



HOUSE OF REPRESENTATIVES

NINETEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SECOND REGULAR SESSION, 2015

LEGISLATIVE JOURNAL

10th Day, Second Regular Session

Wednesday, December 16, 2015

The House of Representatives of the Nineteenth Northern Marianas Commonwealth Legislature convened its Tenth Day, Second Regular Session on Wednesday, December 16, 2015, at 1:49 p.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.

Speaker Joseph P. Deleon Guerrero: Before we call the roll, I would like to remind those in the gallery that if you please have cell phones with you, we ask that you kindly put it on vibrate or silent mode. Also I would like to take this opportunity to recognize former Representative Janet Maratita who is with us in the gallery. Welcome again colleague. With that Madame Clerk, can you please call the roll.

ROLL CALL

The Clerk called the roll and all twenty members were present.

Speaker Joseph P. Deleon Guerrero: Thank you, Madame Clerk. With all 20 members present, a quorum has been duly established. Before the Chair calls for a short recess, I failed to recognize former Representative and current Chairman of the PSS Board former Representative Jun Pan and our former Speaker Pete Paduna Deleon Guerrero, welcome again. My apologies also would like to recognize former Representative Ana Teregeyo. Thank you again. At this time, I would like to call the mover of the resolution Representative Lee Pan Guerrero. The Chair would call for a short recess. Short recess.

The House recessed at 1:51 p.m.

RECESS

The House reconvened at 2:02 p.m.

Speaker Joseph P. Deleon Guerrero: At this time, the Chair will be calling this session back to order. We left off on item I, let us now move on to item II under our Order of Business, Public Comments. It is at this time that any member of the public present today who wishes to offer any public statements regarding any item appearing on today's Order of Business, you may do so by stepping up to the podium in the front to the left. We ask that you state your name for the record and try to confine your comments to five minutes to allow others to also speak. Be mindful the Floor Leader will be keeping track of time.

PUBLIC COMMENTS

The following individuals made comments:

Mr. Herman T. Guerrero, Chairman of the Board of Education
Mr. Timothy Thornburg
Mr. John Jones
Mr. Epi Cabrera, Jr., Administrator for the Office of Grants Management
Mr. Don Hardt
Ms. Patricia Coleman, Nutrition & Health Programs Team Leader at Northern Marianas College
Ms. Kaitlyn Neises, Public Health Planner at the Commonwealth Healthcare Cooperation

Speaker Joseph P. Deleon Guerrero: Any further public comments? Alright then, we will move on. At this time, we will move to item IV, Introduction of Bills and before the Chair recognizes the first mover. There were some bills that have been prefiled, but did not meet the 72 hour requirement. So I am going to ask the Floor Leader to offer a motion to suspend pertinent rules to allow for us to amend our agenda. Floor Leader.

ADOPTION OF JOURNALS

The Clerk announced that there are no journals for adoption.

INTRODUCTION OF BILLS

House Bills:

Floor Leader George N. Camacho: Thank you, Mr. Speaker. On that note, I would like to go ahead and make a motion to suspend Rule IX, Section 4 (d) to allow House Bill 19-119 and House Bill 19-120 to be placed on our agenda. Are there any communications? No communications and I believe Representative Aldan has a couple committee reports.

RULE IX. BILLS, RESOLUTIONS AND AMENDMENTS.

Section 4. Format of Bills and Resolutions.

(d) Bills and resolutions for introduction may be pre-filed with the House Clerk for formal introduction at the next session, provided that it is pre-filed in sufficient time to appear on the session agenda as required under Rule III. The 72-hour notice and agenda

requirements may be dispensed with for Special Emergency Sessions and Sessions called by the Governor in accordance with Rule III.

Speaker Joseph P. Deleon Guerrero: Floor Leader. I believe there is an unnumbered bill that will be introduced today. So I know that in our past session some members wanted to be very specific and you did list down two of the bills that were prefiled, but let us allow other members who have bills, but were not prefiled just to introduce it today. Any objections to that?

Several members voiced “no objection”.

Speaker Rafael S. Demapan: Floor Leader, the motion has been offered and seconded, discussion on the motion? Recognize the Minority Leader.

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker. I understand the motion offered by the Floor Leader was to amend Rule IX, Section 4 (d)? For clarity.

Speaker Joseph P. Deleon Guerrero: That was the motion, Rule IX, Section –

Representative Ramon A. Tebuteb: So is there already a written amendment or are we suspending –

Floor Leader George N. Camacho: The motion is to suspend Rule IX, Section 4(d) in order to add items to our agenda and this would require a roll call vote.

Representative Ramon A. Tebuteb: So clarified.

Speaker Joseph P. Deleon Guerrero: Thank you, Minority Leader and thank you Floor Leader. Any further discussions?

Several members voiced “ready”.

Speaker Joseph P. Deleon Guerrero: Madame 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 Edwin P. Aldan	yes
Representative Blas Jonathan “BJ” T. Attao	yes
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	yes
Representative George N. Camacho	yes
Speaker Joseph P. Deleon Guerrero	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Angel A. Demapan	yes
Representative Rafael S. Demapan	yes
Representative Joseph Lee Pan T. Guerrero	yes
Representative Glenn L. Maratita	yes
Representative Felicidad T. Ogumoro	yes
Representative Edwin K. Propst	yes
Representative Antonio P. Sablan	yes

Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	yes
Representative Francis S. Taimanao	yes
Representative Ramon A. Tebuteb	yes
Representative Edmund Joseph S. Villagomez	no
Representative Ralph N. Yumul	yes

House Clerk Linda B. Muña: Mr. Speaker, 19 members voted “yes” and 1 member voted “no.”

Speaker Joseph P. Deleon Guerrero: With majority of the members voting “yes,” the motion to amend our agenda hereby passes. At this time, the Chair will recognize Representative Lorenzo Deleon Guerrero for the first introduction.

Representative Lorenzo I. Deleon Guerrero officially introduced House Bill 19-110 and welcomed the members to coauthor the bill.

H. B. NO. 19-110

To amend Title 4 Economics Resources, Division 1 Revenue and Taxation, Subsection 1402 (g) by adding a new subsection; and for other purposes.

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

(Referred to the Committee on Ways and Means)

Speaker Joseph P. Deleon Guerrero referred House Bill 19-110 to the Committee on Ways and Means and recognized Representative Antonio P. Sablan for the next introduction.

Representative Antonio P. Sablan officially introduced House Bill 19-111.

H. B. NO. 19-111

To amend 4 CMC §1511 (d) Special Accounts for First and Second Senatorial Districts; and for other purposes.

REP. ANTONIO P. SABLAN of Saipan, Precinct 1 (*for himself, Representatives Edwin P. Aldan, George N. Camacho, Angel A. Demapan, Joseph Lee Pan T. Guerrero, and Francis S. Taimanao*)

(Referred to the Committee on Ways and Means)

Speaker Joseph P. Deleon Guerrero referred House Bill 19-111 to the Committee on Ways and Means and recognized Representative Roman C. Benavente for the next introduction.

Representative Roman C. Benavente officially introduced House Bill 19-112.

H. B. NO. 19-112

To provide for the regulation of Cable Television by the Public Utilities Commission.

REP. ROMAN C. BENAVENTE of Saipan, Precinct 1 (*for himself, Representative Edwin K. Propst*)

(Referred to the Committee on Public Utilities, Transportation and Communications)

Speaker Joseph P. Deleon Guerrero referred House Bill 19-112 to the Committee on Public Utilities, Transportation and Communications and recognized Representative George N. Camacho for the next introduction.

Representative George N. Camacho officially introduced House Bill 19-113.

H. B. NO. 19-113

To improve education in the Commonwealth by providing opportunities for learning earlier and later in each student's life; and for other purposes.

REP. GEORGE N. CAMACHO of Saipan, Precinct 4 (*for himself*, Representatives Blas Jonathan "BJ" T. Attao, Angel A. Demapan, and John Paul P. Sablan)

(Referred to the Committee on Health, Education and Welfare)

Speaker Joseph P. Deleon Guerrero referred House Bill 19-113 to the Committee on Health, Education and Welfare and recognized Representative Angel A. Demapan for the next introduction.

Representative Angel A. Demapan: Thank you, Mr. Speaker. I would like to introduce House Bill 19-114, "To transfer the Administration of the Government's Group Health and Life Insurance Programs to the Department of Finance." Offered by myself and three others. Mr. Speaker, I also would like to submit a request to place this bill on calendar today. As you know and as evidence in Governor's Communication 19-89, this is a reintroduction of the House Draft 2 version of House Bill 19-37. The final version that had SD1 was vetoed by the Governor because of an amendment that included the retirees for reenrollment and because that amendment included enrollees it drove the risk of increasing the cost of premiums for active employees and would have defeated the original intent of the legislation. On that premise, Mr. Speaker it is the intent of this legislation to reintroduce the original intent of House Bill 19-37, HD2 and because of that I also request that this bill be placed on today's calendar for today. Thank you, Mr. Speaker.

H. B. NO. 19-114

To transfer the Administration of the Government's Group Health and Life Insurance Programs to the Department of Finance.

REP. ANGEL A. DEMAPAN of Saipan, Precinct 1 (*for himself*, Representatives Blas Jonathan "BJ" T. Attao, George N. Camacho, and John Paul P. Sablan)

(Moved to Bill Calendar)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Demapan. Any objections to the request?

There was no objection on the floor, House Bill 19-114 was moved to the Bill Calendar for action. Speaker Joseph P. Deleon Guerrero recognized Representative George N. Camacho for the next introduction.

Representative George N. Camacho officially introduced House Bill 19-115.

H. B. NO. 19-115

To amend 4 CMC §1402(c) (7) thru (13) to remove an unnecessary provision and to grant the Secretary of Finance the authority to classify new products for taxation purposes; and for other purposes.

REP. GEORGE N. CAMACHO of Saipan, Precinct 4 (*for himself*, Representatives Blas Jonathan “BJ” T. Attao, Angel A. Demapan, and John Paul P. Sablan)

(Moved to Bill Calendar)

Floor Leader George N. Camacho: Mr. Speaker. If the members recall this bill was passed by the House and it went up to the Senate. It is revenue generating bill unfortunately when it came back from the Senate it had Senate amendments that had constitutional questions attached to it. So this is a reintroduction of the bill passed by the House. On a similar fashion, I would like to ask that this bill be placed on calendar for action. Thank you.

Speaker Joseph P. Deleon Guerrero: Any objections to the request.

There was no objection on the floor, House Bill 19-115 was moved to the Bill Calendar for action. Speaker Joseph P. Deleon Guerrero recognized Representative Glenn L. Maratita for the next introduction.

Representative Glenn L. Maratita officially introduced House Bill 19-116 and welcomed the members to coauthor the bill.

H. B. NO. 19-116

To establish a graduated registration fee for pickups, jeeps, sedans, and automobiles.

REP. GLENN L. MARATITA of Rota, Precinct 7 (*for himself*)

(Referred to the Committee on Ways and Means)

Speaker Joseph P. Deleon Guerrero referred House Bill 19-116 to the Committee on Ways and Means.

Speaker Joseph P. Deleon Guerrero officially introduced House Bill 19-117 and referred the bill to the Committee on Public Utilities, Transportation and Communications.

H. B. NO. 19-117

To restrict the use of wireless telephones while driving vehicles; and for other purposes.

REP. JOSEPH P. DELEON GUERRERO of Saipan, Precinct 1 (*for himself*)

(Referred to the Committee on Public Utilities, Transportation and Communications)

Speaker Joseph P. Deleon Guerrero recognized Representative Lorenzo I. Deleon Guerrero for the next introduction.

Representative Lorenzo I. Deleon Guerrero officially introduced House Bill 19-118.

H. B. NO. 19-118

To amend Title 4 Economic Resources, Division 3 Businesses and Professions, Subsection §3103 Board of Professional Licensing Tenure; and for other purposes.

REP. LORENZO I. DELEON GUERRERO of Saipan, Precinct 5 (*for himself, Representatives Roman C. Benavente, and Vinson F. Sablan*)
(Referred to the Committee on Judiciary and Governmental Operations)

Speaker Joseph P. Deleon Guerrero referred House Bill 19-118 to the Committee on Judiciary and Governmental Operations and recognized Representative Joseph Lee Pan T. Guerrero for the next introduction.

Representative Joseph Lee Pan T. Guerrero officially introduced House Bill 19-119.

H. B. No. 19-119

To enact provisions regarding confinement of dogs, enforcement authority to the office of the mayor for each senatorial district, and fines for registered pet owners who fail to secure their dogs; and for other purposes.

REP. JOSEPH LEE PAN T. GUERRERO of Saipan, Precinct 1 (*for himself*)
(Referred to the Committee on Judiciary and Governmental Operations)

Speaker Joseph P. Deleon Guerrero referred House Bill 19-119 to the Committee on Judiciary and Governmental Operations and recognized Representative Edwin K. Propst for the next introduction.

Representative Edwin K. Propst officially introduced House Bill 19-120.

H. B. No. 19-120

To amend 6 CMC §2143 by adding a new subsection (c) to establish a penalty for businesses who engage in drug-related activities; and for other purposes.

REP. EDWIN K. PROPST of Saipan, Precinct 1 (*for himself*)
(Referred to the Committee on Judiciary and Governmental Operations)

Speaker Joseph P. Deleon Guerrero referred House Bill 19-120 to the Committee on Judiciary and Governmental Operations and recognized Representative Antonio P. Sablan for the next introduction.

Representative Antonio P. Sablan officially introduced House Bill 19-121.

H. B. No. 19-121

To amend Public 19-8, Section 702(d) Judicial Branch Probation Officers; and for other purposes.

REP. ANTONIO P. SABLAN of Saipan, Precinct 1 (*for himself*)
(Moved to Bill Calendar)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan. Madame Clerk, would this be House Bill 19-121?

House Clerk Linda B. Muña: Yes.

Speaker Joseph P. Deleon Guerrero: Members take note. Representative Sablan, this bill will be amending the budget act?

Representative Antonio P. Sablan: Correct. There are some issues involved in regards to the status of the probation officer. Thank you.

Speaker Joseph P. Deleon Guerrero: Short recess.

The House recessed at 2:48 p.m.

RECESS

The House reconvened at 2:49 p.m.

Speaker Joseph P. Deleon Guerrero: We are back in session right now. During the recess, the mover of House Bill 19-121 requested that we – although we cannot act on the bill that was just introduced – it was to put it on the Bill Calendar for action on the next session which would probably be next week. Any objections?

Several members voiced “no objection”.

Speaker Joseph P. Deleon Guerrero: Thank you, members. Please take note then. Are there any other unnumbered bills for introduction? Are we ready?

Several members voiced “ready”.

House Local Bills:

Speaker Joseph P. Deleon Guerrero: At this time, under item (b) House Local Bills Recognize Representative BJ Attao.

Representative Blas Jonathan “BJ” T. Attao officially introduced House Local Bill 19-43 and welcomed the members to coauthor the bill.

H. L. B. NO. 19-43

To appropriate up to \$288,312.34 from the Third Senatorial District Developers Infrastructure Tax Fund under Business Unit 3730; and for other purposes.

