



## House Journal Sixth Special Session, 2007

**Adopted:**  
August 17, 2007

**Third Day**

**June 27, 2007**

The House of Representatives of the Fifteenth Northern Marianas Commonwealth Legislature convened its Third Day, Sixth Special Session on Wednesday, June 27, 2007, at 9:15 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 twelve members were present. Representatives Martin B. Ada, Edwin P. Aldan, Florencio T. Deleon Guerrero, Manuel A. Tenorio, Stanley T. Torres and Ray N. Yumul were excused.

Speaker Babauta: Representatives Ada and Florencio T. Deleon Guerrero are excused. Representatives, Edwin P. Aldan, Manuel A. Tenorio, Stanley T. Torres and Ray N. Yumul will be coming in late. Without objection, I would like to appoint Chairman Jesus SN. Lizama to be the Acting Floor Leader pro tem.

There was no objection.

Speaker Babauta: So ordered.

Acting Floor Leader Jesus SN. Lizama moved to resolve into the Committee of the Whole for presentation of Resolution for Mr. Joseph Omar; was seconded and carried by voice vote.

Speaker Babauta: The motion is carried.

The House went into Committee of the Whole at 9:17 a.m.

### COMMITTEE OF THE WHOLE

The House returned to plenary session at 9:24 a.m.

Speaker Babauta: We are back to our plenary session.

Rep. Tenorio: Privilege, Mr. Speaker.

Speaker Babauta: Under privilege, Representative Tenorio.

Rep. Tenorio: Thank you, Mr. Speaker. I just want the record to show that I am present.

Speaker Babauta: I have already whispered to the Clerk. In the interest of time, we would like to go right down to item number 16 under our Order of Business. I remind again the members that we left off with H. B. No. 15-195, HS1.

**ADOPTION OF JOURNALS**

None

**INTRODUCTION OF BILLS**

None

**INTRODUCTION OF RESOLUTIONS**

None

**MESSAGES FROM THE GOVERNOR**

Gov. COMM. 15-271: (6/26/07) Certification of annual salary in excess of \$50,000 for Dr. Ryan B. Hutchison.

Gov. COMM. 15-272: (6/26/07) Informing the House that he signed H. B. No. 15-265, HD2, SS1, SD1 (To amend PL 15-28). [Became **Public Law 15-71**]

There was no discussion.

**SENATE COMMUNICATIONS**

None

**HOUSE COMMUNICATIONS**

None

**COMMUNICATIONS FROM THE JUDICIAL BRANCH**

None

**COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE**

None

**COMMUNICATIONS FROM DEPARTMENTS & AGENCIES**

None

**OTHER COMMUNICATIONS**

None

**REPORTS OF STANDING COMMITTEES**

None

**REPORTS OF SPECIAL AND CONFERENCE COMMITTEES**

None

**UNFINISHED BUSINESS**

None

**RESOLUTION CALENDAR**

None

**BILL CALENDAR**

The Chair recognized the Acting Floor Leader.

Acting Floor Leader Lizama: So moved, Mr. Speaker, for the passage on Final Reading, H. B. NO. 15-195, HS1.

The Chair recognized Representative Tebuteb.

Rep. Tebuteb: Thank you, Mr. Speaker. In our previous session, there were numerous discussions in particular, I would like to focus on page 5, line 17, and as a result of those discussions, I would like to also offer an oral floor amendment.

Speaker Babauta: Continue.

Rep. Tebuteb: That is on line 17, “(d), Graduate or postgraduate applicants or students are not qualified for these scholarships except as provided by this Act”, delete the letters “se” from “these”, and also delete the letter “s” on the word “scholarships”, and delete “except as provided by this Act” and insert, “under Section 2 § 1601 of this Act.” Basically, these graduate and postgraduate applicants will not qualify under the teacher scholarship.

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

Speaker Babauta: The motion is carried. We will continue to discuss, H. B. NO. 15-195, HS1, HD1. I recognize the Minority Leader.

Rep. Palacios: Thank you, Mr. Speaker. I have an oral floor amendment to propose.

Speaker Babauta: Continue.

Rep. Palacios: On page 2, line 23, the word, “fifteen (15)” to be replaced with “ten (10), I so moved, Mr. Speaker.

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

Speaker Babauta: The motion is carried. We will continue to discuss H. B. NO. 15-195, HS1, HD2. Ready. Clerk, take note that Representative Yumul is present. Okay. Clerk, call the roll.

The Clerk called the roll on the motion to pass H. B. NO. 15-195, HS1, HD2 on First and Final Reading:

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

Speaker Babauta: By a vote of 13 “yes”, H. B. NO. 15-195, HS1, HD2 passes the House on First and Final Reading. Without objection, we will go back to item number 12. We have one Standing Committee Report that was just passed out.

### **REPORTS OF STANDING COMMITTEES**

**S. C. R. No. 15-68**: Reporting on H. B. No. 15-263, entitled, “To amend certain sections of Public Law 15-23; and for other purposes.” *Your Committee on Public Utilities, Transportation, and Communications recommends passage of the bill in the form of House Substitute 1.*

The Chair recognized the Floor Leader.

Acting Floor Leader Lizama: So moved, Mr. Speaker, to suspend pertinent rules for the placement and adoption of S. C. R. NO. 15-68 reporting on H. B. NO. 15-263.

The suspension motion was seconded and carried by voice vote.

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

Acting Floor Leader Lizama: So moved, Mr. Speaker, to adopt S. C. R. NO. 15-68 reporting on H. B. No. 15-263.

The adoption motion was seconded and carried by voice vote.

Speaker Babauta: The motion is carried. Without objection, we will go back again to item number 16 under Bill Calendar.

## **BILL CALENDAR**

The Chair recognized the Acting Floor Leader.

Acting Floor Leader Lizama: So moved, Mr. Speaker, to suspend pertinent rules to place H. B. NO. 15-263, H. B. NO. 15-139, and H. B. NO. 15-47 on the Bill Calendar.

The suspension motion was seconded and carried by voice vote.

Speaker Babauta: The motion is carried. I now recognize the Floor Leader for the next bill.

Acting Floor Leader Lizama: So moved, Mr. Speaker, for the passage on First and Final Reading, H. L. I. No. 15-15.

The motion was seconded.

**H. L. I. No. 15-15:** A BILL FOR AN ACT TO AMEND ARTICLE VI OF THE CONSTITUTION OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS TO ABOLISH THE MUNICIPAL COUNCILS OF ROTA, TINIAN AND AGUIGUAN, AND SAIPAN AND THE NORTHERN ISLANDS.

Speaker Babauta: Discussion. I recognize Chairman Ogo.

Rep. Ogo: Thank you, Mr. Speaker. After carefully reviewing the Committee Report done by the Committee on Judicial and Governmental Operation, it seems, Mr. Speaker and members of this House that I was hoping that there will be comments from individuals who were involved during the Second Constitutional Convention more specifically the members from the island of Rota, Mr. Vincent Calvo, former Commissioner of Education, Rita Inos, former High School Principal, Mr. Aniceto Mundo, and at the same time, our current Senator Paul Manglona – they were the members that were present during the Second Constitutional Convention who fought heartedly to make sure that the Municipal Council in the CNMI has a say so in our government. Because of their aggressive or their thoughts at that time, Article VI became part of our Constitution – that is not included in this Committee Report. In the same token, I believe through the author, Representative Taman at one time mentioned to me that he was reading a position from the Saipan Municipal Council, and I do not see that on this Committee Report, and it will be great, and a good privilege for the members to at least read what the Saipan Municipal Council have to say on this Legislative Initiative. At the same time, after carefully reviewing and understanding this Committee Report, it seems like there are two reasons here that this Initiative came about. Number one is, the issue of the Municipal Council not having the authority to enact local laws. In the beginning, if we really look at the Constitution, that is not the intention of the Constitution. The Constitution itself under Article VI speaks specifically – it has guidelines on what the Municipal Councils are supposed to have as its powers, not to enact local law, and that is not the actual intention of the Constitution. Let me just safely say that Rota and Tinian are really following the Constitutional powers of the Municipal

Council. Now, if someone in this House have an issue with the Saipan Municipal Council, that is not my – I am not here to defend that. I am here to defend the Constitutional obligations of the Rota Municipal Council. For the past six years that I have been or residing and really involved in the Municipal government, I have seen the Rota Municipal Council perform their Constitutional duties. All I am saying, Mr. Speaker, and members of this House is, the Committee Report really is stating that the Municipal Council does not have the authority and it is useless because they cannot enact local law. Number two, it is also implying that because of the current financial situation of the Commonwealth government, it seems that \$740,000.00 is being – I cannot say misused, but it is useless. That is what it is saying, and that we should give the \$740,000.00, and distribute it among the CNMI government. That is if this Initiative passes through and we abolish this. However, on the bill itself, let me just refer to page 4 of the bill, line 1, Section 3, “transition”. If we are trying to think here, Mr. Speaker, that by abolishing the Municipal Council, even the funding that the Municipal Council currently that is appropriated under the law will diminish or go away from the Municipal Council, and hopefully distributed within our government. No. That is not what the Initiative is saying. Page 4, line 1, and let me read it: “After such term of office is completed, the remaining staff of the municipal council of each respective island shall be transferred to the Mayor’s Office of each respective island.” That does not show, Mr. Speaker, that after abolishing the Municipal Council, the funding of \$740,000.00 will go and be distributed within the operation of the government. No. It stays within the Municipality and continuously obligate. So there is no savings there. *Taya* savings. It still stays in the Municipality. I am kindly asking the Chair of JGO and the members to please afford an opportunity to the people of Rota, people of Tinian, and the people of Saipan to come in and...

Speaker Babauta: Do not forget to include the Northern Islands.

Rep. Ogo:...and the Northern Islands. I apologize...to give them a chance to provide their comments on this Legislative Initiative. I think that it is fair that Vincent Calvo, the author during the Second Constitutional Convention, I believe that Aniceto Mundo, former Commissioner Rita Inos, Senator Paul Manglona be given the opportunity to comment on their action during the Second Constitutional Convention. I move, Mr. Speaker, to defer again one more time to the Committee this Legislative Initiative so that we can thoroughly give chance those people that can comment on this Initiative, and also give the members of the House the opportunity to choose correctly on the comments on those people that would be affected with this Initiative. Thank you.

Speaker Babauta: Thank you. We will allow further discussion on this issue, and the House will decide. I am also concern. Before I recognize the author, did we have a public hearing on this, Chairwoman? No. I recognize the author now.

Rep. Taman: Thank you, Mr. Speaker. I humbly sympathize with Congressman Ogo for the comments that he had stated. This Initiative, the intent of this Initiative is to avoid or take away the duplicated function of the Municipal Council – duplicating the functions of the Local Delegation. If I recalled, there was a certified question that was referred to the Judiciary to respond as to the Constitutionality of the Municipal Council in enacting Municipal ordinances. Those are some of the questions that needs to be answered, and that is why this Initiative propose to do away with those functions that is supposedly duplicated or duplicating the Local Delegation. However, I am uphold that the committee have not really accorded the Municipalities of Tinian and Rota who ought to be greatly affected by this Initiative should it be ratified by our voters. For that reason, I wish that we

go back and look at this issue very carefully. Mr. Speaker, in the interest of time, this Legislative Initiative will be or should be with the Board of Election in just a matter of month and a half. So I wish that we proceed with this Initiative at this point in time.

