



# House Journal

## THIRD REGULAR SESSION, 2009

**Adopted:  
August 13, 2009**

**9th Day**

**Wednesday, February 25, 2009**

The House of Representatives of the Sixteenth Northern Marianas Commonwealth Legislature convened in its Ninth Day, Third Regular Session on Wednesday, February 25, 2009, at 1:45 p.m., in the House Chamber on Capitol Hill, Saipan.

The Honorable Arnold I. Palacios, Speaker of the House, presided.

A moment of silence was observed.

The Clerk called the roll and sixteen members were present; Representatives Heinz S. Hofschneider and Edward T. Salas are excused.

Speaker Arnold I. Palacios: Representatives Edwin P. Aldan and Diego T. Benavente will be coming in shortly.

### **ADOPTION OF JOURNALS**

NONE

### **INTRODUCTION OF BILLS**

H. B. NO. 16-227: A Bill for an Act to require a person convicted under 6 CMC § 1461 *et. seq.*, to make a contribution to the Guma Esperansa Shelter; and for other purposes.

Offered by: Representative Rosemond B. Santos

Representative Santos: Mr. Speaker, without objection from the members I ask if we could put H. B. NO. 16-227 on today's Calendar. It is a very simple straight forward bill.

Speaker Arnold I. Palacios: Floor Leader, could you take note H. B. NO. 16-227 when we get the Bill Calendar.

H. L. B. NO. 16-28: A Local Bill for an Act to amend the Saipan Zoning Law of 2009, 10 CMC § 3511; and for other purposes.

Offered by: Representative Rosemond B. Santos

The Chair recognized Representative Sablan.

Representative Sablan: I was just reading House Bill NO. 16-227, although of course, I would not object to efforts to support our safe haven on the island. I do think that we should at least afford the opportunity for the people to comment on this without rushing to pass it.

Speaker Arnold I. Palacios: Let me ask that we suspend any further discussion on that until we get to the Bill Calendar when we make a motion to place and you can certainly express it.

Representative Sablan: Sure.

### INTRODUCTION OF RESOLUTIONS

HSE. COMM. RES. NO. 16-69: A House Commemorative Resolution conveying the sincere condolences and sympathy of the House of Representatives to the bereaved family of the late Honorable Marty Wayne Kendall Taylor on the occasion of his untimely passing and to pay fond tribute to his contributions to the Commonwealth.

Offered by: Representative Arnold I. Palacios

HSE. COMM. RES. NO. 16-70: A House Commemorative Resolution conveying the sincere condolences and sympathy of the House of Representatives the Sixteenth Northern Marianas Commonwealth Legislature to the bereaved family of the late Police Major Antonio Kisa Mesngon, on the occasion of his untimely passing and paying tribute to his services to the people of the Commonwealth and fond memory..

Offered by: Representative Victor B. Hocog and 19 others

Representative Hocog: Mr. Speaker, if there is no objection I would like this place on today's Calendar.

There was no objection of the floor.

Speaker Arnold I. Palacios: So ordered.

H. RES. NO. 16-77: A House Resolution to recognize and commend the Marianas Public Land Trust and its Trustees for their proactive efforts in assisting borrowers in its MPLT Home Loan Portfolio, as an Economically Targeted Investment, in passing MPLT Resolution 09-01 affording debt relief to the borrowers in the program

Offered by: Representative Victor B. Hocog

Representative Hocog: This has no urgency I would like to give the members the opportunity to look into. Thank you.

Speaker Arnold I. Palacios: Vice Speaker, recognized.

Representative Deleon Guerrero: I have a resolution which they are just doing some minor amendments to, so if there is no objection to proceed and later on go back to the Introduction of Resolution.

Speaker Arnold I. Palacios: Let us know when you ready.

### MESSAGES FROM THE GOVERNOR

GOV. COMM. 16-323: (2/10/09) Informing the House that he disapproved H. B. NO. 16-213, HD5, the Appropriations and Budget Authority Act of 2009. [*Deadline: 4/11/09*]

GOV. COMM. 16-325: (2/18/09) From Acting Governor Villagomez informing the House that he signed H. B. NO. 16-135, HS1 (Comm. Autism Commission Act of 2008). [*Became Public Law 16-28*]

GOV. COMM. 16-326: (2/18/09) From Acting Governor Villagomez informing the House that he signed S. B. NO. 16-34, HD1 (Amending the Election Law with regards to the term of the Commissioners). [*Became Public Law 16-29*]

GOV. COMM. 16-327: (2/12/09) Certification of vacant position at the Department of Public Safety-Tinian.

GOV. COMM. 16-328: (2/18/09) From Acting Governor Villagomez certifying to an annual salary in excess of \$50,000 for Dr. Shirish Balachandra.

GOV. COMM. 16-329: (2/20/09) From Acting Governor Villagomez informing the House that he signed H. B. NO. 16-215, (\$40,000 for Anyuta Island Revetment Project). [*Became Public Law 16-30*]

Speaker Arnold I. Palacios: I would like to ask the Clerk to keep GOV. COMM. 16-323 on the Calendar if we do not act on it today.

### **SENATE COMMUNICATIONS**

SEN. COMM. 16-129: (2/18/09) From Senate President Reyes appointing Senators Jude Hofschneider and Joseph Mendiola to the working group on the issue of the Retirement Fund Reform Act of 2009.

There was no discussion.

### **HOUSE COMMUNICATIONS**

HSE. COMM. 16-100: (2/12/09) From the Speaker appointing Representatives Ray Yumul and Ralph Torres as official representatives of the House to the working group on the Retirement Fund Reform Act of 2009.

HSE. COMM. 16-101: (2/20/09) From Representative Yumul to the Presiding Officers of the 16<sup>th</sup> Legislature with an update on the NMIRF Working Group.

HSE. COMM. 16-102: (2/20/09) From Representative Hofschneider to NMC President Carmen Fernandez regarding accreditation issues.

Speaker Arnold I. Palacios: Representative Sablan, recognized.

Representative Sablan: I wanted to inquire from our JGO Chair or perhaps other members who would have information about the status of our Attorney General or our Acting Attorney General or our Deputy Attorney General, it is really not clear what the status is for that office. I know that a few sessions back, Representative Santos raised that issue in a memo, and I would like to request for an update if there is any information.

Speaker Arnold I. Palacios: Before I recognize the JGO Chair, if you recalled, I asked the legal counsel to look into the matter and I believe he issued a legal memo. I thought that I had it passed out to the members, but if not, we will have that pass out. Let me recognize Representative Santos.

Representative Santos: I never got a response back from the Governor with regards to my letter. We are drafting another follow up letter I do not know how much that is going to help. But there are other issues that keeps coming up in the paper as far as this law firm out of California representing the CNMI, and supposedly Mr. Baka authorized them to represent the CNMI and that in of itself maybe questionable since his position right now is questionable. So there are those issues as well, but we have not heard back officially from the Governor's Office.

Speaker Arnold I. Palacios: I had spoken to the President of the Senate and he also had expressed the same concern particularly whether a Deputy Attorney General can perpetually occupy in an acting capacity, and the Senate being having the power of advise and consent of any department head, he is looking at the matter, but we do have a legal memo that hopefully some time during today would be available to you.

Representative Sablan: If I may just follow up on what Representative Santos said with respect to the authorization of the lawsuit or for...block to represent the CNMI in the lawsuit against the Federal Government, I did communicate with Mr. Baka just the other day, and it really was not clear to me whether or not that the letter that he submitted to the Court was in fact an authorization. He insisted that he never said that he had authorized it. It is just that it was not true that there had been no authorization. I think that it is really high time that we get to the bottom of this. Is this a legal lawsuit? Do we have a legitimate Acting Attorney General? And if we do not, if it is illegal, what are we going to do about it?

Speaker Arnold I. Palacios: And if we do have a legitimate Acting Attorney General, did he really authorize the lawsuit? If we can get to the bottom of that, it seems like that particular question in and of itself is unclear. So, Representative Santos, could you see what the Committee can do to look into the matter?

Representative Santos: Yes, Mr. Speaker. I am trying to set up with a one on one meeting with the Governor, and I have been quite unsuccessful to be honest. So, we will try or knock someone's door down.

Speaker Arnold I. Palacios: Representative Apatang, recognized.

Representative Apatang: Thank you, Mr. Speaker. This is not related to the Attorney General. I just want to ask question to our two Representatives that are working with the Retirement whether they are going to Rota on Friday also because I saw on the paper that they have a long agenda. My concern here is that we are having a problem as far as the funding is concerned for the Retirement Fund and here we are moving to Rota to conduct a meeting where we bring a whole bunch of people down there paid by the Retirement. This is not really cost effective. If we have our meeting here on Saipan, only two representatives, one from Tinian and Rota will be coming over. The rest are here. Every time we sit down with the Retirement, we have financial problem. So my question is, are the two gentlemen going down to Rota to attend this meeting?

Speaker Arnold I. Palacios: Let me answer that question. They are not authorized to do that. They are not authorized to represent the House of Representative in the meeting on Rota.

Representative Yumul: Clarification, Mr. Speaker.

Speaker Arnold I. Palacios: Let me have them clarify.

Representative Yumul: The working group has only one task and that is to have legislation ready for action by this body or the Senate by March 15<sup>th</sup>, which is being coined the Omnibus NMI Retirement Fund legislation. The working group's task is solely that the Retirement Funds meeting that is coming up on Rota on Friday, I believe, the Retirement Fund normally schedules meeting. We have no invitation to that. As far as I am aware, I will be here. There is no correlation between their meeting and the working group's meeting.

Speaker Arnold I. Palacios: Short answer to that is no.

Representative Torres: I guess I will go ahead and answer, no also.

Speaker Arnold I. Palacios: Representative Yumul, either you or Representative Torres, could you give us a briefing. I saw that you had a very short memo to me regarding this working group. Could you give us a brief summary of what has transpired? I know that you had a meeting today.

Representative Yumul: Thank you, Mr. Speaker. The working group has met today. We also met last week Thursday for the first time. We have a working draft of a Retirement Reform Bill that the Committee will be breaking down and analyzing. A lot of questions have been asked. We are leaning on actuarial studies Fund reports, analyst provided by the Retirement Fund, and also from CDA and the Department of Finance. The point is to ensure that the product of the working group's meetings will be representative of what needs to happen in order to save the Fund. Our first assignment was to Representative Ralph Torres as the Chairman of HEW to look at the definitions of members and children. He is working diligently with the legal counsels on that, and we are moving ahead with the other aspects. We are trying to merge some piecemeal legislation into this Omnibus Bill. We had also agreed that legislations that had already passed respective Houses will be left to find its way to the Governor and hopefully signed into law, and then we are going to just round out the rest of the issues.

Speaker Arnold I. Palacios: Representative Ralph Torres, recognized.

Representative Ralph Torres: Some of the regulations or the law regarding the Retirement Fund. We are trying to address certain issues and we had a good discussion with the board and the legislature, and to see how we can actually address those issues, and to incorporate that into the Omnibus Bill. We do meet regularly and we will be meeting next week again until we have a good draft to entertain here on the floor.

Speaker Arnold I. Palacios: Representative Babauta, recognized.

Representative Babauta: I just want to raise a point of information, Mr. Speaker.

Speaker Arnold I. Palacios: Proceed.

Representative Babauta: A letter from Chairman Yumul with respect to the working group, is this the composition of the working group?

Speaker Arnold I. Palacios: Representative Ralph Torres, recognized.

Representative Ralph Torres: That is just the officers.

Speaker Arnold I. Palacios: Representative Babauta.

Representative Babauta: Do we have anyone from the Board of Trustees?

Speaker Arnold I. Palacios: Representative Ralph Torres, recognized.

Representative Torres: Yes, we have.

Representative Yumul: Yes we do.

Representative Babauta: Forty?

Representative Yumul: No, it is not forty, but yes, we do have members within the Retirement. The working group is broken down into two members from the House of Representative, two from the Senate, two from the Retirement, two from the Public School System, two from the Administration, two retirees at large, and CDA has a member. We are basically trying to have a good balance. Again, this legislation, even after it has been drafted, ultimately, we are going to have a public hearing with the final product to put out for public comments. Did you want me to list everyone?

Speaker Arnold I. Palacios: Please share the general membership. Let me just ask this one particular question. We may have all these reform legislations that is supposed to go into a product, but has anyone in this working group ever raised a question why the central government is not being able to pay the employers' contribution because we are going to have all kinds of legislations one of which even Representative Torres has tried to enforce with another piece of legislation onto an existing piece of legislation which is the COLA payment from the cost of living allowance that is supposed to be paid off from the hotel occupancy and the container tax. One wonders whether those funds are being remitted to the Retirement Fund, and to what extend the employer contribution has not been remitted because that actually is the underlying issue to the main problem. So my question is, does the working group take a look at this one particular issue? Or is that within the scope of what you are supposed to be discussing?

Representative Yumul: Yes, Mr. Speaker. We will eventually get to the financial section of this legislation. The initial meeting last week and today was to start with a general direction on how to structure an Omnibus Bill? Again, it is no surprise, but the working group is very volatile. We are trying to meet a mandate that is requested by the Speaker and the Senate President. There is a lawsuit that is still pending in court. We are threading on eggshells, we are trying to check our eagles, and our own personal convictions at the door come in and try to resolve this issue once and for all. We will get to the financial section of the bill, and when we do, those questions will be asked pointedly.