REP. BLAS JONATHAN “BJ” T. ATTAO, of Saipan, Precinct 3 (*for himself*, Representatives Anthony T. Benavente, George N. Camacho, Lorenzo I. Deleon Guerrero, Felicidad T. Ogumoro, John Paul P. Sablan, Vinson F. Sablan, Frances S. Taimanao, Ramon A. Tebuteb, Edmund S. Villagomez, and Ralph N. Yumul)

Speaker Joseph P. Deleon Guerrero recognized Representative Glenn L. Maratita for the next introduction.

Representative Glenn L. Maratita officially introduced House Local Bill 19-44..

H. L. B. NO. 19-44

To appropriate Two Million US Dollars (\$2,000,000.00) specifically allotted to the First Senatorial District under Public Law No. 18-56; and for other purposes.

REP. GLENN L. MARATITA of Rota, Precinct 7 (*for himself*)

Speaker Joseph P. Deleon Guerrero moved on to the next item on the agenda, Introduction of Resolutions and recognized Representative Angel A. Demapan for the first introduction.

House Legislative Initiatives: None

INTRODUCTION OF RESOLUTIONS

House Resolutions:

Representative Angel A. Demapan officially introduced House Resolution 19-35 and requested that it would be as Committee of the Whole.

H. RES. NO. 19-35

To honor and congratulate Dr. Dora Borja Muira upon the occasion of her selection as the 2015-2016 Teacher of the Year for Saipan Southern High School and for earning this year's coveted title of 2016 CNMI State Teacher of the Year.

REP. ANGEL A. DEMAPAN of Saipan, Precinct 1 (*for himself*)
(Committee of the Whole)

There was no objection on the floor, House Resolution 19-35 was introduced as Committee of the Whole.

Speaker Joseph P. Deleon Guerrero recognized Representative Angel A. Demapan to continue introducing the next two House Resolutions.

Representative Angel A. Demapan officially introduced House Resolution 19-36 and House Resolution 19-37 and requested that both be introduced as Committee of the Whole.

H. RES. NO. 19-36

To congratulate Eric Camacho Larson upon the occasion of his selection as the 2015-2016 Teacher Aide of the Year for Garapan Elementary School and for earning this year's prestigious title of 2016 CNMI State Teacher Aide of the Year.

REP. ANGEL A. DEMAPAN of Saipan, Precinct 1 (*for himself*)
(Committee of the Whole)

H. RES. NO. 19-37

To congratulate Rose Sharon Taimanao Jones upon the occasion of her selection as the 2015-2016 Instructor of the Year for Chacha Oceanview Middle School and for earning this year's prestigious title of 2016 CNMI State Instructor of the Year.

REP. ANGEL A. DEMAPAN of Saipan, Precinct 1 (*for himself*)
(Committee of the Whole)

There was no objection on the floor, House Resolution 19-36 and House Resolution 19-37 are introduced as Committee of the Whole. The Chair placed all three resolutions on the Resolution Calendar for action.

The Chair moved on to Messages from the Governor and recognize the House Clerk.

House Joint Resolutions: None

House Commemorative Resolutions: None

House Concurrent Resolutions: None

MESSAGES FROM THE GOVERNOR

The Clerk announced the following Messages from the Governor:

GOV. COMM. 19-86: (11/13/15) Informing the House that he signed into law, S. B. 19-28, entitled, (To amend 1 CMC §7406(a), (e) and (g)(3). [Exempt Elected Officials on the requirements on window tint restrictions]). Became **Public Law 19-20**

GOV. COMM. 19-87: (11/13/15) Informing the House that he signed into law, S. B. 19-48, HD1, entitled, (To amend 4 CMC §§ 2201(c) and 2205(a) to authorize CPA to grant a master concession agreement for each point of entry at Saipan, Tinian, or Rota, respectively; and for other purposes.). Became **Public Law 19-21**

GOV. COMM. 19-88: (11/16/15) **Executive Order 2015-19** - Declaration of a State of Significant Emergency: Commonwealth Utilities Corporation's Imminent Generation and other Failure and the Need to Provide Immediate Reliable Power, Water and Wastewater services.

GOV. COMM. 19-89: (12/7/15) Informing the House that he disapproved H. B. No. 19-37, HD2, SD1 (To transfer the Administration of the Government's Group Health and Life Insurance Programs to the Department of Finance, and to amend 1 CMC § 8364; and for other purposes.) [**Deadline 2/5/16**]

GOV. COMM. 19-90: (11/29/15) **Executive Order 2015-20** – Renewal of Declaration of Major Disaster and Significant Emergency in the Commonwealth of the Northern Mariana Islands.

GOV. COMM. 19-91: (11/25/15) Informing the House that he signed into law, S. B. 19-56, entitled, (To amend 4 CMC §50204 to exempt developer infrastructure taxes from qualifying certificate tax abatement or rebate for the Third Senatorial District; and for other purposes.). Became **Public Law 19-22**

GOV. COMM. 19-92: (12/4/15) Informing the House that he signed into law, S. B. 19-36, SS1, HD1, entitled, (To encourage investment and tourism on Tinian and Rota by extending eligibility for qualifying certificates under the Investment Incentive Act of 2000 to casinos on those islands; and for other purposes.). Became **Public Law 19-23**

GOV. COMM. 19-93: (12/4/15 received 12/7/15) Informing the House that he signed into law and line item vetoed in parts, H. B. 19-95, HD1, HS1, SS1 (Casino Act Amendment). Became **Public Law 19-24, item vetoed [Deadline 2/5/15]**

GOV. COMM. 19-94: (12/7/15) Informing the House that he signed into law, S. B. 19-58, entitled, (To amend 4 CMC §2111(a) to include a member of HANMI on the Board

of Directors of the Marinas Visitors Authority; and for other purposes.). Became **Public Law 19-25**

GOV. COMM. 19-95: (12/11/15) Certifying and granting approval for Mr. Charles E. Brasington, Assistant Attorney General, at the Office of Attorney General to receive an annual salary of \$56,000. [*For info*]

GOV. COMM. 19-96: (12/11/15) Certifying and granting approval for Ms. Shannon R. Foley, Assistant Attorney General, at the Office of Attorney General to receive an annual salary of \$58,000. [*For info*]

Speaker Joseph P. Deleon Guerrero: At this time, are there any comments on any of the Messages from the Governor? Recognize Representative Lee Pan Guerrero.

Representative Joseph Lee Pan T. Guerrero: Thank you, Mr. Speaker. I am still concerned on Communication 19-95 and 96. We continue to see this practice and I do not know where the Administration is getting the money because I surely like to see where this money is coming from. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Guerrero. Any further discussions under Messages from the Governor. Recognize the Minority Leader.

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker. On the comment made by the good Representative Lee Pan, I do have a response, but I will yield for now. I would like to make a comment on Governor's Communication – perhaps comment and/or recommendation to this body Mr. Speaker on Governor's Communication 19-88, this is the Executive Order number 19 and also Governor's Communication 19-90, again this is the Executive Order number 20 is the Declaration of Major Disaster. Executive Order number 19 is the Extension of CUC so basically these are sort of renewed, but I am going to ask Mr. Speaker perhaps either you provide to the appropriate committee a brief synopsis or updates on this matter to get the status of what is going on these concerns relative to the two communications from the Governor. Maybe an audience or however you want to assign that my request on these matters. Do we still need to continue on the renewal of declaration of major disaster and significant emergency for example, or what is going on with CUC and perhaps this body can consider to assist if anything.

Speaker Joseph P. Deleon Guerrero: Thank you, Minority Leader. Can I ask then the Chairman of PUTC to communicate or consult with CUC to get the basis or justification for the need to have the continued EO and maybe set up a meeting with them so that members can ask questions. And we will ask the same from our good Chairman of JGO to maybe ask the Homeland Security, although I believe it is under transition right now. Regarding the significant disaster – Declaration of Major Disaster, communication 19-90 and see if we can set up a meeting and meet with them. Maybe within the next week – by next week sometime. Anything further from the members under Governor's Communication. If there is no objection, the Chair wanted to raise a concern regarding Governor's Communication 19-93.

Several members voiced "no objection".

Speaker Joseph P. Deleon Guerrero: Without objection then. The issue that has been raised is that the Governor has line item vetoed House Bill 19-95 and although the Governor vetoed it with the advice of the Attorney General's Office there were issues whether House Bill 19-95 was an appropriation bill. The Governor can only – there is two issues here, one is whether 19-95 is an appropriation bill, the Administration believe that it is since it did appropriate \$3 Million Dollars to the gaming commission and that right there is kind of questionable. I guess it can be argued either way. The second issue and these are Constitutional issues is when a Governor chooses to line item a bill it should also strikeout the dollar figure corresponding to that line item veto. In this case it was not so the actual items that were line item vetoed were mostly amendments coming from the Senate, but the constitutional issue is something that our Legal Counsel raised and whether this action could set precedence for future legislations. So I wanted to ask our Legal Counsel to give us a written legal opinion on the constitutionality of the veto and we will take it then from there. Maybe on our next session we have sixty-days to take action if we so choose to override the veto or just to let it go. At a minimum, I wanted to ensure that it was reflected in today's legislative record for the record and also after the legal opinion comes out so we can decide what course of action we may want to take. Legal Counsel, by the next session. Any other further discussion on what I had just raised or any other items under messages from the Governor? Recognize the Minority Leader.

Representative Ramon A. Tebuteb: On that specific Governor's Communication 19-93 and on your comments I completely agree with your statement and it has now put us on a very peculiar situation. A constitutional potential, a constitutional violation may be in play at this point and if the members recall part of the minorities concerns now pin us more closely on either supporting or not supporting a potential override heading into even a void of an initial. So it also puts the minority members in that closet of trying to decide in the first place what the minority member had earlier raised during the discussion and it is not now because of the veto. So that the concerns raised were that so we address and analyze the amendments carefully. So now we have a situation in front of us that may have forced us now to either – is it constitutional or not and should it be a policy call on members. So in essence it also forces the position of each one of us on the constitutionality of what you had just raised. So it is critical. So the course now we individually need to analyze ourselves on this policy call. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you. As I requested, I wanted to ask for your indulgence that we ask the Legal Counsel to give us his legal opinion on the matter and then to discuss possible courses of action, one being to override, two being to pose for a certified question let the courts decide or three the counsels have even suggested that we could let it go but ask that the – write to the Attorney General's Office, to the Governor, and to the Law Revision Commission to make the necessary corrections, but let us table the discussion for now until we get his written opinion. Ready?

Several members voiced "ready".

Speaker Joseph P. Deleon Guerrero: If there is nothing further under item VI, Messages from the Governor. Let us move to item VII, Senate Communications and recognize the Floor Leader for a motion to accept.

SENATE COMMUNICATIONS

Floor Leader George N. Camacho: Thank you, Mr. Speaker. We do have three Senate Communications on today's agenda. These are Senate Communications 19-104, Senate Communications 19-106 and 19-107, I would like to make a motion that we accept senate communications so that they may become property of the House. So move.

SEN. COMM. 19-104: (11/13/15) Returning H. B. NO. 19-59, HD1, entitled, "To authorize the Commonwealth of the Northern Mariana Islands Public School to enter into a loan agreement for a sum not to exceed \$3,000,000.00 for the purposes of building additional classrooms, Early Head Start Centers, and to pave roads and parking lots at its facilities in Rota and Tinian; and for other purposes.," which was passed by the Senate with amendments on November 13, 2015, in the form of **H. B. NO. 19-59, HD1, SD1**, to read: "*To authorize the Commonwealth of the Northern Mariana Islands Public School to enter into a loan agreement for a sum up to \$5,000,000.00 for the purposes of building additional classrooms, Early Head Start Centers, and to pave roads and parking lots at its facilities in Rota and Tinian; and for other purposes.*" [For action on Senate amendments]

(Moved to Bill Calendar)

SEN. COMM. 19-106: (11/18/15) Transmitting a certified copy of Senate Resolution No. 19-21, entitled, "Requesting the Department of Public Lands to conduct an assessment of public and private land leases and permits to ensure that business and individuals are not illegally encroaching into adjacent public lands.," which was adopted by the Senate on November 13, 2015. [For info]

SEN. COMM. 19-107: (11/18/15) Transmitting a certified copy of Senate Resolution No. 19-23, entitled, "Respectfully urging the Governor to appoint a Special Assistant for Public Utilities & Communications to develop a comprehensive policy and plan on the development and expansion of public utilities and communications infrastructure and services including broadband internet in the Commonwealth.," which was adopted by the Senate on November 13, 2015. [For info]

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion is to accept Senate Communications and it has been seconded. Any discussion on the motion? Recognize the Minority Leader.

Representative Ramon A. Tebuteb: On that note, you have a chop suey approach on the motion offered by the Floor Leader. I was going to attempt to recommend that the body consider perhaps sending the Senate Communication 19-104 to the Conference Committee because of some technical issues on the amendment by the Senate.

Speaker Joseph P. Deleon Guerrero: Thank you, Minority Leader. Right now the motion is to accept Senate Communications. Was that the motion you offered Floor Leader.

Floor Leader George N. Camacho: Correct that is the motion to simply accept so that it becomes property of the House and then we can either place Senate Communications 19-104 on calendar or the Speaker may refer it to appropriate committee.

Speaker Joseph P. Deleon Guerrero: Under discussion recognize Representative Attao.

Representative Blas Jonathan “BJ” T. Attao: Thank you, Mr. Speaker. I guess we will just wait till the discussion of the actual legislation, but in regards to Senate Communication 19-104 it is to accept or reject. If we accept it then it goes to the Governor’s desk for signature because it originated from the House. We do not have the option of going to a specific committee or it goes into conference committee because it is our original bill from the House. So it has done its due process it came in its full circle. It either goes to conference committee or we accept it and it goes to the Governor or we reject it goes to conference committee appoint the conferees, we accept it and it goes to the Governor’s desk. Thank you.

Speaker Joseph P. Deleon Guerrero: I will allow a few more discussions then we probably go into recess and discuss this further. Representative Sablan.

Representative Antonio P. Sablan: Thank you, Chairman. This is to the members. The Senate amendments to House Bill 19-59, House Draft 1 basically leaves the or grants PSS the option of asking for a loan in the amount of \$5 Million. The board and members of PSS have appeared before this body during the deliberation on the said bill and earlier we heard the Chairman of the Board of Education asking or endorsing the bill as amended by the Senate. The amendment to the legislation is on page 2 and basically what it did was put in the language of up to \$5 Million. I think the loan application package has been completed. I believe there is a predetermine endorsement by USDA in regards to this particular application, but the amendment does not compromise the original intent of the legislation, but again I ask the members for their support on this legislation. We have all taken the opportunity to have PSS and the board members explain in detail to this body why this is important and why we should give PSS and afford PSS the opportunity to avail of this loan as the intent of this revenue or funding is to address immediate PSS needs in the area of early education and Head Start Program. I ask for the understanding and support of the members to please put your support behind this legislation and let us accept the bill as transmitted by the Senate and so that we can allow PSS to move on with this process so the funding can eventually be available. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you. Before the Chair entertains any further discussion and what I am hearing is procedural issues by Representative Attao and I believe the Minority Leader raised. The procedural issue here is whether the motion as offered by the Floor Leader, which is merely to accept Senate Communications so they become property of the House is just that or by adopting the motion by the Floor Leader we are in effect accepting the Senate amendments. In the past, I remember this was an issue last session or a few sessions ago and I think we clarified it that it was just to accept Senate Communications move it to the Bill Calendar then a motion would be offered to either accept or reject the Senate amendments. I am of the understanding that right now this motion is merely to allow it to become property of the House. I am not the rule here so I will defer it to the Legal Counsel. Counsel the motion as offered by the Floor Leader, does that constitute an acceptance of the Senate amendments?