Speaker Babauta: I am just concern that – major undertaking by this House concerning an amendment – a huge amendment that would deviate from the intent of the Second Constitution Convention as oppose to the decision that we are about to make this morning regarding the Initiative. I for one would like to defend this House as far as criticism that would launched against each and every member as far as passing this Initiative and moving forward with out a proper so-called public education, or otherwise public hearing that entails the ramification of this Initiative. I am worried that each one of us will be criticize with respect to changing the provision and the Constitution, and not according the opportunity – I am support of the idea. It is a matter of whether or not the people that would be impacted in the respective Senatorial District would have a much greater impact than what we are about to exercise this morning. This House will decide this morning, and let me now recognize Representative Palacios.

Rep. Palacios: Thank you, Mr. Speaker. It is my believe, and by feeling that despite the public hearing necessary or public hearing call for this Initiative, I certainly believe that the populous, the citizenry of the Commonwealth believes that the lay of bureaucracy that was created in the Second Constitutional Convention which we call the “Municipal Council” today is needless, and has no function. It has not really functioned as it is intended to. That is my belief of what our citizenry feels. I do not think that this Initiative was put on the table out of thin air. I do not think that the author did this to offend the First or Second Senatorial Districts. Mr. Speaker, you know, and you have been here for the longest time of all the members sitting in this body today, that the Municipal Council has really not been given the authority over all the years, and you yourself have attempted to give them some empowerment, but have failed in the Legislature in those Initiatives. Spending a Million dollars on a layer of bureaucracy in our government is something today that we cannot afford. The Governor just signed Public Law 15-71, and acknowledging the declined general revenues trying to restate 95% level of the cuts that were called for in the Constitution and our Planning and Budgeting Act to critical services in our government. We are talking about scraping the bottom of the barrel of fiscal resources. Critical agencies trying to get the ears of those that are making decisions to get additional funds out of the Compact-Impact money, which some are to the tune of \$100,000.00, some to the tune of only \$200,000.00, \$50,000.00 – I do not think that it is even necessary to go out to a public hearing when the public themselves have expressed over and over several years that this is one area that this government can save money from. I do not thank that any of us can deny that. We hear it in gatherings, we read it in the opinion pages of our media, and we receive phone calls about it. So, I for one, I am convinced today that the Second Constitutional Convention, although it created this body, I firmly believe, personality aside, that if you ask the same individuals who proposed this and say that we the government and the public will save \$1 Million if we do away with this layer of bureaucracy, under today’s situation and environment, they will say that maybe it is worth taking it away. This is one of the only communities that I know of that have so much layers of government to service a population of 60,000 and 30,000 of local residents. You see, over the years, we have created a constituency, even within the Municipal Council. So certainly, I understand the sentiments of my Honorable colleague from the First Senatorial District. I also have constituency in the Third Senatorial District in Precinct III that are not in favor of abolishing, but you know, this tom me is a simple Act to begin to cut away layers of unneeded layer of bureaucracy. *Para guahu, taya esta esti fundamentoña esti i*

*para ta sigi ha mu – guaha gi kotti pago nu petition ni para umana mas papa i House of Representatives. The low making body created by the Constitution – we have a petition in court today to reapportion or redistrict and lower the number of House of Representatives. Yet, we are vacillating on a body that was created. I do not really believe that we need to continue this issue. I certainly sympathize with my colleagues, not just from the First Senatorial District, but from the Second Senatorial District. I know the Honorable colleague from the Second Senatorial District was a member of the Municipal Council. So I know that he has personal sentiments, and I respect that. I wholeheartedly respect that. I have friends, relatives, people that we know, neighbors that served in this capacity, but you know, at the end of the day in this climate, we cannot hide this under the carpet anymore. Thank you.*

Speaker Babauta: Thank you. Let me just clarify one thing – my previous actions with respect to the previous legislature with respect to the Municipal Council of the respective Senatorial District was empowerment, and not necessarily abolishment. So my initiative was practically is the other way around. Let me recognize Representative Aldan.

Rep. Aldan: Thank you, Mr. Speaker. First of all, Mr. Speaker, can you allow me please speak in the vernacular so that I can...

Speaker Babauta: Pursuant to the Constitution, you are definitely entitled to that.

Rep. Aldan: *Finenina members, esti all of us know, tatungo' ha na esti i Council ma create gi Constitution. I uno na iyoku objection to this i umanahi oportunidad i First and Second Senatorial Districts, yan Saipan ya ufan man laknos opinion from esti na lai ni ma introdusi as Colleague Taman. Different i Tinian, Luta, yan Saipan. Hami giya Tinian, guaha iyon-niha local powers i Council as far as confirming of resident department head yan confirmation gi as a gaming commission member. Those are in the local initiatives. Manma bota ni taotao Tinian i Casino Initiative Act, pues gi halom eyu na Aktu, gaige gue iyon-niha power i Council ni check and balance i Mayor's Office. Kuntodu lokkue i Local Budget Act para i gaming industry. Guaha iyon niha role i Municipal Council giya Second Senatorial District. Kontodu lokkue eyu i para ufan man confirm para i Municipal Board taiguihi i para cockfight. They do the confirmation on that one. They have a role as far as municipal level. Ilek-lek-hu na i para ta abolish ha, ti bai hu agree ni enao. As far as budget, let us sit down with them, give them – tanahi enabling powers as far as strictly local matters para ufan man fondu ya eyu na fondu umana sietbe para ofisinin-niha. Three Legislatures ago, mana halom esti na Initiative. There was a bill empowering i Municipal Council. Ti matto guine na stage gi esta para uma bota gi Floor. It just died out. Matai ha gi Komitea. Lao at that time, i Municipal Council man willing para ufalofan i bill ya ma pegga gi lai na todū i hafa siña ma collect gi local level, polu ya u siha u keep enao ya uma function siha as a Municipal. Ti para uma dependi siha gi CNMI wide Budget. Ti manahi ha ni enao na – ti man willing i Legislature ni para umanahi i Municipal Council ni enao. That is the least thing that they can do. Hami, taimanu ha ni husangan, i Second Senatorial District, mu guaha nu iyon-niha i power i Council gi as far as iyon mami local casino revenues ya kumo para ta abolish esti nai, where do we sit with the Initiative? Hayi para u konfitma i Commissioners? Siempre taya checks and balance as far as local matters.*

Speaker Babauta: *Kumeke ilek-mu na guaha confusion gi appropriation?*

Rep. Aldan: *Siempre taya nai sa taguine ha i set up, Mr. Speaker. I Mayor ha introdusi halom i local budget pues munao guatu gi Tinian Delegation para uma verify kao strictly local revenues esti siha, pues humanao guatu gi Council, pues i Council ha concur i salape, pues eya gue ni manao magi guine para i Speaker pues eyu gui ni manao guatu gi Gobietno pues ma sign. Enao siha na routing proteksion para i Municipat na para umana siguru na i salape ni ma chule ginen i Casino nu guaha inakomprendi, umana siguru na mana halom gi eyu na budget budget ya uma entertain as much as possible todū i hafa gaige gi Initiative. Ya mungga na para u uno ha, para i Mayor ha u dinesidi ya u hanao hulo gi Gobietno. Thank you, Mr. Speaker. Para guahu nai, ti para bai hu bota esti na Committee Report yan i...***[End of Tape 1, Side A]**

Vice Speaker Quitugua:...**[Beginning of Tape 1, Side B]**...*gi fino' Chamorro.*

Speaker Babauta: *Ginagagao na un chogue enao.*

Vice Speaker Quitugua: *Mr. Speaker, esta mas ki biente anus desti nai ma establesi i Municipal Council. Nahung tiempo ni para ta atan kao esti na kuetpo magahit na sietbe hafa gi magahit ma intensiona gi enao na tiempo para u sietbe. I tiempo ma tulaika, pues anai matulaika, sigi mona matulaika i tiempo. Esta lokkue i taotao parehu ha Luta, Tinian yan Saipan, ilek niniha na diningu esti na kuetpo na tiempo ya u nisisario na u guaha dididi na atension yan tinilaika. Mr. Speaker, yanggen ta pasa esti gi Legislature, ti man makpo hit guine. I taotao para u dinisidi giya Luta, Tinian and Saipan kao para magahit na para umana suha i Municipal Council pat ahe'. Pues gaige i decision gi taotao. Hita para ta ayuda yi i taotao pumega esti guatu gi balotu ya i taotao para u dinisidi kao ta tulaika pat ti para ta tulaika. Guaha Delegation gi kada respective Municipality. Ya ilelek-ku na i tiempo ginagagao na esti i Delegation guiya u handle esti pago kosaki uno ha u handle. Eya guaguaha confusion between gi Mayor's Office. Hu lipara esti na guaha na biahi guaha confusion gi Mayor's Office sa ti ha tunggo kao para I Municipal Council gue pat i Delegation gue, pat hayi mas appropriate ni para hanao ya para u famaisen ayudu pot i ofisina-ña. I bandan salape', gi 1995, guaha Constitutional amendment malaknos huyong gi taotao pot i Municipal Council, specific eyu na amendment ni ilelek-ña na para umanahi i Municipal Council athoridat ya guiya hu disponi i Lai gi kadda Municipality ya guiya gi halom i tres años after manahi ni ayu na pudet, guiya para u espiha iyoña funding. Esta ti para u ninahi salape ni i central government. Lao parehu i taotao giya Luta, Tinian yan Saipan, ma bota esti "no." Tiyan niha na para umanahi i Municipal Council mas athoridat ni para siha uma disponi i local matters, i local laws, local taxes. Pues ma bota "No" ni taotao. Ti man ready siha ni eyu. Mr. Speaker, guahu lokkkue gi iyoku Precinct guaha eyu malagu para umana suha i Municipal Council, guaha eyu siha ti man malagu. Lao hita guine gi gima Kongresu, gi Lehislatura, guaha obligasion-ta para ta ekunggok, ta atan ya ta chogue hafa maolek. Ya guahu kumo representatin Precinct IV, ilelek-ku sigun gi inengok-ku gi halom i Precinct IV, na estague na Initiative dinanche na tachogue pago na tiempo. Polu esti siha i local matters ya uma nahi guato i Delegation sa eyague na body na Delegation siña mas umayudayi i kadda Municipality yan i ofisinan i Mayot. Mr. Speaker, ni pago man halom hit guine gi 15<sup>th</sup> Legislature, matto i Third Senatorial Council Women gi ofisina-hu, mafafaisen yu kao siña ta ayudayi siha ya tanahi siha additional funding of \$60,000.00 ya hu faisen siha hafa ni para umana sietbe i \$60,000.00, para ufan man hire consultant. Pues hu bira-yu ya hu faisen siha, ya hafa enao sinko na taotao ni gaige gi ofisinan miyu bidan niniha? Uno manoppe ya ilekña, that is a good question. Pues ilek-hu, gi presente, tisiña bai hu sangani siha na para bai hu supotta eyu i \$60,000.00 para i consultant sa taya salape'. Pues i Council woman ilekña nu guahu, pues yanggen taya salape, maolek-ña ma abolish i Municipal Council. Ya guahu, Mr. Speaker, hu*

