



HOUSE OF REPRESENTATIVES

EIGHTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SPECIAL SESSION, 2013

LEGISLATIVE JOURNAL

1st Day, 4th Special Session

Wednesday, June 5, 2013

The House of Representatives of the Eighteenth Northern Marianas Commonwealth Legislature convened its First Day, Fourth Special Session on Wednesday, June 5, 2013, at 9:53 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 all twenty members were present.

PUBLIC COMMENTS

Speaker Joseph P. Deleon Guerrero: If anyone out there wishes to offer or make some public comments, you may step up to the podium and please state your full name and if you have any written comments at the end of your comment period you may submit them to the Sergeant-at-Arms so that it can be given to the appropriate committee. We ask if you can keep your comments to five minutes to allow other members to be able to also make comments and if we have the time and you need more time we can come back a second round. So with that the floor is open for any public comment.

The following individuals made comments:

Mr. Don Clark, ASC Trust Corporation Vice President

Mr. Daniel Quitugua

Mr. Pedro Deleon Guerrero

Mr. Antonio Cepeda

Ms. Maisie Tenorio, Northern Marianas Coalition Against Domestic and Sexual Violence Executive Director

Ms. Debra Inos, Karidat Social Services

Mr. James Deleon Guerrero, Department of Public Safety Commissioner

Speaker Joseph P. Deleon Guerrero: There being no further Public Comments, let us now move forward in our Order of Business and move on to item III and I recognize the Floor Leader.

ADOPTION OF JOURNALS

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker and good morning. Under item III, we do have one journal for adoption and that is the 6th Day, First Regular Session Journal, March 27, 2013, so move.

6th Day, First Regular Session Journal, March 27, 2013

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion has been offered by the Floor Leader for the adoption of our 6th Day, First Regular Session Journal, discussion?

Several members voiced “ready”.

There was no discussion and the motion to adopt the 6th Day, First Regular Session Journal, March 27, 2013 was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: We no move on to item IV, Introduction of Bills. Before I recognize the first representative, I would like to turn it over to our Floor Leader to offer a motion to amend our agenda and just as a note, if bills are not prefiled 24 hours in advance a motion can be offered to suspend pertinent sections of our rules allow them to be introduced, however the House cannot act upon it on today’s session. Floor Leader.

Floor Leader Rafael S. Demapan: A motion to suspend Rule IX, Section 4 (d) to allow the House to amend the agenda by adding items on the agenda, so move.

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: Motion has been offered and seconded, discussion.

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	absent (<i>during voting</i>)
Representative Lorenzo I. Deleon Guerrero	yes
Representative Rafael S. Demapan	yes
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	yes
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, 18 members present voted “yes.”

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk. With a vote of 18 “yes,” the motion offered by the Floor Leader is hereby adopted. I now recognize Representative Santos for the first bill to introduce.

INTRODUCTION OF BILLS

House Bills:

Representative Teresita A. Santos: Thank you, Mr. Speaker. I would like to introduce House Bill 18-78, “To amend 1 CMC, Division 8, §8245(c), the annual compensation for resident department heads; and for other purposes.” Thank you, Mr. Speaker.

H. B. NO. 18-78

To amend 1 CMC, Division 8, §8245(c), the annual compensation for resident department heads; and for other purposes.

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

(Referred to the Committee on Ways and Means)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Santos. I will be referring House Bill 18-78 to the Committee on Ways and Means. I recognize the Chairman of Ways and Means.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. Just to clarification on the vote count for the previous prior to the introduction. Did I hear 18 “yes”?

Clerk: 19 “yes,” I am sorry Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: So clarified. Representative Sablan take note that House Bill 18-78 will be referred to the Committee on Ways and Means. For the next bill, I would like to recognize our Floor Leader.

Floor Leader Rafael S. Demapan: *Si Yu'us ma'ase*, Mr. Speaker. This is to officially introduce House Bill 18-79, "To enact a Lemon Law which provides protection to consumers from defects in second-hand or previously owed motor vehicles; and for other purposes." Introduced by myself, Representative Taitano and Representative Tebuteb. Thank you.

H. B. NO. 18-79

To enact a Lemon Law which provides protection to consumers from defects in second-hand or previously owed motor vehicles; and for other purposes.

REP. RAFAEL S. DEMAPAN of Saipan, Precinct 2 (*for himself*, Representatives Mariano Taitano, and Ramon A. Tebuteb)
(Referred to the Committee on Judiciary and Governmental Operations)

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. House Bill 18-79 will be referred to the Committee on Judiciary and Governmental Operations (JGO). I now recognize Representative Villagomez.

Representative Edmund S. Villagomez: Good Morning and Thank you, Mr. Speaker. Officially introducing House Bill 18-80, "To amend 9 CMC section 8205 subsections (c) and (d) and 9 CMC section 8211 pertaining to motor vehicle insurance coverage; and for other purposes." Thank you.

H. B. NO. 18-80

To amend 9 CMC section 8205 subsections (c) and (d) and 9 CMC section 8211 pertaining to motor vehicle insurance coverage; and for other purposes.

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 18-80 would also be referred to the Committee on JGO. I now recognize the Chairman of JGO, Representative Leon Guerrero.

Representative Christopher D. Leon Guerrero: Thank you, Mr. Speaker. Officially introducing House Bill 18-81, "To amend 6 CMC § 3113 to improve the enforcement of the prohibitions on loitering and change the penalty to an infraction." Authored by myself and coauthored by thirteen others. Thank you.

H. B. NO. 18-81

To amend 6 CMC § 3113 to improve the enforcement of the prohibitions on loitering and change the penalty to an infraction.

REP. CHRISTOPHER D. LEON GUERRERO of Saipan, Precinct 4 (*for himself*, Representatives Antonio R. Agulto, Anthony T. Benavente, Roman C. Benavente, Trenton B. Conner, Francisco S. Dela Cruz, Rafael S. Demapan, Lorenzo I. Deleon Guerrero, Antonio P. Sablan, John Paul P. Sablan, Mariano Taitano, Ramon A. Tebuteb, Edmund S. Villagomez, and Ralph N. Yumul)
(Referred to the Committee on Judiciary and Governmental Operations)

Speaker Joseph P. Deleon Guerrero: Thank you, Chairman Leon Guerrero. House Bill 18-81 would be referred to your committee as well. I now recognize Representative Camacho.

Representative George N. Camacho: Thank you, Mr. Speaker. I would like to go ahead and introduce House Bill 18-82, this is “To create “The Commonwealth of the Northern Mariana Islands Anti-Violence Leave Act of 2013”.” Mr. Speaker, as you may have heard during the drafting of this legislation there has been many input including the Family Violence Task Force, the Northern Marianas Collision, inclusive the Attorney General, other National Guard Units (NGU) and community providers. Many were involved during the drafting of this legislation, this bill shall provide the SO if you will to begin to help victims and if there is no objection from the members, I would like to ask you Mr. Speaker and Floor Leader if we could place this bill on calendar for action.

H. B. NO. 18-82

To create “The Commonwealth of the Northern Mariana Islands Anti-Violence Leave Act of 2013”.

REP. GEORGE N. CAMACHO of Saipan, Precinct 4 (*for himself*)
(Referred to the Committee on Judiciary and Governmental Operations)

Several members voiced “no objection”.

Speaker Joseph P. Deleon Guerrero: There are some members who have no objection. I have consulted with the author of the bill and while I recognize the importance of the bill as testimonies were provided today, I do feel however that also other than affecting the government agencies here and the support groups and the Family Violence Task Force who have provided their comments, I think other affected stakeholders are employers, not just government employers, but private sector employers and I wanted to ask if any comments were received from either employers or representatives of those employers through perhaps the Saipan Chamber of Commerce if any comments were solicited by them regarding this bill?

Representative George N. Camacho: Thank you, Mr. Speaker. There are no official comments from the chamber, but everybody was consulted during the drafting of this legislation and it would be difficult to request for comments when the bill was still during the drafting stage. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Camacho. Because of that the Chair will refer House Bill 18-82 to the Committee on JGO and I ask the Chairman to please expedite this bill. I know you have a big list, but kind of put a priority stamp on it and solicit comments at least from the chamber and we then we can move on to act on this in a expeditious manner.

Representative Christopher D. Leon Guerrero: It is noted, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you. I now recognize Representative Anthony Benavente.

Representative Anthony T. Benavente: Thank you, Mr. Speaker. This is to officially House Bill 18-83, “To provide for the care, maintenance, supervision, and administration of public cemeteries.” Thank you.

H. B. NO. 18-83

To provide for the care, maintenance, supervision, and administration of public cemeteries.

REP. ANTHONY T. BENAVENTE of Saipan, Precinct 3 (*for himself*)
(Referred to the Committee on Natural Resources)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Benavente. I will be referring House Bill 18-83 to your Committee on Natural Resources. For the next bill I recognize the Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. This is to officially introduce House Bill 18-84, “To establish a Northern Marianas Decent Business Development Fund to be funded by the income from the funds invested by the Marianas Public Lands Trust.” Introduced by myself, thank you.

H. B. NO. 18-84

To establish a Northern Marianas Decent Business Development Fund to be funded by the income from the funds invested by the Marianas Public Lands Trust.

REP. RAFAEL S. DEMAPAN of Saipan, Precinct 2 (*for himself*)
(Referred to the Committee on Ways and Means)

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. I will be referring House Bill 18-84 to the Committee on Ways and Means. I now recognize Representative Agulto.

Representative Antonio R. Agulto: Thank you, Mr. Speaker. This is to officially introduce a bill “To set forth minimum standards for Board of Parole membership.” Thank you, Mr. Speaker.

H. B. NO. 18-85

To set forth minimum standards for Board of Parole membership.

REP. ANTONIO R. AGULTO of Saipan, Precinct 5 (*for himself*)
(Referred to the Committee on Judiciary and Governmental Operations)

Speaker Joseph P. Deleon Guerrero: That bill is House Bill 18-85 and that bill will be referred to the Committee on JGO. Any other House Bills before we move on to House Local Bills? There being none, we now move on to House Local Bills and I recognize the Floor Leader.

House Local Bills:

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Officially introducing House Local Bill 18-19, “To appropriate \$19,000 from the Third Senatorial District Developers Infrastructure Tax Fund; to re-appropriate the unobligated/lapsed funds under Saipan Local Law 17-6; to amend Saipan Local Law 17-6; to amend Saipan Local Law 17-6, as amended by Saipan Local Law 18-1; and for other purposes.”

H. L. B. NO. 18-19

To appropriate \$19,000 from the Third Senatorial District Developers Infrastructure Tax Fund; to re-appropriate the unobligated/lapsed funds under Saipan Local Law 17-6; to amend Saipan Local Law 17-6; to amend Saipan Local Law 17-6, as amended by Saipan Local Law 18-1; and for other purposes.

REP. RAFAEL S. DEMAPAN of Saipan, Precinct 2 (*for himself*)

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. Are there any other House Local Bills for introduction today? There being none, we move on to item V of our Order of Business, Introduction of Resolutions and I recognize Representative Maratita.

House Legislative Initiatives: None

INTRODUCTION OF RESOLUTIONS

House Resolutions:

Representative Janet U. Maratita: Thank you, Mr. Speaker. I would like to introduce House Resolution 18-21, “To congratulate and commend the Saipan Southern High School Junior Reserve Officer Training Corp. Manta Ray Battalion for their outstanding achievements and exemplary performances.” I respectfully ask that this resolution be calendared today as the school year is ending and some of the students would appreciate a copy of this resolution. Thank you.

H. RES. NO. 18-21

To congratulate and commend the Saipan Southern High School Junior Reserve Officer Training Corp. Manta Ray Battalion for their outstanding achievements and exemplary performances.

REP. JANET U. MARATITA of Saipan, Precinct 1 (*for herself, Representatives Roman C. Benavente, Joseph P. Deleon Guerrero, Antonio P. Sablan, and Mariano Taitano*)

(Referred to Resolution Calendar for action)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Maratita. House Resolution 18-21 will be placed on today’s Resolution Calendar. I now recognize Representative Santos.

Representative Teresita A. Santos: Thank you, Mr. Speaker. This is to introduce House Resolution 18-22, “To recognize and commend Vannah Dior Quitugua Hocog for her outstanding educational accomplishments.” Signed by myself and several others and still open for others to append their signature, thank you.

H. RES. NO. 18-22

To recognize and commend Vannah Dior Quitugua Hocog for her outstanding educational accomplishments.

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

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Santos. I did not ask, but if there is no objections from the members, I wanted to ask the author of both House Resolution 18-21 and 18-22 if it can be introduced by the Committee as a Whole.

Representative Maratita and Representative Santos voiced “no objection.”

Speaker Joseph P. Deleon Guerrero: Recognition resolutions are noncontroversial and I think it would be a great honor also for the person or organization being recognized that it would be introduced by all of the members. So there being no objections to that request, Clerk please take note that House Resolution 18-21 and 18-22 be introduced by the Committee as a Whole. Are there any further resolutions to be introduced this morning? Recognized, Representative Leon Guerrero.

Representative Christopher D. Leon Guerrero: Thank you, Mr. Speaker. To officially introduce House Resolution 18-23, “To honor and commend Lawrence Allan Lee for his outstanding services and contributions to the Commonwealth of the Northern Mariana Islands most especially his contribution of Higher Education to the CNMI Educational System.” Introduced by myself and I offer to the floor that we offer this as a whole if there are no objections, thank you.

H. RES. NO. 18-23

To honor and commend Lawrence Allan Lee for his outstanding services and contributions to the Commonwealth of the Northern Mariana Islands most especially his contribution of Higher Education to the CNMI Educational System.

REP. CHRISTOPHER D. LEON GUERRERO of Saipan, Precinct 4 (*for himself*)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Leon Guerrero. Any objections to the recommendation to be introduced as a Committee of the Whole?

Several members voiced “no objection”.

Speaker Joseph P. Deleon Guerrero: Clerk, please take note. House Resolution 18-23 will be placed on the calendar, however we will not be acting on it today. Are there any further House Resolutions? House Joint Resolutions? House Commemorative Resolutions? House Concurrent Resolutions? There being none, we move on to Messages from the Governor. I recognize the Clerk.

House Joint Resolutions: None

House Commemorative Resolutions: None

House Concurrent Resolutions: None

MESSAGES FROM THE GOVERNOR

Clerk: Mr. Speaker, we have Governor’s Communication 18-37 to 18-45.

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk. Comments on item VI? There being none we move on to item VII, Senate Communications. Floor Leader.

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

GOV. COMM. 18-37: (5/24/13) Inform the House that he signed into law S. B. NO. 18-18, SS1, HD1, CCD1, (Civil Service Act amendment). Became **Public Law 18-5**. [For info]

GOV. COMM. 18-38: (5/30/13) **Executive Order 2013-11** – Declaration of a State of Emergency: CHC’s Imminent threat of disruption of critical medical services in the Commonwealth and the danger that such a condition poses to the public because of the great increase in otherwise preventable deaths that would result.

GOV. COMM. 18-39: (5/31/13) Informing the House that he signed into law S. B. NO. 18-23 (To amend 6 CMC Section 2208; and for other purposes.). Became **Public Law 18-9**. [For info]

GOV. COMM. 18-40: (5/31/13) Informing the House that he signed into law S. B. NO. 18-24 (To repeal Section V, Requirement of Attendance at NMC, in its entirety; and for other purposes.). Became **Public Law 18-6**. [For info]

GOV. COMM. 18-41: (5/31/13) Informing the House that he signed into law S. B. NO. 18-1 (To rename the Department of Public Safety (DPS) Building on Tinian, Gilbert Manglona Taisacan Building; and for other purposes.). Became **Public Law 18-7**. [For info]

GOV. COMM. 18-42: (5/31/13) Informing the House that he signed into law S. B. NO. 18-1 (To amend the Commonwealth Vehicle Code to authorize active duty U.S. military personnel stationed outside the CNMI in any state or territory to maintain or renew their vehicle registration in the CNMI, or register a new vehicle in the CNMI by complying with CNMI registration requirements any comparable requirements in the state or territory where they are stationed; and for other purposes.). Became **Public Law 18-8**. [For info]

GOV. COMM. 18-43: (5/31/13) Inform the House that he signed into law H. B. NO. 18-35, (CNMI Veteran’s Cemetery Act amendment). Became **Public Law 18-10**. [For info]

GOV. COMM. 18-44: (5/21/13) Inform the House that he signed into law H. L. B. NO. 18-12, D1, (To appropriate \$60,000.00 from local license fees collected from poker and pachinko slot machines in the First Senatorial District; and for other purposes.). Became **Rota Local Law 18-2**. [For info]

GOV. COMM. 18-45: (5/29/13) Certifying and granting approval for Mr. Robert Myer, Assistant Attorney General, Office of the Attorney General, to receive an annual salary of \$57,000. [For info]

SENATE COMMUNICATIONS

Floor Leader Rafael S. Demapan: Mr. Speaker, can we get a short recess.

Speaker Joseph P. Deleon Guerrero: Short recess.

The House recessed at 10:45 a.m.

RECESS

The House reconvened at 11:05 a.m.

Speaker Joseph P. Deleon Guerrero: We are back to our session. We left of on item VII, Senate Communications and I recognize the Floor Leader for the acceptance motion.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Under item VII, I now make a motion to accept all Senate Communications, so move.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. And the motion is to accept Senate Communications 18-36 to 18-41 it has been seconded, discussion.

Several members voiced “ready”.

There were no discussions and the motion to accept Senate Communications 18-36 to 18-41 was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: There being no items from items VIII, IX, X, and XI, we now move on to item XII, Reports of Standing Committees and I turn it over to the Floor Leader.

There were no discussions made for the following Senate Communications.

SEN. COMM. 18-36: (5/23/13) Returning H. C. R. 18-1 (To approve revenues and resources of the Commonwealth of the Northern Mariana Islands, as identified pursuant to Article III, Section 9(a) of the Constitution, as amended, and 1 CMC, Division 7, for Fiscal Year 2014, beginning October 1, 2013, and ending on September 30, 2014.), which was adopted by the Senate, without amendments, on May 23, 2013. [*For info*]

SEN. COMM. 18-37: (5/23/13) Informing the House that the Senate in its First Day, Fourth Special Session, on May 23, 2013, adopted CCR No. 18-1 and passed **S. B. 18-18, SS1, HD1, CCD1**, entitled “To amend 1 CMC §8131(a), as amended by Public Law 17-80, by adding a new subsection (a)(13); and for other purposes”. [*For info – Became Public Law 18-5*]

SEN. COMM. 18-38: (5/28/13) Returning H. B. 18-9, entitled, “To amend 4 CMC § 1939(a) of the Developer Infrastructure Tax Act; and for other purposes.”, which was passed by the Senate without amendments on May 23, 2013. [*For info-Will go to Governor*]

SEN. COMM. 18-39: (5/28/13) Returning H. B. 18-17, entitled, “To amend Public Law 17-8 Section 2 to include necessary changes to finalize projects associated with the original intent of the reprogramming of the One Million Dollars (\$1,000,000.00) as appropriated under Section 2(b) of Public Law 13-56; and for other purposes.”, which was passed by the Senate without amendments on May 23, 2013. [*For info-Will go to Governor*]

SEN. COMM. 18-40: (5/28/13) Returning H. B. 18-21, HD1, entitled, “To provide a tax credit for business entities that hire United States citizens.”, which was passed by the Senate without amendments on May 23, 2013. [*For info-Will go to Governor*]

SEN. COMM. 18-41: (5/28/13) Returning H. B. 18-35, entitled, “To amend Public Law 17-61, CNMI Veterans Cemetery.”, which was passed by the Senate without amendments on May 23, 2013. [*For info- Became Public Law 18-10*]

HOUSE COMMUNICATIONS

None

COMMUNICATIONS FROM THE JUDICIAL BRANCH

None

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

None

MISCELLANEOUS COMMUNICATIONS

None

REPORTS OF STANDING COMMITTEES

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. This is to provide a motion to adopt Standing Committee Report 18-24, reporting on House Bill 18-58, entitled “To reauthorize the

NMC Apprenticeship Program consistent with Title 3 section 1356 of the CNMI Code.” So move.

S. C. R. NO. 18-24: Reporting on H. B. NO. 18-58, entitled: “To reauthorize the NMC Apprenticeship Program consistent with Title 3 section 1356 of the CNMI Code.” *Your Committee on Education recommends that the House pass H. B. NO. 18-58 in its current form.*

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: The motion offered by the Floor Leader is for the adoption of Standing Committee Report 18-24 as reported out by the Committee on Education for passage, it has been seconded, discussion.

Several members voiced “ready”.

There was no discussion and the motion to adopt Standing Committee Report 18-24 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 18-25, reporting on House Bill 18-11, entitled “To amend Title 9, Division 2 Chapter 1 § 2116 (Public Law 14-16); and for other purposes.” So move.

S. C. R. NO. 18-25: Reporting on H. B. NO. 18-11, entitled: “To amend Title 9, Division 2 Chapter 1 § 2116 (Public Law 14-16); and for other purposes.” *Your Committee on Judiciary and Governmental Operations recommends that the House pass H. B. NO. 18-11 in its current form.*

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. The motion is to adopt Standing Committee Report 18-25 as reported out by the Committee on JGO and for those who are not familiar with what Title 9, Division 2 Chapter 1 and the relevant subsection is to ensure that the fee for the issuance of a veteran license plate for the first time and for renewals be twenty-five percent less than the fees charged for similar license plates for the same class of vehicle and that no fee shall be charged for the issuance of a veteran license plate to a veteran rated by the US Department of Veteran Affairs at a hundred percent permanent and total disability. Discussion?

Several members voiced “ready”.

There was no further discussion and the motion to adopt Standing Committee Report 18-25 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 18-26, reporting on House Bill 18-5, entitled, “To present to the voters in the Commonwealth in the next general election the question: “Shall there be a constitutional convention to propose amendments to the Constitution?” Your Committee on Judiciary and Governmental Operations recommends that the House pass the bill in the form of House Bill 18-5, HD1, so move.

S. C. R. NO. 18-26: Reporting on H. B. NO. 18-5, entitled: “To present to the voters in the Commonwealth in the next general election the question: “Shall there be a constitutional convention to propose amendments to the Constitution?” *Your Committee on Judiciary and Governmental Operations recommends that the House pass the bill in the form of H. B. NO. 18-5, HD1.*

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion has been offered by the Floor Leader and seconded, discussion.

Several members voiced “ready”.

There was no discussion and the motion to adopt Standing Committee Report 18-26 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 18-27, reporting on House Bill 18-45, entitled “To authorize, establish and regulate Casino Gambling within the Third Senatorial District.” So move.

S. C. R. NO. 18-27: Reporting on H. B. NO. 18-45, entitled: “To authorize, establish and regulate Casino Gambling within the Third Senatorial District.” *Your Committee on Commerce recommends that the full House decide upon H. B. NO. 18-45.*

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion has been offered for the adoption of Standing Committee Report 18-27, discussion.

Several members voiced “ready”.

There was no discussion and the motion to adopt Standing Committee Report 18-27 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 18-28, reporting on Senate Bill 18-15, entitled, “To amend 4 CMC § 51102 (e); and for other purposes.” So move.

