



House Journal

SECOND SPECIAL SESSION, 2007

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First Day

April 18, 2007

The House of Representatives of the Fifteenth Northern Marianas Commonwealth Legislature convened its First Day, Second Special Session on Wednesday, April 18, 2007, at 1:25 p.m. in the House Chamber on Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

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

A moment of silent prayer was observed.

The Clerk called the roll and Seventeen members were present. Representative Absalon V. Waki, Jr. was excused.

Speaker Babauta: I want to welcome the people in the audience to the House Chamber. I understand that most of you are from the Public School System. Welcome to the House Chamber, Mr. Commissioner. I assumed that there is an interest this afternoon regarding your agency. Again, I apologize for the members that we started out late, I understand that the Committee on Ways and Means had a lengthy meeting and most of the members were present this morning along with the Secretary of Finance and Planning Budget with respect to the financial conditions and present financial resources dilemma that the CNMI is facing. Once again, I apologize for the delay. Thank you.

ADOPTION OF JOURNALS

None

INTRODUCTION OF BILLS

H. B. NO. 15-247: A Bill for an Act to amend Chapter 4 of Division 3 of Title 1 of the Commonwealth Code to establish a new schedule of monetary assessments against individuals convicted of misdemeanor or felony charges to be deposited into an "Assistance to Victims of Crime Revolving Fund; and for other purposes.

Offered by: Rep. Benjamin B. Seman and five others

H. B. NO. 15-248: A Bill for an Act to amend the Weapons Control Act to promote and allow resort developments offering target ranges for competitive rifle competition, and skeet shooting; and for other purposes.

Offered by: Rep. Jesus SN. Lizama and two others

H. B. NO. 15-249: A Bill for an Act to reappropriate Section 3(c) of Public Law 14-80; and for other purposes.

Offered by: Rep. Justo S. Quitugua

H. B. NO. 15-250: A Bill for an Act to provide for a nonrefundable tax credit for the purchase and installation of solar water heater at residential homes.

Offered by: Rep. Justo S. Quitugua

H. B. NO. 15-251: A Bill for an Act to amend the Phosphate Detergent Act (2 CMC §§ 3701 et seq.); and for other purposes.

Offered by: Rep. Jacinta M. Kaipat

H. B. NO. 15-252: A Bill for an Act to add a new subsection 8143(d) under Title 4, Division 8, Chapter 1, Article 4 to prohibit the Commonwealth Utilities Corporation from charging more than one month's security deposit per residential customer and to establish a trust fund for these deposits; and for other purposes.

Offered by: Rep. Francisco S. Dela Cruz and seventeen others

H. B. NO. 15-253: A Bill for an Act to prohibit sexual harassment in the Commonwealth, establish penalties; and for other purposes.

Offered by: Rep. Martin B. Ada

H. B. NO. 15-254: A Bill for an Act to designate Lau Lau Bay as a boat launching site to facilitate quicker response times for emergencies located on the eastern coastline of Saipan; and for other purposes.

Offered by: Rep. Joseph P. Deleon Guerrero and eleven others
Referred to: Committee on Natural Resources

Speaker Babauta: Before we move on to item number 3, I would like to also recognize the former Constitution Convention President and Board member, Mr. Herman T. Guerrero. Welcome.

INTRODUCTION OF RESOLUTIONS

Hse. Comm. Res. NO. 15-92: A House Commemorative Resolution commemorating the First Carolinian Language Symposium, slated for April 18 – 19, 2007, to be held on the island of Saipan, Commonwealth of the Northern Mariana Islands.

Offered by: Rep. Oscar M. Babauta and seventeen others

H. R. No. 15-107: A House Resolution to recognize, commend and congratulate Elizabeth Anne Seither Nepaial for receiving the Commissioner's Award, a prestigious award from the United States Department of Health and Human Services Administration on Children, Youth and Families, and for her dedication and commitment to our children's wellbeing and education.

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

H. R. No. 15-108: A House Resolution to urge Governor Benigno R. Fitial to communicate with the United States Department of Defense to encourage the establishment of a permanent military presence in the Commonwealth of the Northern Mariana Islands.

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

H. R. No. 15-109: A House Resolution to respectfully request the Department of Public Works for the immediate repair of a damaged portion of Afetna Road.

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

H. J. R. No. 15-18: A House Joint Resolution to encourage the participation of the U.S. Department of Energy and Nuclear Power Generation Manufacturers to assist the Commonwealth in the Feasibility of safe and compact nuclear power generators.

Offered by: Rep. Stanley T. McGinnis Torres and seventeen others

H. J. R. No. 15-19: A House Joint Resolution to request the Governor and the Department of Public Lands to increase revenue collection by supporting full and immediate implementation of Public Law 15-21, dismissing the case *CNMI v. JG Sablan Rock Quarry, Inc.*, Civil Action No. 06-0378, and reinstating Commercial Mining Permit No. CP95-O1S.

Offered by: Rep. Candido B. Taman and eight others

MESSAGES FROM THE GOVERNOR

Gov. COMM. 15-224: (4/9/07) Appointing Ms. Velma M. Palacios to serve as a member of PUC representing Engineering/Saipan.

Gov. COMM. 15-225: (4/11/07) Informing the House that he disapproved H. B. No. 15-186, HS1, (To limit the amount of annual leave a government employee can accumulate). [Vetoed: 4/11/07 – Deadline: 6/12/07]

Gov. COMM. 15-226: (4/11/07) Informing the House that he signed into law H. B. No. 15-21, HS1, (Regarding orderly conduct at polling places). [Became **Public Law No. 15-52**]

Gov. COMM. 15-227: (4/12/07) Enclosing a copy of Ms. Lina L. Villagomez's Resume', Statement of Financial Interest and Drug Test Receipt. (PUC Appointee)

The Chair recognized Representative Torres.

Rep. Torres: Mr. Speaker, I see that the Governor has submitted a resume, financial statement, and a drug test receipt of a candidate, Ms. Lina Villgomez. Mr. Speaker, I strongly recommend that we would not act on any of the appointment without drug test result. It seems like the Legislature has adopted a practice of confirming appointed members to Boards and Commissions by just receiving a drug test receipt. So what does that tells us? That is the person is found to be positive that it is okay to approve the appointment or confirm the appointment? I know of two that are sitting and one of the two is our Attorney General Matthew Gregory who was confirmed by the Senate by just merely submitting his drug test receipt. What happened to the result? Another is our Public Auditor. He submitted his receipt for drug test, but do we know if he tested negative or positive? He is sitting as a Public Auditor again. But my concern is the Attorney General Matthew Gregory has or was allegedly smoked marijuana before he became an attorney general. What happened to him smoking marijuana and not finding out if whether he tested positive for marijuana residue? This is a serious matter.