Speaker Arnold I. Palacios: Representative Reyes, recognized.

Representative Reyes: Thank you, Mr. Speaker. Although I have no doubts that Chairman of Ways and Means and HEW are very industrious and will aggressively look into this, I would like to add,

Mr. Speaker, and just bare in mind that the Retirement Fund is three things; the Define Benefit, Class I, and Class II. Just the other day, I did called the administration of the 401 (k) because I see some inconsistencies on my contribution between the W2 that I got from the government and the statement that I receive from ASC as of December 31. My finding is that we are short change by about \$600.00 and I have not received anything from ASC. So this is just to recommend that you guys look into this too. If there can be some errors on my part, chances are that there might errors on the others too. Thank you.

Speaker Arnold I. Palacios: Representative Quitugua, recognized.

Representative Quitugua: Mr. Speaker, on your previous question on why some of the funds earmarked are not going to the Retirement Fund. These funds were suspended and it is always requested to be suspended in the budget. Under House Bill No. 16-213, HD5, it is again requested to be suspended. So that is why the funds are not being remitted to the Retirement Fund. So these are all the things that the Committee should really look at whether it is appropriate to continue suspending these earmarks that is supposed to go the Retirement Fund or not.

Speaker Arnold I. Palacios: Let me just make a short comment maybe perhaps a recommendation for the two to take a look at particularly enforcement issues with some of these laws the Retirement legislations that we have because there are so many piecemeal legislations in the books regarding contribution issues to the Retirement Fund. If we do not have any enforcement, we will continue to be in the same boat and the same issues will continue to pop up. So consider those.

Representative Yumul: Again, just to finish my earlier statement about the Committee. Although, there is tension, there is a genuine concern from all the members that they want this working group and we want to have a product come forward because again, we understand the urgency and this is why the meeting is still moving forward. I do thank everyone for their time and patience to include also this legislative body that we are moving forward. We will have a draft that we had targeted to be made readily available to everyone by March 15<sup>th</sup>. Thank you.

Speaker Arnold I. Palacios: Representative Quitugua, recognized.

Representative Quitugua: Mr. Speaker, this is just to set the record straight. On today's Tribune on page 7, there is an article that points fingers to the Legislature for not implementing Public Law 15-109. Public Law 15-109 is the Scholarship for medical and teachers. The article mentioned that the reason why the program is not being implemented is that the Legislature has not provided or is not giving the money to the Scholarship Office. I would like to set the record straight and I will read a section in Public Law 10-15. Under Section 3 it says, continuous appropriation notwithstanding any provision of law, the Legislature hereby appropriates \$250,000.00 annually commencing Fiscal Year 2008 from revenues generated pursuant to Public Law 13-38 to fully implement the program. So it is not the fault of the Legislature, it is now between the Scholarship Office and the Department of Finance. Thank you.

Speaker Arnold I. Palacios: Thank you for that clarification. With that, let me call for a short recess.

*The House recessed at 2:12 p.m.*

*RECESS*

*The House reconvened at 2:20 a.m.*

Speaker Arnold I. Palacios: We are back to our plenary session. We left on with a statement by Representative Quitugua regarding an article on today's Tribune. I would like to ask the Chairman of Ways and Means to look into the issue and write a short letter to the Scholarship Office pointing the provisions of law which provides for continuous funding, and that the Legislature has done its job by providing a continuous annual appropriation which should automatically be made available by the Department of Finance, and to point the Scholarship Office towards the Department of Finance so that they could get this funding. I recognize Representative Yumul.

Representative Yumul: Mr. Speaker, I am reviewing Public Law 15-109, and I will make those inquiries.

Speaker Arnold I. Palacios: I think that a short letter will be in order. Let me recognize the Vice Speaker.

Vice Speaker Deleon Guerrero: Mr. Speaker, if there is no other issues under Communications, and if there is no objection, I would like to ask if we can go back to item 4 under the Agenda.

Speaker Arnold I. Palacios: Before I recognize that, Representative Reyes, do you have anything else under House Communication?

Representative Reyes: No, Mr. Speaker. I am pretty much in line with the Vice Speaker on going back to Resolution Calendar.

There was no objection.

### **INTRODUCTION OF RESOLUTIONS**

Speaker Arnold I. Palacios: I now recognize the Vice Speaker.

H. RES. NO. 16-78: A House Resolution to honor Dr. Jean Paul Chaine for the many contributions he has made to the people of the Commonwealth and for his continued dedication to assisting countries and island communities in the Asian Pacific Region

Offered by: Representative Joseph P. Deleon Guerrero

Representative Deleon Guerrero: Mr. Speaker, if there is no objection I would like to ask that this be placed on today's Calendar as Mr. Chaine will be leaving the CNMI very shortly.

There was no objection on the floor.

Speaker Arnold I. Palacios: So order, the resolution will be placed on today's Resolution Calendar.

Speaker Arnold I. Palacios: Representative Reyes, recognized.

Representative Reyes: If there is no objections that we go back to Introduction of Bills.

There was no objection on the floor.



## INTRODUCTION OF BILLS

Speaker Arnold I. Palacios: There being no objection we are back to Introduction of Bills. Proceed Representative Reyes.

H. B. NO. 16-228: A Bill for an Act to establish an Office of Grants Assistance under the Office of Management and Budget; and for other purposes.

Offered by: Representative Joseph C. Reyes

Referred to: Committee on Ways and Means

Representative Reyes: This is consistent with Congressman Kilili when we had a conversation the other day.

Speaker Arnold I. Palacios: If there is no objection, we will go back to House Communication.

There was no objection.

## HOUSE COMMUNICATIONS

Speaker Arnold I. Palacios: We are back to House Communications.

Representative Benavente: Privilege, Mr. Speaker.

Speaker Arnold I. Palacios: Proceed, Representative Benavente.

Representative Benavente: For the record, I am present for today's session.

Speaker Arnold I. Palacios: Okay, thank you. Representative Ralph Torres, recognized.

Representative Torres: I would like to comment on Representative Hofschneider's letter to the President. Mr. Speaker, I just want to... *(End of Tape 1, Side A) ... (Start of Tape 1, Side B) ...* NMC still has to show cause. So on February 10<sup>th</sup>, I wrote a letter to meet with the Board of Regents and the President to get an update not just to the Committee but the whole Legislature to show cause and what needs to be done to fulfill that accreditation. The Chairman and the President are both off-island. On Monday, I faxed a letter to the Board of Regents and the President demanding their presence here tomorrow at 9:30 a.m. to give us an update on the show cause accreditation and what needs to be done so that there is an accountability on both the financial section and also to fulfill the recommendation of one and two. So they will be here tomorrow with the letter requesting on some of the issues that I wrote on the letter that I faxed to them along with the allegations that came out yesterday to address certain issues accordingly. Thank you.

Speaker Arnold I. Palacios: Representative Babauta, recognized.

Representative Babauta: On the same note, I would recommend to the Chairman and the Committee that the issue should be focused on those matters that arise out of Representative Hofschneider's letter and not necessarily to bring in innocent victims that would be asked tomorrow. So, let us focus our search to resolve this issue based on NMC's Board of Regents policy and guidelines by WASC. Thank you.

Representative Torres: Clarification, Mr. Speaker.

Speaker Arnold I. Palacios: State your clarification.

Representative Torres: I just want to make sure that we all understand that the meeting here tomorrow is for the purpose of the accreditation to give us the update of the show cause accreditation. I did speak to the Chairman and the President to have that issue looked into as a Board of Regent. I want to make sure that there is a protocol that the Legislature here is not interfering with their protocol. I did advise the Chairman and the President so that they can go ahead and address that issue.

Speaker Arnold I. Palacios: Which issue?

Representative Torres: The issue supposedly that there is an allegation with the President.

Speaker Arnold I. Palacios: Representative Apatang, recognized.

Representative Apatang: Thank you, Mr. Speaker. I too would like to get to the bottom of that allegation. Some of those issues that came out yesterday are uncalled for. What Saipan Tribune should have done is very item by item where the information that they put out are in fact true. You know, Mr. Speaker, I am the politician here, not my kids. So do not touch my kids and those employees that are listed on that particular allegation. Those employees that are there are well qualified. Some of them have Masters Degree. So how can they be not qualified to be working up there? Majority of those have a Bachelor's Degree. They went to the process, but because of animosity and jealousy from some of the employees up there that want to change things or they did not get what they want, they organized themselves and create an allegation against the President who is doing a super job. We do not need that at this time. We need to stand behind the College so that the College can be fully recognized again. Where are our kids going to school if the College is shut down? Some of those kids up there cannot afford to go off-island. So we need to stop the politics in that. We should work together with the College and back the College up so that we can get it going where it is supposed to be. Some of those issues that this person has been working on very hard as well as the team have been there for the longest time and we know it, because if we go back to the records it is there. Now, they are saying that the President fired Dr. Wyatt, which is not right. We all know that. Somebody did something that is not right, deceived the people of the Commonwealth because they want something else. These people are traders of the College, and I am not finish with this because my kids are there. I am going to get to the bottom of this. I had already attained an attorney. And that goes to all of us. If you release information without being in here untrue information, you are liable. So let us be honest. When we say something to the public, it better be correct, and you better back it up. You know, that hurts. My son went to school. He graduated out of Boise State with a degree in business. He went through process and applied. That is not improper. He got scholarship from here and he is back working because he has to. He could have gotten a job in Boise State or in Idaho, and so as those other employees. We mandate them to come back and work here. Now that they have that opportunity, we turn around and say, you are illegally improperly hired. They want to work for the Commonwealth. This is our problem here in our Commonwealth. We cannot go and work together. When you see somebody doing the right thing, we are always finding a way to cut him or her down because of jealousy. That is why I am stepping down from politics because I am tired of those cowards on the blogs who is always accusing the members of the Legislature that we are dead wood. Some of those do not even step up here. They have never seen the Legislature. We are working. Look at the records. Look at the Journals. If you are out there on the blog putting your name there and you do not want to say your name, you are a

coward. I fought two years in Vietnam in a combat and I am still here. Some of those people in that blog never even see a combat. I went and fought for this country. So let us stop all these ridiculous stuff. You want to change the Commonwealth, do something about it. Stop complaining, stop blogging, and stop these innuendos stuff. Mr. Speaker, actually, I do not want to get pissed off, but I cannot control it.

Speaker Arnold I. Palacios: Do not get pissed off. You articulated yourself.

Representative Apatang: This is too much, and I am not finished. I am going to follow this up to the end. Thank you, Mr. Speaker.

Speaker Arnold I. Palacios: Thank you. Representative Palacios, recognized.

Representative Palacios: On the same note, I just need some clarification because I am also a member of HEW, and I believe Representative Apatang is on the other side of the coin because my sister is one of those terminated, but I did not interfere. So I just want to find out if there is any conflict if I do attend, and if that issue arises, if it is okay for me to attend.

Speaker Arnold I. Palacios: You are certainly not in conflict. You are a member of this House of Representative and it is your responsibility as a member of the Committee.

Representative Palacios: Alright. Thank you.

Speaker Arnold I. Palacios: Representative Quitugua, recognized.

Representative Quitugua: Mr. Speaker, actually, I know so many things because I fought for the CNMI for the last forty years even though I do not go to Vietnam, but I fought right here in the CNMI. However, Mr. Speaker, I was having lunch this afternoon a very prominent local young attorney from Saipan, was next to me, he then whispered to me about the NMC situation. I told him that I do not much only what I was told and I have not really seen the newspaper. This attorney turned to me and said, you know Congressman, they keep telling us to go to school so we go to school we come back and we work in the government, and they still criticize us and they do not want us to work in the government. What are we trying to do with our kids? The second comment that he made to me is that, it is not only statutory issue, but it is constitutional issue. It is a privacy act issue and it is protected by the Constitution and Local Laws, and I quote, “punitive damages for suit is big time if an individual’s privacy is violated.” Thank you, Mr. Speaker.

Speaker Arnold I. Palacios: Representative Sablan, recognized.

Representative Sablan: Thank you, Mr. Speaker. Just to go back to the issue of the College and accreditation status, and the allegations that have come up in the media recently. There are serious allegations and I certainly agree that we should not assume that they are true we also should not assume that they are not true and that there is not a grain of truth. I would like to first of all, thank the Chairman for calling the meeting tomorrow, but urge the members to be as impartial and as fair minded as we can be. This is the time where we should be pulling together for the good of the College, for the good of all our students who are attending the College, but that if there are serious issues that need to be addressed, we should be prepared to acknowledge them honestly and to do everything that we can to resolve them. I guess that is really all I have to say.

Speaker Arnold I. Palacios: I think that is everyone's sentiments too to bring in the Board of Regents and to bring up the issue and give us the status of the show cause that the accreditation and to be very fair with them.

Representative Sablan: If I could just add one more thing.

Speaker Arnold I. Palacios: Go ahead.

Representative Sablan: Representative Torres said that we were having the Board of Regents in attendance as well as the President, and I realize that it is the afternoon and we are meeting with them tomorrow, but if we could also get Representatives from the student body, that might be helpful for us as well.

Representative Torres: I can certainly try and get the President of the student body, but again, I just want to emphasize that this meeting is to make sure that the show cause accreditation is addressed and what they have accomplished. I believe that there are eight recommendation and they have cleared six. There is two more recommendation that needs to be cleared, and I want to make sure that the Board and the President acknowledge what has been accomplished and what needs to be accomplished at the remaining show cause. So it is not just what needs to be done, but give us a plan on how to address those concerns. I do have every intention tomorrow to demand an update every week on how they are planning or what they are doing to accommodate the recommendation of one and two. At this stage of show cause, there is no more time to accomplish. April 30<sup>th</sup> is the last day to turn in the documents.