S. C. R. NO. 18-28: Reporting on S. B. NO. 18-15, entitled: “To amend 4 CMC § 51102 (e); and for other purposes.” *Your Committee on Commerce recommends that the House pass S. B. NO. 18-15 in its current form.*

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. Motion is offered and seconded for the adoption of Standing Committee Report 18-28 and for those who are not familiar with what 4 CMC 51102 (e) is it refers to the free trade zone and the Senate Bill 18-15 proposes to remove the sunset provision authorizing the Department of Public Lands to designate public lands to the municipalities, I believe including the Northern Islands and to establish free trade zones to be administered by the mayor’s of those municipalities and the mayor of the Northern Islands. Further discussion.

Several members voiced “ready”.

There was no discussion and the motion to adopt Standing Committee Report 18-28 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. Last on our Reports of Standing Committee and for the adoption of Standing Committee Report 18-29, reporting on House Bil 18-33, entitled “To re-establish the Commonwealth Board of Nurse Examiners as an autonomous public agency; and for other purposes.” So move.

S. C. R. NO. 18-29: Reporting on H. B. NO. 18-33, entitled: “To re-establish the Commonwealth Board of Nurse Examiners as an autonomous public agency; and for other purposes.” *Your Committee on Judiciary and Governmental Operations recommends that the House pass H. B. NO. 18-33 in its current form.*

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 adopt Standing Committee Report 18-29 was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: We have one new Standing Committee Report 18-30, we have it on the Order of Business, but we cannot act on it because it did not meet the twenty-four hour rule. Take note, the bills that are contained in the Standing Committee Reports that have been adopted would be placed on today’s Bill Calendar. We now move on to item XIII, Reports of Special and Conference Committees, Floor Leader.

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Under item XIII, we have on under the Special Committee on NMI Retirement. The committee has done its work and with that I would like to move to recall from the Special Committee Report 18-3, reporting on House Legislative Initiative 18-3 and placed under item XIII for the action on the next session.

Spc. C. R. NO. 18-03: Reporting on H. L. I. NO. 18-3, entitled: “To amend Article III, Section 20 (b) of 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 credited service.”

Speaker Joseph P. Deleon Guerrero: Floor Leader, before it has been seconded could you kindly read out the title of House Legislative 18-3 so that the members are aware of what this initiative is.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Under House Legislative Initiative 18-3, “To amend Article III, Section 20 (b) of 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 credited service.” So move.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: And the motion just for clarity is to recall it from committee and place it on the Order of Business, it is not for action since it did not also meet the twenty-four hour rule. So again, further discussion on the motion to withdraw from committee and place it on our Order of Business?

Several members voiced “ready”.

There was no discussion and the motion place Special Committee Report 18-3 on the Order of Business was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: We will act on the report in the next session. Recognized, Representative Taitano.

Representative Mariano Taitano: I have another one, Standing Committee Report 18-20 it was on the schedule last session, but we never act on it. This is in regards to House Bill 18-46 the DC plan.

Speaker Joseph P. Deleon Guerrero: Short recess.

The House recessed at 11:16 a.m.

RECESS

The House reconvened at 11:17 a.m.

Speaker Joseph P. Deleon Guerrero: We now return back to our session and the question posed by Representative Taitano has been clarified and so now we move on to item XV, Resolution Calendar and I turn it over to the Floor Leader.

UNFINISHED BUSINESS

None

RESOLUTION CALENDAR

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Before we act on any resolution, I would like to make a motion that we suspend Rule IX, Sections 8, 9 and 10.

RULE IX. BILLS, RESOLUTIONS AND AMENDMENTS

Section 8. Referral of Bills and Resolutions

(a) Bills and resolutions shall be read by title upon introduction and (except as provided in subsection (b), the Speaker shall refer such measures to an appropriate committee or to more than one committee, jointly or sequentially. The Clerk shall endorse such reference on the measure before duplication and shall enter such reference upon the Journal. In the case of error of reference, correction may be made by the House, with debate, immediately after the reading and approval of the Journal, by unanimous consent, or upon motion of either committee claiming jurisdiction or the committee to which the measure has been erroneously referred.

(b) The Speaker may place a resolution directly on the Resolution Calendar, rather than refer it to a committee, subject to appeal to the House.

Section 9. First Reading of Bills and Resolutions

(a) When a bill or resolution is read in the House the first time, the Clerk shall report the bill by title, unless a majority orders it read in full, or by such subdivisions as the motion to read may indicate. The House shall then proceed to debate the measure, and no other amendment shall be in order until all committee amendments shown in the Committee Report are disposed of, except that such committee amendments shall themselves be subject to amendment. At the conclusion of debate the House shall vote on passing the measure on First Reading after affording an opportunity for one motion to recommit with or without instructions. If the Measure passes with amendments, the Clerk shall engross such amendments and cause the measure, or any page thereof, to be reprinted as provided in Sections 4 and 6 of this Rule.

(b) If a bill passes First Reading, the Clerk shall place it on the Bill Calendar for Second Reading the next legislative day.

(c) First Reading of a resolution shall be the only and final reading, and upon its passage, the Clerk shall dispose of it pursuant to Section 13 of this Rule.

Section 10. Second Reading of Bills

(a) When a bill is read in the House a second time, it shall be considered in the same manner as for First Reading, except that further amendments shall be in order without regard to whether or not they are proposed by the committee reporting the bill.

(b) Second Reading of a bill shall be the final reading, and upon its passage, which shall be by Call of the Roll, the Clerk shall dispose of it pursuant to Section 13 of this Rule.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Suspension motion is offered by the Floor Leader it has been seconded, discussion.

Several members voiced “ready”.

There were no discussions and the motion to suspend Rule IX, Sections 8, 9, and 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 18-21, “To congratulate and commend the Saipan Southern High School Junior Reserve Officer Training Corp. Manta Ray Battalion for their outstanding achievements and exemplary performances.” So move.

H. RES. NO. 18-21

To congratulate and commend the Saipan Southern High School Junior Reserve Officer Training Corp. Manta Ray Battalion for their outstanding achievements and exemplary performances.

REP. JANET U. MARATITA of Saipan, Precinct 1 (*for herself*, Representatives Roman C. Benavente, Joseph P. Deleon Guerrero, Antonio P. Sablan, and Mariano Taitano)

(Committee of the Whole)

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion is offered by the Floor Leader for the adoption of House Resolution 18-21, which we agreed would be sponsored by the Committee as a Whole it has been seconded, discussion.

Several members voiced “ready”.

There was no discussion and the motion to adopt House Resolution 18-21 was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: Floor Leader for House Resolution 18-22.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Motion to adopt House Resolution 18-22, “To recognize and commend Vannah Dior Quitugua Hocog for her outstanding educational accomplishments.” So move.

H. RES. NO. 18-22

To recognize and commend Vannah Dior Quitugua Hocog for her outstanding educational accomplishments.

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

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion has been offered by the Floor Leader and it has been seconded for the adoption of House Resolution 18-22, discussion.

Several members voiced “ready”.

There was no discussion and the motion to adopt House Resolution 18-22 was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: Floor Leader, House Resolution 18-15 has been on the Resolution Calendar. If there is no objection, I want to ask the Floor Leader to offer a motion to refer it back to committee so we can clear our Resolution Calendar. Floor Leader for the appropriate motion to refer House Resolution 18-15 back to the Committee on Health and Welfare.

Several members voiced “no objection”.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. A motion to refer House Resolution 18-15 to the Committee on Health and Welfare, so move.

H. Res. No. 18-15

Respectfully urging Governor Eloy S. Inos to overhaul the medical referral office in order to improve services for the patients of the Commonwealth of the Northern Mariana Islands.

(Referred to the Committee on Health and Welfare)

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion has been offered and seconded to refer House Resolution 18-15 to the Committee on Health and Welfare, discussion.

Several members voiced “ready”.

There was no discussion and the motion to refer House Resolution 18-15 to the Committee on Health and Welfare was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: There being no further resolutions on the Resolution Calendar, we now move on to item XVI our Bill Calendar and I turn it back to our Floor Leader.

BILL CALENDAR

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Under item XVI for the passage of House Bill 18-31, HD1, “A Bill for an Act to amend Title 4, Article 3, Pawnbroker Licenses, Fees and Related Matters; and for other purposes.” So move.

H. B. 18-31, HD1

A Bill for an Act to amend Title 4, Article 3, Pawnbroker Licenses, Fees and Related Matters; and for other purposes. *See [S. C. R. No. 18-19]*

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion has been offered for the passage of House Bill 18-31, HD1 it has been seconded, discussion. If there is no objection, I would like to ask the author to please enlighten the members on the intent of House Bill 18-31 and I recognize Representative Santos.

Representative Teresita A. Santos: Thank you, Mr. Speaker. The main intent of this bill is to confront the problem of theft by facilitating the recovery of stolen goods and apprehending those persons who turns to pawn shops and second-hand dealers for buying or selling their personal properties. This bill seeks to include second-hand dealers where the current law does not cover. It defines what a second-hand dealer is as indicated in the committee report and provides for the records of second hand dealers to be open during business hours for inspection by the Department of Public Safety (DPS) to furnish full, true, and correct transcripts of records of all transactions conducted on the preceding dates and extends the holding period from 60 to 160 days. So this bill, again has strict reporting requirements, protects consumers, lost, or stolen property owners or whose properties land in the hands of second-hand dealers and it also protects business operators. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you for that clarification Representative Santos. I recognize Representative Tebuteb and then Representative Villagomez.

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker. I certainly appreciate to confront the problems on the theft and I am trying to figure out what is within the contents of the problems with drug related crimes. Can you perhaps enlighten the members?

Representative Teresita A. Santos: Can you repeat that again?

Representative Ramon A. Tebuteb: I do understand the clarity on the property of thefts, but can you enlighten the members on the drug related crimes.

Representative Teresita A. Santos: This also covers drug related crimes.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Santos. Representative Tebuteb is it clear?

Representative Ramon A. Tebuteb: I do appreciate it and I am trying to align my thoughts. So this legislation is so that we confront the problems of theft. So we have some system in place through this legislation so that somehow the enforcement agencies responsible on theft matters or theft issues or theft crimes you will deal through this legislation by way of the pawn shops and what have we. So I am trying to see within the context of this bill on what will be the criminal or drug related crimes that can be affected within this legislation that is proposed.

Speaker Joseph P. Deleon Guerrero: Recognized.

Representative Teresita A. Santos: Thank you, Representative Tebuteb. May I refer that question to the Legal Counsel John Cool, please.

Representative Ramon A. Tebuteb: I guess what I am trying to get is that if somebody pawned something stolen then we have some system in place through this bill. So if somebody stole some drugs would that be in place within this context of the bill?

Legal Counsel John Cool: No. Basically this bill adds a second tier that is regulated. Right now we regulate pawn brokers just the loan transactions. We do not regulate or control the actual sale of property. Most pawn brokers buy property directly from individuals that are not regulated now. They are not required to report that property and this would require them to report it to DPS so that DPS can cross check it with the stolen property reports.

Speaker Joseph P. Deleon Guerrero: Thank you, Legal Counsel. I now recognize Representative Villagomez.

Representative Edmund S. Villagomez: I just wanted to know if the Department of Commerce and DPS had input on this legislation.

Speaker Joseph P. Deleon Guerrero: Committee on Ways and Means, I recognize the Chair.

Representative Antonio P. Sablan: Mr. Speaker, generally when the committee met to review House Bill 18-31, when we looked at the intent of the legislation and primarily it is to clarify some of the existing languages in the existing pawn brokers statute including additional provisions trying to address the issue of second-hand dealers where people actually have according to statistics coming out of DPS that were stolen property generally end up being passed on through pawn shop operations or second-hand sellers. This goes back to established records in regards to the increase numbers of theft and burglaries in recent years that in most situations the perpetrators when apprehended generally have a drug use problem in the past. Generally the theft of properties do not stay with the perpetrator and the stolen properties generally are passed on for a quick buck and I guess the findings in the statute as earlier raised by Chairman Tebuteb in regards to how is this to confront the problem with property theft and drug related crimes in most situations these two criminal acts generally go hand in hand. Basically by attempting to make it harder for the passing on of stolen properties to pawn shops and second-hand dealers as well as making the documentation of the exchanges of these stolen properties through second-hand dealers and pawn shop operators that those on record have shown a history of repeated offense in regards to burglary and robberies will be discouraged knowing that it would not be easy for them to realize a payoff from such illegal activities and basically the committee were in agreement that

the changes to existing pawn shop statute as proposed in this legislation would help to address the current problem of property theft and burglaries to a certain degree the abuse of illegal drug use in our community. Thank you.

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

Representative Christopher D. Leon Guerrero: Thank you, Mr. Speaker. Briefly on this bill, I was involved in the amendment. There was one instance during the deliberation of this bill with the committee. I had an informal meeting with the Department of Public Safety and he is aware about the new draft of this bill because the existing bill on the pawn operators is that there were instances where the investigators goes in to conduct the investigation whereas the property were stored within the pawn shop, they do not have enough probable cause to penetrate the pawn shop and demand to inventory. So this bill definitely overrules that and now this bill gives them the leeway to just go and conduct inventory and when the wish to view properties, this will identify perpetrators such as drug activities, burglaries, robberies and so forth. So for the practical experience with this operation at DPS, this bill will definitely will supersede those existing ones and the number one issue is the drug activities and there is Standard Operation Procedure's (SOP) towards the investigation of pawn operators, thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Leon Guerrero for that clarification. Further comments or discussion? I recognize the author.

Representative Teresita A. Santos: Thank you, Mr. Speaker. Again this bill also provides for second-hand dealers to promptly report to DPS lost or stolen properties in their possession. If the second-hand dealer believes or for good cause they believe that these properties are lost or stolen by providing the name or true and real owner of the person whom the lost or stolen properties were received from. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Santos. Can I ask the Legal Counsel a question? We know that pawn shops generally have two types of transactions and one is they can either purchase a property or pawn it, meaning they hold it on consignment until such time that the owner of that property pays in what he received for that property. What about a second-hand dealer? Is the difference only that a pawn shop can pawn, but the second-hand dealer cannot? I guess the second-hand dealer can purchase property and resell it, but cannot pawn. Is that the real difference?

Legal Counsel John Cool: Actually, the pawn shops here act as both pawn broker and second-hand property dealer. The only portion of that business that is currently regulated is the pawn broker side that is why DPS has difficulty viewing the properties that are in that pawn shop because they are not covered by any regulation unless they are the ones subject to the loan. It also covers a standalone second property dealers like the garage sale shops that have developed in various areas where they have actually established businesses of selling used property. It will require that they use second-hand property that is purchased by a second-hand property dealer or the pawn shop be listed and identified and reported to DPS on whatever basis DPS requires.

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

Several members voiced “ready”.

Speaker Joseph P. Deleon Guerrero: There is a standing motion for the adoption of House Bill 18-31, HD1 and there being no further discussion it is a motion for passage, Clerk please call the roll.

The Clerk called the roll on the motion for the passage of House Bill 18-31, 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 Lorenzo I. Deleon Guerrero	yes
Representative Rafael S. Demapan	yes
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	yes
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 20 members voted “yes.”

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk. With the vote of 20 “yes,” House Bill 18-31, HD1 hereby passes the House. Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. For the passage of House Bill 18-46, HD1, “A Bill for an Act to allow members of the Defined Contribution Plan to withdraw their account balance without terminating employment.” So move.

H. B. 18-46, HD1

A Bill for an Act to allow members of the Defined Contribution Plan to withdraw their account balance without terminating employment. *See [S. C. R. No. 18-20]*

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion has been offered for the passage of House Bill 18-46, HD1 this is the Defined Contribution Plan bill and it has been seconded, discussion. Let me recognize Representative Conner.

Representative Trenton B. Conner: Thank you, Mr. Speaker. Real quick for clarification purposes, if enacted into law is this going to be retro or prospective.

Speaker Joseph P. Deleon Guerrero: I recognize the Legal Counsel.

Legal Counsel John Cool: It will be prospective.

Speaker Joseph P. Deleon Guerrero: Under discussion we understand that Mr. Don Clark from ASC earlier provided testimony regarding some concerns on this House Bill. I also asked if the members wished, if they have questions we can ask Mr. Clark to return and resolve into Committee of the Whole to get answers or questions. I recognize the Vice-Speaker.

Vice-Speaker Francisco S. Dela Cruz: Thank you, Mr. Speaker. As the author of this piece of legislation, at first I would like to acknowledge the Chair for his Special Committee on Retirement for taking the necessary step to come up with a positive recommendation of passage. I know that earlier Mr. Clark had issues with this particular legislation and the legislation provides for penalties for early withdrawals, most especially from the IRS as pointed out on page 2, line 1 and that the penalty imposed for early withdrawal is established by the internal revenue code incorporated by 4CMC Chapter 7. Also, if I may ask the Legal Counsel whether there are other provisions with the IRS that penalized or have additional penalties for early withdrawal and I ask the Legal Counsel if he can elaborate. Thank you, Mr. Speaker.

Legal Counsel John Cool: There is always a penalty for early withdrawal in respect to the DC plan contributions. I was reviewing the bill when we were getting the comments from the administrator and I could not find the portions of the bill he was referring to. This bill is a follow up of the bill that allowed the DB plan withdrawals that legislation also provided that membership in the DC plan was voluntary and not mandatory. This bill is just to further that to implement the voluntary nature of the membership from the DC plan so that you do not have to wait to either retire or seize employment in taking out your contributions. Those will only be the contributions that will be vested in your individual contributions plus the vested employer portion and there would be a penalty imposed on that unless the amounts that are withdrawn are rolled over into another individual retirement plan in compliance with the internal revenue code.

Speaker Joseph P. Deleon Guerrero: Further discussion, recognized Representative Tebuteb.

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker. Furtherance to the comment provided by the Vice-Speaker, I am also in support of this also. Another author of the bill and just for clarity so that the members are abreast and with respect with the comments provided by Mr. Clark, the word “violation” was highlighted in my notes so I am going to ask a very simple question with respect to what Mr. Clark has indicated. Was there a violation of any IRS or any commonwealth law constitution on this bill?

Speaker Joseph P. Deleon Guerrero: Representative Tebuteb are you asking the Legal Counsel to answer that? Legal Counsel.

Legal Counsel John Cool: We would have to get into a more detail on what Mr. Clark’s concerns were as to what portions of this bill he considered to be a violation of the internal revenue code. Ninety-five percent of this bill is just a restatement of the existing law and the portions that are amended are only those that are underlined and it is quite possible that some of the portions that he was referring to are the ones that are in the current existing law that needs clarification for

him. One of the items he was taking exception to appear in the findings and not the body of the bill itself. So there were some sections in his statement that he referred to them is in the findings that he says violates the internal revenue code, however that provision does not appear in the amendment itself.

Representative Ramon A. Tebuteb: Thank you, Legal Counsel. Mr. Speaker ready.

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

Representative Antonio P. Sablan: Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Before you do, as we are going on discussion, the Sergeant-at-Arms has the contact numbers for Mr. Clark and Ms. Fleming. Do the members wish for me to instruct for them to be called in or not? Continue Representative Sablan.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. When the committee worked this legislation, we asked the questions and we worked with the Legal Counsel and as we have heard the Legal Counsel's primary statement is that a lot of this is an amendment to existing statute only to provide for the withdrawal. With that I am confident in the statement just made by Legal Counsel now and then and if there continues to be an issue with this in regards to Mr. Clark's earlier testimony – I suggest that we take action into this bill and I believe it would have more than adequate time to address his concerns to the Senate if it gets to the Senate. I think this issue is a longstanding issue with the members of the retirement that are looking to avail of this legislation and again I ask that we move it by taking action on it today and I am ready to vote in support of the legislation. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan. Legal Counsel.

Legal Counsel Joseph Tajeron: In the context of the bill itself and the finding itself it expressly states that there are penalty provisions of the IRS code that shall apply. So if that is the issue that Mr. Clark was eluding to then we are aware of that. We have not been made aware of any other issues, but we are already aware that the bill expressively states that certain provisions of the IRS code penalty provisions assuming a violation will be coming into play. The withdrawals will not be without a penalty so if that is the issue it has already been addressed.

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

Several members voiced "ready".

Speaker Joseph P. Deleon Guerrero: We have a standing motion offered by the Floor Leader for the adoption of House Bill 18-46, HD1. There being no further discussion, Clerk please call the roll.

The Clerk called the roll on the motion for the passage of House Bill 18-46, 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 Lorenzo I. Deleon Guerrero	yes
Representative Rafael S. Demapan	yes
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	yes
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 20 members voted “yes.”

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk. With the vote of 20 “yes,” House Bill 18-46, HD1 hereby passes the House. Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. For the passage of House Bill 18-19, HD1, “A Bill for an Act to establish a safety measure for instances where a vehicle overtakes a bicycle on a public road or highway; and for other purposes.” So move.

H. B. 18-19, HD1

A Bill for an Act to establish a safety measure for instances where a vehicle overtakes a bicycle on a public road or highway; and for other purposes. *See [S. C. R. No. 18-23]*

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion has been offered by the Floor Leader and it has been seconded for the passage of House Bill 18-19, HD1 as reported out by the Committee on JGO. Just to clarify it is a simple amendment basically so that when a vehicle is overtaking and passing a bicycle proceeding in the same direction, the person driving the motor vehicle shall exercise due care by leaving a safe distance between the motor vehicle and the bicycle of not less than three feet until the motor vehicle is safely passed the overtaking bicycle. Basically, I see some confused faces. If a vehicle is overtaking or passing a bicycle it just means it requires the operator of the motor vehicle to make sure there is at least a space of not less than three feet between him and the person riding the bicycle as he passes. It is a very clear cut amendment to the law, further discussion. Representative Conner.

Representative Trenton B. Conner: Thank you, Mr. Speaker. I know that the word bicycle is in here, I am just wondering about scooters? They are not inclusive in here so this law is only going to pertain to bicycles only if I am correct and not the scooter?

Speaker Joseph P. Deleon Guerrero: I believe you are correct. Motor scooters generally drive on the motor vehicle lane whereas bicycles are riding on the shoulder of the lane that is why this bill intends to protect bicycle operators. Just so you know our Lieutenant Governor is an avid bicycle enthusiast, I think we also want to make sure that our Lieutenant Governor is around for a while. I recognize Representative Leon Guerrero.

Representative Christopher D. Leon Guerrero: Thank you, Mr. Speaker. For clarification, as defined in the bicycle definition it is a human propelled so it designates that bicycle has a difference between scooters that is why they use that because of certain statistics that were with the Department of Public Safety indicating that these bicyclers were not given courtesy in essence of safety matters.

Speaker Joseph P. Deleon Guerrero: Thank you for the clarification Representative Leon Guerrero. Representative Roman Benavente.

Representative Roman C. Benavente: Thank you, Mr. Speaker. I would just like to share some concerns with regards to the bill. As we are passing on many of our roads here and the bicycle are cruising along at the same time. In the absence of bike routes or road shoulders, sometimes it complicates the motorist to overtake or delay the traffic and whatnot. I am not against the bill, I am still in favor of the bill, but this is a concern that I would like to maybe feature insertion or feature an amendment on this bill to be put into. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Benavente. I am glad that you mentioned your concerns for the record. Further comments or discussion. For the last time Representative Leon Guerrero.