*chule eyu na fino-ña ya una siriosu yu sa guiya gaige gue, ya guiya sumangani yu, pues ilelek-ku na siniente-ña lakkue nai, ilelekña na maolek ha basta u taigue i Municipal Council yanggen taya salape para ufan manahi mas. Ta li'e ha, ya ta pasa, ya esta ma fitma eyu i Public Law 15-71, ya sigi papa tumunok papa i revenues. Tita tungo gi 2008 kao \$140 Million ha. Kao yanggen tumunok gi \$140 Million, munnga hit mu budget i Municipal Council ya ta zero out sa taya salape? Pues estigue siha na issues, Mr. Speaker, obligasion-ta esti guini halom kumo hita mu representa i taotao siha gi iyota Precinct. Hunggan, Mr. Speaker, does na attempts desti i 14<sup>th</sup> Legislature, hu li'e eyu i para uma empower i Municipal Council lao embes eyague, guaha lakkue gi halom i comunidat ti manmalagu. Probably eya gue na mananao-ha ti ma pas eyu na empowerment sa i comunidat ti ma'a'atan na esta mampos hit meggai, ya hafa na tisiña hita ta chogue eyu na chochu i machochogue gi Municipal Council kosaki munga na ta sigi ha dumibiden dididi i salapeta. Guaha ni masangani yu, Mr. Speaker, na maolek-ña enao na salape manao guatu gi PSS sa manesisita leblo. Pues uno lakkue na issue ni u a'atan, Mr. Speaker, guaha na biahi na man hire i Municipal Council emplyao, a hire lao hananao guatu i Public Works, hananao guatu gi espitat, hananao guatu gi eskuela, yanggen taiguine basta ta nahi guatu gi Mayor ya guiya u chogue eyu osino nahi salape guatu gi PSS, nahi i salape guatu gi espitat. Hita guine ta desidi kao manmalagu ha hit ta kontinua chumogue eyu i manma chochogue pago, pat manmalagu hit tinalaika sa esta i tiempo ginagagao ma ski biente anos. Embes esti ha mensiona si Representative palacios na embes i Lehislatura guaha petision na para uma reduce sa i taotao manmalagu na umana tunok i gastu. I tiempo esta ti hita ha guine halom manman desisidi na kontodu i comunidat lakkue manman a'atan ya manman observe ya manma sangangani hit hafa sinienten niha gi san hiyong sa hita mu representa siha guine gi lehislatura. Si Yu'us Ma'ase, Mr. Speaker.*

The Chair recognized Representative Kaipat.

Rep. Kaipat: *Si Yu'us Ma'ase, Mr. Speaker. Hunggan bonito fino-ña si Vice Speaker. Ya para bai hu fino Refaluwaasch lao...fana'an ti nahong guine...*

Speaker Babauta: *Konsigi Chairwoman, direcho-mu ya ginagagao patti gi Constitution.*

Rep. Kaipat: Mr. Speaker, I could not agree more with the sentiments that were expressed here, and I assure you that the Committee did not take this matter lightly when we considered this because we know of the potential impact that this will have on many lives, many of our citizens, and we debated in the Committee as to whether we were going to actually put this out to a vote. The Committee had to vote as to which ones to put out because it is expensive to put these Initiatives out because we are putting the burden on the Board of Election to educate the community on these. I agree with the Vice Speaker that our actions today whether or not we vote on this ultimately. If we do decide to go ahead and put this out, the decision is really up to the people to make that choice as to whether or not to abolish the Municipal Council. Times have changed. We no longer have the luxury of having the layer of bureaucracy as my good colleague Representative Palacios has stated so eloquently. I still feel though for our colleagues in the First and Second Senatorial District who appealed to us to consider their request, and although I am ready to act on this, for their sake, I was just wondering if you all might consider having this on First Reading for today, and perhaps taking action on the next. I understand that it is time sensitive. Mr. Speaker, I am not saying that we should put it on First Reading and forget about it. I am just saying that for their sake in what they are asking for that I am putting this request out on their behalf, but yet, if the body needs to make a decision today, I am ready to act on it. Thank you.

Speaker Babauta: Thank you. Representative Aldan raised a valid point whether that point is absolutely correct or not, I would like to indulge also our counsel here to look at the validity of the provisions of this Initiative – if it is so abolished, what will happen to that Local Initiative that empowered the Second Senatorial District Municipal Council as far as appropriation is concerned. It is a Local Initiative that I humbly urge the members to look at, and because it was ratified by the people of Tinian. Take those points that were raised by Chairman Aldan, whether or not where the legal implication might occur. I recognize Representative Taman.

Rep. Taman: Thank you, Mr. Speaker. *Taimanu ha esta masangan as Vice Speaker yan i Minority Leader, unos kuantos tiempo esta desdi ma chaggi ni para umanahi mas fuetsa i Municipal Council, lao ti pumosible. Esti ha i mapos na simana, the good Representative from the island of Tinian, nu man introdusi Aktu ni pot para umanahi lokkue mas fuetsa talo i Municipal Council yanggen siakasu na tumaigue i atkatdi, kao siña ha i Municipal Council para u Acting Mayor? Gi manmalofan siha na tiempo, gumaha enao na kuestion, hafa na taya ni ma apunta i Municipal Council kumo ma elihi na ofisiales i CNMI gi halom iyota local government para u act on behalf of the Mayor yanggen tumaigue i Mayor. Klaru gi manmalofan siha na attempts na taya konfiansan i Municipal Government, taya konfiansan i Lehislatura para u nahi i Municipal Council enao na pudet. Guiya mismu i atkatdi ha manifesta lokkue na taya konfiansaña sa hafa? Taya ni unabes ni ha apunta i Municipal Council para u act on their behalf or his behalf. Ya guaha un tiempo agumento ni ha manifesta lokkue i Mayor na ilelek-ña na iyoña staff gi ofisina-ña mas matungo-ña hafa asuntion ofisina-ña ki i Municipal Council. Enao na sientimento gi Mayor kumeke ilek-ña na ti nahong komunikasion, ti nahong infotmasion ma empapati guatu i Municipal Council sa hafa? Humanok na taya konfiansa. Konrespetu para esti dos na hinerable giya Tinian and Luta, hu komprende hafa sientimenton niha sa buenti mas efektibu i Municipal Council giya Luta yan Tinian kino i Saipan. Intension muna hu propose na para bai hu na guaha esti na tinalaika gi Constitution, intension layiyi para ta planta esti huyong ya uma dibati ni publiko ya gi alas otimos siha para uma desidi kao ta na suha pat ahe. Yanggen presisu na uma mantieni i Tinian yan Luta i Municipal Council pot rason na guaha siha pudet yan responsabilidat esta munhayan manma fotma gi legat na manera ya man obligat enao giya Tinian prinsipamente. Yanggen siña i Local Initiative giya Tinian hana legat ni para u infuetsa i Municipal Council, ilelek-ku yanggen tana suha i Municipal Council gi mismo tiempo, siña ha lokkue ma fotma pat ma enact Local Initiative giya Tinian, para u nahi guatu i Second Senatorial Local Delegation ni parehu na fuetsa kosaki siña ma kontinua mona hafa dipotsi ginagagao ni para u sanu i Municipal Council giya Tinian. Pues guahu ilelek-ku, Mr. Speaker, na umanok na anai humuyong esti na asunto ya ma pega gi newspaper para umana guaha polling para opinion, sitentai sinko pot sientomanman oppe na uma fabot na uta nasuha i Municipal Council yanggen esta magahit na ti gos meggai osino ti gof nesesario guine na presente na manera. Pues hu fafaisen hamyo na maila ya ta bota esti i Initiative sa taimanu ha ilekña i Vice Speaker, para ta nahi opotunidat i publiko ya siha u dinibati esti ya siha u deside, ahe ti hita para ta deside esti. Para tanahi siha eyi na opotunidat ya siha u bineta. Si Yu'us Ma'ase.*

Speaker Babauta: Thank you. The Chairwoman have recommended to the members if we can just place it on First Reading while we accommodate the valid point that Chairman Aldan have raised as far as the Second Senatorial District local body that engages with the local appropriation as far as Tinian Taxes, Local Taxes is concerned. So that is her recommendation, and I would like to expedite this recommendation or rather resolution – I understand the importance of it, however, I think that there is a valid point that was placed by Chairman Aldan in view of the local authority

given by the people of Tinian after that Initiative was ratified. So we will continue to discuss, and then we will decide, but again, I ask the members to be mindful of the time today so that we can move on to the other bills that are pending in the Calendar. I recognize Chairman Waki.

Rep. Waki: Thank you, Mr. Speaker. After listening to all the different comments from Representative Taman, Representative Palacios, the Vice Speaker, as well as Representative Kaipat, the Committee Report does kind of look at the issues that we are really trying to address, and like Representative Palacios says, certain redundancy in responsibility. If the Municipal Council is needed, why do we have the Delegation? Maybe there was a time when we had quite a bit of funds to afford the Municipal Council, but I think, and in looking again at Public Law 15-71, it does not look like we have all that bunch of money. The Executive Branch is going to probably reduce the size of its particular department, and we have to look at being responsible, and our responsibility is in how we fund this government. And because of Municipal Council does not have real authority, it is just Council that makes recommendations, and maybe does Resolutions, and maybe in the Second Senatorial District they have certain responsibilities, and maybe even the First Senatorial District. Those responsibilities can be transferred to others that are already in the existing departments. It cannot say that it cannot be. I believe that when we look at the cost of the Municipal Council, it is interesting how the First and Second Senatorial District has a higher funding where they have lesser population, lesser land space than the Third Senatorial District. I mean, in the amount of almost like a \$100,000.00 to \$200,000.00 more than the Third Senatorial District. I cannot understand the logic, and that is a lot of what I do is to try to understand logic in the commonsense. Are there more issues on these two islands than there are in the Third Senatorial District? I believe not. But that not being the real case, the real case here is the total budget, and what do they do with that budget? Majority goes to staffing. I cannot understand what they would do on a daily basis that the Delegation cannot do, and I believe that the Delegation is fully responsible for enacting local laws. So, I think that it is time that we allow the people to decide again, whether or not, and this is not for us to decide, it is us to decide to give it to the people to decide, and that is all it is. Some of us may like it, some of may not, but maybe it is time to give it over to the people to let them decide. So maybe this is kind of replacement instead of having a con-con which will cost us a lot more money to have, bring it back on the table, and if they do not vote to eliminate or remove the Municipal Council, then the people have spoken, but I think that this is an issue that needs to be addressed because of our funding levels at this point in time. As far as I am concerned, I believe we are just doing what we are responsible to do, and that is to give it to the people, and this is an issue where – do we keep the Municipal Council and cut other programs because of funding levels? I think that it will come down to that eventually. What are the priorities? Essential services are our priorities, and essential services right now are being hampered because of the lack of funding. So I think that the issue here is really priorities, and I believe that whatever the Municipal Council does in all three Senatorial Districts, the Delegation can handle the responsibility, and I think that in the Constitution, it states such. So I believe, it is not because we just want to arbitrarily remove the Municipal Council, I believe that it is years of being in office, we really have not seen the real merits. If we did, this question will not be here today. I just believe that we need to bring it to the people, and that is really our responsibility, and yes, there will be probably legal issues in reference to maybe the Second Senatorial District on what they have passed in the Local Initiative, but not to say that it could not revert back to the Delegation again, because if you remove the Municipal Council, then all responsibilities will revert back to the authority which is the Delegation. I believe that is what will happen. Maybe we do not have that legal opinion right now, but that is what I truly believe will happen. So it is not that it could be left and avoid, I really do not. You take away the Municipal Council, all responsibilities and duties will

have to go to somebody, and it can be basically addressed at that particular time. Bringing up something that our good Representative from the First Senatorial District on page 4 basically under transition, Mr. Speaker, if it is okay, I would just like to make an oral amendment to that particular section at this time?

Speaker Babauta: Before I recognize that amendment, definitely, I will come back to you, but let me recognize some of the members that would like to speak.

Rep. Waki: Thank you, Mr. Speaker.

The Chair recognized Representative Tenorio.

