HOUSE OF REPRESENTATIVES

EIGHTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

FIRST REGULAR SESSION, 2013

LEGISLATIVE JOURNAL

Sixth Day **Wednesday, March 27, 2013**

The House of Representatives of the Eighteenth Northern Marianas Commonwealth Legislature convened its Sixth Day, First Regular Session on Wednesday, March 27, 2013, at 10:25 a.m., in the House Chamber on Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Joseph P. Deleon Guerrero, Speaker of the House, presided.

A moment of silence was observed.

ROLL CALL

The Clerk called the roll and eighteen members were present, Representatives Lorenzo I Deleon Guerrero and Teresita A. Santos was absent.

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk. For the record, Representatives Santos and Lorenzo Deleon Guerrero are excused for today's session. We go on to item II, Public Comments is there anybody out there in the chamber that wishes to offer any public comments you may do so by going up to the podium and start by stating your name.

PUBLIC COMMENTS

The following individuals made comments:

Mr. Francisco Guerrero

Speaker Joseph P. Deleon Guerrero: We go on to item III, Adoption of Journals, Clerk.

ADOPTION OF JOURNALS

The Clerk announced that there are no journals for adoption.

INTRODUCTION OF BILLS

House Bills:

Speaker Joseph P. Deleon Guerrero: We move on to Introduction of Bills on item IV and before we proceed, can I ask the Floor Leader to offer a motion to suspend the rules to amend the agenda to allow some prefiled bills to be introduced in today's session and to include Governor's Communication and the Judicial Branch. Floor Leader for the proper motion.

Floor Leader Rafael S. Demapan: *Si Yu'us ma'ase,* Mr. Speaker *yan buenas dias.* To suspend Rule 9, Section 4 (d) to allow the House to amend the agenda by adding items on the agenda, so move. Also Mr. Speaker, I ask that we do a vote on this motion.

> **RULE IX. BILLS, RESOLUTIONS AND AMENDMENTS**
>
> **Section 4. Format of Bills and Resolutions.**
> (d) Bills and resolutions for introduction may be prefiled with the House Clerk for formal introduction at the next session, provided that it is pre-filed not less than 24 hours before that session and appears on the session agenda as required under Rule III. The 24-hour notice and agenda requirements may be dispensed with only in accordance with Rule III.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. A motion has been offered and seconded to amend the agenda to include other items, discussion. Representative Tebuteb.

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker. For clarification, this is only to amend the Order of Business or suspend the rule so we submit for prefile? Some of these bills that are prefiled including the one Governor's Communication and one Judicial Communications is that correct? So that is Rule 9, Section 4?

Speaker Joseph P. Deleon Guerrero: Floor Leader.

Floor Leader Rafael S. Demapan: That is correct, Mr. Speaker, Section 4 (d).

Speaker Joseph P. Deleon Guerrero: Yes, the suspension of rules is pertaining to the 24 hour rule. There are some items that just came in, so the suspension of those rules would allow members to introduce bills that were no prefiled 24 hours and to include communications as well.

Representative Ramon A. Tebuteb: For further clarification, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Recognized.

Representative Ramon A. Tebuteb: Do the members have copies of the Governor's Communication as well as the Judicial Communication or what are the prefiled bills and what is the urgency of the suspension so that we can entertain these three items?

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Tebuteb. I believe the Vice-Speaker has a House Legislative Initiative that he will be introducing today and I believe it is House Legislative Initiative 18-4. I will be passing out copies of the Governor's Communication and the communication from the Judicial Branch when we get to that item on the agenda. Further discussion, Representative Sablan.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. Just to inform the Chair that I also have an unnumbered bill that I want to introduce today.

Speaker Joseph P. Deleon Guerrero: House Bill?

Representative Antonio P. Sablan: Yes.

Speaker Joseph P. Deleon Guerrero: Thank you. Further discussions?

Several members voiced "ready".

Speaker Joseph P. Deleon Guerrero: Clerk, please call the roll.

The Clerk called the roll on the motion to suspend Rule IX, Section 4 (d) with the following results:

Representative Antonio R. Agulto	yes
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	yes
Representative George N. Camacho	yes
Representative Trenton B. Conner	yes
Representative Francisco S. Dela Cruz	yes
Representative Rafael S. Demapan	yes
Representative Lorenzo I. Deleon Guerrero	absent *(excused)*
Representative Christopher D. Leon Guerrero	yes
Representative Janet Ulloa Maratita	yes
Representative Felicidad Taman Ogumoro	yes
Representative Antonio P. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Teresita A. Santos	absent *(excused)*
Representative Richard B. Seman	yes
Representative Mariano Taitano	yes
Representative Ramon A. Tebuteb	present
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	present
Speaker Joseph P. Deleon Guerrero	yes

Clerk: Mr. Speaker, 16 members voted "yes" and 2 members are "present."

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk. With a vote of 16 "yes," the motion is hereby adopted. Under introduction of House Bills, I recognize Representative Ogumoro.

Representative Felicidad T. Ogumoro: Thank you, Mr. Speaker. I have a bill now to formally introduce and that is House Bill 18-34, "To assess a special Health Care impact tax on unhealthy foods and other items, to reserve the funds collected from the tax for the Commonwealth

Healthcare Corporation." Introduced by myself and I am open to others who is willing to cosponsor the bill. Thank you, Mr. Speaker.

H. B. NO. 18-34
To assess a special Health Care impact tax on unhealthy foods and other items, to reserve the funds collected from the tax for the Commonwealth Healthcare Corporation.
REP. FELICIDAD T. OGUMORO of Saipan, Precinct 3 (*for herself*)
(Referred to the Committee on Ways and Means and the Committee on Health and Welfare)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Ogumoro. I would like to refer House Bill 18-34 to Ways and Means and Standing Committee on Health and Welfare. For House Bill 18-35, Representative Santos has asked that I introduce her bills and it is in House Communication 18-26. So with that request, I am introducing House Bill 18-35, " To amend PL 17-61, CNMI Veterans Cemetery; and for other purposes." I will be referring the bill to the Standing Committee on Natural Resources. Representative Villagomez.

H. B. NO. 18-35
To amend PL 17-61, CNMI Veterans Cemetery; and for other purposes.
REP. TERESITA A. SANTOS of Rota, Precinct 7 (*for herself*)
(Referred to the Committee on Natural Resources)

Representative Edmund S. Villagomez: Thank you, Mr. Speaker. Introducing House Bill 18-36, "To establish higher mandatory sentences for crimes that occur within 1,000 feet of tourist sites and recreational areas." Thank you.

H. B. NO. 18-36
To establish higher mandatory sentences for crimes that occur within 1,000 feet of tourist sites and recreational areas.
REP. EDMUND S. VILLAGOMEZ of Saipan, Precinct 3 (*for himself*)
(Referred to the Committee on Judiciary and Governmental Operations)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Villagomez. House Bill 18-36 would be referred to the Standing Committee on Judiciary and Governmental Operations (JGO). Representative Tebuteb.

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker. Introducing House Bill 18-37, "To require all contractors to be licensed in the Commonwealth of the Northern Mariana Islands." And House Bill 18-39 a recycled bill "To authorize the assessment of parking meter fees, to require segregation of fees collected by senatorial district, and to authorize local appropriation of those fees." Thank you, Mr. Speaker.

H. B. NO. 18-37
To require all contractors to be licensed in the Commonwealth of the Northern Mariana Islands.
REP. RAMON A. TEBUTEB of Saipan, Precinct 3 (*for himself*)
(Referred to the Committee on Judiciary and Governmental Operations)

H. B. NO. 18-39

To authorize the assessment of parking meter fees, to require segregation of fees collected by senatorial district, and to authorize local appropriation of those fees.

REP. RAMON A. TEBUTEB of Saipan, Precinct 3 (*for himself*)

(Referred to the Committee on Ways and Means)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Tebuteb. House Bill 18-37 will be referred to the Standing Committee on JGO and House Bill 18-39 will be referred to the Standing Committee on Ways and Means. Representative Christopher Leon Guerrero.

Representative Christopher D. Leon Guerrero: Thank you, Mr. Speaker. Officially introducing House Bill 18-38, "To amend 6 CMC Section 2141 to allow for drug trafficking penalties in the range of 5 to 25 years; and for other purposes." Introduced by myself and authored by six others and I welcome other authors. Thank you.

H. B. NO. 18-38

To amend 6 CMC Section 2141 to allow for drug trafficking penalties in the range of 5 to 25 years; and for other purposes.

REP. CHRISTOPHER D. LEON GUERRERO of Saipan, Precinct 4 (*for himself*, Representatives Roman C. Benavente, Lorenzo I. Deleon Guerrero, Antonio P. Sablan, John Paul P. Sablan, Mariano Taitano, and Ramon A. Tebuteb)

(Referred to the Committee on Judiciary and Governmental Operations)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Leon Guerrero. House Bill 18-38 will be referred to the Committee on JGO. Representative Lorenzo Deleon Guerrero has a bill 18-40, were there any communications with the members for them to – I recognize Representative Leon Guerrero, are you going to introduce on his behalf?

Representative Christopher D. Leon Guerrero: Yes, thank you Mr. Speaker. Yes, I think they disseminated the authorization for that matter and thank you again. Officially introducing House Bill 18-40, "To strengthen provisions regarding crimes against a tourist or the property of a tourist and by establishing higher minimum mandatory sentences." Introduced by Representative Lorenzo Deleon Guerrero, thank you.

H. B. NO. 18-40

To strengthen provisions regarding crimes against a tourist or the property of a tourist and by establishing higher minimum mandatory sentences.

REP. LORENZO I. DELEON GUERRERO of Saipan, Precinct 5 (*for himself)*

(Referred to the Committee on Judiciary and Governmental Operations)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Leon Guerrero. Are there any other House Bills to be introduced? I recognize Representative Sablan.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. This is to introduce an unnumbered House Bill entitled "To require all commercial businesses within the Commonwealth of the Northern Mariana Islands to be connected to the Commonwealth Utilities Corporation (CUC) power grid; and for other purposes." So offered, thank you.

H. B. NO. 18-41
To require all commercial businesses within the Commonwealth of the Northern Mariana Islands to be connected to the Commonwealth Utilities Corporation (CUC) power grid; and for other purposes.
REP. ANTONIO P. SABLAN of Saipan, Precinct 1 (*for himself*, Representatives Antonio R. Agulto, Anthony T. Benavente, Roman C. Benavente, Trenton B. Conner, Rafael S. Demapan, Christopher D. Leon Guerrero, John Paul P. Sablan, Mariano Taitano, and Ralph N. Yumul)
(Referred to the Committee on Public Utilities, Transportation, and Communications)

Speaker Joseph P. Deleon Guerrero: Representative Sablan can you turn it over to the Clerk for numbering. In reference to House Bill 18-40 that Representative Leon Guerrero introduced on behalf of Representative Lorenzo I. Deleon Guerrero that bill will be referred to the Committee on JGO. Representative Sablan's bill would be House Bill 18-41 and it will be referred to the Committee on Public Utilities, Transportation, and Communications (PUTC). Recognized, Representative Tebuteb.