Representative Christopher D. Leon Guerrero: Just to respond to his concern. It is a legitimate concern, yes I personally, as a prior law enforcement's concern to that what about the motor vehicle operators that has the right of way within a public highway. We will be addressing another bill regarding requirements and mandatory registration for every bicycle that would be traveling on a public highway. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you again for that clarification and I see Representative Benavente is nodding his in agreement, but coming back to our discussion. I recognize Representative Taitano.

Representative Mariano Taitano: Thank you, Mr. Speaker. Perhaps for the safety of the motorist and the biker, we must ascertain the proper lane and a sign be erected. Perhaps if I can use the word "boundaries" that is all.

Speaker Joseph P. Deleon Guerrero: Thank you again for the clarification and it is on record. Members before we vote on this bill and I think that may end the discussion on this bill once we act upon this bill we will have acted on the three bills that were on calendar since the last session. Our next action would be to act on the bills that we have adopted in the Standing Committee Report today and because it is close to twelve o'clock I wanted to seek the indulgence of the members if we can make this our last bill for this morning's session, break for lunch and come back at one thirty this afternoon to continue our actions.

Several members voiced “no objection”.

Speaker Joseph P. Deleon Guerrero: Alright, so there being no further discussion. There is a motion on the floor by the Floor Leader for the passage of House Bill 18-19, HD1, Clerk please call the roll.

The Clerk called the roll on the motion for the passage of House Bill 18-19, 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 Lorenzo I. Deleon Guerrero	yes
Representative Rafael S. Demapan	yes
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	yes
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 20 members voted “yes.”

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk. With the vote of 20 “yes,” House Bill 18-19, HD1 hereby passes the House. As per our earlier discussion we will now recess for lunch until one thirty. If any members wish to leave their materials, I am going to instruct the Sergeant-at-Arms to secure the chamber so you may do so and look to see you back here at one thirty promptly. Thank you. We will take recess.

The House recessed at 11:55 a.m.

RECESS

The House reconvened at 1:49 p.m.

Speaker Joseph P. Deleon Guerrero: Thank you members, we now return back to our session after our lunch break. I believe we were on item XVI, Bill Calendar. We have disposed of House Bill 18-31, HD1, House Bill 18-46, HD1, and House Bill 18-19, HD1 prior to our recess. Now I would like to turn it back over to our Floor Leader for the next bill.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. I just hope everybody had a good lunch for this afternoon. For the passage of House Bill 18-11, “To amend Title 9, Division 2 Chapter 1 § 2116 (Public Law 14-16); and for other purposes.” So move.

S. C. R. NO. 18-25: Reporting on H. B. NO. 18-11, entitled: “To amend Title 9, Division 2 Chapter 1 § 2116 (Public Law 14-16); and for other purposes.” *Your Committee on Judiciary and Governmental Operations recommends that the House pass H. B. NO. 18-11 in its current form.*

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. House Bill 18-11 is relevant to Standing Committee Report 18-25, which we had just adopted. Is the veteran’s license plate bill? We have a motion and the motion has been seconded. Discussion on the motion.

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 18-11 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 Lorenzo I. Deleon Guerrero	yes
Representative Rafael S. Demapan	yes
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	yes
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 20 members voted “yes.”

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk. With the vote of 20 in the affirmative, House Bill 18-11 hereby passes the House. Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. For the passage of House Bill 18-5, HD1 reference to Standing Committee Report 18-26, so move.

S. C. R. NO. 18-26: Reporting on H. B. NO. 18-5, entitled: “To present to the voters in the Commonwealth in the next general election the question: “Shall there be a constitutional convention to propose amendments to the Constitution?” *Your Committee on Judiciary and Governmental Operations recommends that the House pass the bill in the form of H. B. NO. 18-5, HD1.*

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion by the Floor Leader has been offered and seconded on House Bill 18-5, HD1 “To present to the voters in the Commonwealth in the next general election the question: “Shall there be a constitutional convention to propose amendments to the Constitution?” Just as a note before we vote on it, the legislature by affirmative vote of a majority of our members of each House may submit to the voters the question of whether a Constitutional Convention shall be held. So just for clarification it only requires a simple majority. Discussion. And just for another note, the Constitution does require a no later than ten years after the question was last submitted to provide by law to pose this question to the people. So in a sense, we are mandated to post this no later than ten years after it was last posted. We all know that it has been more than ten years. So with that further discussion. Representative Tebuteb.

Representative Ramon A. Tebuteb: Just to request from the body to consider as we proceed with the budget. Normally the Board of Election would also require the certain amount of funding for the education of any proposals submitted for the people’s consideration on the next general election. Just a heads up.

Speaker Joseph P. Deleon Guerrero: Thank you for that note Representative Tebuteb, you are correct. Putting it before the people also means this body having to appropriate funding for a Constitutional Convention. So with that further discussion.

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 18-5, 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 Lorenzo I. Deleon Guerrero	yes
Representative Rafael S. Demapan	yes
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	yes

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 20 members voted “yes.”

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk. With the vote of 20 in the affirmative, House Bill 18-5, HD1 hereby passes the House. Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. For the passage of House Bill 18-45 reference to Standing Committee Report 18-27, “To authorize, establish and regulate Casino Gambling within the Third Senatorial District.” So move.

S. C. R. NO. 18-27: Reporting on H. B. NO. 18-45, entitled: “To authorize, establish and regulate Casino Gambling within the Third Senatorial District.” *Your Committee on Commerce recommends that the full House decide upon H. B. NO. 18-45.*

Speaker Joseph P. Deleon Guerrero: Motion has been offered and seconded for the passage of House Bill 18-45, discussion. I recognize the Vice-Speaker and then Representative Tebuteb.

Vice-Speaker Francisco S. Dela Cruz: Thank you, Mr. Speaker and members. This is the establishment of the casino gambling within the Third Senatorial District, namely Saipan. I read a copy of the insight Asian gaming the reason being is with regards to the plight of not just to establish a casino on Saipan, but it also details how the operation of such an establishment as it exists in Tinian. Let me just read some of the contents of this particular report. It says that “The Tinian Dynasty Hotel and Casino has failed to make a profit since it was open in 1998. Recently it has failed behind in paying its employees, it has not been able to pay all its local taxes and was rated by the IRS in April this year for possible reporting violations.” In another area in that report and I quote, “Travel agencies in Japan have said that casinos probably would not draw tourist and could even deter some from visiting the Commonwealth. Many people go to the islands because of its unspoiled beauty and gaming could negatively affect the image of the place.” This is Japan, our main tourism market. Voting on House Bill 18-45, we are basically taking a gamble. We are going to be starting the gambling right now and that gamble is to see whether we continue having tourists from Japan or we will see the disappearance from our tourist from Japan. Now I know that a lot of us here have amendments to make. I have looked at a lot that has been distributed and passed to each member starting from getting an NMI decent corporation going to all sorts of other amendments within the legislation itself, but to look at the legislation itself, we find that this does not appear to be just a Saipan casino or the Third Senatorial District Casino. And why may you ask is not? Because the legislation proposes to also have commissioners from the First and Second Senatorial District. I just wonder how this would appear if we had a Commissioner from Tinian in the Saipan Gaming Casino Commission alongside a Commissioner from the Tinian Gaming Commission, let us think about that for a while or even the First Senatorial District. To have a Commissioner from Rota in the Third Senatorial District Gambling Commission and somebody from its own Senatorial District. You know a while back, I was in a presentation from Marianas Visitors Authority (MVA), during that presentation a company was

contracted to the tune of a little over Four Hundred Thousand Dollars and that was to take surveys of exiting visitors. So they had all these different nationalities being surveyed as what they would like to see more of. Top on the list was the scenic beauty of the islands, its cleanliness. You know where casino ranked; it was at the bottom of the toll temple. They had no interest in coming here to gamble for they know that there is Macau right next door to where they are. Even on the survey that was made for the Chinese tourists, casino did not rank high. So again we go back to the question, are we not only gambling on this legislation, but also gambling on the future of our tourism industry? I think the answer to that is quite clear, we would be gambling on both and I will yield for now Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Vice-Speaker. As a reminder to members, our rules allow for five minutes of a debate for any member with an allowance for a second round to be recognized. However, because of the importance of this bill, the Vice-Speaker pretty much took up his five minutes and another five minutes so he got ten minutes, but as I said because of the importance of this we would allow for every member to have at least an equal amount of time. Maybe we should restrict it to ten minutes for the first round and maybe another ten for the second round. We can opt to, to allow all members for and again. Any further discussion on this bill? I recognize Representative Yumul.

Representative Ralph N. Yumul: Thank you, Mr. Speaker. This is in light of what the Vice-Speaker said. If any member needs a copy of that exit survey, I have a copy that would be of use for your reference. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Yumul. Did that come from the tourism five year plan?

Representative Ralph N. Yumul: Yes.

Speaker Joseph P. Deleon Guerrero: Recognized Representative Ogumoro.

Representative Felicidad T. Ogumoro: Mr. Speaker, if we could be afforded copies of the exit survey that Congressman Yumul speaks about.

Speaker Joseph P. Deleon Guerrero: Thank you. I think the Sergeant-at-Arms will be making copies and passing it around. I now recognize Representative Tebuteb.

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker. If that was a motion, I would second it.

Speaker Joseph P. Deleon Guerrero: To get copies?

Representative Ramon A. Tebuteb: To go for ten minutes or so.

Speaker Joseph P. Deleon Guerrero: Actually, technically and procedurally we have to suspend the rules to allow for more time. I did not interrupt the Vice-Speaker while he was talking, but out of respect for all members what he got should be afforded to everybody else. So any further

discussion. Floor Leader, would you like to effectuate the proper motion? This is to suspend the five minute rule. Legal Counsel.

Legal Counsel Joseph Tajeron: Rule V, Section 5 pertains to the five minute rule so that is all that needs to be suspended.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. If there is no objections, I would like to suspend Rule V, Section 5, so move.

RULE V. DECORUM AND DEBATE.

Section 5. Holding the Floor and Manner of Address.

(a) A member shall continue to hold the Floor until such time as he/she ceases to speak on the question or otherwise yields the Floor, except that no member may speak more than five minutes each time he/she is recognized: Provided, that no member shall be recognized to speak more than twice upon consideration of a Bill or Resolution.

(b) A member shall refer to his/her fellow members as "Mr. or Ms. _____", and all personal references shall be avoided.

(c) No member shall hold the Floor nor speak for more than five minutes during Miscellaneous Business and Announcements. No member shall debate another member during Miscellaneous Business and Announcements.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion is offered and seconded to suspend Rule V, Section 5 to suspend the five minute rule. Discussion.

Several members voiced "ready".

There was no discussion and the motion to suspend Rule V, Section 5 was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: Division on the floor, Clerk please call the roll. Mind you this is just to allow for members to speak more than five minutes.

The Clerk called the roll on the motion to suspend Rule V, Section 5 with the following results:

Representative Antonio R. Agulto	yes
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	yes
Representative George N. Camacho	no
Representative Trenton B. Conner	yes
Representative Francisco S. Dela Cruz	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Rafael S. Demapan	yes
Representative Christopher D. Leon Guerrero	yes
Representative Janet Ulloa Maratita	yes
Representative Felicidad Taman Ogumoro	yes
Representative Antonio P. Sablan	no
Representative John Paul P. Sablan	yes
Representative Teresita A. Santos	no

Representative Richard B. Seman	no
Representative Mariano Taitano	no
Representative Ramon A. Tebuteb	yes
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	no
Speaker Joseph P. Deleon Guerrero	yes

Clerk: Mr. Speaker, 14 members voted “yes” and 6 members voted “no.”

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk. With the vote of 14 “yes” and 6 “no” the motion is hereby adopted. Having said that the Chair will as the Chair presides over this session to address the concerns that were raised by Representative Sablan. Keep the ten minutes that the Vice-Speaker used as the ceiling that we cannot exceed. The concern that was raised was that it not be open ended, I actually agree, but because we did exceed the five minutes and I did state that we would like to afford the same opportunity to every member, let us use the ten minutes that was used by the Vice-Speaker as our ground rule. So Floor Leader, please be the time keeper here and we will move on. Floor is open now for further discussion. Recognize Representative Tebuteb.

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker. I would try to keep it less than the ten minute timeline. I was going to suggest that this body defer this legislation back to the committee for obvious reasons and along the line with the Vice-Speaker’s comment and so that we are meticulous. I do understand that this is one of those compelling matters with respect to the distribution as proposed in the legislation such that it is for the retirement, such that it is eighty percent of the realized fees and taxes and what have we. It basically wants to address the retirement. Article III, Section 20 of the Constitution as everybody may know already that it is not to diminish and impair the retirement somehow because of our democratic system. This legislature and this administration and previous administration including the retiree trustee, disregarded this constitutional provision within the context of what is now being proposed, there is again that danger that we will and most likely if not this body, the next body will go into the same phase. Let me illustrate what had transpired, Public Law 1-14 allowed the casino gambling in the CNMI and that was a form of legislation. Right after it passed both Houses it went to the Governor and the Governor vetoed it and in the veto message it is very clear it is on the record, however, the legislature overrode that veto and thus Public Law 1-14 came into play allowing for casino gambling in the CNMI. Thereafter there were other legislation to further elaborate and further explain on some other US Constitutions on prohibition of gaming as well as some clarity to try to verify the public law with respect to taxation. In 1983 the law came into place two years later. 1985 through a constitutional referendum the casino gaming was prohibited, so we have a legislation that went through the process, became law but the Constitution changed that back to prohibition. There are some grand instances that we can fall back to, for example there has been legislative initiative on the casino specifically for Saipan it has been struck down many times. So even if there is only one vote difference in the recent election on this casino initiative it is obvious that it is not allowed. So what we are trying to do is to some extent in my opinion circumvent what the people had wished for even if it is only one vote, that is what we are trying to attempt on this issue. Further to that we have the pension obligation bond. The pension obligation bond went through the initiative process, it was struck down recently, it passed by the people so now we have the pension obligation bond that we are moving on with. Included in all these challenges that this government face and had tried to fix including the retirement on land

compensations, the land compensations the government took the public or private properties and turned it to public access and now we are happy, but disregarded the landowners. So I guess my point Mr. Speaker and members is that I think there are more and I have just received just a few potential amendments, I believe there are six of them if I am not mistaken. So these are things we should consider to defer this back and the legislation has good intent, but I think we need to be more clear on what we want to accomplish. If it is for the retirement then why not one hundred percent, why eighty percent? On the Commissioners qualification, I have a big problem with that on the deficit reduction that is also in the legislation. I think we should really look at that and the intent again is good, but not at this time. I think we should refer it back. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Tebuteb. Are there any further discussions? Representative Conner.

Representative Trenton B. Conner: Thank you, Mr. Speaker. I would like to thank colleague Dela Cruz for acknowledging the pitfalls of Tinian Dynasty. Although the article in insight Asian gaming does not mention as to the facts behind, why. One of the things is that the former Governor promised the investor that in two years time he would build the international airport and until such time we have been given a hard time to establish such an international airport to establish direct flights, which ultimately has brought Dynasty to its knees. So there is a lot of political play that played out to the demise of what Dynasty is going through. This action that we are taking here today is the same article under insight Asian gaming where it says, “Casinos could provide a much needed boost to Saipan’s ailing economy,” but the gaming proposal as it currently stands does not make sense for operators. The intent is noble, but the political play that we are playing with is not correct. The article mentions about operators, stating that the plan as currently envisioned may not be successful while many believe that gaming would vote nicely to the CNMI economy. The way the industry is set to be structured may not make business sense. If it does not make business sense then why are we acting on it? There are no guarantees to local legislative delegation process by establishing and enacting by law because it can always be repealed the following day, which sends jitters through the investor’s spine knowing that there is no guarantee about their investment if they are going to put it down because we can say “yes” today and “no” tomorrow and what happens then? We should be mindful because its states here that gaming is still possible in Saipan, but it just has to be priced correctly and targeted at the right market. Where is the study? Where is the investors out there pushing for this bill? Why they have not met with us? Why are we not seeing them out there advocating? Why? Because it states that the coverage, what we are asking for is too high. An operator may simply choose not to come at all. What they are stating is through salaries and taxes paid is how we can make this happen, make it become a reality. I am not going to sit here and vote for something that is to be a shoot from the hip just to make the people have false hope out there and not making it a reality. I know we are pressed with the dilemmas and issues that we are confronted with and as stated in this article, the retirement fund is one of the key players pertaining to this type of legislation, but we have to be realistic on how we can make it happen, not and giving false hopes and dream to the people out there only to realize that we cannot accomplish what we set out to do. We have been asking to be given a chance for Tinian Dynasty, but every single way that we go we are given an obstacle. I just hope and pray that day will come when we have our direct flights. So we can see the true benefits and the true reality of what the industry has to offer down at the Second Senatorial District, but with the political play that we continue to mess with there is no certainty that we are giving to the investors out there. And without that credibility we do not have anything

much to offer. Even with the pension obligation bond we are being criticized because of our credibility. So as a leader of the CNMI, I just hope that the members would consider not giving false hopes to our people when we have not thoroughly done our homework to really see how we can make this happen, but by just trying to gain praise and glory that we are trying to do something does not make sense if it does not become a reality. I do not see the investors out there in the gallery. I do not see the numbers being offered. I do not see the strategy, the marketing, all the business plan as to how it is going to happen, but yet we as for heaven and earth for them to come in and give us the money, send it to the retirement and it will solve all our problems. How? Where is the plan? We need to plan now, how to do this right. The courts have asked us, what is the government's plan in resolving the retirement fund? We have no plan, we are trying to make a plan. The problem is the plan cannot be realistic because we are not sure how to make it happen. Please consider the ramifications, the false hopes, and the consequences of offering something that is not there. I agree with colleague Tebuteb, let us differ this back to committee, let us research it thoroughly, let us deal with the operators and players out there that can make the industry happen. Let us make it viable, but let us do it right and let our people agree and conform to it. I do not want to be a puppet up here voting because of the mandate of the people to remove the former Governor and now to go against those very mandates. And last Mr. Speaker if I may, under the Committee Report on the fourth paragraph it states, "Your Committee acknowledges the potential financial benefits of establishing a Casino in the Third Senatorial District but is also cognizant of the negative impacts it may have on our families. Committee members are also well aware that the people of the CNMI have overwhelmingly said no to casino gambling twice during the general elections and members feel that the question should be asked of the voters once again, instead of passing the legislation." Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Conner. Floor is still open. I recognize the Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Friends and colleagues, I ask you to search your inner most conscious as I have as a member of this body, look around us, are we satisfied with the way our community live? Are we blind or are we cognizant of how difficult and painful our people are. Is our economy and quality of life better or worse? As the main author of this bill, I will not support a casino that will not pay tax. I will not support a casino that will refuse to train and employ local residence. I will never support a casino that will not help our hospital, help our retirement fund, and help our educational system that is why I drafted this bill to do what it does. This legislation will ensure that the casino would be transparent. The revenues generated will go where they are badly needed and that the Commissioners will be empowered to do the right thing because the Casino law will call for qualified Commissioners that can only be removed for cause. Fellow Legislators, we need to remember that when people spoke out for and against casino, they spoke when times and circumstance were a little bit different and even an opinion they have today may change tomorrow. The retirement fund is eight months away from being nothing and each day we delay is a day we cannot get back and let us not forget that people change. One of the most vocal opponents to casino was Senator Pete Reyes and now even he agrees that times have changed. He said at the time he sponsored the resolution against casinos, the problems at the Commonwealth Health Center, the NMI Retirement Fund, the Public School Systems, and other programs were not at a crisis level. I quote, "Now the hospital is in ICU, we need to change with time. We continue to act like a crisis legislature, we act only when there is crisis. We are not proactive, we never prevented a crisis, we cannot continue to be stubborn"

Reyes said. We live in a different time now, Mr. Speaker and colleagues. No one needs to tell that through an election or public hearings. We know that people change, people change their minds and this is not a bad thing. Change is often needed especially when we are facing a crisis. Not everyone still thinks like they did in the last election when casino was last rejected. For example, not too long ago no one was even willing to entertain the pension obligation bond. How many of us voted in favor of that legislation? I think you hold the passage of this legislation because of that pension obligation bond. Now more people are considering it. Not too long ago, people were against changing Article XII, now there are more than one initiative looking to water it down. Soon it may be abolished all together. And just a few elections ago this House was composed with many different faces and the Commonwealth re-elected former Governor Fitial to a second term, now we are here because people change, because the times have changed. A few years ago when casino was rejected things were different. Power and water were affordable; the hospital was operating with more doctors and nurses, the retirement was not months away from disaster. To those that continue to say that people have already spoken, all I can say is yes, you are right. But with all due respect, I am hearing them say something different now. For those that have spoken both for and against casino, I respect you all. I hear you, but hear me now, we are in a crisis and before it gets any worse we need to take action. Yes, I admit there are some risks involved, but in life I have discovered that everything that is worth anything has some risk. Honestly, can we afford to gamble on doing nothing? I, for one will vote and have no regrets because I prefer to try and fail than to sit and do nothing. If I am voted out next election, let it be for what I did, not for what I was too scared to do. As a member of this body, we are members of the 18th Legislature, we are not the 17th or 16th or so forth, let go of the past. Yes, we can learn from it, but let us not get trapped by it. We should all vote in accordance to what we feel is right, what we sincerely feel will help our Commonwealth. Colleagues, when Public Law 17-82 and 18-2 was passed into law, if not majority, all of us voted in favor of that Public Law and that is to help the non-retired members of the defined benefit plan. Now it is time to help the retirees. Retirees are asking, “What about us?” This is the core of this legislation and not only because of the retirement, but more money for PSS and so on. I yield for now and I will take my second turn later, Mr. Speaker. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. I now recognize Representative Yumul and then Representative Roman Benavente.

Representative Ralph N. Yumul: Thank you, Speaker. I would like to go on record with regards to House Bill 18-45. I, myself have more opposition against gambling, but I do believe that every person should be able to spend their hard earned income any way they choose. As a Legislator, I have the responsibility to make hard decisions that can have a huge impact in our citizens’ life. My biggest issue with House Bill 18-45 is the social cost that would be placed in our community, not one, maybe two, three, four, or five years down the road. I am concerned about the negative impacts on individuals with addictions, mental illness, financial hardships and this would become a huge social problem and cost that would be placed on our community, which this bill does not even address. Our role as a government is to protect and promote the public. Our community cannot be measured as a simple dollar figure on the bottom line. Our job is to make smart decisions that would promote and enhance our community by good planning, good programs, good services, and good jobs. Our government should never be about exploiting weakness for financial gains. Our people have voted on not having casino on Saipan, not once but twice and this is why I ask the members to vote “no” on House Bill 18-45, thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Yumul. I now recognize Representative Roman Benavente.