Legal Counsel John Cool: No it would be the acceptance of the Senate Communication.

Speaker Joseph P. Deleon Guerrero: Recognize the Floor Leader first.

Floor Leader George N. Camacho: Speaker just to further clarify, the motion was to accept the Senate Communication and not for the passage of House Bill 19-59, HD1, SD1. The motion I made earlier is just to accept Senate Communication and not for the passage of the bill.

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

Representative Blas Jonathan “BJ” T. Attao: Thank you, Mr. Speaker. I remember the exact scenario that you were talking about that was a Senate Bill. This is a House Bill that already made its way to the Senate and its back. It is like the budget, when we rejected the budget it went into conference committee. It is exactly the same type of process. We did not accept the Senate Communication and the put the budget on the calendar for action and then go to conference committee. It was not like that.

Speaker Joseph P. Deleon Guerrero: The difference though is when the budget came back the specific motion was to reject the Senate amendments. In this case that has not happened yet.

Representative Blas Jonathan “BJ” T. Attao: Yes, but when we accept the Senate Communication with the amendments made by the Senate on a House Bill it does not go to the Bill Calendar for action, we have accepted their changes therefore it is making its way to the Governor’s desk that is the way it has been done over the past. It is always accept the message and then it goes to the calendar if it is a Senate Bill and if it is a House Bill that has done its full circle it will go to the Governor’s desk. There is no question with the legislation, I support the bill. There may be a technical language that might need to be changed on the legislation, but we will get to that part when we get to the legislation after we figure out this portion of the technicalities or our rules.

Speaker Joseph P. Deleon Guerrero: Let us take a short recess and allow our Legal Counsel a few minutes to take a look. Short recess.

The House recessed at 3:16 p.m.

RECESS

The House reconvened at 3:40 p.m.

Speaker Joseph P. Deleon Guerrero: Thank you, members. We are now back in session. Prior to our short recess, we left off on item VII, Senate Communications. A motion was offered by the Floor Leader to accept Senate Communications we were under discussion. At this time, based on our discussion I would like to ask the Floor Leader if he can offer a motion to dissolve into the Committee as a Whole and ask the representative of PSS to step forward to the podium so that we can ask questions.

Floor Leader George N. Camacho: Thank you, Mr. Speaker. On that note I would like to make a motion that we move into a Committee as a Whole so that we may receive comments from Representatives of PSS. So move.

The motion was seconded.

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

The House dissolved into Committee of the Whole at 3:40 p.m.

COMMITTEE OF THE WHOLE

The House reconvened in plenary session at 3:53 p.m.

Speaker Joseph P. Deleon Guerrero: Floor Leader for a motion to return back to our session.

Floor Leader George N. Camacho: Thank you, Mr. Speaker. I would like to make a motion that we rise back to our plenary session. So move.

The motion was seconded.

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

Speaker Joseph P. Deleon Guerrero: We are now back and the motion as offered by the Floor Leader which was to accept Senate Communication is still standing. Any further discussion on that motion?

Several members voiced “ready”.

There was no further discussion and the motion to accept Senate Communications 19-104, 19-106 and 19-107 was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: So with that please take note. House Bill 19-59, HD1, SD1 will be placed on today’s Bill Calendar. That takes care of item VII. Under item VIII, House Communications. Madame Clerk.

HOUSE COMMUNICATIONS

The Clerk announced the following House Communications:

HSE. COMM. 19-60: (11/25/15) From the Speaker informing all Members that he will be out of the Commonwealth on official business from Monday, November 30, 2015 to Saturday, December 5, 2015 and designates Vice Speaker Rafael S. Demapan as Acting Speaker.

HSE. COMM. 19-61: (12/1/15) From Representative Ogumoro informing the Speaker that she will be out of the Commonwealth on official business beginning December 2, 2015 until Saturday, December 5, 2015.

HSE. COMM. 19-62: (12/1/15) From Representative Attao informing the Speaker that he will be out of the Commonwealth on official business beginning December 2, 2015 until

Saturday, December 5, 2015 and request to be excused from any official functions during his absence.

HSE. COMM. 19-63: (12/7/15) From Representative Guerrero informing the Speaker that he will be out of the Commonwealth on personal matters on Thursday, December 10, 2015 to Monday, December 14, 2015 and request to be excused from any sessions during his absence.

Speaker Joseph P. Deleon Guerrero: Any comments from the members under item VIII?

Several members voiced “ready”.

Speaker Joseph P. Deleon Guerrero: Let us now move then to item XII, Reports of Standing Committees and turn it over to our Floor Leader for the first motion.

COMMUNICATIONS FROM THE JUDICIAL BRANCH

None

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

None

MISCELLANEOUS COMMUNICATIONS

None

REPORTS OF STANDING COMMITTEES

Floor Leader George N. Camacho: Thank you, Mr. Speaker. Under item XII, Reports of Standing Committee. We have Standing Committee Report 19-53 this was left on item XII pending communication with CDA and I would like to go ahead and ask the mover if there is any updates on the matter if not then we can refer this back to committee.

Speaker Joseph P. Deleon Guerrero: Recognize Representative Yumul.

Representative Ralph N. Yumul: Thank you, Mr. Speaker. Just for the record numerous attempt, I think it has been two sessions already we requested CDA and I will leave it to the body to dispose of the committee report. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Yumul. Can I ask the Floor Leader to offer a motion to return or refer Standing Committee Report 19-53 back to committee and in that way if anything comes in the committee can act on it. Floor Leader.

Floor Leader George N. Camacho: Thank you, Mr. Speaker. On that note, I would like to make a motion to refer Standing Committee Report 19-53, which reporting on House Bill 19-53 back to committee for further review by the committee. So move.

S. C. R. NO. 19-53: Reporting on H. B. NO. 19-43, entitled: “To suspend the Investment Incentive Act, Qualifying Certificate Program for a period of five (5) years for new applicants; and for other purposes.” *Your Committee on Ways and Means recommends that the House pass the bill in the form of H. B. NO. 19-43, HDI.*
(Referred to the Committee on Ways and Means)

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion has been offered and seconded to refer Standing Committee Report 19-53 back to the Committee on Ways and Means. Any discussion on the motion? Recognize Representative Deleon Guerrero.

Representative Lorenzo I. Deleon Guerrero: Thank you, Mr. Speaker. Because we could not get the information that we are required and there is a committee report that recommends for passage on the bill, I would like to suggest that we – if it is alright with the author and the Chairman of the committee to place this on today’s calendar. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: A motion has already been offered to place it on committee. Any other further discussions. We were all kind of waiting for comments from CDA on this bill to refer it back to committee, I would probably even suggest that the Chairman – Chairman if we refer this back to the committee can you fire out another letter to CDA and if they do not or to request comments on this House Bill?

Representative Antonio P. Sablan: Noted.

Speaker Joseph P. Deleon Guerrero: Further discussion?

Several members voiced “ready”.

There was no further discussion and the motion to recommit Standing Committee Report 19-53 to the Committee on Ways and Means was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero recognized the Floor Leader for the next Standing Committee Report.

Floor Leader George N. Camacho made a motion to adopt Standing Committee Report 19-57.

S. C. R. NO. 19-57: Reporting on S. B. NO. 19-25, entitled: “To prohibit tattooing of minors without the written consent of the parent or legal guardian; and for other purposes.” *Your Committee on Judiciary and Governmental Operations recommends that the House pass the bill in the form of S. B. NO. 19-25, HDI.*

The motion was seconded and carried by voice vote. There was no nay vote. Standing Committee Report 19-57 was adopted and the Chair recognized the Floor Leader for the next Standing Committee Report.

Floor Leader George N. Camacho: Thank you, Mr. Speaker. Next appearing on our agenda is Standing Committee Report 19-58, reporting on House Bill 19-90, but I believe the Chairman of the committee along with some members raised some concerns on this and the Chairman has requested that further review pending questions with this legislation that – so the motion is to refer Standing Committee Report 19-58 back to the committee for further review. So move.

S. C. R. NO. 19-58: Reporting on H. B. NO. 19-90, entitled: “To amend 1 CMC §2891 and §2892 and to add a new §2893 (The CNMI Office of Grants Management); and for other purposes.” *Your Committee on Judiciary and Governmental Operations recommends that the House pass the bill in the form of H. B. NO. 19-90, HD1.*
(Referred to the Committee on Judiciary and Governmental Operations)

The motion was seconded and carried by voice vote. There was no nay vote. Standing Committee Report 19-57 was recommitted to the Committee on Judiciary and Governmental Operations. The Chair recognized the Floor Leader for the next Standing Committee Report.

Floor Leader George N. Camacho made a motion to adopt Standing Committee Report 19-59.

S. C. R. NO. 19-59: Reporting on H. B. NO. 19-99, entitled: “To assess a Health Impact Tax on Sugar-sweetened Beverages, Sugar-sweetened Concentrate, for the prevention and control of Non-Communicable diseases in the Commonwealth; to create a Special Healthcare Impact Account.” *Your Committee on Health, Education and Welfare recommends that the House pass the bill in the form of H. B. NO. 19-99, HD1.*

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. Motion has been offered and seconded. Discussion at this time? Recognize the Minority Leader.

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker. This is not to request to send it back to the committee, but to commend the committee work and also in support of the legislation itself, however basic question to the committee on the finding – more clarification from the findings. I understand from my reading from the committee findings, paragraphs one, two and three are very clear. Basically it just tells us the general information statistics and supporting documents relative to support the intent of the legislation on taxation on these products. However, perhaps my question is not necessarily fair to the committee itself, but maybe to the body. Relative to the last paragraph of the committee findings and that is to facilitate 50% tax so that it addresses the general obligation or outstanding obligation of CHC. Maybe one of the questions that may be considered is if we are reverting 50% of this tax to the obligations of CHC are there other entities being considered such as PSS. I am not sure the actual calculation of what the obligation of CHC has although I can fairly comprehend the findings on the statistic provided by expert people in our community. However, I would appreciate that perhaps that can also be taken into account. It is a policy call on moving 50% on the tax to obligations of the government or obligation of CUC. I guess my question is very basic, what is the calculation of this particular last paragraph of the committee findings so that at least we are clear on the record.

Speaker Joseph P. Deleon Guerrero: Recognize the Chair of HEW.

Representative Felicidad T. Ogomoro: Thank you, Speaker. We do know that when we work on this bill. One of the purposes of the two purposes was to help CHCC address the MPLT line of credit if you want to call it that it took up from CHC's line of credit with MPLT. After much discussion researching also finding out what the real needs of the corporation is – the conclusion is that we will instead of giving 100% of the revenue that will be generated from the tax that will be imposed on sugar sweeten beverages that we will ask that 50% of what is going to be generated will be set aside to take care of that loan. I think that is very reasonable, in fact when we come to the Bill Calendar we will explain a little bit more but the committee report is just telling us that we need to address that loan that CHCC took out from MPLT. The balance of that as it stands as of today is about \$3.5 Million and they are paying approximately \$23,000.00 per month to take care to service that loan. Mr. Speaker that is the idea behind this that instead of assigning the entire amount that is generated from the tax imposed the entire amount of only 50% of what is generated from the tax imposed will be used towards the servicing of that loan.

Speaker Joseph P. Deleon Guerrero: Thank you, Chair. Minority Leader you still have the floor if you are going to continue or are you going to yield?

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker. Just for the record.

Speaker Joseph P. Deleon Guerrero: Any further discussions on the motion Standing Committee Report 19-59? Recognize Representative Yumul?

Representative Ralph N. Yumul: Thank you, Mr. Speaker. In line page 7 of the bill or sorry going back to the 50%. I have an issue as to why that amount was set aside? I believe if we are going to fight diabetes and all those other disease then it should be more than the 50% you know we are taxing – when we tax businesses for any reason they pass the tax on to consumers and knowing the fact that when we increase taxes on drinks or sugars we have got to remember that most of our distributors are bringing in multiline of products. I will give it an example, not just to pick on any company, but let us just say Micronesian Broker they not only bring in candies but they also bring in other lines of food products. So my concern is passing the cost from sugar to other products that affects everybody and knowing the fact that we are going to increase tax on how we are going to pay CHCC's obligation, businesses that would pass the cost and I think we might have a reverse effect on the intent of the bill. Now if the bill's intention is to fight the sweeten drinks and so forth then the taxes should be all given to the prevention side or the clinical side. It should not be to address a liability of the corporation. So that is my concern with my report is I did not see any comments from the businesses out there and how it would it affect and I am sure it will affect each one of the us knowing the fact we are raising taxes to pay obligations that is my concern. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Yumul. Any further discussions on the committee report itself? Recognize Representative Roman Benavente.

Representative Roman C. Benavente: Thank you, Mr. Speaker. I would just like to make two-cents together with regards to the intent of the bill to fight diabetes and that is the whole intent. I think the money should be more infused into public awareness and public education and other related activities that would curtail the diabetes here on the island. If that is so bad then let us pump money into that instead of using it as an escape goat to accommodate other needs. I think it

should be because this issue is a humungous issue that we have. I have heard in Tanapag there is so much diabetes of there, but not only Tanapag even everywhere basically when you look at it everywhere in the CNMI. I also would like to see that even down to the school level for kids to be indoctrinated with the disease and the problem that arises even also to the home to the parents. So it is a humungous amount of money that is needed and the program should be afforded. So if we can afford the program with that then we should do it if we can because also commodities and other goods that comes in are also part of the sweet stuff and especially when you are selling to kids it is hard to control. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, members. Any further discussion on the committee report? Recognize Representative Sablan.

Representative Vinson F. Sablan: Just on the comment, I think diabetes is not only in Tanapag, but it is a CNMI-wide problem. So I just wanted to go on record for that.

Representative Roman C. Benavente: For the record, I am sorry for that Representative Sablan I did not mean it that way, but I have heard that but anyway I am sorry for that no offense to anybody. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you for clarifying Representative Sablan. This is just the committee report. I know that there are other concerns that have not been raised yet because it is very specific to the bill itself and that would happen when this bill gets to the Bill Calendar, but for it to get to the Bill Calendar it needs to be adopted first. So are we ready for the vote?

Several members voiced “ready”.

There was no further discussion and the motion to adopt Standing committee Report 19-59 was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: Floor Leader.

Floor Leader George N. Camacho: Thank you, Mr. Speaker. Next is Standing Committee Report 19-60, I think the Chairperson of the committee also had some concerns on this so we will leave it on Calendar.