Representative Ramon A. Tebuteb: For records purpose Mr. Speaker on Representative Lorenzo Deleon Guerrero's bill perhaps the Clerk can number this so that for records purpose on the introduction, I have no objection on Representative Leon Guerrero introducing, but I do not see any communication on this.

Speaker Joseph P. Deleon Guerrero: To clarify Representative Tebuteb, it is House Bill 18-40. Alright, thank you. Representative Leon Guerrero you mentioned you have a memo from Representative Deleon Guerrero just turn it over to the Clerk to be numbered as a House Communication.

House Local Bills:

Speaker Joseph P. Deleon Guerrero: Any further House Bills, if not, we move on to House Local Bills and again per Representative Santos' request, I will be introducing House Local Bill 18-12, "To appropriate $10,000.00 from local license fees collected for Poker and Pachinko Slot Machines in the First Senatorial District and for other purposes." Representative Tebuteb.

H. L. B. NO. 18-12
To appropriate $10,000.00 from local license fees collected for Poker and Pachinko Slot Machines in the First Senatorial District and for other purposes.
REP. TERESITA A. SANTOS of Rota, Precinct 7 (*for herself*)

Representative Ramon A. Tebuteb: As you all are aware that House Local Bill, an appropriation for poker and pachinko slot machine will appear once in the Order of Business. I do have objection to the introduction because I have some question to the main author on this specific bill. I am going to ask Mr. Speaker that you withdraw your introduction until such time that I get more clarification on the bill itself from the main author.

Speaker Joseph P. Deleon Guerrero: Let me call a short recess.

The House recessed at 10:41 a.m.

RECESS

The House reconvened at 10:44 a.m.

Speaker Joseph P. Deleon Guerrero: We are back, before recess there was a request from a member asking the Chair to withdraw the introduction. So since there was no objection – Counsel I can just withdraw it without a motion, there being no objection. So I will withdraw the introduction of House Local Bill 18-12 and it will stay on the Calendar for introduction when Representative Santos gets back. Are there any House Local Bills before we move on? There being none, we move on to House Legislative Initiatives and I recognize Representative Ralph Demapan.

House Legislative Initiatives:

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. This is to officially introduce House Legislative Initiative 18-2, "To abolish the Municipal Councils and establish the chartered municipal form of government for Saipan." Introduced by myself and eight other members, thank you.

> **H. L. I. NO. 18-2**
> To abolish the Municipal Councils and establish the chartered municipal form of government for Saipan.
> **REP. RAFAEL S. DEMAPAN** of Saipan, Precinct 2 (*for himself* Representatives Antonio R. Agulto, Roman C. Benavente, Joseph P. Deleon Guerrero, Antonio P. Sablan, John Paul P. Sablan, Mariano Taitano, Ramon A. Tebuteb, and Ralph N. Yumul)
> **(Referred to the Committee on Judiciary and Governmental Operations)**

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. I will refer House Legislative Initiative 18-2 to the Committee on JGO. Recognize Representative Taitano.

Representative Mariano Taitano: Thank you, Mr. Speaker. I would like to introduce House Legislative Initiative 18-3 "To amend Article III, Section 20(b) of the N.M.I Constitution to eliminate double dipping and remove the provision granting five years credited service for employees with not less than twenty years of credited service."

> **H. L. I. NO. 18-3**
> To amend Article III, Section 20(b) of the N.M.I Constitution to eliminate double dipping and remove the provision granting five years credited service for employees with not less than twenty years of credited service.
> **REP. MARIANO TAITANO** of Saipan, Precinct 1 (*for himself*)
> **(Referred to the Special Committee on NMI Retirement)**

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Taitano. I would be referring that initiative to the Special Committee on Retirement. Are there any other House Legislative Initiatives, Vice-Speaker.

Vice-Speaker Francisco S. Dela Cruz: Thank you, Mr. Speaker. Introducing a prefiled House Legislative Initiative 18-4, this is an initiative "To amend Article XII of the N.M.I. Constitution to remove the mandatory restriction on the alienation of land and allow land owners to elect to restrict the alienation of their own land." And I welcome anyone who wishes to coauthor. Thank you, Mr. Speaker.

H. L. I. No. 18-4
To amend Article XII of the N.M.I. Constitution to remove the mandatory restriction on the alienation of land and allow land owners to elect to restrict the alienation of their own land.
REP. FRANCISCO S. DELA CRUZ of Saipan, Precinct 3 (*for himself*)
(Referred to the Committee on Natural Resources)

Speaker Joseph P. Deleon Guerrero: Thank you, Vice-Speaker. I would be referring House Legislative Initiative 18-4 to the Committee on Natural Resources. Any further initiatives before we move on to the next item on our agenda, there being none we move on to item V, Introduction of Resolutions and I recognize Representative Agulto.

INTRODUCTION OF RESOLUTIONS

House Resolutions:

Representative Antonio R. Agulto: Thank you, Mr. Speaker. This is to introduce House Resolution 18-8, "To recognize and commend Lieutenant Colonel Gregorio Vicente Muna Sablan Jr. for his outstanding military achievements and for his contributions to the Commonwealth of the Northern Mariana Islands." Introduced by myself and four other members. Mr. Speaker, thank you.

H. RES. NO. 18-8
To recognize and commend Lieutenant Colonel Gregorio Vicente Muna Sablan Jr. for his outstanding military achievements and for his contributions to the Commonwealth of the Northern Mariana Islands.
REP. ANTONIO R. AGULTO of Saipan, Precinct 5 (*for himself*, Representatives Roman C. Benavente, Rafael S. Demapan, Antonio P. Sablan, and Mariano Taitano)
(Moved to Resolution Calendar for action)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Agulto. I recognize Representative Christopher Leon Guerrero.

Representative Christopher D. Leon Guerrero: Thank you, Mr. Speaker. This is to officially introduce House Resolution 18-9, "To honor and commend Heather L. Kennedy for her outstanding services to the Commonwealth of the Northern Mariana Islands most especially to the CNMI Judicial System."

H. RES. NO. 18-9

To honor and commend Heather L. Kennedy for her outstanding services to the Commonwealth of the Northern Mariana Islands most especially to the CNMI Judicial System.

REP. CHRISTOPHER D. LEON GUERRERO of Saipan, Precinct 4 (*for himself*, Representatives Antonio R. Agulto, Anthony T. Benavente, Roman C. Benavente, Joseph P. Deleon Guerrero, Lorenzo, Rafael S. Demapan, John Paul P. Sablan, Mariano Taitano, Ramon A. Tebuteb, and Ralph N. Yumul)

(Moved to Resolution Calendar for action)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Leon Guerrero. I recognize yourself again to introduce House Resolution 18-10 on behalf of Representative Lorenzo Deleon Guerrero.

Representative Christopher D. Leon Guerrero: Thank you again, Mr. Speaker. And that is House Resolution 18-10, officially introducing "To commend active U.S. Army military officer Lieutenant Colonel Harry Camacho Blanco for his recent promotion to Colonel (Full Bird) and applaud his feat in being the first son of the Commonwealth to reach the highest military ranking officer in the history of the Commonwealth of the Northern Mariana Islands." Introduced by Representative Lorenzo Deleon Guerrero.

H. RES. NO. 18-10

To commend active U.S. Army military officer Lieutenant Colonel Harry Camacho Blanco for his recent promotion to Colonel (Full Bird) and applaud his feat in being the first son of the Commonwealth to reach the highest military ranking officer in the history of the Commonwealth of the Northern Mariana Islands.

REP. LORENZO I. DELEON GUERRERO of Saipan, Precinct 5 (*for himself*)

(Moved to Resolution Calendar for action)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Leon Guerrero. I now recognize Representative Antonio Sablan.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. This is to introduce House Resolution 18-11, "To commend and congratulate the Saipan Southern High School Manta Ray Band for their exemplary achievements and superior performance at the 9th Annual Tumon Bay International Music Festival." Thank you.

H. RES. NO.18-11

To commend and congratulate the Saipan Southern High School Manta Ray Band for their exemplary achievements and superior performance at the 9th Annual Tumon Bay International Music Festival.

REP. ANTONIO P. SABLAN of Saipan, Precinct 1 (*for himself*)

(Moved to Resolution Calendar for action)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan. Are there any other members who would like to introduce any House Resolutions, if not, do we have any House Joint Resolutions?

House Joint Resolutions: *None*

House Commemorative Resolutions:

Speaker Joseph P. Deleon Guerrero: There being none, I would like under House Commemorative Resolution introduce Commemorative Resolution 18-1, "To commend and to extend an appreciation to Consul Tsutomu Higuchi for his services and dedication in heading the Consular Office of Japan here in the Commonwealth of the Northern Mariana Islands and recognizing his illustrious career as a liaison for the people of Japan." Take note that House Resolution 18-8 through 18-11 and House Commemorative Resolution 18-1 would be put on today's Resolution Calendar for action. Recognized Representative Sablan.

> **C. RES. NO. 18-1**
> To commend and to extend an appreciation to Consul Tsutomu Higuchi for his services and dedication in heading the Consular Office of Japan here in the Commonwealth of the Northern Mariana Islands and recognizing his illustrious career as a liaison for the people of Japan.
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> **REP. JOSEPH P. DELEON GUERRERO** of Saipan, Precinct 1 (*for himself*, Representatives Antonio R. Agulto, Roman C. Benavente, Trenton B. Conner, Francisco S. Dela Cruz, Lorenzo I. Deleon Guerrero, Rafael S. Demapan, Christopher D. Leon Guerrero, John Paul P. Sablan, Ramon A. Tebuteb, Edmund S. Villagomez, and Ralph N. Yumul)
> **(Moved to Resolution Calendar for action)**

Representative Antonio P. Sablan: If there is no objection from any of the members, I would like to ask if the Commemorative Resolution 18-1 be made as Committee of the Whole.

Speaker Joseph P. Deleon Guerrero: Are there any objections?

Several members voiced "no objection".

Speaker Joseph P. Deleon Guerrero: Clerk, please take note.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan. Any further comments before we move on to item VI, Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. I am not sure of the pleasure of the members, but all of the resolution has met the Open Government Act (OGA) requirement and perhaps to put more clarity, I would like to go ahead and make a motion that we place all resolutions on today's calendar for action, so move.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Representative Camacho.

Representative George N. Camacho: I have an objection to that, just a concern regarding House Resolution 18-10 being that the author is not here and I would like to ask if we could do that also

as a Committee as a Whole so I wonder if that might be problematic. House Resolution 18-10 authored by Representative Lorenzo Deleon Guerrero.

Speaker Joseph P. Deleon Guerrero: What is it you are asking for?

Representative George N. Camacho: I was going to ask if we can adopt this as a Committee as a Whole also.

Speaker Joseph P. Deleon Guerrero: In response, Representative Tebuteb.

Representative Ramon A. Tebuteb: In response, I do not have any objection to that and I guess when we come to that specific resolution then we will propose a motion on to the affect from the request from Representative Camacho.

Speaker Joseph P. Deleon Guerrero: I think that would normally be done under the introduction that it be introduced as a Committee of the Whole and since this is to recognize a son of the Commonwealth I would take responsibility if Representative Guerrero has any objection to his resolution being introduced as a Committee of the Whole or we can – as the Representative authorized to introduce it, do you have any objection Representative Leon Guerrero?