Representative Roman C. Benavente: Thank you, Mr. Speaker. I look back in time and I also feel what Representative Yumul has mentioned. We are entrusted by the people to represent the people this pass election. This is my first time I ran for office in the legislature and I have been a board member for the Board of Education and I have seen downs and ups in the board especially with the children of the community and the effects of for example, poker. When we first introduced poker in the CNMI, it is a form of gambling that everyone thought it was a salvation for economics. Unfortunately, the ripple effects that carry on throughout the years in the CNMI has translated into damaging effect in the community. A child is left inside the car and the parent is inside the poker room and the child died inside the car and this happened here on Saipan. I am not talking about anywhere else, but this has happened on Saipan. These are the negative issues that arise upon all these kinds of gambling forms. Going back as what I have mentioned that we were elected by the people and our campaign's slogan was "Transparency and Clean Government." And then here we are sitting over here and trying to shoot the moon. We want to railroad this casino bill to let it go through. I, for one have a lot of families who are receiving retirement, but they all know and they all understood that years ago retirement has gone through all kinds of convoluted issues such as the thirty percent for them to retire early. Thirty percent benefit out that comes out of somebody's pocket no matter how you look at it, anywhere in the United States or in the CNMI there is no such thing as free lunch. So somebody has to pay whatever it is worth. These are the type of issues retirement has gone through in the past, mistake after mistake, citations or issues that were brought up by the media stating that board members are going out and really having a vacation with the credit card of the retirement funds. Members and not only retirement employees, all these things that has come about and that is why it came down to the point where this level is and when our economy was good, nobody thought to save up for the rainy days and now is the rainy day. Mr. Speaker, I still feel that the casino is not the only solution. We have just passed the floating bond and now we want to shoot the casino. On top of that we have passed the machine on the floor for the hotel to use a gaming machine and it was authored by Representative Sablan. I helped pass that bill, but this casino is huge and I am thankful of Representative Tebuteb who is planning to realign the poker area and take them out from the village and put them on a sited area. At the same token, Mr. Speaker, the way the bill is drafted it is convoluted. Like what the Vice-Speaker mentioned, if I want a Third Senatorial District casino, I will have a Third Senatorial District casino, but why do I have to be dictated by a First and Second Senatorial District when I am suppose to be running a Third Senatorial District casino. Mr. Speaker and to my colleagues, reassess yourselves and consider the fact that maybe the bill that you pass today, you will be ripping off your future generations opportunity tomorrow. Mr. Speaker, *si Yu'us ma'ase* and I will come around again for the second time.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Benavente. Any more takers? Any further discussion? I recognize Representative Anthony Benavente.

Representative Anthony T. Benavente: Thank you, Mr. Speaker. In my personal and view of what this House Bill is being pretty much viewed upon by our colleagues its seems that there are different atmosphere to each and every one. I, myself support this bill. Yes, right now we are looking at it and then with all these floor amendments that keeps coming, I guess the only proper suggestion or reasons for this is to consider what Representative Tebuteb has mentioned. I feel

that there is a lot that we should be doing in terms of making some changes. The casino here is something that would benefit the commonwealth and that is the entire commonwealth, not just Saipan, but Rota and Tinian it would help every retirees pension and it would also help out what so much that the government has owed under court judgments. All agencies would be helped. We are here as someone has said earlier, let us move up and ahead, what is done is done. Let us try to work together to do what is right. If this thing is done properly in agreement with this elected 18th Legislature, I am sure the people will be happy and that is our goal to do what is right to make them happy. So hopefully we vision and see, there is no saying “no,” you cannot say you cannot try, you have to try something sometimes. Believe me it is only proper that we all try for the best for our commonwealth and I speak this for our commonwealth. It is very important, this is something to look forward to. You can say it is not going to happen in the future, it just might work, but negative thinking would put negative results, positive thinking may look in the bright future of the commonwealth. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Benavente. I recognize Representative Antonio Agulto.

Representative Antonio R. Agulto: *Si Yu'us ma'ase, Mr. Speaker. Malago yo' na bai chule i sentimento Representative Benavente. Antis di bai fa'tinas disision, ilék-hu na man confuse hit esta guini halom ya yanggen ta chule este halom gi komiti ya ta arekla maolek eyi gue ni ta fan ma fa'tinas solid na disision sa i disision ni ta fan fa'tinas pa'go para i ma'maila' mo'na na famagu'on-ta nuebu fumofo'na i problema sa este na problema todos hit problema-ta todú este ya maila ya ta bira tatte gi komiti ya ta arekla maolek este na dukumento. Sa este na dukumento yanggen lachi man lachi hit todú, ta fan ma madesi taotao Marianas. Pues hu fa'faisen hamyo na maila ta bira tatte gi komiti ya ta arekla maolek yanggen bai hu supotta este na bill maila ya ta bira tatte gi komiti ya ta arekla maolek pues eyi ni ta fan huyong gi lamasa. Si Yu'us ma'ase, Mr. Speaker.*

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Agulto. I will recognize Representative Leon Guerrero and then Representative Antonio Sablan.

Representative Christopher D. Leon Guerrero: Thank you, Mr. Speaker. House Bill 18-45, casino act of 2013, yes, the past has gone let us move on. Retirement funds issues, ladies and gentlemen, members of the 18th Legislature and forward, what immediate revenues do we or anyone have to offer to supplement our Retirement Fund, our schools, CHC, and so on. We have at least less than nine months and at the most twelve months with this crisis of our Retirement Fund which is the most critical issue now. We have over Three Hundred Million Dollars unpaid contributions that is owed to the Retirement Funds and that is a big chunk of money that our government has neglected to infuse it back to the funds. Let us think for a moment for the sake of our elderly ranging from anywhere not less than 60 years old who are now retired probably, 50% of our retirees. Do we expect our elders to come back and seek jobs at that age? I as a retiree for one, I made an impression that with my age able, physically to go out and find a job. Independently, I can generate several thousands of dollars a month on my own because I am able and our elderly that are retired at 75 years old, I do not think so. Let us think further as I express, I would sacrifice my retirement pension so that our elderly can continue receiving their pension and with that sacrifice I will be blessed by our Lord above. What is left for our elders to live on with? The retirement pension they receive today and for the future. That is the fact I feel so much for our

elders. What do we have to offer ladies and gentlemen? As I mentioned, the neglect of this government, us, to include the Legislature, the Executive Branch, I think we are all in this with the issue of our financial obligations. Let us think about our children being affected in a form of gambling, poker. Who benefits from those accesses? Millions of dollars, I think our top list there are our students because most of the money goes to the scholarships. We complain that it affects so much, yes it does affect our familiar ties, but we ask ourselves that question to is it gambling the problem or the individual? If none, here is my take of this issue. I wish I had more time before this 18th Legislature to be one member to assist because I cannot do it myself. You cannot do it, none of us can do it alone, but as a unified body as we are practicing today, yes we can practice it together. Having faith in what we believe I think there is hope. With a narrow margin of less than one month there is no time to waste. Here we are sitting on our behinds waiting for that Three Hundred Million to come in and find us no people we do not sit n our behind for it to come. We should get up on our behinds and go and find it and bring it in.

Speaker Joseph P. Deleon Guerrero: Representative Leon Guerrero.

Representative Christopher D. Leon Guerrero: Sir.

Speaker Joseph P. Deleon Guerrero: May I ask that you refrain from using that three letter word? There are other appropriate terms such as butt, buttocks, your gluteus maximus and you can choose from all three.

Representative Christopher D. Leon Guerrero: I apologize Mr. Speaker. With the Executive Branch, I think it is the duty of the Executive Branch to establish a special committee members in conducting a thorough research and analysis in identifying the following possibilities for casinos. They should identify an increase or a large amount of frequent flights besides what we have today, numbers in how much revenue that can generate alone, additional tourist alone to come in for casino. Increase in other revenues such as shopping, marketing's, tourist activities, aside from what we have today in our tourist market. Yes, we want to go and find them and bring them in for the gambling of casinos, hotel capacity especially. Yes, I think with new investors, but the question is where are they today? With that said, with monthly figures brought in on everything and there is more that has been mentioned above with that dollar revenue that will come in multiplied by twelve in an annual basis, we give it to the people and say for a sole investor probably we can bring in at least \$100,000,000.00 and that covers at least half of the pension and probably some to CHC. If there are two investors then several hundreds of millions. This possibility my fellow colleagues will give the people of the commonwealth the results that could or may supplement our people's retirement issues and our daily living in essence of all revenues. With that figure with the above analysis and finding our people would say "what do we have to do or what do have to lose if we do not make the effort to at least try." So what if we give casino a try as a first ever probably, I do not know if this proper, pilot project you can say. If it or when may materialize then we have something to move on with and continue on, not on a short term basis we think long term 20 years and more. If it fails us on that very first try then of course let us say no to casino forever and never come back to the CNMI. One last effort, in the event that this legislative body the House and the Senate and the Executive Branch does not accomplish in rescuing the retirement funds issue of how much they owe today as a last resort, I personally or if any of the members wish to join me, respectfully in my deepest and sincere approach in urging our executive branch under his executive power to place an order that any

huge funding such as MPLT revenues and other agencies to become pared at the least of a hundred million dollars be referred directly back to the retirement funds.

Speaker Joseph P. Deleon Guerrero: Representative Leon Guerrero, I have just been given notice that you have exceeded the ten minutes so please wrap up.

Representative Christopher D. Leon Guerrero: Alright thank you, Mr. Speaker. That can probably supplement our damaging retirement fund right now and also urge the governor to sell our Marianas mansion in Washington DC so that we can make use of that funding.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Leon Guerrero.

Representative Christopher D. Leon Guerrero: Last statement if I may. As my last two cents Mr. Speaker and members, it is better to have and not need it than need it and not have anything at all. God bless us all and thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Leon Guerrero. I have on my list Representative Antonio Sablan, Representative Santos, and then Representative John Paul Sablan, but before I recognize them I am going to call for a short recess so that we can all stretch and go to the powder room. Short recess.

The House recessed at 2:58 p.m.

RECESS

The House reconvened at 3:21 p.m.

Speaker Joseph P. Deleon Guerrero: We are now back. We left off under discussion on House Bill 18-45, the next member will be Representative Antonio Sablan.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. Here we are again faced, as members of this body, with a major legislation that undoubtedly would greatly impact the people and our Commonwealth. I guess the first question we should ask ourselves is does this body have the legal legislative authority to act on such a legislation? And without reading the whole context of the source of authority for the members' information, Article II of the CNMI Constitution grants this body such authority. Secondly, in regards to this specific issue which is gambling, Article XXI, Section 1 of our Constitution is entitled prohibition and it further goes on to read "gambling is prohibited in the Northern Mariana Islands except as provided in the Commonwealth law or established through initiative in the Commonwealth or any Senatorial District." I believe a lot of the previous members have already commented that in the past voters have rejected initiatives to allow gambling in the Third Senatorial District, however this section in the Constitution also provides an alternative legislative action or means in regards to addressing this particular prohibition in Article XXI of our Constitution and I read again "except as provided by Commonwealth Law" and that is the attempt of this legislation. For the record, which is a very common record, the government owes the NMI Retirement Fund the amount of over Three Hundred Million Dollars. The unfunded liability to the NMI Retirement Fund is around One Billion Dollars. Another fact that we must bare in mind is the March 2014 barely

nine months away. March 2014 for reminder is the anticipated date according to the actuary the NMI Retirement Fund will run out of funds, which means it would be unable to continue to issue pensions to our current retirees. Current retirees, as of yesterday for the island of Saipan there are 1,518 retirees. For the island of Tinian there are 138 retirees. For the island of Rota there are 209 retirees. Outside of the Commonwealth we have around 457 retirees. On top of that on the island of Saipan we also have 47 disabled retirees, on the island of Tinian we have 10, on the island of Rota we have 7 and outside the Commonwealth we have 9 disabled retirees living abroad. This is not to include and I apologize that I have not been provided the numbers to reflect the beneficiaries, but the most recent numbers that I can come up with this morning is that in 2011, there were an additional 830 beneficiaries. The total retirees for the three islands and those living outside the Commonwealth, we have 2,322 for the total number of disabled retirees we have 73. Again, I wish I had the number for the beneficiaries. In listing of the current active DB members reflects that for the total islands of Saipan, Tinian, and Rota we have 192 remaining DB members and these are for those who have not submitted pursuant to 17-84 and 18-2 applications. Additionally, out of these retirees we have 50 members with current home mortgage loans with the retirement fund. Let me just ask members to keep those numbers in mind when it comes to voting on this legislation. Mr. Speaker and members, I have a number of amendments to offer because I want this legislation to work and I want to ensure that when we act and this becomes law that it works for our people. In summary I ask the members for their support on the final version of House Bill 18-45 because in summary it provides for much needed funds for the retirement fund. It will provide funds for retirees to continue to receive their pension beyond March 2014. I think a question was posed earlier. Are we gambling with this legislation? I say, I think so, but again we must ask ourselves, are we willing to gamble on the pension fund going broke by not taking action such as voting in favor and allowing casino gambling a chance to be a possible solution for our Commonwealth's financial hardship. I think we can individually answer that ourselves. I, myself for the record, let me just say I rather take a gamble and again in response to this question are we willing to gamble on the pension fund going broke, I hope the members in this chamber do not. Personally, I have voted against the casino gambling that was placed on the ballot in the past. I have also voted against casino gambling legislation in this very chamber during the 17th Legislature, but again I have also voted in favor of casino legislation also in this very chamber in the 17th Legislature. I voted against the Pension Obligation Bond (POB) in the past, but in this last election I supported of allowing the POB to be floated. I have changed my position because circumstances have drastically changed in the recent years, reasons that have all been mentioned by one member or another earlier. Again, I ask are we gambling with the passage of this bill, maybe, but that is a gamble I am willing to take because I am not willing to gamble with the future of our NMI Retirement Fund and its members by not doing anything.

Speaker Joseph P. Deleon Guerrero: Representative Sablan, please wrap it up.

Representative Antonio P. Sablan: Thank you, I am ready to wrap up Mr. Speaker. I am an elected Representative by the people like fellow colleagues in here to make decisions both easy and difficult for the betterment of our people and our community. Voting today on this issue is within the legislative power granted to me by our Constitution and I stand ready to exercise that responsibility without reservation by voting in favor of House Bill 18-45 in its amended version. I ask this if we fail today, does anyone have any alternative solutions to our financial crisis? Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan. Going along with our list I now recognize Representative Santos.

Representative Teresita A. Santos: Thank you, Mr. Speaker. As some of us may recall during the 17th Legislature, we had public hearings conducted on all three Senatorial Districts on similar casino bills. At that time our people of Rota strongly oppose of any CNMI casino bill as our electorates ratified one in 2007. Now the mode has changed, constituents have been calling and voicing their support on this particular bill as they are becoming more pessimistic as to the lack of new revenues to prolong the lifespan of the fund where most of them and their families rely on. Though I know we have more obligations, we also have fiduciary responsibility to seek infusion of revenues to rescue our economically distressed retirement fund, otherwise we may all be economically and perhaps morally bankrupt. The legislation before us and as we have heard testimonies this morning would create significant revenue to the fund that is hanging on a dooms day clock for everyday there is no revenue to the fund and our inaction to expeditiously act on this bill would move the needle closer to the funds' eminent demise. I think it would be in the best interest of the CNMI to support the passage of this bill unless there is another proposal or pending legislation that far exceeds what House Bill 18-45 could potentially provide. I also think the fact that this is a CNMI bill that it is only fair and just for the representatives including the senators from the First and Second Senatorial District to participate, review, and render action in this piece of the legislation after all it is a CNMI interest. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Santos. I now recognize Representative John Paul Sablan.

Representative John P. Sablan: Thank you, Mr. Speaker and members. A lot of sentiments have been shared, a lot have been said about this casino bill, but the reality is that there is nothing solid in place to address the problems the retirement fund has faced. I strongly believe that I was elected to make hard decisions and hard decisions is what I ask all the members to make. Some of the members have mentioned that time has changed. I strongly believe that time has changed. Early this morning under public comments there were three citizens that spoke about this casino bill, all three were in support; none was opposing this casino bill. So we have to believe that time has changed, so with that I ask all members, let us vote on casino bill. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan. The list is clear. If any members wish to get on the list it is still open. Any person who has not yet spoken before I go around for the second time? Since everybody has had the first round, we now go to the second round and I recognize Representative Ogumoro.

Representative Felicidad T. Ogumoro: Mr. Speaker, this is my first round I think.

Speaker Joseph P. Deleon Guerrero: Please proceed.

Representative Felicidad T. Ogumoro: Mr. Speaker, just like I did in the 17th Legislature, I am still a firm believer of having a casino in the CNMI particularly in the Third Senatorial District. It has been three years and things are not looking well. As a leader that was elected to do a job, I am ready to do that. I know that it is a very difficult decision to do, but you cannot turn your face from the realities that we are confronted with. One that has to do with the retirement fund,

second the Health Corporation that desperately needs our help also and third our two major educational systems that are crying out for help, the Public School System and the Northern Marianas College and the fourth another very important agency that needs our help is our Public Safety. We do have others that are struggling with the budget that we have given them for fiscal year 2013 and in the previous fiscal years to deliver the vital services that we need to deliver for our people and I do not have the time to list all of those agencies. I think we do not have the time to be debating. We must act now and I would like to ask all of you to please, let us work together. This is not a perfect document; the bill in front of us is not a perfect document. We can come back with our amendments and we can also make amendments right now to improve on what our Floor Leader has introduced. It still has to go to the Senate so there will be that time that the Senate can do their changes and then it will come back to us to do ours during the Conference Committee. The important thing is that we have to act expeditiously. The more we wait the problem gets bigger. And yes, we must have a plan and I have been crying out for that plan since day one. That plan includes our ideas on how to recover the economy. We are now finishing the fourth year in the legislature at least for me and we are making progress. I think we should congratulate ourselves for the work we have done today to help our economy. We cannot just say that we have not done anything, but we must now come to a conclusion that we need to infuse new money to help us with our ailing economy. Mr. Speaker, I do not have to go through the different problems that I have heard from amongst ourselves, but I would like to ask that we bring those problems now. Let us give ourselves the chance to work on this floor now. Make time and we go over those amendments that we feel that must go into this version before us and then go from there. I do have my own amendment and it is a big amendment because I know it is not an easy amendment to make but I am willing to come in now. Especially when we look and see that our casino on Tinian is not working and what we are trying to do on Rota still has to take off, something has got to be done. And I do not want to be pessimistic, I want to remain very positive on things. Like Representative Anthony Benavente pointed out, if we are positive about things, positive things will result but if we continue to be pessimistic and put barriers in front of us, there will be more barriers to see in front of us. So let us be positive and take the step necessary right now to make a decision. Our people are looking to us and they are pleading and asking for help. So let us not turn them down this is our chance to prove that we are true leaders. True and strong leader and that we are going to do our job. Thank you, Mr. Speaker for the first round.

Speaker Joseph P. Deleon Guerrero: Floor is still open for the first round, Representative Seman.

Representative Richard B. Seman: Thank you, Mr. Speaker. Today has been really quite interesting hearing both side of the issue. All of us here, I know for a fact a lot of the folks in here are strong Catholics and we know in the past how much we tend to side with our church leaders in terms of their position with regards to gambling or for that matter casino. I, for one too I am in struggle in trying to determine whether to support or not to support casino, but we also must be realistic and we have to set aside certain things that we have in us when it come to the public as a whole. After all we are in public office, we are no longer by ourselves. We are not just elected officials for the sake of being elected, but we are here to represent the people and to take care of problems that is before us that is why we are here. I remember during the inauguration day we all plead and pledged that we would do what we have to do to take care of our economy, take care of our problems especially with the retirement. The retirement as I recalled was pretty much almost everybody's part of their presentation or in terms of their speech. A lot of amendment has been

offered; I too submitted a floor amendment. I am sorry Representative Santos it is intended to read district 3 not 1. It has been passed out and if I am to proceed forward in support of this proposed legislation, I can only do so with the elimination of poker arcade and other gaming devices that is presently present throughout our island here on Saipan. I do not want to interfere with Rota and Tinian. With the number of amendments that have been put before us, I too would echo Representative Tebuteb's proposal that we take this back to the committee and hash it out as much as we can if we have to work all night let it be. It has to be done right. The fact that it is already a proposal it is a good step in the right direction in terms of trying to identify a source of resolution to our retirement problem. If I have an alternative right now at this point in time, I will make that offer, but I do not have something in this particular size or magnitude that has been offered in a casino proposal. So as representative of the people that we are elected for as a lot of us have echo make that tough decision and we just have to rectify what has been offered. So far everything I have seen in the form of an amendment make a lot of sense and because they do make a lot of sense they should be sense they should be incorporated and then we can take it further to a more concrete discussion. I do not blame those that are not in favor simply because twice the people as a whole through a publicized or initiative voted against it, but the situation with the retirement is not a small problem it is huge. I am pretty sure a lot of us are in the program or in the system. If we do not have anything to offer at this point in time, we have to give this a shot, give it a try. If it does not work, at least we gave it a shot. Also at the same time let us not stop here with this particular option. Let us keep our mind open and seek other options that may save the retirement program and other crisis that we are faced with here in the CNMI. There is a lot that has been discussed about the pozzolan, I do not see no reason why we should not pursue that even further. It is just a matter of acting on it. Stop the talking and just act on it. Let us bring solution to the problem and this casino proposal if incorporating all the amendment offered is one option that we currently have and I am willing to take this option provided again as I have mentioned that the amendments offered are incorporated and let us keep our mind open for other options because if this does not work we better have something else in place, not later but as soon as possible. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Seman. I now recognize Representative Lorenzo Deleon Guerrero.

Representative Lorenzo I. Deleon Guerrero: Thank you, Mr. Speaker. Good afternoon colleagues. I am just going to be an echo for everybody with what has already been discussed earlier. The purpose of this legislation is basically to help the retirement fund, our educational system, and the government which is broke. The current administration has no plans to fix this problems, the administration is relying on the legislature to come up with these plans and here we are we have a plan. We cannot guarantee it, some of us say we are gambling, but I must just echo Chairman Antonio Sablan's figures a total of almost Three Thousand retirees, several hundred that are disabled retirees. Our people are leaving the CNMI because of our ailing economy. Colleagues we have a plan in front us and let me just phrase what I have been hearing all throughout the day and this is what we must all think about in regards to what you want to accomplish today. As I have heard from a lot of our colleagues here in our chamber, someone has said "we will fail if we do not do anything, but if we fail if we do something at least there is ample time to fix those problems." With that colleagues and Mr. Speaker, I am ready to vote on this legislation today. Thank you.

Speaker Joseph P. Deleon Guerrero: Anybody else who has not spoken yet? If not, we will now go to the second round and I recognize the Vice-Speaker first and then Representative Roman Benavente.