Speaker Babauta: Thank you for your recommendations and your keen observation as to the appointments confirmed by the Senate. I assume that the entire House has no bearing on the confirmations made by the Senate. That is a good suggestion, otherwise, be mindful also that there are provisions in the Constitution and pertinent statutes in our books regarding appointees that have failed either one or two of the requirements. I would recommend to the Chair to consider those recommendations. Chairman, may I kindly ask that you work with your Senate counterparts, and if you can conduct a joint meeting or hearing with respect to the PUC nominees?

Rep. Dela Cruz: Definitely, Mr. Speaker.

Speaker Babauta: Just so that we can expedite the installation of these nominees so that they can tackle all the CUC matters immediately. Thank you. I recognize the Vice Speaker.

Vice Speaker Quitugua: I thank the Governor for seeing the importance of H. B. NO. 15-21, HS1 under GOV. COMM. NO. 15-226, and for signing it into law. However, Mr. Speaker, with the financial or economic situation that we are facing with our government, I do not see the rationale for H. B. NO. 15-186 being vetoed. Mr. Speaker, the message from the Governor asserted the unfunded liability as a result of accumulation of annual leave and payment of sick leave from agencies. However, the fallacy to this is that there is still, I believe that in spite of the financial situation of our government, we are still going to allow agencies to continue practicing the payment of a huge annual and sick leave. For that, Mr. Speaker, if no objection, I would like to place this on today's Calendar for a vote on an override. Thank you.

Speaker Babauta: Before I recognize that request, Vice Speaker, have you worked with our counsel with respect to the comment or the transmittal letter of the Governor? What is the Administration's definition or comprehension of the context of that bill as far as liabilities is concern?

Vice Speaker Quitugua: Mr. Speaker, the bill was worked out with the Civil Service Commission and their recommendations are incorporated in the bill. The comment from the director of Personnel was also incorporated in the bill. The message, Mr. Speaker, or the concern that the Governor has is

the promulgation of rules and regulations in which the Civil Service Commission shall be the one to set such regulations. Mr. Speaker, the Civil Service Commission has no jurisdiction with the Legislature, no jurisdiction with the Judiciary, no jurisdiction with some of the autonomous agencies. The Supreme Court has made a ruling that even with NMC, the civil service regulations do not apply. So that is the gist of the vetoing message, Mr. Speaker. The autonomous agencies and the other branches of government shall promulgate their own rules and regulation to enforce this legislation. Thank you.

Speaker Babauta: So it seems that we would like to continue to pay accrued annual leave beyond 360 hours. We all know that these cash strapped government do not have the funding anymore. I think that the luxury of the past should cease and deceased this afternoon. I recognize Representative Kaipat.

Rep. Kaipat: Thank you, Mr. Speaker. I agree with that, and since we have the Secretary of Finance in the gallery, I was wondering if perhaps he could enlighten us on the reason for the veto. If he is so incline and prepared to answer, but I also do not want to put him on the spot if he is not prepared to answer the question.

Speaker Babauta: I saw the Secretary walk out a few minutes ago, but we will probably find out what is really the issue behind this whether we would continue to allow for all CNMI government employees to continue cashing their annual and sick leave as a result of the vetoed message of the Governor. That is a decision that would be made by all of us this afternoon. I do not think that this government would continue to pay lump sum annual leave anymore than what is set out in the bill. We need to put a stop to this. Whether the employees use it or lose it. That is why that legislation came about. Vice Speaker, is that a motion?

Vice Speaker Quitugua: Yes, Mr. Speaker.

Speaker Babauta: Discussion on the motion to override the Governor's veto under GOV. COMM. NO. 15-225. Ready. I recognize Representative Ada.

Rep. Ada: I just have a little point to make here. On the Governor's message, the letter itself on the last paragraph of the second page basically says that he is urging the Legislature to revisit and study further other ways to address excessive annual leave accruals and lump sum payments. I guess if we do not really need to – if we could come up with a different version of the bill and reintroduce it rather than apply this override power that we have right now. Thank you.

Speaker Babauta: Public Law 13-60 prohibits anymore when it became law to account for the lump sum, and so as to exchange the accrued annual leave into a vested service time. So accruing annual leave beyond what is stipulated in the bill would not do any good anymore. I guess the author is in compliance with that mandate as far as imposing the maximum 360 hours per year for both annual and sick leave. Ready for the question?

Several members voiced, "ready."

Speaker Babauta: We will be voting now to override the Governor's message under GOV. COMM. NO. 15-225, pertaining to H. B. NO. 15-186, HS1. Clerk, call the roll.

The Clerk called the roll on the motion to override the Governor's veto on H. B. NO. 15-186, HS1 on First and Final Reading:

Rep. Martin B. Ada	no
Rep. Edwin P. Aldan	yes
Rep. Francisco S. Dela Cruz	yes
Rep. Florencio T. Deleon Guerrero	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Jacinta M. Kaipat	yes
Rep. Jesus SN. Lizama	yes
Rep. Crispin M. Ogo	yes
Rep. Arnold I. Palacios	yes
Rep. Justo S. Quitugua	yes
Rep. Benjamin B. Seman	yes
Rep. Candido B. Taman	yes
Given the current fiscal condition of our Commonwealth, I think it is necessary for us to override this bill, and my vote is, "yes."	
Rep. Ramon A. Tebuteb	yes
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	yes
Rep. Absalon V. Waki, Jr.	excused
Rep. Ray N. Yumul	yes
Rep. Oscar M. Babauta	yes

Speaker Babauta: With a vote of 16 "yes", the motion to override H. B. NO. 15-186, HS1 under Gov. COMM. NO. 15-225 is hereby overridden. Any more comment under Governor's Communication?

SENATE COMMUNICATIONS

SEN. COMM. 15-182: (4/16/07) Transmitting a certified copy of S. R. NO. 15-43, entitled, "A Senate Resolution to authorize the Office of the Senate Legal Counsel to bring a Certified Question before the Supreme Court of the Commonwealth of the Northern Mariana Islands," which was adopted by the Senate on March 30, 2007. [For info]

SEN. COMM. 15-183: (4/15/07) Transmitting a certified copy of S. R. NO. 15-44, entitled, "A Senate Resolution expressing the Senate's congratulations and acknowledgement to Ms. Elvira Manglona for being the first Truman Scholar from the Commonwealth of the Northern Mariana Islands," which was adopted by the Senate on March 30, 2007. [For info]

The Chair recognized the Floor Leader.

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

There being no discussion, the suspension motion to accept SEN. COMM. NO. 15-182 and SEN. COMM. NO. 15-183 was carried by voice vote.