Speaker Arnold I. Palacios: Representative Camacho, recognized.

Floor Leader Camacho: Thank you, Mr. Speaker. Just to make the record clear. I had lunch at my house and I was not with Representative Quitugua. Apparently, that is somebody else. That is just to clear the record, Mr. Speaker.

Speaker Arnold I. Palacios: Representative Apatang, recognized.

Representative Apatang: Thank you, Mr. Speaker. I forgot to mention that if little Hammerhead is listening or somebody is texting her, she can go ahead and put an arrow on my head, make me cross eye, I do not mind.

Speaker Arnold I. Palacios: Representative Yumul, recognized.

Representative Yumul: Thank you, Mr. Speaker. I think that our worry now is if this issue will adversely affect the Colleges' ability to maintain its accreditation, and I would like to thank the Chairman on HEW for taking the lead on this issue. It is a very serious issue and he needs and I hope he really looks into it deeply. There were some concerns that was on that statement that alleges some misappropriation sort of financial context, and I would rather not listen to it at this time, but if there is cause for me to do so, I would like to hear it from the Chairman.

Speaker Arnold I. Palacios: I think that what you are trying to say is we will wait for tomorrow. You can express your words of wisdom during that meeting. Okay. Let me recognize Representative Hocog.

Representative Hocog: Thank you, Mr. Speaker. Maybe it would be the right thing that the Chairman of HEW will call the attention of the Board of Regent as well as the President, and probably at the end of their meeting, if it necessitates to call the attention and assistance of the Department of Public Safety Detective Division to seriously look into this document that was mentioned that has been flying up here at Capitol Hill, and if that is correct, it is pretty much intended to do a disgrace not to the President, but the Institution in itself. I say this, Mr. Speaker, that knowingly that the College is at the state of review of its accreditation. People do uncalled things that would hurt and they think that by doing this, they are hurting the individual who they do not like, but if you go deeper into this, Mr. Speaker, you are hurting the Institution that we all work for to provide our students the access of meeting their education ambition within their Commonwealth. By having this kind of mentality to provide a problem to the Institution, I think these individuals do not careless about the Institution, not necessary the management of the College. If it does involve the management itself, they would have wrote this letter to the Board of Regent who have the authority to look into all these allegations and let the Board of Regent decide and evaluate the truth of it. By not trying to request the assistance to get to the bottom of who is the instigator of this, this would definitely at the end contribute to the Colleges' wishes to have the accreditation back on track. We cannot allow the hard work, the substantial amount of financial assistance that have been dedicated to provide this institution meet the level of standard education, higher education, and to see this scrupulous writers and ill intended individuals who have caused the institution a disgrace. We can change personnel, Mr. Speaker, but once our institution is gone, it will be gone forever. If jealousy is the motive, maybe they want to see or to include in the curriculum of the College what is not there like probably a course of drama that will probably institute the late show of Young and Restless. Maybe that is why they are doing this so they can consider this kind of program to be included in the College. Let us not look at the President in damaging her character because we are not. We are dismantling the spirit of the institution that we all worked for and crafted for our people. That is all, Mr. Speaker.

Speaker Arnold I. Palacios: Let us move on from this subject, please. Representative Quitugua, you will be the last comment on this particular issue.

Representative Quitugua: I would like to suggest that before anybody gets out or face the camera in the Cable T.V., make sure that you do your homework and what you say is correct. Do not give the wrong information to the public. Thank you, Mr. Speaker.

## **COMMUNICATIONS FROM THE JUDICIAL BRANCH**

NONE

## **COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE**

DELEGATE COMM. 16-1: From Congressman Gregorio Kilili C. Sablan to Secretary Janet Napolitano requesting for delay on the commencement of the transition period federalizing immigration.

Speaker Arnold I. Palacios: Representative Torres, recognized.

Representative Torres: Mr. Speaker, I just want to emphasize how important it is for each member here, not just to each individual to write a letter in and endorsing the 180 days extension, but it is also imperative that we also go out and encourage the private sector to write their comment into the extension of the 180 days. I think so far there are probably fifteen or twenty as to the comments that

are in, but March 16<sup>th</sup> is the last day to write their comments, and I encourage everyone to turn their comments in. Thank you.

Speaker Arnold I. Palacios: On that particular note, I just want to note that Senate President and I wrote a letter to Congresswoman Bordallo who is the subcommittee chair on this particular issue supporting the Delegate's effort requesting for an extension, and we attached the House Joint Resolution which was adopted by the House and Senate on this particular matter.

### **COMMUNICATIONS FROM DEPARTMENTS & AGENCIES**

DEPT./AGCY. COMM. 16-77: (2/20/09) From Corporate Director Joshua T. Sasamoto, NMHC, requesting for financial assistance with respect to residential housing loans.

DEPT./AGCY. COMM. 16-78: (2/2/109) From Secretary of Finance Eloy Inos attaching a copy of the Fund Status Report for the General Fund for the First Quarter of FY 2009.

Speaker Arnold I. Palacios: Vice Speaker, recognized.

Representative Deleon Guerrero: I would like to comment on the letter dated February 20<sup>th</sup> from Joshua Sasamoto from the Northern Marianas Housing Corporation (NMHC). His letter is really a follow up of the meeting that was held here between NMHC and this body requesting urgent attention to the issue of the RD Residential and Housing Loans. The letter is self explanatory. He did talk to us about the need for the CNMI government to infuse a minimum of \$5 million to shore up the defaulted home loans that are currently happening here. Unless they receive these funds, it may default under 502 and 504 of the Homeland Programs, and those programs maybe discontinued. Mr. Speaker, I know we discussed this, we asked questions, and we got to know more about the status of those funds, and why loans were being defaulted, but I agree with Joshua that if we do not do anything about it, that these programs will be discontinued, and the future for our home lending programs may be in jeopardy. Mr. Speaker, I was just going to recommend to you that perhaps since the matter is very serious and it warrants, perhaps an assignment on appointment of a Committee to work with NMHC and perhaps come up with a viable solution. I know that Ways and Means is over burden with a lot of assignments, but I leave the appointment up to you, Mr. Speaker. I just ask that we do convene a working group or task force to look into and try to identify the funding to resolve this matter.

Speaker Arnold I. Palacios: Representative Babauta, recognized.

Representative Babauta: Just to clarify, is this the so-called Farmers Home Loan Program.

Speaker Arnold I. Palacios: That is the Farmers Home.

Representative Babauta: Furthermore, we need to look into NMHC's financial record because when we repealed Public Law 10-27 amended by Public Law 10-29, the corpus was retained; however, the principal was remitted back to MPLT. So, I wonder how much the corpus is there. It is just a recommendation.

Speaker Arnold I. Palacios: Representative Quitugua, recognized.

Representative Quitugua: This is just a recommendation, Mr. Speaker. I understand that there were a lot of problems in terms of the loans that were previously given out by this agency. One example that I was told by the former Chairman of MPLT is that, from the very beginning before the loan is issued, the borrower is already delinquent because the borrower makes \$15,000 a year, and he is the only one earning in the family, yet, he was given a loan of \$150,000.00. Mr. Speaker, whoever handles this, please look into this so that the same problem will not be repeated. Thank you.

Speaker Arnold I. Palacios: Representative Reyes, recognized.

Representative Reyes: Thank you, Mr. Speaker. First, when the housing officials were here, I was not here because I was sick, but Representative Sablan did conduct the meeting. Mr. Speaker, I have been looking into this, but then again on the other hand, if you look at it is worth reviewing the policy of the Northern Marianas Housing Corporation at the same time with that of CDA. That is why we are looking into it, but then why are these people defaulting? Chances are too if the Tottotville Housing is part of this problem and that is because I do not blame the homeowners for the quality of the units that they are paying for, and I know that there is a lawsuit on that right now, and chances are, it is part of this problem for people not paying their loan. As I said, the houses that they get is not worth the price that they are paying for, and that the Northern Marianas Housing Corporation does have that responsibility to assure the homeowners that what they are getting for is worth all the money that they are paying for. Again, I am not going to jump in fast on this as to just providing \$5 Million dollars to NMHC...*(End of Tape 1, Side B)...**(Beginning of Tape 2, Side A)...*The Northern Marianas Housing Corporation also did get some money from the Marianas Public Land Trust. They got some money for this housing program under MPLT. So, I would say, let us not jump on it, but I think that we can look at it and find out really where the problem is. Thank you.

Speaker Arnold I. Palacios: We are going to try to limit discussion on this. I am ready to make the appointments, but let me recognize Representative Hocog.

Representative Hocog: To answer the concern of Vice Speaker. I do have a legislation we are working with Chairman Yumul and perhaps I would like to include the Committee on Commerce to review the make up of this legislation so that we can expedite the intent and our findings so that we can address the 500 or more homeowners who will be under foreclose or being put in a substantial delinquent stage. Thank you.

The Chair recognized Representative Sablan.

Representative Sablan: Thank you, Mr. Speaker. I just want to provide a report from that meeting with NMHC last week since I did serve as Acting Chair, and also just to provide some information for the members for some balance presenting NMHC's perspective as to the housing crisis that we are all aware of today. First of all, as a result of these questions, it became pretty clear that \$10 million Home Loan Program while its original intent was very noble, which was to provide affordable loans for first time low income homeowners. It was really set up for failure almost from the beginning. There was this \$10 Million dollar home program NMHC was mandated to provide these loans. They were thirty year loans, and NMHC was required to pay back the entire amount within ten years. So that was one of the major problems with the program from the start. The second problem was that think this had actually happened by legislation, but the interest rates that were charged to these borrowers was actually higher than even the interest rates that were being offered by the banks. Of course, if the intent was to give low income home owners the access to

financing so that they can own these homes for the first time, jacking up the interest rates certainly did not help these homeowners or borrowers. Third, as delinquencies started to rise, and the economy was continuing to deteriorate and the Legislature implemented austerity measures, they saw an even greater increase in defaults, and pleaded with MPLT at the time to be allowed to lower the interest rates and afford some flexibility and breathing room for their borrowers who were on the verge of delinquency are already in default. MPLT refused and instead demanded a return of the loan portfolio which the Legislature accommodated in the Fifteenth Legislature when the program was disbanded. So, I think that there is a story from both sides that we need to hear fairly and we also need to learn from the mistakes that have been made on both sides. I think that whatever we do to provide relief to homeowners now needs to take into account the mistakes that have been made and ensure that they are not repeated. Thank you.

Speaker Arnold I. Palacios: Representative Babauta, recognized.

Representative Babauta: Mr. Speaker, on the same subject, with the indulgence of the members and I beg the members to seriously consider because there is an initial relief today in our bills, and I humbly urge the Chair and the Floor Leader if we can Calendar House Resolution No. 16-77. This would be the initial salvation towards the permanent solution to these ailing home owners.

Speaker Arnold I. Palacios: The Resolution will be calendared. Let us put a closure to this Communication. I take the recommendation by the Vice Speaker. I think that it is a very good recommendation. So let me appoint a Committee to work hard immediately to see what we can do to help on the matter. The Special Committee on this Housing, NMHC issue, the Vice Speaker will be the Chairman, Representative Dela Cruz will be members, Representative Hocog will be a member, Representative Sablan and Representative Babauta will also be a member.

Representative Babauta: Mr. Speaker, if you could just allow me for few seconds.

Speaker Arnold I. Palacios: I will take that into consideration that you would like to yield to Representative Aldan.

Representative Babauta: I was going to humbly ask you to extend that courtesy instead of me to the Tinian Delegation because they have the same predicament.

Speaker Arnold I. Palacios: For the time being, we will appoint you and when Representative Aldan comes, we will see. Let us take a two minute recess.

*The House recessed at 3:04 p.m.*

*RECESS*

*The House reconvened at 3:11 p.m.*

Speaker Arnold I. Palacios: We are back to our plenary session. We will move on to our next Agenda on the Calendar.

## **OTHER COMMUNICATIONS**

NONE



## REPORTS OF STANDING COMMITTEES

Speaker Arnold I. Palacios: Representative Santos, recognized.

Representative Santos: Thank you, Mr. Speaker. We have S. C. R. NO. 16-76 recommending passage on H. B. NO. 16-179.

The motion was seconded.

Speaker Arnold I. Palacios: Floor Leader, can you effectuate the necessary motions to first place that on today's Calendar. Let us have a short recess.

*The House recessed at 3:12 p.m.*

*RECESS*

*The House reconvened at 3:13 p.m.*

## RESOLUTION CALENDAR

Speaker Arnold I. Palacios: Floor Leader.

Floor leader Camacho: Mr. Speaker, let me get the easy ones out of the way here. I have a motion to adopt HSE. COMM. Res. NO. 16-69 in reference to the late Justice Marty Taylor.

The motion was seconded.

HSE. COMM. RES. NO. 16-69: A House Commemorative Resolution conveying the sincere condolences and sympathy of the House of Representatives to the bereaved family of the late Honorable Marty Wayne Kendall Taylor on the occasion of his untimely passing and to pay fond tribute to his contributions to the Commonwealth.

Speaker Arnold I. Palacios: Is there any discussion?