Vice-Speaker Francisco S. Dela Cruz: Thank you, Mr. Speaker. We have heard a lot this afternoon, although I still feel that if it was up to me it would be our people that make this decision and not just the 20 heads that we have in this chamber and the 9 heads over at the Senate a total of a whopping 29 individuals making a decision for over 50,000 people today. The provisions in this legislation speak of commissioners, commissioners that are not even from the Third Senatorial District. Percentage, cuts if you will to appropriate for the two Senatorial Districts namely Rota and Tinian a measly 5% and of course a member in the commission one each from Rota and Tinian. I just wonder whether this is a ploy by this legislation to apiece members of not only the Senate, but right here in the chamber. I truly think it is. It is to apiece member from the First and Second Senatorial District of a measly 5% budget. I just wonder whether the members from these two Senatorial Districts are planning ahead on their own gaming industry or have they already stopped because of the 5% and a commissioner. Some of the statements made earlier spoke and it has been repeated in the past and continues to be repeated in that what are the other solutions besides a casino in Saipan constantly being repeated. Recently, the people decided to float a POB. We have heard testimonials that Saipan should be a tourist island with pristine beaches and a history of the past. Again, some of us continue to ask the question, “what else is there?” but I guess my question to these proponents of casino gambling is what guarantee do you have within the next nine months that this operation is going to save the retirement fund. What guarantee do you have or this is another pie in the sky that we are all hoping and praying for? What guarantees? Do we even have investors yet clamoring to come into Saipan to set up shop at the Hyatt or Kanoa or wherever? Tell me here and now, what guarantee do you have within the next nine months that this is going to save the retirement fund and others. Show me the guarantee and I will be the first one to vote for this. Show me. Please do not keep repeating what is the alternative because I have so many more questions that just what is the alternative. We are brought to believe that this would be the savior to all our problems, but we have not been given the opportunity to learn exactly how this would pan out and who are the players. We stated earlier that if this legislation was passed, we might be jeopardizing our Japanese tourists in the future. We do not know and we do not want to wait to know if this legislation is passed into law. I will be introducing also an amendment that appropriates everything, One Hundred Percent to the Retirement Fund and the commissioners will only be from Saipan and they will not be getting a salary if they are so willing to assist in our dilemma with the Retirement Fund. All the monies will go to the Retirement Fund because I believe that that was the true intent of this legislation. I will rest for now Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Vice-Speaker. I will now recognize Representative Roman Benavente.

Representative Roman C. Benavente: Thank you, Mr. Speaker. A lot of it has been said and done. The question remain is show us something tangible. You want me to vote for this and support this casino. Put something on the table and bring in your investors. Are these investors here or are they ghost investor? If a serious investor is willing to come about they will step up the plate and they will throw in the money especially for the fact that it is for a good cause the retirement fund. Show us something tangible, do not give me the rope to hang my own neck

because I got already enough tie hanging on my neck. You know, you want to sell things, you want to market something, you have got to have the quality and the quantity of the things to be there before you sell anything. And the way I look at this Mr. Speaker and all of you members, I do not know I have been here, we have been talking about casino. We passed the Pension Obligation Fund a couple of weeks ago and then again we passed the gaming machine for the hotel. What else are we going to pass again? The salvation of the retirement is the casino. Whatever happened to the pension obligation fund that was sanction by the people, the casino was never sanction by the people, but I am going to tell you guys something if you bring in the investor and the investor is willing to come in front of us and contribute the money that is needed to accommodate the Retirement Fund, I will vote for it even though it is not sanction by the people. I will still vote for it, but ghost investors I am nothing new to this monkey business. I have been a real estate broker in the past and I know how business deals are done. And to give me a ghost investors, come on get off my back. I do not mind voting Mr. Speaker, but as everything is what is said and done and what the Vice-Speaker has mentioned and the amendment that is intended on the floor. I think for all fairness defer this bill back to the committee and let the committee handle it so that we can articulate it real good and everybody can have their own input, do some researches and soul searching and whatever that is needed to refine the bill and make the bill the best possible. So if it comes in question by our constituents who elected us then we can substantiate our effort through those refinement of this bill. Mr. Speaker, for the record I would like to say that I would like to defer this bill to the committee. *Si Yu'us ma'ase*.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Benavente. Anyone else? Representative Tebuteb.

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker. This is for the second round. I think what has been said so far is that there is no doubt that we all want to do something. We want to do a positive impact on not only our economy, but the legislation in front of us so that we can fix it and hopefully have some degree of security of our retirees. Representative Sablan's information that should not be taken for granted. Those are things that I personally appreciate and I am asking each member also to really consider that. There had been a few comments if you do not have any resolutions step aside or else suggest something. I do have resolution, but before I go there let me just elaborate the reasons why I would want to provide for a resolution and maybe in a form of motion since all of us are here today and now. As I stated earlier, the Public Law 114 came about as a result of an override that came from the legislature because they overrode the Governor's veto on that casino. The people by Constitutional change amendment 42, they say "no." So the legislature say "yes" the people say "no." The people also did through the Constitution on the retirement, again Article III, Section 20 do not diminish and impair, but what transpired was all elected officials including, again I want to emphasize the trustees said "no, go ahead and diminish and impair." So you have frictions on the Pension Obligation Bond at the onset there were friction. At the end it passed the people's vote because there seem to have been, and I can remember you Mr. Speaker mentioning that because there was some clear communication thereafter and after it was voted down somehow communication went to the people and perhaps through that then we have the people approving the initiative on that. So I think that was nice. So the facts are that the people had voted down the casino initiative many times. Recently our people supported the unprecedented event that transpired, thus here we are. I am referring to the impeachment process. So I guess my point is that the Constitution still stands

for the people, by the people and so forth. My resolution if you would like perhaps in a form of either a motion. I know that we are under discussion on this and I want to make that a point so that we all consider this as we progress or maybe even after the final discussion on this proposed legislation in front of us. My proposal would be, one, if we look at the none exclusive fee in the proposal in front of us at Three Million per year, whatever the calculation you have just put that in a figure. And then what I have in front of me is May 31, 2013 letter in support of disapproving House Local Bill 18-9, S1 to honorable Eloy S. Inos from retirement Lillian M. Pangelinan and this is on the appropriation it is \$3.1 Million, but she mentioned \$3.3 Million. My proposal would be for us to consider that we take all these poker fees that are going through the delegations including Tinian and Rota and also the appropriation at the poker fees that goes into the general fund that is about \$7 Million immediately, nine months guaranteed. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you. I think enough has been said about the merits of casino or the argument against. I think at this point of time I would like to ask the members that we dispose of the proposed amendments that have been offered, either one by one or to refer it back to committee to do that work. I want to leave it to the members, but I think the proper way to do it procedurally I guess is either motions be offered for the adoption of the amendments. If we want to go one by one and continue for the rest of the day and probably into the night or a motion to refer it to the committee. I leave it to the members. I would like to recognize Representative Santos.

Representative Teresita A. Santos: Thank you, Mr. Speaker for the second time. Mr. Speaker and members, I do not sit in this chamber to be appeased on any of the bills. I sit in this chamber to directly and indirectly represent my electorates and their interests. In the previous casino bills introduced, deliberated and passed by the 17th House of Representatives. The First and Second Senatorial Districts were allotted 33% each, however in spite of that I voted “no” which decisions was based on the public hearings conducted at the First Senatorial District, which the electorates of that Senatorial District strongly opposes. Now and to reiterate majority of our electorates supports House Bill 18-45. And yes, Mr. Speaker needless to say the power of the First and Second Senatorial District lies at the Senate. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Santos. Before I go further, are there more issues on the main intent of the bill or are we ready to discuss what we are going to do about disposing of the amendments. Recognize Representative Sablan.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. This is not on the merits of the bill. I know in listening to a lot of the members there has been some members who have made their sentiments known that this body takes more time through committee work under the legislation and maybe at this time I would like the Speaker whether we can call for short recess and get a poll in regards to – we surely do not want to discourage anyone from voting on this legislation today because they feel that they need more time to digest the current language on the bill as well as the proposed legislation. So I am not sure whether I am out of order in asking the Chair to call for a short recess and get a sense of direction on where we want to go with this legislation today. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you. I was just about to recommend that. Let us go into a short recess.

The House recessed at 4:12 p.m.

RECESS

The House reconvened at 4:30 p.m.

Speaker Joseph P. Deleon Guerrero: We now return back to our session and as agreed upon by the members during our short recess. It was agreed that we would not refer the bill to committee and that we would continue our session and allow for our floor amendments, deliberated and acted upon. So now I open the floor for any member. I recognize the Vice-Speaker.

Vice-Speaker Francisco S. Dela Cruz: Thank you, Speaker. I am introducing a floor amendment to House Bill 18-45.

Representative Francisco S. Dela Cruz offered the following amendment:

FLOOR AMENDMENT

H. B. 18-45 _____

- I. GLOBAL AMENDMENT (to apply substantively and in principle to the entire bill):

Notwithstanding any provisions to the contrary, replace current language setting forth a breakdown or distribution by percentage of any and all funds, revenue, fees, penalties, or taxes – such that all such distributions shall be deleted and replaced by a 100% distribution to the CNMI Retirement Fund.

- II. Page 23, line 8 section 203 subsection (b) (1) – amend to change “three” to “five”.
- III. Page 23, line 11-19 section 203 subsection (b) (2) and (3) – delete all text and renumber accordingly. (To remove Rota and Tinian members from the Third Senatorial District Casino Commission).
- IV. Page 26, lines 5-9: section 203 subsection (g) – amend text to remove salary and replace text with language that provides that all commissioners shall be compensated in accordance with 1 CMC section 8247 et seq., to mandate that all compensation to commissioners shall be on a per meeting basis and consistent and not more than that paid currently to members of boards and commissions.

The new Section 203 (g) as amended shall read as follows:

“Members of the Commission shall each be compensated pursuant to 1 CMC section 8247 et seq.. All travel will be subject to 1 CMC § 7407.”

Consistent with the intent of the foregoing amendments, I hereby also move to allow the Legal Counsel together with the Clerk to make further non-substantive technical amendments that are strictly necessary to effectuate the intent of this floor amendment prior to transmittal.

Dated: June 5, 2013 Offered by: /s/ Vice Speaker Francisco S. Dela Cruz

Reviewed for legal sufficiency by:

/s/ Legal Counsel Joseph Tajeron

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: A motion has been offered by the Vice-Speaker it has been seconded. Discussion, I recognize Representative Tebuteb.

Representative Ramon A. Tebuteb: Just for the members so that the –

Speaker Joseph P. Deleon Guerrero: Before you state that I wanted to ask the mover if we can get copies to the individual members before we act on it. You have it already, I am sorry I will go back to Representative Tebuteb.

Representative Ramon A. Tebuteb: Other than the members, but also for the record Mr. Speaker, perhaps I will ask the Legal Counsel to elaborate on 1 CMC Section 8247 and also on the amendment I overheard if I am not mistaken that compensation for commission members will be pro bono, I think in the Vice-Speaker's earlier statement and he can correct me on that.

Speaker Joseph P. Deleon Guerrero: I think the Legal Counsel would clarify what those statutes are if you give him a second.

Representative Ramon A. Tebuteb: Thank you, Legal Counsel and Mr. Speaker you can turn it off now.

Speaker Joseph P. Deleon Guerrero: Further questions from the other members on what was shown on the projector. You yield now Representative Tebuteb. Further comments Representative Sablan.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. This is to get a clarification on amendment 4 as offered by the Vice-Speaker. The concern with this amendment is that, unlike the commissioners for the gaming commission, I believe there is a lot of restrictions in regards to employment and interest in business activities related to regain commission plus it includes – so I am just trying to get clarification with the Legal Counsel in comparison of the employment restrictions as provided for under 1 CMC and I am not sure exactly what particular section spells out the employment restrictions. Legal Counsels can you bring that up.

Legal Counsel John Cool: I believe they start our employment restrictions on page 5 right at the top section 4, no member shall serve any other position established by this act or shall be an employer official of the Commonwealth government or of a municipality, agency, corporation or

other instrumentality or branch of the Commonwealth or any of the agencies of local government of the Commonwealth.

Representative Antonio P. Sablan: Legal Counsel, do you have the section on the restrictions of the gaming commissions section of the 18-45?

Legal Counsel John Cool: This is under the qualifications for commissioners.

Speaker Joseph P. Deleon Guerrero: On page 24?

Legal Counsel John Cool: It starts on page 24, subsection C and it is subsection 4 that relates to the employment restriction.

Representative Antonio P. Sablan: I believe it is on page 25, right? Alright and that is my concern with the amendment, here we are basically asking somebody who is unemployed to serve for free in a major industry such as a gaming industry. I just thought I point that out. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan. The Vice-Speaker would like to respond?

Vice-Speaker Francisco S. Dela Cruz: Yes, just a clarification. They are actually not going to be commissioners for free Representative Sablan. They will be paid on a per-meeting basis and consistent and not more than that paid currently to members of other boards and commission. So in essence they will still be paid based on per-meeting basis. And no, it is not a pro bono. I hope that clarifies it Mr. Speaker. I was actually going to suggest that if anything other members here can introduce a subsidiary amendment to this amendment so that only retirees can be commissioners since the intent of the amendment is to give 100% distribution to the retirement fund and that might be something the commission would seriously look and ensure that the interest of the retirement fund are duly protected. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you. Further comments or discussions on the floor amendment as offered by the Vice-Speaker. Recognize Representative Conner.

Representative Trenton B. Conner: Real quick regarding the restriction on page 24, line 18 section 3. I brought up this issue in the past and Legal Counsels said they would look into it. The restriction starting on line 21 “any crime or offense involving moral turpitude unless a full pardon has been granted.” The “moral turpitude” is my question there, how can that be defined?

Speaker Joseph P. Deleon Guerrero: Can I interrupt?

Representative Trenton B. Conner: Thank you.

Speaker Joseph P. Deleon Guerrero: Representative Conner is your comments in line with the proposed floor amendment or on the bill itself?

Representative Trenton B. Conner: It is on the bill itself and I think colleague Sablan was asking pertaining to the qualifications and the restrictions.

Speaker Joseph P. Deleon Guerrero: I understand, but the proposed floor amendment does not touch page 24, line 18. So maybe that can be discussed, but after we dispose of the floor amendment?

Representative Trenton B. Conner: I understand Mr. Speaker. It is just that page 23 is also in line with page 24, but that is alright, I will bring the matter up later on. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you and I apologize for interrupting. Further discussion on the floor amendment before we go to vote.

Several members voiced “ready”.

There was no further discussion and the motion to adopt the floor amendment offered by Representative Francisco S. Dela Cruz was carried by voice vote. There were several nay votes.

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

The Clerk called the roll on the motion to adopt the floor amendment offered by Representative Francisco S. Dela Cruz with the following results:

Representative Antonio R. Agulto	yes
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	yes
Representative George N. Camacho	no
Representative Trenton B. Conner	no
Representative Francisco S. Dela Cruz	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Rafael S. Demapan	no
Representative Christopher D. Leon Guerrero	no
Representative Janet Ulloa Maratita	yes
Representative Felicidad Taman Ogumoro	no
Representative Antonio P. Sablan	no
Representative John Paul P. Sablan	no
Representative Teresita A. Santos	no
Representative Richard B. Seman	no
Representative Mariano Taitano	no
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, 10 members voted “yes” and 10 members voted “no.”

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk. Legal Counsel, correct me if I am wrong, but with a deadlock vote the proposed floor amendment does not pass. So the motion is defeated by a vote of 10 to 10. Next floor amendment. Recognize Representative Antonio Sablan.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. At this time I would like to offer a couple of amendments.

Representative Antonio P. Sablan offered the following amendment:

FLOOR AMENDMENT

To: House Bill No. 18-45

Offered by: Representative Antonio P. Sablan

AMENDMENTS:

1. Page 6, line 1:

After the word “District” delete “, unless such law provides for such applicability by specific reference to this section”.

2. Page 23, line 17:

Delete “Commonwealth Senate” and replace with “Saipan and Northern Islands Legislative Delegation”

Consistent with the intent of the foregoing amendments, I hereby also move to allow the Legal Counsel together with the Clerk to make further non-substantive technical amendments that are strictly necessary to effectuate the intent of this floor amendment prior to transmittal.

Dated: June 5, 2013

Offered by: /s/ Representative Antonio P. Sablan

The motion was seconded.

Representative Antonio P. Sablan: Mr. Speaker, do I continue?

Speaker Joseph P. Deleon Guerrero: Just a moment. Do you wish to lump sum everything into one amendment?

Representative Antonio P. Sablan: Mr. Speaker, I would prefer that we vote on the individual amendments as offered, thank you.

Speaker Joseph P. Deleon Guerrero: So noted. So motion has been offered for the first floor amendment by Representative Sablan. It has been seconded, discussion on the amendment. Vice-Speaker.

Vice-Speaker Francisco S. Dela Cruz: Thank you, Mr. Speaker. I just wanted to ask the mover the intent on page 23, line 17. What his amendment proposes to do is to remove the Senate and replace with the Northern Islands Legislative Delegation, but that the Mayor of Tinian & Aguiguan. Is this page 23, line 17? I go up to line 15 because this is subsection three and this is where this actually starts that the Mayor of Tinian & Aguiguan shall within 30 days after the effective date of this act and appoint from the Second Senatorial District one member to the

commission subject to the advice and consent of the Commonwealth Senate, but near amendment proposed to change the Commonwealth Senate to the Saipan and Northern Islands legislative delegation?

Speaker Joseph P. Deleon Guerrero: Are you finished can you respond?

Vice-Speaker Francisco S. Dela Cruz: The appointment is coming from the Tinian and Aguiguan Mayor?

Speaker Joseph P. Deleon Guerrero: To respond Representative Sablan.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. May I ask the Legal Counsels and the Clerk to clarify the mix up? I believe the copy that it is being referred to by the Vice Speaker is the incorrect copy. The correct copy of House Bill 18-45 on page 23, line 17, reads “Commonwealth Senate.” I believe information that was issued was missing pages or entries on earlier in the body of the legislation.

Speaker Joseph P. Deleon Guerrero: Clerk, can I ask you to clarify why there is a little inconsistency in what we are reviewing or Legal Counsel?

Clerk: The word version when you look at it, it repaginated itself. So the line numbering’s are different, it is the same thing. They were missing what I have gotten from our Legal Counsel John Cool is the word version of House Bill 18-45. The amendments were made on the word version.

Speaker Joseph P. Deleon Guerrero: So just to clarify. Vice Speaker, the amendment that is being proposed by Representative Sablan is relevant to what is highlighted up on the projector to change that from the Senate to the delegation but it refers to the Governor appointing three members to the commission from the Third Senatorial District that is the relevant section of the bill that this amendment is referring to.

Representative Antonio P. Sablan: I have got to ask the Vice Speaker whether he is clear.

Speaker Joseph P. Deleon Guerrero: Just to confirm though you as the mover that this is in fact – what is showing in my bill on page 23, line 7 to 10.

Representative Antonio P. Sablan: That is the copy that I am working with as well, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you. Vice Speaker.

Vice-Speaker Francisco S. Dela Cruz: Mr. Speaker and Chairman, yes I believe that is clarified, but the hardcopy amendment here is signed by Representative Sablan unless there is another hardcopy that we can go by. I do believe that if we voted for this floor amendment because it is not only page 23, line 17 that is included in this amendment. It is also page 6 line 1 and unless this is corrected to reflect, I believe that the actions we take on this amendment would be what is written on number two.

Speaker Joseph P. Deleon Guerrero: Thank you, Vice Speaker. Can I turn it back over to the mover to make the necessary corrections on the floor amendment as far as which lines and which pages?

Representative Antonio P. Sablan: Again Mr. Speaker, on page 6, line 1 the first amendment is to delete everything after the word “District”. Are we clear?

Vice-Speaker Francisco S. Dela Cruz: Point of clarification, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: State your point.

Vice-Speaker Francisco S. Dela Cruz: I have no issues with the first amendment here. My issue here is the second amendment, but because they are engrained with the same hardcopy then that will basically entail us acting on this amendment as stated on the hardcopy.

Speaker Joseph P. Deleon Guerrero: Vice Speaker, please let us settle down. You have asked for clarification I have turned it over to the mover to provide the clarification. He is just starting from the top down just to make sure there are no – because you did point out that there are more than one amendment in this first amendment and so he is doing just that. So now we understand there is no problem with the first amendment as far as the line or the page number is everybody clear on that? Alright, now we move on to the second one and let us allow Representative Sablan to make the necessary corrections.

Representative Antonio P. Sablan: We are talking about page 23, line 17 Mr. Speaker?

Speaker Joseph P. Deleon Guerrero: That is what is on the hardcopy of your amendment or Representative Sablan, but I think there should be a correction made to that. As we discussed earlier we confirmed that this second amendment was actually referring to page 23, line 17 as the Vice Speaker pointed out at least on my copy and here lies the inconsistency in my copy line 18 refers to the Mayor of Tinian and Aguiguan appointing one member of the commission with the advising consent of the Senate, but we clarified that. That is not what your amendment is. Your amendment is the Governor’s appointee for the Third Senatorial District. Now I think we may have different copies here that provision is contained on line 7 to line 10.

Representative Antonio P. Sablan: Well I believe if I may be recognized?

Speaker Joseph P. Deleon Guerrero: Please.

Representative Antonio P. Sablan: The reason for the second copy, if you guys go to page 10 and page 11 of the first hardcopy, you will recognize on the bottom of page 10 starting line 19 to 22 it says sub letter A B C D, you go to page 11 on the top it says “H I” and that is the cause for the shifting of the lines because nowhere in between page 10 and page 11, the bottom of page then and the top of page 11 – do you see the notations for subsections E, F and G. So when these three subsections were missing in this one copy were slipped in it moved the line numbers that is why I tried to clarify earlier that my amendment according to the correct copy is proper.

Speaker Joseph P. Deleon Guerrero: no question asked here Representative Sablan. I am going to call for a short recess so we all are looking at the same page. Short recess.

The House recessed at 5:01 p.m.

RECESS

The House reconvened at 5:30 p.m.

Speaker Joseph P. Deleon Guerrero: Thank you, members we are now back. The importance with our discussion during the break, I will recognize Representative Sablan to withdraw his motion to allow the Clerk and the staff a little bit more time to fix it and we can move on with other floor amendments. I recognize Representative Sablan.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. At this time, I would like to withdraw my previous motion.

Several members voiced “no objection”.

Speaker Joseph P. Deleon Guerrero: There being no objection floor is open and I recognize Representative Seman.

Representative Richard B. Seman: Thank you, Mr. Speaker. Floor amendment for House Bill 18-45.

Representative Richard B Seman offered the following floor amendment:

Floor Amendment

H. B. 18-45_____

1. Page 6, line 14: Notwithstanding any provisions to the contrary, add a new such subsection (F) to Section 102 read as follows:

“All poker, pachinko and similar amusement machines outside of an approved casino establishment with in the Third Senatorial District shall be prohibited from operating within one year after the official approval and granting off a casino license as set forth in this legislation.

Provided further that there shall be reserved and allocated not less than \$3 million dollars per year for scholarships for the Saipan Higher Education Financial Assistance (SHEFA) that would be affected as a result of this prohibition from the distribution of revenue provided for in Section 106 subsections (a) (1) (d) and (e) (2) (d) and (e) (3) (d) and section 106 (b) (1) (I) and (b) (3) (I) and Section 106 (c) (1) (I) and (c) (2) (I) and (c) (3) (I).”

Consistent with the intent of the foregoing amendments, I hereby also moved to allow the Legal Counsel together with the Clerk to make further non-substantive technical

amendments that are strictly necessary to effectuate the intent of this floor amendment prior to transmittal.

Date: June 5, 2013

Offered by: /s/ Representative Richard B. Seman

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Seman for that amendment and for those who has the hardcopy you will see that it refers to Senatorial District One and as you have read it should be Senatorial District Three. Correct?

Representative Richard B. Seman: Correct.

Speaker Joseph P. Deleon Guerrero: Let everybody's floor amendment correct that change. Vice Speaker.