Speaker Babauta: The motion is carried. Let us move down to item number 7.

HOUSE COMMUNICATIONS

Speaker Babauta: Before I recognize the Minority Leader, my mom and my brothers and sisters had asked me to extend the families humble gratitude to my colleagues for your thoughtfulness, prayers, and words of condolences to us. So that being said, of behalf of them, I would like to thank you all of you who have in one way or the other expressed and enlighten our painful times. Thank you. I recognize the Minority Leader.

Rep. Palacios: Thank you, Mr. Speaker. Before you got there, I had wanted to expressed, on behalf of the members our sincere condolences on the passing of your father. Having said that, I also want to – I guess for the record, I want to ask that my letter to our Chairman of Ways and Means regarding the 2007 Budget be included in the House Communication and as well as my letter to you, Mr. Speaker, regarding the 2008 Budget.

Speaker Babauta: Thank you. That would be done. Clerk, take note, I released that letter out when I received the copy of your letter to Chairman Ogo. Evidently, I do not know why it did not appear. Your letter to my office would be released soon given the seriousness of your letter to my office expressing those concerns. It should be out whether today or tomorrow. Thank you.

Rep. Palacios: On another issue, Mr. Speaker, if I am not out of order, I would like to go back to the Senate Communication.

There was no objection.

SENATE COMMUNICATIONS

The Chair recognized Representative Palacios.

Rep. Palacios: Mr. Speaker, I want to comment on SEN. COMM. NO. 15-182. I think the House of Representatives also need to take this issue, and perhaps join the Senate in their effort to bring this to a certified question because we have an Initiative before us that has been introduced in the House. We also have a situation where our Municipal Council also introduced some ordinances and we need some clarification. Perhaps the Chair could look into this, Mr. Speaker, and see if we can join the Senate.

Speaker Babauta: Probably you are not too aware because I understand that this was during your personal leave when the House conducted a session and the entire members supported the Resolution endorsing the same certifying question to the Supreme Court clarifying the authority of our Municipal Council and that of our Mayor as far as legislative matters is concerned. So yes, the Council – I was supposed to meet with them today, but we had a session, and I will be meeting with them tomorrow to review the final both the Senate and the House to review the final draft of petition to the court. As soon as that is finalized and we sign on it, we will provide copies to all the members. It will be nice for all us to be down there during the hearing so that we know where and when our legislative parameters should stop as far as local matters are concerned. Yes, I assure you that we have – we regret that it was during your personal absence that the House took up the matter. The Senate recently did the same.

Rep. Palacios: Thank you for the clarification, Mr. Speaker.

Speaker Babauta: Thank you. Any more under House Communication?

HOUSE COMMUNICATIONS

The Chair recognized Chairman Yumul.

Rep. Yumul: Thank you, Mr. Speaker. This is in regards to the referral that had taken place last week with the family of Jeff Tenorio. He had a son that was referred to Hawaii, and was transported by Military Aircraft. I would like to just mentioned that CHC Medical Referral Office and primarily the staff within the Medical Office, and that of the Deputy Secretary Joe Santos – they were very critical in the implementation of this program, and I think they deserve big appreciation. I know that the media on Monday had included me as one of the person that succeeded in arranging the alternative aircraft and medical referral, but I would just like to mention on the record that I was no more involve with this then the parents were as a concerned individual just observing the whole issue unfold. The point I am getting at, Mr. Speaker, is that there is a serious issue with the Medical Referral. As we know, medical referral takes place when it has been determined that CHC cannot deal with the patient. They are given options to be referred off-island to a medical facility that can handle their needs, and the Referral Office is basically tasked to arrange for flight, and also the receiving of the patient at the opposite end so that they can be transported properly to the hospital. The issue that befell CHC and the people involved was that Continental Airlines has a very strict rule in determining whether the patient is capable of taking a seat on their flight, and Continental over the past have done this directly with the hospital, but in more recent years, they had hired a firm out of Texas called “Medlink.” Medlink basically is a board of advisers or an advisory board of medical professionals from the United States that would communicate directly with the hospital here and the doctor in charge, and then from that point determine whether the patient if medically fit to travel. From my understanding, the Advisory Board seems to be dictating – in most cases, whether a patient is clear to fly or not. I know some of the members here have personal experiences with this program. It is very frustrating when we know that Continental is the only link from the CNMI to places like the Philippines, which a lot of our patients have been going to for medical referral, due to the proximity, distance and the time it takes to fly, an issue that is also becoming clear to us is that Cape Air which operates smaller jet is not under FAA rules authorized to take patients on the stretchers, and also to allow medical oxygen bottles to be brought on board, thereby precipitating a break in transporting medical patients from Rota to Saipan, or even Tinian to Saipan. Fortunately for us, Americopters is capable for providing that service but at a fee. They have a helicopter that provides service from the Northern Islands and also from Tinian. They use a Cessna that would ferry medical patients from Rota to Saipan or Rota to Guam. Other than that, we do not have any capable means unless we communicate directly to Naval Forces Guam and request for helicopter evacuation from them. The other issues was when Continental Airlines removed the jet service, CHC had even jointly acquired medical transport equipment with Guam hospital to evacuate patients, but when this program was implemented, just a few years later, Continental stopped flying the 767’s. It is not very simple, Mr. Speaker, to get certification. I mean, buying equipment is one thing, getting it certified to fly is another burden where an organization can spend an upwards of \$30,000.00 just to certify that it is FAA compliant, and it also meets airlines standards and engineering requirements. So it is not very easy to do these things, and with respect to Military Air

evacuations, we are very fortunate – the Military’s primary function is to service military members that are currently serving America and also fighting the war. We become secondary. If it is convenient for them to fly through to pick up passengers here to be brought to the U. S. Mainland or Airports, the Military jet cannot bring patients to the Philippines, and their closest point is basically Hawaii. Due to the high cost of medical services in Hawaii, it becomes very interesting to see how we can even afford to pay for medical services. It is not just from the insurance, but for those indigent persons that were referred – the CNMI government which explains in part why medical referral incurred over \$4 Million dollars in expenses. I will be putting forward a House Resolution basically to urge the Governor to explore all possible options for improving the Commonwealth’s Emergency Air Evacuation System, and to seriously consider alternatives and also a plan where we can tie, not just our system but that of the medical insurers and the airlines so that we can all be...so that issues that had happened just recently are smoothly processed and these patients are brought to the proper facilities. Thank you, Mr. Speaker.

Speaker Babauta: Thank you for the enlightenment. Did you say “Medlink”...they are associated with whom?

Rep. Yumul: Continental Airlines hired a Medical Advisory Board or now an organization called “Medlink”. These are the contact organizations that CHC would have to hash out issues. So basically, you have CHC doctors and Medlink doctors consulting, and basically in a nutshell...

