



# HOUSE OF REPRESENTATIVES

SEVENTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SPECIAL SESSION 2010

## LEGISLATIVE JOURNAL

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Third Day

Friday, June 25, 2010

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The House of Representatives of the Seventeenth Northern Marianas Commonwealth Legislature convened its Third Day, Fourth Special Session on Friday, 25th of June 2010, at 10:47 a.m., in the House Chamber on Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Felicidad T. Ogumoro, Acting Speaker of the House, presided.

A moment of silence was observed.

### ROLL CALL

Acting Speaker Ogumoro: Clerk, roll call.

*The Clerk called the roll and sixteen members were present; Representatives Joseph P. Deleon Guerrero; Sylvestre I. Iguel; Raymond D. Palacios; and Froilan C. Tenorio; were absent and excused.*

Acting Speaker Ogumoro: Thank you, Clerk. Let the record reflect that Representative Iguel will not be able to attend today's session; Representative Raymond Palacios is not feeling well and are excused from today's session. Yes, Representative Fred Deleon Guerrero?

Representative Fredrick Deleon Guerrero: Let the record reflect that Representative Dela Cruz is present.

Acting Speaker Ogumoro: Clerk. And also Speaker Tenorio and Representative Joseph Deleon Guerrero are excused for this session.

### PUBLIC COMMENTS

Acting Speaker Ogumoro: Are there any comments from the public? If none, we move down to adoption of journals.

*There were no public comments received.*

Acting Speaker Ogumoro: Floor Leader, I would like to do that later after I had the opportunity to go through the bills. Representative Cabrera, recognized.

Representative Cabrera: I would like to find out from the Floor Leader if everyone has a copy of H. B. 17-87, by Representative Stanley Torres? It was passed out this morning.

Acting Speaker Ogumoro: To be introduced?

Representative Cabrera: Yes, H. B. 17-87.

Acting Speaker Ogumoro: If I am not mistaken, H. B. 17-87 is relative to repealing and reenacting the CNMI Youth Congress. Representative Yumul?

Representative Yumul: Thank you. I guess under the House Rules if a member is not present and if anyone has a authorization from Representative Torres to please go ahead and introduce the bill the on his behalf.

Acting Speaker Ogumoro: I have no information on that right now, but I do know that Representative Torres will be in a little later he is at a funeral and so we could come back and Representative Torres can personally introduce his bill.

Several members voiced “ready”.

Acting Speaker Ogumoro: Let us now move on. Are there any other hills to be introduced this morning? Yes, Representative Santos?

Representative Santos: I have a local bill to introduce today.

#### ***House Local Bills:***

*The Chair recognized Representative Santos.*

Representative Santos: Thank you, Madam Speaker, introducing H. L. B. 17-24 to appropriate \$8,000 from Local License Fees collected for Poker and Pachinko Slot Machines in the First Senatorial District and for other purposes. Thank you.

#### **HOUSE LOCAL BILL 17-24**

**A LOCAL BILL FOR AN ACT TO APPROPRIATE \$8,000 FROM LOCAL LICENSE FEES COLLECTED FOR POKER AND PACHINKO SLOT MACHINES IN THE FIRST SENATORIAL DISTRICT AND FOR OTHER PURPOSES.**

Introduced by **REP. TERESITA A. SANTOS** of Rota, Precinct 7 (*for herself*)

Acting Speaker Ogumoro: Thank you.

*The Chair recognized Representative Cabrera under privilege.*

Representative Cabrera: Thank you, Madam Speaker. *Taimano-ha na ha mensiona gi nigap si Representative Camacho, ayo i man mona yan esta na* - this is in reference to probably a local bill matter. *I mona yan esta ma susedi na little league giya Tinian – yahu para bai hu faisen sa man ma participate Saipan, Tinian yan Rota, iyota colleagues ginen i First and Second Senatorial ko man maggof siha para u fan man introdusi local bill yo fan man ayuda dididi guatto para i Micro Game yan i little league yangin para u ma susedi esti siha i man para po fan hanao yangin magof i korason niha. Si yu'us ma'ase iyoko colleague ginen i First and Second Senatorial.*

Acting Speaker Ogumoro: *Si yu'us ma'ase, Representative Cabrera. Maila pago yan ta fan hanao guatto gi Introduction of Resolutions, Item 5.*

***House Legislative Initiatives: None***

**INTRODUCTION OF RESOLUTIONS**

Acting Speaker Ogumoro: *Ko guaha resolutions para ma introdusi pago?*

*Several members voiced "ready".*

***House Resolutions: None***  
***House Joint Resolutions: None***  
***House Concurrent Resolutions: None***  
***House Commemorative Resolutions: None***

**MESSAGES FROM THE GOVERNOR**

*The Chair recognized the Clerk.*

*The Clerk announced the following communication from the Governor.*

GOV. COMM. 17-115: (6/9/10) Certification for an annual salary to exceed \$50,000 for Dr. Sherleen M. Osman, MD, Physician.

GOV. COMM. 17-116: (6/9/10) Certification for an annual salary to exceed \$50,000 for Ms. Meaghan Hasselshearer, Assistant Attorney General.

GOV. COMM. 17-117: (6/9/10) Certification for an annual salary to exceed \$50,000 for Dr. Brian Sullivan, MD, Physician.

GOV. COMM. 17-118: (6/9/10) Certification for an annual salary to exceed \$50,000 for Ms. Kathryn B. Fuller, Assistant Attorney General.

GOV. COMM. 17-119: (Undated) Certification for an annual salary to exceed \$50,000 for Ms. Bertha Jermy P. Camacho, Nurse Practitioner.

GOV. COMM. 17-120: (6/9/10) Certifying that that position for Manager, Nursing Unit at the Department of Public Health is vacant and must be filled.

GOV. COMM. 17-121: (6/9/10) Certifying that the position for (1) Accounting Technician II at the Department of Finance is vacant and must be filled.

GOV. COMM. 17-122: (6/9/10) Certifying that the position for (1) Physician, Internal Medicine at the Department of Public Health is vacant and must be filled.

GOV. COMM. 17-123: (6/9/10) Certification for an annual salary to exceed \$50,000 for Dr. Alberto B. Ventura, Dentist, Department of Public Health.

GOV. COMM. 17-125: (6/16/10) Informing the House that he signed into law H. L. B. 17-17, D1 (Appropriating \$92,000 from local license fees collected from pachinko slot and poker machines in the Second Senatorial District). *Became Tinian Local Law 17-2.*

GOV. COMM. 17-126: (6/17/10) INFORMING the House that he signed into law H. B. 17-19, HD1, (Natural Disaster Village Homestead Waiver Act of 2010). [**Became Public Law 17-4**]

GOV. COMM. 17-127: (6/17/10) Informing the House that he signed into law H. B. 17-29 (To require DPL to fund an independent study to conduct an environmental sampling and consultation within the CNMI possibly contaminated with chemicals of concern). [**Became Public Law 17-5**]

GOV. COMM. 17-128: (6/17/10) Informing the House that he signed into law H. B. 17-15, HD1, SS1 (To authorize the Governor to reprogram and mobilize funds to address the current calamity). [**Became Public Law 17-6**]

GOV. COMM. 17-129: Informing the House that he signed into law H. L. B. 17-2, D1 (To amend the Saipan Zoning Law of 2008). [**Became Saipan Local Law 17-2**]

GOV. COMM. 17-130: (6/17/10) Certifying that the position for (1) Associate Director of Nursing at the Department of Public Health is vacant and must be filled.

GOV. COMM. 17-131: (6/15/10) Certifying that the position for (1) Respiratory Therapist at the Department of Public Health is vacant and must be filled.

GOV. COMM. 17-132: (6/17/10) Informing the House that he signed into law H. L. B. 17-12, D1 (To reappropriate funds from RLLs 15-4 and 15-6). [**Became Rota Local Law 17-5**]

GOV. COMM. 17-133: (6/18/10) Informing the House that he disapproved S. B. 17-16, HD2 (Marshal Services Division). [Deadline: 8/17/10]

*The Chair recognized Representative Yumul.*

Representative Yumul: Thank you. Gov. Comm. 17-115 through 17-119, I would like to members to be aware that these communications that under 1 CMC 8248 (b) as amended, the Governor has decided to give a salary over the salary cap. Therefore, this may or may not impact the budget process for Fiscal Year 2011. This is just a statement for the members to be aware of. With regards to Gov. Comm. 17-120; 17-121; and 17-122, because the Governor had signed into law the reprogramming authority, I believe those communications needs the concurrence of both Presiding Officers of each House in order for these positions to be filled. Thank you.