Rep. Tenorio: Thank you, Mr. Speaker. *Guahu lakkue bai hu fino' Chamorro yanggen un sedi yu.*

Speaker Babauta: *Konsigi.*

Rep. Tenorio: *Mr. Speaker, involve yu gi First Constitutional Convention yan also the last Municipal Council. Magahit na anai ma diskukuti esti gi halom i Constitutional Covention, man bota yu lakkue, Mr. Speaker, na mampos over represented i taotao at that time anai i population fana'an 20,000 to 30,000 ha. Parehu ha yan eyu i masasangan na kulan bula duplicative work. Pues mana para i Municipal Council. I Second Constitution Convention, which is about 10 years after, ma desidi na para uma reinstate i Municipal Council. Ma bota ni taotao lakkue i Constitution pues ma bota i amendment gi Consitution. In fact, it was part of the – yahu ha na bai hu caution esti sa guahu hu atan esti lakkue anai eyu na tiempo anai in chegue esti nai ilek-ku na ti nesesario – I do not know time changes, and people needs, and hafa siha i nesisidat i community also matulalaika nai. Pues eyu buenti na ma desidi at that time. Incidentally, guaha dos or tres na Rota Delegation ti ma sign ha i First Constitution. The record shows this, and I think that part of the reason buenti pot esti, lao yanggen un atan esti, kabales esti how it affects our economy. Iyo-ku esti observation. Layiyi, the biggest issue esti i one man one vote sa esta ta nama kotti i equal presentation gi Senate. Eyague siha mu block hit todú gi magahit yanggen manmalagu hit yanggen the issue is money. That is the one. Hu a'atan esti – and also at forehand, I agree with Congresswoman Kaipat, we should look at this much carefully and put it on First Reading. Ti hu tungo lakkue kao taya comment humoyung ginen iyota Municipal Council here locally. Ti hutungo kao man ali'e hamyo ni Committee nai, lao I think they should have at least be given an opportunity as an audience to look at the issue sa siña ha taigue i problema gi structure. Hu atan esti powers and meetings i Municipal Council under Article \_\_ of the Constitution, Article VI. There is another additional powers and duties provided by law sa buenti these are areas ni siña ta atan ya enague siha tatulaika ya tanahi additional. Mr. Speaker, Luta yan Tinian iyon-niha community ti man parehu yan Saipan. Ma'atan esti i Municipal Council as grass level na representation. Eyagui na todú man inafecta. Yanggen un atan lakkue kulan ha employment agency esti i gobietno for reason na taiguine problema-ta. Tinian, Luta, yan Saipan, same thing. Pues debi na ta atan kabales esti sa yanggen if we are doing this primarily because of the cost to the taxpayer, that is something that we have to consider. Eventually, we will be cutting more. Un atan pago i services, how would this affect essential services, quality services to our people nai yanggen sigi ta utot esti papa. Ta realize ha na i nesisidat Tinian yan i nesisidat Luta ti pumarehu. I know that eventually this Initiative will go to the people and they will finally decide. Lao in the process, I would think that it behooves the Committee. This is a very sensitive issue that I have been – what twenty years for a reason na mana maput esti i Constitutional*

*amendment.* It is just because of that *sa ti* statutory *lao esti ni siña ma* amend on the next session. This requires what,  $\frac{3}{4}$  of the voters, *lao* for that matter *nai, Mr. Speaker, na* I think even in the process – I know that this is time sensitive also. I am very much aware of that *ya manmalagu hit na ta* send this in, *lao ilek-ku na* the consequences be more far reaching *humuyong.* *Ti yahu na tafanma* criticize *na* – but there will be criticism *na tita nahi i publiko* ample time to even look at it. *Hutunggo ha na guaha* newspaper talo *ya* they have all kinds of opinions back and forth, *ya* if the Congressman is correct that 75% are against it, I will take that 75% maybe the people from Saipan, and people from Saipan – *esti na* issue *nai, pot* issue *salape' gi pumalu na Senatorial Districts, los pot i Council.* That has been an issue for long time *sa atan ha, ta nanahi*  $\frac{1}{4}$  -  $\frac{1}{4}$  *ya hita ta chuchule* so much *yan an man hanao hit guatu, ta li'e na kulan guaha* over, *ti nesesario na u guaha eskuelan dankululo yanggen* the population is not called for it. *Pues estague siha na issue man* intermix *esti yan i* feelings *i taotao puet pago anai manmama dedesi i publiko.* *Lao,* let us look at it as lawmakers, if this is an approach that we should take which we will just abolish it because we do not have the money to pay for it, or can we look at it and improve the provisions of this particular Constitution, maybe through another Constitutional amendment. It is an opportunity for the people to be more aware or inform of what is happening and the possible consequences, not only this particular law, but on other Initiatives. *Enao ha iyo-ku* as far as *i* usefulness, *ileku na siña ta* improve *yanggen i kuestion – taya bidan niniha* because the law says that. *Atan ha, hu agan pago i Mayor's Office ya mamamaisen yu hayi Acting Mayor,* it is not the Chairman of the Municipal Council as somebody mentioned here, the responsibility is delegated to others. So I do not know, *ya* for that matter, *ya ta li'e ha iyoña* function *i Municipal Council na puru ha Resolutions and Resolution, lao* let us look at *i otro siha ni nisisidat Luta yan Tinian ya ta nahi* opportunity *esti siha na taotague ya uma* air their concerns. I am glad *na* if we put this on First Reading, maybe we can get some more feed back before we act on it. Thank you, Mr. Speaker.

Speaker Babauta: I guess so much have been said, because I want to close this issue out, let me recognize Representative Ogo for the last time.

Rep. Ogo: Thank you, Mr. Speaker. *Mampos magof yu anai ha mensiona si Representative tenorio pot i Article VI. Sigi hit ni man kilulok hit pot numbers, pot salape, lao hafa minagahit propositun colleague Taman? I propositu-ña i para u funas esti i Section VII, kumo Powers, Meetings, yan Compensation. Maila ya ta alok ya bai hu sanggan gi taiguine pot hafa si Vice Speaker ha mensiona anai esta mas ki biente años. Guahu bai hu sanggan na i Luta, machochochu ha esti.* Number one, assist the Mayor in the formulation of the annual budget delineation, delineating local needs. *Masusesedi ha enao gi presente. Biente años, ti hutungo gi pass dies anos, lao* for the most recent that I have been involved in a local government, *masusesedi ha enao.* Number two, at the request of the executive branch department head in consultation with the Mayor, the Council shall have the authority to approve reprogramming of funds in the approved budget. *Masusesedi ha enao pago. Masusesedi ha enao pago gi Municipal Council yan i Mayor.* Number three, to confirm all resident department heads which are stationed on their island or islands. *Luta machochogue ha enao desdi pago. Tinian, kasi machochogue ha enao. Eyague i diferensian Luta yan Tinian, i Saipan ti masusesedi enao.*

Rep. Tebuteb: Point of information, Mr. Speaker.

Speaker Babauta: State your point.

Rep. Tebuteb: *Siña bai hu faisen enao i Section II ni un sangan pot i reprogramming of funds, hafa diferensiao yan kumo i Local Delegation pot i reprogramming of funds that is appropriated for that?*

Rep. Ogo: *Representative Tebuteb, all I am saying nai na ma question i powers and duties nai. I am just relating...*

Rep. Tebuteb: *Duplication?*

Rep. Ogo: *...na esti i hafa i Mayor ha receive na ganansia or reprogramming, munao guatu gi Council naya ya ma apreba, ma ina, yan ma atan kao...*

Rep. Tebuteb: *Manu ni humalom i Local Delegation guenao? Enao i pago un sasangan?*

Rep. Ogo: *Hafa kumeke ilek-mu...*

Rep. Tebuteb: *With consultation with the Mayor kumo para uma reprogram i funds. Manu ni humalom i Local Delegation?*

Rep. Ogo: *Gi presently nai giya Luta, i Mayor ha consult i Municipal Council for any department local – let us say, Department of Public Works on Rota consults the Municipal Council that they are going to reprogram certain funds, and it seems na guaha extra ni para uma reprogram, pues i Council mu approve. The Rota Delegation never been involved in approving any budget that the Mayor wants to reprogram within its iyoña department head. Within Rota ha enao nai. That has been happening, and we have continuously, like I said, eyu i number one, two, and three masusesedi ha enao giya Luta. Number four, let me just go down to what Representative Taman is trying to eliminate here...*

Speaker Babauta: *Let me just intervene for a second here. I guess everybody is reading the Article VI that you are reading, and everybody has their explanation. Let me further add that it looks like the sentiment of the members that have spoken are willing to compromise with the First and Second Senatorial District to accommodate your local people to give an input on the Initiative. So in the interest of time, are you amendable to have this on First Reading so that you may get those information from your local government and that of your constituents?*

Rep. Ogo: *Yes, Mr. Speaker.*

Speaker Babauta: *Chairman Aldan, are you amendable to that?*

Rep. Aldan: *If I may, Mr. Speaker.*

Speaker Babauta: *Actually, I am more concerned on the Second Senatorial District because you have raised a valid point legally.*

Rep. Aldan: *Mr. Speaker, if you allow me.*

Speaker Babauta: *Continue.*

Rep. Aldan: *Magahit na they know about this bill, i Municipal Council members. They know about the bill, lao they have no idea that we will be discussing this. They think that it is proper that we sit down – I will try to arrange and have them sit down with us, and see what they feel about it.*

The Chair recognized the Minority Leader.

Rep. Palacios: *Mr. Speaker, one plus one nai is two. Ti nesisita si Einstein na para ta guadok tatti para u sangani hit na two. Ti faisen ombre i Municipal Council. What are they going to tell us? They will object to it. Let us not fool ourselves on what they are going to tell us. There is a public law that became Law in the 13<sup>th</sup> Legislature of which mandates this government that any Legislative Initiative passed by the Legislature – that is why there is a timeline on August the 6<sup>th</sup>, because it requires the Board of Election to conduct public hearings and public education. Eyigue i Executive Director na para una siguru na we meet that deadline because of this education requirement. As far as public hearing is concern, eyigue nai na manma nanahi 90 days na tiempo ni para u eduka i publiko hafa esti fundamentoña yan hafa sustansiaña. Okay. Tatungo' ha esta hafa i sentimenton i Municipal Council ombre. Ilekña gi Article VI, as provided by law, right? Ta tungo ha enao hayi para u provided by law. Esti nai i Legislature, ya desti ki humalom yu gi 13<sup>th</sup>, i 14<sup>th</sup>, yan i 15<sup>th</sup>, there has been legislation proposed to empower the Municipal Council, and has always failed, which means that the legislative body does not really want to give these functions. Taimano ha ilekña si Vice Speaker, tatungo ha hafa fundamentoña todū. Ha mensiona i gatchong-hu ginen i First Senatorial District na hunggan machochogue ha esti siha i tanahi na pudet. Hunggan nai sa tanahi siha pudet, ya puedi ma chochogue sa obligao na uma chogue sa hita munahi gue under i Constitution. Lao ti kumeke ilek-na eyu na siña ha – tisiña na tachuli tatti ya ta nahi i Local Delegation ni para ta utot dididi i expenditure i gobiernamento. Guaha ha tiempo, suficiente i tiempo para i taotao para u dinisidi esti ni para ufan ma eduka ni sustansian-ña yan fundamento-ña esti na propositu. Sigi ha hit – for lack of a better word, sigi ha hit man vacillate ni esti, sigi ha hit man liliko, man kiluluk. Dalai ya tisiña ta desidi esti pago, Mr. Speaker. Si Yu'us Ma'ase...[End of Tape 1, Side B]*

Rep. Aldan:...[Beginning of Tape 2, Side A]...*yanggen muyong esti gi publiko ya ma bota nai ni publiko, i voting residents of Saipan, yanggen enague madesidi na munga siha ni iyon-niha Municipal Counsel nai, then so be it. Bai hu respeta enao. Lao yanggen residenten Tinian nai yan Luta manmalagu para uma keep iyon-niha Council, hafa na para i numeron Saipan ni ha out number i numeron Tinian yan Luta para u deprive taotao Tinian yan Luta ni enao. Sa yanggen ti lachi yu nai, yanggen 2/3 vote Initiative maloffan, Tinian yan Luta 800 ha na taotao.*

Vice Speaker Quitugua: Point of clarification, Mr. Speaker.