There being no discussion, the motion to adopt HSE. COMM. Res. NO. 16-69 was seconded and carried by voice vote.

Speaker Arnold I. Palacios: The motion is carried. HSE. COMM. Res. NO. 16-69 is hereby adopted. I recognize the Floor Leader.

Floor Leader Camacho: Mr. Speaker, I have a motion to adopt HSE. COMM. Res. NO. 16-70 in referenced to the late Major Antonio Mesngon.

The motion was seconded.

HSE. COMM. RES. NO. 16-70: A House Commemorative Resolution conveying the sincere condolences and sympathy of the House of Representatives the Sixteenth Northern Marianas Commonwealth Legislature to the bereaved family of the late Police Major Antonio Kisa Mesngon,

on the occasion of his untimely passing and paying tribute to his services to the people of the Commonwealth and fond memory.

Speaker Arnold I. Palacios: Is there any discussion?

There being no discussion, the motion to adopt HSE. COMM. Res. NO. 16-70 was seconded and carried by voice vote.

Speaker Arnold I. Palacios: The motion is carried. Continue, Floor Leader.

Floor Leader Camacho: I have a motion to adopt H. R. NO. 16-78 in referenced to Dr. John Paul Cheney.

The motion was seconded.

H. RES. NO. 16-78: A House Resolution to honor Dr. Jean Paul Chaine for the many contributions he has made to the people of the Commonwealth and for his continued dedication to assisting countries and island communities in the Asian Pacific Region

Speaker Arnold I. Palacios: Is there any discussion? Let me ask the author Vice Speaker, recognized.

Representative Deleon Guerrero: Thank you, Mr. Speaker. Yes, it is a Resolution to recognize Dr. John Cheney who has been with us for a year. He has been the driving force behind the award winning and nationally recognized CNMI HPV, the HPV high school vaccination campaign. He has been the driving force behind that and has also been instrumental at various types of programs for different types of virus vaccines introducing that to the CNMI. This Resolution is to recognize his efforts and contribution.

Speaker Arnold I. Palacios: Representative Sablan, recognized.

Representative Sablan: Thank you, Mr. Speaker. I guess this is maybe just a technical error, but on page 2, line 2, it is described as Concurrent Resolution. This is just meant to be a House Resolution?

Representative Deleon Guerrero: I am sorry. Yes, it is a technical. If there is no objection, I would like to ask the counsel to make the necessary change.

Speaker Arnold I. Palacios: The Clerk will make those technical corrections. Ready for the question?

There being no further discussion, the motion to adopt H. R. NO. 16-78 was carried by voice vote.

Speaker Arnold I. Palacios: The motion is carried. Floor Leader, recognized.

Floor Leader Camacho: Mr. Speaker, motion to adopt H. R. NO. 16-77 in referenced to MPLT and the Housing Corporation.

The motion was seconded.

H. RES. NO. 16-77: A House Resolution to recognize and commend the Marianas Public Land Trust and its Trustees for their proactive efforts in assisting borrowers in its MPLT Home Loan Portfolio, as an Economically Targeted Investment, in passing MPLT Resolution 09-01 affording debt relief to the borrowers in the program

Speaker Arnold I. Palacios: Is there any discussion? I recognize Representative Sablan.

Representative Sablan: Mr. Speaker, I would like to request that this Resolution be referred to the Special Committee that was just created. Since it is timely and relevant, and does raise issues that this Committee should consider.

Speaker Arnold I. Palacios: Let me ask the author. Will you be amendable to...?

Representative Hocog: I am amendable, Mr. Speaker, just so that I would also give the members time to seriously look into it.

Speaker Arnold I. Palacios: Let me then order that the motion be withdrawn?

Floor Leader Camacho: Mr. Speaker, based on some discussions from the members, perhaps, it is best to withdraw the motion at this time if there is no objection from the members at this time, but we will keep it on the Calendar?

There was no objection.

Speaker Arnold I. Palacios: We will keep it on the Calendar and ask the Committee to please take a look at the Resolution. Floor Leader, recognized.

Floor Leader Camacho: Mr. Speaker, I believe we are under Bill Calendar.

Speaker Arnold I. Palacios: Yes.

## **UNFINISHED BUSINESS**

None

## **BILL CALENDAR**

Speaker Arnold I. Palacios: Floor Leader, recognized.

Floor Leader Camacho: Mr. Speaker, motion to pass on First and Final Reading, H. B. NO. 16-167 in referenced to housing and utility.

The motion was seconded.

**H. B. NO. 16-167**: A BILL FOR AN ACT TO AMEND 1 CMC § 8222 REGARDING HOUSING FOR KEY GOVERNMENT OFFICIALS; AND FOR OTHER PURPOSES.

Speaker Arnold I. Palacios: Discussion. Let me recognize Representative Quitugua.

Representative Quitugua: Mr. Speaker, I have an amendment to bill.

Speaker Arnold I. Palacios: Proceed.

Representative Quitugua: I have an oral amendment on page 1, line 17, after the word “utilities”, insert the following sentence, “Furthermore, public funds shall not be spent on private home renovations, repairs, extensions, and other related upgrades.”

The oral amendment was seconded.

Speaker Arnold I. Palacios: Is there any discussion? I recognize the Vice Speaker.

Representative Deleon Guerrero: Mr. Speaker, the intent of the bill is very clear. This amendment came out of what? Does the current allow for public funds to be used for private home repairs and renovations?

Representative Quitugua: Yes.

Representative Deleon Guerrero: I just want to know. Can the author elaborate a little on that?

Representative Quitugua: Mr. Speaker, it is allowed because it is being used as an official home. They can renovate it, they can repair it, they can upgrade it, and they can extend it.

Speaker Arnold I. Palacios: Correct. You are the author of H. B. NO. 16-167, and no where in the law I guess as it exist today restricts or prohibits payment of utilities for private residents by the Governor and Lieutenant Governor. I guess Representative Quitugua is saying that, to extend that, there is also no restriction so he is adding on to that restriction to make it clear, right? That is just adding on to your intent.

Representative Deleon Guerrero: Mr. Speaker, can I ask the author if he would not mind if we ask the counsel to tighten up the language or worded a little bit stronger to say, “Public funds are prohibited from being used for these purposes.” It is okay, but to give it more teeth. Is that okay with the author? Mr. Speaker, let us have a short recess.

Speaker Arnold I. Palacios: Short recess.

*The House recessed at 3:23 p.m.*

*RECESS*

*The House reconvened at 3:28 p.m.*

Speaker Arnold I. Palacios: We are back to our plenary session. Representative Quitugua, do you have a clear language? The legal counsel will read the new amendments offered by Representative Quitugua.

House Legal Counsel Jeff Warfield: On page 1, line 17, after the word “utilities” it should read, “Furthermore, the use of public funds for home renovations, repairs, extensions, and other related upgrades to private property is prohibited.”

The amendment offered was seconded and carried by voice vote.

Speaker Arnold I. Palacios: The motion is carried. Any further discussion on the main motion, and I recognize Representative Apatang.

Representative Apatang: Thank you, Mr. Speaker. I would like to support the bill, but I got a question here that we need to clarify as far as housing for the Governor and the Lieutenant Governor. As we all, there is no present housing for the Governor that is appropriate for him to stay and the Lieutenant Governor. This is the only reason why they are residing at their own residence for this particular reason. I think that it is premature that we do this unless if we can find funding to build a house for the Governor up here in Capitol Hill. There is a house, but have you seen it? He cannot even entertain anybody. It is falling apart. We were just up there last week looking around. I do not think anybody wants to stay in there. We have to be reasonable. Yes, we want to save some money, but this is part of the benefit for the Governor and the Lieutenant Governor because they always have to entertain people. That is the reason why they have an official resident, and here we are taking away their privilege just because somebody said, why is the Governor's light still on up there when everybody's out? He might have a generator and that is part of the privilege of being the Governor and the Lieutenant Governor and as President and the House Speaker. But I do not think that the House Speaker and the Senate President is taking that privilege, but since the Governor and the Lieutenant Governor is entertaining people, foreign visitors, and all that, that is why there is an official residence. Look at Guam up in Agana Heights. There is a beautiful house for the Governor. That is where he spends his time and his visitors, not like up here. You go up here and see for yourself. They are all dilapidated, termite infested, run down, how do you expect the Governor to live in there? We might as well, call the GPPC and run it down and build a new one.

Speaker Arnold I. Palacios: Okay.

Representative Apatang: Let us be reasonable.

Speaker Arnold I. Palacios: Representative Benavente, recognized.

Representative Benavente: Mr. Speaker, we are not taking away that privilege or that opportunity for the Governor and the Lieutenant Governor to live in their own residence. That is not this bill intends to do. What this bill intends to do is provide some control in the expenditure of public funds where we have already decided that we will provide a house for the Governor and the Lieutenant Governor, as a matter of fact, it goes on to say, the Speaker and the Senate President. Those houses are there, now, it is true that at this stage because no one has lived in it for several years now that there are termites in certain areas, and they have not been taken cared of. But over the years, every time a new Governor or Lieutenant Governor who would move into those houses have had to spend some money to fix whatever is broken and just paint, not the kind of money that we would need to build a new mansion for the Governor or the Lieutenant Governor, but with a little renovation budget. I actually moved into the Lieutenant Governor's residence at least several years after the former Lieutenant Governor had not used the house and lived comfortably in a beautiful house for the Speaker. I can tell you, it is even nicer at the Governor's residence. We do have a decent, but not a mansion for the Governor and Lieutenant Governor. I guess what we are trying to say is that, if we provide you with a house with four bedrooms and limited area where we realize that the utility billing will be certain amount, and you decide to live in your residence which is now two story and how many rooms, utility then becomes more than what you would pay at the Governor's residence, then we are asking that you pay for that. I do not think that is unfair. I think that is fair when it

comes to protecting public funds. As far as the amendment offered by Representative Quitugua, I think that is reasonable as well because we should not be renovating your private home knowing that you are going to be there at a minimum of four years, and then benefit from that public funds that has been used to extend your residence. That is just not right. I do not think that is what we want to do when we provided residence for the Governor and the Lieutenant Governor or of the Speaker and the Senate President for that matter. So for this, I commend, even though I had benefited from living in a Lieutenant Governor's residence, I commend the author for coming up with this bill as I believe it will protect public funds. Thank you.

Representative Apatang: Clarification, Mr. Speaker.

Speaker Arnold I. Palacios: State your clarification.

Representative Apatang: You know, Mr. Speaker, when Governor Froilan Tenorio was residing up at that house, it was dilapidated. I remembered one time he was hosting bunch of officials from the Navy, it rained, and we had to run around with buckets because of the leaks from the roof. This is the kind of residence that we put a Governor in? That is why nobody wants to live up there. Maybe the Lieutenant Governor's house is good, but the Governor's house up there is not good. It is better to take them down to the hotel and entertain down there. I know how much money we spend to renovate those buildings, because I was signing the procurement documents. I was the Chief of Procurement and Supply for the government, and I know how much money we spend up there renovating that building every time a new administration comes in. So that is why I am saying that I do not think this is fair at this time. If we build an adequate house to house the Governor and the Lieutenant Governor, then I do not mind supporting a bill like this, but in the mean time, let us not penalize our government officials. We all want to save money. Everybody wants to cut especially now, but since we are not up there, give the Governor and the Lieutenant Governor their privilege. Let us not take it away because we are not there. Thank you.

Speaker Arnold I. Palacios: Representative Hocog, recognized.

Representative Hocog: Just for point of clarification from the author, Mr. Speaker, because looking on line 15 and the amendment, there is something short there on the beneficiary. If the Governor opted not to stay in the government housing, that they will not be eligible to receive any housing benefits inclusive utility. Furthermore, public funds are not to be used or spend on private home or use for any renovation if the Governor opted not to stay in any government housing. What about if the Governor decided to stay in his own home, why would he not be entitled for utility versus staying in the government home and entitled for utilities and other maintenance cost? If hosting is a purpose of having a government house, each one of us hosted mostly than the Governor.

Speaker Arnold I. Palacios: Let me recognize the author.

Representative Hocog: I do not see the balance of this legislation that when he opted to stay in his own home and not to use the government housing, why would he not benefit from the utilities?

Speaker Arnold I. Palacios: Let me refer that to the author.

Representative Deleon Guerrero: Mr. Speaker, I will be frank with everyone. This bill was born out of an issue that came out in the newspaper about how an elected official whose staying in his government home how utility cost increased significantly, how prior to getting this subsidy the rates

or amount of electricity used was stable, and subsequently, it kept going up and up, and I felt personally that it was being abused. Simple as that, and I aim to correct that problem and prevent it from happening again. It is simple as that.

Representative Hocog: So my next question is, what is the par value of a Governor taking full responsibility of the whole Commonwealth not having full attention with his immediate family, what is the value of not providing...*(End of Tape 2, Side A)*...*(Beginning of Tape 2, Side B)*...and that is why we elect an official so we can value the services that he has been putting out to the whole Commonwealth. Countless sacrifices that he or she will leave his family away and not seeing his children on a daily basis, what kind of value can we give that lure of not having the benefit for all these? When we have this kind of attitude, Mr. Speaker, we are trying to put status on our island by providing value and benefits to our higher officials, in a sense, what is the use of giving the Speaker and the President housing in the first place? What is the use, and why none of you present members are not qualified to have government housing when you are serving also the very people? You have all the headaches and all the complaints. Your salary is not enough to cope out with your constituents needs, and we talk about these types of *eeny meeny miny moe* things. We are saying this today because of our economy, Mr. Speaker. That is all, but let us not de-value the image of our higher officials or else Commonwealth will be valueless both officials and the island itself.