Speaker Babauta: Whether or not that person is feasible to be transported at an altitude of 36,000 or more.

Rep. Yumul: It is understandable that the concerns are high because above 8,000 feet, most aircraft is pressurized.

Speaker Babauta: What about IATA, are they also taking part on these certifications?

Rep. Yumul: Say again.

Speaker Babauta: The IATA? The International Air Transport Association. Do they take part in certification of airlines to take part on evacuation?

Rep. Yumul: I am not familiar with that, Mr. Speaker. When I researched all the airlines such as Northwest Airlines, Continental, and even American Airlines, each airline has their own preferred policies under preferred equipments.

Speaker Babauta: That is a concern especially now with the high security measures that is imposed upon every U.S. carrier. Thank you for sharing that information. I recognize the Minority Leader.

Rep. Palacios: Perhaps, Mr. Speaker, we can ask the Committee on Health to also as part of the efforts from the House to look into the incidents, and see what it is that we need to do as a body to help resolve these issues. Thank you.

Speaker Babauta: It has been part knowing the history or the experience with air carriers – it may be good recommendation, Chairman Lizama to ask the Secretary of Public Health to publicly address

this through the media on the – how you go about in getting people referred, because it does take time for patients to be referred. I understand that one of them is the availability of doctors knowing that the schedule in Honolulu or Philippines – whether that specific specialist is available. So those are taken into consideration other than having to go through Medlink to confirm the patient's stabilities. Let me ask Representative Seman to share this us.

Rep. Seman: Thank you, Mr. Speaker. Basically, it is not up to the doctors in Honolulu and the doctors in Saipan to determine whether that patient is feasible to get on that flight, and through FAA regulation, Continental is required to basically get a second party to determine whether compliances are met. But that is not the only factor that delays our patients' getting out of the CNMI, Mr. Speaker. Definitely, the inability for us to transport our stretcher patient's or patient's with oxygen off-island on a timely matter is true factor because of the fact that Continental has pulled out, and Northwest having to send our patient via Nagoya and Narita is very – it imposes a lot of factors that the patient would basically get into more shock arrest or...so the medical referral would like to rather send the patient via Guam and then to Honolulu, but because of no jet service to Guam, sometimes they have to get a chopper to bring the patient to Guam and stay there overnight, which would add on to additional cost to our medical referral because now we have to also pay Guam Memorial Hospital to take care of that patient overnight. Other factors, Mr. Speaker, are the Medicaid who covers 100% for our Medicaid clients. The CNMI has to shoulder 50% of what Federal Medicaid grants the CNMI, and we do not have that ability to continue or to be able to match those funds, and because of the inability of the CNMI to come up with the 50%, providers are not being paid on time, and I tell you, I think over 80% or 90% of the providers in Honolulu are not accepting patients that have Medicaid. So there are a lot of factors, and it all boils down to funding. Medical Referral has ceased permanently the subsistence allowance, and that is because the little over \$3.7 Million dollars that they receive in a yearly budget can only last them to about 5 to 6 months, because the CNMI is very generous in providing subsistence allowance, providing hotel accommodations, and paying for a little bit of their medical expenses. Many other different jurisdictions in our area do not have that. We are very generous and we need to face the fact that we do not have that kind of money as we did before. All we need to do is to educate our public to please take care of yourselves so that in the long run, you do not have to go through this sacrifice in which we delay your medical care. But I think that as long as the CNMI can at least get you to that facility, you can get yourself ready to pay for your subsistence allowance and be able to care for yourself there. It all boils down to financial situation that we have here, Mr. Speaker, and we just have to meet half way with our people and let them know that we are facing this situation. Thank you.

Speaker Babauta: Thank you for the enlightenment. We will continue to support those hot lunch as we pass the Beach Road. Chairman Yumul, recognized.

Rep. Yumul: One of the things, Mr. Speaker, I think it is also prudent for us to possibly ask the Chairman on PUTC to look into the issue with regards to the air service because part of the reason why the Military Jet was requested was that when the patient in this case needed to be evacuated Wednesday, Continental said that they cannot allow the passenger to fly. The next available flight to the Philippines was a Saturday, and the urgency here outweighed the stay for the patient to wait till Saturday. That was part of the reason why the medical evacuate by Military Jet was requested. If for example Continental Airline was flying daily or even five days a week, this issue would probably not come up because there would be dates that can be allowed. Also, Mr. Speaker, I would like to

give to the members a copy of 14CFR part 382 under the US Department of Transportation. This section basically outlines the requirements and also the rights of passengers that are in need of special services. This part is called nondiscrimination on the basis of disability in air travel, which also includes medical patients. If you are disabled temporary because of a medical illness, you are covered in this part, and it explains everything that is required of air carriers. I would like to make this available to everybody. Thank you.

Speaker Babauta: Before we continue, take note please, the Commonwealth Utilities Corporation's letter dated April 11th to Chairman Frank DelaCruz, please note that down as DEPT. & AGENCY COMM. NO. 15-57. I recognize Representative Tenorio.

Rep. Tenorio: Mr. Speaker, not on the evacuation, but on the subject of Public Health.

Speaker Babauta: Continue.

Rep. Tenorio: Thank you, Mr. Speaker. I have been reading news about our Public Health System being privatized, and there is a privatization scheme going on. I guess, I am just curious, Mr. Speaker whether the Committee on Health and Welfare is assessed of this because the Public Health is one of the largest agency that we have, and we want to know what is going on. It seems like we are left in the dark, and I do not know whether the Speaker has access to all of these information, but the administration has been rather...on this issue except for information one gets from the ...We need transparency of what is going on.

Speaker Babauta: The House do not have any factual information as far as the Administration's position to privatize whether impart or in whole of our Commonwealth Health Center services, but there is a desire that has been in this legislature in the past. I understand that there are several bills that have been introduced since the 10th, 11th, and 13th Legislature. The administration is looking at those legislation now to have a finite decision whether or not the hospital could be privatized and retain portion of it. Those are the issues that the Administration is debating amongst themselves trying to find ways on how to continue to save our finances as far as subsidizing the hospital. Be mindful that the hospital continues to increase its receivables. I understand now that it is about in the tune of \$100 Million presently. There is no finite mapping out of the privatization as you mentioned earlier, but that is an issue that has been discussed.

Rep. Tenorio: My concern is perhaps we should request the Committee on Health and Welfare to look into this matter and report to us before anything is finite with the privatization.

Speaker Babauta: I have expressed that point to the Vice Speaker and the Chairman to revisit those bills that were introduced by the various members in the past two to three legislatures. Those are very comprehensive bills that were introduced back then. I recognize the Vice Speaker.

