize what is due, and pay the reconnection fee, and promised to be updated on their current billing. I think there are some incidents of that nature.

Rep. Dela Cruz: Also, as a side note, Mr. Speaker, I received a copy of their electrical regulations as well as their water and sewer, I have yet to go over them, but everyone is welcome if they need to.

The Chair recognized Representative Taman.

Rep. Taman: Thank you, Mr. Speaker. I am a little bit surprised that I do not see a unanimous support to this bill. This bill is only trying to answer the community crying out there. We are not trying to kill CUC, and we are not trying to tell the people not to learn and educate themselves on how to conserve energy. I am very sure that people are doing that nowadays, but with the high cost of utilities, and the minimum wage, and the high cost of merchandise in the stores, Mr. Speaker, everyone is suffering. This bill is only trying to provide that relief. With regards to technicalities on how do we go about in providing this relief, I am sure that CUC can come up with appropriate regulations, but let us please answer the call of those people out there who in dire need of our response. Thank you.

The Chair recognized Representative Kaipat.

Rep. Kaipat: Thank you, Mr. Speaker. I just want to add my two-sense. When I see merits in both sides of the argument, obviously, CUC needs to make some money to be sure that they get the fuel, but it is really difficult to not hear the cries or the calls of the community. I get a call practically every single day when people are appealing and asking for some type of a relief. It just seems to me that we need to at the very least get CUC in here to get some information because I think that in these difficult times, they need to be a bit more customer friendly and understanding on how they

deal with the community. I hear lots of complaints about how they are treated when they go to CUC, and the rudeness. I have mentioned this before in meetings with PUTC members and CUC. It is an emotional issue. People are concerned. I had people calling me in and say, I have a family member who is sick and needs the electricity, but since we were not able to meet the requirements of the promissory note, they will not allow us to sign another one. What do you say? What do you do with those situations? Obviously, it is not an acceptable situation to allow it to continue. We have the responsibility to heal the calls of our community and do something, and whether it be getting the Energy Office to provide more...to paint the roofs of houses to get the electricity down or changing light bulbs. We need to come up with some kind of program. With the money that is being collected by CUC, perhaps they can come up and work with the Energy Office and come up with some kind of programs and relief for the community. I do not think that we have enough information at hand just to grant it. I really think it is worth it for us to call in CUC and demand the information that we need to make informed decision on this matter, and come up with some permanent short and long term solution, not just react and put out the fire and allow the situation to continue. I know what it is like to be in a cycle of debt. It is like when you have a credit card and you just pile up your debt, and you think, okay, I will just keep making these payments, and even the interest alone will kill you. But we live in these extraordinary times, and a lot is being asked of our people, and a lot of these people are just merely asking for survival. I really think that it behooves all of us to act quickly, and call CUC in here and demand the information that we need to make our decisions. If it requires based on our investigation, if it requires that we pass this legislation to grant a year then I think we should. We should do it quickly. Right now if the Chairman of PUTC Committee is saying that they are playing games with them then if it has to be that we have to have an oversight hearing then that is what we will do. This is not the time that we will be playing games. We cannot and should not play with people's lives, but as I said, if we can request a dialogue with CUC and have them come in next week so we can find out the information that is missing, I think that we need to do that right away. Thank you.

The Chair recognized the Vice Speaker.

Vice Speaker Quitugua: Mr. Speaker, just a very minimal amendment just to give both CUC and the residential customers some flexibility. I hate to tie up the hands of CUC and then turn around and blame us for the policy we enacted. For that reason, on line 12, page 1, cross out the word, "shall" and insert the word, "may."

Speaker Babauta: Is that an oral amendment?

Vice Speaker Quitugua: Yes, Mr. Speaker.

The oral amendment offered by the Vice Speaker was seconded and carried by voice vote.

Speaker Babauta: The motion is carried. I recognize the Minority Leader.