Speaker Babauta: State your point of clarification.

Vice Speaker Quitugua: *Mr. Speaker, i Constitution ha nahi balansia esti. Yanggen ta pasa ¾ guine gi House, hanao hulu gi Senate, ya yanggen humuyong gi taotao, nesisita 2/3 ginen i dos na Senatorial District ni siña ma ratify. Yanggen uno ha pat osino Saipan ha ni ma ratify ya ti ha ratify 2/3 Tinian yan Luta, matai i Initiative. So it has to be 2/3's gi Two Senatorial Districts. Pues i Constitution ha na balansia esti nai pot ni uno ha Tinian yan uno ha Luta gi House nai, ha na balansia ya hanahi meggai-ña Luta yan Tinian gi Senat, pues hanahi talo iyong i taotao na nesisario*

na gi halom i tres na Senatorial District, nesisita dos ni 2/3 uma bota hunggan pat ahe, eyague ni siña ma desidi. Thank you, Mr. Speaker.

Speaker Babauta: Thank you for your clarification. Continue, Representative Aldan.

Rep. Aldan: Thank you Vice Speaker for clarifying, but I thought that it was 2/3 overall. Another thing, Mr. Speaker, *i Delegation of Saipan, man gaige hamyo guine*, you meet occasionally *yan iyon miyu* constituents. We are not privy to that *sa man gaige hami guine*. *Yanggen un vest esti na power guatu gi Delegation, hami man gaige guini*. *Gi papa*, we barely have the time to sit down with our people *sa we are dealing with a state wide issue*. *Enao ha, Mr. Speaker, ileleku nai*. *Diferentes i Council yan i Delegation iyoniha* role. *Nahi i Council para Tinian yan Luta, i Saipan, hamyo pago*. Thank you, Mr. Speaker.

The Chair recognized Representative Seman.

Rep. Seman: Thank you, Mr. Speaker. Very true; two Senatorial District must come up with a 2/3 vote, and I would like to give that opportunity to the people, Mr. Speaker. *Osun yu ma approach ni iyoku constituents guine giya Saipan*. *Taya esta rason siña para ta nahi i publiko manu ni para ta chuli'e salape*. *Man hongge yu na yanggen manma criticize hit ni Legislature sa tinahong chochu tachochogue guini giya Lehislatura ya manmamamaisen i publiko na para tafan ma pega guatu gi part-time legislature*. *Siña ta justify na yanggen i Municipal Council tanasuha, ta inherit enao na chochu gi legislative matter*. *Nahi guatu i legislative, i Local Delegation ya u chule' enao siha na chochu ni para ufan man confirm appointees ginen i Mayor sa man hongge yu na bumalansa ha enao*. *Tisiña na para un alok na taya check and balance yanggen ti un nahi prebileho i delegation matter para siha para uma ina ya para uma confirm enao siha na appointee giya First and Second Senatorial Districts*. \$740,000.00 is a well much needed funding *guatu gi general fund*. I am pretty sure *na siña enague ta ayuda i Gobietno ni para u operate iyota shortfall*. *Mr. Speaker, kanna todudu taotao ni mu approach yu tumungo pot enao i \$740,000.00 dollars ni very much ma misspend sa hafa?* *Taya iyoña function para siha gi matan niha*. I do not know what to tell them anymore *gi Municipal Council level*. *Manman beg i publiko na umana suha enao ya hafa iyoña function i Municipal Council yanggen tisiña i Mayot ha chuli gi Delegation matter*. I do not think that we should wait *na para ta pass esti gi First Reading*. I think that we should just decide on it today, *ya ta na'i Board of Election ya uma iduka i publiko ya let the people decide*. I am pretty sure that *i publiko esta machogue iyon niha homework, sa hafa?* *Hagas ha esti na issue ni ma diskuti gi man mapos siha na Lehislatura*. I do not think that there needs to be anymore education, *heneranti ha eyu siha sa munga siha na para uma abolish*. *Eyigue para u bota or against esti na Aktu*. *Lao, I am pretty sure na yanggen ta pasa esti pago ya tanahi i Board of Election, suficiente and let the people decide guini gi mamaila na election sa esta hagas ha i publiko ma nangga ni para uma desidi*. *Si Yu'us Ma'ase*.

The Chair recognized Representative Taman.

Rep. Taman: Thank you, Mr. Speaker. *Hu ekungok i sentimenton Luta yan Tinian ya hunggan hu gef siente i sinienten niha ya impotante na ta ina kabales lakkue nai ya tungo dipotsi hafa machochochu para siha yan hafa siha ti manmachochochu para siha gi Municipalidad niha*. *Hu ekungok esta todun man ngentos ya kulan guaha minasa' para uma sangan hafa sentimenton mayoria guini giya Saipan principatmiente ya ti masa' yu para bai hu sangan esti*. *Guaha sentimenton*

*mayoria guini gi halom i comunidata giya Saipan nai ilelekña na lami dai esti Municipal Council kulan gua'ut esti para ufan eyak man politika esti man hoben ni manmalagu para Municipal Council ya Resolution ki Resolution machochogue. Ti masa' yu para bai hu sangan esti. I rason na hu sangan esti, taigue enao na sentimento giya Luta yan Tinian sa hafa? Matungo ha na manmama chechechu i Council para i municipalidad niha yan i gobietnamienton niha. Gi hilo enao na rason, Mr. Speaker, kumo guahu i author ni esti na Initiative, malagu yu na para bai hu move ya ta rifera tatti esti gi Komite ya tana falofan gi First Reading ya ta ekungok ya ta chule hafa dipotsi sentimenton Luta yan Tinian guine.*

Speaker Babauta: Discussion on that motion. I recognize Representative Joseph Deleon Guerrero.

Rep. Joseph Deleon Guerrero: *Dispensa yu yanggen guaha chiniot ni esti para bai hu sangan. Lao intingo hafa? Dinanche ha si Representative Seman gi fino English, it has outlift its usefulness, and let us be blunt about it. The one thing that I have not heard today being mentioned, if there is any meaningfulness for the Municipal Council, and I think more particularly, it applies on Tinian and Rota is the fact that it is nothing less than an employment agency. Enague ti masasangan guine, ya para ta nangga ya para ta ekungok i arguments, enague gi magahit i fundamentoña pago i Municipal Council. Yanggen pot chochu – sa gi magahit esti i Municipal Council – it is Nonpartisan. The Mayor's Office is. Lao atan ha manu ni man gaige hit sa fino' i Vice Speaker, manman hire ya esta manma pepega guatu gi diferentes siha na departamento. Maila ya ta nahi ha basta i Mayot ni enao – yanggen pot employment nai, ya i Mayot para guiya u handle enao. As far as iyōña other role in terms of providing check and balances, again, I agree that the respective Senatorial Local Delegation can do that job easily, and they have the resources. Here at the Legislature, guaha esta legal counsel guine, guaha iyota Legislative Aide, yan guaha esta todo. Yanggen manasuha esti na redundance, I think that it is a move in the right direction for the long term betterment of the Commonwealth, and I think that this is just the start – i Municipal Council. Tatatti siempre lakkue malagu i publiko na para uma ina taimano i Lehislatura para umana mas efficient lakkue, and I think that we will eventually going to have to deal with that, whether it be part-time legislature, whether it is going to be reduced numbers, or reapportionment, or maybe even a move to have the lower House be voted as island wide. Whatever that choice maybe, I think that it is coming forward, and I think the people – gi fino' English, the writings on the walls. Tisiña ta ignore enao, and I think this is just the first step in that direction, and really the bottom line is to eliminate redundancy and be more efficient as a government. Enao ha. I think that if we hold this any further, and we refer it back to the Committee, you minus well, Representative Taman say, file the bill. Sa ti ha gacha siempre i deadline. Kikidi para uma pasa esti gi Senate. Ya yanggen un li'e na para ta hold esti taiguine na tiempo, imagine when it gets to the Senate. I think that this Initiative is dead in the Senate. Minus well do our part today, get it over with, and let the votes occur, and from there, let the Senate decide.*

Rep. Tenorio: Point of information, Mr. Speaker.

Speaker Babauta: Let me recognize the point of information by Representative Tenorio.

Rep. Tenorio: Mr. Speaker, I just want you to know the time frame that is involved to go to Committee, and then back to work on it...if there is enough within the allotted time for the Initiative?

Speaker Babauta: I was actually heeding to your recommendation, and just place it on the Calendar...

Rep. Tenorio: But Mr. Speaker, if we have a day or two...

Speaker Babauta: I was just trying to apply your recommendation where we will move it on First Reading, and hold it on the Calendar, and allow the counsel to work – I am primarily concerned on the valid point of Chairman Aldan that he raised.

Rep. Waki: Point of information, Mr. Speaker.

Speaker Babauta: State your point.

Rep. Waki: If I remember correctly, last night on KSPN News, it was Vice-President Reyes that mentioned that the next time they go into session is like August 2<sup>nd</sup> or the 6<sup>th</sup>. So this is an issue when it comes to timing, and maybe we should get a clarification from the Senate because a lot of these Initiatives, even if we pass it, when will they act on it because I know that the Election Commission said that they need these Initiatives no later than August 6<sup>th</sup>. So time is definitely of the essence, and maybe this could be absolutely mood no matter what we do, whether we do it on First and Final or even on First Reading – if the Senate is not going to meet for another month and a half. So I think that there is a definite concern here – we are debating on something that we feel is a definite issue that needs to be addressed, but I think we should find out from the Senate when possible is there next session so that way, we can find a timeline on what we are going to do here, and how much of an urgency it is going to be. That is just my point of information. Thank you.

The Chair recognized Representative Joseph Deleon Guerrero.

Rep. Joseph Deleon Guerrero: I just want to wrap up, Mr. Speaker, by saying that, the Senate – as far as getting input, the process allows for the other House of this Legislature to conduct public hearings need be. I just think that the Committee did its due diligence, and has submitted a Committee Report, and any further comments may ought to be directed to the Senate. If we keep stalling it here, like I said, we minus well just file this bill, and stop wasting time. Thank you.

The Chair recognized the Vice Speaker.

Vice Speaker Quitugua: Thank you, Mr. Speaker. *Para bai hu na balasia esti i sinienten i House espesiatmente kunrespetu gi author. Kumo man maolek-ha i members, ya bai hu offer subsidiary motion ya – ma bira esti tatti gi Committee, ta polu gi First Reading ya hu saga gi Calendar ya ta faisen iyota legal counsel para u nahi hit ni sinedaña pot i Casino Referendum ni specifically ilek-ña si Representative Aldan, ha mensiona i Municipal Council as the body nai para unappropriate i salape. I otro lakkue, yanggen siakasu na dinanche si Representative Waki na i Senate ti para ufan meet estai sometime in August, then in our next session, minus well recall the bill and fine it, because we will not meet the time. Otro lakkue, Mr. Speaker, guahu lakkue, gaige gi hinasokku, parehu ham yan si Representative Deleon Guerrero na sen matai esti gi Senate. Lao pot nai ma introdusi nai gi House ya ma refer guatu gi Committee, debi na tachogue checho-ta gi Committee. Pues esta yanggen ma puno gi Senate pues so be it, we did our job in the House. Pues yanggen kontentu ha, Mr. Speaker, i author na ta polu ha esti gi Calendar gi First Reading ya ta pick up gi*

next session *ya ta nahi chansa iyota legal counsel ni para u nahi hit information pot i Casino Referendum giya Tinian.* Thank you, Mr. Speaker.