S. C. R. NO. 19-60: Reporting on H. B. NO. 19-61, entitled: “To establish the Related Service Providers Scholarship; and for other purposes.” *Your Committee on Health, Education and Welfare recommends that the House pass the bill in the form of H. B. NO. 19-61, HDI.*

Floor Leader George N. Camacho made a motion to adopt Standing Committee Report 19-61.

S. C. R. NO. 19-61: Reporting on S. B. NO. 19-23, SS1, entitled: “To amend 6 CMC §3171 to define and prohibit electronic cigarettes where smoking is prohibited and to regulate electronic cigarettes by including it in the Tobacco Control and to prohibit minors who are under the age of 18 from using it; and for other purposes.” *Your*

Committee on Health, Education and Welfare recommends that the House pass S. B. NO. 19-23, SSI in its current form.

The motion was seconded and there was no discussion. Standing Committee Report 19-61 was adopted by voice vote and there being no nay vote. The Chair recognized the Floor Leader for the next Standing Committee Report.

Floor Leader George N. Camacho made a motion to adopt Standing Committee Report 19-62.

S. C. R. NO. 19-62: Reporting on H. R. NO. 19-34, entitled: “Respectfully requesting the Secretary of the Department of Public Works to include Kannat Tabla road under the CNMI Territorial Transportation Improvement Plan (TTIP); and for other purposes.” *Your Committee on Public Utilities, Transportation, and Communications recommends that the House adopt H. R. NO. 19-34 in its current form.*

The motion was seconded and there was no discussion. Standing Committee Report 19-62 was adopted by voice vote and there was no nay vote.

Speaker Joseph P. Deleon Guerrero: All the corresponding bills that were adopted will be placed on today’s Bill Calendar and House Resolution 19-34 will be placed on today’s Resolution Calendar. At this time, without objection let us move to item XV the Resolution Calendar. Floor Leader.

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

None

UNFINISHED BUSINESS

None

RESOLUTION CALENDAR

Floor Leader George N. Camacho made a motion to adopt House Resolution 19-35.

H. RES. NO. 19-35

To honor and congratulate Dr. Dora Borja Muira upon the occasion of her selection as the 2015-2016 Teacher of the Year for Saipan Southern High School and for earning this year’s coveted title of 2016 CNMI State Teacher of the Year.

REP. ANGEL A. DEMAPAN of Saipan, Precinct 1 (*for himself*)

The motion was seconded and there was no discussion. House Resolution 19-35 was adopted by voice vote and there was no nay vote. The Chair recognized the Floor Leader for the next resolution.

Floor Leader George N. Camacho made a motion to adopt House Resolution 19-36.

H. RES. NO. 19-36

To congratulate Eric Camacho Larson upon the occasion of his selection as the 2015-2016 Teacher Aide of the Year for Garapan Elementary School and for earning this year's prestigious title of 2016 CNMI State Teacher Aide of the Year.

REP. ANGEL A. DEMAPAN of Saipan, Precinct 1 (*for himself*)

The motion was seconded and there was no discussion. House Resolution 19-36 was adopted by voice vote and there was no nay vote. The Chair recognized the Floor Leader for the next resolution.

Floor Leader George N. Camacho made a motion to adopt House Resolution 19-37.

H. RES. NO. 19-37

To congratulate Rose Sharon Taimanao Jones upon the occasion of her selection as the 2015-2016 Instructor of the Year for Chacha Oceanview Middle School and for earning this year's prestigious title of 2016 CNMI State Instructor of the Year.

REP. ANGEL A. DEMAPAN of Saipan, Precinct 1 (*for himself*)

The motion was seconded and there was no discussion. House Resolution 19-37 was adopted by voice vote and there was no nay vote. The Chair recognized the Floor Leader for the next resolution.

Floor Leader George N. Camacho made a motion to adopt House Resolution 19-34.

H. R. NO. 19-34

Respectfully requesting the Secretary of the Department of Public Works to include Kannat Tabla road under the CNMI Territorial Transportation Improvement Plan (TTIP); and for other purposes."

The motion was seconded and there was no discussion. House Resolution 19-34 was adopted by voice vote and there was no nay vote.

Speaker Joseph P. Deleon Guerrero: That takes care of our Resolution Calendar. Would you guys like to take a short break? Well, we only have a little over ten minutes till 4:30 and I am going to suggest however far we go we are going to call a recess afterwards and continue our session tomorrow maybe at 10:00. We have a lot of bills that need to be acted on. Recognize Lee Pan.

Representative Joseph Lee Pan T. Guerrero: Thank you, Mr. Speaker. On top of that recess for tomorrow. Can we move it to 10:30 there is a funeral tomorrow morning Mr. Speaker that I would really like to attend. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Members we will go ahead and try to make it up to 5:00. We will have a short recess since we are not going to stop at 4:30. Five minute recess and then continue until 5:00.

The House recessed at 4:25 p.m.

*RECESS**The House reconvened at 4:40 p.m.*

Speaker Joseph P. Deleon Guerrero: Thank you, member. We now return back to our session and under item XVI, the Bill Calendar, I turn it over to our Floor Leader.

BILL CALENDAR

Floor Leader George N. Camacho made a motion to pass House Bill 19-99, House Draft 1.

H. B. NO. 19-99, HD1

To assess a Health Impact Tax on Sugar-sweetened Beverages, Sugar-sweetened Concentrate, for the prevention and control of Non-Communicable diseases in the Commonwealth; to create a Special Healthcare Impact Account.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. Motion is to pass House Bill 19-99 in the form of HD1. The motion has been seconded. We are now under discussion on the motion. Minority Leader.

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker. I certainly appreciate the intent of the legislation. I am concern – I mean I also appreciate the committees work and explanation on the funding aspect of the obligations of CHC. I am concern with the distribution on the intent of the legislation and one of the glaring supporting documents other than what the statistic from the professionals who had provided us, I did hear the statement from the author respective of the obligation and payment obligation for the debt services to Marianas Public Land Trust. The comments submitted in December 11, 2012 to the committee from Chief Executive Officer Esther L. Muña does not have support statement relative to those funding or obligations of. One of the glaring supporting statement that I am looking at is on paragraph three of that supporting letter from the Chief Executive Officer to the committee, “and that public health service does not receive funds specifically to provide for health education, however they are historically inadequate funding for the provisions of health services and for helping our people manage their chronic diseases especially diabetes.” Dr. Hart has also provided statistics on the glaring figure that the CNMI has 50% worse on this disease worse than the United States and within our children’s population he also provided us with a glaring figure of 40% concerns. Mr. Speaker and members, I would like that we also consider perhaps even continue part of the provision on line 15 of 7 which is to provide for the payment, but not necessarily 50%. Perhaps maybe 25% and the other 25% goes specifically to the intent of the legislation. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Minority Leader. As I said that this would be the opportunity now to effectuate such a recommendation through an amendment. So if amendments are ready we can effectuate that. I do not know if Representative Sablan raised a technical or minor amendment that needs to come forward. Are you ready with that? Recognize Representative John Paul Sablan.

Representative John Paul P. Sablan: Thank you, Mr. Speaker. As we were discussing in our leadership meeting. I would like to offer a floor amendment using the ELMO. John on page 6 on the piece of legislation on line 3 after the word “per” to include “fluid” and also in line 5 after the word “per” to put “fluid.” So it would read as “per fluid ounces.” This amendment is just to be in line with what the harmonizing code taxation that is presently right now in our books. So move.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Representative Sablan has a motion as he pointed out right there under number one “Sugar Sweeten Beverages” it would read “A tax rate of .04 cents per fluid ounce.” So insert “fluid” just before “ounce” and make it applicable also on line 5 same amendment. It has been seconded. Everybody aware of the proposed amendment? It is available now on ELMO. Any discussion on the floor amendment?

Representative Ramon A. Tebuteb: Just for clarity Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Recognize the Minority Leader.

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker. On both amendment offered or specifically perhaps the item number two, so if it is powder then it is also considered fluid is that accurate?

Speaker Joseph P. Deleon Guerrero: Let me try to explain. It would not only be the powder it would be the largest volume of the beverage that is sweetened by the powder that would be subject to this four-cents per fluid ounce. Recognize the mover.

Representative John Paul P. Sablan: In line with what you are trying to explain. For example like powdered tank there is a manufacture maximum volume of how to mix per teaspoon and all that. That is where we are going to base the fluid ounces, four-cents per fluid ounces based on the manufacture.

Speaker Joseph P. Deleon Guerrero: Everybody clear on the clarification. Any further discussion on the amendment as offered by Representative John Paul Sablan.

Several members voiced “ready”.

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

Speaker Joseph P. Deleon Guerrero: Clerk this would be HD2?

House Clerk Linda B. Muña: Yes.

Speaker Joseph P. Deleon Guerrero: Under HD2, recognize Representative Yumul.

Representative Ralph N. Yumul: I will yield, I was going to make another amendment.

Speaker Joseph P. Deleon Guerrero: We have disposed of the last amendment already, so any further amendments are now in order. You are recognized.

Representative Ralph N. Yumul: Thank you, Mr. Speaker. If we can use the ELMO again just to speed up things. Page 6, line 20 ~~“50%,”~~ so line 20 on page 6 it would read “75% of the revenues collected shall be allocated as follows:” then on line 21, ~~“25%”~~ and put “50%” there and on page 7, line 15 ~~“50%”~~ and put “25%” so move.

The motion was seconded.

Representative Ralph N. Yumul: So we are just changing the distribution as intended by the bill.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Yumul. A motion has been offered to basically earmark or reappropriate the revenues from this tax. The motion has been offered and seconded. Any discussion on the motion. Recognize the Chair.

Representative Felicidad T. Ogumoro: Mr. Speaker, I do understand where the mover of the motion to amend is coming from, but right now the committee has worked on the distribution of the funding was – when we were going to put in the distribution we were very mindful of what we are trying to do here with bill, but to reduce the incidence of diabetes plus other NCD’s in the CNMI, but at the same time be there to take care. The bill must do we must do what we need to do in this bill to take care of the loan that was taken out and we still have an outstanding balance of about \$3 Million to take care of with the MPLT loan. Mr. Speaker, we have had that understanding all along and in addition to that it was really the impetus what gave rise to this bill was that repayment of our loan to CHCC’s loan from MPLT. MPLT came in when CHCC was going to close its doors because it was facing a very huge financial constraint they came through and they were willing to come through with the understanding that they also wanted CHCC to come up with a plan on how to address their debt. CHCC is still saying that they do not have the money and we have an obligation to pay MPLT for the loan that CHCC has taken out to take care of themselves. So while I see the need to fund the programs that are really critical at this time to address the NCD’s problems in the CNMI we must be mindful of making sure that we take care of what debt CHCC has with MPLT. There are other debts and we are not going to close our eyes and pretend that – turn away from the debt that was taken out from MPLT. CHCC until such time that they say that they have the money to use to repay that loan, they must make every effort to clear the loan that they took out from MPLT. My latest conversation with the CEO of the corporation indicates that they do not have the money and they need to use that money that we are coming up with the revenue that would be generated under this tax that we are imposing on the sugar sweetened beverages and we use that money to repay the loan. Mr. Speaker it is very clear and that is why we put in the provision and you can amend that provision under section 3 that takes care or assist, what then happens when the MPLT account is completely cleared. Right now we must be very mindful to continue to run our programs that would take care of the NCD problems in the CNMI in a fashion that would also allow us to pay whatever debt is outstanding. It is up to CHCC now to determine whether they will take out another loan that would serve as a revolving fund for the corporation to use, but for now we must make every effort to clear that debt that CHCC has with MPLT. When that MPLT loan is cleared, CHCC has the opportunity to use the 50% that is supposed to go to that program for its operations that section is where we can come in and make an amendment to then decide what to do at that point in time. Mr. Speaker, I

would like to ask you and my fellow colleagues that we leave the language of the bill as is and recommended very strongly by the Committee on HEW.

Speaker Joseph P. Deleon Guerrero: Thank you, Chair. Representative Larry Deleon Guerrero.

Representative Lorenzo I. Deleon Guerrero: Thank you, Mr. Speaker. I thank colleague Ogumoro for that explanation and requesting to keep what it is proposed by the committee, but my concern here is we keep repeating saying it is a loan. So if there is such a loan with MPLT and CHCC of the \$5 Million, how is the loan language in terms of the capability of CHCC to pay the debt service as received from MPLT. Is there a loan agreement that we can share with the rest of the members as to how the loan is structured and as to how CHCC is to be able to pay back the debt service of \$5 Million or whatever that was previously loaned out from MPLT to CHCC to help with CHCC's operation. I just wanted the point of clarification on that particular issue. Thank you.

Representative Felicidad T. Ogumoro: Mr. Speaker if I may.

Speaker Joseph P. Deleon Guerrero: To respond to Representative Deleon Guerrero recognized the Chair.

Representative Felicidad T. Ogumoro: Thank you, Mr. Speaker. Yes, I do not have copies of the loan right now, but we do know they still owe MPLT approximately \$3 Million and that \$3 Million translates into \$23,000.00 per month and for us to ignore that – I mean they have a loan it is not a grant. It was a loan that was signed between the two entities with the understanding that it would be paid off and CHCC is making every effort to come up with the payment of \$23,000.00 per month. I would like to ask that we allow them to live up to their obligation.

Speaker Joseph P. Deleon Guerrero: You still have the floor Representative Guerrero.

Representative Lorenzo I. Deleon Guerrero: I will yield for now for other members, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you. Now recognize Representative Propst.

Representative Edwin K. Propst: Thank you, Mr. Speaker. There are obviously valid points that have been brought up our Chairwoman has explained the committees work and what we put on to this. I do serve on HEW as well, but I listen to comments from the gallery and read the bill twice again and looked at things but I think it was really listening to what was being said by the comments today. I also look at the bill itself. This is a bill for an act for the prevention and control of non-NCD's in the Commonwealth to create a special health care impact account. The two things that we have heard over and over again is about diabetes and obesity and that is the main focus of this bill. No one is going to discount the fact that CHC has an obligation to its debt, but I do not think the debt should supersede the need or the intent of this bill. We have to look at it what was this all written about what was it all about? And the whole purpose is to have an impact on hindsight because we listen to people and hear arguments or discussions and comments. I do not agree with current formula simply because this should be the priority should be to the diabetes maintenance program for programs to lower rates of obesity and diabetes and increase diabetics capacity to manage a condition. This has been a problem for us. You look at

the number of people that are on dialysis that are continuing to go through problems with diabetes, there is a strong and urgent need for this. So I think if we are going to really focus and put the meat and potatoes of this percentage it should really go for what its intent is. So I agree with the comments from the gallery, I agree with the comments that everybody is making but I just do not feel right that we are going to give 50% of this and only 25% to the most important intent of this. I support the amendment wholeheartedly and I serve on HEW and it is no disrespect to our Chairwoman, I truly appreciate she has done in our committee and I have tremendous respect with her but I do agree with my colleague Representative Ralph Yumul after listening to his comments and also the comments from our health consultants or health experts. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you. Now recognize Representative Tony Sablan.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. I think with everyone of us that have taken the opportunity to look over can all come up with our own formula on how to distribute or allocate the revenue that would be generated. I think it is not just the MPLT obligation. There is also the CUC obligation and all those obligations by CHC impacts how it provides health care and we can educate and all that but we must provide funding to ensure that the institution that we are charged with the responsibility to provide for this health care remains open. What is a balance here? I myself ask the Chair for the opportunity to submit an amendment, but after listening to her I agreed that – let us give the intent of the legislation the opportunity to see first of all, how much revenue is generated and how the programs are impacted. We heard from the stakeholders earlier during this session and I did not hear them asking this body to neglect or reject this particular legislation. I ask that we give this bill the opportunity to be implemented and we will see somebody can always make adjustments. I am sure that the funding that will be made available for the three purposes here like the programs and the educational programs, I believe that there are other source of revenues that are available to do this. So the policy call here is what can we be satisfied with but it is important that we try and I ask the members to consider the urgency of trying to ensure that CHC as a health provider provided some level of financial relief to ensure that it can number one, stay open to provide the services that we expect as a primary health provider. And number two is able to continue to provide the programs that this new source of funding is intended to provided so I ask the members to support the legislation, the formula as provided in the bill. Thank you, Mr. Speaker and members.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan. The Chair would like to weigh in on this and can step down and ask the Vice Speaker to step up to the top here unless there is no objection.