Vice-Speaker Francisco S. Dela Cruz: Thank you, Mr. Speaker. With regards to Representative Seman's amendment for all poker and gaming devices within the Third Senatorial District, I wanted to ask the mover of the amendment does he have any plans in supplanting SHEFA funding. I know that this is a municipal funding derived from these activities and to prohibit such programs to know what he has in mind to supplant these funding for our children from Saipan and the Northern Islands. Also as you know, recently the electronic gaming was passed by this House and a believe it is now with the Senate and will those activities also seize within one year after this legislation is passed into law. So I wanted to get an idea, I know that Representative Tebuteb is in the process of introducing legislation so that poker parlors are to be relocated, but we are probably looking at the next 4 to 5 years but I guess my main concern is what financial funding then would we have taking place of the Saipan Higher Education Financial Aid program. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Vice Speaker. Rather than recognizing the author, I saw Representative Sablan raising his hand so I recognize.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. This is in regards to this amendment is offered by Representative Seman and aside from the SHEFA issue is raised by the Vice Speaker. Also in consideration I believe recently a few days ago this body passed the zoning code specifically introduced by the mover of the amendment. I recall in that legislation it include a provision that address the poker operations in particular I believe that legislation just passed this body that we just pass included provisions that grandfathered the operations of poker, but at the same time I believe it provided for the gradual facing out off poker arcades in certain locations within the Third Senatorial District. At this time, with those two issues of concerns I respectfully would like to ask the mover whether he can reconsider his amendment taking that the zoning code that we have just passed as the provision that would address the issue of poker arcades throughout the Third Senatorial District. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan. I would like to recognize the mover now to respond.

Representative Richard B. Seman: Thank you, Mr. Speaker. Thank you to my colleagues with their suggestions and inquiry. With regards with Representative Sablan the zoning law was in the

absence of any casino legislation that is necessary. However, now that we have a casino before us the only way and I will speak for myself that I can agree with a casino but we eliminate the highest cause of violence on Saipan especially from murder to robbery to all kinds of crime occurs from a poker arcade it is just the way they are set up. I go frequently to Skyway and my good friend got stabbed for being a guard at the poker arcade. So it is my sole purpose that I would like to remove this if we are going to put a casino so what is the point of having a poker arcade throughout the island. Yes, it funds the SHEFA and a lot of money comes to that however every year we face with statistics into the number and level of crime that occur from poker arcade – poker gaming device and all that stuff. So for we are going to have casino as it is presented today, I can only in my conscious go along with a casino if these pokers are eliminated entirely from our villages or anywhere in this island. I just do not agree with the way it is run on the way it is conceived with the public. It is almost like a nightclub it is dark and barely anybody inside and it is a very easy access for people to go in and out even if they do not have a shirt on or shoes whereas a casino create some form of control. If casino is going to be established so be it provided that all poker arcades are removed. With regards to funds I am pretty sure we can tweak the casino bill to provide some funds to replace anticipated losses from these poker machines. By the way the poker has gone down every year because of the cost to renew the license. From what I understand we do not have this not just many poker machines as we used to three years ago and it has continue to decline as well. For what it is worth it does not bring good in the social aspect of our society and community. I cannot withdraw this particular motion, but I will leave it to the full house. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Seman. There was a third question that was raised by the Vice Speaker about what would happen to other bill by Representative Sablan regarding the electronic gaming commission and I guess the answer to that is that if a casino is enacted into law and is allowed it would pretty much encompass even those activities allowed by the electronic gaming. I think the more serious point of consideration is the funding so perhaps you may want to start if this is passed – prepare a floor amendment to set aside some funds for our scholarship consider that for the members, thank you. Further discussion on representative Seman amendment? Representative Tebuteb.

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker. Perhaps this would go to the Legal Counsel for clarification on the definition of poker. The written floor amendment says “all poker and other gaming devices” so we want to differentiate what are other gaming devices that we want to amend and so that we are clear on the definition on what other gaming devices as well as what is the definition of poker as far as I understand it is not as defined as a gambling device.

Speaker Joseph P. Deleon Guerrero: And further there is another word there, “arcades” Legal Counsel please also elaborate, does this include little games that kids play, can you further define that. I think the mover wants to clarify so recognize Representative Seman.

Representative Richard B. Seman: Thank you, Mr. Speaker. Perhaps just including in the same paragraph after “all poker and other gaming devices” “outside of an approved casino establishment”.

Speaker Joseph P. Deleon Guerrero: And what about the arcades?

Representative Richard B. Seman: You can delete that. Any gaming device poker or whatever they may be outside of an approved casino establishment is prohibited. Anything that is of gaming must occur inside an established casino.

Speaker Joseph P. Deleon Guerrero: Legal Counsel, he has already offered a floor amendment, he is proposing a subsidiary amendment and we have not suspended the rule to allow floor amendment so if you wish you can withdraw your motion. We have to do it in writing. We have not suspended the rules to allow for oral floor amendments so any amendment to your floor amendment that you proposed should be done in writing unless you want to suspend the rules. Perhaps it is fortunate Representative Seman that it was not seconded so you can maybe go ahead and have changes made in accordance with your recommendation and we will move forward with other members' floor amendment and then come back to you. I recognize Representative Leon Guerrero for clarification.

Representative Christopher D. Leon Guerrero: Thank you. Since we are on this and the mover is going to make changes the Legal Counsel has got to really clarify because right now currently on this existing establishment, most of them are labeled as poker arcade. So that is something to look into it is not just poker it is poker arcade. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you for the clarification. Legal Counsel take note. Clerk, are we ready with Representative Sablan? Representative Sablan, you have the floor. I believe the Sergeant-at-Arms is about to pass out copies to the members.

Representative Antonio P. Sablan: Thank you again, Mr. Speaker. I have been ready. Going back to the first amendment, this is to officially offer a floor amendment to House Bill 18-45.

Representative Antonio P. Sablan offered the following amendment:

FLOOR AMENDMENT

To: House Bill No. 18-45

Offered by: Representative Antonio P. Sablan

AMENDMENTS:

1. Page 6, line 1:

After the word "District" delete ", unless such law provides for such applicability by specific reference to this section".

2. Page 23, line 10:

Delete "Commonwealth Senate" and replace with "Saipan and Northern Islands Legislative Delegation"

Consistent with the intent of the foregoing amendments, I hereby also move to allow the Legal Counsel together with the Clerk to make further non-substantive technical

amendments that are strictly necessary to effectuate the intent of this floor amendment prior to transmittal.

Dated: June 5, 2013 Offered by: /s/ Representative Antonio P. Sablan

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Did everybody understand? The first amendment has been offered by Representative Sablan. Under discussion, I recognize Representative Tebuteb.

Representative Ramon A. Tebuteb: Under clarification, Mr. Speaker. We are under discussion on the written floor amendment offered by Representative Seman it was seconded and then we went into discussion?

Speaker Joseph P. Deleon Guerrero: To clarify that statement Representative Tebuteb, I have asked the Clerk if it was in fact seconded and I was informed that it was not and so we moved on to Representative Sablan's floor amendment and Representative Seman agreed to take this time to clarify his floor amendment and he will reoffer it subsequently.

Representative Ramon A. Tebuteb: Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Tebuteb. We go back now to any further discussion on the floor amendment as offered by Representative Sablan.

Representative Antonio P. Sablan: Just to clarify the amendment, the first one is to ensure that the QC program is not made applicable to any approved license casino operations and the second one is to remove "Commonwealth Senate" and replace with "Saipan and Northern Islands Legislative Delegation" this is to give the Saipan and Northern Islands Delegation the responsibility in the confirmation process of the three commissioners appointed from the Third Senatorial District. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Ready?

Several members voiced "ready".

There was no further discussion and the motion to adopt the floor amendment offered by Representative Antonio P Sablan was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: First amendment is adopted. I now turn it back over to Representative Sablan.

Representative Antonio P. Sablan offered the following floor amendment:

Floor Amendment

To: House Bill number 18-45

Offered by: Representative Antonio P. Sablan

AMENDMENTS:

1. Page 23, line 14:

Delete “Commonwealth Senate” and replace with “Rota Legislative Delegation”

2. Page 23, line 18:

Delete “Commonwealth Senate” and replace with “Tinian and Aguiguan Legislative Delegation”

Consistent with the intent of the foregoing amendments, I hereby also move to allow the Legal Counsel together with the Clerk to make further non-substantive technical amendments that are strictly necessary to effectuate the intent of this floor amendment prior to transmittal.

Dated: June 5, 2013

Offered by: /s/ Representative Antonio P. Sablan

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan. Second floor amendment has been offered and seconded. Under discussion Vice Speaker.

Vice-Speaker Francisco S. Dela Cruz: Thank you, Mr. Speaker. My good respectable colleagues from Senatorial District 1 and 2, I just wanted to hear whether they are in agreement on these two particular amendments from the Senate confirmation now to the Rota and Tinian Delegation whether you are both alright with these two amendments. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Vice Speaker. Would any of the two from the First and Second Senatorial Districts would like to start? Representative Santos.

Representative Teresita A. Santos: Thank you, Mr. Speaker. Again this is not to appease the delegates from the First Senatorial District, but the fact that we are amending page 23, line 10 which would set precedence deleting the Commonwealth Senate and replacing it with the Saipan Northern Islands Legislative Delegation I think should follow suit to also amend the Senators from the First Senatorial District replacing that to Rota Legislative Delegation which basically provides for the same members making that decision or confirmation. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Is it the same with Tinian or is it something else?

Representative Trenton B. Conner: Thank you, Mr. Speaker. Unfortunately not. I am looking at this and the way we have our structure is that the Municipal Council is the confirming body. So preferably if possible if the author and mover of the amendment if this can be changed and left to the Tinian Municipal Council since the rest of the directors and commissioners are confirmed by the Municipal Council that is my suggestion. Thank you.

Speaker Joseph P. Deleon Guerrero: Representative Conner we have a motion on the floor. We have already adopted one motion, which is very similar. As Representative Santos has mentioned by adopting these other two motions it just makes it consistent. Because a motion has been offered and seconded and we are under discussion, we will dispose of the proposed amendments and if you or any other member wants to change that you may offer subsidiary motions.

Representative Trenton B. Conner: Thank you, Mr. Speaker. And with that if there is no objection I would like to offer a subsidiary motion to the amendment if possible.

Several members voiced “no objection”.

Speaker Joseph P. Deleon Guerrero: As we had discussed earlier with the floor amendment by Representative Seman I asked that he provide written floor amendment. So if you are prepared to do so you may otherwise we have to dispose of this first and then you can prepare and then we can come back to it.

Representative Trenton B. Conner: I will work on the subsidiary amendment Mr. Speaker, thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, so we can move on also. Further discussion on this floor amendment? Ready?

Several members voiced “ready”.

There was no further discussion and the motion to adopt the floor amendment offered by Representative Antonio P. Sablan was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: The floor amendment is adopted. I turn it back over to Representative Sablan.

Representative Antonio P. Sablan: Thank you again, Mr. Speaker. I would like to offer another floor amendment.

Representative Antonio P. Sablan offered the following floor amendment:

Floor Amendment

To: House Bill No. 18-45

Offered by: Representative Antonio P. Sablan

AMENDMENT:

1. Page 26, line 14:

Delete the word “four” and replace with the word “three”

Consistent with the intent of the forgoing amendment(s), I hereby also move to allow the Legal Counsel together with the Clerk to make further non-substantive technical amendments that are strictly necessary to effectuate the intent of this floor amendment prior to transmittal.

Dated: June 5, 2013 Offered by: /s/ Representative Antonio P. Sablan

Representative Antonio P. Sablan: The reason for the amendment is to address a concern for a section on quorum for activity of the commission and basically three should be sufficient to establish quorum for the commission to conduct its activities. So offered. Thank you.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion has been offered and seconded. Just to clarify, we have on the members in the commission?

Representative Antonio P. Sablan: Five.

Speaker Joseph P. Deleon Guerrero: Five. So three would constitute a quorum?

Representative Antonio P. Sablan: Three would constitute a quorum, majority of three.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan. Further discussion.

Several members voiced “ready”.

There was no further discussion and the motion to adopt the floor amendment offered by Representative Antonio P. Sablan was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: I think we have two more Representative Sablan you have the floor.

Representative Antonio P. Sablan: Thank you again, Mr. Speaker.

Representative Antonio P. Sablan offered the following floor amendment:

Floor Amendment

To: House Bill No. 18-45

Offered By: Representative Antonio P. Sablan

AMENDMENTS:

1. Page 35, line 22 – Page 42, line 15:

Delete everything pertaining to “(1) Exclusive License” beginning on page 35, line 22 and continuing thereafter to page 42, line 15.

2. Page 44, line 11:

Delete “requirements of experience and”

3. Page 53, line 20:

Delete “both exclusive and”

Consistent with the intent of the forgoing amendment(s), I hereby also move to allow the Legal Counsel together with the Clerk to make further non-substantive technical amendments that are strictly necessary to effectuate the intent of this floor amendment prior to transmittal.

Dated: June 5, 2013

Offered by: /s/ Representative Antonio P. Sablan

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: The fourth amendment has been offered and seconded. Discussion, Vice Speaker.

Vice-Speaker Francisco S. Dela Cruz: Thank you, Mr. Speaker. I wanted to get another clarification on the removal of the exclusive license. What is the reason behind removing such a provision when I believe this was first and foremost in the issue of trying to get these investors to operate on an exclusive licensure there by putting Two Million Dollars on a yearly basis for a forty year term? I guess my question now is, are we starting to water down this legislation? Or are we now unsure whether these investors can be able to put forth funding for such exclusivity of a license? Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Vice Speaker. To respond, I recognize Representative Sablan.

Representative Antonio P. Sablan: Thank you again, Mr. Speaker. If someone can take the time to do the math, let me try to run it quickly. Under the exclusive provision of these legislation an exclusive, which mean only one that the licenses for forty years at Two Million Dollars per year which roughly computes to Eighty Million for the forty year license period. The next provision under this particular section of the regulation pertaining to the exclusive license is that upon granting of the license, 50% of the \$80 Million would be required upfront so that is \$40 Million and this is for the first 20 years. So immediately upon granting of a license, the CNMI can realize \$40 Million for the first 20 years. The additional \$40 Million would start on the 21st year of the license. In the nonexclusive provision of the statute it provides for three license for ten year periods. \$3 Million annual license for ten years is \$30 Million. Each license would be for 10 years and the annual fee is \$3 Million which roughly comes to \$30 Million. The second section of that provision requires that 50% shall be required upon the granting of the license which means upfront for one license is \$15 Million. So \$15 Million times three license will give you \$45 Million for the first five years. So you have got \$45 Million for the first five years and under the exclusive you have \$40 Million for the first 20 years. We do the math, you do the math and I do not think those numbers translates to watering down of any fees under this proposal. Again, if I stand corrected if my math is not correct, but again under the exclusive immediate revenue

proceeds that can be realized pursuant only to the fees is \$45 Million will be realized for the first five years for the three license nonexclusive and \$40 Million for the one exclusive for 20 years. I believe we all can agree on which one is the better deal for the Commonwealth to allow. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Vice Speaker.

Vice-Speaker Francisco S. Dela Cruz: Thank you, Mr. Speaker. So clarified Chairman Sablan. I just wondered if the author of the bill also is in agreement with the findings and the numbers as presented by Chairman Sablan.

Speaker Joseph P. Deleon Guerrero: Call for a short recess and we will get back to the Floor Leader. Short recess.

The House recessed at 6:05 p.m.

RECESS

The House reconvened at 6:10 p.m.

Speaker Joseph P. Deleon Guerrero: Thank you members. After that short break we now return and turn it over to the Floor Leader to respond to the question from the Vice Speaker. Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Yes, the number is correct on Representative Sablan. We also had a brief discussion on the proposed amendment although I still have a little reservations and I am willing to compromise and support the amendment. If I may it would be hard to go ahead and approve the measures before us without amending this provision and assuming we have all those license casino in place the Commonwealth will immediately generate \$85 Million Dollars within a year period. Having this amendment it would stream down to \$45 Million only. So I just thought I share that with you guys, but yes it is not a perfect bill and I am alright with it and this is something that perhaps this body can work with. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. Is there any objection to the Chair asking the mover about the intent or I would like to ask the author. My understanding was that there were two types of casinos. One is the exclusive and the nonexclusive. One would allow for a resort to be constructed from the ground up and the other would allow for establishments to be operated within a hotel. Is the exclusive license by removing or deleting it would it also remove for an investor to construct and develop a casino or is that allowable in the nonexclusive license.

Floor Leader Rafael S. Demapan: It is allowable on the nonexclusive license, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you. That is my only concern to ensure it is allowable. Recognize Representative Sablan.

Representative Antonio P. Sablan: Thank you again, Mr. Speaker. I think the legislation makes a distinction between resort and hotels and I think the word “resort” is mentioned in the section under exclusive license and I believe the difference between the two resort and hotel as spelled out in the legislation is the number of rooms. Resort is defined to include 500 rooms that the hotel is no less than 250 rooms however I do not see any prohibition for someone who is granted a nonexclusive license to construct something more than the 250 rooms. I believe that they are legitimate and want to ensure that the product is the best that can be provided for the customers I believe that would be an option that is going to be open to them. There is nothing in the legislation that restricts how on the size that an operation can be under the nonexclusive license provision. What we have to prepare and mine is if we leave the exclusive provision in there in the commission grants the exclusive license the other provision in the statute is clear that the gaming commission does not mean to grant any license provided for under the nonexclusive provision. So we cannot have both and what I am saying is this is if you look at the economic numbers to the two provisions I do not see anyone who is going to come forth and justify the potential of 40 million for 20 years versus the potential for realizing 45 million for only five years. Going back to the Speaker’s question, I do not recall anything on the legislation that would prevent the size and what type of operation in nonexclusive license operator can situate the operation. They might elect to do from the ground up investment, but that again is up to the potential investors which is why we have provided our provision so that the commission can look at the best possible economic benefit that we can realize and I am sure someone steps forward with a proposal that would build a 500 room resort versus a potential applicant to situate their casino operation in existing 250 room hotel those commissioners better choose the proposal from the group of investors that comes forth with the proposal that includes from the rounds up kind of operation or investment. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan. I think we are discussing now removing the floor amendment to remove the exclusive license. The bill originally proposed two types, a nonexclusive and an exclusive. Exclusive being granted 40 years and I think the intention for the long term 40 years is because I think the concept was for a developer to strong and 40 years would allow the investor time to recoup their expenses. Now that we consider removing that from the picture and we are going with the nonexclusive which only grants a license for 10 years, just wanted to throw this on the floor that it is 10 years. Do you think with only 10 years investors would be more inclined to lease a hotel to be able to recoup their expenses it is sort of short-term a fine investor wants to put in the big bucks to construct a brand-new facility I am just wondering is there near sufficient time for them to want to invest? I would like to throw that in for discussion. Maybe ask the author what your thoughts are.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Although it is a real legit – in terms of the numbers of years, I sincerely believe upon creation of the commissioners in reaching 10 years, I would like to believe that the commissioners would recommend something to the legislature and perhaps make an amendment to the proposed bill should it pass. Again, I stand to be corrected and I yield and allow the Legal Counsel to go further on that assist because.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. Representative Sablan had his hand up and I do see that on page 43 it does allow for nonexclusive permits to be given an extension of another 10 years and that may work. They guess if they investor have some assurance that there would be granted a ten year extension, however if we want to invite – I guess

my intent personally is to get the best proposal out there, but in order to get the best proposal out there we have to be realistic also in what we are offering. If an investor is afforded more than 10 years rather than the 10 year license and then an opportunity maybe to get an extension. I think if I were the investor I would go towards just leasing a hotel just to make sure I do not lose out. So perhaps I guess what I am getting at is to maybe consider that rather than a 10 year lease with an opportunity to extend just started with a higher initial period. I am no expert but more than that maybe 20 years for the initial and another 10 years for extension, which should be more than enough time even for an investor who puts in over 100 million to be able to recoup their investment. So I just thought I would throw that out as we. I am not saying we do not support the floor amendment by Representative Sablan, I do supported but we may consider the impact of that an address that impact accordingly. So perhaps another floor amendment would be in order. So without any further discussion? Representative Sablan.

Representative Antonio P. Sablan: Again Mr. Speaker, in regards to the exclusive versus the nonexclusive we have to be reminded that under the exclusive it provides for three licenses and by providing for three licenses you are going to have investors we need to compete for those three. Whoever is granted or decides to apply for these they better come forth with a better proposal than the next group of investors. Again I believe good competition in any business environment would result in greater product being provided by those in business. So with that I would like to ask for support in the proposed amendment.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan. Further discussion on the floor amendment?

Several members voiced “ready”.

There was no further discussion and the motion to adopt the floor amendment offered by Representative Sablan was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: I turn it back over to Representative Sablan.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. Lastly, the next amendment is to include certain sections left out in House Bill 18-45.

Representative Antonio P. Sablan offered the following amendment:

Floor Amendment

H. B. 18-45 _____

1. A. Page 11, line 1: Add the following:

“(E) medical Referral Program	2.5%
(F) Scholarship Program	2.5%
(G) First Senatorial District for projects within the First Senatorial District	5%”

B. Page 14, line 1: Add the following:

“(C) CNMI Scholarship Program	10%
(D) CHCC	10%
(E) Medical Referral Program	5%”

Consistent with the intent of the forgoing amendment(s), I hereby also move to allow the Legal Counsel together with the Clerk to make further non-substantive technical amendments that are strictly necessary to effectuate the intent of this floor amendment prior to transmittal.

Dated: June 5, 2013

Offered by: /s/ Representative Antonio P. Sablan

The motion was seconded.

Representative Antonio P. Sablan: While everyone is going through it let me just verify with the Legal Counsel with regards to page 14, line 1.

Legal Counsel John Cool: Yes those are the correct provisions.

Representative Antonio P. Sablan: Alright so offered.

Speaker Joseph P. Deleon Guerrero: Do the members have the same line number on page 11, I am a bit confused again. I do not know if it is repaginated issue, but on page 11 there is on line 13 a funding provision for CHCC, medical referral, scholarship – I am getting confused again.

Representative Antonio P. Sablan: the first amendment of page 11, line 1 is to insert subsections (e) (f) and (g) is inadvertently omitted from the working copy.

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk for clarifying. This is the missing link. Further discussion on the floor amendment offered by Representative Sablan? Can I just get a clarification from the Legal Counsel. The first amendment proposes to make these earmarks from the gaming machine jackpot tax and penalties starting on page 10 to 11.

Legal Counsel John Cool: That is correct.

Speaker Joseph P. Deleon Guerrero: on page 14 the second amendment which actually starts on page 13 refers to the same gaming machine jackpot tax and penalties with further earmarks.

Legal Counsel John Cool: Again that is correct. The bill has three different scenarios. One of them is a distribution of funds as long as the Commonwealth government has a liability to the retirement fund then there is a distribution enough to the retirement fund is paid off there is a second alternative distribution to follow that which designates everything to go onto the deficit is paid off then there is a different distribution of the funding. After the deficit is paid off there is the ultimate distribution which is to the PSS, Northern Marianas College, general fund First, Second and Third Senatorial District.

Speaker Joseph P. Deleon Guerrero: Thank you for that clarification Legal Counsel. Is everybody clear on that? Representative Leon Guerrero.