Rep. Ogo: *Esta mina kuartro biahe ni para bai u fan second.*

Speaker Babauta: There is a subsidiary motion offered on the floor, and was seconded, let me recognize now the subsidiary motion. Let me recognize the author, Representative Taman.

Rep. Taman: I am amendable to the subsidiary motion, Mr. Speaker, *lao malagu ha yu na para bai manifesta na sigun konrespetu, sigun gi finoña si Representative Deleon Guerrero,* I am not wasting anybody's time here. *Ti hu dudulalak i Election Commission para u pega esti gi balotu. Debi di ta atan ya ta ina maolek. Taya hu dudulalak guine. Ni tampoku i Senate ti hu dudulalak. Munga na para ta sigi manma sangan gi publiko na tachogue'n atmarariao chechota guine. Hagas esti na asunto ni ma pegga ya tisiña i kongresu ha enfuetsa ha nahi atoridat i Municipal Council. Estague na ta chachagi talo na yanggen tisiña ta nahi atoridat i Municipal Council, pues maila ya ta chuli tatti ya ta nasuha. Lao uma'anok na guaha sentimiento na guaha na nesesario na para ta ina kabales esti mas tadong ni para ta ke'tungo. Eya gue muna hu fabot eyu i subsidiary motion lao pot fabot taya guine hu gagasta tiempon-ña sa man parehu ha manma elihi, manma apapasi hit ni para tachogue chechota. Konrespetu para hamyo. Si Yu'us Ma'ase.*

The Chair recognized the Minority Leader.

Rep. Palacios: Thank you, Mr. Speaker. I tell you – I do not care how long we delay this, but when it comes to a vote, I am going to vote, yes, and I do not care if we have the Mayor of Rota, and all of the framers of the Constitution from First, Second, and Third Constitutional Convention. *Hafa ta nanangga? Lao an enao malagu miyo, maila ya ta chogue, lao next session, I will agree to that, but let us pick it up in the next session and vote on it. We can put this on First Reading, but there are some here that has been on First Reading only, and it has been sitting in the Calendar. Let us put a timeline on ourselves on the subsidiary motion, and make sure that we take it up for a vote.*

Rep. Tenorio: Clarification, Mr. Speaker.

Speaker Babauta: Let us have some order here. State your point of clarification, Vice Speaker.

Vice Speaker Quitugua: *Iyoku subsidiary motion, Mr. Speaker, ilek-hu na para ta polu gi First Reading, ya para ta pick up gi iyota next session. Pues in line yan i Minority Leader na yanggen man halom gi next session, debi na ta pick up esti na issue gi Calendar.* Thank you, Mr. Speaker.

The Chair recognized Representative Joseph Deleon Guerrero.

Rep. Joseph Deleon Guerrero: Thank you, Mr. Speaker. I just want to clarify to my good colleague from Precinct IV – *ti ilelek-hu na you are wasting any members' time. Ilek-hu na kumo ti ta Act ni esti na Initiative within the next few days, given that the Senate has to do its own review, this Initiative will not be able to meet the time deadline that the Election Commission requires. Ya therefore, if we do not get it before the Election Commission, then the issue is mood, and this good bill that you author, Representative Taman, that I fully support – this whole process would have been in vain. Enague iyoku point guenao.* I just want to impress upon the members that time really is of

essence *guini*. With that, I still support your bill, and I support the subsidiary motion as well. I move to end debate, Mr. Speaker.

The motion to end debate was seconded.

Speaker Babauta: I will now call the subsidiary motion on First Reading.

There being no further discussion, the motion to have H. L. I. NO. 15-15 was carried by voice vote.

Speaker Babauta: The subsidiary motion to place H. L. I. NO. 15-15 on First Reading is carried.

Rep. Yumul: Privilege, Mr. Speaker.

Speaker Babauta: Under privilege, I recognize Representative Yumul.

Rep. Yumul: Thank you. I just have new information on the recent report of casualty from the island of Rota.

Speaker Babauta: Please share that with us.

Rep. Yumul: I am going to read a verbatim from the Department of Defense.

Speaker Babauta: Under what release is that?

Rep. Yumul: Under June 25<sup>th</sup> release. Two days ago.

Speaker Babauta: From what paper?

Rep. Yumul: It is not. It is directly from the Department of Defense.

Speaker Babauta: Washington D.C.?

Rep. Yumul: Yes. The Department of Defense announced that day that the death of 4 soldiers who are supporting operation in Iraqi Freedom died June 20<sup>th</sup> in Baghdad, Iraq of wounds suffered when an improvised explosive device detonated near their vehicle. They were assigned to the 1<sup>st</sup> Battalion, 64<sup>th</sup> Armed Regimate Brigade Combat Team of the 3<sup>rd</sup> Infrantry Division from Ford Steward, Georgia. Those that were killed in that vehicle was, Maj. Sid Brookshire, 36 of Missouri, Staff Sgt. Darren Hobble, 38 of Tifton Georgia, Spec. Joe Chaufarous, Jr., 33 of Rota, Mariana Islands, and Pcf. David Bents, III, 20 of New field New Jersey. These were the occupants of that vehicle. This is just the new information that I wanted to pass out.

Speaker Babauta: They all died as a result of wounds sustained...

Rep. Yumul: Yes, of improvised explosive device. Thank you, Mr. Speaker.

Speaker Babauta: Thank you for sharing that information. I now recognize the Floor Leader for the next bill.

Acting Floor Leader Lizama: So moved, Mr. Speaker, for the passage of H. L. I. NO. 15-14 on First and Final Reading.

The motion was seconded.

**H. L. I. No. 15-14:** A HOUSE LEGISLATIVE INITIATIVE TO AMEND ARTICLE IV, SECTION 5 OF THE CONSTITUTION OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS TO AUTHORIZE THE ELECTION OF THE CHIEF JUSTICE AND PRESIDING JUDGE BY A MAJORITY OF THE JUSTICES AND JUDGES, RESPECTIVELY.

Speaker Babauta: There is motion on the floor. Discussion.

Rep. Torres: Mr. Speaker.

The Chair recognized Representative Torres.

Rep. Torres: With the indulgence of the members, I am requesting that we hold this until the next session. I am preparing a substitute amendment. It has to do with the Judicial Branch.

Speaker Babauta: Again, with all do respect to the Committee Chair, and the respective members of JGO, I hope that we have sufficient comments that arises out of our third branch of government. As usual, in as much as I want to support every member that have put out request, unless there is a compelling reason by Representative Torres, and that the amendment that is forthcoming would further enhance the quality of the Initiative. I would leave it up to the members that again, I would urge the members to – before I ask the members to support the recommendation of Representative Torres, can I have one basic hint on...

Rep. Torres: You want me to hint you? Mr. Speaker, and members, the proposed amendment to this Initiative has a significant of importance. The exclusion of the Judicial Advisory Committee during the two elections ago was inadvertently delete or excluded in the amendment of the Supreme Court, and that is very important, and that we reinstate that. That is the only safeguard and protection of the innocent public.

Speaker Babauta: I share your concern on this because you, I and Representative Tenorio campaigned hard to ask the public to endorse that particular amendment in the 10<sup>th</sup> Legislature going into the 11<sup>th</sup> Legislature. We will leave it up to the members, and I would request the members to see if we can get their support to...you may continue Representative Torres.

Rep. Torres: The second one is to include the – just to give the members a hint that we need to set time line for the Judicial Branch to make a decision in lesser time like a maximum time on appeals. Sometimes it takes like 4 years, and the people are suffering from spending needless legal fees and so forth that cases should be heard in one year so that it would lessen the burden on our people.

Speaker Babauta: I agree.

Rep. Tenorio: Point of information, Mr. Speaker.

Speaker Babauta: State your point, Representative Tenorio.

Rep. Tenorio: Mr. Speaker, are we continuing this afternoon because...

Speaker Babauta: No. Somebody ask to be excused this afternoon earlier. I indicated that I have an important meeting this afternoon at 2:00 p.m.

Rep. Tenorio: I was just going to suggest that we do that to address these other...that is all.

Speaker Babauta: Members, who wants to offer a subsidiary motion? Vice Speaker, state your point of clarification.

Vice Speaker Quitugua: *Bai hu faisen i legal counsel kao i amendment ni para uma offer ginen as Representative Torres germaine yan esti na Section guine, or kao nesesario na uno ha na amendment gi kada Initiative or siña ha dos pat tres na amendment gi Constitution gi uno na Initiative? So he is going to substitute the bill?*

Speaker Babauta: Short recess.

The House recessed at 11:22 a.m.

## RECESS

The House reconvened at 11:30 a.m.

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

Acting Floor Leader Lizama: So moved, Mr. Speaker, for a subsidiary motion to place on First Reading only H. L. I. NO. 15-14.

There being discussion, the subsidiary motion was seconded and carried by voice vote.

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

Floor Leader Florencio Deleon Guerrero: So moved, Mr. Speaker, for the passage of H. B. NO. 15-198 on First and Final Reading.

Speaker Babauta: Discussion.

Rep. Waki: Clarification, Mr. Speaker.

Speaker Babauta: I recognize Chairman Waki.

Rep. Waki: Mr. Speaker, just to let you know that we are still waiting for the legal opinion on the submerged land issue, and I just followed up with the Attorney General today, and they are getting closer – they are working with the Department of Public Land because of Public Law 12-33, which removed all the rights of submerged lands to the Department of Public Lands. They are trying to clarify that first. At this time, I would just like to go ahead and continue to leave it on the Calendar, and hopefully I will have something within the next week. Thank you.

Speaker Babauta: Without objection?

There was no objection.

Speaker Babauta: With the disposal of the members, H. B. NO. 15-198 shall remain in the Calendar. Number five, Floor Leader.

Acting Floor Leader Lizama: So moved, Mr. Speaker, for the passage on First and Final Reading, H. B. NO. 15-277.

The motion was seconded.

**H. B. NO. 15-277**: A BILL FOR AN ACT TO AUTHORIZE CLASS I MEMBERS OF THE RETIREMENT FUND WITH FIFTEEN YEARS OF ACTUAL SERVICE CONTRIBUTIONS TO THE RETIREMENT FUND TO WITHDRAW THEIR CONTRIBUTIONS; AND FOR OTHER PURPOSES.

Speaker Babauta: Discussion. I recognize Representative Yumul.

Rep. Yumul: I think we just passed this legislation about a week ago. I just want to clarify the reason for this addition or change?

The Chair recognized the Vice Speaker.

Vice Speaker Quitugua: We all thought that this is incorporated in S. B. NO. 15-76, however, after consulting our legal counsel, he said that this is a different provision. It is not actually the one that we thought – the section in S. B. NO. 15-76. So a separate amendment was prepared with the consultation of the Retirement Fund, and the language that were underlined here actually came from the Retirement Fund.

The Chair recognized Representative Joseph Deleon Guerrero.

Rep. Joseph Deleon Guerrero: Just to further clarify, Mr. Speaker. I think there is no findings actions here, but what this bill would do basically is – it would essentially reduce the liability to the Fund in terms of paying for future pensions, it will allow employees to be able to leave immediately, and when they come back, they will be coming back as a member of the DC Plan. I am supporting it because it will lessen the liability for the Fund. Thank you.