Representative Christopher D. Leon Guerrero: I have a reservation to that due to the fact that I am representing my colleague who is absent today. So for the best interest of that resolution, I would like to move this to the next session, this specific resolution, so that he may make the final determination for his introduction. At least we have the introduction for today and I will leave that to him to finalize so we do not have to adopt it today and that is going to be my response for today. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Leon Guerrero. I think I am going to override that, and since there was no objection to the request to have it introduce as a Committee of the Whole, just introduced – Clerk please take note that House Resolution 18-10 will be introduced as a Committee of the Whole. Again there is a standing motion on the floor to place all of the resolutions and commemorative resolutions introduced today to be placed on today's resolution calendar. Further discussion, Representative Sablan.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. Just a clarification on Representative Camacho's statement, did I hear him make a motion because I was not sure whether he made the motion to have the resolution offered as a Committee of the Whole.

Speaker Joseph P. Deleon Guerrero: Representative Camacho.

Representative George N. Camacho: Thank you, Mr. Speaker. I did not make or offer a motion. I put a concern and the Speaker took over with his own motion.

Speaker Joseph P. Deleon Guerrero: There being no request, I kind of made a ruling to ask the Clerk and go ahead since there was no objection from the members other than one request, Representative Guerrero. Again, something as important as this is really deserving that not just member introduced it and since that member is not here, there were no request to it being

introduced by all of us and I think that is a reasonable request and I am sure our good colleague from Precinct V would not object to it. So thank you Representative Guerrero for considering.

Representative Christopher D. Leon Guerrero: Thank you, Mr. Speaker and I will leave it up to you now.

Speaker Joseph P. Deleon Guerrero: Thank you. There is a standing motion on the floor, just under discussion, Floor Leader you may correct me but I believe the Chair has the authority also to place it on Calendar but since there is a motion on the floor we can do a voice vote.

There were no further discussions and the motion to place all resolutions introduced on the Resolution Calendar was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: We now move on to item VI, Messages from the Governor before I turn it over to the Clerk I would like to ask the Clerk to please – Clerk we have three messages from the Governor that she would number and pass copies to the members. I would like to call a short recess.

The House recessed at 10:50 a.m.

RECESS

The House reconvened at 11:24 a.m.

House Concurrent Resolutions: *None*

MESSAGES FROM THE GOVERNOR

Speaker Joseph P. Deleon Guerrero: We were under item VI, Governor's Communications. The rules were suspended to allow for several more Governor's Communication to be included to our agenda, Clerk.

Clerk: Mr. Speaker, we have Governor's Communication 18-13 through 18-20.

Speaker Joseph P. Deleon Guerrero: Comments, Representative Camacho.

Representative George N. Camacho: Thank you, Mr. Speaker. Just a quick comment on Governor's Communication 18-13, this is regarding the new Public Law 18-1 regarding Hotel Occupancy Tax, I would just like to thank the Governor for quickly signing this and everybody in this chamber for the passage of this legislation. Thank you.

> GOV. COMM. 18-13: (3/11/13) Informing the House that he signed into law H. B. NO. 18-2, HD1, SD2 (Hotel Occupancy Tax Amendment increase 15%.). Became **Public Law 18-1**. *[For info]*

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Camacho. Further comments, there being none I also for the record want to thank the Governor in addition to signing Public

Law 18-1. He also signed other House Bills to include House Bill 18-12, SD1 this is the Pension Reform amendment of Public Law 17-82 and with his signature it became Public Law 18-2. Further he signed Representative Villagomez's bill to strengthen the provisions of sex crimes and domestic violence that bill became Public Law 18-3. And the Floor Leader's House Bill 18-27 which merges the Homeland Security and the Emergency Management Office which became Public Law 18-4. Regarding the three additional Governor's Communications, I just want to alert the members that relevant to Governor's Communication 18-20 – normally the Governor would have until April 1st to submit the budget proposal to the House by April 1st because 1CMC 7201(a)(1) does allow whenever a new Governor comes in to be granted no later than five months before the beginning of fiscal year or May 1st he has an additional one month and when the Governor states that he is prepared to have a budget proposal by April 1st. He is giving the members of the Legislature an opportunity to meet with the Administration to brainstorm and discuss new revenue generating measures, which could be incorporated into the budget proposal so I believe he is requesting a meeting of April 4th so members please take note and that is for all members including all members of the House and I believe the Senate as well. Further comments regarding Governor's Communications, there being none, we move on to item VII Senate Communications. Clerk.

GOV. COMM. 18-14: (3/11/13) Informing the House that he signed into law H. B. NO. 18-12, SD1 (Pension Reform amendment (PL 17-82)). Became **Public Law 18-2**. *[For info]*

GOV. COMM. 18-15: (3/15/13) Informing the House that he signed into law H. B. NO. 18-3 (Strengthening provisions re: sex crimes and domestic violence). Became **Public Law 18-3**. *[For info]*

GOV. COMM. 18-20: (3/27/13) Informing the House of the proposed budget submission and to schedule a meeting on April 4, 2013 at 9:00 a.m. in the Governor's conference room.

There were no discussions made for the following Governor's Communications.

GOV. COMM. 18-16: (3/15/13) Inform the House that he signed into law H. B. NO. 18-27, HD1 (Homeland Security and Emergency Management Act of 2013). Became **Public Law 18-4**. *[For info]*

GOV. COMM. 18-17: (3/21/13) Certifying and granting approval for Mr. Rhonda Lee Gleason, Physician Assistant, Commonwealth Healthcare Corporation, to receive an annual salary of $80,000. *[For info]*

GOV. COMM. 18-18: (3/22/13) Certifying and granting approval for Ms. Kimberly Ellen Runge, Pharmacist, Commonwealth Healthcare Corporation, to receive an annual salary of $115,000.00. *[For info]*

GOV. COMM. 18-19: (3/22/13) **Executive Order No. 2013-05** – Declaration of a State of Emergency: Imminent threat of the inability of the Commonwealth Utilities Corporation to provide critical power generation, water and wastewater services to the CNMI.

SENATE COMMUNICATIONS

Clerk: Mr. Speaker, we have Senate Communications 18-14 to 18-19.

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk. I now recognize the Floor Leader for the acceptance motion.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. To accept Senate Communication 18-19 is required House action so move.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: There is a motion to accept Senate Communication 18-19 and it has been seconded, Clerk. Before we act on that Floor Leader I think we need to accept all communications so can you please rephrase your motion.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Because the Clerk had mentioned already on the Senate Communication I just thought I would do a shortcut on that, but anyway to go ahead and accept Senate Communications 18-14 through 18-19, so move. I also ask that we place it on voice vote, thank you.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. A motion has been offered by the Floor Leader to accept Senate Communications 18-14 to 18-19, discussion. I recognize Representative Ogumoro.

Representative Felicidad T. Ogumoro: Thank you, Mr. Speaker. Just for information before we cast our vote, maybe it may have been give to me, but does somebody have a sheet that outlines what amounts – we are reprioritizing our CIP projects – does somebody have a copy of that or maybe somebody can just go very briefly on what are we looking at. I do agree support this joint resolution, but before we take a vote on it can we just have an idea as to how much are we talking about?

Speaker Joseph P. Deleon Guerrero: For clarification, Representative Ogumoro this motion right now is to accept the Senate Communication. If we were going to act on this I would refer it to the Resolution Calendar and that is when we can discuss those specifics so right now it is just an acceptance motion. Further discussion.

Several members voiced "ready".

There was no further discussion and the motion to accept Senate Communications 18-14 to 18-19 so they become property of the House was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: There is also a recommendation by the Floor Leader to refer Senate Communication 18-19 relevant to Senate Joint Resolution 18-1, SS1 and I think Representative Ogumoro also had some concerns or questions on it. I will be referring this Joint Resolution to the Committee on Ways and Means to try to get further clarifications similar to the concerns that were raised by Representative Ogumoro so this would be referred to the Committee on ways and means. We move on to House Communications, Clerk.

SEN. COMM. 18-19: (3/18/13) Transmitting for House action S. J. R. No. 18-1, SS1, (Respectfully urging the Governor of the Commonwealth of the Northern Mariana Islands and the Department of Interior to re-prioritize Capital Improvement Projects

funds for Fiscal Year 2013 and 2014, and available unexpended fund balances of prior years, for the First, Second, and Third Senatorial Districts, and reprogram such funds to the Commonwealth Healthcare Corporation to replace, augment, and improve its CHC facility and also make necessary improvements to the Rota and Tinian health clinics.) which was passed by the Senate on March 15, 2013. [*For action*]
(Referred to the Committee on Ways and Means)

There were no discussions for the following Senate Communications.

SEN. COMM. 18-14: (3/14/13) Transmitting a certified copy of Senate Commemorative Resolution No. 18-01, entitled, "Honoring the life and achievements of Dr. Isamu Joe Abraham, Ph. D., MPH, MSW for his years of distinguished service and his contributions to public health in the CNMI," which was adopted by the Senate on February 15, 2013. [*For info*]

SEN. COMM. 18-15: (3/14/13) Transmitting a certified copy of Senate Commemorative Resolution No. 18-02, entitled, "Honoring the late Mayor Juan Borja Tudela for his many contributions to the Commonwealth of the Northern Mariana Islands and his memorable service to its people," which was adopted by the Senate on February 15, 2013. [*For info*]

SEN. COMM. 18-16: (3/14/13) Transmitting a certified copy of Senate Resolution No. 18-03, entitled, "To recognize and commend Doctor Florie Manglona Mendiola for receiving her Doctor of Education (Ed. D) with a concentration in Leadership Practice of Elected Officials from Pepperdine University, Los Angeles, California and for her contributions to the nation's education system," which was adopted by the Senate on February 15, 2013. [*For info*]

SEN. COMM. 18-17: (3/14/13) Transmitting a certified copy of Senate Resolution No. 18-04, entitled, "To recognize and commend Loida Nicolas Lewis for her untiring commitment to serving her communities, and lifelong accomplishments and achievements as an entrepreneur, philanthropist, leader, author, and lawyer," which was adopted by the Senate on February 15, 2013. [*For info*]

SEN. COMM. 18-18: (3/15/13) Returning H. B. 18-27, HD1, "To reorganize the Office of Homeland Security and the Office of Emergency Management and unify and create the CNMI Homeland Security and Emergency Management.," which was passed by the Senate, without amendments, on March 15, 2013. [For info-now *Public Law 18-4*]

HOUSE COMMUNICATIONS

Clerk: Mr. Speaker, we have House Communications 18-25 to 18-28.

Speaker Joseph P. Deleon Guerrero: Comments? Ready?

Several members voiced "ready".

There were no discussions for the following House Communications.

HSE. COMM. 18-25: (3/1/13) From Representative Seman informing the Speaker that he will be off-island from Monday, March 11, until Friday, March 15, 2013, and request to be excused from any sessions.

HSE. COMM. 18-26: (3/18/13) From Representative Santos informing the Speaker that she will be off-island from Wednesday, March 20 to March 31, 2013, and request to be excused from any sessions, and designates the Speaker to introduce any measures sponsored by herself during her absence.