Speaker Arnold I. Palacios: Representative Tebuteb, recognized.

Representative Tebuteb: Mr. Speaker, there is a difference between authorization and mandatory that you shall. Maybe if Obama and Schwarzenegger were in this room, there would be a laugh or joke on them. This bill is intended to clarify the authorization of a privilege. It is not necessarily a mandate or mandatory. It provides some accountability to this privilege. What level of value or fairness can we impose on privileges? That is a policy call you live with, good or bad. Thank you, Mr. Speaker.

Speaker Arnold I. Palacios: Representative Babauta, did you ever live in the Speaker's house?

Representative Babauta: Never did. I continue to pay my \$1,500.00 mortgage on my residence, Mr. Speaker.

Speaker Arnold I. Palacios: Thank you.

Representative Babauta: In fact, I supported the then former Speaker, now Governor, in giving out that residence for someone else. At any rate, let us be objective on this bill. If we seriously mean to control abuse of spending, you know, some of us have been in this Chamber for the past decade, why do we not realize that? The economic downturn started in 1997. It is 2009 now. I mean, let us be practical, not because an article came out similar to what have transpired in NMC, that we tend to raise to the poll to see who raises the flag first. But may I ask what in the accountability of the past versus the present. Just because our present Governor is Carolinian or because something that some of us members do not know what has been expended? I am really curious to find out the variances of public funds expended on any Governor? I do not know what is going to happen on this bill, Mr. Speaker, but if we are to do this, let us be objective. Let us also look into other ways. We support good doctors with high paying jobs as high as \$250,000.00, and that includes housing. Seriously, let us not kid ourselves. This bill is a politically motivated bill, Mr. Speaker, and I rise to vote against it. Thank you.

Speaker Arnold I. Palacios: Thank you. Control your temper. Let me recognize Representative Sablan.

Representative Sablan: Thank you, Mr. Speaker. Some members have already touched on this, but I think that it is really important to emphasize the point that what we are dealing with really is a privilege, and it is not a right. We are not even taking away, with this bill, the privilege of public housing for our highest elected officials. What we are doing is, as Representative Tebuteb put it, just clarifying what is appropriate and what is inappropriate use of public funds for this particular privilege. Now, what we are also doing is minimizing the risk of abuse, and we do know that this privilege has been abused. I think that in these difficult times, what all our elected officials are called upon to do is to share the sacrifices and the hardships that our people are feeling, and our efforts to minimize abuse. Not just in terms of this one particular privilege, but in all the privileges and benefits of public office including our own. I think that our times to do that and to minimize the abuse of public funds will be an effort that would resonate with the people of the Commonwealth. I think that is something that our people are looking to us to do. It is really to cut the fat and to cut the abuse, and this is really just the first step that I would like to thank the Vice Speaker for taking that step. I fully support this bill.

Speaker Arnold I. Palacios: Representative Torres, recognized.

Representative Torres: Just one question for the author. What is the difference between staying at a Governor or Lieutenant Governor's house – spend \$10,000.00 on utility versus staying at your house and spending \$3,000.00? Where do you judge the misuse of funds whether you stay at the Governor or Lieutenant Governor's house?

Speaker Arnold I. Palacios: Representative Deleon Guerrero, recognized.

Representative Deleon Guerrero: It is a policy call. Some of you may not agree with it and that is fine. There is a current law that provides benefits for certain elected officials. All these bill aims to do is let us say, if you want to stay in a government housing that is provided to you by the government, then you shall avail of those benefits. I am not saying that you should not stay there. However, if you opt not to, then you waive those benefits. Now comparing it, I do not even want to go there. As I said earlier, we have seen what could happen when one opts not to stay in a government house, and you can look into that further. You decide my friends. This is a policy decision that I feel under the circumstances, I do not repeat what had already been said, but Representative Sablan and other members had already said what drove me to introduce this bill, and it is a call for us. As elected officials under our current situation right now, I think that benefits should be scrutinized, and we as elected officials should set the example for that. I live it at that.

Speaker Arnold I. Palacios: Floor Leader, recognized.

Floor Leader Camacho: Mr. Speaker, I want to explain why I will not support this legislation because I do not think it goes far enough. As an elected official, it really is not the taxpayers problem why you do not have a resident. Before you run for public office, you have a house, and we can spend money renovating a house or give you money to pay for your utilities, but that really is not the people's problem. That is your individual problem. I am going to vote on this bill as it is unless we amend and strike out the entire provision in its entirety. The people do not have to pay for your house. You are running to serve the people. Thank you, Mr. Speaker.



Speaker Arnold I. Palacios: Representative Dela Cruz, recognized.

Representative Dela Cruz: Thank you, Mr. Speaker. I will try to make this short. While my good colleague, Representative Babauta had indicated that this might be political, I tend to differ. Representative Ralph's contention that if you were staying at a government housing and you were using up \$10,000.00 worth of utilities versus \$3,000.00 at your own residence, that is really something that we can consider. But I think that deep down, we look at this as – it is political at any angle that you look at it because when election season comes around, and let us say that any Governor says, we are having a party meeting at my official residence, at his own private house, what do the public say? Is that illegal for him to have a party meeting at his private house, utilities being paid by the whole CNMI? Is that right, is the question. I say, any Governor, any party that sits in and stays at their own residence can call for a meeting, a rally or what have you during election times, and who is to stop them? Who is to stop them from doing that? I think that this is a measure that is in the right direction. I think that by doing this, we put some sort of control in place because any way you slice the pie, it will always happen. I repeat it does not matter which party. Thank you, Mr. Speaker.

Representative Apatang: Privilege, Mr. Speaker.

Speaker Arnold I. Palacios: State your privilege, Representative Apatang.

Representative Apatang: Mr. Speaker, that is fine and dandy, but we are forgetting that there is an Ethics Law. If you are an elected official or you are a Governor, you know that you fall under the Ethics Law of Commonwealth. You should know better if you are holding a political activity not to have it especially if the residence you are residing is an official residence.

Speaker Arnold I. Palacios: Representative Reyes, recognized

Representative Reyes: Thank you, Mr. Speaker. After listening to everybody, it boils down to something that in my opinion, I guess we are saying that each and every elected official that are entitled to this entitlements are pretty much all irresponsible. We need to have some trust. This comes with a position; it does not come with the person. Chances are; we might even get the lowest salaried Governor from the entire nation. I do not know, but I think that I am right. This comes with a position, it is an opportunity, and it is an honor to showcase the Commonwealth. Now, all these people have to do is be responsible. There is Ethics Law in place and everything. Let us have some trust a little bit. Thank you.

Speaker Arnold I. Palacios: Representative Quitugua, recognized.

Representative Quitugua: Mr. Speaker, this is when value comes in. If you really value being a Governor and you value the Governor's residence, you have to fix it up because that is the people's house. But if you go to your residence and you stay, you do not value that anymore. You do not consider valuing your position and the people that elected you to stay in the Governor's house. That is why that house is in bad shape because they do not take care of it, and if they do value that place, they would have taken care of it, and we will see every Governor in and out of that residence. Thank you, Mr. Speaker.

Speaker Arnold I. Palacios: Representative Babauta, recognized.

Representative Babauta: I want to raise a point of clarification with the legal counsel.

Speaker Arnold I. Palacios: I will allow.

Representative Babauta: On Section 8222, line 11, what constitutes benefits? Do we have a definition?

*House Legal Counsel Jeff Warfield*: There is no definition for benefit provided in the current statute.

Representative Babauta: There is no definition?

Speaker Arnold I. Palacios: Short recess.

*The House recessed at 3:29 p.m.*

*RECESS*

*The House reconvened at 4:05 p.m.*

Speaker Arnold I. Palacios: We are back to our plenary session. Legal Counsel, can you respond to Representative Babauta's query?

*House Legal Counsel Jeff Warfield*: The only reference I see, Mr. Speaker, is just two housing generally. I do not see a – that defines what housing mean, whether that means furniture, fixtures, etc.

Speaker Arnold I. Palacios: Representative Camacho, recognized.

Floor Leader Camacho: Thank you, Mr. Speaker. In referenced to my earlier comment, I would like to make a motion to strike in its entirety, "1 CMC, Chapter 2, Article 1, Section 8221, Section 8222, Section 8223" in referenced to basically housing for the Governor, Lieutenant Governor, Speaker and Senate President.

Speaker Arnold I. Palacios: The motion is to basically delete this privilege. It has been seconded. Is there any discussion on that motion? I recognize Representative Benavente.

Representative Benavente: Mr. Speaker, I realized that there has been a lot of discussion on this matter, and even when it comes to this amendment, I think that the discussion made earlier are relevant. There was discussion of why it is important to have a residence, and those have been discussed and that because there is a need for our Governor or Lieutenant Governor needs to have a residence in which to function officially. This might be as a house, but it is a need for a function of the Administration of the Governor and the Lieutenant Governor whenever the Governor is gone. I support the legislation, but I would say that the amendment would be unreasonable in the need of this government to function with the responsibility that is given to the Chief executives. Thank you.

Speaker Arnold I. Palacios: Representative Sablan, recognized.

Representative Sablan: Just a comment. While I agree with the sentiments that were expressed by the mover of this – I guess it is now a repealer, I think that because it significantly changes the purpose of the legislation that we should go back and clarify the stated intent of the legislation, and

take some time to do that since we are proposing to take away the benefit entirely rather than to clarify what public funds can be use or cannot be used for. So, that is what I would like to suggest that we do at this time and that is to lay this on the table, and then we can work on the language of the bill.

Representative Babauta: Mr. Speaker, subsidiary motion.

Speaker Arnold I. Palacios: Proceed.

Representative Babauta: That we move this bill to the appropriate committee for further overhaul.

The motion was seconded.

Speaker Arnold I. Palacios: The motion to refer this bill to the appropriate Committee has been seconded. Is there any discussion?

Representative Benavente: Mr. Speaker, can we at least wait for the author to return so that we can vote on this motion?

Speaker Arnold I. Palacios: Further discussion? Let me share my thoughts on this, not necessarily as a Speaker. One of the reasons why I believe the author introduced this is because of an apparent presumption by the public that it is being abused. I mean, let us all be honest. When the prices of the power continue to rise, it was very controversial when we watch on the news about the Lieutenant Governor's usage of power had increased and that the public was paying for it. That was the driving force to this. Now, it has come to a situation where not only are we trying to restrict or limit the abuse of this privilege, or the perceive abuse of this privilege, but now we are even attempting to take completely away from the Commonwealth, not just the position itself. It is really sad that we are starting to go there because every country, every state territory has an official residence for its head of state. Some very grandeur, some very simple, humble surroundings, very austere surroundings, but it is still the state residence. The Commonwealth has to have a state residence. We should have a very clean, decent residence that the head of state can host foreign dignitaries, it can host the public, functions, but we have to have that. I am not saying that we should have a grandeur mansion because we cannot. At this point in time, we cannot have a mansion, but we should have a simple and humble state residence. I have gone through many countries in the south pacific which are probably less economically driven as the Commonwealth, but they do have state residence for the head of state. They are simple, very clean, but very dignified. We need to be very careful where we go from here trying to control the potentials and perceive past abuses of our officials to now completely dismantling some sort of institution and pride in the Commonwealth. I agree with Representative Benavente who was a past head of state Commonwealth who had official functions. I think all of us in the past have joined in state or Commonwealth function to welcome foreign dignitaries and public functions hosting for manamko's or other organizations. I lead you with that caution that we should be as efficient and as a steer, but at the same time, we should take pride in having an official residence for our head of state. With that said, let me call the question.

The oral floor amendment offered by the Floor Leader through a voice vote had a Division on the Floor.

Speaker Arnold I. Palacios: We have a Division on the floor. Clerk, please call the roll.

The clerk called the roll on the motion to pass H. B. NO. 16-149, HD1 with the following result:

Representative Edwin P. Aldan	yes
Representative David M. Apatang	yes
Representative Oscar M. Babauta	yes
Representative Diego T. Benavente	no
Representative Joseph N. Camacho	yes
Representative Francisco S. Dela Cruz	no
Representative Joseph P. Deleon Guerrero	no
Representative Victor B. Hocog	yes
Representative Heinz S. Hofschneider	absent (excused)
Representative Raymond D. Palacios	yes
Representative Justo S. Quitugua	yes
Representative Joseph C. Reyes	yes
Representative Christina M. Sablan	no
Representative Edward T. Salas	absent (excused)
Representative Rosemond B. Santos	no
Representative Ramon A. Tebuteb	no
Representative Ralph DLG. Torres	yes
Representative Stanley T. McGinnis Torres	yes
Representative Ray N. Yumul	no
Speaker Arnold I. Palacios	yes

Speaker Arnold I. Palacios: H. B. NO. 16-167 is hereby referred to the Committee on Judiciary and Governmental Operations...*End of Tape 2, Side B*)...

Representative Quitugua:...(*Beginning of Tape 3, Side A*)...we were speaking in regards to the importance of the head of state, I would like to recommend to the Committee to look at this bill in a more comprehensive manner, and perhaps include even designation of where the head of states' house going to be in the future. I think there is a proposal by the HPO to claim all of these buildings as historic preservation. Once that thing is declared as historic, then, we have to find a place.