GOV. COMM. 17-120: (6/9/10) Certifying that that position for Manager, Nursing Unit at the Department of Public Health is vacant and must be filled.

GOV. COMM. 17-121: (6/9/10) Certifying that the position for (1) Accounting Technician II at the Department of Finance is vacant and must be filled.

GOV. COMM. 17-122: (6/9/10) Certifying that the position for (1) Physician, Internal Medicine at the Department of Public Health is vacant and must be filled.

Acting Speaker Ogumoro: Thank you, Representative Yumul. If there are no further discussions on the Communications from the Governor, let us move down to Communications of the Senate.

*The Chair recognized Representative Tebuteb.*

Representative Tebuteb: This is in reference to Gov. Comm. 17-129, informing the House that H. L. B. 17-2, D1, in regards to amending the Saipan Zoning Law, which is now S. L. L. 17-2. And relative to that Madam Speaker and members, I also had received a letter from the Zoning Board Chair and provided a courtesy copy to all the Zoning members, the Acting Zoning Administrator and the Saipan and Northern Islands Legislative Delegation (SNILD) and I hope that at least the Delegation are aware of the issue and I know that being a part of the SNILD, Madam Speaker, that the contents within the comments made by the Chairperson of the Commonwealth Zoning Board, Ms. Herminia Fusco, I would like to bring to the attention of the members and maybe for this House or the appropriate Committee to address, page 2, and this is in reference to Constitution, Article 2, Subsection 15, where Ms. Fusco states that it prohibits Representative Torres from introducing, debating, or voting on a bill which he has a financial or personal interest. I would submit that this is a very serious comment and I think this is the appropriate forum at least with the House members, not necessarily the SNILD Committee, but more so to the House Committee what I am suggesting is that this should be addressed to the appropriate Committee to address this statement and we move on with from that. I think it would be the Ethics Committee I would believe would be the appropriate venue for this. Thank you.

GOV. COMM. 17-129: Informing the House that he signed into law H. L. B. 17-2, D1 (To amend the Saipan Zoning Law of 2008). [Became Saipan Local Law 17-2]

Acting Speaker Ogumoro: Thank you, Representative Tebuteb and your concern will be acting on. Representative Yumul, recognized.

Representative Yumul: Also to add on to S. L. L. 17-2, in defense of the SNILD Body as members, I am concern at the minimalist because, as I recall clearly we did invite the Chair of the Zoning Board to come before the SNILD Body to answer questions concerning H. L. B. 17-2, and had made no reference or attempt to ask the Body to hold off on the passage of the bill while she tries to get an Administrator to come in or the technical personnel to answer these questions. Instead, Ms. Fusco openly and freely did not object to the legislation when questions were asked. So the SNILD then, afterwards passed the bill and went before the Governor. And then Ms. Fusco to turn around and make comments to the Governor directly is very unusual and a little bit bothersome because we did offer Ms. Fusco the opportunity to speak to the SNILD Body and now decided to circumvent the SNILD Body at the time to try to convince the Governor to veto the legislation or to ask the SNILD to recall. So I just want to put this on record that we did in fact asked Ms. Fusco to answer questions and made those answers to the best of her knowledge and of course Ms. Fusco could have had asked that we call in the entire Board members or Administrator in at the time and did not do so. Thank you, Madam Speaker.

Acting Speaker Ogunoro: Thank you. We are still under Communications from the Governor. Let me recognize Representative Benavente before we move down.

Representative Benavente: Madam Chair, at this time I would like to ask if the Leadership I guess both the House and the Senate have considered or have decided on what to do with Gov. Comm. 17-133, the vetoing of S. B. 17-16, the Marshal Service Act? Given that we just had received the veto message and there is a timeline deadline in whether the House and the Senate may act to override. I wanted the members to be aware just in case there is a decision to override the Governor's veto. Thank you.

GOV. COMM. 17-133: (6/18/10) Informing the House that he disapproved S. B. 17-16, HD2 (Marshal Services Division). [Deadline: 8/17/10]

Acting Speaker Ogunoro: Thank you. If there are no further discussions under Communications from the Governor, let us move down to Communications of the Senate.

### SENATE COMMUNICATIONS

Floor Leader Camacho: Clerk.

*The Clerk announced that there are two Communications from the Senate which needs legislative action.*

The motion was seconded by several others; several members voiced "ready"; there being no discussion the motion was carried by voice vote.

SEN. COMM. 17-48: (6/17/10) Transmitting for House action S. B. 17-27, SD1, "To temporarily suspend 1CMC § 8342 paragraph 1 & (a) and & 1 CMC § 8360; and for other purposes," which was passed by the Senate on June 16, 2010. [For action]

SEN. COMM. 17-49: (6/17/10) Transmitting for House action S. B. 17-28, "To designate the House of Taga Park on the Tinian as a Commonwealth Historical Site; and for other purposes," which was passed by the Senate on June 16, 2010.

SEN. COMM. 17-50: (6/24/10) Returning H. B. 17-66, HD1 (To reform the Commonwealth's Elections statues to conform with federal requirements; and for other purposes.), which was passed by the Senate on June 23, 2010, in the form of **H. B. 17-66, HD1, SD1**. [*For action on Senate amendment*]

SEN. COMM. 17-51: (6/24/10) Transmitting a certified copy of Senate Resolution No. 17-19, entitled, "In recognition of Major General (U.S. Army Ret.) and Mrs. Paul R. Lister, and congratulating them on their 50<sup>th</sup> wedding anniversary", which was adopted by the Senate on June 16, 2010. [For info]

SEN. COMM. 17-52: (6/24/10) Returning H. B. 17-78, HD1 (To amend Public Law 16-7 and for other purposes.), which was passed by the Senate on June 23, 2010, in the form of **H. B. 17-78, HD1, SD2**. [*For action on Senate amendment*]

The motion was seconded by several others; several members voiced “ready”; there being no discussion the motion was carried by voice vote.

*The Chair recognized Floor Leader Camacho.*

Floor Leader Camacho: Thank you. I would like to include Sen. Comm. 17-50, on the agenda so that we may act on it today.

There were no objections on the Floor.

SEN. COMM. 17- 50: (6/24/10) Returning H. B. 17-66, HD1, entitled, “To reform the Commonwealth’s Election statutes to conform with federal requirements; and for others”, which was passed by the Senate, on June 17, 2010 in the form of **H. B. 17-66, HD1, SD1**.

Acting Speaker Ogumoro: Are you going to make a motion?

Floor Leader Camacho: Yes, I move to accept Sen. Comm. 17-48; 17-49; and 17-50.

The motion was seconded by several others.

Acting Speaker Ogumoro: There are a couple more Communications from the Senate, 17-51 and 17-52 appearing on the agenda, Floor Leader?

Floor Leader Camacho: Yes, Madam Chair, a motion to accept Sen. Comms. 17-48, 17-49, 17-50, 17-51, and 17-52.

*Chair recognizes Representative Yumul.*

Representative Yumul: A subsidiary motion to not accept or to just not entertain Sen. Comm. 17-52 because the Senate will be recalling this Communication.

Acting Speaker Ogumoro: Floor Leader.

Floor Leader Camacho: Thank you, Madam Chair. So the motion now is to accept Sen. Comm. 17-48 to 17-51.

The motion was seconded by several others.

*The Chair recognized Representative Dela Cruz under point of clarification.*

Representative Dela Cruz: I just wanted to inquire Sen. Comm. 17-52, what is the reasoning behind the propose recall from the Senate on H. B. 17-78?

Acting Speaker Ogumoro: Representative Yumul, recognized.

Representative Yumul: Thank you, and I can answer that question to Representative Dela Cruz. The reason why we are not going to accept Sen. Comm. 17-52 and rather wait for a recall by the Senate is because the Marianas Public Lands Trusts (MPLT) had provided an additional comment to H. B. 17-78 in the form of a memorandum to the Senate President recommending some minor

changes and it would be more smooth if the Senate made those changes since the memorandum was directed them. And then next week at our next session when the Senate makes those changes and transmits the Communication to the House that would be an appropriate time to take up the Communication. Thank you.

Representative Dela Cruz: This morning I had received an updated Senate Communication 17-52 or if I am mistaken then it would be the same copy here. But as we all know the Lieutenant Governor has come out publicly and has informed the Government employees that we might be looking at another payless Friday come next week. And if that being the case and action is not taken at a certain period of time then we will have that payless Friday. So that is basically my concern. Thank you, Madam Speaker.