Several members voiced “no objection”.

Speaker Joseph P. Deleon Guerrero: Thank you, members. I am also tempted to support moving more money towards prevention. The two earmarks that is intended to do prevention, the first 50%. I was the Chairman of the diabetes coalition for several years. I fully understand the arguments and the importance of having prevention programs and public education, public awareness programs. We really do need that. I do not think this bill short changes that it allocates half of the funding towards that but I think the other component here that we all need to understand is that this is to assess a health impact tax and this is levying a tax to make it almost

financially hard on people to buy sugar sweetened beverages so that it discourages buying it. The second thing that this health impact tax on is the impact that it has on the people meaning that there is not just public education and public awareness, there is the other half of it and that is the treatment of these people who are already under dialysis going through complications and require surgeries and that is the other side of this coin that needs to be funded as well. The other 50% that would go towards payment of the MPLT line of credit really is funding right now CHCC in paying MPLT – takes away money that could be used towards payment of new doctors or supplies for the hospital and so forth. So I see that it is not such a waste to earmark funding towards that so that the funding that they do have can go towards the treatment and also that at the end once this obligation is met then the 50% would go towards CHCC and again public health programs which does prevention and managing the treatment is funded by CHCC so it would go back to the programs that help curb NCD's. So I do not think it is really a lopsided formula. In the end it would go towards – half of it towards prevention and public awareness and the other half by helping to pay for the loan would make funding available for the treatment component of NCD's. So I would like to also urge the members to consider that and let them let us know if this formula is not working then let them tell us and we can change it around. So that is my two-cent worth. Thank you, members. Any further discussions? Recognize.

Representative Ramon A. Tebuteb: Mr. Speaker, just point of information from what you just stated. Just looking on that specific provision of page 7, line 15 all the way to 16 and that is what – at least on my end that also concerns – those are also concerns and your points and the Chairman of Ways and Means and the authors concern are very valid. So if you look at line 24, for example Future Financing so we are already sort of authorizing a loan for any future we are already setting aside money after the things are paid off in essence. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you. Again, if they need additional financing it would go towards the hospital, they need funding for – you can see I do not have to explain I have gone down to the hospital and witness that they ran out of gauzes, their bed sheets are blood stained and you know it is in poor shape. I am not going to hold it against them that they need funding to run the hospital. To me it goes towards the treatment and the prevention of NCD's that is what this funding and I think another point that they continue to make when they stood up there it is the biggest issue here is the deterrence effect raising the tax to such that it would discourage people from buying it that is the big factor here. Any further discussions? Recognize Representative Roman first and then Representative Villagomez.

Representative Roman C. Benavente: Thank you, Mr. Speaker. Looking at line 20, future funding that might enter into the Commonwealth –

Speaker Joseph P. Deleon Guerrero: What page?

Representative Roman C. Benavente: Page 7, line 20 maybe the way I was reading this Speaker maybe to make it more balance maybe you should look at maybe doing a sunset provision with regards to the loan or other debt service that needs to be accommodated and maybe also have the cooperate executive of CHC to identify priorities because until now they are still paying for the loan. So maybe have them identify areas of priorities combined together with the loan that is needed so they can accommodate those needs based on these funding otherwise make it to like a sunset provision. That is all the recommendation I would like to put in. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Benavente. Recognize Representative Villagomez.

Representative Edmund S. Villagomez: Just a question or to the author or any member of the committee. Just thinking of Tinian and Rota where things over there are a lot more expensive than it is here did the committee communicate with the Mayor's Office in terms of – because it is bad enough even without this tax it is expensive as it is over there. I just want to – just curious.

Speaker Joseph P. Deleon Guerrero: To respond Chair.

Representative Felicidad T. Ogumoro: Mr. Speaker to answer your question and no we did not communicate with Rota and Tinian when we determined to use that figure. I would like to recommend that we start with that figure and if there is a problem then let us address it but we have to start somewhere. Anyway, I just wanted to – Mr. Speaker if I may. I am sorry did I answer?

Representative Edmund S. Villagomez: Thank you that is all I just wanted to ask if the committee talked to the other senatorial districts that is it.

Speaker Joseph P. Deleon Guerrero: Thank you.

Representative Felicidad T. Ogumoro: Thank you, colleague Villagomez. Mr. Speaker if I may.

Speaker Joseph P. Deleon Guerrero: Recognize the Chair.

Representative Felicidad T. Ogumoro: I just wanted to point out that the 50% of the total amount that would be collected through levying of the four-cent per fluid ounces would be 50% of that would go to fund the diabetes maintenance program which is intended to lower the diabetes rate and the other 50% will be used to give to those programs allocated for those programs that are helping us without prevention efforts and one of them is the NCD alliance and the second is the NMC CREES NCD section or part of that NMC CREES. I just want to clarify that but the whole intent is to focus and get this program that we have now experiencing – we are now experiencing in the CNMI address problem relating to the non-communicable diseases in particular with this bill the diabetes lowering the intake or the incidence of the diabetes in the CNMI which also contributes with the other NCD ailments namely cancer and cardiovascular diseases.

Speaker Joseph P. Deleon Guerrero: Thank you. For the first time recognize Representative Lee pan Guerrero.

Representative Joseph Lee Pan T. Guerrero: Thank you, Mr. Speaker. We heard a lot from everybody and I think Mr. Speaker we should end debate and put it to vote. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Recognize Representative Deleon Guerrero for the second time.

Representative Lorenzo I. Deleon Guerrero: Thank you, Mr. Speaker. This is not a debate and we are just trying to get clarification and I would like to ask for another clarification on page 8 and I do support the bill by the way. Starting from line 1 on page 8 all the way to line 10 and the intent of the provision language says that if the debt service is paid certified by joint Chief Executive from CHCC and MPLT then the language starts with on line 7, the 50% that is collected shall continue to go to a special account and it is to be reserved and appropriated continuously and I wanted to clarify with the author or maybe the committee. Is this going to be a legislative appropriation on an annual basis or is this an automatic that the hospital appropriate to the two different entities. Thank you.

Speaker Joseph P. Deleon Guerrero: I am going to attempt just to clarify that. On that provision on page 8 it speaks of the 50% that would be used for the debt service that once it has been fully paid and satisfied those funds would go towards CHC every year without further appropriation. Once the MPLT line of credit is paid off it automatically goes towards CHC and Counsel you can chime in if I am off the mark. Counsel.

Legal Counsel John Cool: This would be an earmark not an annual appropriation.

Speaker Joseph P. Deleon Guerrero: It is an earmark.

Legal Counsel John Cool: Maybe the motion should be expanded to include to amend the 50% figure to 25% that is on line 6.

Speaker Joseph P. Deleon Guerrero: John there is no motion what motion are you referring to?

Legal Counsel John Cool: We already amended it?

Speaker Joseph P. Deleon Guerrero: Yes, there is a current standing motion I thought you were talking about Larry. There is a current motion that is under discussion right now. Are we still under discussion? John could you restate what you just said?

Legal Counsel John Cool: We have reduced the earmark to pay off MPLT to 25% but on line 6 page 8 it still states 50% that should be reduced to 25% too.

Speaker Joseph P. Deleon Guerrero: I see. So the movers amendment should also correct this line. Just to clarify the amendment it is not complete unless this page 8, line 6 is also amended and it should not be 50% it should be 25% under your proposed amendment. So just to clarify John. So noted, so clarified. Now further discussion? This is the floor amendment as offered by Representative Yumul. Are we ready for the vote?

Several members voiced "ready".

There was no further discussion and the motion to adopt the floor amendment offered by Representative Ralph N. Yumul was carried by voice vote. There were several nay votes.

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

The Clerk called the roll on the motion for the adoption of the floor amendment as offered by Representative Ralph N. Yumul with the following results:

Representative Edwin P. Aldan	yes
Representative Blas Jonathan “BJ” T. Attao	no
Representative Anthony T. Benavente	no
Representative Roman C. Benavente	no
Representative George N. Camacho	yes
Speaker Joseph P. Deleon Guerrero	yes
Representative Lorenzo I. Deleon Guerrero	no
Representative Angel A. Demapan	yes
Representative Rafael S. Demapan	yes
Representative Joseph Lee Pan T. Guerrero	yes
Representative Glenn L. Maratita	yes
Representative Felicidad T. Ogumoro	yes
Representative Edwin K. Propst	no
Representative Antonio P. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	no
Representative Francis S. Taimanao	absent (<i>during voting</i>)
Representative Ramon A. Tebuteb	no
Representative Edmund Joseph S. Villagomez	no
Representative Ralph N. Yumul	no

House Clerk Linda B. Muña: Mr. Speaker, 9 members voted “yes” and 10 members voted “no” and 1 member is absent.

Speaker Joseph P. Deleon Guerrero: Thank you, Madame Clerk. The motion to amend as offered by Representative Yumul is hereby defeated. So we now go back to the discussions under the main motion and the Chair will recognize Representative Tony Sablan.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. At this time, I would like to offer a floor amendment with the help of ELMO and the amendment is on page 7, line 20 after the word “Act” to delete the following “and any future financing that may be entered into between the Commonwealth Healthcare Corporation and the Marianas Public Land Trust.” So offered.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Is that to strikeout those? Can you restate it again now that ELMO is up.

Representative Antonio P. Sablan: Page 7, line 20 after the word “Act” delete the following “and any future financing that may be entered into between the Commonwealth Healthcare Corporation and the Marianas Public Land Trust.”

Speaker Joseph P. Deleon Guerrero: That is it on page 8, line 1 up to the word “trust”. Motion has been offered and seconded. Everybody understand the amendment? It has been seconded. Any discussion on the proposed floor amendment?

Several members voiced “ready”.

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

Speaker Joseph P. Deleon Guerrero: This would be HD3. We go back to the main motion. Are there any other discussions or amendments? Are we ready for the vote? On the main motion recognize the Floor Leader.

Floor Leader George N. Camacho: Thank you, Mr. Speaker. I do not have an amendment but I do have a question maybe a clarification to the Counsel. Regarding on page 7, starting on line 4 (b) it says “25% of revenues collected will be allocated to a fund for community health grants, intended to be used towards community-based prevention and research...” my question is the underline “including NCD Alliance and Northern Marianas College CREES.” Does this language limit the 25% to these entity or if it is open then why do we need to specify.

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

Floor Leader George N. Camacho: Additionally, John if it is open there is no mechanism to state what percentage of the 25% or how it would be allotted to different programs that also focus with prevention and research.

Speaker Joseph P. Deleon Guerrero: Counsel.

Legal Counsel John Cool: That would be correct yes. Including NCD Alliance and Northern Marianas College CREES. They may not necessarily be recipients of the funds but they are included in the group that would be eligible for the health grants.

Floor Leader George N. Camacho: On that note if it is open John to any groups that focus on prevention then I would like to go ahead and offer that we delete starting on line 6 the word “including NCD Alliance and Northern Marianas College CREES.” but that does not answer the mechanism and how it was allotted.

Speaker Joseph P. Deleon Guerrero: You offered a motion or you are considering offering a motion.

Floor Leader George N. Camacho: Right.

Speaker Joseph P. Deleon Guerrero: Maybe under discussion you raised a significant point and that is under this provision normally you would want to have language that authorizes the expenditure authority to promulgate regulations for the disbursement of funds, one. Two it would be appropriate to have a reporting requirement as well so that they can report back to this. Recognized.

Representative Felicidad T. Ogumoro: If you go down to line 8 through 14, I think that should be able to explain how these funds will be administered. First that they would be administered by the Division of Public Health and that that division shall promulgate the necessary rules and regulations that would govern that program, but in terms of Floor Leader’s question that we delete NCD Alliance and Northern Marianas College CREES, I just would like to point out that

at this time these two entities are at the forefront in making sure that our prevention programs in terms of our NCD's are taken care of and we want to make sure that it is not restricting – I mean we just want to make sure that they are included should applications be coming in. Unless we are thinking of other research projects that would apply for that but we want to make sure that the work for these two entities are recognized in the awarding of the branch and they are at this point at the forefront. There may be others and if there are other please come up but these are the two that are out there working on our NCD's prevention program.

Speaker Joseph P. Deleon Guerrero: Thank you, Chair. And thank you for clarifying the part about the rules and regulations. Floor Leader, can I suggest rather than removing it maybe after the word “including” inserting the word “but not limited to” or just leaving it as it is.

Floor Leader George N. Camacho: I guess that would work Mr. Speaker. My point is I do not want it to be limited to these two because it is stated, but in actuality it is open to everyone. I do not necessarily be favorable to these two entities.

Speaker Joseph P. Deleon Guerrero: Would you like to offer the Floor Amendment?

Floor Leader George N. Camacho: Thank you, Mr. Speaker. On that note, Mr. Speaker so that we do not delete the line we will include – John can you include the language “not limited” so that way it would be more clear. So offered.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. Does everybody see on ELMO to clarify the concerns of the Floor Leader it should read, “including but not limited to NCD Alliance and NMC CREES.” It has been seconded. Under discussion, recognize Representative Roman Benavente.

Representative Roman C. Benavente: Thank you, Mr. Speaker. Just for curiosity, I know we are debating and discussing these bills and everything, but maybe it might be technical but this bill is not even signed by the author and the Legal Counsel did not even sign it. Thank you.

Speaker Joseph P. Deleon Guerrero: Yes that is because the original bill Representative Benavente would have been signed by the author, but this now is the committee's substitute HD1 that is why it is the committee's bill.

Representative Roman C. Benavente: I know it is technical, but in all formality I said that. When we have it on the floor we expect that it will be. Thank you.

Speaker Joseph P. Deleon Guerrero: Any other discussion on the floor amendment as offered by the Floor Leader.

Several members voiced “ready”.

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

Speaker Joseph P. Deleon Guerrero: This would be HD4. Are we ready for the main motion?