HSE. COMM. 18-27: (3/20/13) From Representative Lorenzo I. Deleon Guerrero informing the Speaker that he will be off-island from March 21 to March 28, 2013, and request to be excused from any meetings or sessions.

HSE. COMM. 18-28: (3/22/13) From Representative Lorenzo I Deleon Guerrero informing the Speaker that Representative Christopher D. Leon Guerrero will be introducing his bills during his absence.

COMMUNICATIONS FROM THE JUDICIAL BRANCH

Speaker Joseph P. Deleon Guerrero: We move on to item IX, Communications from the Judicial Branch and I believe we have one from the Judicial Branch, it will be Judicial Branch

Communication 18-1 and this is a request by the Judicial Branch regarding proposed amendments to the Supreme Court rules. I will be referring this communication to the Committee on JGO. Chairman, I believe we have 60 days to review the proposed amendments to the Rules of Admission so take a look at it and then perhaps you can report out to the full body if we should act on it. Any further discussion on item IX? We move on to item X from the Department and agencies, Clerk.

> JUD. BR. COMM. 18-1: (03/26/13) Proposed amendments to Title IX to the NMI Supreme Court Rules – The Rules of Admission.
> **(Referred to the Committee on Judiciary and Governmental Operations)**

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

The Clerk announced that there were no Communications from the Department and Agencies.

MISCELLANEOUS COMMUNICATIONS

Speaker Joseph P. Deleon Guerrero: Item XI, Miscellaneous Communications.

Clerk: We have one item Mr. Speaker, Miscellaneous Communication 18-2.

Speaker Joseph P. Deleon Guerrero: Comments from the members regarding Miscellaneous Communication 18-2? There being none we move on to item XII, Reports of Standing Committees and I recognize the Floor Leader.

Discussions were made for the following Miscellaneous Communication on page 20.

> MISC. COMM. 18-2: From the Mr. Craig B. Whelden, Executive Director, U.S. Marine Corps Forces Pacific re: Notice of Intent and Public Scoping Meetings for the Commonwealth of the Northern Mariana Islands (CNMI) Joint Military Training Environmental Impact Statement/Overseas Environmental Impact Statement (CJMT EIS/OEIS).

REPORTS OF STANDING COMMITTEES

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. We do have four for adoption on Standing Committee Report. First is Standing Committee Report 18-2, so move.

> **S. C. R. NO. 18-2**: Reporting on H. J. R. NO. 18-2, entitled: "Respectfully requesting and urging the CNMI Veterans Affairs Office through the Office of the CNMI Governor to have the US and CNMI flags flown everyday at the CNMI US Armed Forces Veterans Cemetery located in Marpi, Saipan, Commonwealth of the Northern Marianas Islands." *Your Committee on Federal and Foreign Affairs recommends adoption of* ***H. J. R. NO. 18-2*** *in its current form.*
> **(Moved to Resolution Calendar for action)**

Speaker Joseph P. Deleon Guerrero: There is a motion on the floor to adopt Standing Committee Report 18-2 reporting on House Joint Resolution 18-2 and this is entitled "Respectfully requesting and urging the CNMI Veterans Affairs Office through the Office of the CNMI Governor to have the US and CNMI flags flown everyday at the CNMI US Armed Forces

Veterans Cemetery located in Marpi, Saipan, Commonwealth of the Northern Marianas Islands." Discussion, there being none we will now vote.

There was no discussion and the motion to adopt Standing Committee Report 18-2 was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: The motion is adopted, Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Second on Standing Committee Report 18-3 reporting on House Bill 18-9, entitled "To amend 4 CMC § 1939(a) of the Developer Infrastructure Tax Act; and for other purposes." So move.

> **S. C. R. NO. 18-3**: Reporting on H. B. NO. 18-9, entitled: "To amend 4 CMC § 1939(a) of the Developer Infrastructure Tax Act; and for other purposes." *Your Committee on Ways and Means recommends that the House pass **H. B. NO. 18-9** in its current form.*
> **(Moved to Bill Calendar for action)**

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion is offered on the floor for adoption of Standing Committee Report 18-3 reporting on House Bill 18-9, discussion. Just for the record, the House Bill 18-9 proposes to amend 4CMC subsection 1939 (a) of the Developers Infrastructure Tax Act to add an additional provision allowing for those funds to be used for improvements or maintenance of public facilities. Further discussions?

Several members voiced "ready".

There were no further discussion and the motion to adopt Standing Committee Report 18-3 was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. For the adoption of Standing Committee Report 18-4 reporting on House Bill 18-1, entitled "To ratify the adoption of the 2009 editions of the International Building Code, International Fire Code, related construction codes, as amended, and to provide for a committee to develop a new CNMI building code council." Your Committee on Natural Resources recommends that the House passes the bill in the form of House Bill 18-1, HS1 so move.

> **S. C. R. NO. 18-4**: Reporting on H. B. NO. 18-1, entitled: "To ratify the adoption of the 2009 editions of the International Building Code, International Fire Code, related construction codes, as amended, and to provide for a committee to develop a new CNMI building code council." *Your Committee on Natural Resources recommends that the House pass the bill in the form of **H. B. NO. 18-1, HS1**.*
> **(Moved to Bill Calendar for action)**

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion has been offered for the adoption of Standing Committee Report 18-4 and it has been seconded, discussion. If there is no objection, earlier during the Public Comments we had Mr. Frank Guerrero who has submitted his public comments and I asked him if he could standby to consider some questions regarding this bill. If there is no objection, I would like to ask the Floor Leader to offer a motion to resolve into Committee of the Whole so we could ask some questions of Mr. Guerrero?

Several members voiced "no objection".

Speaker Joseph P. Deleon Guerrero: Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Motion to dissolve into Committee of the Whole, so move.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion has been offered and seconded, discussion.

Several members voiced "ready".

There was no discussion and the motion to dissolve into Committee of the Whole was carried by voice vote. There was no nay vote.

The House dissolved into Committee of the Whole at 11:38 a.m.

COMMITTEE OF THE WHOLE

The House reconvened in plenary session at 11:50 a.m.

Speaker Joseph P. Deleon Guerrero: Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. I would like to make a motion that we move back to our plenary session.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion has been offered and seconded.

There was no discussion and the motion to reconvene plenary session was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: We are no back, we left of on item XII, Reports of Standing Committee and a motion was offered by the Floor Leader to adopt Standing Committee Report 18-4, reporting on House Bill 18-1. Any further discussions regarding this Committee Report, there being none.

There was no discussion and the motion to adopt Standing Committee Report 18-4 was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: Floor Leader for the last Committee Report.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. On Standing Committee Report 18-5, reporting on House Legislative Initiative 18-1 entitled "To amend Article XII, Sections 1, and 4 of the Northern Mariana Islands Constitution; and for other purposes." Your Committee on Natural Resources recommends that the House pass the bill in the form of House Legislative Initiative 18-1, HD1 so move.

> **S. C. R. NO. 18-5**: Reporting on H. L. I. NO. 18-1, entitled: "To amend Article XII, Sections 1, and 4 of the Northern Mariana Islands Constitution; and for other purposes." *Your Committee on Natural Resources recommends that the House pass the bill in the form of* ***H. L. I. NO. 18-1, HD1****.*
> **(Moved to Bill Calendar for action)**

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion has been offered by the Floor Leader to adopt Standing Committee Report 18-5 reporting on House Legislative Initiative 18-1. House Legislative Initiative 18-1 is what most people refer to as the blood quantum initiative. Legal Counsel I have a question. For the initiative itself, passage of this initiative would require a roll call vote for the adoption of the Committee Report does it still require three-fourths for the Committee Report or just on the initiative itself when it gets to the Bill Calendar.

Legal Counsel John Cool: The requirement is for the enactment for passage of the initiative the adoption of the Committee Report could be done on a majority.

Speaker Joseph P. Deleon Guerrero: Voice vote?

Legal Counsel John Cool: Voice vote.

Speaker Joseph P. Deleon Guerrero: And it only requires simple majority.

Legal Counsel John Cool: Correct.

Speaker Joseph P. Deleon Guerrero: Thank you, Legal Counsel. Motion has been offered on the floor and it has been seconded are there any discussions regarding Standing Committee Report 18-5.

There was no discussion and the motion to adopt Standing Committee Report 18-5 was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: We now move on to item XV, Resolution Calendar.

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

None

UNFINISHED BUSINESS

None

RESOLUTION CALENDAR

Speaker Joseph P. Deleon Guerrero: Before we act on any resolution, it is about Twelve O'clock now and we can perhaps act on the resolutions on the calendar and then break for lunch because we do have at least four bills that will be on the Bill Calendar and that would take some time. So would the members rather break for lunch now and then start on the Resolution Calendar when we get back? Since we would be back I think we will break until 1:30 p.m. Why not break for lunch now and we would be able to accommodate both the resolutions and the bills after lunch?

Several members voiced "no objection".

Speaker Joseph P. Deleon Guerrero: So why not recess for lunch and return at 1:30 p.m.

The House recessed at 12:00 p.m.

RECESS

The House reconvened at 1:50 p.m.

Speaker Joseph P. Deleon Guerrero: We are back to our session. There was a request from one of the members to go back to item XI, Miscellaneous Communication and I recognize Representative Tebuteb.

MISCELLANEOUS COMMUNICATIONS

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker and members. This is with respect with Miscellaneous Communication 18-2 and this is a letter from the United States Marine Corps to you, Mr. Speaker. I am not sure if this communication has also gone to the Senate President. I know that this is also a public matter and so I would like to take note that – first I do not want to impose myself on the respective precinct with respect to the affected scoping project for the subject matter and the notice of intent and public scoping meeting for the Commonwealth of the Northern Mariana Islands joint military training environmental impact statement oversees environmental impact statement. As you can tell from the letter that the NOI and that is the Notice of Intent, it will be published and has been published, I would assume on March 15th of this month, basically it means this is a federal registered issue. I am not sure where the Commonwealth comes in on this matter other than this is a public notice for all parties. As you are all aware, I believe this is a very major issue and for our people to be fairly if not fully aware of the impact of this proposed project. As indicated in the proposed project, there are – I believe

public scoping meetings scheduled for Dan Dan Elementary School, Tinian and the Carolinian Affairs Office and that is Saipan. If you notice there is no Rota because of the affect of the proposed project and that is for Tinian and Pagan for this case. The reason why I want to bring the attention to the members on this issues is that because of its major impact and all of us being representatives to the respective Saipan and Tinian jurisdiction, I guess the intent of the military is obvious as such that it is already a federal registered issue and for our people to be fully aware of the impact that this project may have on the Commonwealth especially the Northern Islands and of course Tinian. The Northern Islands specifically the island of Pagan, I am not sure what is the position of the government or for that matter specifically with Public Land with regards to the Homestead Waiver Act Application that has transpired for many years and I believe it has been more than 30 years. Now you have an issue that needs to be fairly monitored and either to support or not to support, but understanding the impact. If you all know, Section 805 of our Covenant basically allows the federal government to take over this issue, I am sorry Section 806 of our Covenant and that is the eminent domain. There are basically three steps towards this Section 806 of the eminent domain. First is that it allows the United States to I guess respect. I am going to try and compact the language written in the Covenant. First it respects the traditions and culture – real properties of the islands and then the process to do this for the ultimate intent if the ultimate intent is to acquire these properties Tinian or Pagan is that they are processed in the Covenant under Section 806 and that is the eminent domain. In other words, in the Covenant it basically allows for a process to exhaust different venues and different steps or recommendations even from the public on what best to do with the real estate. In this instance if and it comes to a point where the majority of our people are opposed to this project that there is another provision that basically allows the federal government to take over these islands whether you like it or not. So just to bring to the attention of the members and with all due respect really to our Representative from Tinian and Representative from Precinct IV, thank you.