Acting Speaker Ogunoro: Thank you, Representative Dela Cruz. The members of the Senate cannot meet today, the earliest that they can meet will be on Monday. We had a meeting earlier with the Acting President of the Senate on this matter and as pointed out by Representative Yumul, we will wait and let them recall the bill from us and act on it and then send it back for our action in our session. A notice is now being prepared that is scheduled for Monday, June 28, 2010, at two o'clock in the afternoon and will be going out to all the members to take the matter up.

Representative Dela Cruz: Thank you.

*The Chair recognized Representative Cabrera.*

Representative Cabrera: The Senate will hold their session at nine thirty in the morning and they are only going to entertain this particular bill, H. B. 17-78. So they will do the amendments and send it up to us. Thank you.

Acting Speaker Ogunoro: That is correct. Thank you, Representative Cabrera. Representative Tebuteb, recognized.

Representative Tebuteb: Thank you, Madam Speaker. I would like to request that we consider and reject the Sen. Comm. 17-48 until we get more clarification on this issue. I believe all the members received a letter dated June 11, from the Board members addressed to the Honorable Luis Crisostimo, Chairman of JGL Committee in the Senate. And their grave concerns that we need to look at before we accept this.

Acting Speaker Ogunoro: Representative Benavente, recognized.

Representative Benavente: The motion that the Floor Leader offered is for the acceptance of the Senate Communications so that the House can then act on it and I think one of the process would be, if not placed on the Calendar, the Speaker then would refer these bills to the Committees. So I think that the request being made by Representative Tebuteb would be in order because I do not think there is any intent to place this bill anyway to place it on today's Calendar it would be referred to the proper Committee.

Acting Speaker Ogunoro: Yes, you are correct. I would prefer and I would like to ask that you allow the Chair to refer these to the appropriate Committee for their action. We now considering the motion offered by the Floor Leader.

Several members voiced “ready”.

*The Chair recognized Representative Tebuteb.*

Representative Tebuteb: With the understanding that the Communication would be referred to the Committee. Thank you.

Acting Speaker Ogumoro: Thank you, Representative Tebuteb.

There being no further discussions on the motion it was carried by voice vote.

### HOUSE COMMUNICATIONS

Acting Speaker Ogumoro: House Communications.

*The Clerk announced that there were none.*

### COMMUNICATIONS FROM THE JUDICIAL BRANCH

Acting Speaker Ogumoro: Communications from the Judicial Branch.

*The Clerk announced that there were none.*

### COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

Acting Speaker Ogumoro: Communications from Departments and Agencies.

*The Clerk announced that there were none.*

### MISCELLANEOUS COMMUNICATIONS

Acting Speaker Ogumoro: Miscellaneous Communications.

*The Clerk announced that there were none.*

### REPORTS OF STANDING COMMITTEES

**S. C. R. 17-14**: Reporting on H. B. 17-35, entitled, “To prohibit the cruel treatment of animals; to provide for penalties; and for other purposes”. *Your Committee on Judiciary and Governmental Operations recommends that the House pass H. B. 17-35 in its current form.*

**S. C. R. 17-16**: Reporting on H. B. 17-38, entitled, A Bill for an Act to amend 2 CMC Title 2, Division 1 Chapter 3, § 1301 et seq., “The Nuclear and Chemical Free Zone Act of 1983”. *Your Committee on Natural Resources recommends that the House pass H. B. 17-38 in its current form.*

**S. C. R. 17-17:** Reporting on H. B. 17-38, entitled, A Bill for an Act to amend 2 CMC Title 2, Division 1 Chapter 3, § 1301 et seq., “The Nuclear and Chemical Free Zone Act of 1983”. *Your Committee on Health and Welfare recommends that the House pass H. B. 17-38 in its current form.*

**S. C. R. 17-18:** Reporting on H. B. 17-32, entitled, “A Bill for an Act to amend 4 CMC § 8182 to avail NMC CREES of the special water rates established for farmers and ranchers; and for other purposes. *Your Committee on Natural Resources recommends that the House pass the bill with amendments, in the form of H. B. 17-32, HDI.*

**S. C. R. 17-19:** Reporting on S. B. 17-13, entitled, “To domesticate or allow the raising of Sambar Deer in captivity; and for other purposes. *Your Committee on Natural Resources recommends passage of the bill with amendments, in the form of S. B. 17-13, HDI.*

**S. C. R. 17-20:** Reporting on S. B. 17-22, entitled, “A Bill for an Act to designate public land on the island of Tinian for homesteading purposes. *Your Committee on Natural Resources recommends passage of S. B. 17-22 in its current form.*

**S. C. R. 17-21:** Reporting on H. B. 17-76, entitled, “A Bill for an Act to amend 145 NMIAC § 145-20.4-115 regarding the Homestead Permit Process; and for other purposes.” *Your Committee on Natural Resources recommends that the House pass H. B. 17-76 in its current form.*

**S. C. R. 17- 22:** Reporting on H. B. 17-34, entitled, “A Bill for an Act to amend Subsection 2204(b) of Section 3 of Public Law 15.105 regarding Health Care Professions Licensing Board; **and for other purposes.**” *Your Committee on Health and Welfare recommends the passage of the bill with amendments, in the form of H. B. 17-34, HDI.*

**S. C. R. 17- 23:** Reporting on H. B. 17-57, entitled, “A Bill for an Act to establish a Northern Marianas Descent Registry within the Office of the Commonwealth Election Commission.” *Your Committee on Health and Welfare recommends the passage of the bill with amendments, in the form of H. B. 17-57, HDI*

Acting Speaker Ogumoro: Floor Leader, recognized.

Floor Leader Camacho: Thank you, Madam Speaker. I would like to make a motion for the adoption of S. C. R. 17-14, reporting on H. B. 17-35, “To prohibit the cruel treatment of animals; to provide for penalties; and for other purposes”.

The motion was seconded.

**S. C. R. 17-14:** Reporting on H. B. 17-35, entitled, “To prohibit the cruel treatment of animals; to provide for penalties; and for other purposes”. *Your Committee on Judiciary and Governmental Operations recommends that the House pass H. B. 17-35 in its current form.*

Acting Speaker Ogumoro: Discussion.

Several members voiced “ready”, and being no discussions the motion to adopt S. C. R. 17-14 was carried by voice vote.

Acting Speaker Ogumoro: Floor Leader, recognized.

Floor Leader Camacho: Thank you, Madam Speaker, S. C. R. 17-16 and S. C. R. 17-17, we have already passed the bill so we can go ahead and take this out of the Order of Business and move on to S. C. R. 17-18, reporting on H. B. 17-32, entitled, “A Bill for an Act to amend 4 CMC § 8182 to avail NMC CREES of the special water rates established for farmers and ranchers; and for other purposes,” and with that I move for its adoption.

The motion was seconded.

**S. C. R. 17-18**: Reporting on H. B. 17-32, entitled, “A Bill for an Act to amend 4 CMC § 8182 to avail NMC CREES of the special water rates established for farmers and ranchers; and for other purposes. *Your Committee on Natural Resources recommends that the House pass the bill with amendments, in the form of H. B. 17-32, HD1.*

Acting Speaker Ogumoro: Discussion on the motion.

Representative Santos voiced “ready”, and being no discussions the motion to adopt S. C. R. 17-18 was carried by voice vote.

Acting Speaker Ogumoro: Representative Yumul, recognized.

Representative Yumul: Under S. C. R. 17-14, the legislation itself stops at page 7. I am wondering if that is the same for every member?

Acting Speaker Ogumoro: Let us have a short recess.

*The House recessed at 11:15 a.m.*

*RECESS*

*The House reconvened at 11:18 a.m.*

(2)

Acting Speaker Ogumoro: We are back in session. Floor Leader, recognized.

Floor Leader Camacho: Thank you, Madam Chair, I move for the adoption of S. C. R. 17-20, entitled, “A Bill for an Act to designate public land on the island of Tinian for homesteading purposes.”

The motion was seconded.

**S. C. R. 17-20**: Reporting on S. B. 17-22, entitled, “A Bill for an Act to designate public land on the island of Tinian for homesteading purposes. *Your Committee on Natural Resources recommends passage of S. B. 17-22 in its current form.*

Acting Speaker Ogumoro: Discussion on the motion. Representative Benavente, recognized.

Representative Benavente: Thank you, Madam Speaker, I would like to state for the record that I recently signed off of the Committee Report and I know that the copies show that I did not sign off, but I took part in the discussions of this legislation and then supported the Committee Report and for the record I did sign S. C. R. 17-18, S. C. R. 17-19, and S. C. R. 17-20. Thank you.