Several members voiced “ready”.

Speaker Joseph P. Deleon Guerrero: If we are ready, Madame Clerk please call the roll.

The Clerk called the roll on the motion for the passage of House Bill 19-99 House Draft 4 on First and Final Reading with the following results:

Representative Edwin P. Aldan	yes
Representative Blas Jonathan “BJ” T. Attao	yes
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	yes
Representative George N. Camacho	yes
Speaker Joseph P. Deleon Guerrero	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Angel A. Demapan	yes
Representative Rafael S. Demapan	yes
Representative Joseph Lee Pan T. Guerrero	yes
Representative Glenn L. Maratita	yes
Representative Felicidad T. Ogumoro	yes
Representative Edwin K. Propst	yes
Representative Antonio P. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	yes
Representative Francis S. Taimanao	absent (<i>during voting</i>)
Representative Ramon A. Tebuteb	yes
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	no

House Clerk Linda B. Muña: Mr. Speaker, 18 members voted “yes” and 1 member voted “no,” 1 member is absent.

Speaker Joseph P. Deleon Guerrero: Thank you, Madame Clerk. With the vote of 18 “yes,” House Bill 19-99, HD4 hereby passes the House. At this time, we will recess until tomorrow at 10:30 and resume where we left off. Before I recess any questions or comments? This House stands recess until tomorrow at 10:30 a.m.

The House stood recess at 5:30 p.m. and will reconvene on Thursday, December 17, 2015 at 10:30 a.m.

RECESS

The House of Representative of the Nineteenth Northern Marianas Commonwealth Legislature reconvened its Tenth Day, Second Regular Session on Thursday, December 17, 2016 at 10:50 a.m.

Speaker Joseph P. Deleon Guerrero: Welcome again to our viewing public. We return back to our session. After a recess that was called yesterday – for today at 10:30 a.m. I apologize for our late start. At this time, we left off on item XVI, the Bill Calendar after disposing of House Bill 19-99 yesterday the Health Impact Tax. So the Chair will now turn it over to our Floor Leader for the next motion to pass. Floor Leader.

Floor Leader George N. Camacho made a motion to pass House Bill 19-59, House Draft 1, Senate Draft 1.

H. B. NO. 19-59, HD1, SD1

To authorize the Commonwealth of the Northern Mariana Islands Public School to enter into a loan agreement for a sum not to exceed \$3,000,000.00 for the purposes of building additional classrooms, Early Head Start Centers, and to pave roads and parking lots at its facilities in Rota and Tinian; and for other purposes. *See [SEN. COMM. 19-104]*

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. The motion has been offered and seconded for the passage of House Bill 19-59, HD1, SD1. At this time, the Chair will entertain discussions on the motion. And yesterday, just to clarify there were some concerns raised during our review of the Senate Communication on this particular bill because of the Senate amendment language that was in there and I did discuss that we would clarify those concerns when we get to the Bill Calendar. So I believe it was Representative BJ Attao and the author Ton Sablan. I will recognize the author Representative Sablan to clarify the concerns. Recognized.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. Good morning to the member and to our viewing public. Because of the language or the word used in the Senate amendments. A concern was raised and I think it is important that we clarify the legal intent of the bill. Let us go back to the title. Basically the title is “To authorize the Commonwealth of the Northern Mariana Islands Public School to enter into a loan agreement...” and it is important that we keep that in mind into a loan agreement with USDA. The concern as a result again to the amendment made by the Senate on page 2, lines 1 and 2 were the amendment reads, “however the legislature finds that PSS should be given authorization to loan up to \$5,000,000.00 to give PSS the flexibility to loan additional funds in the future if necessary to complete its projects or to address new projects.” Basically, the concern here that needs clarification through the intent again is the word “loan” and I think it is either enter into a loan agreement or to borrow and let me just say on the bottom of page 1 the last sentence it says “Consequently, the PSS has identified a loan program through the USDA Rural Development program that will lend...” so the intent is for PSS to take out a loan with USDA being the lender. I think maybe it is an oversight on the Senate’s part by using the word “to loan” instead of “to borrow” but I think the concern could be considered technical. In Section 2 starting on line 8 let me read it says, “Section 2. Authorization. Notwithstanding any law to the contrary, the Commonwealth of the Northern Mariana Islands Public School System is hereby authorized to enter into a loan agreement for a sum up to

\$5,000,000.00...” and I think if we are to look at the amendment part to the findings kind of created the concerns and I think – the Legal Counsel can weigh in on this – but I think under Section 2 is clear that the intent is to authorize to enter into a loan agreement for the sum of \$5,000,000.00. I ask that if there is – again if we give the Legal Counsel the opportunity to weigh in on this issue I ask that the members put their support behind this so that this funding can be made available to PSS to address some pressing needs within the Public School System. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan for the clarification. I think further more it should be noted before the Legal Counsel weighs in. The ambiguity is in the findings. The important provision here is on Section 2 as the Chairman eluded to that one is clear that it authorizes PSS to enter into a loan agreement and Section 2 is the authorization the actual effectuating provision of this bill. So that is where it is important that it would be clear and I am glad that you clarified that. Legal Counsel would you like to add anything further?

Legal Counsel John Cool: Well, as you mentioned this is part of the findings and it is not the operative provision of the bill that authorizes the borrowing. There are two things that can be done. We can formally amend it but that would be a rejection of the Senate amendments and throw it to a conference committee. The other thing would be to address it at the time that we engross the bill and noted at that time an error and corrected. So we can put it in the engrossed bill correcting – making the technical changes.

Speaker Joseph P. Deleon Guerrero: I think Legal Counsel what we are attempting to do is just to clarify for the record that the findings may be typographical or just an error, but the important part is in Section 2 and that is very clear. So we just wanted to clarify for the record so that there is no misinterpretation of the intent of the law and I think we did that already. Are there any further discussions on this bill or clarifications? Recognize Roman Benavente.

Representative Roman C. Benavente: Thank you, Mr. Speaker. As I mentioned yesterday, we have discussed with the Chairman of the Board of Education. He totally submit to the \$3,000,000.00 initial request then the Senate took upon themselves and raised up to additional \$2,000,000.00. I do not see any setback as much on the loan. I am only looking at the way the implementation of the funds. How are they going to implement the funds and how are they going to go about and how much is going to Saipan, they have to look at the priorities and the different areas of schools, what is really needed because at the end of the day – right now I will share this with you. At the end of the day, PSS will coming back to us again. Right now we are still lacking teachers in the classrooms. We are still lacking infrastructures and teachers. They say that it is not the money is the issue the thing is that we are still lacking. The number of students continue to rise and we have to be mindful Mr. Speaker that this bill will take us down five or ten years down the line and we have to be more resilient into how we are going to approach this bill. I agree and I said I never go against PSS, I will still support the bill but just to share among the members that we all want to do this bill and make sure that it pass and we would like to see the progress of it and everything but I would also like to see that PSS have a solid commitment on their priorities. Mr. Speaker this is not a rebuttal or anything with regards to the bill, this is only to share among the members. Thank you.

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

Several members voiced “ready”.

Speaker Joseph P. Deleon Guerrero: Recognize Representative Edmund Villagomez.

Representative Edmund S. Villagomez: Does anybody know why the Senate put it up to \$5,000,000.00?

Speaker Joseph P. Deleon Guerrero: In the findings on page 2, starting on line 1 it kind of expound on that to give PSS the flexibility to loan additional funds in the future if necessary to complete its projects or to address new projects. I guess that is their findings.

Representative Edmund S. Villagomez: Alright. Since PSS is adamant about the \$3,000,000.00. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Villagomez. Recognize the Minority Leader.

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker. We did get some clarification from the Public School System yesterday in their public comment and when we went into committee as a whole. There is also within the committee report from the Senate statement made in consideration of other than the flexibility that you just mentioned other than the flexibility so that it provides for I believe additional to consider PSS for PSS to consider additional items and I understand that on the initial part of this discussion that repairs for Tinian Elementary School perimeter fence was also part of it was part of it paving of new entrance and exit leading to and from Tinian Head Start was part of it and there is also addition. On the third is any unused funds allocated to Rota and Tinian schools shall remain in the respective senatorial district. Yesterday we passed the House Bill 19-99 on the sugar tax and 50% of that went to the obligation on the intent is that it help CHC in its obligation of an existing loan that was already agreed upon. In this instance with the flexibility to loan additional funds in the future where in essence authorizing Public School System to go ahead and create a loan agreement somewhere, not necessarily through the perhaps through the hut but by way of this legislation I am glad the Chairman of Ways and Means has also explained thoroughly the intent and the gist of this legislation in front of us for consideration. It is for this purpose only, but not anything above or not anything to illustrate that this body supports at any loan agreement. It is up to PSS what kind of loan in the future but only for the intent of what is already prescribed in the bill as well as what PSS – inclusive of the Senate Committee Report that we have in front of us. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Minority Leader. Anybody else? Recognize Representative Angel Demapan.

Representative Angel A. Demapan: Thank you, Mr. Speaker. I think there are valid concerns being raised here, but I think it is important also to note that the amendment from the Senate is not binding PSS to enter into a Five Million Dollar loan. The most important provision in here I think that we should consider is that PSS has identified its own revenue resources to pay for this loan. So PSS in making its best sound physical judgment I do not think would enter into a loan amount that they are unable to pay. It appears from the way this legislation came about that PSS had determined \$3,000,000.00 is a figure that they are able to pay back. It is clear here that there

will be no legislative appropriation to pay for this loan so PSS will be forced by way of this legislation to enter a loan agreement within the confines of their ability to repay. I just wanted to point that out for the members. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you for pointing that out. Now recognize Representative Larry Deleon Guerrero.

Representative Lorenzo I. Deleon Guerrero: Thank you, Mr. Speaker. I also noticed on the committee findings they mentioned several other projects inclusive of the reason why they recommended an additional Two Million for a total of five and it is specifically Tinian Elementary School perimeter fence, Tinian Start and I wonder they did not include this in the authorization. Basically Mr. Tim assured us yesterday that any additional projects that they will come and advise the legislature. I am kind of worried about if they are to seek an additional Two Million and kind of disregard what the committee findings they specifically identified projects on Tinian and Rota. Plus we also have issues in Tanapag in precinct 4 and I am kind of wondering why the Senate did not place that in the amendment. Just for the record thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Deleon Guerrero. I think the Chairman or the author wants to clarify. Recognize Representative Sablan.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. If the members would recall back to the package for this loan basically the items are for the early childhood education Kindergarten and Head Start Centers including parking lot for respective Head Start Centers both here on Saipan and Tinian and Rota. I think the reason for the consideration of potentially having or the additional listing is a result of the comments resolve into committee of the whole and I think members of both houses were afforded the opportunity to listen and I think the individual members who came in came up with individual concerns in regards to the schools located within their districts. I think what we have heard from PSS is the Three Million basically yield toward providing additional facilities so that more children can start entering the education system. Right now there are limited shroud of insufficient number of classrooms. So basically this loan was originally intended to address early childhood education part of PSS. I know that we are all concern about some of the other issues in regards to needs in the individual schools, I think making it an open up to Five Million is affording PSS the flexibility like the intent states. I think the only way that they would deviate or ask for more than the Three Million is after a significant part of the original Three Million has been paid back. I ask for the members concern. I hope that addresses why there are other list of projects here that are included in the findings. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Chairman. Now recognize the gentleman from Tinian.

Representative Edwin P. Aldan: Thank you, Mr. Speaker. Just to remind the members that when this bill was introduced in the House and we entertained it before it went up to the Senate, I asked PSS why they only asked for Three Million Dollars and they said they are comfortable with Three Million Dollars. I am assuming Mr. Speaker that this is not the only funding the Three Million is to be used for the projects that was presented to us. There are other funds – there are funds available or waiting to put together with this Three Million to do the whole project. So Tinian's project for the Head Start and the paving is long overdue. If you look back at the four

previous FY budget submissions it is always there that they are going to build the paving of the roads and the parking lot but it has never been completed or groundbreaking because they are short in funding. This money to me is needed to put together with some funds that they have so that all the projects will be completed and like Mr. Thornburg said that at the same time as they move forward they will identify projects for the northern precincts. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Aldan. Now recognize Representative Lee Pan Guerrero.

Representative Joseph Lee Pan T. Guerrero: Thank you, Mr. Speaker. I hear all of our colleagues here echoing their concerns and I applaud them for deckling the concern, but we should be mindful that the First and Second Senatorial District has been neglected. I mean Three Million Dollars we have been disposing of more than this. I think PSS is mindful that their commitment with the Three Million Dollars to address the current issue. We are forgetting that we continue to debate the faith of all these kids that are going to school. What are we trying to address here? Are we really saying no to giving this money to address this concern? If it is all about money then let us vote against this bill, but my concern is who are we putting in front? Are we putting ourselves in front or the kids? Which is more important? To me PSS had echoed that they cannot afford to pay for this bill. It is the Senate that did this increase, maybe this is for other project. I am mindful for GTC and Tanapag yes, but they echo the same sentiment as PSS Representative Mr. Ed Tenorio has stated that this school were already covered through other programs. Let us give them the opportunity to prove them wrong that they are just stating for record, but the committee report is very clear. They are not saying that they are looking the other way, they are not saying that they are not looking at GTC, Tanapag, San Antonio, Koblerville. Let us consider that PSS has a huge responsibility. Let us just vote on this and give PSS the opportunity to improve the facility in Tinian and Rota. We all have seen the facility on Tinian and Rota. Are we blinded that we have failed to assist our neighboring senatorial district? We are so concerned about our senatorial district here. I am from here, I am from the Third Senatorial District, but I have families in the First and Second Senatorial and I want to assist. So let us give PSS the opportunity to go forward with this so they can develop and improve the Head Start Program and the Kindergarten Program. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Are we ready for the vote?

Several members voiced “ready”.

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

The Clerk called the roll on the motion for the passage of House Bill 19-59, House Draft 1, Senate Draft 1 on First and Final Reading with the following results:

Representative Edwin P. Aldan	yes
Representative Blas Jonathan “BJ” T. Attao	yes
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	yes
Representative George N. Camacho	yes
Speaker Joseph P. Deleon Guerrero	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Angel A. Demapan	yes

Representative Rafael S. Demapan	yes
Representative Joseph Lee Pan T. Guerrero	yes
Representative Glenn L. Maratita	yes
Representative Felicidad T. Ogumoro	absent (<i>during voting</i>)
Representative Edwin K. Propst	yes
Representative Antonio P. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	yes
Representative Francis S. Taimanao	yes
Representative Ramon A. Tebuteb	yes
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	yes

House Clerk Linda B. Muña: Mr. Speaker, all 19 members present voted “yes.”

Speaker Joseph P. Deleon Guerrero: All 19 members voted “yes.” For the record and we did not state this prior to the vote, but this required two-thirds of the members because it is like a debt an obligation so with the 19 votes it musters the required two-thirds and House Bill 19-59, HD1, SD1 hereby passes the House. Floor Leader.

Floor Leader George N. Camacho made a motion to pass House Bill 19-85, House Draft 1.