Vice Speaker Quitugua: Mr. Speaker, I believe the Senate Committee on Health is working on that issue. I think they are coming up with a bill to privatize the Commonwealth Health Center.

The Chair recognized Chairwoman Kaipat.

Rep. Kaipat: Mr. Speaker, that is complex issue, and rather than us introducing bills, I think that it behooves all of us to educate ourselves. That means getting together with the Administration, the Senate, and inviting in the experts to really educate us on what the pro's and con's, and just work together on having one bill rather than piece meal. I would like to motion that we request that of our Senate colleagues and the Administration that we do this as soon as possible, because I know through our several meetings with the administration that this is something that they are entertaining. So it is not a surprise to us, but what I am afraid of is that, we are coming up with our bills, and we have not had a chance to hear from people who are in this field who can advise us properly. There are things that we need to be aware of that we should not be agreeing to privatize, and I for one would admit my own limited knowledge on this, but I am asking or requesting that we hold off on the bill until we properly educate ourselves. Thank you.

Speaker Babauta: Again, there is no concrete decision being made...[**End of Tape 1, Side A**]

[**Beginning of Tape 1, Side A**]

Speaker Babauta:...media report that the Senate is conducting hearings. I guess it started out with services, and then it ended up with a potential drafting of legislation to – we do not know their desire yet whether in whole or in part about our Public Health. When that time arises, we will definitely have to debate on it and come to a conclusion whether we want it or not, the only difference though is the private clinic. There is no indigent program, but our hospital does have one where you get treated and pay later, but sometimes later becomes more better at a later time. I recognize Representative Seman.

Rep. Seman: Thank you. I just want to set the record straight, Mr. Speaker. During the 13th Legislature, former Speaker Hofschneider introduced a bill, and was referred to my Committee. That bill was filed after some opposition from the Department of Public Health, but I would also suggest that if we are to conduct such meeting with the Department of Public Health, that we also invite the private health care providers to be part of this meeting to see if they can be able to handle the flow of out patient, if it does become privatized, because they will be the ones to inherit our patients, and definitely we need to address the indigenous issue that concerns the inability of our elderly the inability to pay.

Speaker Babauta: As I jokingly stated to the Secretary of Finance, if I had it my way for this FY 2008 Budget, if Public Health wanted \$45 Million, we will authorized them \$45 Million, but they will get it from their liability – receivables. Meaning, mandate them to collect those \$45 Million other than the general fund that we have collected already, seriously. We can probably debit that liability as being part of their budget so that – we need to compel these people to start collecting because I do not think that the CNMI can continue to act like the 1960's. The government does not have freebees anymore. All services are paid by taxpayers. So even if you go to Public Works for assistance, that employee that assisted you is paid by the CNMI taxpayer.

Rep. Tenorio: I understand that, Mr. Speaker. I understand the worst creditors are the government themselves.

Speaker Babauta: That is right. The government health insurance – we need to have them pay the hospital. I recognize Representative Torres.

Rep. Torres: If there is no more issue on public health, I would like to make a reminder statement to our PUTC Chairman to look into the IPP too. Maybe we need to look at the privatization of CUC.

Speaker Babauta: Thank you. Chairman Dela Cruz, please take note on the request of Representative Torres. Again, I ask the PUTC Committee to expedite all those nominees so that once we decided to confirm these people and they are confirm, then all these issues that arise in this Chamber could be very well be taken care of by the Commission. Anymore under House Communication?

Rep. Ada: Privilege, Mr. Speaker.

Speaker Babauta: State your privilege.

Rep. Ada: Since the House Communication by the Minority Leader to the Ways and Means Chairman addresses the Budget Shortfall that addresses the three critical departments, and one of those department is represented by our Public School System, administration, principal, and of course the students, is it proper at this point in time to resolve into the Committee of the Whole, and give them the privilege to address their issue?

Speaker Babauta: Before I recognize that suggestion, first of all, the Minority Leader's letter to the Chairman of Ways and Means is merely a concern of the Minority Leader and some members regarding the impact of the reduction of the revenue resources primarily for FY 2007. The other subsequent to that, there was another letter regarding the late submission of the FY 2008 Budget. That letter was written to the Chairman and myself. Earlier, I told the Minority Leader that my reply to his office would be today or early tomorrow morning. We all share the concerns of the Minority Leader as far as the resources are concern. Unless, there is a present agenda on today's Calendar, regarding Public School System issue, then we would go into the Committee of the Whole. If not, we need to pursue our session. Is there a finite – do you feel there is something going on that the Speaker do not know as well as the other members, Chairman Ada?

Rep. Ada: Well, Mr. Speaker, if you read the letter, it addresses the concern of the Commissioner on cutting down of the number of days for the school days that is required. That is mentioned in the Minority Leader's letter. I have that letter right here, Mr. Speaker, that the Board of Education informed the Legislature that 957 employees would be laid-off effective June 10, if the Public School Systems Budget is left unresolved.

Speaker Babauta: Let me put it this way. I would recommend to this House – I understand that the officials of the Public School System would be meeting with the Secretary of Finance tomorrow to iron out whatever fiscal crisis the Public School System is facing. I do not think that only PSS is affected by the potential decrease of revenue. The entire Commonwealth government is affected, and that includes the other essential agencies of the government which is the hospital. We do not want to see the hospital close down and we do not want to see the schools closed down either, and we do not want to see an increase in copper wire theft by closing down DPS, and allowing prisoners to leave the correction because there is no correction officer or allowing the detainees of our DYS to kill themselves or fight amongst each other back in Kagman because the guards are gone. We do not want to allow also PSS to close just because we have some fiscal crisis in our hands. I think that we

have sufficient experts in this government to find ways to alleviate those, but be mindful that we do not want to see any increase in wages, and please mark my word, I would kill any budget of this CNMI government if I see any salary increase for any agency or any department of this government in FY 2008. Believe me. I would rather see a continuing resolution than allow an unsung 2008 Budget with salary increase. We should start seeing a decrease. As mentioned earlier, the practice of the past should cease and decrease today. Any more? Again, I ask – let us allow our officials from the Public School System to meet with the Secretary of Finance tomorrow morning to iron out the fiscal issues with respect to PSS. When that is not achieved then we need to come back. I understand the Vice Speaker has a bill that would achieve that purposes.

Rep. Ada: Thank you, Mr. Speaker.

The Chair recognized Representative Dela Cruz.