Acting Speaker Ogunoro: Are there any further discussions on S. C. R. 17-20?

Several members voiced “ready”. There being no further discussions the motion to adopt S. C. R. 17-20 was carried by voice vote.

Acting Speaker Ogunoro: Thank you. I would like the record to reflect that we now have Representative Torres with us for our session this morning. Floor Leader, recognized.

Floor Leader Camacho: Thank you, Madam Chair, with that I would like to move and move for the adoption of S. C. R. 17-21, reporting on, H. B. 17-76, entitled, “A Bill for an Act to amend 145 NMIAC § 145-20.4-115 regarding the Homestead Permit Process; and for other purposes.”

The motion was seconded.

**S. C. R. 17-21**: Reporting on H. B. 17-76, entitled, “A Bill for an Act to amend 145 NMIAC § 145-20.4-115 regarding the Homestead Permit Process; and for other purposes.” *Your Committee on Natural Resources recommends that the House pass H. B. 17-76 in its current form.*

Acting Speaker Ogunoro: Discussion.

Several members voiced “ready”. There being no discussions on the motion to adopt S. C. R. 17-21 and it was carried by voice vote.

Acting Speaker Ogunoro: Floor Leader, recognized.

Floor Leader Camacho: Thank you, Madam Speaker. Just a quick point of information – I do have S. C. R. 17-22 and S. C. R. 17-23, does everybody have a copy of that if not we can hold off until Monday for these Committee Reports. I would like to move to include S. C. R. 17-22 and S. C. R. 17-23 on the day’s Agenda.

The motion was seconded and there being no discussions the motion was carried by voice vote.

Acting Speaker Ogunoro: Representative Torres, recognized.

Representative McGinnis-Torres: I beg the indulgence of the members to return to the Introduction of Bills, if I may.

There were no objections on the Floor.

## INTRODUCTION OF BILLS

*The Chair recognized Representative McGinnis-Torres.*

Representative McGinnis-Torres: It is not part of the Agenda and I would like to ask to amend the agenda to include...alright, thank you. Introducing H. B. 17-87, to repeal and re-enact the CNMI Youth Congress Act; and for other purposes. There has been a significant change in the Youth Congress that would eliminate the voting process – eliminating the Precinct voting so that it will all have it at the Public and Private High School. And eliminating the non-US citizen youths to participate. And those are the major changes. Introduced by myself and it is open for anybody who wants to join me as cosponsor. Thank you. Also, if this could be placed on today's Bill Calendar for action because the time is getting shorter.

### House Bill 17-87

**A Bill for an Act to repeal and re-enact the CNMI Youth Congress Act; and for other purposes.**

Introduced by **REP. STANLEY T. MCGINNIS-TORRES** of Saipan, Precinct 3 (*for himself*)

Acting Speaker Ogunoro: If I may, we have a session scheduled for Monday at two o'clock in the afternoon, if there is no objections I would like to ask that this be placed on Monday's session Bill Calendar.

Representative McGinnis-Torres: Okay. If I may continue, and ask the indulgence of the members again, a house resolution, a request to the US Fish and Wildlife that they be a review of the ugliest and the strongest Reed-Warbler in the CNMI. It is very damaging it hampers a great in our state of economy. I keep hearing them all over the island and I think if the restrictions are lifted people would not bother chasing away that bird. As a matter of fact I like the sound of the bird so I welcome the birds to come back for habit in my farm area. It is not numbered.

### HOUSE RESOLUTION 17-15

**A House Resolution respectfully requesting Mr. Rowan Gould, Acting Director of United States Fish and Wildlife Service to support the review for the reclassification of the Nightingale Reed-Warbler from the United States Fish and Wildlife endangered species list in the CNMI.**

Introduced by **REP. STANLEY T. MCGINNIS-TORRES** of Saipan, Precinct 3 (*for himself*)

Acting Speaker Ogunoro: House Clerk.

*The Clerk announces that the Office of the House Clerk has not received the resolution.*

Acting Speaker Ogunoro: Since we are not going to be acting on that resolution it is just a mere introduction can we go on down now to the Standing Committee Reports of the Order of Business, Floor Leader.

### REPORTS OF STANDING COMMITTEES

Floor Leader Camacho: Thank you, Madam Speaker. I move for the adoption of S. C. R. 17-22, reporting on H. B. 17-34, "To amend Subsection 2204(b) of Section 3 of Public Law 15.105 regarding Health Care Professions Licensing Board; and for other purposes."

The motion was seconded.

**S. C. R. 17-22**: Reporting on H. B. 17-34, entitled, "A Bill for an Act to amend Subsection 2204(b) of Section 3 of Public Law 15.105 regarding Health Care Professions Licensing Board; and for other purposes." *Your Committee on Health and Welfare recommends the passage of the bill with amendments, in the form of H. B. 17-34, HD1.*

Acting Speaker Ogunoro: Representative Dela Cruz, recognized.

Representative Dela Cruz: Thank you, Madam Chair. Although, I am a member of the Committee on Health and Welfare, I was the only member that did not sign off of the Committee Report for the following reasons. While I understand that the Senatorial Districts 1 and 2, should be represented on this particular prestigious Board, the legislation in itself basically lowers the bar on who qualifies to be a Board member of the Medical Professions Licensing Board. And I move you attention to the legislation itself on page 2, line 4, of H. B. 17-34, HD1. Let me begin on line 3, members *shall be physician or dentist, and two members shall be public members-one representing senatorial district one and the other representing senatorial district two. The public members shall be or have been a health care professional or affiliated with any health care entity, public or private.* What this basically means is, any person that works for a health care facility be it a custodian, a clerk, by passing this Committee Report and the legislation itself this will give these people the opportunity to become a member of this prestigious and professional Board and is this what we want? To lower the bar on the qualifications is basically lowering the expectation and the production of our medical health care facilities here and that is the main reason I did not sign the Standing Committee Report. I do not know whether each one of you feel differently, but I think we should treat this Board to the highest degree and professionalism and not have just any *Tom, Dick, and Harry* out there become a member of this Board. And I hope the members consider your actions before voting on this report. It will not do any of us justice in our Commonwealth if we do decide to pass. I ask you my fellow members not to lower this bar. Thank you, Madam Speaker.

Acting Speaker Ogunoro: Thank you, Representative Dela Cruz. We are still under discussion of S. C. R. 17-22, are there any further discussions from the members? Representative Yumul, recognized.

Representative Yumul: In the Committee Report I noticed on page 3, section (f) cost benefit, that there will be an additional expenditure by this Board. Of course I do notice that the Chairman of the Committee on Ways and Means did sign off of the Committee Report so I am sure he is going to be providing additional funding for these additional members. And I do not have any issues with that as long as we are aware that we have to fund this under activity. The other concern that I have is on page 2, where it is a little bit confusing when it states that the Board shall be composed of the

proposed measure of seven members, but within which it says here, that two members shall be health care professionals other than physicians or dentist, but then two member shall be public members one representing Senatorial District 1 and Senatorial District 2, but it further goes on to say that the public members shall or have been health care professionals. So really what we are saying is four members shall be health care professionals so it is a little bit confusing. Another concern I have is where it states that the public member shall be or have been health care professionals – what if these members have been ejected from the profession for some reasons that maybe it has to do with misconduct of sorts we did not specify this – it is just an area of concern. Of course even the definition of dentist anybody can be a dentist but you must be licensed the same thing with physicians. So this section is a little bit ambiguous or vague – I understand the intent by the legislation that the author wants representation in this Board from members from Rota and Tinian and rightly so, but logistically that is one of the issues why most of the governing Board members are from Saipan primarily because of the travel that is necessary for members from Rota and Tinian to fly down. But I will reserve the rest of my comments on the Bill Calendar my primary concern of course is getting this Board additional funding so that these additional members can be compensated for the travel and per-diem. Thank you.

Acting Speaker Ogumoro: Representative Conner, recognized.