Speaker Arnold I. Palacios: That is a very good recommendation, but at the same time, for example, the Governor's official residence in Hawaii is also historic. I am not sure whether once a building has been registered, whether it cannot function as a residence anymore. That is something that we have to look at. Let me recognize the Floor Leader.

Floor Leader Camacho: Mr. Speaker, I have a motion to pass on First and Final Reading, H. B. NO. 16-191 in referenced to Commonwealth Emergency Relief Act.

The motion was seconded.

H. B. NO. 16-191: A BILL FOR AN ACT TO AMEND 1 CMC § 7403 AND 1 CMC §§ 5103-5143; AND FOR OTHER PURPOSES. (COMMONWEALTH EMERGENCY RELIEF ACT ("CERA")).

Speaker Arnold I. Palacios: Is there any discussion?

Several members voiced, "ready."

Speaker Arnold I. Palacios: Let me take a short recess.

*The House recessed at 4:21 p.m.*

*RECESS*

*The House reconvened at 4:29 p.m.*

Speaker Arnold I. Palacios: We are back to our plenary session. We were discussing, H. B. NO. 16-191. Let me recognize the Vice Speaker.

Representative Deleon Guerrero: Thank you, Mr. Speaker. I would like to offer a floor amendment by adding a new Subsection (d) to Section 3 of the Act to read as follows: “Subsection (f) 1 of 3 CMC 50121 is hereby amended as follow. “(f)1, suspend the provisions of any procurement regulation of any Commonwealth activity or agency if strict compliance with the provision of any procurement regulation would in any way prevent hinder or delay necessary action in coping with emergency.” That is the first amendment. The second is by inserting the following sentence at the end of the subsection 7403 as amended under subsection 3(a) of the bill to read as follows: “No extension of an existing emergency or disaster relief declaration or the issuance of any new emergency or disaster relief declaration shall be issued by the Governor unless he or she has complied with the reporting requirements of this section.”

The oral floor amendment was seconded.

Speaker Arnold I. Palacios: Short recess.

*The House recessed at 4:31 p.m.*

*RECESS*

*The House reconvened at 4:33 p.m.*

Speaker Arnold I. Palacios: We are back to our plenary session. Let me recognize the Floor Leader.

Representative Deleon Guerrero: Mr. Speaker, I have a motion to lay H. B. NO. 16-191 on the table and pick it up at a later time.

The motion was seconded.

Representative Sablan: Mr. Speaker, discussion?

Speaker Arnold I. Palacios: Recognized, Representative Sablan.

Representative Sablan: I understand some members want to move on to other bills, but we are just waiting for a copy of the floor amendment for a bill that we can continue discussing. I really like to ask that we just go back to discussing the meat of the bill while we wait for copies of the Vice Speaker’s amendment.

Speaker Arnold I. Palacios: So you mean – you are the one that wanted to get a copy of that amendment, but...

Representative Sablan: Right, but I am ready to discuss other provisions of the bill.

Speaker Arnold I. Palacios: Are there other provisions...what is the consensus of the members?

There was no objection.

Speaker Arnold I. Palacios: We will go ahead and discuss while we wait for the amendment. So we are back to discussing H. B. NO. 16-191 and I recognize Representative Sablan.

Representative Sablan: I wanted to ask our legal counsel for some clarification about two parts of this bill. One is with regards to page 2, lines 2 and 3. Just to find out why it would be legally necessary to cross out the reference to the Governor's constitutional authority to issue an emergency declaration? On page 4, since the amendment involves crossing out the Governor's power or deleting the Governor's power to suspend regulatory status, I wanted to clarify whether or not executive orders issued under State of Emergency Declaration would have the power to supercede statutes anyway.

House Legal Counsel Jeff Warfield: Specifically on page 4 were you are referring to?

Representative Sablan: That is on the very bottom on line 27 through 29.

House Legal Counsel Jeff Warfield: Just a second. Let me look at the Constitution.

Speaker Arnold I. Palacios: We will go on recess until the legal counsel can come up with the...Short recess.

*The House recessed at 4:36 p.m.*

*RECESS*

*The House reconvened at 4:43 p.m.*

Speaker Arnold I. Palacios: We are back to our plenary session. We are discussing the amendment offered by the Vice Speaker. Any further discussion? I recognize Representative Sablan.

Representative Sablan: Thank you, Mr. Speaker. I would like to just clarify the intent of the first amendment. I guess, why are we only limiting the Governor's power to spend procurement regulations in an emergency situation?

Speaker Arnold I. Palacios: We are not limiting. We are actually giving him to suspend procurement regulations.

Representative Sablan: Well, the amendment says, while the Governor would continue to have the power to suspend the provisions of any procurement regulations, but obviously, there are other regulations that he could suspend right now under existing law.

Speaker Arnold I. Palacios: I think that if you go to that subsection, I think it references – I believe it was almost redundancy that the reason why the legal counsel decided on that particular

section...for example like CUC, sometimes they need to procure immediately especially large equipments or large – and we can suspend that for the duration of that.

Representative Sablan: Okay, but in the case against Aggreko situation, supposed there were similar situation to arise, and we would have to suspend zoning regulation for a temporary remedial affects for that emergency, so it is not just procurement regulations but other regulations that we can foresee – more reasonable for the Governor to suspend temporary. That is what I am trying to get at. Under this provision, he would only be able to suspend procurement regulations, but no other regulations that might be necessary to suspend.

Speaker Arnold I. Palacios: I think that in other provision of the legislation, it allows him to do that. Let me call for a short recess.

*The House recessed at 4:45 p.m.*

*RECESS*

*The House reconvened at 4:48 p.m.*

Speaker Arnold I. Palacios: We are back to our session. Let me recognize the Vice Speaker.

Representative Deleon Guerrero: Mr. Speaker, I move to withdraw my amendment.

Speaker Arnold I. Palacios: The motion is to withdraw the amendment.

Representative Sablan: Mr. Speaker, I just want to state for the record for members to consider. My concerns were really just about the first part of the amendment. The second part of the amendment seems perfectly reasonable to me, but if members want rather, we just act on the bill the way it is. I would be okay with that too.

Speaker Arnold I. Palacios: I think that we should just act on it the way it is and we can sit with the Senate PUTC and if they are willing to look into this and offer the amendment. I recognize the Floor Leader.

Floor Leader Camacho: In reference to page 2, on line 6, I just wanted to bring to the attention of the members that it says, the Governor shall as soon as practicable, but not more than five days. Obviously, if it is non-natural disaster, Super Typhoon or whatnot, if it were to happen on Thursday, Friday, Saturday, or Sunday, and we have a major power outage to require only five days to transmit to the Legislature a report. Maybe a much longer period would be more practicable. Five days may not be a sufficient time to get the powers up and running. Maybe ten days or even thirty days to match the other days, but five days seems to short.

Speaker Arnold I. Palacios: So would you like to offer an amendment? I understand your concern. I believe the five days is a little bit too short, but would you like to offer an amendment of two weeks?

Floor Leader Camacho: That seems to be reasonable. On page 2, line 6, after the word, “not more than” insert, “fourteen days after the Declaration of Emergency.” So strike out the word “five” and just insert “fourteen working days.”

The oral floor amendment offered by the Floor Leader was seconded and carried by voice vote.

Speaker Arnold I. Palacios: The motion is carried. We are back to the main motion.

Several members voiced, “ready.”

Speaker Arnold I. Palacios: Clerk, please call the roll.

The clerk called the roll on the motion to pass H. B. NO. 16-191, HD1 with the following result:

Representative Edwin P. Aldan	yes
Representative David M. Apatang	yes
Representative Oscar M. Babauta	yes
Representative Diego T. Benavente	yes
Representative Joseph N. Camacho	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	yes
Representative Victor B. Hocog	yes
Representative Heinz S. Hofschneider	absent (excused)
Representative Raymond D. Palacios	yes
Representative Justo S. Quitugua	yes
Representative Joseph C. Reyes	yes
Representative Christina M. Sablan	yes
Representative Edward T. Salas	absent (excused)
Representative Rosemond B. Santos	yes
Representative Ramon A. Tebuteb	yes
Representative Ralph DLG. Torres	yes
Representative Stanley T. McGinnis Torres	no
Representative Ray N. Yumul	yes
Speaker Arnold I. Palacios	yes

Speaker Arnold I. Palacios: By a vote of 16 “yes”, H. B. NO. 16-191, HD1 passes the House on First and Final Reading. Before I recognize the Floor Leader, one of the reasons why I think we needed to introduce this bill was because of the seeming perennial declaration of emergency powers to which time – one of the main issue is that this body has not been giving reports on a timely manner. We do not even know what was being reprogrammed to address this, and when they did finally report, for example in the Fifteenth Legislature, the former Speaker was given a stack that high and real raw data. So, I think that it is necessary that we begin to define some of the parameters of these powers, okay? Let me now recognize the Floor Leader.

Floor Leader Camacho: Mr. Speaker, I have a motion to pass on First and Final Reading, H. B. NO. 16-12, HS2 in referenced to the Silver Market authored by Representative Stanley Torres.

The motion was seconded.

**H. B. NO. 16-12, HS2:** A BILL FOR AN ACT TO REPEAL AND REENACT TITLE 4, CHAPTER 10, AS AMENDED BY PUBLIC LAW 15-16; REPEAL AND REENACT 3 CMC § 4303(Q)(10); AMEND 3 CMC § 4331(K) AS ESTABLISHED BY PUBLIC LAW 15-16; AND FOR OTHER PURPOSES.



Speaker Arnold I. Palacios: Discussion on the motion.

Several members voiced, “ready.”

Speaker Arnold I. Palacios: Clerk, call the roll.

Representative Sablan: Mr. Speaker, objection. There was not even an opportunity for discussion.

Speaker Arnold I. Palacios: Okay. You are probably the only one that wants to discuss this.

Representative Sablan: What exactly is the rush to pass this bill that is supposedly so uncontroversial without having any discussion?

Speaker Arnold I. Palacios: That is why we were rushing it because it is supposed to be non-controversial.

Representative Sablan: Mr. Speaker, I think that I just object on the principal of not even talking about this on the record when it pertains to our foreign investment program and would possibly affect Immigration, and obviously, we are still waiting for foreign investor regulations to be available under Federal Law.

Speaker Arnold I. Palacios: Representative Yumul, do not distract. When somebody is holding the floor, please do not distract the person speaking. Continue, Representative Sablan.

Representative Sablan: So, I would like to ask the author or the supporters of this bill – this has been on the Calendar for months and many things have changed, and we anticipate more changes in the next couple of months beginning June 1<sup>st</sup>, but we have no idea, so has there been any progress since this report was written in October 2008 in terms of how these new changes would matter after federalization takes effect.

Speaker Arnold I. Palacios: Representative Reyes, recognized.

Representative Reyes: Mr. Speaker, this Federalization thing is nothing but a promissory note at this time, therefore, I would rather not discuss it, and the bill has been in the making for six months. It has been on the Calendar for some time, and we do not want to talk about the Federalization because it may not happen in the next six months or so, but right now, we want to see something happen about this. Thank you.

Speaker Arnold I. Palacios: Representative Apatang, recognized.

Representative Apatang: Thank you, Mr. Speaker. Like Representative Reyes mentioned, this bill has been on our Calendar for almost a year. Our term is almost up and it is still on the Calendar. We need to act on this bill. Although the Federalization is on its way, but some of these foreign retirees are not applicable to the federal immigration issues. Japanese and Koreans have free visas to come in. So we should go ahead and pass this bill and give those retirees the opportunity to join us in our beautiful Commonwealth. Thank you.

Speaker Arnold I. Palacios: Representative Babauta, recognized.

Representative Babauta: *Si Yu'us Ma'ase. Kulan eyu i masangan nai, maolek ta kosecha hafa guaha pago maseha dididi ki an matto i Fedarales ta ko'ko'ku hit. Pues maila ya ta supota esti na programa sa gaige ha esti gi Aktu. Taya guine dankulo na signifikante na tinilaika – ma ribaha i idat i prohimu ni para u halom. Bula esta Japan man miyinario ni man lahoben dididi. Estigue malagota para ta ko'ku nai. Mr. Speaker, bula man lalailai pago condominium, commercial space, apartment, ya hayi ti gumaiya eyu yanggen guaha iyota, siña ta pipit halom esti ya ta na fama salape ya kosaki siña lökkue manman apasi tax. Pues hu gagagao fabot ya ta supota esti na Aktu. Si Yu'us Ma'ase.*

Speaker Arnold I. Palacios: Ready for the question?

Several members voiced, “ready.”

Speaker Arnold I. Palacios: Clerk, call the roll.

The clerk called the roll on the motion to pass H. B. NO. 16-12, HS2 with the following result:

Representative Edwin P. Aldan	yes
Representative David M. Apatang	yes
Representative Oscar M. Babauta	yes
Representative Diego T. Benavente	yes
Representative Joseph N. Camacho	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	yes
Representative Victor B. Hocog	yes
Representative Heinz S. Hofschneider	absent (excused)
Representative Raymond D. Palacios	yes
Representative Justo S. Quitugua	yes
Representative Joseph C. Reyes	yes

Mr. Speaker, I understand that this bill has been on the Calendar for quite some time. I also understand that there were problems with the Committee Report being rushed and not being reviewed in Committee, and that there were concerns in the Department of Commerce about different versions of the bill. I wanted to ask for the opportunity to clarify whether or not those concerns have been addressed? I also wanted to just point out that although the bill says that the intent is to attract wealthy foreigners, but the actual criteria for eligibility do not really require that much wealth...part of these foreigners will be eligible, and then the age requirement...