Rep. Palacios: If we are going to do that, we minus well not even pass this legislation because it becomes useless. When you really want to change an existing practice, and you give them the option of the change and you say "may", CUC is just going to say, well, it is just a may. So what? We will just go back to three months and six months. If we are going to vote on this as it is already been amended, I would rather wait, and pull CUC in and really find out. I was ready to go ahead and

stick my neck out and put a “shall”, but passing a legislation that just says “may”, CUC is just going to basically say, so what. The Legislature passed another feel good legislation, and if that is what we are going to do here, Mr. Speaker, I would rather go the route that Congresswoman Kaipat suggested.

Speaker Babauta: To appease everyone’s concern, I would recommend that we place this on First Reading and engage PUTC Committee and the Chair to bring CUC personnel primarily those that deals with promissory notes. If I may continue to impress upon you and your Committee, I want to find out how many residential consumers where given promissory notes more than once. I need the numbers. How many in Saipan, Tinian and Rota so that we may once and for all determine whether or not we can pursue with this as the Minority Leader says, “feel good legislation.” I recognize Representative Tebuteb.

Rep. Tebuteb: I was just going to suggest, Mr. Speaker, in line with what you are recommending on the number over the specific names, maybe even the trend, but since you mentioned that we may have CUC up here then it is okay. I was just going to suggest that even the trend of those monthly promissory notes...

Speaker Babauta: Correct. I recognize Representative Yumul.

Rep. Yumul: Before you make that motion, I would like to go back and make a motion to rescind my prior amendment that changed subsection “(h)” to letter “(i)” in accordance with the Counsel’s comment that...

Speaker Babauta: We will consider that technical in nature.

Rep. Yumul: Thank you.

Speaker Babauta: Floor Leader, subsidiary motion for First Reading and place the bill on the Calendar.

Floor Leader Florencio Deleon Guerrero: So moved, Mr. Speaker.

The subsidiary motion to place H. B. NO. 15-244 on First Reading only was seconded and carried by voice vote.

Speaker Babauta: The motion is carried. It is now 4:20 p.m., and we are sharing the financial burden of our government and we do not want to drag our Bureau staff unless we agree not to debate extensively on the next bill. I recognize the Floor Leader.

Floor Leader Florencio Deleon Guerrero: So moved, Mr. Speaker, for the passage on First and Final Reading, S. B. NO. 15-87, SD1.

The motion was seconded.

S. B. No. 15-87, SD1: A BILL FOR AN ACT TO AMEND 4 CMC § 3214; AND FOR OTHER PURPOSES.

Speaker Babauta: Floor Leader, can you move that on First Reading only?

Floor Leader Florencio Deleon Guerrero: So moved, Mr. Speaker.

The motion to pass S. B. NO. 15-87, SD1 on First Reading was seconded and carried by voice vote.

Speaker Babauta: The motion is carried. Floor Leader.

Floor Leader Florencio Deleon Guerrero: So moved, Mr. Speaker, for the passage on First and Final Reading, H. B. No. 15-241.

The motion was seconded.

H. B. NO. 15-241: A BILL FOR AN ACT TO REAPPROPRIATE FUNDS FOR THE PURCHASE OF A MOBILE HEALTH CLINIC AND THE DIABETES PREVENTION CONTROL PROGRAM BY REPEALING AND REENACTING PUBLIC LAW 14-80(3)(A); AND FOR OTHER PURPOSES.

Speaker Babauta: Discussion. I recognize the Vice Speaker.

Vice Speaker Quitugua: Thank you, Mr. Speaker. On Section 3 of the bill on page 2, I would like to ask who is receiving the Master Settlement Funds?

The Chair recognized the author, Representative Seman.

Rep. Seman: Thank you, Mr. Speaker. We have yet to receive the latest of the Tobacco Settlement that we normally should be receiving as part of taking part in the lawsuit. Although the Attorney General's Office is the one that looks into this, I have not received a report yet on whether or not we have received any, but prior to the enactment of Public Law 14-80, they were funded and inadvertently, I had ceased that funding through the enactment of Public Law 14-80. They have brought that concern to my attention after the enactment of that legislation to put that funding back because that was the only funding that will continue to allow the A.G.'s Office to safeguard the Master Settlement. I can check with Mr. Bob Schrack if there was anything received to this point, but I am not aware if whether we had received anything since the last in 2003 when we received the first of the installments.