Representative Christopher D. Leon Guerrero: just for clarification, I am just making an observation here. With this amendment here with page 11, line 1 if we are inserting three sections, which is (e) (f) and (g) we are counting five spaces. So if that is inserted in the first line everything else would be shifted. Legal counsel what is the question on that is that still level as not needed to be amended?

Legal Counsel John Cool: it does not need to be amended. What we are amending is House Bill 18-45.

Representative Christopher D. Leon Guerrero: What I am questioning is if you type in the insertion does it shift everything else below it?

Legal Counsel John Cool: No.

Representative Christopher D. Leon Guerrero: Alright, thank you.

Legal Counsel John Cool: That will be taken care of when the amendments are incorporated into the bill.

Speaker Joseph P. Deleon Guerrero: Just to further clarify would the rest of the sections be renumbered accordingly? The answer is yes. Alright further discussion?

Several members voiced “ready”.

There was no further discussion and the motion to adopt the floor amendment offered by Representative Antonio P. Sablan was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan. Do you have one more? So recognized.

Representative Antonio P. Sablan: Thank you again, Mr. Speaker. This is the last one. This is upon the recommendation of the Legal Counsel to ensure, because of the previous amendments we need to make this notation on the following. I am now ready to of the last amendment.

Representative Antonio P. Sablan offered the following amendment:

Floor Amendment

House Bill 18-45 _____

1. Page 43 lines 3-4: Delete the remainder of the sentence after the word “resort”. (from section 207 (2) (a) re Non-exclusive licenses).

Consistent with the intent of the forgoing amendment(s), I hereby also move to allow the Legal Counsel together with the Clerk to make further non-substantive technical

amendments that are strictly necessary to effectuate the intent of this floor amendment prior to transmittal.

Dated: June 5, 2013 Offered by: /s/ Representative Antonio P. Sablan

Representative Antonio P. Sablan: This is in regards to the provision I cited earlier, which is on page 43, line 2 to read subject to section (a) 1 (a) of this section. The Commission did not grant any or all of these three licenses and section (a) 1 (a) refers to the exclusive provision. Thank you. So offered.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Is everybody clear? Recognize the Vice Speaker.

Vice-Speaker Francisco S. Dela Cruz: Thank you, Mr. Speaker. Again, I just wanted to ask the mover the intent of deleting the word “resort” and confining these activities to address hotels. I withdraw my statement Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Anybody else? Further discussion on the floor amendment?

Several members voiced “ready”.

There was no further discussion and the motion to adopt the floor amendment offered by Representative Antonio P. Sablan was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: I want to do about the Representative Seman since he was supposed to be next and since he has his new amendment. I recognize Representative Seman.

Representative Richard B. Seman: Thank you, Mr. Speaker. Apologies to my colleagues this is the last change.

Representative Richard B. Seman offered the following floor amendment:

Floor Amendment

H. B. 18-45 ____

1. Page 6, line 14: Notwithstanding any provisions to the contrary, add a new such subsection (F) to Section 102 read as follows:

(f) “All poker, pachinko and similar amusement machines outside of an approved casino establishment or hotel within the Third Senatorial District shall be prohibited from operating within one year after the official approval and granting off a casino license as set forth in this legislation.

Provided further that there shall be reserved and allocated not less than \$3 million dollars per year for scholarships for the Saipan Higher Education Financial Assistance (SHEFA) that would be affected as a result of this prohibition from the distribution of revenue provided for in Section 106 subsections (a) (1) (d) and (e) (2) (d) and (e) (3) (d) and

section 106 (b) (1) (1) and (b) (3) (1) and Section 106 (c) (1) (1) and (c) (2) (1) and (c) (3) (1).”

Consistent with the intent of the foregoing amendments, I hereby also moved to allow the Legal Counsel together with the Clerk to make further non-substantive technical amendments that are strictly necessary to effectuate the intent of this floor amendment prior to transmittal.

Date: June 5, 2013

Offered by: /s/ Representative Richard B. Seman

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: It has been seconded, discussion. Representative Conner.

Representative Trenton B. Conner: Thank you, Mr. Speaker. I just wanted to get clarification. Does the similar amusement machine also include electronic gaming devices that we just recently passed during the House session?

Legal Counsel John Cool: Yes it would. This phrase was taken out from the poker pachinko and amusement machine licensing provision so we used the same language that I used in the licensing provision.

Representative Trenton B. Conner: So if those electronic gaming devices if that bill was to be enacted into law and then this bill was to be enacted into law than those electronic gaming devices after one year after would have to be prohibited. Is that correct?

Legal Counsel John Cool: That would be correct.

Representative Trenton B. Conner: So any resort that has the electronic gaming device would then have to cease to operate because it would be operated only by the casino operator. Is that correct?

Legal Counsel John Cool: Yes. Electronic gaming includes poker pachinko and any electronic amusement machines.

Representative Trenton B. Conner: Thank you, Legal Counsel.

Legal Counsel Joseph Tajjeron: Legal Counsel Cool wanted the language to be harmonious. So if we added hotel to the present floor amendment then it would be outside a casino or hotel and that would be consistent with the legislation that you were referring to. Everybody understand that?

Representative Trenton B. Conner: and that would allow them to continue operating that is what I am getting at. Because there is no use for us to be passing legislation to tell the operators that we can allow them to have electronic gaming if it was to be enacted into law and then here we are trying to work on something else and tell them “well, maybe two or three years down the line you are not going to be able to operate anymore.”

Legal Counsel Joseph Taijeron: Right. So if I can ask your indulgence and at the word “approved casino establishment or hotel”.

Representative Trenton B. Conner: I think there is no oral amendment.

Legal Counsel Joseph Taijeron: It is not an oral amendment it is an addition to the written floor amendment that you are holding.

Representative Trenton B. Conner: So just include it?

Legal Counsel Joseph Taijeron: I can do it right now, if you read it. It is just a clarification that we inadvertently did not put in.

Representative Trenton B. Conner: That is my concern that is why I am raising the question. Thank you.

Speaker Joseph P. Deleon Guerrero: The Legal Counsel would be effectuating a motion to clarify the floor amendment to address the concern that Representative Conner raised. I recognize Representative Leon Guerrero.

Representative Christopher D. Leon Guerrero: Legal Counsel, it is not because it is easier not but would it be more efficient for the bill if we were to include exemption to hotel electronic gaming? An exemption clause instead? Is just a clarification.

Legal Counsel Joseph Taijeron: if you just read Representative Seman’s bill to include “or hotel” then I agree with what you read.

Representative Christopher D. Leon Guerrero: Thank you.

Legal Counsel John Cool: So now it is a complete form.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan did you want to say something.

Representative Antonio P. Sablan: Yes, we are under discussion of the proposed amendment and maybe Legal Counsel can correct me. The revenue decided under sections 106, 106 (b), Section 106 (c) are all revenues generated from gaming operations. Is that correct Mr. Cool.

Legal Counsel John Cool: That is correct. These are the Third Senatorial District allocations from all of the revenue sources.

Representative Antonio P. Sablan: The reason I asked that if these are casino revenues, I believe that the amendment is assuming upon issuance of granting of a license that the casino operation within a year’s period would be up and operating. I am just concerned that we are jumping the gun a little bit in regards to the issue of revenue for SHEFA. I believe that none of these section refers to any other revenue other than casino gaming revenues. If I am reading this correctly it says prohibited from operating within a year after the official approval and granting of casino

license. We have got to bear in mind that the application for license would have to go through a process and watch that the license is granted and then it would take time for anybody to put a casino operation in place. I am just afraid that a year after a license is issued that the money will not be there for SHEFA.

Legal Counsel John Cool: Some of the funds that are allocated are the upfront money likely initial license fee that portion will even be available for distribution within 90 days after the license have been approved.

Representative Antonio P. Sablan: the gaming license?

Legal Counsel John Cool: Yes.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan. Another question for the Legal Counsel has to do with prohibiting with prohibiting poker establishments from operating. Just understanding how businesses are permitted, I am not sure with the cycles of renewing licenses are involved and if we are saying one year after approval and granting of a casino license that poker machines shall be prohibited. Aside from those poker operators being – let us say they have a valid permit to whatever month or whatever year and you also have the contractual issue. I am just raising a clarification. Can it be challenged by the operators of poker establishment? Are we within our authority to prohibit them coming up with this one year date after a license is granted?

Legal Counsel John Cool: Gambling is one of the areas that can be prohibited. First of all, these are just one year licenses they expire on an annual basis. Do you remember what we did with prostitution, which was perfectly legal and we made it illegal. To me the bill was signed so there was no phase out period at all. There were no problems since it is an activity that can be prohibited.

Speaker Joseph P. Deleon Guerrero: I do not know if that analogy works well with me. It was never legal in the first place.

Legal Counsel John Cool: Yes it was legal.

Speaker Joseph P. Deleon Guerrero: Let just say it was absent in the law so nothing prevented them, but here you have license businesses.

Legal Counsel Joseph Taijeron: As soon as this bill is enacted into law, one year from now this amendment passes. There will be a prohibition on poker machines. If you renewed your license that particular day it would expire on the same day as the prohibition started. The one year anniversary of this provision, which triggers the prohibition would expire your license so it would be contemporaneous. You just would not be wise to renew your license after this enactment.

Speaker Joseph P. Deleon Guerrero: Legal Counsel, I do not know if that is true. It says, “within one year after the official approval and granting of a casino license.” This thing would become law, but –

Legal Counsel Joseph Tajjeron: I stand corrected, you are right. If it becomes law and we have to wait awhile for the first license to be issued on that date that the license is issued that would trigger the one year clock. One year thereafter you would be prohibited from having a poker machine license and so it would behoove you not to renew within that 365 days unless you want to get less than your full year. You would pay the fee for the eleven months or ten months or whatever until the 365 days runs out.

Speaker Joseph P. Deleon Guerrero: Thank you, Legal Counsel. Representative Leon Guerrero.

Representative Christopher D. Leon Guerrero: Clarification for the Legal Counsel. So if this new bill is enacted into law because we are creating a new law for casino and there is an existing poker law, would that existing law be conflicted because of the enactment of this bill by shutting them off – the existing law would it be conflicting to this new law right now because it is a sudden phase because of a new enactment of casino. Thank you.

Legal Counsel John Cool: What this amendment will do would not conflict with the existing law, but would actually repeal it in respect to the Third Senatorial District so that the poker machines could only be license in the First and Second Senatorial Districts.

Speaker Joseph P. Deleon Guerrero: Further clarification, Representative Tebuteb.

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker. Because of the statement that the Legal Counsel has just mentioned and I have not yet to get my question answered perhaps even the definition of poker. This is an establishment to authorize the establishment of casino gambling that could be further clarified and we have to remember within this bill and the bill authorizing the poker and the definition of what poker stands for versus a casino gambling authorization or an establishment is there is that savings clause provision so we may have technical or legal issue within the next 365 days. I can live with this amendment offered by Representative Seman, but I do have some concerns so that all the members are fairly abreast on the issue. For example, provided further the numerated section 106 is on page 7. Basically section 106 are dispositions of revenues and taxes and fees and what have you. And then we have all the letters that are numbered and so when you take that into context on the disposition of revenues and then you go to page 10, line 3. The application fees in line 3 states, the application imposed by section 2208 line 1 which is also under 106, disposition of revenues. This would be the startup and I believe this is \$250,000.00. Two Hundred Fifty Thousand equates the five Fifty Thousand commissioner for one year. The same section within section 106 provides for example on page 15 those who suggest that all these will also be part of the revenue – for example in page 15, line 15 this section also provides distribution of these fees that suggest or proposes that it is suppose to be a startup fund. So we need to make sure that we are clear in that. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Tebuteb. Further discussion? If you look at the projector the Legal Counsel highlighted subsection 3 the current code which states that “all license fee shall be paid in full prior to the issuance of a license and shall be nonrefundable.” I believe that is the source upon payment of the required fee, each license shall be valid for a period of one year from the date of issuance. I stated that I would like to wrap things up by 6:30 p.m. and it is almost seven o’clock. We have one more floor amendment to

dispose of after this. Do the members wish to continue and dispose of everything or break for dinner allow our staff to get some dinner and continue on. For now let us dispose of what is on the floor. We have Representative Seman's floor amendment. Further discussion on Representative Seman's floor amendment. State your point Representative Leon Guerrero.

Representative Christopher D. Leon Guerrero: Thank you. Page 6, line 14 I just want to stand corrected if I am reading the wrong numbers here. It says, "To add a new section (f) to section 102 to read as follows" on page 6 and what I am looking at – so it is just shifting it down.

Speaker Joseph P. Deleon Guerrero: Yes it is to add a new subsection before section 103. The prior on line 8, the last subsection is (e) this one would be (f) and then it would be continued. Clarified?

Representative Christopher D. Leon Guerrero: Yes, thank you.

Speaker Joseph P. Deleon Guerrero: Further discussion? For the last time Vice Speaker.

Vice-Speaker Francisco S. Dela Cruz: Thank you, Mr. Speaker. I know that the Three Million Dollar amount is and will be coming out from the Third Senatorial funding if you will. I would like to clarify with the Legal Counsel whether the Third Senatorial District for projects within the Third Senatorial District and I guess I need to clarify whether SHEFA funding can be identified as a project if you will.

Legal Counsel Joseph Tajeron: We understand that projects is not normally considered inclusive of the scholarships, but we are going to define that rather loosely and consider the word "projects" as inclusive of scholarship fund.

Vice-Speaker Francisco S. Dela Cruz: And where are you going to define this loosely in the legislation?

Legal Counsel Joseph Tajeron: Vice Speaker we have set forth every one of those subsections in 106 (a) (1) (d) and so forth specifically referring to Third Senatorial District projects within the Third Senatorial District. Every where there is a Third Senatorial District 10% this chunk of money will come from that.

Vice-Speaker Francisco S. Dela Cruz: And that would be defined as an amendment? I guess my concern here is that in the future when other members are elected and sort of under the Third Senatorial District delegation. I want to be certain that the inclusion of how loosely it is included is understood by our future legislators and do not compromise the funding to SHEFA that is my biggest concern here.

Legal Counsel Joseph Tajeron: Your point is well taken. Projects should probably read projects or scholarship within the Third Senatorial District unfortunately we just did not have the time to amend it and because we site those particular sections every single one of them we think that would cover it.

Speaker Joseph P. Deleon Guerrero: Perhaps if I may and Legal Counsel correct me if I am wrong. Those earmark provisions are for projects in the Third Senatorial District. Now we will have a separate provision in the bill that would say that revenues derived and earmark to the Third Senatorial District for those projects will be reserved and set aside for SHEFA. So we do not necessary have to amend those various subsections because what this floor amendment is saying is that we would take from there for the SHEFA scholarship it does not change the intent of the original earmarking provision. It just says we would take from there not less than \$3 Million. There is really no ceiling here so it could be \$3 Million or it could be more and I do not know who has the discretion. I think at this point Secretary of Finance would probably take out at a minimum of \$3 Million not more than unless there is more clarification.

Vice-Speaker Francisco S. Dela Cruz: Alright, thank you.

Speaker Joseph P. Deleon Guerrero: Further discussion on the floor amendment as offered by Representative Seman.

Several members voiced “ready”.

There was no further discussion and the motion to adopt the floor amendment offered by Representative Richard B. Seman was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: I now recognize Representative Ogumoro.

Representative Felicidad T. Ogumoro: Thank you, Mr. Speaker. I think we have passed out copies of the floor amendment that I am offering and I would like to have you Mr. Speaker and my fellow colleagues to support the amendment as offered. The intent of this amendment is to allow all persons of Northern Marianas Decent (NMD) to be able to own a casino. If this industry becomes successful with the passage of the bill in front of us with this amendment I am proposing and asking your support to allow our NMD’s to be able to be investors in this major industry. I have numerated the different parts of this amendment that are essential. The amendment on the bill that I have worked on in the 17th Legislature all I said or that amendment just made a specific mention of having one of the casinos that we were establishing that it be set aside for persons of Northern Marianas Decent. Now in this particular amendment for clarity it provides for the establishment of that Northern Marianas Decent casino and the board of directors that would be governing the operation of that casino any details I could answer from the membership.

Speaker Joseph P. Deleon Guerrero: Representative Ogumoro, can you please offer your floor amendment? Can you read it out?

Representative Felicidad T. Ogumoro: Do you want me to read the whole thing?

Speaker Joseph P. Deleon Guerrero: So that it can be seconded also that is what every member has been doing so far. The reason I ask this is because I have several different versions and I want you to read it out so that we know which one is the right one.

Representative Felicidad T. Ogumoro: Thank you, Mr. Speaker.

Representative Felicidad T. Ogumoro offered the following floor amendment:

Floor Amendment

H. B. 18-45_____

Page 47, line 22, replace current section 208 entitled “Fees and Taxes” insert the following new section 208 and renumber accordingly. (The former section 208 shall become 209 and so forth).

“Section 208. **Issuance of Casino License to Northern Marianas Descent Casino:** Notwithstanding the provisions of Sections 207 (a)(1) (A) to (K), Section 207 (a) (2) (A) to (B), the Commission, upon this Act becoming law, shall issue one (1) casino license to a Northern Marianas Descent Casino which shall belong collectively and exclusively to persons of Northern Marianas descent as defined in Article XII, Section 5 of the Northern Marianas Islands Constitution.

- (a) The Commission shall not require the Northern Marianas Decent Casino to make any advance payments for a casino license or any other fees pursuant to this Act. The Commission, however, shall establish such casino license fees, permits fees, and other fees that are reasonable, which shall be applicable only to the Northern Marianas Decent Casino.
- (b) Establishment/Initial Governing Board of Directors: The Northern Marianas Decent Casino is hereby established. The Governor shall within 120 calendar days of this Act becoming law, appoint seven members inclusive of a representative from the Northern Marianas Decent Corporation, a Chartered Non-Profit Corporation, and a representative from the private sector, who shall be a person of Northern Marianas descent, all of whom shall collectively act as the Initial Governing Board of Directors of Northern Marianas Descent Casino.

(1) The Speaker, or in the absence of the Speaker, the Senate President, shall act as the Chairperson of the Initial Governing Board of Directors. Not later than one hundred fifty (150) calendar days upon this Act becoming law, the Speaker shall call upon the initial Governing Board of Directors to organize, prepare and adopt By-laws for the Northern Marianas Descent Casino, which shall belong collectively and exclusively by persons of Northern Marianas Descent (NMD).

(2) The Initial Governing Board of Directors shall determine the par value of and number of common stock and preferred stock that will be authorized to be issued, which should be based on the population of persons of Northern Marianas descent that are qualified to subscribe to such shares of common or preferred stock pursuant to Northern Marianas Descent Casino by-laws. The Initial Governing Board of Directors shall set a limit on the number of shares of common or preferred stock to be purchase or issued and shall not issue any such shares that exceed the set limit to any NMD person.

(3) The Initial Governing Board of Directors shall publicly announce the issuance of available stocks, i.e., common and preferred to persons of NMD for purchase.

(4) The Initial Governing Board of Directors/Northern Marianas Descent Casino shall authorize an Installment payment for shares of common stock or preferred stock that are authorized to be issued, and no person of NMD who is qualified to subscribe to such shares shall be denied to make such installment payment.

(5) The Initial Governing Board of Directors shall appoint from those who subscribed to such shares, whom, in the opinion of the Initial Governing Board of Directors, are qualified to manage the business operation and activities of the Northern Marianas Descent Casino, to replace them.

(6) The Initial Governing Board of Directors, upon confirming such persons to replace them, shall work with the new Governing Board of Directors of the Northern Marianas Descent Casino to ensure that the by-laws and other policies that the Initial Governing Board of Directors have implemented for Northern Marianas Descent Casino are followed and thereafter, the Initial Board of Directors shall turn over the operation and management of the Northern Marianas Descent Casino to the new Governing Board of Directors to begin the process of developing and promoting the Northern Marianas Descent Casino pursuant to this Section and this Act.

(7) Applicability. Sections 207 (a) (1) (A) to (K), Section 207 (a) (2) (A) to (B), shall not apply to the Northern Marianas Descent Casino. However, the other provisions of this Act shall apply to the Northern Marianas Descent Casino.

Consistent with the intent of the foregoing amendments, I hereby also move to allow the Legal Counsel together with the Clerk to make further non-substantive technical amendments that are strictly necessary to effectuate the intent of this floor amendment prior to transmittal.

Date: June 5, 2013

Offered by: /s/ Representative Felicidad T. Ogumoro

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Ogumoro. Motion has been offered and seconded, discussion. Representative Conner.

Representative Trenton B. Conner: Thank you, Mr. Speaker. I just have a question for the author on page 1, section (a) states that “The Commission shall not require the Northern Marianas Descent Casino to make any advance payments for a casino license or any other fees pursuant to this Act.” Meaning that no advance payments shall be given that includes the investigative fee that is required I think under page 47 section –

Representative Felicidad T. Ogumoro: I think that is what is intended to do, but then it says that the commission shall set the fees that it thinks it should impose in the casino such as the casino licensing fees, permit fees, and other fees that are reasonable for the NMD casino.

Representative Trenton B. Conner: That is what I am asking. It says that it shall not make the Northern Marianas Descent Casino have any advance payments for a casino license or any other fees pursuant that but then it states otherwise and it says that they may be allowed to be permitted to establish fees on license permits and other fees.

Representative Felicidad T. Ogumoro: The first sentence would refer to the fees that we are imposing on all other investors that are coming in to invest on casino.

Representative Trenton B. Conner: And that would include the investigation fee?

Speaker Joseph P. Deleon Guerrero: If I may just to clarify. On that last part of the floor amendment applicability it says “other provisions of this act shall apply to the Northern Marianas Descent Casino.” So the first part of the fees is contained in those two sections, section 207 (a)(1) (A) to (K) and section 207 (a) (2) (A) to (B), but the other provisions that do apply I believe include the fee for investigation. Legal Counsel you can correct me if I am wrong.

Legal Counsel John Cool: Yes that is only those sections that are specified would not apply. So anything in Section 207 (a) (2) after subsection (b) would continue to apply.

Legal Counsel Joseph Taijeron: Mr. Speaker, the provisions that are cited by Legal Counsel Cool basically pertain to the exclusive license. Obviously if we have an exclusive license we cannot have a NMD Casino so the NMD Casino would be exempt from those provisions.

Representative Trenton B. Conner: And that would fall under the nonexclusive?

Speaker Joseph P. Deleon Guerrero: This floor amendment would have to be amended because there is no – we struck out 207 (a) (1) (A) through (K) which is the exclusive so I do not know if it is renumbered and now other provisions are contained in that section 207 (a) (1) (A) through (K). So I thought I would raise that as a point.

Legal Counsel Joseph Taijeron: It is a good point Mr. Speaker and I think my best response is now that Representative Sablan’s floor amendment has been effectuated this floor amendment which has already written quite some time ago should be a technical because the provisions that were no longer applicable to it no longer exists.

Legal Counsel John Cool: We were only dealing with the second part 207 (a) (2) (A) to (B).

Representative Trenton B. Conner: The other question I have is the establishment of the governing board of directors. Are they to be compensated? It does not state in the amendment and I am just wondering if they are being allowed to promulgate the rules and I am just wondering about compensation.