Rep. Dela Cruz: Thank you, Mr. Speaker. I seconded the motion to Congressman Ada to merely invite the PSS personnel to come forward. One of the reasons why I wanted to have them come forward is because I have some concerns on their budget itself. I am glad that you mentioned that they will be meeting tomorrow with the Department of Finance, but my concern that I wanted to raise was the bundling of the personnel budget to their utility budget. That was my main concern, and I hope that it could be worked out tomorrow. Thank you.

Speaker Babauta: I thank you for reminding me. We just learned also that the bundling of the FY 2007 Budget for PSS is commingled with the utility payments. Meaning, utility payments can be used for personnel cost and that is the reason why - I actually refrained from saying this, but we need to allow the PSS to answer to the questions of the Secretary of Finance, and that would include Federal Funds, Local Funds appropriated by the Legislature over the years that have not been used for the past six years. So we really need to find out what is going on. I asked the Secretary of Finance to give us the data as a result of that meeting. I recognize Representative Tenorio.

Rep. Tenorio: Since both you and I, and a lot of the members really do not know why these personnel from PSS are here, I would like to know why they are here. With that, I move that we resolve into the Committee of the Whole so that we can hear them.

Speaker Babauta: Definitely. Before I allow that motion, let me recognize our Minority Leader.

Rep. Palacios: Thank you, Mr. Speaker. I know that the Secretary of Finance would be meeting with PSS tomorrow, but let me remind ourselves that even if they do meet, we have that responsibility, we still have that responsibility, and we have the responsibility to figure out how to fund PSS. It is not with the Secretary of Finance, and it is not with the Governor. With the failure of the submission of the dateline of submitting the 2008 Budget, the Governor may no longer have the authority to reprogram any funds to any agency, which means that, the ball is in our court that the Legislature by virtue of that provision of the Planning and Budgeting Act, we are the ones to figure out how to assist PSS. I know that the Vice Speaker has some proposal which would potentially assure continuing funding to PSS and replace the across the board cuts that is being imposed. I am very eager to deliberate on such a measure. I know that there was a proposal out there to give back to the Governor the reprogramming authority that was taken from him under Planning and Budgeting Act penalties. If we are to give the Governor the authority, then I request

that in that legislation, we not restrict the Governor from reprogramming funds from the Legislature and other agencies. I have not seen the final version. I have seen a version of it, but I will subject this legislature to pitch in and help fund PSS, DPH and DPS. We should not seal ourselves from cuts also. I know that most of us will support something like that. Thank you.

Speaker Babauta: There is a standing motion on the floor unless we want to continue to comment. I recognize the Vice Speaker.

Vice Speaker Quitugua: I want to apologize for receiving the draft legislation in regards to PSS late. That is why I did not introduce it this afternoon. However, Mr. Speaker, I will prefile the bill this afternoon so that all the members would have an opportunity to read it. Hopefully when we come back tomorrow, we will discuss it. There are two versions of restoring PSS' Budget, and it is up to us here in this Chamber to decide which version shall we pass. Thank you.

Speaker Babauta: Okay. I would now like to Resolved into the Committee of the Whole so that we may request the appearance here on the floor, the Commissioner of Education to answer pertinent questions about PSS Fiscal issues.

There was no objection.

The House went into Committee of the Whole at 2:43 p.m.

COMMITTEE OF THE WHOLE

The House returned to plenary session at 4:02 p.m.

Speaker Babauta: We are back to our plenary session. I recognize Chairman Yumul.

Rep. Yumul: If no objection, Mr. Speaker, I would like to return to item number 4, Introduction of Resolution.

There was no objection.

INTRODUCTION OF RESOLUTIONS

H. R. NO. 15-110: A House Resolution to urge the Honorable Governor Benigno R. Fitial to explore all possible options for improving the Commonwealth's emergency medical air evacuation system.

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

COMMUNICATIONS FROM THE JUDICIAL BRANCH

None

COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE

None

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

DEPT. & AGENCY COMM. 15-57: (April 11, 2007) Letter from CUC to Chairman Francisco Dela Cruz.

There was no discussion.

OTHER COMMUNICATIONS

None

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

None

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

S. C. R. No. 15-53: Reporting on H. B. No. 15-232 entitled, “To amend 3 CMC § 4437(h) to clarify that the privilege of nonresident workers owning a business is limited to those nonresident workers owned-businesses that were establish on or before July 28, 1987, and to require nonresident worker business owners to change their status to foreign investors; and for other purposes.” *Your Committee on Commerce and Tourism recommends passage of the bill.*

S. C. R. No. 15-54: Reporting on H. B. No. 15-79 entitled, “To require refunds of security deposits to be issued in a timely manner; and for other purposes, and H. B. No. 15-98 entitled, “To restrict the operation of poker machine establishments; and for other purposes.” *Your Committee on Commerce and Tourism recommends the filing of H. B. No. 15-79 and 15-98.*

S. C. R. No. 15-55: Reporting on H. B. No. 15-125 entitled, “To reform the qualifying certificate program by repealing and reenacting Chapter 13, Division 5, Title 4 of the Commonwealth Code; and for other purposes.” *Your Committee on Commerce and Tourism passage of the bill in the form of House Substitute 1.*

The Chair recognized the Floor Leader.

Floor Leader Florencio Deleon Guerrero: So moved, Mr. Speaker, to place and adopt S. C. R. NO. 15-53, S. C. R. NO. 15-54, and S. C. R. NO. 15-55 on today’s Order of Business.

The motion was seconded and carried by voice vote.

Speaker Babauta: S. C. R. NO. 15-53, S. C. R. NO. 15-54, and S. C. R. NO. 15-55 are hereby placed on today’s Order of Business. I recommend that we suspend adoption until tomorrow so that we may go directly to the Resolution Calendar. Thank you. I recognize the Floor Leader 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. 15-92, H. R. NO. 15-107, H. R. NO. 15-108, H. R. NO. 15-109, H. R. NO. 15-110, H. J. R. NO. 15-18, and H. J. R. NO. 15-19 .

Rep. Kaipat: Privilege, Mr. Speaker. I just want to make sure that I am not included in the other Resolution that I did not support.

Speaker Babauta: The motion is only for the suspension of pertinent rules for adoption only.

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 HSE. COMM. RES. NO. 15-92.

The adoption motion was seconded.

HSE. COMM. RES. NO 15-92: A House Commemorative Resolution commemorating the First Carolinian Language Symposium, slated for April 18 – 19, 2007, to be held on the island of Saipan, Commonwealth of the Northern Mariana Islands.

Speaker Babauta: Discussion on the adoption. I recognize Representative Tebuteb.

Rep. Tebuteb: Thank you, Mr. Speaker. I do support the Commemorative Resolution, and with your indulgence, I ask if we could do some amendment, and basically it is because of some of the reasons that are stated on line 13 where it says, “and develop plans to preserve and promote the Carolinian language” as well as line 19 on the statement “in hopes of developing and realizing comprehensive and community-based programs of this regard.” I would like to propose at your indulgence to amend on line 15 at the word “prevention of illiteracy” and instead submit, “promote literacy.”