Speaker Babauta: Ready. Clerk, call the roll.

The Clerk called the roll on the motion to pass H. B. NO. 15-277 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	excused
Rep. Joseph P. Deleon Guerrero	yes
Rep. Jacinta M. Kaipat	yes
Rep. Jesus SN. Lizama	yes
Rep. Crispin M. Ogo	yes
Rep. Arnold I. Palacios	yes
Rep. Justo S. Quitugua	yes
Rep. Benjamin B. Seman	yes
Rep. Candido B. Taman	yes
Rep. Ramon A. Tebuteb	yes
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	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. 15-277 passes the House on First and Final Reading. Clerk, take note that the Vice Speaker during the Introduction that the bill is introduced as Committee as a Whole. Floor Leader, recognized.

Acting Floor Leader Lizama: So moved, Mr. Speaker, for the passage motion on First and Final Reading, H. B. NO. 15-109.

The motion was seconded.

**H. B. NO. 15-109:** A BILL FOR AN ACT TO AUTHORIZE THE ASSESSMENT OF PARKING METER FEES, TO REQUIRE SEGREGATION OF FEES COLLECTED BY SENATORIAL DISTRICT, AND TO AUTHORIZE LOCAL APPROPRIATION OF THOSE FEES.

Speaker Babauta: Discussion. I recognize Representative Yumul.

Rep. Yumul: Thank you. The parking meter – are we designating the places for parking meter or this is Commonwealth wide?

Speaker Babauta: We are allowing the Department of Public Works to have an enforcement authority over those meters – in some cases, in consultation with our Department of Public Safety as far as road safety is concerned.

Rep. Yumul: My other concern is that the Department of Public Works would be the ones collecting the funds?

Speaker Babauta: Correct.

Rep. Yumul: Should it not be the Department of Finance?

Speaker Babauta: They have to remit.

Rep. Yumul: Okay. Ready.

Speaker Babauta: Ready. Clerk, call the roll.

The Clerk called the roll on the motion to pass H. B. NO. 15-109 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	excused
Rep. Joseph P. Deleon Guerrero	yes
Rep. Jacinta M. Kaipat	yes
Rep. Jesus SN. Lizama	yes
Rep. Crispin M. Ogo	yes
Rep. Arnold I. Palacios	yes
Rep. Justo S. Quitugua	yes
Rep. Benjamin B. Seman	yes
Rep. Candido B. Taman	yes
Rep. Ramon A. Tebuteb	yes
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	yes
Rep. Absalon V. Waki, Jr.	yes
Yes, especially for Paseo de Marianas.	
Rep. Ray N. Yumul	yes
Yes, and I hope that the Department of Public Lands does not think that we are impeding on their territory.	
Rep. Oscar M. Babauta	yes

Speaker Babauta: By a vote of 16 “yes”, H. B. NO. 15-109 passes the House on First and Final Reading. Floor Leader, next bill.

Acting Floor Leader Lizama: So moved, Mr. Speaker, for the passage motion on First and Final Reading, H. B. NO. 15-273.

The motion was seconded.

**H. B. No. 15-273:** A BILL FOR AN ACT TO AMEND 4 CMC §§ 8122(C) AND (D), AS ENACTED AND AMENDED BY PUBLIC LAWS 15-35 AND 15-40, RESPECTIVELY; AND FOR OTHER PURPOSES.

Speaker Babauta: Discussion. Clerk, call the roll.

The Clerk called the roll on the motion to pass H. B. NO. 15-273 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	excused
Rep. Joseph P. Deleon Guerrero	yes
Rep. Jacinta M. Kaipat	yes
Rep. Jesus SN. Lizama	yes
Rep. Crispin M. Ogo	yes

Rep. Arnold I. Palacios	yes
Rep. Justo S. Quitugua	yes
Rep. Benjamin B. Seman	yes
Rep. Candido B. Taman	yes
Rep. Ramon A. Tebuteb	yes
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	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. 15-273 passes the House on First and Final Reading. Next bill, Floor Leader.

Acting Floor Leader Lizama: So moved, Mr. Speaker, for the passage of H. B. NO. 15-47 on First and Final Reading.

The motion was seconded.

**H. B. NO. 15-47:** A BILL FOR AN ACT TO BOOST THE ECONOMY OF THE CNMI BY ESTABLISHING A SPECIFIC NONIMMIGRANT ENTRY PERMIT CATEGORY IN THE IMMIGRATION CODE TO ATTRACT THE “SILVER CLUB” MARKET IN JAPAN AND RETIREES FROM OTHER ASIAN COUNTRIES AND FOR OTHER PURPOSES.

Speaker Babauta: Discussion. Ready. Clerk, call the roll.

The Clerk called the roll on the motion to pass H. B. NO. 15-47 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	excused
Rep. Joseph P. Deleon Guerrero	yes
Rep. Jacinta M. Kaipat	yes
Rep. Jesus SN. Lizama	yes
Rep. Crispin M. Ogo	yes
Rep. Arnold I. Palacios	yes
Rep. Justo S. Quitugua	yes
Rep. Benjamin B. Seman	yes
Rep. Candido B. Taman	yes
Rep. Ramon A. Tebuteb	yes
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	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. 15-49 passes the House on First and Final Reading. Floor Leader, next bill.

Acting Floor Leader Lizama: So moved, Mr. Speaker, for the passage motion on First and Final Reading, H. B. NO. 15-139.

The motion was seconded.

**H. B. No. 15-139:** A BILL FOR AN ACT TO AMEND TITLE 1 CMC § 8365 TO ESTABLISH THAT THE NORTHERN MARIANAS RETIREMENT FUND RECEIVE ITS TAX REVENUE FROM THE HOTEL OCCUPANCY TAX AND ALCOHOLIC CONTAINER TAX DIRECTLY INTO A SPECIAL FUND WITHIN THE DEPARTMENT OF FINANCE; AND FOR OTHER PURPOSES.

Speaker Babauta: Discussion. I recognize Representative Waki.

Rep. Waki: Thank you, Mr. Speaker. I know that the Hotel Occupancy Tax and the Alcohol Container Tax does go – I think it is being earmarked for certain other things. Are we saying that we are just going to transfer it over, or just take it from where it is supposed to be going into this particular fund for the Retirement?

Speaker Babauta: The intention of the bill is to allow – it is presently being allocated 20% of what is being collected, but the intent is, instead of annually that it be remitted quarterly to augment the shortfall of whatever the government failed to meet for the potential retirees and those that have retired.

Rep. Waki: Okay. Just as long as we are doing the same thing, but we are just basically – instead of yearly to quarterly. Okay.

Speaker Babauta: Yes. Ready. Let me recognize the author, please.

Rep. Torres: The purpose of this bill is to force and enforce all laws that requires the remittance of 20% from these taxes to the Retirement Fund because it has not been done. So we just need to make it a little tighter so that quarterly it be lighter to transmit rather than holding it for one year, and then end up not being able to transmit because there is too much money.

Speaker Babauta: So at least with quarterly, we would have some impact. Okay. Ready. Clerk, call the roll.

The Clerk called the roll on the motion to pass H. B. No. 15-139 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	excused
Rep. Joseph P. Deleon Guerrero	yes
Rep. Jacinta M. Kaipat	yes
Rep. Jesus SN. Lizama	yes
Rep. Crispin M. Ogo	yes
Rep. Arnold I. Palacios	yes
Rep. Justo S. Quitugua	yes
Rep. Benjamin B. Seman	yes
Rep. Candido B. Taman	yes
Rep. Ramon A. Tebuteb	yes
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	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. 15-139 passes the House on First and Final Reading. I recognize again the Floor Leader.

Acting Floor Leader Lizama: So moved, Mr. Speaker, for the passage of H. B. NO. 15-263 on First and Final Reading.

The motion was seconded.

**H. B. NO. 15-263, HS1**: A BILL FOR AN ACT TO AMEND CERTAIN SECTIONS OF PUBLIC LAW 15-23; AND FOR OTHER PURPOSES.

Speaker Babauta: Discussion. Clerk, call the roll.

The Clerk called the roll on the motion to pass H. B. NO. 15-263, HS1 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	excused
Rep. Joseph P. Deleon Guerrero	yes
Rep. Jacinta M. Kaipat	yes
Rep. Jesus SN. Lizama	yes
Rep. Crispin M. Ogo	yes
Rep. Arnold I. Palacios	yes
Rep. Justo S. Quitugua	yes
Rep. Benjamin B. Seman	yes
Rep. Candido B. Taman	yes
Rep. Ramon A. Tebuteb	yes
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	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. 15-263, HS1 under S. C. R. NO. 15-68 passes the House on First and Final Reading. Floor Leader, continue on your subsidiary motion.

Acting Floor Leader Lizama: So moved, Mr. Speaker, for subsidiary motion to include, S. C. R. NO. 15-69 reporting on S. B. NO. 15-87 on today’s Order of Business.

The subsidiary motion was seconded and carried by voice vote.

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

Acting Floor Leader Lizama: So moved, Mr. Speaker, for the passage motion on First and Final Reading, S. B. NO. 15-87, SD1, HS1.

The motion was seconded.

**S. B. No. 15-87, SD1, HS1:** A BILL FOR AN ACT TO AMEND 4 CMC §3214; AND FOR OTHER PURPOSES.

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

Rep. Joseph Deleon Guerrero: Thank you, Mr. Speaker. I am still unsure of the intent of this bill. If you look at the – concerns were raised from members of the engineering firms here, as well as the former members of the Board of Professional Licensing, and I am unclear of what meaningful or substantive change this amendment would provide. If you read the original section of the law, line 12 does allow for persons to be licensed from another jurisdiction. It does not say U.S., and now it includes U.S. or foreign jurisdiction.

Speaker Babauta: Let me recognize the Vice Speaker.

Vice Speaker Quitugua: Thank you, Mr. Speaker. I asked the author, Senate President Mendiola, on what the primary intent of this bill, and the primary intent is just to clarify the word “another jurisdiction” by placing “United State or Foreign.” However, the Board of Professional Licensing came back with a recommended amendment to this bill, and instead of the words, “United State or Foreign”, they recommended to insert, “or certified” and cross the “another”, and add “any.” The following underlines which is a current Requirement, “under Section 3215 (a) to (e). So this is the recommendation from the Professional Board Licensing, and the email is attached to this report exactly what the Professional Board recommends to insert as an amendment on the Senate Bill.

The Chair recognized Representative Joseph Deleon Guerrero.

Rep. Joseph Deleon Guerrero: It does not make sense because Section 3214 deals with temporary licenses, and it really should not talk about persons licensed or certified in the United States because the rest of the Act deals with that. This Section as far as I am concerned was really just to allow members or qualified individuals to practice here on a temporary basis who are from other jurisdictions. If you look at the original language there, that is what it refers to. So I am really unclear as to why they would include the United States in there when it was not intended for that? And as far as imposing foreign jurisdiction, the original language refers to that – other none U.S. jurisdiction. So we are amending something to reinstate the original intent of the Act, but in a way, we are also kind of confusing it by inserting “United States.” I am still not convinced.

Speaker Babauta: If I may, Representative Deleon Guerrero. When I talked to Chairman Guerrero of the Professional Licensing, he said that the – because it does not really explicitly say, “foreign”, but it says “other jurisdiction”, he said that it is not bad to clarify it because presently, we are part of the U.S., but whether or not the Committee or the members would like to inject and make it more broader and to clarify it further that “U.S. and other foreign jurisdiction.” You are correct. The original language says “other jurisdiction”, and that is giving a problem to some that interprets whether it is going to be a state from any of the 50 states or territories or foreign. So it is actually a distinction between the U.S. and other foreign country that are...