Representative Felicidad T. Ogumoro: Right now it will be left to the governing board of directors that would set the by-laws and the policies that would be applicable to the NMD casino.

Representative Trenton B. Conner: Thank you.

Speaker Joseph P. Deleon Guerrero: Representative Conner are you yielding?

Representative Trenton B. Conner: Yes, I yield Mr. Speaker, thank you.

Speaker Joseph P. Deleon Guerrero: Thank you. I now recognize the Vice-Speaker.

Vice-Speaker Francisco S. Dela Cruz: Thank you, Mr. Speaker. First of all, I just wanted to ask if you are ready to presume the position of the Chairperson of this initial board of directors.

Speaker Joseph P. Deleon Guerrero: Can I answer that?

Vice-Speaker Francisco S. Dela Cruz: Please.

Speaker Joseph P. Deleon Guerrero: First of all, I think there is a legal prohibition from any elected official assuming any other position in boards or commissions. So I do not know, but whoever the speaker is then can do so. So I pose that to the Legal Counsel.

Legal Counsel John Cool: This is a private corporation. It is not a governmental corporation. It says that the Northern Marianas Decent Corporation is hereby established. It is going to be issuing common stock and preferred stock. So it is the owners of the stock that own the corporation. So this is establishing a private corporation, which will be given the license. There would be no prohibition on government officials serving on the board of directors of a private corporation unless it created a conflict in the matter of the spending before –

Speaker Joseph P. Deleon Guerrero: Legal Counsel Cool that is what I was going to say. Assuming this thing becomes law and me as the current Speaker participating in this decision to allow casinos and then me sitting in a corporation even though it be not for profit would it be a conflict of interest? I think there are ethic laws that prevent members of this body who have made decisions and then has a financial interest in serving in a corporation that would be operating as a business in the Commonwealth.

Legal Counsel John Cool: Yes it would affect it if you had a financial interest or you are going to receive compensation for serving as a director. Again, this does not say that this a nonprofit corporation it is a profit corporation and it has shares so it is intended to make a profit otherwise you would not have shares. If you are serving in the position and not receiving any compensation and it is only an interim period of the time that the person serves here, I do not see that it would be a serious conflict.

Speaker Joseph P. Deleon Guerrero: Vice Speaker you still have the floor.

Vice-Speaker Francisco S. Dela Cruz: Thank you for your candid answer Mr. Speaker. The next question that I have is how would this NMD casino be funded and who would foot the start up cost of such an NMD casino?

Representative Felicidad T. Ogunoro: I think part of that funding Vice Speaker would be coming in from the sale of stocks and other funding coming in from other sources, but that would be the work of the board of directors who manage and see that the casino is operating. The casino, however will be under the watch of the casino commission that we are setting up under the main bill, but this is going to be a for profit corporation that would be set up and my understanding is that the sale of stocks common and preferred will be used to foot the operation of the organization.

Vice-Speaker Francisco S. Dela Cruz: Thank you, Representative Ogunoro. Who can purchase such stocks? Can US citizens, foreign individuals purchase stocks?

Representative Felicidad T. Ogunoro: All persons of Northern Marianas Descent are eligible to purchase.

Vice-Speaker Francisco S. Dela Cruz: Are other individuals aside from NMD's eligible to purchase such stocks?

Representative Felicidad T. Ogunoro: Under the language of the amendment we are only envisioning only NMD's to be part of that corporations.

Vice-Speaker Francisco S. Dela Cruz: Thank you, Representative Ogunoro. As it is with the floor amendment itself, we cannot really see the full details of such a casino operations. So I am not too sure whether some of the bigger questions would lie outside of this amendment and I am just concerned that without fully grasping all these details that we may be approving an amendment that may not be in the best interest for the Commonwealth, but I appreciate you statements with regards to who and who cannot be a part of this casino.

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

Representative Trenton B. Conner: Thank you, Mr. Speaker. Sorry, but I just heard colleague Ogunoro mentioned that the corporation is to be for profit if I am not mistaken is that what you have mentioned?

Representative Felicidad T. Ogunoro: The casino corporation is a profit corporation otherwise it would not be in the business of having stocks common or preferred.

Representative Trenton B. Conner: So the language under “(b) Northern Marianas Descent Corporation, a Chartered Non-Profit Corporation” How does that work? I am looking at a chartered non-profit corporation and here you are stating your for profit corporation. How is that going to work?

Representative Felicidad T. Ogunoro: Right now we are talking about the governing board of directors, the initial board of directors will be coming in and there will be seven members. One

representative will be coming in from the Northern Marianas Descent Corporation. This is a corporation was just chartered this year to begin to provide services for all NMD's and there will be a representative from the private sector that would also be an NMD as constituting the board of directors. Now it would be the members of this corporation will be the people who would be appointed by the pool of Northern Marianas Descent members are they are appointed by the Governor.

Representative Trenton B. Conner: I am getting it right now. So the member would be from the Northern Marianas Descent Corporation, which is a chartered non-profit that would be the representative then representing that body right?

Representative Felicidad T. Ogunoro: It could be any seven members, but of the seven members one will be coming in from the Northern Marianas Descent which is currently in operation which was just established this year and to make sure that we have representation from the private sector of course would be a person of Northern Marianas Descent, but all seven members have to be persons of Northern Marianas Descent.

Representative Trenton B. Conner: And that would be defined by what? Blood quantum or the registry?

Representative Felicidad T. Ogunoro: A Northern Marianas Descent until we amend the provision of our constitution will be under the definition of what will a Northern Marianas Descent is and I think we are looking at the definition under the one forth blood quantum, but if you are a person of Northern Marianas Descent if we are successful and we get that definition amended that would entitle you to owning land then you will fall under that definition. The definition that would govern is under our Constitution right now qualifying you as a Northern Marianas Descent.

Representative Trenton B. Conner: Thank you, Representative Ogunoro. Last question Mr. Speaker and members just to the author of the bill whether he is amenable to this amendment being offered?

Floor Leader Rafael S. Demapan: The amendment is before us so it is up to the pleasure of the members so let us act on it. Thank you.

Speaker Joseph P. Deleon Guerrero: Recognize Representative Yumul.

Representative Ralph N. Yumul: Thank you, Mr. Speaker. I would like to make a comment on section (a) "The Commission shall not require the Northern Marianas Descent Casino to make any advance payments." This would basically discourage any potential investors coming to the CNMI and if it something that we want to help with the CNMI retirement, a potential investor would most likely go towards the Northern Marianas Descent casino to basically offer them a – it is just something that we really need to look at and consider if this is something we want here in the CNMI to at least help the retirement fund. We need to really look at this amendment and maybe we ask the author to reconsider and make some changes to this amendment is she wants.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Yumul. Let me just clarify, this is the bigger issue here with I think what Representative Yumul said. Basically, through this bill becoming law we are going to have three licenses. We struck out the exclusive license. We now have three nonexclusive licenses. We are going to RFP out. RFP means we are making investors compete who has the best proposals for these three licenses and then you are giving one away to NMD corporation it is really an unfair playing field. While the intent is noble, I want everybody to consider what could potentially happen. Investors in one hand are going to compete and have the best proposal be selected then. We are going to allow an organization how noble the intent is to compete with no fees, no upfront license and something to think about is by doing this would it really attract the best proposals for those three nonexclusive licenses. We have to give that serious consideration. The intent is good and perhaps we have seen in the past casino initiatives specifically for NMD's and there are other issues. Does the offering of preferred stocks or common stocks, do we have enough capital in this island of people to build a casino. There are many things to consider. The board of directors it says "the governor shall appoint seven members inclusive of a representative from this NMD Corporations." That is one and then a representative from the private sector; I am assuming that is two and then the Speaker as its Chair that is three. Now if the intention is seven what is the mix? Is it three from the non-profit corporation? Another three from the private sector? Because it does not state clearly, I am just pointing out some obvious points here that may have to be considered. I am not trying to dismay anyone from supporting or not supporting it but I think we do have to be mindful of our intent. Both cases benefit the CNMI, one case just from the three licenses we have the potential from the fees from the licenses to generate up to \$45 Million for the first five years so that is a benefit to us collectively all three Senatorial Districts. Are we kind of shooting ourselves in the foot by also allowing for another competitor who does not have the same requirements but would also benefit NMD's. Sometimes we have to sort some things out and figure out what we want. In this case I do not know if both will work. I recognize Representative Ogumoro.

Representative Felicidad T. Ogumoro: It is for us here to decide what do we really want to do to help us move ahead. This is our chance now and we are creating a very major casino industry. Why is it that we are having a hard time or maybe we are having second thoughts about allowing ourselves to become investors in our own land but it is alright for others? Nobody is arguing that we need to develop our economy and economic recovery is at the top of our agenda right now. This is opening up an opportunity for us the people of this land to be investors. Is there something wrong with that? Allowing us to form this casino that would be comfortable to the native Americans who are also making it in the United States. Is there any problem with that? I am asking us to put it on the table and let us make a decision. Yes, opportunities for home. If we can include ourselves, our people, people of Northern Marianas Descent, why not now? Why exclude us? It is good again to reiterate for us to see the bigger picture. We continue to say the bigger picture. What is the plan? What is really our vision about our islands? I am sure that we want to continue to direct the destiny, to control where we are going and what our destiny would be. So this is a way to do that, begin to empower us to be economically self sufficient to be strong. I feel like this is the time to come in and actively participating and really be part of the economic development of our islands.

Speaker Joseph P. Deleon Guerrero: Thank you. I hear you and thank you for that. I am not going to argue against having our people partake in economic development Representative Ogumoro. I am just saying that we understand realistically what it is we really want. There are several ways.

There could be another way to have what you are requesting or what you want or what we want and not have competition. In this case you have three licenses that are going to compete and then you are going to allow and NMD Company to compete with them and say that it is alright. I do not know and neither of us know if that is alright for the investors. Maybe the big ones may not compete because they might say this is ridiculous, you are going to give somebody else a license basically not have the same requirements that you are requiring of us this is ridiculous. You may have a proposal here and say “we will allow these three investors to compete however we would like to have them offer a portion of their stocks to the common people, who can give us the best deal” and that would still meet the intentions that you are asking for without them competing on this concern having NMD’s partake. I really do not know, I am tossing it on the table Representative Ogomoro for us to consider so that we do not offer a bill to become law that is set up for failure from the very beginning. I do not know enough to say whether it will or it will not. I am just asking that we consider the full effects that one hand is going to the right and the other one going to the left and it is counterproductive. I do not know. Representative Ogomoro.

Representative Felicidad T. Ogomoro: Mr. Speaker, may I ask for a brief recess.

Speaker Joseph P. Deleon Guerrero: Short recess.

The House recessed at 7:35 p.m.

RECESS

The House reconvened at 7:49 p.m.

Speaker Joseph P. Deleon Guerrero: We have a standing motion offered by Representative Ogomoro floor amendment. Further discussion before we go to the vote.

Several members voiced “ready”.

There was no further discussion and the motion to adopt the floor amendment offered by Representative Felicidad T. Ogomoro was carried by voice vote. There were several nay vote.

Speaker Joseph P. Deleon Guerrero: Division on the floor, Clerk call the roll.

The Clerk called the roll on the motion to adopt the floor amendment offered by Representative Felicidad T. Ogomoro with the following results:

Representative Antonio R. Agulto	yes
Representative Anthony T. Benavente	no
Representative Roman C. Benavente	abstain
Representative George N. Camacho	yes
Representative Trenton B. Conner	no
Representative Francisco S. Dela Cruz	no
Representative Lorenzo I. Deleon Guerrero	no
Representative Rafael S. Demapan	yes
Representative Christopher D. Leon Guerrero	present
Representative Janet Ulloa Maratita	no
Representative Felicidad Taman Ogomoro	yes
Representative Antonio P. Sablan	yes

Representative John Paul P. Sablan	yes
Representative Teresita A. Santos	yes
Representative Richard B. Seman	yes
Representative Mariano Taitano	no
Representative Ramon A. Tebuteb	yes
Representative Edmund Joseph S. Villagomez	no
Representative Ralph N. Yumul	no
Speaker Joseph P. Deleon Guerrero	no

Clerk: Mr. Speaker, 9 members voted “yes,” 9 members voted “no,” 1 member abstained and 1 member is present.

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk. With an equal amount of votes the floor amendment offered by Representative Ogomoro, correct me if I am wrong again, does not muster the majority numbers needed to pass. Floor Leader for the main motion.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. For the passage of House Bill 18-45 as amended so move.

Speaker Joseph P. Deleon Guerrero: Clerk, can you clarify which draft.

Clerk: House Bill 18-45, House Draft 7.

Speaker Joseph P. Deleon Guerrero: So clarified, motion has been offered by the Floor Leader for the passage of House Bill 18-45, HD7.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: It has been seconded. Are we ready?

Several members voiced “ready”.

Speaker Joseph P. Deleon Guerrero: Roll call Clerk.

The Clerk called the roll on the motion for the passage of House Bill 18-45, HD7 on First and Final Reading with the following results:

Representative Antonio R. Agulto	yes
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	no
Representative George N. Camacho	yes
Representative Trenton B. Conner	no
Representative Francisco S. Dela Cruz	no
Representative Lorenzo I. Deleon Guerrero	yes
Representative Rafael S. Demapan	yes
Representative Christopher D. Leon Guerrero	yes
Representative Janet Ulloa Maratita	no
Representative Felicidad Taman Ogomoro	yes
Representative Antonio P. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Teresita A. Santos	yes

Representative Richard B. Seman	yes
Representative Mariano Taitano	yes
Representative Ramon A. Tebuteb	no
Representative Edmund Joseph S. Villagomez	no
Representative Ralph N. Yumul	no
Speaker Joseph P. Deleon Guerrero	yes

Clerk: Mr. Speaker, 13 members voted “yes” and 7 members voted “no.”

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk. With the vote of 13 “yes” and 7 “no” House Bill 18-45, HD7 hereby passes the House.

MISCELLANEOUS BUSINESS

Speaker Joseph P. Deleon Guerrero: Before I recognize the Floor Leader for a motion to adjourn under item XVII, I would like to bring the attention of the members an email asking and inviting the members to attend a mass this Friday, June 7 at 6:00 p.m. at San Vicente church to pay respects to those fallen heroes from our neighbor in Guam Sergeant Eugene Aguon and Specialist Dwayne Flores who would be laid to rest on Guam on that day and I believe Specialist Flores is a native son of the CNMI also and has relatives here. So we are being invited to join in honoring those two heroes through our prayers. So again, 6:00 p.m. this Friday at San Vicente church. Floor Leader are there any other announcements before we adjourn. There being none, Floor Leader for the motion.

Floor Leader Rafael S. Demapan: Before I make that motion I wanted to ask the members if there is no objection rather than adjournment and of course we would have to work with the schedule from the Ways and Means a possibility of having a session tomorrow so that we can clear up all the bills in the calendar. I just thought I make that request.

Speaker Joseph P. Deleon Guerrero: Chairman Sablan.

Representative Antonio P. Sablan: The only thing I can say Mr. Speaker is that I have not had the opportunity to communicate with the department that is scheduled for the budget hearing tomorrow. I hate to say tomorrow, but if we can recess and if everything works out tomorrow I think we can come back early in the morning and work on the rest. I know that some of the members are going to be gone for the next couple of weeks, but in regards to the remaining budget hearings I think we can squeeze in any of the department that might be able to cancel but we are trying to establish communication and hopefully some time tonight we would get a feedback with regards to the change of schedule. I guess it would be up to the Speaker to make a determination tomorrow whether to call the session back in order early tomorrow morning or cancel it all together. It depends on what we get tomorrow in regards to the rescheduling of the budget hearing that is all I can say. So maybe a recess might still be in order, but again it is up to everybody.

Speaker Joseph P. Deleon Guerrero: What are the sentiments of the members? I know that there are some members who have asked that they be allowed to attend the funeral, I think there are some deaths and some members wanted to attend that and that is why they asked that we continue today and finish up what we need to finish up so that they can be afforded an opportunity to pay their respects. So I just wanted to also share that with the members.

Floor Leader Rafael S. Demapan: Mr. Speaker, when is the funeral?

Speaker Joseph P. Deleon Guerrero: Tomorrow.

Floor Leader Rafael S. Demapan: Again, I implore you if not possible in the morning I really wanted to take care of this. Some of the members are going to the Association of Pacific Islands Legislature (APIL) and of course I wanted the Ways and Means to concentrate more on the budget and dispose of the measures in the calendar. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. I have the greatest confidence and the leadership of the Vice Speaker to call sessions in my absence early next week so I do not think there is a problem with coming up with another session next week to address the remaining items on the agenda so we can consider one of our colleagues who is asking for time to pay their respects to a relative.

Floor Leader Rafael S. Demapan: Mr. Speaker, I think you pose that question as to the pleasure of the members whether to have a session tomorrow or not. Thank you.

Representative Antonio P. Sablan: Mr. Speaker, I am reading in between the lines. Let me just say this to kind of end this you are the rule, you call it.

Speaker Joseph P. Deleon Guerrero: Thank you, I will ask for a motion to adjourn subject to the call of the Chair and also we planned this day and the Chairman of Ways and Means had to reschedule the budget hearings to accommodate this session and has rescheduled the other departments until tomorrow. I do not think it is without due notice, at least ample notice to the affected agencies and to recess until tomorrow and then find out if they can be excused. We do not know when they would be available again and I do not think it sits right. I think those agencies should be afforded the proper respect and ample notice. So I am going to rule that we adjourn and the leadership can call a session at the available dates subject to the Ways of Means schedule. Let that be your call. Floor Leader, motion to adjourn please.

ANNOUNCEMENTS

None

ADJOURNMENT

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Motion to adjourn subject to your call, so move.

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

The House adjourned at 8:10 p.m.

Respectfully submitted,

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. 18-17

To establish the Rota Resident Identification Card Program; and for other purposes. Introduced by REP. TERESITA A. SANTOS of Rota, Precinct 7 (*for herself*) on May 21, 2013.

H. L. B. NO. 18-18

To regulate the price for the sale of essential goods in the First Senatorial District. Introduced by REP. TERESITA A. SANTOS of Rota, Precinct 7 (*for herself*) on May 21, 2013.

THIRD LEGISLATIVE DAY:

H. L. B. NO. 18-15

To competently enhance the efficiency of fully implementing the processing of capital improvement projects by amending 1 CMC § 7303(a) as established by Saipan Local Law 15-25 regarding the usage of a percentage of the Third Senatorial District's Local CIP Funding for the Technical Services Division of the Department of Public Works. Introduced by REP. GEORGE N. CAMACHO of Saipan, Precinct 4 (*for himself*) on May 9, 2013.

Appearance of Measures introduced on the House Floor during the House Session on 5/21/13:

H. B. NO. 18-72

To require all Scuba Dive Shop Operators and Marine Sport Concessionaires to impose a \$25.00 surcharge per customer who avails of the scuba dive services provided by the operators and concessionaires; and for other purposes. Introduced by REP. ROMAN C. BENAVENTE of Saipan, Precinct 1 (*for himself*) on May 21, 2013 was referred to the Committee on Ways and Means.

H. B. NO. 18-73

To amend 3 CMC §5451(b), Lifesaving Devices; and for other purposes. Introduced by REP. GEORGE N. CAMACHO of Saipan, Precinct 4 (*for himself*) on May 21, 2013 was referred to the Committee on Judiciary and Governmental Operations.

H. B. NO. 18-74

To establish requirements for window tinting on motor vehicles. Introduced by REP. LORENZO I. DELEON GUERRERO of Saipan, Precinct 5 (*for himself*, Representative Mariano Taitano) on May 21, 2013 was referred to the Committee on Judiciary and Governmental Operations.

H. B. NO. 18-75

To establish a privilege from compelled testimony for members of the news media. Introduced by REP. CHRISTOPHER D. LEON GUERRERO of Saipan, Precinct 4 (*for himself*) on May 21, 2013 was referred to the Committee on Judiciary and Governmental Operations.

H. B. NO. 18-76

To establish the offense of drunk and disorderly conduct as a payable infraction; and for other purposes. Introduced by REP. CHRISTOPHER D. LEON GUERRERO of Saipan, Precinct 4 (*for himself*, Representatives Antonio R. Agulto, Anthony T. Benavente, Roman C. Benavente, Antonio P. Sablan, John Paul P. Sablan, Richard B. Seman, Ramon A. Tebuteb, and Ralph N. Yumul) on May 21, 2013 was referred to the Committee on Judiciary and Governmental Operations.

H. B. NO. 18-77

To require business establishments to install closed circuit television cameras. Introduced by REP. TERESITA A. SANTOS of Rota, Precinct 7 (*for herself*) was referred to the Committee on Commerce.

H. L. B. NO. 18-17

To establish the Rota Resident Identification Card Program; and for other purposes. Introduced by REP. TERESITA A. SANTOS of Rota, Precinct 7 (*for herself*) on May 21, 2013.

H. L. B. NO. 18-18

To regulate the price for the sale of essential goods in the First Senatorial District. Introduced by REP. TERESITA A. SANTOS of Rota, Precinct 7 (*for herself*) on May 21, 2013.

H. J. R. NO. 18-8

To authorize the Commonwealth of the Northern Mariana Islands, through its Governor, to submit to the U. S. Department of Housing and Urban Development, the Action Plan for the Community Development Block Grant Application No. B-13-ST69-0001; the HOME Investment Partnership Grant Application No. M-13-ST69-0203; and, the Emergency Solutions Grant Application No. S-13-DC69-0001; to receive the funds requested therein, and to assume all responsibilities that may be imposed by the U. S. Department of Housing and Urban Community Development Block Grant, HOME Investment Partnership Program, and the Emergency Solutions Grant Programs. Introduced by REP. JOSEPH P. DELEON GUERRERO of Saipan, Precinct 1 (*for himself*, Representatives Antonio R. Agulto, Anthony T. Benavente, Roman C. Benavente, George N. Camacho, Trenton B. Conner, Francisco S. Dela Cruz, Lorenzo I. Deleon Guerrero, Rafael S. Demapan, Christopher D. Leon Guerrero, Felicidad T. Ogumoro, Antonio P. Sablan, John Paul P. Sablan, Teresita A. Santos, Richard B. Seman, Mariano Taitano, Ramon A. Tebuteb, Edmund S. Villagomez, Ralph N. Yumul) on May 21, 2013 and calendared.

C. RES. NO. 18-3

To commend and applaud Florentina San Agustin extraordinary legacy of service and utmost dedication to the valued veterans of the Commonwealth of the Northern Mariana Islands. Introduced by REP. LORENZO I. DELEON GUERRERO of Saipan, Precinct 5 (*for himself*, Representatives Antonio R. Agulto, Anthony T. Benavente, Roman C. Benavente, George N. Camacho, Trenton B. Conner, Francisco S. Dela Cruz, Joseph P. Deleon Guerrero, Lorenzo I. Deleon Guerrero, Rafael S. Demapan, Christopher D. Leon Guerrero, Janet U. Maratita, Felicidad T. Ogumoro, Antonio P. Sablan, John Paul P. Sablan, Teresita A. Santos, Richard B. Seman, Mariano Taitano, Ramon A. Tebuteb, Edmund S. Villagomez, Ralph N. Yumul) on May 21, 2013 and was calendared.

House information on deadlines for override: None