> MISC. COMM. 18-2: From the Mr. Craig B. Whelden, Executive Director, U.S. Marine Corps Forces Pacific re: Notice of Intent and Public Scoping Meetings for the Commonwealth of the Northern Mariana Islands (CNMI) Joint Military Training Environmental Impact Statement/Overseas Environmental Impact Statement (CJMT EIS/OEIS).

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Tebuteb. Just to add on to what Representative Tebuteb said, the dates for the public hearings are in your communications. It also invites the members to participate and to listen to what their project plans are to be familiar with the NEPA process, which is the National Environmental Protection Act and the National Historic Preservation Act. So please come and attend and let us listen to them and we will also have an opportunity to ask questions and also to submit comments directly to them by April 29th. So any further comments on Miscellaneous Communications before we move on, if not we go now to item XV on our agenda the Resolution Calendar and I now turn it over to the Floor Leader.

RESOLUTION CALENDAR

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Under item XV we have six resolutions for action. First under House Resolution 18-8, motion to adopt "To recognize and commend Lieutenant Colonel Gregorio Vicente Muña Sablan Jr. for his outstanding military

achievements and for his contributions to the Commonwealth of the Northern Marianas Islands." So move.

H. RES. NO. 18-8
To recognize and commend Lieutenant Colonel Gregorio Vicente Muña Sablan Jr. for his outstanding military achievements and for his contributions to the Commonwealth of the Northern Mariana Islands.

REP. ANTONIO R. AGULTO of Saipan, Precinct 5 (*for himself*, Representatives Roman C. Benavente, Rafael S. Demapan, Antonio P. Sablan, and Mariano Taitano)
(Introduced as Committee of the Whole)

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion has been offered and seconded for the adoption of House Resolution 18-8. Discussion, I recognize Representative John Paul Sablan.

Representative John P. Sablan: Thank you, Mr. Speaker. If there is no objection with the members and the author of House Resolution 18-8, I want to put on record if it can be offered as Committee of the Whole. Thank you.

Several members voiced "no objection".

Speaker Joseph P. Deleon Guerrero: A request has been made to have House Resolution 18-8 be introduced by the Committee as a Whole so there were no objections, Clerk please take note. Further discussion, ready.

Several members voiced "ready".

There were no further discussion and the motion to adopt House Resolution 18-8 was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: Floor Leader for the next resolution.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Motion to adopt House Resolution 18-9, "To honor and commend Heather L. Kennedy for her outstanding services to the Commonwealth of the Northern Mariana Islands most especially to the CNMI Judicial System." So move.

H. RES. NO. 18-9
To honor and commend Heather L. Kennedy for her outstanding services to the Commonwealth of the Northern Mariana Islands most especially to the CNMI Judicial System.

REP. CHRISTOPHER D. LEON GUERRERO of Saipan, Precinct 4 (*for himself*, Representatives Antonio R. Agulto, Anthony T. Benavente, Roman C. Benavente, Joseph P. Deleon Guerrero, Lorenzo, Rafael S. Demapan, John Paul P. Sablan, Mariano Taitano, Ramon A. Tebuteb, and Ralph N. Yumul)
(Introduced as Committee of the Whole)

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion has been offered and seconded, discussion. Recognized, Representative Tebuteb.

Representative Ramon A. Tebuteb: May I kindly ask the author to allow us also to offer this as a Committee of the Whole?

Representative Christopher D. Leon Guerrero: I will support it no objection.

Speaker Joseph P. Deleon Guerrero: There being no objection, Clerk please note House Resolution 18-9 be introduced as the Committee as a Whole. Further discussion, Representative Tebuteb still has the floor.

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker. Lastly on page 3, line 5 to line 10, I noticed that I have no objection really to this resolution I am asking everybody to support it. Although this Mock Trial Coordinator and the Mock Trial Championship kind of cleared up being the Chairman of the Delegation. If the mover or the author is aware of any contribution to the Mock Trial to the championship who will be, I believe heading to compete off-island in a very few weeks.

Speaker Joseph P. Deleon Guerrero: Was that a question to the mover? Chairman Leon Guerrero, would you like to respond.

Representative Ramon A. Tebuteb: May I elaborate a little bit, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Please do so.

Representative Ramon A. Tebuteb: Basically the Mock Trial has come to the Saipan Northern Island Legislative Delegation through, I believe Delegation Communication 18-4 and the letter was from the President of Mount Carmel School, Mount Carmel garnering the championship so they are basically asking the Delegation financial assistance to help these kids realize this momentous occasion that they will be embarking on, on behalf of the Commonwealth. I know it is not necessarily involved with the resolution, but I thought I might ask if the mover of this resolution has any small information that might assist the members with.

Representative Christopher D. Leon Guerrero: There is none, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Leon Guerrero. Are there any further comments relevant to House Resolution 18-9, ready? There being no further discussion we go to the vote.

There was no further discussion and the motion to adopt House Resolution 18-9 was carried by voice vote.

Speaker Joseph P. Deleon Guerrero: Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Third on our Resolution Calendar, motion to adopt House Resolution 18-10, "To commend active U.S. Army military officer Lieutenant Colonel Harry Camacho Blanco for his recent promotion to Colonel (Full Bird) and applaud his feat in being the first son of the Commonwealth to reach the highest military ranking officer in the history of the Commonwealth of the Northern Mariana Islands." So move.

H. RES. NO. 18-10
To commend active U.S. Army military officer Lieutenant Colonel Harry Camacho Blanco for his recent promotion to Colonel (Full Bird) and applaud his feat in being the first son of the Commonwealth to reach the highest military ranking officer in the history of the Commonwealth of the Northern Mariana Islands.
REP. LORENZO I. DELEON GUERRERO of Saipan, Precinct 5 (*for himself*)
(Introduced as Committee of the Whole)

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion has been offered to adopt House Resolution 18-10, it has been seconded, discussion. There being no further discussion and for the record House Resolution 18-10 was introduced by the Committee of the Whole.

There was no discussion and the motion to adopt House Resolution 18-10 was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Motion to adopt House Resolution 18-11, "To commend and congratulate the Saipan Southern High School Manta Ray Band for their exemplary achievements and superior performance at the 9th Annual Tumon Bay International Music Festival." So move.

H. RES. NO.18-11
To commend and congratulate the Saipan Southern High School Manta Ray Band for their exemplary achievements and superior performance at the 9th Annual Tumon Bay International Music Festival.
REP. ANTONIO P. SABLAN of Saipan, Precinct 1 (*for himself*)
(Introduced as Committee of the Whole)

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: It has been moved and seconded, discussion. Clerk, just to clarify, was this resolution introduced by the Committee of the Whole. Representative Taitano.

Representative Mariano Taitano: Mr. Speaker, if I may and without objection from the author, I would like to offer House Resolution 18-11 to the Committee as a Whole. Thank you.

Several members voiced "no objection".

Speaker Joseph P. Deleon Guerrero: No objection from the author, Clerk please take note. Further discussion, Representative Tebuteb.

Representative Ramon A. Tebuteb: On page 3, line 10 you have Kun Hee Lee gold medal in Euphonium Solo. What is Euphonium Solo?

Speaker Joseph P. Deleon Guerrero: There being no musicians in the House, we would agree that the Euphonium Solo is some type of musical instrument. Further clarification, Representative Tebuteb. There being none, anybody in the gallery care to chime in on this, if not I think everybody is just as confused as you. So the motion is on the floor.

There was no further discussion and the motion to adopt House Resolution 18-11 was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Though we did present a Commemorative Resolution two weeks ago to Consul, today we are going to officially approve the House Commemorative Resolution 18-1, "To commend and to extend an appreciation to Consul Tsutomu Higuchi for his services and dedication in heading the Consular Office of Japan here in the Commonwealth of the Northern Mariana Islands and recognizing his illustrious career as a liaison for the people of Japan." So move.

C. RES. NO. 18-1
To commend and to extend an appreciation to Consul Tsutomu Higuchi for his services and dedication in heading the Consular Office of Japan here in the Commonwealth of the Northern Mariana Islands and recognizing his illustrious career as a liaison for the people of Japan.

REP. JOSEPH P. DELEON GUERRERO of Saipan, Precinct 1 (*for himself*, Representatives Antonio R. Agulto, Roman C. Benavente, Trenton B. Conner, Francisco S. Dela Cruz, Lorenzo I. Deleon Guerrero, Rafael S. Demapan, Christopher D. Leon Guerrero, John Paul P. Sablan, Ramon A. Tebuteb, Edmund S. Villagomez, and Ralph N. Yumul)
(Introduced as Committee of the Whole)

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: It has been moved and seconded and as the author of that resolution, I also want to have the record reflect if there is no objection from the members that this be introduced by the Committee of the Whole.

Several members voiced "no objection".

There was no discussion and the motion to adopt House Commemorative Resolution 18-1 was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. We are going to go ahead and skip Senate Joint Resolution 18-1 and proceed down to House Joint Resolution 18-2 and the motion is to adopt House Joint Resolution 18-2, "Respectfully requesting and urging the CNMI Veterans Affairs Office through the Office of the CNMI Governor to have the US and CNMI flags flown everyday at the CNMI US Armed Forces Veterans Cemetery located in Marpi, Saipan, Commonwealth of the Northern Marianas Islands." So move.

> **S. C. R. NO. 18-2**: Reporting on H. J. R. NO. 18-2, entitled: "Respectfully requesting and urging the CNMI Veterans Affairs Office through the Office of the CNMI Governor to have the US and CNMI flags flown everyday at the CNMI US Armed Forces Veterans Cemetery located in Marpi, Saipan, Commonwealth of the Northern Marianas Islands." *Your Committee on Federal and Foreign Affairs recommends adoption of* ***H. J. R. NO. 18-2*** *in its current form.*
> **(Introduced as Committee of the Whole)**

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: It has been moved and seconded, discussion. Just for the members clarification the flags would be flown from 8:00 a.m. to 5:00 p.m. only daytime with the understanding that our good men in blue with the Department of Public Safety (DPS) would also help to patrol the area to ensure that the flags are safe. The motion has been offered, seconded, further discussions, if not just for clarification this resolution was introduced by the Committee of the Whole.

There was no further discussion and the motion to adopt House Joint Resolution 18-2 was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: There being no other resolutions and for clarification Floor Leader, Senate Joint Resolution 18-1 it was referred to the Committee on Ways and Means. So now we go on to item XVI, Bill Calendar. For the proper motion I will turn it over to the Floor Leader.