Representative Conner: Thank you, Madam Speaker. In all due respect for the author that is not here today and the Chairman of the respective Committee. The intent of the bill is just to have representation from the First and Second Senatorial District. I do agree though with our distinguish colleague, Mr. Dela Cruz that we cannot just afford to have any *Tom, Dick, and Harry* in office to represent this prestigious Body nor can we lower the bar. Aside from scrutinizing the bill in the way it has been written maybe it would be more proper to set the bar or add additional language to the provision and to let us know whether it is acceptable or not to allow a member from the First and Second Senatorial District to be a part of this Board with the criteria in placed. But to just air the concern without having to represent maybe a solution is something that we need to also look into as member of this Body to look and see how we can also make things better for not only this Board but any other legislation that might come up for other Boards and set the bar to where it is now let us not lower the bar but on the same token let us look at members that would be on Board of any other Body to be qualified and conform to the criteria that it is needed because this is a very vital and critical Board that needs to make decisions that are not really games but of pertaining to peoples' lives out there. So I do not want to elaborate anymore then what may be the intent the author has or what the members of the Committee have in mind when they made the recommendations without putting into consideration a member of their Committee concerns. Therefore, I would just like to air my concern that it would be nice to have a representative from the First and Second Senatorial District, but although with colleague, Yumul's concern also regarding cost we should all just try to be mindful and come up with an amicable solution. Thank you.

Acting Speaker Ogumoro: Representative Joseph Palacios, recognized.

Representative Joseph Palacios: Thank you, Madam Speaker. I am a member of this Committee and we had discussed this and it is all based on the recommendations from the First and Second Senatorial Districts. And I would agree that I for one do not believe that whoever would be appointing or nominating on representatives from the two districts would allow any *Tom, Dick, or Harry* or even *Sally, Sue, or Cindy* to be on the Board because I know that this is a very critical positions that they must take. And I when the Committee discussed this we were very concern on the issues to include budgeting, and additional funding and all those things, but I think that when it

was introduced and the Committee was reviewing this report and the recommendations that we came up with is really in the best interest of Rota and Tinian people for them to fully have a representative that would also include them in any decision making regarding the Board Professional Licensing. So with that I wanted to express that I signed the Committee Report in support of granting and I know that budget is always an issue, but I think equal representation is very important for the three islands. Thank you, Madam Speaker.

Acting Speaker Ogumoro: Thank you. Representative Tebuteb, recognized.

Representative Tebuteb: Thank you, Madam Speaker. I do also register the cost issue on this matter and I appreciate Representative Joseph Palacios for stating that yes, we must be very mindful of the cost especially now a days. So I think it would only be prudent that I ask that we consider this Committee Report and recommit to the Committee so that we get a very clear picture at least at a minimum the cost that outweighs the benefits of this legislation. It also forces the Governor by providing “shall” in the language of the bill to appoint any member at the First and Second Senatorial level. With that I would like to offer that we reconsider and recommit the legislation back to the Committee.

Acting Speaker Ogumoro: Representative Cabrera, recognized.

Representative Cabrera: Is that a motion on the Floor?

Acting Speaker Ogumoro: It would have to come in as a subsidiary motion because we are still under discussion on the main motion offered by the Floor Leader to adopt the Committee Report. Floor Leader, recognized.

Floor Leader Camacho: May we call for a short recess, Madam Speaker?

Acting Speaker Ogumoro: Short recess.

*The House recessed at 11:43 a.m.*

*RECESS*

*The House reconvened at 11:43 a.m.*

Acting Speaker Ogumoro: We are back in session. Floor Leader, recognized.

Floor Leader Camacho: Thank you, Madam Chair, under discussion I believe we have agreed that the Committee needs to further work on the bill so with that I would like to withdraw the main motion for adoption of S. R. C. 17-22.

There were no objections on the Floor.

Acting Speaker Ogumoro: Thank you. Let us now move on to the next Committee Report, Floor Leader.

Floor Leader Camacho: Thank you, Madam Chair, I move for the adoption of S. C. R. 17-23, reporting on H. B. 17-57, to establish a Northern Marianas Descent Registry within the Office of the Commonwealth Election Commission.

The motion was seconded.

**S. C. R. 17-23**: Reporting on H. B. 17-57, entitled, “A Bill for an Act to establish a Northern Marianas Descent Registry within the Office of the Commonwealth Election Commission.” *Your Committee on Health and Welfare recommends the passage of the bill with amendments, in the form of H. B. 17-57, HD1.*

Acting Speaker Ogunoro: Discussion on the motion. Representative Yumul, recognized.

Representative Yumul: Thank you. I know that this is a very lengthy Report, but I would like if the Secretary of the Department of Public Lands (DPL) had made a brief comment on this legislation. It is very critical that the DPL provides serious input into this Registry because this legislation really affects how the DPL issues homesteads. You would have to be of Northern Marianas Descent in order to be eligible. I would like to thank Representative Tebuteb for pointing out a communication from the DPL, but again, it is very vague. I remember a few years ago that at the time then Marianas Public Lands Corporation (MPLC) had begun a Registry. And I do not know the status of that Registry it did pay for quite a few of their employees to travel to Hawaii to study how the Hawaiians Descent did their Registry System. There was no attempt that I am aware of that the DPL trying to come up with a list but we do not know the final determination whether there are documents or information that is still useful. I do not object to this legislation but instead of allowing us to reinvent the horse I think it is very critical to have the DPL come in and explain to us and how far they have come along, what information they have because as I understand it the Election Commission is going to have a hard time trying to determine who and who is not eligible to vote on any constitutional matters that is up for vote and their concerns are the lawsuits in particular from US Citizens but because of our constitutional amendment that prohibits and only allow a Northern Marianas Descent to decide on land matters concerning the Commonwealth. It is a very interesting issue and I think it warrants a very deep understanding and education even on my part. Thank you, Madam Speaker.

Acting Speaker Ogunoro: Representative Tebuteb, recognized.

Representative Tebuteb: Thank you, Madam Speaker. On page 4, on the last paragraph of the Committee Report is very specific and clear. On page 8 of the bill it allows for those concerns raised by Representative Yumul. And at this point I ask each member to please support the Committee Report.

Acting Speaker Ogunoro: Representative Dela Cruz, recognized.

Representative Dela Cruz: Thank you, Madam Speaker, I guess included was also a comment from Mr. Oscar Babauta, who is the Secretary of the DPL. In which, he states that the Registry Program has been discontinued for the reason that this might invite a lawsuit as it pertains to racial issues. And so his letter is pretty straight forward and that DPL does not wish to continue on with the Registry Program and if this is now up to the Commonwealth Election Commission to take over I would hope that we take a deeper look at the DPL's contention as of recent that was provided by DPL to the Chair, Representative Iguel. Thank you, Madam Speaker.

Acting Speaker Ogumoro: Thank you, members. Are we ready to vote on the Standing Committee Report?

Several members voiced “ready” and being no further discussions on the Floor the motion to adopt S. C. R. 17-23 was carried by voice vote.

Acting Speaker Ogumoro: We move down to the Resolution Calendar.

## REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

NONE

## UNFINISHED BUSINESS

NONE

## RESOLUTION CALENDAR

Acting Speaker Ogumoro: Short recess, please.

*The House recessed at 11:51 a.m.*

*RECESS*

*The House reconvened at 11:54 a.m.*

Acting Speaker Ogumoro: We are back in session. Floor Leader, recognized.

Floor Leader Camacho: Madam Chair, can we move back to Reports of Standing Committees.

There were no objections on the Floor.

## REPORTS OF STANDING COMMITTEES

*The Chair recognized Floor Leader Camacho.*

Floor Leader Camacho: As you notice we did not entertain S. C. R. 17-16 and S. C. R. 17 because the legislation has passed but I believe the Committee has done its due diligence on its work so I move for the adoption of S. C. R. 17-16.

The motion was seconded.

**S. C. R. 17-16**: Reporting on H. B. 17-38, entitled, A Bill for an Act to amend 2 CMC Title 2, Division 1 Chapter 3, § 1301 et seq., “The Nuclear and Chemical Free Zone Act of 1983”. *Your Committee on Natural Resources recommends that the House pass H. B. 17-38 in its current form.*

Acting Speaker Ogumoro: Discussion on the motion.

Several members voiced “ready”, and being no discussions on the Floor the motion to adopt S. C. R. 17-16 and S. C. R. 17-17 was carried by voice vote.

Acting Speaker Ogumoro: Floor Leader, recognized

Floor Leader Camacho: I move for the adoption S. C. R. 17-17, reporting on H. B. 17-38.

The motion was seconded.

**S. C. R. 17-17**: Reporting on H. B. 17-38, entitled, A Bill for an Act to amend 2 CMC Title 2, Division 1 Chapter 3, § 1301 et seq., “The Nuclear and Chemical Free Zone Act of 1983”. *Your Committee on Health and Welfare recommends that the House pass H. B. 17-38 in its current form.*

Acting Speaker Ogumoro: Discussion on the motion.