H. B. NO. 19-85, HD1

A Bill for an Act to amend Title 6, Division 3, Chapter 1, Article 4 of the Commonwealth Code to establish a regulation to prohibit smoking in vehicles when in the presence of minors; and for other purposes. *See [S. C. R. NO. 19-48]*

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. Motion has been offered and seconded. This is the bill that would prohibit smoking in vehicles. Under discussion, recognize Representative Roman Benavente.

Representative Roman C. Benavente: What about prohibit *mama*’ inside the vehicle?

Speaker Joseph P. Deleon Guerrero: You can introduce a bill to that effect, Representative. In our leadership I think there was discussion on page 2, line 15 to 19 whether that provision would be left in place or removed. I have in my notes that the JGO Chair would amend this. Let us take a short recess.

The House recessed at 11:21 a.m.

RECESS

The House reconvened at 11:26 a.m.

Speaker Joseph P. Deleon Guerrero: Thank you, members. We now return back to our session and left off on item XVI, the Bill Calendar. A motion was offered by the Floor Leader for the

passage of House Bill 19-85, HD1 this is a bill that would prohibit smoking in vehicles when minors are present. The Chair now recognizes Representative Glenn Maratita for a floor amendment.

Representative Glenn L. Maratita: Thank you, Mr. Speaker. Thank you again for the friendly reminder. I believe with this subject we left off in Rota. Before I offer the floor amendment I just want to put on record, I believe as well as the members here we wholeheartedly support DPS as far as funds is concern but we also have got to be mindful and take into consideration that the very fact that there has been a lot of earmark funds for Public Safety and I just thought that for now we leave this provision – the committee for that matter shall vacate this provision – and therefore I offer the floor amendment to House Bill 19-85, HD1.

Representative Glenn L. Maratita offered the following amendment:

FLOOR AMENDMENT TO H. B. 19-85, HD1

H. B. No. 19-85, HD1 is amended as follows:

I. Page 2, lines 15 to 19 are hereby deleted.

Consistent with the intent of the forgoing 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: 11-6-2015

OFFERED BY: /s/ Rep. Glenn L. Maratita

Reviewed by: /s/ House Legal Counsel Joseph Taijeron

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion has been offered and seconded. Any discussion on the motion?

Several members voiced “ready”.

There was no discussion and the motion as offered by Representative Glenn L. Maratita was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: The floor amendment is adopted and this bill will stand as House Bill 19-85, HD2. Any further discussions or amendments. Recognize Representative Angel Demapan.

Representative Angel A. Demapan: Thank you, Mr. Speaker. Now that the floor amendment was adopted, I just want to ask if the Chair of the committee can also make a request to Finance and/or DPS to get a report on all the earmark that go to DPS so that we have a better understanding of how much of the government finances go over there compared to how much we appropriate in the annual fiscal appropriations that way we will be able to make sure that we are

appropriating proportionately to the need and the demands of the department every fiscal year. I also want to note that maybe also for the Chair of Ways and Means to get the balance for the judicial building fund. The judicial building fund has been a big burden for the government and I think this amendment is good because we can shift the funds to the judicial building fund and pay it off faster so that when that obligation is done we can make sure that these fines from the citations rightfully go to the department that issued it. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Demapan. I ask the Chairman of Ways and Means to take note. The request is to write a request to Secretary of Finance and to inquire the fund status on the earmark that go towards DPS. I think the concern is very well taken, the issue is as we all know most fines that are imposed a percentage of it goes toward the payment of the judiciary building and the faster we can pay off that loan that means that the settlement fund will be in the green or in the black rather. Thank you again. Any further discussions? Are we ready for the main motion?

Several members voiced “ready”.

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

The Clerk called the roll on the motion for the passage of House Bill 19-85 House Draft 2 on First and Final Reading with the following results:

Representative Edwin P. Aldan	yes
Representative Blas Jonathan “BJ” T. Attao	yes
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	yes
Representative George N. Camacho	yes
Speaker Joseph P. Deleon Guerrero	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Angel A. Demapan	yes
Representative Rafael S. Demapan	yes
Representative Joseph Lee Pan T. Guerrero	yes
Representative Glenn L. Maratita	yes
Representative Felicidad T. Ogumoro	yes
Representative Edwin K. Propst	yes
Representative Antonio P. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	yes
Representative Francis S. Taimanao	yes
Representative Ramon A. Tebuteb	yes
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	yes

House Clerk Linda B. Muña: Mr. Speaker, all 20 members present voted “yes.”

Speaker Joseph P. Deleon Guerrero: Thank you, members. With everybody voting “yes,” House Bill 19-85, HD2 hereby passes the House. Floor Leader.

Floor Leader George N. Camacho made a motion to pass House Bill 19-93, House Substitute 1.

H. B. NO.19-93, HS1

A Bill for an Act to amend 4 CMC §8531 to include a definition for “Monetary Value” in order to give the Commonwealth Utilities Corporation (CUC) a chance to improve their financial status; and for other purposes. *See* [S. C. R. NO. 19-49]

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. Motion has been offered and seconded. Any discussion on the motion? Are we ready for the vote?

Several members voiced “ready”.

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

The Clerk called the roll on the motion for the passage of House Bill 19-83, House Substitute 1 on First and Final Reading with the following results:

Representative Edwin P. Aldan	yes
Representative Blas Jonathan “BJ” T. Attao	yes
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	yes
Representative George N. Camacho	yes
Speaker Joseph P. Deleon Guerrero	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Angel A. Demapan	yes
Representative Rafael S. Demapan	yes
Representative Joseph Lee Pan T. Guerrero	yes
Representative Glenn L. Maratita	yes
Representative Felicidad T. Ogumoro	yes
Representative Edwin K. Propst	yes
Representative Antonio P. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	yes
Representative Francis S. Taimanao	yes
Representative Ramon A. Tebuteb	yes
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	yes

House Clerk Linda B. Muña: Mr. Speaker, all 20 members present voted “yes.”

Speaker Joseph P. Deleon Guerrero: Thank you, Madame Clerk. With all 20 members voting “yes,” House Bill 19-93, HS1 hereby passes the House. Floor Leader.

Floor Leader George N. Camacho made a motion to pass Senate Bill 19-30, Senate Draft 1, House Draft 1.

S. B. NO. 19-30, SD1, HD1

A Bill for an Act to include in the duties and responsibilities of the Commonwealth Utilities Corporation the expense, payment of all costs and fees pertaining or relating to the operations, maintenance, and lighting of street lights on public and residential access roads; and for other purposes. *See* [S. C. R. NO. 19-51]

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. Motion has been offered and seconded. Any discussion on the motion? Recognize Representative Roman Benavente.

Representative Roman C. Benavente: Mr. Speaker, initially I think there is a concern with regards to this bill with CHC Chairwoman of the Board stating that this would incur more cost for CUC if the streetlights are turned over to them as far as being responsible for the streetlight. Right now it falls under the authority of the Department of Public Works which is a lot of their federal grants where they get their street lights are from the highway safety – Department of Highway Safety and the US Department of Highway Safety – and giving them that burden right now would be they felt that it would be more of a consequence type issue with regards to their expenditures because based on their justification they say that by getting that – right now the streetlights are gotten through federal grants funneled through the Department of Energy and they are just given to them so that they would just hook it up but then Public Works is responsible to fund all those streetlights and by lapping them on their shoulder it would create more additional funding. That is the only concern that I would like to share among the members Mr. Speaker. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Benavente. I would like to recognize the Chairman of Ways and Means.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. The intent of the legislation we might be wondering the first part of the intent is to make CUC responsible for the streetlights. I think basically I do not know dealing with CUC and streetlight issues basically CUC. I have never seen anybody from DPW respond to a streetlight concern in the community. So that part is existing the status quo is that it is CUC that takes care of the streetlights. I think the bigger part of the intent is the payment of operating the streetlights and we have gone through a number of budget hearings and the issue has always been that DPW and the central government is being overcharged by CUC for the number of streetlights that are supposedly in operations when we individually can witness within the community how many lights are out. I do not know how many times we have sat down with CUC to get a reasonable inventory. We all know the result of that. They have never come to anything reasonable or factual and so by placing them and making them the responsible for the maintenance and the billing, I guess they are more in a position to bill themselves correctly. So the third part of it is the amendment to in regards to the residential access roads and I think we have all dealt with this particular issue where so called roads not on the map, but roads within residential areas – a lot of it is in family compounds and other access roads that are not officially on the DPW road map. Street lights are being disconnected. I think the argument in this residential access making them available in residential access because there is a purpose for the streetlights basically for the community safety. And people living in this so called residential access that are not on official DPW road maps are also tax payer. This is basically to change the current policy of not providing streetlights service to areas. So I hope that – you know I agree with the intent and hopefully the result of this that some sort of more factual and realistic billing in regards to the operation of streetlights is a result. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan. Any further discussions? Recognize the Minority Leader.

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker. I do concur also on the Chairman of Ways and Means comments. DPW having the difficulty for the payment and what not and Public Law 17-45 is also clear on the committee considering this legislation on why it should now revert this responsibility to CUC and it is very specific in the finding or in the committee's finding. What I would like perhaps the committee to respond to is a little bit close to what the Chairman has raised and that is the cost impact on perhaps even the residential and I am trying to decipher residential and private property. We can understand the residential is on access or with access roads for residential where the power poles are located on public property, but when we have power poles located on private property, how do we differentiate that when we are looking at the intent on the recommendation made by the committee to delete "primary" and include "public and residential access" so that is second. Again the cause impact on this as well as was there any consideration so that we are clear with "residential access" definition or any member who wish to respond.

Speaker Joseph P. Deleon Guerrero: Good point Minority Leader. To respond recognize the Chairman of Ways and Means. Traditionally here we have large family plots and at times there are multiple units within these family plots, but some of these lots there are so called semi-divided with access lands or partition with access roads and that is why we used the word "residential access roads." On some of these we have our multiple apartment units and kids and people living in these areas. That is why we said "residential access roads" because that would differentiate from a streetlight in somebody else's in a house's backyard. If it is an access road we feel it is reasonable enough to justify as meeting the intent with why we provide streetlights in the first place, I guess to provide lighting security and safety to the people that drive in the area and people that live in the area. These people, like I said, pay taxes just like anybody else that lives on the so called official public roads and I do not think we should discriminate and prevent them from getting the same service in regards to ensuring the security and safety is provided. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan. Any further? Minority Leader, do you still want to continue? You yield. Just to kind of weigh in on this. The Chair is a little concern about this bill simply because of the feedback we have been getting from CUC. What we are basically doing by giving them this responsibility is also giving them the responsibility of those streetlights meaning they also now have the authority if they feel that their funding is such that they cannot pay for this additional obligation, they may turn off some of those streetlights whether it is in villages or isolated areas. When you give them – anybody, any agency the responsibility without the funding to support it, they could in turn resort to that type of option and the same again we will be concern about the safety of our people if they resort to this type of option. So I just thought I raised that issue, I am still a little – I am concern about the impact this would have and how they would choose to deal with this additional responsibility. Any further discussion? Recognize Representative Vinson Sablan.

Representative Vinson F. Sablan: Thank you, Speaker. Just for informational purposes. There is a service available at CUC for say these residential areas that are weigh in not in access roads, but they do have power poles that provide utilities to their resident. There is upon availability of streetlights. These customers can request that a streetlight be placed on their power pole and they would shoulder the cost it is hooked into their meter. So the question on how they determine where to put it and if it is allowed there are customers that do request at CUC "*pot fabot* can you

put a streetlight here for this purpose, we have no problems hooking it up to our meter, we will control that.” I have seen customers that are very responsible in turning them on and off and it benefits other people as well. So just for informational purposes that that service is also provided upon availability of streetlights of course.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan. Any further discussion? Are we ready for the vote?

Several members voiced “ready”.

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

The Clerk called the roll on the motion for the passage of Senate Bill 19-30, Senate Draft 1, House Draft 1 on First and Final Reading with the following results:

Representative Edwin P. Aldan	yes
Representative Blas Jonathan “BJ” T. Attao	yes
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	no
Representative George N. Camacho	yes
Speaker Joseph P. Deleon Guerrero	no
Representative Lorenzo I. Deleon Guerrero	yes
Representative Angel A. Demapan	yes
Representative Rafael S. Demapan	yes
Representative Joseph Lee Pan T. Guerrero	yes
Representative Glenn L. Maratita	yes
Representative Felicidad T. Ogumoro	yes
Representative Edwin K. Propst	no
Representative Antonio P. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	yes
Representative Francis S. Taimanao	yes
Representative Ramon A. Tebuteb	no
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	no

House Clerk Linda B. Muña: Mr. Speaker, 15 members voted “yes” and 5 members voted “no.”

Speaker Joseph P. Deleon Guerrero: Thank you, Madame Clerk. With a vote of 15 “yes,” Senate Bill 19-30, SD1, HD1 hereby passes the House. Floor Leader if you are going down the line the next one would be House Bill 19-10, can I request that you not offer a motion, leave it on the calendar. There has been some recommendations submitted by the PSS board and the Commissioner to offer amendments and at this time the Chair will be working with the Speaker and PSS to effectuate that in the next session. Any objections?

Several members voiced “no objection”.

Speaker Joseph P. Deleon Guerrero: Continue on Floor Leader.

Floor Leader George N. Camacho made a motion to pass Senate Bill 19-64.

S. B. NO. 19-64

A Bill for an act to establish the crime of electronic impersonation; and for other purposes. *See* [SEN. COMM. 19-95]

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. I believe this is the bill from the Senate that was vetoed by the Governor because of a technicality, one word I believe. So it is now been reintroduced, passed in the Senate and sent to the House. Any discussion on the motion? Are we ready for the vote?

Several members voiced “ready”.

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

The Clerk called the roll on the motion for the passage of Senate Bill 19-64 on First and Final Reading with the following results:

Representative Edwin P. Aldan	yes
Representative Blas Jonathan “BJ” T. Attao	yes
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	yes
Representative George N. Camacho	yes
Speaker Joseph P. Deleon Guerrero	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Angel A. Demapan	yes
Representative Rafael S. Demapan	yes
Representative Joseph Lee Pan T. Guerrero	yes
Representative Glenn L. Maratita	yes
Representative Felicidad T. Ogumoro	yes
Representative Edwin K. Propst	yes
Representative Antonio P. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	yes
Representative Francis S. Taimanao	yes
Representative Ramon A. Tebuteb	yes
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	yes

House Clerk Linda B. Muña: Mr. Speaker, all 20 members voted “yes.”

Speaker Joseph P. Deleon Guerrero: Thank you, Madame Clerk. With all members voting “yes,” Senate Bill 19-64 hereby passes the House. Floor Leader.

Floor Leader George N. Camacho made a motion to pass House Bill 19-87, House Draft 1, Senate Draft 1.

H. B. NO. 19-87, HD1, SD1

A Bill for an Act to amend Title 4 CMC §5526 to add a new Section 8 Special Casino Liquor License and Special Electronic Gaming Liquor License, and to amend, repeal and re-enact certain

sections of Title 4, Division 5, Chapter 5 of the Commonwealth Code; and for other purposes. *See* [SEN. COMM. 19-97]

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. Motion has been offered and seconded. Any discussion on the motion. Recognize Representative John Paul Sablan.