BILL CALENDAR

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Motion to pass House Bill 18-9, "To amend 4 CMC § 1939(a) of the Developer Infrastructure Tax Act; and for other purposes." So move.

> **S. C. R. NO. 18-3**: Reporting on H. B. NO. 18-9, entitled: "To amend 4 CMC § 1939(a) of the Developer Infrastructure Tax Act; and for other purposes." *Your Committee on Ways and Means recommends that the House pass* ***H. B. NO. 18-9*** *in its current form.*

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion has been offered for the adoption of House Bill 18-9 relevant to the Developers Infrastructure Tax. Motion has been offered and seconded, discussion. There being no discussion, Clerk please call the roll.

The Clerk called the roll on the motion for the passage of House Bill 18-9 on First and Final Reading with the following results:

Representative Antonio R. Agulto	yes
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	yes
Representative George N. Camacho	yes
Representative Trenton B. Conner	yes
Representative Francisco S. Dela Cruz	yes
Representative Rafael S. Demapan	yes
Representative Lorenzo I. Deleon Guerrero	absent *(excused)*
Representative Christopher D. Leon Guerrero	yes
Representative Janet Ulloa Maratita	yes
Representative Felicidad Taman Ogumoro	yes
Representative Antonio P. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Teresita A. Santos	absent *(excused)*
Representative Richard B. Seman	yes
Representative Mariano Taitano	yes
Representative Ramon A. Tebuteb	yes
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	yes
Speaker Joseph P. Deleon Guerrero	yes

Clerk: Mr. Speaker, all 18 members present voted "yes."

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk. With a vote of 18 to 0, House Bill 18-9 is hereby adopted. Floor Leader on House Bill 18-1, HS1.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. For the passage of House Bill 18-1, HS1 "To ratify the adoption of the 2009 editions of the International Building Code, International Fire Code, related construction codes, as amended, and to provide for a committee to develop a new CNMI building code council." So move.

> **S. C. R. NO. 18-4**: Reporting on H. B. NO. 18-1, entitled: "To ratify the adoption of the 2009 editions of the International Building Code, International Fire Code, related construction codes, as amended, and to provide for a committee to develop a new CNMI building code council." *Your Committee on Natural Resources recommends that the House pass the bill in the form of* ***H. B. NO. 18-1, HS1****.*
>
> *The motion was seconded.*

Speaker Joseph P. Deleon Guerrero: Motion has been offered and seconded for the adoption of House Bill 18-1, HS1. Discussion, Representative Trenton Conner.

Representative Trenton B. Conner: Thank you, Mr. Speaker. I just wanted to find out from the author on page 9, line 16 pertaining to the "CNMI-BCC, shall be comprised of members from both the Government and the community, including member representatives from associations of professional architects, engineers, realtors and contractors." I am just wondering if there will be any members from the First and Second Senatorial District and whether these members will be

compensated for their travel cost and meals when they come over. How is this going to come into play if they are going to be a part of such a committee? Thank you.

Speaker Joseph P. Deleon Guerrero: Representative Tebuteb, would you like to respond?

Representative Ramon A. Tebuteb: I can respond in one word, but probably make it a little bit easier. It is a Commonwealth issue and so it will be comprised of individuals from the Commonwealth, not necessarily by Senatorial Districts. On the compensation it will follow the established law on commission, but not necessarily the Councils.

Representative Trenton B. Conner: Is that part of this bill, I did not see it. Is that included, to show that they will be compensated under 1CMC?

Representative Ramon A. Tebuteb: No it is a Commonwealth – you are talking about the compensation of the members?

Representative Trenton B. Conner: Just for travel cost and for transportation.

Representative Ramon A. Tebuteb: That will be reflected because that is already established if it is a Council establish that they require to get compensation or not.

Representative Trenton B. Conner: Alright, thank you.

Speaker Joseph P. Deleon Guerrero: Further comments, I recognize Representative Roman Benavente.

Representative Roman C. Benavente: I am a bit concern on this because really – I mean the whole intent is good; everything seems to be in place. Although the formulation of the governing board or the governing body, we are going to have to realize additional cost for through this extent. How much, I do not know and I know economically we are bleeding right now. So just for the sake of caution, I would just like to air this concern Mr. Speaker. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Benavente. Representative Tebuteb, do you wish to respond?

Representative Ramon A. Tebuteb: I am not sure if the good Representative is asking for a response more so than just stating his concern, but if I may if there is an additional cost it is already adopted in the Committee Report on page 3 of the committee Report. The enactment of this bill will not result in any additional cost to the CNMI government.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Tebuteb. Further comments?

Several members voiced "ready".

Speaker Joseph P. Deleon Guerrero: Clerk, please call the roll.

The Clerk called the roll on the motion for the passage of House Bill 18-1, HS1 on First and Final Reading with the following results:

Representative Antonio R. Agulto	yes
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	yes
Representative George N. Camacho	yes
Representative Trenton B. Conner	yes
Representative Francisco S. Dela Cruz	yes
Representative Rafael S. Demapan	yes
Representative Lorenzo I. Deleon Guerrero	absent *(excused)*
Representative Christopher D. Leon Guerrero	yes
Representative Janet Ulloa Maratita	yes
Representative Felicidad Taman Ogumoro	yes
Representative Antonio P. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Teresita A. Santos	absent *(excused)*
Representative Richard B. Seman	yes
Representative Mariano Taitano	yes
Representative Ramon A. Tebuteb	yes
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	yes
Speaker Joseph P. Deleon Guerrero	yes

Clerk: Mr. Speaker, all 18 members present voted "yes."

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk. With a vote of 18 "yes," House Bill 18-1, HS1 is hereby adopted. Floor Leader, for the last initiative.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Before I make the proper motion, let me just remind the members that since this is a House Legislative Initiative, I believe it requires three-fourth for the passage. So having said that let me go ahead and make the proper motion. The motion is for the passage of House Legislative Initiative 18-1, HD1 "To amend Article XII, Sections 1, and 4 of the Northern Mariana Islands Constitution; and for other purposes." So move.

S. C. R. NO. 18-5: Reporting on H. L. I. NO. 18-1, entitled: "To amend Article XII, Sections 1, and 4 of the Northern Mariana Islands Constitution; and for other purposes." *Your Committee on Natural Resources recommends that the House pass the bill in the form of* ***H. L. I. NO. 18-1, HD1****.*

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: It has been moved and seconded. Before I go to discussion, Legal Counsel you might want to check if it is three-fourths of those present and voting is that correct? And with 18 members here, what would that number be? So we need 14 votes in the affirmative to pass House Legislative Initiative 18-1. It is the Article XII, blood quantum initiative, discussion. Recognized, Representative Trenton Conner.

Representative Trenton B. Conner: Thank you, Mr. Speaker. I am just wondering under the Committee Report it says the amendment for "Section 1: Alienation of Land" it is underlined on

the last sentence here it says, "This restriction shall be subject to amendment only by virtue of an amendment to the Constitution by an initiative voted upon by persons of Northern Marianas Descent only." How is that process going to be taken to identify Northern Marianas Descents only?

Speaker Joseph P. Deleon Guerrero: To respond, I recognize Representative Antonio Sablan.

Representative Antonio P. Sablan: I believe Mr. Speaker, the question can be answered on page 4 where it provides for the Superior Court may grant or deny claims. For those claiming of having or possessing some degree of Northern Marianas Chamorro or Northern Marians Carolinian blood, so it would be up to the Superior Court to make a determination. I believe that is on page 4, line 1 to line 12. I hope that answers Representative Conner's question.

Representative Trenton B. Conner: Yes, colleague Sablan. I understand that the courts will be deciding the degree of blood quantum, but in the absence of not having such documentation from the courts then that invalidates the individual from voting then?

Speaker Joseph P. Deleon Guerrero: Representative Sablan, please continue.

Representative Antonio P. Sablan: Yes, I believe Mr. Speaker this issue of who to vote on an issue that involves only (Northern Marianas Descent) NMD issue has been placed before the court. And I think the court has made a determination that the language and the intent of the pertinent Articles of the Constitution such as land alienation is intended to be decided in the future by those of NMD who were the subjects of the protection of those provisions of the Constitution in the first place. I know that the programs have been initiated in regards to registration of NMD's through the Board of Election previously through Public Lands. So, I believe when this particular initiative is placed before the Board of Election that what is already in the statute and what has been decided by the courts would mandate and guide the Board of Elections on how this initiative is placed for voting and who is authorized to vote. Legal Counsel can make any addition to that. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan. For the last time Representative Conner.

Representative Trenton B. Conner: Thank you, Mr. Speaker. That is why I am asking because if a voter is to go and vote pertaining to this initiative, but yet they failed to register with the Department of Public Lands then do they still have a valid right to vote or are they going to be denied that right or that ability to vote on this particular initiative? That is what I am trying to get at is how will that be determined for that particular individual if they have the ability or right to vote on it or not pertaining to the claim of being of Northern Marianas Decent, thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Conner. I believe Representative Agulto who was a former member of the Commonwealth Election Commission can weigh in on this matter.

Representative Antonio R. Agulto: So long as the person is registered under the Board of Election then I do not see a problem, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Agulto. Vice-Speaker.

Vice-Speaker Francisco S. Dela Cruz: Thank you, Mr. Speaker. In line with Representative Agulto's statement that if one is a registered voter with the CNMI's Elections Commission that they may be able to vote. The question that I bring is whether this is even Constitutional and does it meet the question as to Constitutionality? People that have registered with the Election Commission could either be non-NMD or NMD. And it is good that the Legal Counsel is bringing up this particular section and at the same time maybe pose the question to the Legal Counsel so that we have clarity before we even attempt. I am for the initiative, I favor the initiative, Representative Conner has brought up a very good question and that is who are eligible to vote on this particular issue? I have introduced an initiative just as well this morning and that would be the same question posed on the other initiative. So Mr. Speaker if we may ask maybe the Legal Counsel as he brings up the Constitutional provision. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: The Legal Counsel is showing on the projector the relevant Section 5 of Article XVIII, it is a Constitutional Amendment which clearly states who can vote on matters pertaining to Article XII. In this case it shows that the word "voters" "shall be limited to eligible voters under Article VII who are also persons of Northern Marianas decent." I think it is very clear and self explanatory. I think the clarification that Representative Trenton Conner raised was whether only those voters who have registered in the NMD registry can vote. Legal Counsel the question is what if you are an NMD, but you did not register or list your name down in the NMD registry, could that complicate things?

Legal Counsel Joseph Taijeron: Very much so. I agree with the analysis so far that who the voters are those who are NMD, but the question is if you are not registered does that have any affect on your ability to vote? The answer to that question is I do not know I am going to have to do further research. I do not think there is a process in the law that basically provides the Election Commissions to actually bar you if you are not registered. There is a process to be registered and it had its peak time and now I think there is a slowing down period. And if you did not register, I am not sure if they are going to allow for further registration or if it is continuous and to answer your question and if you just refuse to register, will they prohibit you from voting? I do not know.

Speaker Joseph P. Deleon Guerrero: Before I recognize Representative Ogumoro, you may continue.