Speaker Arnold I. Palacios: Your vote.

Representative Sablan: I cannot vote for this bill in good conscience. I think that this is irresponsible. So my vote would have to be “no.”

Representative Christina M. Sablan	no
Representative Edward T. Salas	absent (excused)
Representative Rosemond B. Santos	yes
Representative Ramon A. Tebuteb	yes
Representative Ralph DLG. Torres	yes
Representative Stanley T. McGinnis Torres	yes
Representative Ray N. Yumul	yes
Speaker Arnold I. Palacios	yes

Speaker Arnold I. Palacios: By a vote of 17 “yes”, H. B. NO. 16-12, HD2 hereby passes the House on First and Final Reading. Floor Leader, recognized.

Floor Leader Camacho: Mr. Speaker, I have a motion to suspend pertinent rules to place H. B. NO. 16-227 on the Bill Calendar.

The suspension motion was seconded and carried by voice vote.

Speaker Arnold I. Palacios: The motion is carried. Floor Leader, motion to place.

Floor Leader Camacho: Thank you, Mr. Speaker. I have a motion to place H. B. NO. 16-227 on the Bill Calendar.

The placement motion was seconded.

Speaker Arnold I. Palacios: Discussion. I recognize Representative Sablan.

Representative Sablan: Thank you, Mr. Speaker. The fact that members feel that this is relatively uncontroversial and the fact that it is a feel good bill, it is not reason enough to rush...on any piece of legislation. I would object to the suspension of rules to place this on the Calendar just because I think that we should give people the opportunity. This was just introduced couple of hours ago and we are going to suspend the rules and fast track it, but for what? People have not had the opportunity yet to look at this and we just had the opportunity to look at this today. There is no reason for us to rush this today.

Speaker Arnold I. Palacios: Representative Apatang, recognized.

Representative Apatang: Thank you, Mr. Speaker. You know, although this bill was just introduced, I think that this bill is a very important bill, a very urgent bill that we entertain it because you know that we are having problems financially as far as the government's concern, and Guma Esparansa needs our help. We want to make sure that we make those people pay that forced their families to stay in this house so we can pay for the utility bill. So I want to increase the penalty and the contribution of this bill to teach these people a lesson not to beat up their family. I am ready to amend this bill.

Speaker Arnold I. Palacios: Representative Santos, recognized.

Representative Santos: Mr. Speaker, for the benefit of the members, this is a practice that has been going on in the court house. I have done it as a prosecutor, and I am sure that everybody here that use to work for the A.G.'s Office have seen this happen before and it is just that it is not in the books, but I am sure that it has been a practice in the Judicial Branch.

Speaker Arnold I. Palacios: Representative Tebuteb, recognized.

Representative Tebuteb: Actually, I was just trying to catch what has been a practice?

Representative Santos: The one hundred dollar assessment fee goes to Guma Esparansa.

Speaker Arnold I. Palacios: But she just wants to see it in the books. Representative Tebuteb, you still have the floor.

Representative Tebuteb: I also have some questions and I think it does merit the concerns raised by Representative Sablan. Although it is define in this amendment on contribution, and what is defined as domestic violence...

Speaker Arnold I. Palacios: Perhaps when we get to the bill itself because the motion right now is for placement only. Let me recognize Representative Sablan.

Representative Sablan: I think the fact that this is already a practice right now under the good wisdom and prudence and experience of our judges means that there is no urgency in rushing this bill. If it is good policy, it is a good practice. Perhaps there are ways that we can...this in our code and improve on it. Let us give the opportunity for other members of the community including the Judiciary to look at this bill and comment on it. There is no reason to rush this today and the fact that it is already done as practice by the courts is more reason for us to not act on this today.

Speaker Arnold I. Palacios: Representative Babauta, recognized.

Representative Babauta: Mr. Speaker, the motion is to place it on the Calendar?

Speaker Arnold I. Palacios: Yes, only placement.

Representative Babauta: So let us move on with the motion, Mr. Speaker.

Speaker Arnold I. Palacios: Well, I wanted to give Representative Sablan an opportunity why she believes that we should not rush and place it. She is relevant on her – but the motion is for placement. Ready.

There being no further discussion, the placement motion was carried by voice vote.

Speaker Arnold I. Palacios: The motion is carried. Floor Leader, recognized.

Floor Leader Camacho: Mr. Speaker, I have a motion to pass on First and Final Reading, H. B. NO. 16-227 in reference to Guma Esparansa.

The motion was seconded.

H. B. NO. 16-227: A Bill for an Act to require a person convicted under 6 CMC § 1461 *et. seq.*, to make a contribution to the Guma Esperansa Shelter; and for other purposes.

Speaker Arnold I. Palacios: The motion has been seconded. Is there any discussion on the motion? Let me recognize Representative Santos.

Representative Santos: Mr. Speaker, I would like to offer three amendments beginning on the Title. It should read, “A Bill for an Act to amend 6 CMC Article 5; and for other purposes.” Two is on line 8, instead of “require” strike that out and replace it with “provide that”, and then on line 9, strike out, “to make a contribution” and replace that with “pay an assessment fee”. And then on Section 2, that whole sentence there, “any person convicted under 6 CMC” that sentence should be stricken out and replace with “the court may assess a \$100.00 fee to a person convicted under 6 CMC Section 1461 exec. for Guma Esperansa.”

The amendment offered by Representative Santos was seconded.

Speaker Arnold I. Palacios: The motion has been seconded. Is there any discussion?

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

Speaker Arnold I. Palacios: The motion is carried. We are back to our main motion. Let me recognize the Floor Leader.

Floor Leader Camacho: Thank you, Mr. Speaker. Often times, obviously, nobody here supports the domestic violence because of families financial conditions, they are not able to pay the \$100.00. It seems like we are only talking about the \$100.00, but actually there are other fines and penalties on top of this. I would like to make an amendment on page 1, line 12, insert a comma “(,)” and then “but if such person is unable to pay that they be converted to community service.”

The floor amendment was seconded.

Speaker Arnold I. Palacios: The motion has been seconded. Let me recognize Representative Dela Cruz.

Representative Dela Cruz: Thank you, Mr. Speaker. I thought that the intent of the legislation was to assist Guma Esperansa with defraying the cost of the victims living in the Guma Esperansa. If we were to convert that to community services then we are basically taking away that fee that is to go towards financially assisting Guma Esperansa. I guess in another case where if the person is convicted, are they going to be bush cutting around the premises of the Guma Esperansa where the victim is situated at? Is that the intent here or somewhat the intent?

Speaker Arnold I. Palacios: Floor Leader, recognized.

Floor Leader Camacho: Representative Dela Cruz brings up some very good points. The way the system works at the court is that the Probation Office monitors their people. If there is a stay away order, they will not be in the same location within a hundred feet or things like that, but the community service often happens at another location whether they are picking up trash or painting government buildings of that nature. The reason I am making this motion to amend is because you are talking about families and if they are not able to pay, I rather that – if they even have a hundred dollars, I rather that they use that to pay for food or their utilities or whatnot. However, if they are able to pay, then they should pay. Often times, defendants come in two different classes, those who have money and do not have the time and would pay the hundred dollars – those who have a lot more time than they have the money, so they would prefer to do the community service. Thank you, Mr. Speaker.

Speaker Arnold I. Palacios: Representative Dela Cruz, recognized.

Representative Dela Cruz: Then I guess, as I mentioned earlier, it defeats the whole purpose of the legislation. The legislation is to assist financially Guma Esperansa shelter. May I add, Mr. Speaker, maybe I would have to agree with Representative Sablan that we should lay this on the table or refer it to Committee and get inputs from Guma Esperansa and other agencies.

Speaker Arnold I. Palacios: Representative Santos, recognized.

Representative Santos: Mr. Speaker, we all know the severity and the damages that domestic violence has in our community, and I think that having this in the books is our way of saying that

this is not going to be tolerated. When you hurt someone, no one deserves to be hurt especially family members. The punishment needs to fit the crime, and this is very closely related to the consequences of what happens in domestic violence, and this money that would go to Guma Esperansa will help financially. Guma Esperansa provides a lot of social services and even legal advocacy and representation. They help with placing...

Speaker Arnold I. Palacios: Representative Santos, I understand where you are coming from in terms of justifying the legislation, but I think that we are discussing the amendment.

Representative Santos: And I am implying to the amendment as well.

Speaker Arnold I. Palacios: Okay. I was trying to get to that point. So you object to the amendment.

Representative Santos: Right. And the court can make that assessment whether or not the defendant can or cannot pay.

Speaker Arnold I. Palacios: Okay. Further discussion on the amendment by the Floor Leader?

Representative Torres: Point of order, Mr. Speaker.

Speaker Arnold I. Palacios: State your point, Representative Ralph Torres.

Representative Torres: There was a motion to bring it back to the...

Speaker Arnold I. Palacios: Hold on. Representative Dela Cruz had recommended that we table discussion on this legislation. I am not making a motion, but let me recognize you to make that a formal motion if you so wish.

Representative Dela Cruz: Thank you, Mr. Speaker. I have a motion to refer this to Committee.

The motion was seconded.

Representative Babauta: Point of information, Mr. Speaker. I was just talking to the mover of the subsidiary amendment and he is comprising to withdraw his original motion so that we can entertain the main motion.

Speaker Arnold I. Palacios: The motion has been made and seconded by Representative Dela Cruz to refer this to Committee. Discussion on that motion? Let me recognize Representative Babauta.

Representative Babauta: Mr. Speaker, can we dispose of the subsidiary motion first of the Floor Leader.

Representative Sablan: It has been withdrawn.

Representative Babauta: Did you officially withdraw it? We have to dispose of that subsidiary motion.

Speaker Arnold I. Palacios: Let us dispose of the motion to amend that was offered by the Floor Leader. Floor Leader, you want to withdraw that motion?

Floor Leader Camacho: Mr. Speaker, in my discussion with Representative Babauta brought up a good point that we already struck out the word “shall” and put “may.” If we can include it in the findings or at least for the record that it is not “binding” so that the court does not have to impose a hundred dollars, and I want to withdraw the motion at this time.

There was no objection.

Speaker Arnold I. Palacios: The amendment offered by the Floor Leader has been withdrawn. Now we are back to Representative Dela Cruz’ motion to refer this to Committee, and that motion has been seconded. Is there any discussion?

There being no further discussion, the motion to refer H. B. NO. 16-227 to Committee was put to vote with a Division on the floor.

Speaker Arnold I. Palacios: The “nays” have it. We are back to the main motion. Let me recognize Representative Apatang.

Representative Apatang: Thank you, Mr. Speaker. I have an amendment here. Where you see “\$100.00”, please insert “up to \$300.00.” Thank you.

The oral floor amendment was seconded.

Speaker Arnold I. Palacios: So that means that the Judge would have discretion of imposing more than a hundred dollars?

Representative Apatang: Yes.

Speaker Arnold I. Palacios: Floor Leader, recognized.

Floor Leader Camacho: Thank you, Mr. Speaker. I apologize but I do not have my Title 6 in front of me. If I can inquire from the legal counsel what are the penalties for 6 CMC §1461 and sequence after that?

*House Legal Counsel Jeff Warfield: Generally speaking domestic violence, if it is assault and battery which is a misdemeanor, there is a mandatory jail time of 72 hours for the first offense, 30 days for second offense, 60 days any offense thereafter. Now, the possible fine is about \$1,000.00 and or a maximum fine of \$2,500.00. Those are the mandatory punishment. Generally speaking, the punishment would also include community service work. The punishment would also include anger management. So I think your issue about the community service work would be address in almost a hundred percent in the cases anyway. Those are the standard punishment. And, as a practice, when we were at the Attorney General’s Office, there would be some fee generally made part of a plea bargain agreement to go to Guma Esperansa, however, not as significant as the fees that is being discussed here today.*

Speaker Arnold I. Palacios: Continue, Floor Leader.

Floor Leader Camacho: Actually, we are very fortunate here that we have former Chief Prosecutor. As a matter of practice, do family members generally come in and ask for the case not to be prosecuted?

*House Legal Counsel Jeff Warfield: That happens quite often.*

Floor Leader Camacho: Thank you.

Speaker Arnold I. Palacios: Representative Tebuteb, recognized.

Representative Tebuteb: Basically on the same note, the penalty then for this amendment applies?

*House Legal Counsel Jeff Warfield: Excuse me?*

Representative Tebuteb: If the convicted person does not comply with the requirement of the Judges' decision to pay up to \$300.00 to Guma Esperansa, those penalties would apply?

*House Legal Counsel Jeff Warfield: If this is passed and implemented, it would be part of the punishment such that if a person were placed on probation and this is one of the conditions, their probation would be revoked for not paying this money to Guma Esperansa, if that answers your question.*

Representative Tebuteb: That answered, but it gives me more additional question because of the finding, we state that the Legislature finds that Guma Esperansa provides temporary shelter for victims of domestic. So my question would be, is Guma Esperansa the only one that provides this temporary shelter?