Rep. Dela Cruz: Privilege, Mr. Speaker.

Speaker Babauta: State your point.

Rep. Dela Cruz: Thank you. I believe this Commemorative Resolution has been presented this morning on the opening day of the First Carolinian Language Symposium. Making any amendments at this time probably would not be in the interest.

Speaker Babauta: We will continue. We have not recognized the motion yet because Representative Tebuteb is not finish making that motion. Proceed, Representative Tebuteb.

Rep. Tebuteb: For the reason that I ask you as the author, Mr. Speaker, with all due respect.

Speaker Babauta: Let me just inform the members that although it has been presented, the House can still make adjustments to any of the Resolution so that we can present a final version at the same number with the corrections that some members would like to include. I hope that is understandable. You may continue, Representative Tebuteb.

Rep. Tebuteb: I am making an amendment to delete on line 15 the words, “prevention of illiteracy” and replace it with “to promote literacy.”

Speaker Babauta: Let us have a very brief recess.

The House recessed at 4:10 p.m.

RECESS

The House reconvened at 4:12 p.m.

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

Rep. Tebuteb: Delete on line 15 the words, “prevention of illiteracy” and insert, “to the promotion of literacy.”

The oral floor amendment offered by Representative Tebuteb was seconded and carried by voice vote.

Speaker Babauta: The motion is carried. We will continue to discuss, HSE. COMM. NO. 15-92, HD1.

There being no further discussion, HSE. COMM. NO. 15-92, HD1 was carried by voice vote.

Speaker Babauta: The motion is carried. Clerk, take note and engross another one so that we may present the corrected version tomorrow morning. Floor Leader, continue.

Floor Leader Florencio Deleon Guerrero: So moved, Mr. Speaker, for the adoption of H. R. NO. 15-107, H. R. NO. 15-108, H. R. NO. 15-109, and H. R. NO. 15-110.

The motion was seconded.

H. R. NO. 15-107: A House Resolution to recognize, commend and congratulate Elizabeth Anne Seither Nepaial for receiving the Commissioner’s Award, a prestigious award from the United States Department of Health and Human Services Administration on Children, Youth and Families, and for her dedication and commitment to our children’s wellbeing and education.

H. R. NO. 15-108: A House Resolution to urge Governor Benigno R. Fitial to communicate with the United States Department of Defense to encourage the establishment of a permanent military presence in the Commonwealth of the Northern Mariana Islands.

H. R. NO. 15-109: A House Resolution to respectfully request the Department of Public Works for the immediate repair of a damaged portion of Afetna Road.

H. R. No. 15-110: A House Resolution to urge the Honorable Governor Benigno R. Fitial to explore all possible options for improving the Commonwealth's emergency medical air evacuation system.

Speaker Babauta: Discussion on any of the Resolutions. I recognize Representative Tebuteb.

Rep. Tebuteb: Just a minor question on H. R. No. 15-109. According to the letter from Representative Ada to the Secretary, Representative Ada stated that CUC did some work on the portion. Are you alluding that CUC did some damages on these roads and therefore we need some assistance from the Department of Public Works?

The Chair recognized Representative Ada.

Rep. Ada: Thank you, Mr. Speaker. I have already met with DPW Secretary on this issue. Usually there is cooperation between the two agencies, and they work hand in hand. He has agreed to fix these portion, however, the immediate attention to this road is really bothering a lot of people because in the early morning usually the traffic is only limited to one lane, and the incoming from Halina's all the way up both lanes have to give each other leeway. This is really impeding the work hours or rush hour. I went there personally, and I took note, and there are about 4 areas here that needs the attention of the Department of Public Works.

Rep. Tebuteb: Clarification, Mr. Speaker.

Speaker Babauta: State your point.

Rep. Tebuteb: I am fine with that. I am just asking if CUC did some damaged?

Speaker Babauta: The question raised by Representative Tebuteb is who did the damage? Is it CUC or other private contractor?

Rep. Ada: It was CUC at the request of the residents there. For your information, Representative Tebuteb, I saw an example of what CUC did up there at the road leading to Nan Ocha when they cut the road to fix the water line. Up to this point in time, they have not been able to fix that portion. So I was surprised that it was not included in here.

Speaker Babauta: And you wrote DPW because they have the responsibility in overseeing the enforcement. I recognize Representative Joseph Deleon Guerrero.

Rep. Joseph Deleon Guerrero: Thank you, Mr. Speaker. All of us at Precinct I probably heard from the residents of Afetnas, and all of us have been following up on this project for a long time. The problem here stems from – to have those small 4X4 feet areas paved...Hawaiian Rock would not do it for just one small area because when they do the batching of the asphalt, they need to cover as much areas as possible. So for your information, Representative Ada, a purchase order has already been processed by the Water Division of the Commonwealth Utilities Corporation, and since last month, they have been waiting for it to be signed.

Rep. Ada: By who?

Rep. Joseph Deleon Guerrero: By Grina Mizutani. Representative Tenorio and I called two days ago and spoke to the Director of CUC, and we found out that it has just been signed. So now, the money is available, the purchase order has been processed, and the next step is for Hawaiian Rock to begin the paving. I am not saying this in anyway to discourage you from your Resolution, but it may confuse as to who is going to do it, but since we have CUC who is really the agency that is responsible for having that road cut, and they are also responsible to have that road sealed. We have to impress upon them the urgency of that road because that road is different from the other roads in that vicinity. Some roads are sloped to the side while these ones slope to the middle.

Rep. Ada: I have been there.

Rep. Joseph Deleon Guerrero:...and water – I think the reason they did that is just so that they do not damage the side. They have the drainage basically running down the middle where the potholes are at, and when we impress upon them the fact that it is going to cost them more later on to fix that then it is today because they keep allowing the water to run down there, and it will seriously compromise the base course of that road. With that, they decided to act.

Rep. Ada: Let me ask you couple of questions.

Speaker Babauta: Let me first have Representative Deleon Guerrero finish.

Rep. Ada: He is finish.

Rep. Joseph Deleon Guerrero: It is not just that area. I think what they are going to do is that – Tony Guerrero and the Director of the Water Division, Mr. Mario Iglesias is fully cognizant of the seriousness of that problem, and like I said, we just found out two days ago that the purchase order has been signed. So it should be in the works now to have it paved.

The Chair recognized Chairman Ada.

Rep. Ada: Thank you. This is important because I want to ask how much was that purchase order geared towards the repair of that road? How many pieces of damage roads in that area?