Rep. Tenorio: Point of clarification, Mr. Speaker.

Speaker Babauta: Let me – because Representative Deleon Guerrero still has the floor. You want to yield for now, Representative Deleon Guerrero?

Rep. Joseph Deleon Guerrero: Yes.

Speaker Babauta: I recognize Representative Yumul.

Rep. Yumul: Thank you, Mr. Speaker. I am just going through the code, and subsection 3215 only has two part, (a), and (b).

Speaker Babauta: We are discussion § 3214.

Rep. Yumul: I understand that, but on page 1, line 14, it says, § 3215 (a) through (e)...

Speaker Babauta: Recently, we have amendments that was done in the 14<sup>th</sup> Legislature, and it is not codified yet. You should have the so-called supplement. We improved the Professional Licensing Board in the 14<sup>th</sup> Legislature to include other professionals like the “landscapers, and surveying”...

Rep. Yumul: I want to yield for now, but...

Speaker Babauta: Definitely. I recognize Representative Tenorio.

Rep. Tenorio: Thank you, Mr. Speaker. I have a similar question that I was going to ask the legal counsel if she explain what is § 3215 (a) to (e), if she has that...

Speaker Babauta: Under the code that the counsel has in the computer is limited to what Representative Yumul was saying because the other amendments are not being codified yet. It has not been included as part of the volume of the CNMI Code. Counsel...it is a list of professionalism in the professional field.

Legal Counsel Antonette R. Villagomez:...[*microphone off*]

Rep. Tenorio: It is supposed to be 5.

Legal Counsel Antonette R. Villagomez:...[*microphone off*]

Rep. Tenorio: I think, Mr. Speaker, in the absence of that, I do not know if we are reading something else that does not – or is incomplete. So we do not know exactly what it gives or what it takes.

Speaker Babauta: Let us put faith in our counsel. Once again, the Speaker, assures you that...

Rep. Tenorio: Perhaps, the Speaker has a copy of this particular provisions that he can share with the rest of the group so that we are clear on what we are doing. That is all, Mr. Speaker. Thank you.

Speaker Babauta: Our counsels has those supplement that have yet been published in general with the one that Congressman Yumul had. Do you have the supplement, Representative Yumul.

Rep. Yumul: Yes, I do, Mr. Speaker. I got the answer.

Speaker Babauta: If you may please enlighten the members about the § 3215 (a) through (e)?

Rep. Yumul: Thank you, Mr. Speaker. Under qualification of licensure (a) and (b), (b) has been expanded as you had mentioned, and there are 5 subparts under that which is engineers, architects, land surveyors, landscape architects, real property appraisers; (c), (d), and (e); (c) states that in addition of the foregoing requirements, the board at its discretion may require additional proof that the applicant is competent to practice professionally and whether the board is not fully satisfied from the results of an examination that an applicant is competent to practice professionally, they may give the applicant further examinations as the board deems appropriate. Now (d), except as provided in the Commonwealth Constitutions schedule on transitional matters, all applicants for a license or certificates shall possess a reputation for honesty, trustworthiness, fairness, financial integrity, and is of good moral character, and shall not have been convicted of a crime of moral or a crime committed to their profession in the CNMI or any other jurisdiction. And lastly (e), the board may by regulation provide for the licensure of architectural intern engineer, intern and land surveyor intern, the intern engineer or intern surveyor licensed does not authorize the holder to practice as a professional architect engineer professional surveyor.

Speaker Babauta: And that is the criteria prior to § 3214 being issued, correct?

Rep. Yumul: Yes.

Speaker Babauta: You have to meet one of those? Okay.

Rep. Yumul: My understand is that they all apply, Mr. Speaker.

Speaker Babauta: Right. I recognize Representative Tenorio.

Rep. Tenorio: Mr. Speaker, it seems that there are some other requirements for this, so I hope that – it is part of the law so they should comply with this.

Speaker Babauta: They have to.

Rep. Tenorio: The only thing is that I am concerned that there are a lot of people here that are already licensed, and by giving this opportunity for outside – they are talking about foreign, so you are inviting any of these practitioner engineers or whatnot, a temporary license, and I thought that at one time I saw a sunset provision in this legislation, and...

Speaker Babauta: It was, but it was the recommendation of the Professional Licensing to remove that because once that provision expires, the entire provision – it is one of the amendment that was made by the Committee to remove that because we do not want to kill the program itself after two years. Meaning, we do not want to shut down Professional Licensing after two years. So this is granting aside from the – building code, and aside under the supervision of our CNMI Professional

Licensing Office, and with a certified U.S. practicing, the temporary license can be issued provided that they are being concurred by those U.S. certified on island practicing.

Rep. Joseph Deleon Guerrero: Can I clarify what you just said?

Speaker Babauta: Continue.

Rep. Joseph Deleon Guerrero: Basically, what this amendment would do is it would allow – never mind the U.S., but the people that are certified and licensed in foreign jurisdiction to be able to practice here provided that they meet the CNMI requirements for licensure here...if that is what it does then I have no further questions, Mr. Speaker.

Speaker Babauta: Correct. I recognize the Minority Leader.

Rep. Palacios: Mr. Speaker, I have some concerns about this legislation. One, I still am not sure what it is that it is trying to change and for what purpose. Secondly, if you look at the proposed legislation, SD1, HS1, particularly in the amendment section, it just says temporary license. It does not define the boundaries of what a temporary license is. Compare that to the attachment from the Chairman of Board of Professional Licensing, Mr. Guerrero, and if you look at the existing statute on the third paragraph, it says, the present law now stating the following, the board may grant a temporary license to a person who is not a resident...it is the same thing. But on (d), it says, a temporary license shall be granted for each specific job which the length of time not to exceed one year and shall provide the there is no right to practice architecture. This has been basically taken out.

Speaker Babauta: No, (b) is – what you are reading is on § 3215, and that is a must. The legislation does not amend § 3215. It requires. Let me allow the Minority Leader to respond.

Rep. Palacios: So if we are just going back to the same Public Law, what are we changing? I am still not clear exactly what the purpose of this amendment is. Right now under the existing law, the Board of Professional Licensing has its standards that we have here, and we are saying that we will allow that same standard, but it can allow for a US national or citizen or foreign jurisdiction to be allowed to practice this engineering, architect and all that in the Commonwealth following the statute – so what are we – that is the existing law, and what are changing here?

The Chair recognized the Vice Speaker.

Vice Speaker Quitugua: Mr. Speaker, I had the same question, and the President said that he just wants to clear the words, “and another jurisdiction” by indicating “United States or foreign.” And then amending the original bill would also – they wanted to amend Section (b), the one that you just read out – that was not supported by the Professional Licensing Board, and if you read the letter from the Chairman, they are not supporting that bill as it originates from the Senate. So instead, they recommended an amendment to the Senate Bill, and what we have here, they are only amending (a). The Professional Board only recommended to amend Section 2 (a), but they want to leave Sections (b) all the way to (c) as is. They are just striking out what the original bill is trying to amend on subsection (b). That is another thing that they wanted to change. Clarifying the jurisdiction, and amending Subsection (b), but what we are doing here is that, we are taking the recommendation

from the Professional Board of Licensing that, Okay, we will support the bill, but this is what we wanted in the amendment. We do not want the (b) to be changed, but these are the words that we wanted to be inserted under subsection (a).

Rep. Palacios: Somehow that clarifies it a little bit, Mr. Speaker. However, many of us got calls from US residents; architects, engineers, landscape engineers, and surveyors, our local people expressing grave concerns. In fact, strong oppositions to the proposed amendments. That being said, I would like to have the same people that expressed grave concerns to now take a look at what we have whether this is okay. I think that we owe it to these professional engineers and what not, to give them – have them take a look at it. You know, we spend a lot of Commonwealth to send these folks to engineering school. I want to make sure that they are utilized in the Commonwealth, and they do not pack up and go back to work for California, Department of Transportation, because the jobs over here dried up because we had opened up the doors again to foreign nationals to come and practice here. Those are concerns that we have to be looking at. I think that we – I know that the legislation in the proposed House Substitute changed some of the amendments that is being proposed in the Senate, but I think that we owe it to these people. Let us call them up and give this to them, and if they say that it addresses their concerns, then I am ready to vote on it. Otherwise, I am very concern about this because of the number of people that called me up about this. I think that we owe it to them, Mr. Speaker.

Speaker Babauta: I recognize that, and I guess that is the reason – the subsection that the Committee removed, which is a major concern for those people. So that has been removed already. I recognize the Vice Speaker.

Vice Speaker Quitugua: Even myself, Mr. Speaker, I got calls, and I met with some of our local certified engineers, architects, and their main concern is (d), the amended version of Section 2 (b). That is what they do not want. That is the one that the Minority Leader is saying that they worked so hard to get their license, and then you opened it up. This is the one that they are asking to not support. After consulting with the Chairman and the Professional Licensing Board, they then send their recommended changes to the Senate Bill. If you notice that the Professional Licensing Board also omitted Section (b) of the Senate Bill, which is greatly opposed by our locally licensed engineers/architects – and I understand the sentiment of our local certified engineers and architects. So their concern is removed from the Senate Bill.

Rep. Palacios: Since there is a whole sentiment today for First Reading, could I recommend that we put it on First Reading and ask them to give us an official endorsement of this recommended changes, and I will vote for it.

Speaker Babauta: Which one do you want to ask for the official endorsement?

Rep. Palacios: Professional Licensing. It is the House substitute – to have them take a look at it and say, yes, this is how we want it, then I will support this.

Speaker Babauta: The email that is attached addresses what the Professional License required. Unless, we want to emphasize what has been emailed to the Committee through a letter head. I recognize the Vice Speaker.

Vice Speaker Quitugua: I think the Minority Leader is requesting that the Chairman of the Board reaffirm the recommendation of the executive director through a letter.

Speaker Babauta: Okay. Floor Leader, subsidiary motion for First Reading.

Acting Floor Leader Lizama: So moved, Mr. Speaker.

There being no further discussion, motion to place S. B. NO. 15-87, SD1, HS1 on First Reading only was seconded and carried by voice vote.

Speaker Babauta: The motion is carried. Floor Leader, it is now 12:15 p.m., let us break for lunch.

Acting Floor Leader Lizama: So moved, Mr. Speaker, to recess subject to your call.

### MISCELLANEOUS

None

### ANNOUNCEMENTS

None

The House adjourned at 12:15 p.m.

Respectfully submitted,

Vicky T. Guerrero, Journal Clerk  
House of Representatives

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### APPEARANCE OF LOCAL BILLS

#### Second appearance

H. L. B. NO. 15-68: A House Local Bill to appropriate \$485,000.00 from Managaha Landing Fees; and for other purposes

#### Third Appearance:

H. L. B. NO. 15-65: To allocate two percent (2%) from the locally appropriated capital improvement projects in the Third Senatorial District that cost \$50,000 or more to the Technical Services Division of the Department of Public Works for administrative costs. (Rep. Justo S. Quitugua)

H. L. B. NO. 15-66: To make appropriations from the revenues collected pursuant to Saipan Local Law 11-12, as amended, for Fiscal Year 2008; and for other purposes. (Rep. Justo S. Quitugua +1)

H. L. B. NO. 15-67: To repeal and reenact Title 10, Division 2, Chapter 3, Article 1; and for other purposes. (Rep. Edwin P. Aldan)