Several members voiced “ready”, and being no discussions on the Floor the motion to adopt S. C. R. 17-17 was carried by voice vote.

## RESOLUTION CALENDAR

Acting Speaker Ogumoro: We are back to Resolution Calendar, Floor Leader, recognized.

Floor Leader Camacho: Thank you, Madam Speaker, we have one Resolution on the Resolution Calendar, H. R. 17-14 to urge the Governor to immediately process and distribute rebate and refund checks to taxpayers, and with that I move the adoption of H. R. 17-14.

The motion was seconded.

*Introduced by Francisco S. Dela Cruz of Saipan, Precinct 3 (for himself, Representatives Diego T. Benavente, Eliceo D. Cabrera, Trenton B. Conner, Frederick P. Deleon Guerrero, Rafael S. Demapan, Sylvestre I. Iguel, Joseph M. Palacios, Raymond D. Palacios, Antonio P. Sablan, Teresita A. Santos, Ramon A. Tebuteb, Stanley T. McGinnis-Torres, and Edmund S. Villagomez) introduced the following Resolution in an open and public meeting, with an opportunity for the public to comment when the Resolution which appeared on June 18, 2010 and June 28, 2010.*

### H. RES. 17-14

**A HOUSE RESOLUTION TO RESPECTFULLY URGE THE GOVERNOR TO IMMEDIATELY PROCESS AND DISTRIBUTE REBATE AND REFUND CHECKS TO TAXPAYERS.**

Acting Speaker Ogumoro: Discussion.

Several members voiced “ready” and being no discussions on the Floor the motion to adopt H. R. 17-14 was carried by voice vote.

Acting Speaker Ogumoro: We move down to the Bill Calendar.

### **BILL CALENDAR**

*The Chair recognized the Floor Leader.*

Floor Leader Camacho: Before we move on proceed on to discussions on the Bill Calendar I move to place H. B. 17-66, HD1, SD1, Election Reform Act.

There were no objections Floor and the motion was seconded.

Acting Speaker Ogumoro: Floor Leader, recognized.

Floor Leader Camacho: I move to place H. B. 17-88 on the Bill Calendar, to amend Public Law 16-21 and for other purposes.

There were no objections on the Floor.

Acting Speaker Ogumoro: Proceed, Floor Leader.

Floor Leader Camacho: Thank you, Madam Chair. There are a lot on our Bill Calendar and hopefully we can go through it quickly and swiftly. I move for the passage on First and Final Reading of H. B. 17-1 to repeal 8 CMC §§ 1723 and 1741 thru 1744 to require the transfer of pertinent documents from the Clerk of Courts Office to the Health and Vital Statistics Office and for other purposes.

The motion was seconded.

*Introduced by Representative Ramon A. Tebuteb, of Saipan, Precinct 3 (for himself, Representatives Diego T. Benavente, Joseph P. Deleon Guerrero, and Antonio P. Sablan) on January 28, 2010; no comments were received in an open and public meeting on January 28, 2010 and February 1, 2010; was referred to the Committee on Judiciary and Governmental Operations.*

### **H. B. 17-1**

**A BILL FOR AN ACT TO REPEAL 8 CMC §§ 1723 AND 1741 THRU 1744 AND TO REQUIRE THE TRANSFER OF PERTINENT DOCUMENTS FROM THE CLERK OF COURT'S OFFICE TO THE HEALTH AND VITAL STATISTICS OFFICE; AND FOR OTHER PURPOSES.**

Acting Speaker Ogumoro: Discussion on the motion.

Several members voiced “ready”

Acting Speaker Ogumoro: Clerk, roll call.

The Clerk called the Roll on the motion to pass H.B. 17-1 on First and Final Reading with the following results:

Representative Ramon S. Basa	yes
Representative Diego T. Benavente	yes
Representative Eliceo D. Cabrera	absent (during voting)
Representative George N. Camacho	yes
Representative Trenton B. Conner	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	absent (excused)
Representative Fredrick P. Deleon Guerrero	yes
Representative Rafael S. Demapan	yes
Representative Sylvestre Ilo Iguel	absent (excused)
Representative Felicidad Taman Ogumoro	yes
Representative Joseph M. Palacios	yes
Representative Raymond D. Palacios	absent (excused)
Representative Antonio P. Sablan	yes
Representative Teresita A. Santos	absent (during voting)
Representative Ramon A. Tebuteb	yes
Speaker Froilan C. Tenorio	absent (excused)
Representative Stanley McGinnis Torres	yes
Representative Edmund Joseph S. Villagomez	yes
Representative Ray N. Yumul	yes

Acting Speaker Ogumoro: H. B. 17-1, has passed. Floor Leader, recognized.

Floor Leader Camacho: Thank you, Madam Chair, I move for the passage on First and Final Reading, H. B. 17-5, to amend 3 CMC § 1343 and for other purposes.

The motion was seconded.

*Introduced by Representative George N. Camacho, of Saipan, Precinct 4 (for himself) on January 28, 2010; no comments were received in an open and public meeting on January 28, 2010 and February 1, 2010; was referred to the Committee on Health, Education, and Welfare.*

### H. B. 17-5

#### **A BILL FOR AN ACT TO AMEND 3 CMC § 1343; AND FOR OTHER PURPOSES. (FINANCIAL ASSISTANCE FORBEARANCE)**

Acting Speaker Ogumoro: Discussion. Representative Tebuteb, recognized.

Representative Tebuteb: Thank you, Madam Speaker, I am just going to express a word of caution. I know that part of the amendment to strike-out “*During the period of the forbearance, interest, if any, shall not accrue during the period of forbearance*”. I am trying to figure out if this is the two year forbearance period and I want to register a word of caution to the members. I believe there has been some students, who have gone through the program, came back, did their part and complied to the financial aid assistance. Basically this bill is to forgive those who are not able to comply because of the lack of job opportunities. It is just a word of caution, thank you.

Acting Speaker Ogumoro: Representative Benavente, recognized.

Representative Benavente: Thank you, Madam Chair. I believe that this particular amendment was made during the last Legislature not too long ago. And I remember voting in support of the legislation because it really was the reality at the time that we should not burden those students who

have benefited from this program because they were not able to find jobs back here. And it is my opinion that it is the same situation currently. And I know too many cases, Madam Speaker, and members, of our students who have, yes, benefited from the program but have made a serious attempt to come back and serve the community to find a job locally but were not able to because of the current state of the economy and the reality that we are faced right now. So I would like at this time to express my opposition to this legislation. I believe and while I hope that in the future our students can come back and comply and I am pretty sure it is their wish any way. And that we really should not burden them at this point in collecting these funds back. I have always felt that the scholarships and the grants that we provide our students are something that we do to be able to provide them with the education to better their lives and for myself, I have always felt that bettering their lives as in the State of Hawaii or in Guam or in California we would have accomplished in my opinion our objectives of providing education to our students. I realized that there are provisions of requirement for those grants or scholarships but I would at this time continue to agree with the recent legislation that we should not burden our students with having to collect. Thank you.

Acting Speaker Ogomoro: Representative Sablan, recognized.

Representative Sablan: Thank you, Madam Chair. I would like to echo my opinion along the lines of Representative Benavente. Upon review of our postsecondary assistance program, I was quite astonished to find out that students are burdened with this future repayment agreement as part of our investment in their education. Grants and scholarships are generally investments by government for its population namely in students going abroad. I am one of the beliefs that the greatest investments where we can make in our people is through education. I am currently working on legislation to try to address this particular concern. Only here, is where I hear that grants and scholarships are required to be paid back by students who benefit from such funds. Here we are placing this burden upon our students that we, through their first day of school encourage them to do their best because education is the best thing but at the same time we place this burden that you do this you go get educated and if you do not come back and work for the CNMI which in the past few years really has not been a hot employment opportunity destination. So in further consideration to the author of the bill taken in light of our current financial situation I would just like to say that I oppose the process of continuing to require students to be accounted or to be held to this burden. Thank you, Madam Speaker.

Acting Speaker Ogomoro: Floor Leader, recognized.