Rep. Joseph Deleon Guerrero: All of Afetna Road going up, even the one on top next to Palacios. The one that is blocking the road, it includes that.

Rep. Ada: How many particular areas of that have been earmarked for that purchase order?

Rep. Joseph Deleon Guerrero: All of it.

Rep. Ada: What do you mean by all of it?

Rep. Joseph Deleon Guerrero: All the broken ones.

Rep. Ada: I really went there personally last week because I had to see the seriousness of the problem. Now, there are four – I hope it address all four areas because the first one actually, right after Halinas going to Luen Thai is the “*August Family*” area, and that is halfway through across to the road that is broken, and it is really bad. Now, if it is going to address the four, that is perfectly fine. I do not have any problem, but I have been calling DPW and CUC to address this.

Speaker Babauta: Chairman Ada, do not withdraw the Resolution. I guess the intent of the...

Rep. Ada: Not at this time, Mr. Speaker.

Speaker Babauta:...I guess the intent of the Resolution is to prod DPW because they are charged to enforce and that is where they apply to cut the road. They are the responsible agency of the government to enforce – whoever opens up a paved road or damages it, they are responsible agency of the government to make sure that it is repaved back to its original...so you are in line in requesting DPW through a Resolution to follow up on what has been already executed and more so subsequent potholes that needed to be replaced.

Rep. Ada: Thank you, Mr. Speaker.

Speaker Babauta: I am sure your colleague will support your intention.

Rep. Ada: I do not think they have an objection, but I thank you colleague Deleon Guerrero and Tenorio. Thank you.

The Chair recognized the Minority Leader.

Rep. Palacios: Thank you, Mr. Speaker. This resolution, although it affects the Afetna Road only, it really should not be just the Afetna Road because this is a problem throughout the island. I am not sure about Tinian or Rota, and sometimes it is CUC that cuts up the roads or sometimes the private contractors trying to access water supply to a new house or commercial building. What Public Works needs to do is to enforce the law. Like the Speaker said, there is an existing statute which requires that anyone or any company wishing to cut an asphalt road must apply for permit from Public Works, then DPW requires whoever is going to cut the road a deposit equivalent to the cost of repairing that road. So you write a check and give them your deposit, you are given 14 days at most, if you cut the road and you are done with your repair or connection, you are obligated to repair that road back to the original state. If you do not do it, the Department of Public Works comes in and does it for you, but uses your deposit to pay for the cost. There is a statute already in the books. Perhaps, we need to prod DPW to implement and enforce that statute. I agree with you. This is a frustration. I have had the same individuals from the same community asking me for the same help, but it really boils down to not just this particular road. It is a widespread problem which we have to impress upon DPW to resolve and enforce the statute. Thank you.

Speaker Babauta: For now, let us support Precinct I on this Resolution.

Rep. Ada: Thank you.

The Chair recognized Representative Taman.

Rep. Taman: Thank you, Mr. Speaker. I am sure that everyone of us experienced the same problem in most of our precincts, and for that, I would like to thank Representative Ada for his initiative here, and maybe we should end debate and vote for this Resolution. Thank you.

The Chair recognized Representative Tebuteb.

Rep. Tebuteb: The real reason why I raise this is that – as Representative Palacios also stated, we do not want to go back to another Resolution if this private individual fixed this road for example at his cost, we do not want to go back and seek money to compensate if that thing arises again.

Speaker Babauta: So noted. Thank you.

There being no further discussion, H. R. NO. 15-107, H. R. NO. 15-108, H. R. NO. 15-109, and H. R. NO. 15-110 was carried by voice vote.

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

Floor Leader Florencio Deleon Guerrero: So moved, Mr. Speaker, for the adoption of H. J. R. NO. 15-18 and H. J. R. NO. 15-19.

The motion was seconded.

H. J. R. NO. 15-18: A House Joint Resolution to encourage the participation of the U.S. Department of Energy and Nuclear Power Generation Manufacturers to assist the Commonwealth in the Feasibility of safe and compact nuclear power generators.

H. J. R. NO. 15-19: A House Joint Resolution to request the Governor and the Department of Public Lands to increase revenue collection by supporting full and immediate implementation of Public Law 15-21, dismissing the case *CNMI v. JG Sablan Rock Quarry, Inc.*, Civil Action No. 06-0378, and reinstating Commercial Mining Permit No. CP95-O1S.

Speaker Babauta: Discussion. I recognize Representative Tenorio.

Rep. Tenorio: Thank you, Mr. Speaker. I have a floor amendment on page 2, line 1 of H. J. R. NO. 15-18.

Speaker Babauta: Proceed.

Rep. Tenorio: I would like to insert after the word environmentally the words, “clear and safe.” So the sentence would read, “and environmentally clear and safe atmosphere for our individual residents and business community.”

The oral floor amendment offered by Representative Tenorio was seconded and carried by voice vote.

Speaker Babauta: The motion is carried. We will continue to discuss, H. J. R. NO. 15-18, HD1 and H. J. R. NO. 15-19. I recognize the Minority Leader.

Rep. Palacios: Thank you, Mr. Speaker. On H. J. R. NO. 15-18, Mr. Speaker, for the record, this Joint Resolution as I see it basically requests for the Department of Energy to put us in a short list of communities that is interested for a feasibility study, and it certainly does not commit the Commonwealth to this program. It basically says that, we are interested in this program, put us on a list, the issue of safety still has to be overcome, and has to still be taken to our people whether this is how we are going to go. I just want to make that clear as a record.

Speaker Babauta: Thank you for the clarification. I recognize Representative Tenorio.

Rep. Tenorio: Thank you. This Resolution is introduced as Committee as a Whole, right?

Speaker Babauta: Yes, H. J. R. NO. 15-18, HD1. Any more on the Joint Resolution?

Several members voiced, "ready."

Speaker Babauta: Clerk, take note that Chairwoman Kaipat is excluded on H. J. R. NO.15-19.

There being no further discussion, H. J. R. NO. 15-18, HD1 and H. J. R. NO. 15-19 was adopted and carried by voice vote.

Speaker Babauta: The motion is carried. Let the vote of Chairwoman Kaipat be "NAY" on H. J. R. NO. 15-19. Floor Leader, motion to recess until tomorrow at 1:00 p.m.

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

Speaker Babauta: The House stands recess until tomorrow afternoon at 1:00 p.m.

BILL CALENDAR

None

MISCELLANEOUS

None

ANNOUNCEMENTS

None

The House adjourned at 4:32 p.m.

Respectfully submitted,

Vicky T. Guerrero, Journal Clerk

APPEARANCE OF LOCAL BILLS

SECOND APPEARANCE
None

THIRD APPEARANCE:
None