*House Legal Counsel Jeff Warfield: That is the only formal shelter that I am aware of in the CNMI. That does not mean that perhaps that churches do not, but the only place that I am aware of is Guma Esperansa during my time, the only people that we ever dealt with to provide shelter to victims was Guma Esperansa.*

Representative Tebuteb: Basically, Mr. Speaker, that is why I had requested that we hold this or I second the motion of Representative Dela Cruz because I do not believe that Guma Esperansa is the only one that provides shelter for victims of domestic violence.

Speaker Arnold I. Palacios: Is there any further discussion? Ready for the question?

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

Speaker Arnold I. Palacios: The motion is carried. We are back to the main motion, and I recognize Representative Sablan.

Representative Sablan: I have no objections to the effort to codify a penalty that is already in the established policy by the courts. I think what I am objecting to is the process of rushing this and I would like to just point out for the record that this bill was just introduced today and has just been amended in four different places with questions from the members about the intent, about what this means for the courts, and we do not have any comments for this as far as we know – from the courts or Guma Esperansa or other sectors of the community that might be interested and I think that just because it feels good, and it is a policy that we might like to codify does not mean that we should rush it today. That is all I ask and that is to reconsider the motion to refer this to the Committee or perhaps to lay it on the table.

Speaker Arnold I. Palacios: Representative Santos, recognized.



Representative Santos: Mr. Speaker, I object to Representative Sablan's continuously saying that this is a feel good bill. I am sorry but this is a real issue in our communities and in our families. It does not feel good to deal with domestic violence.

Representative Sablan: May I just respond to that to clarify what...

Speaker Arnold I. Palacios: Hold on. Let me recognize Representative Apatang.

Representative Apatang: Every bill that we have on the Calendar whether it has been sitting there for six months or eight months. There will be an amendment regardless whether you just introduced the bill or have been there in the Calendar forever. No matter what bill we have, there is always going to be an amendment. There is no bill that is perfect. Everybody here has their own opinion on the bill. So if you have a concern, you make an amendment. I think and I feel that this bill is very important because we know what is going on here in the Commonwealth. We have a lot of these issues so let us support the Guma Esperansa.

Speaker Arnold I. Palacios: Representative Sablan, recognized.

Representative Sablan: I understand that domestic violence is a serious issue and a very real problem in the Commonwealth. Of course, Guma Esperansa should be given more support than what it currently has. We are the Legislature and we should appropriate for it then and give them the funding that they need, but for us to rush on a bill without...[End of Tape 3, Side B]...[Beginning of Tape 4, Side A]...defense attorney's and the particular penalty that is being provided. If that is an established policy already, that is great, but if we want to actually codify it, then we certainly should consider that, but we should not rush on it is what I am saying. That is my point. That is my main objection. It is not that I think that we should promote domestic violence I certainly would never suggest that.

Speaker Arnold I. Palacios: I think that it is clarified. I think that your objection has been well taken. The counsel wanted to give clarification to some of the statements.

*House Legal Counsel Jeff Warfield: Yes. I just wanted to clarify my responds to the Floor Leader's question regarding punishment and to be clear. The court is not currently imposing as part of its punishment this fee to Guma Esperansa. It happens through plea bargain processes. That comes from the Attorney General's Office not the courts directly, and the defendants can say, no, that is not going to be part of my plea agreements. We could do everything to try and bring them around to accept that. So just to be clear that it is not a standard, and it is not – if somebody goes before Judge Manglona tomorrow and convicted, she automatically says, you are paying \$50.00 to Guma Esperansa or you are paying \$100.00. It generally happens now in the context of a plea agreement, and many times defense attorneys would say, we are not going to do that or we do not have to do that.*

Speaker Arnold I. Palacios: That is clear. Let me recognize Representative Dela Cruz.

Representative Dela Cruz: Mr. Speaker, I would just like to ask the author who would be the expenditure authority for these contributions collected?

Representative Santos: It goes to Guma Esperansa.

Representative Sablan: Should that be clear?

Speaker Arnold I. Palacios: Let us have some order. Normally, I think that if these fines are imposed to Guma Esperansa, whoever is the Director just as with any funds whether it be a donation or appropriation would be the director of the Guma Esperansa. Representative Santos recognized.

Representative Santos: All the checks are made directly to Guma Esperansa in dealings with the courts.

Speaker Arnold I. Palacios: Ready. Floor Leader, recognized.

Floor Leader Camacho: Because there are other non-profit organizations that cater not necessarily just Guma Esperansa, I like to make an amendment on page 1, line 12 after the word “Guma Esperansa”, add the words, “or other safe heaven family shelters.”

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

Speaker Arnold I. Palacios: The motion has been seconded. Is there any discussion? I recognize Representative Quitugua.

Representative Quitugua: Mr. Speaker, we have to remember if these non-profit organizations are run by the church or churches? There are separations of church and state. Are we going to provide the funding to the church run shelter house?

Speaker Arnold I. Palacios: Who wants to answer that question? I recognize Representative Camacho.

Floor Leader Camacho: There are some organizations that are run by certain religious groups. For example the Safe Heaven that is right across the street actually gets funding from the Federal Government.

Speaker Arnold I. Palacios: Let me ask. Does the Safe Heaven function the same as the Guma Esperansa?

Floor Leader Camacho: It touches upon the family when there is a separation of the family in regards to domestic violence. It is a place for one parent to come and be either supervised at the location or pick up the child and spend the day or what not, and then brings them back so that you have a separation where the father and the mother do not have to necessarily meet each other.

Speaker Arnold I. Palacios: Okay. Let me recognize Representative Hocog.

Representative Hocog: Thank you, Mr. Speaker. I believe that the purpose of this legislation is to address lack of funding of Guma Esperansa specifically and the revenue of any collection of such shall not be shared to any other providers, is that correct? If this legislation is intended to cater all providers of the services provided, then in a very initial finding of the bill, they should have included that, but I am very certain that the author specifically made mentioned for Guma Esperansa as it certainly lacks the funding to provide essential services to those families that are being placed there. Thank you.

Speaker Arnold I. Palacios: Representative Reyes, recognized.

Representative Reyes: Thank you, Mr. Speaker. Section 2 is Guma Esperansa Shelter contribution. I think that is very specific. The amendment offered by the Floor Leader, we do not know of any other shelters on the island, so why go there when we do not know whether another one exists?

Speaker Arnold I. Palacios: The Chair would like to call for recess.

*The House recessed at 5:39 p.m.*

*RECESS*

*The House reconvened at 5:44 p.m.*

Speaker Arnold I. Palacios: We are back to our plenary session. We are discussing the amendment motion offered by the Floor Leader. Are there any further discussion on the amendment? Ready.

There being no further discussion, the oral floor amendment offered by the Floor Leader indicated a Division on the floor.

Speaker Arnold I. Palacios: Clerk, please call the roll.

The clerk called the roll on oral floor amendment offered by the Floor Leader on H. B. NO. 16-227 with the following result:

Representative Edwin P. Aldan	yes
Representative David M. Apatang	no
Representative Oscar M. Babauta	no
Representative Diego T. Benavente	absent (during voting)
Representative Joseph N. Camacho	yes
Representative Francisco S. Dela Cruz	no
Representative Joseph P. Deleon Guerrero	absent (during voting)
Representative Victor B. Hocog	no
Representative Heinz S. Hofschneider	absent (excused)
Representative Raymond D. Palacios	no
Representative Justo S. Quitugua	yes
Representative Joseph C. Reyes	no
Representative Christina M. Sablan	abstained
Representative Edward T. Salas	absent (excused)
Representative Rosemond B. Santos	no
Representative Ramon A. Tebuteb	yes
Representative Ralph DLG. Torres	no
Representative Stanley T. McGinnis Torres	absent (during voting)
Representative Ray N. Yumul	absent (during voting)
Speaker Arnold I. Palacios	abstained

Speaker Arnold I. Palacios: By a vote of 8 “no”, the amendment motion offered by the Floor Leader hereby fails. Ready. Representative Sablan, this will be your last.

Representative Sablan: I would to explain first of all why I abstained at the last amendment. The truth is that, we have not really had ample opportunity to consider other programs that might also legitimately be able to avail of this additional funding that may be assessed by the courts. It was pointed out to me during recess that Guma Esperansa of course is a very important program on

Saipan, but Tinian and Rota do not have a Guma Esperansa of their own. I think that those would be legitimate concerns that we should take the time to consider in terms of this particular policy, and so I was not ready to vote yes or no because we have not looked at other perfectly legitimate programs. Although, the motion to refer this to Committee was killed, I would like to make another motion to just lay this on the table so that we can take the time to look at other potential programs, ask and solicit comments from the court perhaps and other stakeholders, and give that to members who could also support this bill at the end and just lay that on the table for now.

Speaker Arnold I. Palacios: Representative Sablan, I think that we have gone back and forth on this and I fully understand, and I think that everybody has heard your request, and I think that it is the sentiment of this body to just go ahead and vote on this. We have been at this non-controversial bill for almost an hour.

Representative Sablan: But if I may make a point of order, Mr. Speaker. I think that my motion was seconded.

Speaker Arnold I. Palacios: Okay. Let me recognize that motion. The motion is to lay it on the table. Do I hear a second on that motion?

The motion was seconded.

Speaker Arnold I. Palacios: Discussion. Ready for the question?

There being no further discussion, the motion to lay H. B. NO. 15-227 was defeated through a voice vote.

Speaker Arnold I. Palacios: The “nays” have it. Clerk, call the roll on the main motion.

The clerk called the roll on the motion to pass H. B. NO. 16-227 with the following result:

Representative Edwin P. Aldan	yes
Representative David M. Apatang	yes
Representative Oscar M. Babauta	yes
Representative Diego T. Benavente	absent (during voting)
Representative Joseph N. Camacho	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	absent (during voting)
Representative Victor B. Hocog	yes
Representative Heinz S. Hofschneider	absent (excused)
Representative Raymond D. Palacios	yes
Representative Justo S. Quitugua	yes
Representative Joseph C. Reyes	yes
Representative Christina M. Sablan	no
Representative Edward T. Salas	absent (excused)
Representative Rosemond B. Santos	yes
Representative Ramon A. Tebuteb	abstained
Representative Ralph DLG. Torres	yes
Representative Stanley T. McGinnis Torres	absent (during voting)
Representative Ray N. Yumul	absent (during voting)
Speaker Arnold I. Palacios	abstained

Speaker Arnold I. Palacios: By a vote of 11 “yes”, H. B. NO. 16-227, HD2 hereby passes the House on First and Final Reading.

### MISCELLANEOUS

Speaker Arnold I. Palacios: Representative Ralph Torres, recognized.

Representative Torres: I just want to let the Committee on Health, Education, and Welfare and the members to check your email. There are documents forwarded from the President of NMC on the Show Cause. Thank you.

Speaker Arnold I. Palacios: What about the other members?

Representative Ralph Torres: Yes, I apologize. It is emailed to all the members of the Legislature.

Speaker Arnold I. Palacios: On the issue in regards to tomorrow’s meeting?

Representative Ralph Torres: Yes at 9:30 a.m.

Speaker Arnold I. Palacios: Thank you. Representative Hocog, recognized.

Representative Hocog: Mr. Speaker, if no objection from the members, can I ask that we go back to item 3 on the Calendar. I would like to introduce my prefiled bill.

There was no objection on the floor to go back to the Introduction of Bills.

### INTRODUCTION OF BILLS

H. B. NO. 16-229: A Bill for an Act to establish an Office of Grants Management under the Office of the Governor.

Offered by: Representative Victor B. Hocog

Referred to: Committee on Ways and Means

Speaker Arnold I. Palacios: Is there any more bills to be introduced? Okay, we are back to Miscellaneous and I recognize Representative Tebuteb.

### MISCELLANEOUS BUSINESS

Representative Tebuteb: Thank you, Mr. Speaker. I know that the House’ Health, Education, and Welfare Committee is scheduled with NMC tomorrow morning at 9:30 a.m., and the Natural Resources Committee also has a meeting tomorrow about the same time with the Senate on the Land Lease issues. This is just to make the members aware of this. There is also a public hearing at 6:00 p.m. on Rota with the Natural Resources Committee on Legislative Initiative No. 16-18. Thank you.

Speaker Arnold I. Palacios: Representative Hocog, recognized.

Representative Hocog: Mr. Speaker, just to clarify, I did not quite hear Representative Tebuteb, but with regards to the land lease, is that land lease that will be heard in the Senate in reference to NGP lease?

Representative Tebuteb: Yes.

Representative Hocog: For the members' information, Mr. Speaker, again, we might be losing another potential investor that perhaps the non-action from DPL to address the land lease agreement. This might probably sway these investors from pursuing the intended plan for the island of Tinian. As we move forward to invite investment opportunity, I think that we might be doing the opposite. So, I ask the Committee Chair to also provide the opportunity for these members to meet with the Secretary of Department of Public Lands and address what the stumbling block of this lease agreement. Thank you.

**ANNOUNCEMENT**

NONE

**ADJOURNMENT**

Floor Leader Joseph N. Camacho moved to adjourn subject to the call of the Chair; it was seconded and carried by voice vote.

The House adjourned at 5:56 p.m., subject to the Call of the Chair.

Respectfully submitted,

Linda B. Muña Journal Clerk  
House of Representatives

---

**APPEARANCE OF LOCAL BILLS**

**FIRST APPEARANCE:** 1<sup>st</sup> Legislative appearance of a local bill is on the day it is introduced.

**SECOND APPEARANCE:** NONE

**THIRD APPEARANCE:** NONE