Floor Leader Camacho: Thank you, Madam Chair. I will try to make it brief. My understanding of scholarship and the repayment it is not a burden it is an obligation that you take. The Scholarship Program was made as an investment in its people, an investment in the CNMI. So I must disagree with Representative Benavente when he said it is to better the lives of our students elsewhere. It is the intent of the scholarship to better the lives of everybody back here in the CNMI. And if you apply for scholarship and you are not ready to repay it back that is the risk you take. There are jobs out here, they may not be starting at thirty thousand dollars (\$30,000.00) or forty thousand dollars (\$40,000.00) but there are jobs in the CNMI. As a recipient of the scholarship program when I went off to school I came back in 1998 that was the height of austerity and the hiring freeze. I worked in the private sector for five dollars (\$5.00) an hour with my degree on hand, but I did not complain because that is my obligation, is to pay back the CNMI. You do not have to come back and work for the Government there are jobs in the Private Sector and just because you receive scholarship it does not guarantee you a high paying job that is the risk you take. And receiving a degree opens up

opportunities for you. If you come back without a degree there are fewer doors for you. If you come with a degree there are more doors opened for you. And that is the whole point of this scholarship program and getting an education. Thank you.

Acting Speaker Ogumoro: We are still under discussion on H. B. 17-5, Representative Cabrera, recognized.

Representative Cabrera: *Esta maoleg hinanoko ni esta siha na discussion yahu nai bai hu kolu ni taiguini. Taya hu kokontra taya hu supo'pota lao i experiencia ko anai matto i hagahu ginen i eskuela - sias meses ni uno man malago kumoni – hugan ma koni gi dispues as a substitute teacher lao para todo tiempo ya kada man kahulu i candidate antes ni manlihi yan mo'nana todú i tiempo gaigi i edukasion. Hugan guahu hu experience esti gi patgon'hu na anai matto magi muna halom finana sias – siete na application hu risibi yan hu na'i i hagahu iyi iyoña na kataña ginen i Personnel Office. Uno ilek-na over-qualified – hu agan tatti i Personnel Director yan ilek-hu na taimanu para po over-qualified ni taya iyoña experience – ilek-ña i education – lao ilek-hu na ti man gaogao i patgon na para u manihanti gi dipatamento – pues ma ignore yo tutungo pot hafa na rason. Ma interview gi kotti parehu ha ma sangani na i iyoña edukasion inipus para i gina'gagao. Hu agan guatto i uno na Judge yan ilek-hu guatto gi Judge koni fan yan na'i maseha gi sampapa na posision ti man ga'ga'gao i patgon – ti ile'lekña i hagahu na para u chule esti na posision. Man apply ni iyo na posision lao pot ilek-niha na over-qualified talo ma sangani yo ni i Judge esti. Pues ilek-hu na para u chagi gi Private School. Ma hire gi eskuela – tapa'pa dinanchi ha na ha sangani si Floor Leader ti bai hu chanda i palabrahña sa ma koni i hagahu yan fanana \$4.75 ha gi ora ma na'i gui gi Mount Carmel School as a part-time teacher. Ilek-na i Public School System we need a Counselor Psychologist matto tatti i patgon yan iyoña Master's gi Counseling Psychologist ti ma koni sa ma sangani gui na guaha esta man on the way magi ginen sanlagu – off-island recruit. Pues ma koni gi Mount Carmel yan na-piniti para i saina nai ni iyo you know ta boksa na ai man maoleg i samaguon'ta sa man matto tatti gi tano'ta. Hugan i ti ma koni or ma koni – i hu chu'chule iyo na katta yangin ti lache yo gaigi gi guma'hu – ha fitma gui i Direktot Personnel Office gi 2002 – hu go'goti ha sa hutungo ha hayi i na'an-ña gaigai i katta yangin hafa ilek-niha bai hu fanuhi ni i kattan miyo na hamyo ma sangani i patgon over-qualified. Taimanu kualifaikao i patgon – ti man gagagao Direktot – ti man gagagao Supervisor – ilekña na bai hu apply enao na chocho gaigui benti gi management lao mungha ma kunsidera i management maseha ma agan internship – koni yan fañule espirensia. Tinaka i hagahu sias meses po fa cho'cho – ilek-hu gi hagahu ai na ni lastima i Master's Degree na un gogoti ya para bai hu sapopota hao esta pago. Enao gui na espirensia hu espirensia – taya man maoleg i palabra siha man ma laknos. Lao yangin guaha chocho hugan guma'ha hu esperiensa talo gi otro na patgon'hu – hu muna'halom application yan ni uno ma agan gui yan esta pago ti ma a'agan sa kada birada hu check i Post Office yan hu faisen i haga'hu yan taya mafatto. I chocho guaha chocho pues pago man ma'aña man ma'koni ni para ma koni i studanti ni man ma bira siha magi. Dinan'nanchi ha si Representative Benavente yan si Floor Leader todú man maoleg i opinion niha – lao gef na piniti iyo ni man matto magi ya ti ma koni sa ilek'na na over-qualified yan bai hu ossa iyo na palabra i over-qualified sa matugui na over-qualified gi katana yan annai hu check ilek-hu na taya experience tuhutungo mano nai gaigue i over-qualified gi Personnel Office. Ya i para u fan ma cho'cho guini siña ha dipendi gui patgon ko ha expepekta lakkue kuarenta pesos gi ora lao ilek-na si Floor Leader na sinko pesos ma na'i gui i haga'hu fana'an ma na'i four seventy five as a Substitute Teacher. Enao ha para bai hu air na concern. Thank you.*

Acting Speaker Ogumoro: Representative Villagomez, recognized.

Representative Villagomez: Just a quick question to the author of the bill, is this just forbearance for those who come back and seek employment or is this an overall forbearance to those receiving assistance from the CNMI scholarship?

*The Chair recognized Representative Camacho.*

Floor Leader Camacho: Is to remove the forbearance.

Representative Villagomez: Yes, but is it just for those coming back or just overall to remove the forbearance for even those off-island?

Floor Leader Camacho: I believe if you are done with your school then the clock start gives you time to start paying back. If you are not here working then need to...

Representative Villagomez: Thank you.

Acting Speaker Ogumoro: One final comment before we take a vote on the bill, Representative Yumul.

Representative Yumul: Thank you. The way the bill is written is after doing research on this whole section it is going to be kind of interesting to note that should this measure become law it will start requiring those that have received or are recipients of some form of Commonwealth loan or scholarships would be automatically required to start paying back through the employment here in the Commonwealth or be charged interest. But there is a section that was passed, Public Law 16-15, a new section, subsection 1344, which is employment in the US Armed Forces. And basically that subsection states that if taken a position in any of the US Armed Forces the scholarship shall have been deemed to have been satisfied. So we are going to allow those that have decided to join the armed forces to waive the requirements of this program but for those of personal reasons and we cannot force a person to join any Branch – we are telling these guys you have to start paying back penalties or you must return to the Commonwealth. So I find that as a sort of a concern because we should not dictate to anybody especially the kids coming up from High School to how to conduct their future lives in indirectly forcing them to join a Branch of military service and be waived of this, but if you go into other professions and do not return to the Commonwealth you are going to start paying back these low interest scholarship because the forbearance all it really does is just temporarily waive or suspends interest if you cannot find work here you are not forgiven. That was one of the concerns I had when we entertained this legislation during the Sixteenth Legislature that are we still required to get these funds back the answer is yes, we are just giving them a grace period if they cannot find work. So this amendment is stricken out and becomes law then they will now be required to comply with the terms. But then for those who decided to join the Military are not. Thank you.

Acting Speaker Ogumoro: Representative Basa.

Representative Basa: I do not recall if the CNMI Scholarship offered loans, I thought it is all grants and scholarship I will support the intent if it is a loan. I think if it is a loan just like if you receive loans from any time of source like the Federal Government you are mandated to pay it back. But if it is a scholarship and grant – and grants are freebies. And if it is a grant then essentially you do not owe anything back. So if it is a loan I will support the intent, but if it is a grant I am opposed to the intent. Thank you.

Acting Speaker Ogumoro: Representative Villagomez.

Representative Villagomez: I just want to say that I am with the Floor Leader on this I am a former member of the Scholarship Board and I have seen how the forbearance has been abused based on my experience. And if I am not mistaken, Floor Leader, it is in the Scholarship application when filled out to fulfill your end of the deal. So it is like signing a contract and if you know you are not able to make it then why not. And I do not know how you measure diligence in terms of finding a job but again, based on my experience I would like to say that I was really disappointed in some of our students in terms of trying hard. I will support the intent.

Acting Speaker Ogumoro: Ready. Floor Leader.

Floor Leader Camacho: Just to answer Representative Basa's question and the legal counsel can correct me on this. I believe the Scholarship office does offer loans and those you have to pay back. If it is a scholarship you do not have to pay back but you are required come here and work in the CNMI and you pay it back through that way.

Acting Speaker Ogumoro: Representative Cabrera.