The Chair recognized the Vice Speaker.

Vice Speaker Quitugua: Mr. Speaker, I am concern about the \$25,000.00 that was funded for the extension of the San Roque Dispensary Center. Is that taken out every year or reappropriated under this section?

Rep. Seman: The Department of Public Health had recently closed down that clinic because of the fact that there is no funding to even operate it, and the money appropriated under Public Law 14-80 is to expand it, and they have asked that they can address the issues of wellness more through the Mobile Clinic. That is why they had asked to reprogram both funding under Public Law 14-80,

which is originally \$42,000.00 appropriated to the San Roque Wellness Center. Right now, it is not being operated. It is closed.

Vice Speaker Quitugua: This is for the record, Mr. Speaker, if Public Health wants that appropriated – every year when they open the clinic, they call my office to see if I can provide a tent and some tables for the patience because the clinic is too small to accommodate the patients that are coming from As Matus, Achugao, and the San Roque area. I just want to state for the record that in the future if Public Health calls my office, if I am still around, I will deny that for this reason. Thank you.

The Chair recognized Representative Kaipat.

Rep. Kaipat: Thank you, Mr. Speaker. Just a clarification from the author. The particular clinic that you are talking about is the San Roque Clinic that is closed down?

Rep. Seman: The Dispensary.

Rep. Kaipat: The reason that they are closed down to begin with is that they do not have the \$25,000.00 funding, right?

Rep. Seman: They do not have the funding to operate it, run it, and to provide the staff to go there to provide the services on a regular basis. The funding only provides for the renovation and expansion of the building, but not to provide funding to operate. And because of budget shortfall, they have closed it down, and they felt that having the Mobile Clinic, they will be able to go around the villages and provide those public health services.

Rep. Kaipat: That may actually work out to their advantage. I have heard some complaints about that particular dispensary closing down, and people who do not have cars are finding it difficult to get help, but in this case, since this is a Mobile Clinic, and it will be able to go around and go to each of the villages there, I think it is a good option. So if it is just taking it away and not providing them with any other option for health care, then I will not support it, but I am in favor of this option.

Rep. Seman: Thank you.

The Chair recognized Representative Waki.

Rep. Waki: Just a quick clarification. Curiosity, is this \$442,000.00 in the bank? Is it there now sitting and waiting to be appropriated?

Rep. Seman: We received a report from the Department of Finance – we basically have a report that specific accounts have already been allotted through First Quarter collection beginning September 1st 2006 through December. They have also mentioned that the collection for Second Quarter will be allotted. They were doing it per percentage, and they have also mentioned that by the collection of Third Quarter, all programs provided under Public Law 14-80 will be 100% allotted. So by the end of the Third Quarter of this fiscal year, there will be 100% funding for all these programs under Public Law 14-80, and because Public Health thinks that by the Third Quarter even if they have that \$450,000 for the wellness center in Kagman and the \$42,000 for San Roque, they will not be – even

if the money is there and they build the wellness center, they will not have the money to operate it. So they asked if we can reprogram that specific amount so that comes Third Quarter when the money is 100% allotted, they can use that money to purchase the Mobile Clinic instead. So no money has been touched until the accounts are fully allotted and that would be around the end of the Third Quarter.

The Chair recognized Representative Waki.

Rep. Waki: Okay. I am just wondering because if we are going to go ahead and move the monies around, it is just a matter of if the money is going to be available and you pretty much mentioned that, and hopefully we will always know that the funding coming from Public Law 14-80 – a lot of times our revenues are decreasing so hopefully the percentages that we are getting will be enough to fund it completely. Now, given that, because if I am not mistaken, on the Mobile Health Clinic, I remember correctly, contacts in Japan which are probably the same people that the Secretary of Health is been talking to, they were mentioning that they may have, for \$250,000.00, we could probably get two, which is better than one. I was going to ask you on these others – on number 2, for the diabetes prevention and the diabetes control program, are they not federally funded? There are quite a bit that are federally funded. So is there a need for us to actually fund these or is it already preset under Public Law 14-80 that these would be funded?

The Chair recognized Representative Seman.