Vice-Speaker Francisco S. Dela Cruz: And just to add on you brought up a very good point in that although we consider ourselves as NMD. Not registered in the NMD registry with the Election Commission does that preclude us from voting? I, myself have not registered to be honest into this NMD registry because I feel that I am an NMD just like I believe all of us that are here, but then the question is am I precluded from voting on this Article XII because I have not registered under the NMD registry?

Speaker Joseph P. Deleon Guerrero: Thank you and before I recognize Representative Ogumoro, I think the Counsel said that he cannot answer that with any certainty. I think the issue in the event that this initiative passes both Houses and it is turned over to the Election Commission, I think the Election Commission would do its part to educate the public and I think it would involve also informing the voters to also sign up to this registry because this registry was created

to do just that. In order to be in the registry you do have to provide some form of proof that you are NMD. So I think to answer this question the Election Commission would have to clarify this further with the voters and I am sure that some public information would be done. I recognize Representative Ogumoro then Representative Roman Benavente.

Representative Felicidad T. Ogumoro: Thank you, Mr. Speaker. First of all Mr. Speaker, I would like to thank Chairman Anthony Benavente and his committee members for recommending passage to the full House of House Legislative Initiative 18-1. Just to add on to what has already been said, we all know that under our CNMI Constitution ownership of land is restricted to persons of Northern Marianas Decent and under the current language you have to be at least one-fourth Northern Marianas Chamorro blood or Northern Marianas Carolinian blood or a combination thereof to be considered a person of Northern Marianas Decent. What this amendment is trying to do is to lower that requirement of at least one-quarter blood quantum portion to at least some degree of Northern Marianas Chamorro or Northern Marianas Carolinian or a combination thereof. So what those individuals would do, those that are having problem especially would have to do would be to present the documents that would attest to them having some degree of Northern Marianas Chamorro or Carolinian blood or combination thereof to be able to qualify for that to be considered a person of Northern Marianas Decent. Mr. Speaker, as of September 2012 we have seen approximately 5,000 persons of Northern Marianas Decent having registered in the registry and they have been issued their NMD card. So I am sure that if they go up for voting if this initiative should go and be ready to be voted on they would have to show that part to the Board of Elections individuals. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Ogumoro. Representative Roman Benavente.

Representative Roman C. Benavente: Thank you for the opportunity Mr. Speaker. I would just like to echo also the Vice-Speakers concern some degree of Northern Marianas Decent. I feel that it could be very broad, it could be very restrictive. I think the best and maybe it is not time to insert it, but I think establishing to determine the blood quantum, I think percentile should be factor inside the bill. Some kind of percentile has to be factored in the bill whether it is 2%, 1%, or 5%, but something has to be solid inside the bill. That is all Mr. Speaker, thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Benavente. I think the author would like to respond and then I recognize the Floor Leader after that.

Representative Felicidad T. Ogumoro: Just to provide further clarification for Representative Benavente. The language of the amendment if we refer to page 4 of the initiative, it is saying that whoever wants to go to the court or he is trying to prove that he is a person of Northern Marianas Decent has to provide evidence to support that he or she possess some degree that is what is on the bill right now. So it will be incumbent on that applicant to bring forth the documents that would trace and would help those that are trying to make that determination, determine that you indeed are a person of Northern Marianas Decent. It may be a birth certificate, I think for me the best evidence or document right now would be your birth certificate, but there may be others that the court would have to require you to present. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Ogumoro. Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. A little bit more on Representative Benavente on the degree of the blood in regards to Chamorro and Carolinian. First is the NMD certification and second is the measurement of blood. I just wanted to ask the author, some of know that some Chamorros are in Guam and they came from here and they are not considered NMD. Also in addition to that a couple years ago Mr. Del Rosario came out in the article that a group of Chamorro in Australia or somewhere there, I would just wanted to ask the author how would that come in place when we approve such initiative. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. I recognize Representative Ogumoro.

Representative Felicidad T. Ogumoro: Thank you, Mr. Speaker. Section 4 of Article XII is very clear in terms of the definition of persons of Northern Marianas Decent. Who is a person of Northern Marianas Decent? And it reads, "For purposes of determining Northern Marianas decent, a person shall be considered to be a full-blooded Northern Marianas Chamorro or Northern Marianas Carolinian if that person was born or domiciled in the Northern Mariana Islands by 1950 and was a citizen of the Trust Territory of the Pacific Islands before the termination of the Trusteeship with respect to the Commonwealth." So I think that is another criteria that is a part of that Section 4 that further shed light on that definition.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Ogumoro. The Legal Counsel has relevant to Representative Conner's concerns as well as the Vice-Speaker regarding the registry and who would be qualified to vote. I think our Legal Counsel has found the relevant statute that provides the prescription for who can vote and it is shown up in the projector.

Legal Counsel Joseph Taijeron: Mr. Speaker, it appears that according to Public Law 17-40, the Commonwealth Election Commission shall use only the Northern Marianas Decent Registry as the official registry of persons of NMI decent in any and all elections that require only persons of Northern Marianas Decent to vote in such elections. This law is clear, if you are not registered then you are not going to vote. The implications for that may be cause for litigation because as Representative Ogumoro – and this is a bill that she authored – and she just stated, the requirement to own land or to benefit from Article XII is just that you are an NMD. This law would actually impose one more requirement. You have to be a registered NMD and that may pose some problems. It is a very practical way of doing it, you would have to register, but one would argue "what if I do not want to register, does that make me any less an NMD?" and then you would have a probable litigation situation.

Speaker Joseph P. Deleon Guerrero: Thank you, Legal Counsel. Despite that it has been answered, it is clear that by law there is prescription for who can vote and it is as simple as that. Any further questions relevant to this? Representative Benavente then Representative Leon Guerrero and then Representative Trenton Conner.

Representative Roman C. Benavente: Thank you, Mr. Speaker. Section 4 of the Article, it stipulates the person of Northern Marianas Decent. "A person of Northern Marianas Decent is a person who is a citizen or national of the United States and who has at least some degree of Northern Marianas Chamorro or Northern Marianas Carolinian blood on combination thereof or an adopted child of a person of Northern Marianas decent if adopted while under the age of

eighteen years. For purpose of determining Northern Marianas decent, a person shall be considered to be a full-blooded Northern Marianas Chamorro or Northern Marianas Carolinian if that person was born or domiciled in the Northern Mariana Islands by 1950 and was a citizen of the Trust Territory of the Pacific Islands before the termination of the Trusteeship with respect to the Commonwealth. I think if we are – I am sorry Mr. Speaker, but I am very much into this Northern Marianas Decent. When we talk about Northern Marianas Decent it is so sacred, really. It is sacred for our culture, it is sacred for our language and I feel that we should go beyond 1950, we should even go to the Japanese era to determine the affectivity of this Northern Marianas Decent if we are going to amend the Constitution. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Benavente. Before I go to Representative Leon Guerrero, if there is no objection can I just clarify something.

Several members voiced "no objection".

Speaker Joseph P. Deleon Guerrero: I think there may be a misunderstanding of the term NMD as being just tied to bloodline or ethnicity. That section of our Constitution that shows people residing here prior to 1950 whether you are Japanese, Micronesian or what are considered full-blooded NMD's that clearly shows that it is a political definition, not necessarily a ethnic or racial definition. Anybody who was here prior to 1950 is considered a full-blooded NMD and their children if married to a non-NMD will be then considered a 50%. This issue has been raised for many years, concerns by parents whose children are now married to non-NMDs and their concerned that they may not be able to pass on the land inheritance to their offspring and that is the reason why Representative Ogumoro has introduced this initiative. I am not sure if it was the committee that amended it, it used to be a percentage, but now all one has to do is trace their lineage back to an NMD to show that they have some degree of NMD to qualify, I think is a good policy, because it is very difficult to quantify percentage of blood line. I think if the intent of this is to allow the offspring or the descendants of an NMD to qualify to own land then this is the perfect way to do it. I think that the initiative not only requires that a person have to present some evidence that they are NMDs, but there is also an evidentiary standard of preponderance of evidence that the court is required to base themselves on to make this determination. So I think all the requirements are there in this initiative. My only question is on line 6 to 8 it says that "the Superior Court may grant or deny such claim, and the decision of the Superior Court on such claim shall be subject to a "*de novo*" judicial review." Legal Counsel, can you enlighten us as to what that means?

Legal Counsel Joseph Taijeron: There are various standards for review and *de novo* basically means in its totality from the beginning. So they do not have to be obligated to prior finding by a lower court, they can start from scratch at the Supreme Court. So when they start at the appellate court they do not have to take any judicial notice or they do not have to honor any prior decisions that were made by the lower courts, they can start from scratch, they can look at everything.

Speaker Joseph P. Deleon Guerrero: Thank you, Legal Counsel. So in one hand it does reduce it to some degree and on another hand the claimant must show some preponderance of evidence in order to be granted this claim. Further discussion, Representative Tebuteb.

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker. Because of your statement this is in line with the committee work, the only change transpired is on Section 1 and that is why it is HD1 and we did not change the sum. We maintained what the author has suggested. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, so noted. I guess it was different from the prior initiative during the 17th Legislature. Further comments, Representative Leon Guerrero.

Representative Christopher D. Leon Guerrero: Thank you, Mr. Speaker. For clarification to the Legal Counsel that he mentioned something about the person who elect not to register and the question arises there where are they entitled as some degree of blood, NMI decent, can they still own land?

Legal Counsel Joseph Taijeron: Presently there is no requirement to register to own land. You just have to be a person of Northern Marianas Decent, registered or not, but with the creation of this registry it was to facilitate the granting of homesteads to the proper people being those who are of NMI decent. Now that we created this tool to help facilitate the granting of homesteads, now they said "and by the way for purposes of election let us just use this tool while we are at it."

Representative Christopher D. Leon Guerrero: For purposes of elections. Now, the reason why I am going to ask this question because for future legal challenges and these questions arise in my mind and I want to clear my conscious in it. Let us say it is clear cut that they can provide an evidence determining they have some degree of NMD and in fact that person has that blood degree, but was born out of the US territory, how would you give that explanation in a legal challenge for example. Thank you.

Legal Counsel Joseph Taijeron: Public Law 17-40 was drafted well, it provides for a very clear process where someone can actually appeal the decision and go to a higher court. I believe that if they provide the court with the evidence that they were actually persons of NMI decent that the mechanism sufficient to be fair and reasonable.

Representative Christopher D. Leon Guerrero: So in your opinion, if they challenge they can say "I am an NMD degree; I am entitled to own a land."

Legal Counsel Joseph Taijeron: And in that case if they prove to the satisfaction of the court then even if the lower court disagrees then they can register and they can own land.

Representative Christopher D. Leon Guerrero: So these voter language here has nothing to do with that, that is only for election purposes, correct?

Legal Counsel Joseph Taijeron: At the point when they are voting in an election, they already have a card. If they do not have a card then they either chose not to register or they chose to register and they were denied after due process their card. If they were denied after due process and there is nothing they can do about it then there is not enough evidence, but if they choose to register there should not be a problem at this stage.

Representative Christopher D. Leon Guerrero: Thank you, Legal Counsel.

Speaker Joseph P. Deleon Guerrero: Representative Conner.