Representative Cabrera: Going back to the Scholarship Office, yes, the application reflects that you have to be back after graduation and serve the Commonwealth – it did not say you have to work for the Government. It is either the Private Sector or Government for at least two years then that thing will be off-set. And it is on a yearly basis that they do that to update.

Acting Speaker Ogumoro: Representative Tebuteb.

Representative Tebuteb: This is very short. On page 2 of line 10 will provide some of the members some insight on trying to vote consciously on the bill. So I am going to ask if there is any possibility from the author to reconsider and withdraw the motion and seek further information on the annual report that I have yet to see as described on line 10 to 12, reads "*The Scholarship Office shall report annually in writing to the Presiding Officers of each House on the employment status of the returning students*" and I would like to see that report if possible.

*The Chair recognized Representative Sablan.*

Representative Sablan: As an update on that issue I have requested for the annual report for last fiscal year the program under SHEFA and I have yet to receive that, but I think it should be forthcoming shortly. It is in preparation for final printing according to communication received from the office.

Acting Speaker Ogumoro: That is correct. Are we ready for a vote? For the last time, Representative Yumul, recognized.

Representative Yumul: Representative Villagomez brought up a very good point and because the bill does not have a Committee Report I want to be able to vote on this legislation but with the right information. And I would like to request the author of the bill if he could withdraw the motion for action and to refer it back to the Committee to get these information because I am very interested in knowing the facts and I want to make my decision based on the data on hand so that we ensure that

this program is not being abused as what was mentioned earlier and we want fairness and at the same time there are those that have testified that they have taken lower paying jobs just to satisfied the requirements during the time and that is to be well commended because it is really demoralizing to have degree in hand but yet only the perceiving \$5.00 an hour for two years but in the spirit in completing the terms of the contract. Thank you.

*The Chair recognized the Floor Leader.*

Floor Leader Camacho: Thank you, Madam Chair. Due to the lack of information from the Scholarship Office with regards to the annual reports and the lack of a Committee Report from the House Committee, I move to withdraw the motion and recommit to Committee.

There were no objections of the Floor.

Acting Speaker Ogunoro: Thank you, Floor Leader. Let us now move on to the next item. We will be meeting on Monday, I would like to note to the Committee members that we are going to call another meeting on Monday at 2pm that has been scheduled. So if there is no objections and unless something is critical and urgent to be taken up in this session, I would like to ask the member that what is left on Calendar today be moved over to our Monday's session. Yes, Representative Benavente?

Representative Benavente: Madam Speaker, we have recently adopted several Committee Reports and those referenced legislation that would be placed the Bill Calendar as well as a couple more that we have decided to put on the Calendar. And so we had started with a long list that was on the Bill Calendar and I do not have anything scheduled this afternoon and I just wondered if the members are a tied up this afternoon. I think that we should break for lunch and come back and finish up the Bill Calendar and continue with our session this afternoon.

Acting Speaker Ogunoro: I would like to ask that we take up one matter and then adjourn take up the rest in our meeting on Monday. We need to adjourn this meeting and allow our Clerk to prepare for our Monday's session. Yes, Representative Torres?

Representative McGinnis-Torres: Thank you, Madam Speaker, I beg that H. B.17-80 be placed on the Bill Calendar for Monday's session for action. Our Utility Corporation procurement authority – the Agency is in great need of it to be relief of such restriction.

Acting Speaker Ogunoro: Thank you, Representative Torres that would be done. Floor Leader.

Floor Leader Camacho: Thank you. The last on the Bill Calendar for today, I move for the passage on First and Final Reading of H. B. 17-66, HD1, SD1.

The motion was seconded.

*Introduced by Representative Rafael S. Demapan, of Saipan, Precinct II (for himself, Representative Trenton B. Conner) on April 27, 2010 in an open and public meeting on April 27, 2010 and April 30, 2010; was referred to the Committees on Judiciary, Governmental and Operations; the House passed with amendments on June 18, 2010 with amendments; the Senate passed with amendments on June 23, 2010.*

**H. B. 17-66, HD1, SD1**

**A BILL FOR AN ACT TO REFORM THE COMMONWEALTH’S ELECTION STATUTES TO CONFORM WITH FEDERAL REQUIREMENTS.**

Acting Speaker Ogumoro: Discussion.

Several members voiced “ready”.

Acting Speaker Ogumoro: Roll Call, Clerk.

The Clerk called the Roll on the motion to pass H.B. 17-66, HD1, SD1 on First and Final Reading with the following results:

Representative Ramon S. Basa	yes
Representative Diego T. Benavente	yes
Representative Eliceo D. Cabrera	yes
Representative George N. Camacho	yes
Representative Trenton B. Conner	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	absent (excused)
Representative Fredrick P. Deleon Guerrero	yes
Representative Rafael S. Demapan	yes
Representative Sylvestre Ilo Iguel	yes
Representative Felicidad Taman Ogumoro	yes
Representative Joseph M. Palacios	yes
Representative Raymond D. Palacios	yes
Representative Antonio P. Sablan	yes
Representative Teresita A. Santos	absent (during voting)
Representative Ramon A. Tebuteb	yes
Speaker Froilan C. Tenorio	absent (excused)
Representative Stanley McGinnis Torres	yes
Representative Edmund Joseph S. Villagomez	yes
Representative Ray N. Yumul	absent (excused)

Acting Speaker Ogumoro: H. B. 17-66, HD1, SD1 is passed. Floor Leader.

Floor Leader Camacho: Thank you, Madam Chair, I now would like to move that we go down to Item 17 and 18.

**MISCELLANEOUS BUSINESS**

Acting Speaker Ogumoro: Representative Torres, recognized.

Representative McGinnis-Torres: Just to clarify H. R. 17-15 and H. B. 17-87 are formally introduced and will appear on the next Calendar?

Acting Speaker Ogumoro: Clerk, H. R. 17-15 was already introduced, correct?

*The Clerk announced that H. R. 17-15, has been introduced.*

Acting Speaker Ogumoro: Representative Conner.

Representative Conner: Just to state for the record, I am just wondering if everybody has a copy of this internal memo pertaining to the Legislative Bureau and I would like then to at least be acknowledgeable if they had received a copy of it and whether it is complete or not. I understand that some members did not received it complete and for that matter I would also like to know if they had put this into account and into consideration and whether we will be looking into this matter, Madam Speaker, as the Acting Speaker of the House I am just wondering if any action or consideration has been taken for this internal memo. Thank you.

Acting Speaker Ogumoro: There is no action taken as of now on that subject matter that you are referring to. Do you have a recommendation?

Representative Conner: At this time Madam Speaker, I am just looking at the matter to see if it is going to be resolved. It is not convenient to be working in an environment where there is some sort of instability and therefore if there is such a fact to the matter then I believe that as members of the Legislature that it would might affect us down the line that we should take this into consideration and into account and see how can it resolve the concerns that have been raised and try create a harmonious environment so that the Legislature proceed and move forward with their legislative affairs. Thank you.

Acting Speaker Ogumoro: Thank you for bringing up that concern, Representative Conner. As the Acting Presiding Officer of the House I will see to it that we take action on that concern and the concerns raised in that memorandum. Representative Demapan, do you have something for us before we adjourn.

Representative Demapan: Nothing really, but I just thought maybe we as Standing Chairpersons of the House Committee get together and look at the matter and see the concerns so that we will know what to do in the next days to come. Thank you.

Acting Speaker Ogumoro: Thank you. Announcements.

### ANNOUNCEMENT

Acting Speaker Ogumoro: Again, just to reiterate that we will have an very important session and members are asked to please attend, the time and date is on June 28, 201, Monday, at 2 pm. Representative Conner.

Representative Conner: This is not an announcement but to answer Representative Cabrera's request earlier pertaining to assistance regarding the District Meet in which the Little League Baseball teams that are going to be heading off-island to represent the CNMI. It would be nice to know also if that at least one member from each Senatorial District would also be kept in mind to be a part of that contingency group that is going to those meets so that they could have an understanding what it is about so that we can be informed of it also so that we can know how much is really actually necessary to support the group. Thank you.

Acting Speaker Ogumoro: Thank you.

## ADJOURNMENT

The Chair recognized the Floor Leader.

Floor Leader Camacho: Thank you, Madam Speaker, I move to adjourn subject to the call of the Chair.

The motion was seconded and carried by voice vote.

The House adjourned at 12:35 p.m.

Respectfully submitted,

  
Linda B. Muña, Journal Clerk  
House of Representatives

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## 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