Rep. Seman: The funds that DPCP is using to currently run the program are basically not federal funds directly to DPCP but to the Department of Public Health. So they are basically riding on to money received through the Department of Public Health, but not specifically funded for those programs. They were receiving funding through the Tobacco Control Funds prior to the enactment of Public Law 14-80, and after that, it was zero funded. So they have been very innovative in trying to raise funds to continue operating it, but basically, there are only two persons there who try to open the office. It was actually opened through funding from the Tobacco Control Fund, but immediately after Public Law 14-80, the funding was at zero. So the Department of Public Health was good enough to continue to provide a little bit of funding to DPCP, but they would like to have their own funding directly appropriated to that program. They do not have actual federal grants or federal funding directly to DPCP.

The Chair recognized Representative Joseph Deleon Guerrero.

Rep. Joseph Deleon Guerrero: Regarding the federal grants, yes, Representative Seman is correct. They do get small amounts of funding that is very restrictive in terms of how it can be used. It cannot be used for operation, but they can use it for example to purchase a laptop computer so that they can develop a registry of diabetics or to use it for a very specific purpose, but not for operational use. Thank you.

Speaker Babauta: For the benefit of the members, this is money as a result of the Nations settlement with the tobacco manufacturers. This is not the Tobacco Fund that we are appropriating?

Rep. Seman: This is from the Sin tax.

Speaker Babauta: But Public Law 14-80 created those programs?

Rep. Seman: Yes, out of the Sin Tax.

Speaker Babauta: So aside from the Master Settlement, certain percent is earmark from the Sin Tax to fund this programs that otherwise we are appropriating now...

Vice Speaker Quitugua: Mr. Speaker, this appropriation is a continuing appropriation of funds. I am concerned, the A.G.'s Office should get their funding from the Master Settlement, and if the A.G.'s Office is going to get \$50,000.00, they should get the \$50,000.00 to enforce the Sin Tax Law. Mr. Speaker, I read on the paper that the hospital still needs some funds for CAT scan or some equipment. They still need more funds to purchase their equipment, and I will suggest that the \$50,000.00 goes to CHC for the purchase of that equipment instead.

The Chair recognized Representative Seman.

Rep. Seman: Okay. Public Law 13-38 is very specific. The 30% deposited into the Tobacco Control Fund must be appropriated by the Legislature for specifically prevention programs as well as programs that addresses the prevention of tobacco's and such things. The money that received from the Master Settlement also requires legislative appropriation. So it is not something that the Attorney General's Office will receive, and then they have the flexibility to just use it. It needs to be reported to the Legislature and be appropriated accordingly, but we need to assign someone from the A.G.'s Office to safeguard that Master Settlement because we do not know when the next payment of the settlement would come out. It was funded during the last appropriation, but unfortunately through my oversight, I did not include that in Public Law 14-80.

Speaker Babauta: Representative Seman, this is the amount that was appropriated by Public Law 14-80, right?

Rep. Seman: Public Law 14-80 appropriates \$1.1 or \$1.77 Million dollars, but the \$492,000.00 appropriated to the Department of Public Health – this is the only thing that I am reappropriating. The rest stays the same.

Speaker Babauta: Okay. Are you ready for the question? Clerk, call the roll.

The Clerk called the roll on the motion to pass H. B. No. 15-241 on First and Final Reading:

Rep. Martin B. Ada	excused
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	absent during voting
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	yes
Rep. Absalon V. Waki, Jr.	yes
Rep. Ray N. Yumul	yes
Rep. Oscar M. Babauta	yes

Speaker Babauta: By a vote of 16 “yes”, H. B. NO. 15-241 passes the House on First and Final Reading. Floor Leader, motion for recess.

Floor Leader Florencio Deleon Guerrero: So moved, Mr. Speaker, for recess subject to your call.

MISCELLANEOUS

None

ANNOUNCEMENTS

The House adjourned at 4:45 p.m.

Respectfully submitted,

Vicky T. Guerrero, Journal Clerk
House of Representatives

APPEARANCE OF LOCAL BILLS

SECOND APPEARANCE
None

THIRD APPEARANCE:
None