Representative Trenton B. Conner: Thank you, Mr. Speaker. This is just a legal question to the Legal Counsel. Pertaining to page 3, line 21 (a), which is underlined it say, "Any person who has less than one quarter Northern Marianas Chamorro or Northern Marianas Carolinian blood or a combination thereof, claiming to be a person of Northern Marianas decent shall provide evidence to support that he/she possess some degree of Northern Marianas Chamorro or Northern Marianas Carolinian blood or a combination thereof to the Superior Court." My question is in Section 4, line 13 it says, "blood or a combination thereof or an adopted child" so how does the adopted child come into play when this language is pertaining to blood.

Legal Counsel Joseph Taijeron: That was the Speaker's point about it being a political distinction. You can have some who is completely devoid of any Northern Marianas decent blood be adopted and thereby become 100% NMI for purposes of the law. It is not an ethnic, racial term as the law defines it strictly. As long as they are under the age of eighteen and once they become an adoptive child they take even theoretically more than what their parent adopting them has. It is entirely possible with someone with 25% to adopt the child and that child becomes 100%.

Representative Trenton B. Conner: So let us say the adoptive child has a child. Now that child has to prove, although they do not have the blood, but the parent was adopted are they still entitled to own property.

Legal Counsel Joseph Taijeron: When that child takes from the adoptive parent assuming that the other parent zeroed they would be 50%.

Representative Trenton B. Conner: Thank you.

Legal Counsel Joseph Taijeron: You are welcome.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Conner. Further discussion, Legal Counsel.

Legal Counsel Joseph Taijeron: The Clerk has been asking me and I just wanted to point out to the members that Section 1 is not being addressed by this initiative, only Section 4, it has been struck out as the drafts indicate. So only Section 4 is being impacted by this legislation and not Section 1.

Speaker Joseph P. Deleon Guerrero: So clarified.

Legal Counsel Joseph Taijeron: Thank you.

Speaker Joseph P. Deleon Guerrero: Again just to clarify, three-fourths of the members present and voting have to vote in the affirmative for this initiative to pass, we need fourteen votes. Clerk, please call the roll.

The Clerk called the roll on the motion for the passage of House Legislative Initiative 18-1, HD1 on First and Final Reading with the following results:

Representative Antonio R. Agulto	yes
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	yes
Representative George N. Camacho	yes
Representative Trenton B. Conner	yes
Representative Francisco S. Dela Cruz	yes
Representative Rafael S. Demapan	yes
Representative Lorenzo I. Deleon Guerrero	absent *(excused)*
Representative Christopher D. Leon Guerrero	yes
Representative Janet Ulloa Maratita	yes
Representative Felicidad Taman Ogumoro	yes
Representative Antonio P. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Teresita A. Santos	absent *(excused)*
Representative Richard B. Seman	yes
Representative Mariano Taitano	yes
Representative Ramon A. Tebuteb	yes
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	yes
Speaker Joseph P. Deleon Guerrero	yes

Clerk: Mr. Speaker, all 18 members present voted "yes."

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk. With a vote of 18 "yes," House Legislative Initiative 18-1, HD1 hereby passes the House. There being no further bills on the Bill Calendar, we move on to item XVII, Miscellaneous Business and I recognize Representative Antonio Sablan.

MISCELLANEOUS BUSINESS

Representative Antonio P. Sablan: Since we are on Miscellaneous Business, Mr. Speaker I would like to recognize the presence of our former colleague from Precinct 3, former Congressman Torres.

Speaker Joseph P. Deleon Guerrero: Thank you and good afternoon colleague. For Representative Taitano's information our good former colleague from Precinct 3 has always used *awer* when voting on bills. Any further under item XVII? We will move down to item XVIII, Announcements. Recognized Representative Taitano.

ANNOUNCEMENTS

Representative Mariano Taitano: Thank you, Mr. Speaker. We all have families and friends who have submitted their applications to refund their contributions from the Northern Marianas Islands Retirement Funds. There are approximately 1,800 of these individuals and I guess the applications for refunds are in abeyance again. On Monday, April 1st I would like to encourage every one of us to appear before the federal court at 10:00 a.m. to give support to these individuals. The court has asked the Governor to appear also and I hope that our presence in the court on Monday April 1st would play some pressure if possible. On Judge Frances Tydingco-

Gatewood would possibly recognize that we are present because the last hearing that our colleague Janet Maratita was there all day long during the session of the court hearing and I was present in the morning as well and Judge Tydingco-Gatewood mentioned that there was lack of concern from the Legislature. So as a result, I would like to encourage everyone of you to please show up and give support to these people who have waited for so long for their refund of their contributions. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you for that announcement Representative Taitano. Are there any further announcements? Representative Camacho.

Representative George N. Camacho: Thank you, Mr. Speaker. Just an announcement, April is a Sexual Assault Awareness Month and there is a lot of activities planned for the month of April and starting next week the proclamation signing, the village walks and this year we are doing As Matuis, Kagman, and Kobler a lot of other activities the jamboree. I will be forwarding the calendar to your offices and I would like to encourage everybody to come out and help spread the word on awareness on this matter. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Camacho. I recognize the Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Just to put more clarity on the concern from the court about lack of concern. Let the record reflect that this Legislature even for that matter the 17th Legislature passed one in regards to the concern in court right now. The 18th Legislature did pass one on the concerns raised by the court and this is in regards to the withdrawal so I just thought I put that out that we are concern.

Speaker Joseph P. Deleon Guerrero: You still have the floor, Floor Leader for the motion to adjourn subject to the call.

ADJOURNMENT

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. With that I move to adjourn subject to the Call of the Chair.

The motion was seconded and carried by voice vote. There was no nay vote.

The House adjourned at 3:03 p.m.

Respectfully submitted,

/s/
Venetia A. Sanchez
House Journal Clerk

APPEARANCE OF LOCAL BILLS

FIRST LEGISLATIVE DAY: 1st Legislative appearance of a local bill is on the day it is introduced.

SECOND LEGISLATIVE DAY:

H. L. B. NO. 18-10
To amend the Saipan Zoning Law by repealing Saipan Local Laws 16-6, 17-2, 17-10, and 17-12 and enacting the Saipan Zoning Law of 2013; and for other purposes. Introduced by REP. RICHARD B. SEMAN of Saipan, Precinct 1, (*for himself*) on March 8, 2013.

H. L. B. NO. 18-11
To establish a Tinian medical assistance review board for screening and verification of medically assisted patients; and for other purposes. Introduced by REP. TRENTON B. CONNER of Saipan, Precinct 6 (*for himself*) on March 8, 2013.

THIRD LEGISLATIVE DAY:

H. L. B. NO. 18-9
To amend and to re-appropriate the fund balances from Business Units 3748 (Saipan Local Law 15-11) and 3752F (Saipan Local Law 17-16) for various development projects in Precinct V; and for other purposes. Introduced by REP. ANTONIO R. AGULTO of Saipan, Precinct 5 (*for himself*, Representatives Lorenzo I. Deleon Guerrero, and John Paul P. Sablan) on February 26, 2013.

Appearance of Measures introduced on the House Floor during the House Session on 3/8/13:

H. B. NO. 18-25
To add a new Chapter 9 to Division 3 of Title 2 of the Commonwealth Code to authorize the Division of Fish and Wildlife to develop a system for the assessment of fees on non-residents visiting Marine Protected Areas in order to better invest in the Marine Resources of the Commonwealth; and for other purposes. Introduced by REP. RICHARD B. SEMAN of Saipan, Precinct 1, (*for himself*) on March 8, 2013 was referred to the Committee on Natural Resources.

H. B. NO. 18-26
To prohibit the solicitation of donations along and in public ways and intersections, and for other purposes. Introduced by REP. GEORGE N. CAMACHO of Saipan, Precinct 4 (*for himself*) on March 8, 2013, was referred to the Committee on Judiciary and Governmental Operations.

H. B. NO. 18-27
To reorganize the Office of Homeland Security and the Office of Emergency Management and unify and create the CNMI Homeland Security and Emergency Management. Introduced by REP. RAFAEL S. DEMAPAN of Saipan, Precinct 2 (*for himself*) on March 8, 2013, placed on the Calendar for action.

H. B. NO. 18-28
To provide an amnesty period to expire on January 1, 2017 for the filing of delinquent returns under Title 4, Chapters 2, 3, 4, 5 and 7, Division 1 of the Revenue and Taxation Act of 1982, as amended, and the payment of delinquent taxes without imposition of penalty and interest, with certain exceptions and for the waiver of penalty for failure to obtain a business license; and for other purposes. Introduced by REP. ANTONIO P. SABLAN of Saipan, Precinct 1 (*for himself*, Representative Anthony T. Benavente, Rafael S. Demapan, and Francisco S. Dela Cruz) on March 8, 2013, was referred to the Committee on Ways and Means.

H. B. NO. 18-29
To amend the Weapons Control Act to promote and allow Outdoor Shooting Ranges, Skeet shooting developments offering competitive rifle competition and skeet shooting and to amend the Customs Violations provisions to accommodate Outdoor Shooting Ranges and revision to correct technical errors. Introduced by REP. CHRISTOPHER D. LEON GUERRERO of Saipan, Precinct 4 (*for himself*, Representatives Antonio R. Agulto, Roman C. Benavente, Lorenzo I. Deleon Guerrero, Rafael S. Demapan, and Ramon A. Tebuteb) on March 8, 2013, was referred to the Committee on Judiciary and Governmental Operations.

H. B. NO. 18-30
To amend 3 CMC §4525, work force participation by citizens, CNMI permanent residents, and U.S. permanent residents; and for other purposes. Introduced by REP. TERESITA A. SANTOS of Rota, Precinct 7 (*for herself*, Representatives George N. Camacho, and Trenton B. Conner) on March 8, 2013.

H. B. NO. 18-31
To amend Title 4, Article 3, Pawnbroker Licenses, Fees, and Related Matters; and for other purposes. Introduced by REP. TERESITA A. SANTOS of Rota, Precinct 7 (*for herself*) on March 8, 2013.

H. B. NO. 18-32
To amend 3 CMC, Division 1, Chapter 1, Article 4 to include a new §1144 to create the Faloma and Maleina Parent Notification Act of 2013; and for other purposes. Introduced by REP. TERESITA A. SANTOS of Rota, Precinct 7 (*for herself*) on March 8, 2013.

H. B. NO. 18-33
To re-establish the Commonwealth Board of Nurse Examiners as an autonomous public agency; and for other purposes. Introduced by REP. TRENTON B. CONNER of Tinian, Precinct 6 (*for himself*) on March 8, 2013.

H. L. B. NO. 18-10
To amend the Saipan Zoning Law by repealing Saipan Local Laws 16-6, 17-2, 17-10, and 17-12 and enacting the Saipan Zoning Law of 2013; and for other purposes. Introduced by REP. RICHARD B. SEMAN of Saipan, Precinct 1, (*for himself*) on March 8, 2013.

H. L. B. NO. 18-11
To establish a Tinian medical assistance review board for screening and verification of medically assisted patients; and for other purposes. Introduced by REP. TRENTON B. CONNER of Saipan, Precinct 6 (*for himself*) on March 8, 2013.

House information on deadlines for override: None