Representative John Paul P. Sablan: Thank you, Mr. Speaker. I just want to state for the record that I am supporting the amendments made by the Senate and also to request the Chairman of Ways and Means to either go ahead and file my bill, House Bill 19-31 which is in the committee or just do not entertain it at all because the amendments made by the Senate serve the same purpose and in addition offers to address the concerns and recommendations of the Department of Commerce specifically the Division of Alcohol and Tobacco Control. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Sablan. Any other comments, recognize Representative Edmund Villagomez.

Representative Edmund S. Villagomez: So right now there is no twenty-four hours of serving of alcohol in the DFS, Best Sunshine live training site right?

Speaker Joseph P. Deleon Guerrero: Can anybody answer that? Recognize Representative Lee Pan.

Representative Joseph Lee Pan T. Guerrero: Regarding the concern of Representative Villagomez that is true it is up to two o'clock. What we are trying to do is allow this gaming industry to serve alcohol 24 hours a day just in the establishment nothing else. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you. Representative Villagomez still has the floor.

Representative Edmund S. Villagomez: So how does this apply to the live training site if it is not really a casino? Just clarification.

Speaker Joseph P. Deleon Guerrero: Author?

Representative Joseph Lee Pan T. Guerrero: Well, considering that it is a live training facility it is still a casino facility. I mean if we are saying it is a live training casino, what are we trying to say are we just saying that they are just practicing casino in there. Meaning they are actually doing casino, you know they are gambling in there. So we are just allowing the customer of the casino to be consuming alcohol during the operation of the casino and as they transition to the actual casino that is where we are driving at this bill. I truly understand your concern that it is a live training facility, but they are asking if we can allow them to open it to a 24 hour activities because they are open 24 hours that is additional revenue for the CNMI because they are paying the BGRT on this consumption of alcohol nothing else. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you. Representative Villagomez still has the floor.

Representative Edmund S. Villagomez: Is it alright if I ask the Legal Counsel if this is a problem? I mean in terms of the language because from my understanding what Best Sunshine is operating right now is a live training site and not a real – I mean I know they are practicing and they are still practicing to gamble, but it is not officially an official casino establishment. I can see what Lee Pan is saying in terms of when the Grand Marianas opens, yes that one no issue, but with the current situation I just want to know. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you. And I wonder Counsel before you answer that if House Bill 19-95 that we just passed, I recall that we amended the language in it to define a casino and that was the – I think we inserted the word facilities so that the live gaming training would be a component of the casino as a facility. So I do not know if that would define or include the live training at Duty Free as a facility of the gaming casino. John.

Legal Counsel John Cool: The way the provision is drafted it first of all applies to a licensed casino operator and Best Sunshine is a license casino operator and then it refers to selling and serving alcoholic beverages within a designated casino premises. I believe that the live training facility is a designated casino premises under the license agreement as amended. I would have to go back and look at the license, what the exact words are but I believe it is an allowable or designated casino premise.

Speaker Joseph P. Deleon Guerrero: Thank you, John.

Representative Edmund S. Villagomez: Thank you. I can kind of see that in terms of the language regarding license casino operator which Best Sunshine is. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Villagomez. I believe Representative Deleon Guerrero raised his hand.

Representative Lorenzo I. Deleon Guerrero: That was the same question I had so I yield for now thank you.

Speaker Joseph P. Deleon Guerrero: Thank you. Any other members? Recognize Representative Angel Demapan.

Representative Angel A. Demapan: Thank you, Mr. Speaker. I have a question in one of the provision and maybe the Legal Counsel can weigh in on this. Page 6, line 18 where it says “law enforcement officers under ABTC division shall have full arresting authority, carry firearms and must meet the standard set forth in 6 CMC 2208 ABCD.” I am just not clear whether this amends 6 CMC 2208 and includes ABTC now to have full arresting authority everywhere or for purposes of these licenses this class that is added on this bill.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Demapan. Question was to the Counsel.

Legal Counsel John Cool: That is not clearly defined, but I do not believe that it would extend the law enforcement arrest powers to places that are not within the jurisdiction of the Department of Commerce ABTC division. I do not think that the ABTC officers would have the right to stop vehicles on the highway and issue traffic citations. It would only be crimes that would be committed within the area that they would be supervising.

Speaker Joseph P. Deleon Guerrero: John, I think on the same page starting on line 20 it says “upholding CNMI laws to investigate and make arrest for violations of CNMI business and professional code in the areas within their primary jurisdiction which are licensed in ABTC.” So in jurisdictions that are licensed by ABTC they have the power to enforce in those areas. Continue.

Legal Counsel John Cool: The situation would likely arise when a patron engages in an assault or some other crimes similar to theft or robbery in an area that is being supervised by the ABTC enforcement officers they will then have the authority to make the arrest.

Speaker Joseph P. Deleon Guerrero: Representative Demapan.

Representative Angel A. Demapan: Thank you. I think let me restate my question. I am asking whether this authority that we are now granting, this bill is granting to ABTC enforcement officers, whether this authority is specific to the class 8 and class 9 licenses. The establishments that avail of these licenses or whether by way of passing this as current language we are now giving ABTC enforcement officers the arresting authority and allowing them to carry firearms in all their establishment of their responsibility.

Legal Counsel John Cool: Yes it would be within all establishments under the jurisdiction of ABTC.

Representative Angel A. Demapan: So essentially this section is doing a full amendment to 6 CMC 2208?

Legal Counsel John Cool: Yes.

Speaker Joseph P. Deleon Guerrero: ABC and D. Not ABCD.

Representative Angel A. Demapan: Which leads me to my next question whether we are venturing out of the subject of the bill.

Speaker Joseph P. Deleon Guerrero: In areas that are regulated by ABTC they have the authority, but if they were to go to the movies where they sell alcohol the it would not. Recognize for further clarification.

Representative Angel A. Demapan: I understand that Mr. Speaker, but I was thinking they serve alcohol and the establishment that they regulate, but my understanding of the subject of this bill is that we are amending title 4, but when we get to section 5590 we are making an amendment to 6 CMC. So I was just kind of concerned we have been having issue with the subject rule. Number one, one of my question on the subject rule and number two was the area of

responsibility whether this provision was only for the class 8 and class 9 licenses or it was a general amendment to the enforcement powers of ABCT enforcement officers.

Speaker Joseph P. Deleon Guerrero: Thank you. While the Counsel looks into it. Representative Maratita.

Representative Glenn L. Maratita: Yes, Mr. Speaker and I also want to direct a question to the Legal Counsel so perhaps we can take a short recess while he looks into it? Thank you.

Speaker Joseph P. Deleon Guerrero: John do you need a few minutes.

Legal Counsel John Cool: I have not been able to find anything that amends anything to title 6. There is a reference on page 6, line 22 to title 6, but it just states the law enforcement officers must comply and meet those standards, but I was looking through the rest of the bill to see if there was any substitute amendment and I did not see it.

Speaker Joseph P. Deleon Guerrero: Let us take a short recess so the Legal Counsel can look into it. Short recess.

The House recessed at 12:06 p.m.

RECESS

The House reconvened at 12:20 p.m.

Speaker Joseph P. Deleon Guerrero: We return back to our session and the members have requested lunch break. We will recess for lunch and return back at two o'clock. Recess until two.

The House recessed at 12:20 p.m.

RECESS

The House reconvened at 2:17 p.m.

Floor Leader George N. Camacho: I find it hard to support the first is the exemption on election day. The purpose of not allowing to serve alcohol during election day is so that the votes cast are not challenged due to alcohol and I would be alright if it was in an environment like the airport where you are on your way to fly out, but at a gaming institution anybody can walk in and walk out and be able to consume alcohol. So on that section allowing the firearm for where we are going from liquor license from allowing it to 24 hours and then additional sections we are under firearms now and putting it together on this one bill, I find it difficult to support if I would ask the author if it is alright to put the vote to the floor or maybe call a conference committee on this and maybe separate these items. Thank you.

Speaker Joseph P. Deleon Guerrero: Recognize the author.

Representative Joseph Lee Pan T. Guerrero: Thank you, Mr. Speaker. I hear the sentiment of the Floor Leader Mr. Speaker. We should be mindful regardless of the election day the locals are very adamant already when it is election day they know they are not going to be able to purchase alcohol, but you go out there during election day and you see the coolers are full of alcohol. I mean are we discouraging that? We are saying that we are not going to allow that to sell on that day, but if I bought ten cases prior to that day and put it on my cooler that is allowable during election day? Does that say that when I do consume alcohol I am not going to go nuts during election day? What is the difference between that day and election day? I mean there is no difference to me, yes you might say it is different because we purchase it before the election, but consumption wise. I mean you are going to tell me not to drink during election day? Who are you to tell someone you are not suppose to consume during the election day if they bought it prior to that day. I do understand the Floor Leader's concern on that. On the aspect of firearms then let us remove that provision and have Probation, Fish and Wild Life and Parole return those firearms. I was not here when that provision was allowed to have them to bare firearms. I do not know if any of you voted for that because Probation, I think during the 18th Legislature approve of them securing firearms. Now ABTC have a concern of having them to be certified and go through the proper nine yards of the training at DPS with the approval of the commissioner, we are not going to allow them? What are we trying to say? Are trying to say certain agencies are alright, the others are not? I mean if I was working for ABTC, I would be afraid to go out at night to go out at night to do my responsibilities and duties. I will stay home and be a desk officer. I am not going to go out at night and come through a group of guys that are over intoxicated and say "you have got to leave because you are over intoxicated." How am I going to defend myself take out my nightstick and say "you see this I am going to hurt you." You have got ten guys against one. We are not saying that the officer is going to start pointing the gun, but authority must be followed. I mean if you say you are over intoxicated then leave the premises, get somebody to drive you home. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you. Floor Leader, do you yield?

Floor Leader George N. Camacho: I yield for now Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Now recognize Representative Villagomez.

Representative Edmund S. Villagomez: So this is not a two-subject bill then? We clarified that Counsel?

Legal Counsel John Cool: It depends how you want to define subject, you can break it into very small subject categories or you can have a category of amendment into the ABTC legislation. All of the amendments are in title 4, Chapter 5.

Representative Edmund S. Villagomez: Yes or no. It depends? So it could be a yes or a no?

Legal Counsel John Cool: Well if the general subject is an amendment of the enabling legislation relating to ABTC that would be a single subject. Within the single subject there are sub-subjects that could be very narrow. Adding a new class of a license – what else did we end up putting in here – the sale on election day and then the law enforcement capabilities of the officers.

Representative Edmund S. Villagomez: So it is up to whoever reads it then?

Legal Counsel John Cool: Yes, but it is not clearly more than one subject.

Representative Edmund S. Villagomez: Representative Lee Pan, I think you also have a House Bill 19-88, should that bill precede this or –

Representative Joseph Lee Pan T. Guerrero: I have asked the Chairman for JGO to shelve that bill in lieu of this. Again, Mr. Speaker with due respect to my colleagues, I highly recommend and I take the comment of the Floor Leader to put it to a vote and let us decide. I think we should end debate on this issue we are going around on this. Thank you.

Representative Edmund S. Villagomez: I yield, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Did anybody else raised their hand before we go to the vote? It is just Edmund. Are we ready to put it to vote? We do have one, recognized Representative Roman Benavente.

Representative Roman C. Benavente: *Taya guaha bai fino Chamorro* Mr. Speaker?

Speaker Joseph P. Deleon Guerrero: *Sakudi*.

Representative Roman C. Benavente: *Yanggen guaha lai para ta cho'gue ya ta fan ma matinas direksion maila ya ta cho'gue maolek. Ya munga na ta baba-yi bentana ni eyu siña i lai machalapon gi man ma'maila na tiempo. Munga na para este na image para ta fa'nu'i mo'na i famagu'on-ta ni i bida-ta. I hafa ta cho'cho'gue pa'go nai guini na amendment pat guini na lai ha afekta este five – ten years from now siempre ya po afekta este i famagu'on-ta ni man ma maila. Pues munga yo' lai Mr. Speaker na hu tungo ha kada kuat konsu malago-ña hafa po cho'gue. An eyu malago-mu pon gimen setbesa siña-hu gumimen setbesa ti ma sangani hafa. Lao guaha lai yan i lai dimimintina yanggen ilék-ña i lai eyu i lai ni ma fa'tinas ti lai unu ha lai intaramente todú i nirat. Yanggen para ta sedi ya para ta kontinua sumedi mo'na este na klasin mina loffan na klasin fina' loffan gi kinalamten, ta baba hit ni para man push maseha hayi na próhimu pat maseha hayi na taotao ya matto magi ya ilék-ña tulaika lai miyu bai tulaika ha sa pot mamaisen. I lai mafati'tinas para i lai i tano ya maila sa este man gaige hit guini ta represent-ta i taotao ta nai pues pot fabot lai an hafa na bill para ta atan pues maila ya ta atan kabales ya ta ripara kabales sa munga na dispues mismo famagu'on-miyu ni man gaige guini hu fan afekta ya dispues atrasáo ha gacha indukto man kebra hit. Enao ha Mr. Speaker ya hu bai share este ya taimanu ha eyu ilék-ña si Representative Guerrero po'lo ya maila ya ta po'lo huyong gi ayu ya ma bota. Thank you, Mr. Speaker.*

Speaker Joseph P. Deleon Guerrero: Thank you. Are there any other comments from the members? I think we are about ready to move it to vote. Representative BJ Attao.

Representative Blas Jonathan “BJ” T. Attao: Thank you, Mr. Speaker. Just a question to the Counsel. Should this bill be defeated in the voting process, where would it end up?

Speaker Joseph P. Deleon Guerrero: Counsel.

Legal Counsel John Cool: If it is defeated then it would not be accepted and it could be set to conference committee.

Representative Blas Jonathan “BJ” T. Attao: Thank you.

Speaker Joseph P. Deleon Guerrero: Short recess.

The House recessed at 2:30 p.m.

RECESS

The House reconvened at 2:31 p.m.

Speaker Joseph P. Deleon Guerrero: Alright, we are back in session and Vice Speaker did you have a comment?

Vice Speaker Rafael S. Demapan: Thank you, Speaker. I just wanted to point out because you mentioned something during the recess that – I am sure the amendment came from the Senate and you have stated earlier is that correct?

Representative Joseph Lee Pan T. Guerrero: The Senate looked at the amendment and they had their concerns and they made some changes in it because they thought that by allowing ABTC firearms that they would be grandfathered in so they wanted them to go through the process of going to the law enforcement academy prior to employment and again, most of these employees have not gone through the process, Mr. Speaker through the academy so they are going to go through the proper channel. Thank you.

Speaker Joseph P. Deleon Guerrero: I guess the point that the Vice Speaker was trying to make – at least one of the concerns raised by Representative Angel Demapan and the Floor Leader – one of them was the issue on the law enforcement power which was an amendment by the Senate. The other one is on page 4, the election day sell that does not look like it was amended and that came from the House. So just to clarify that yes partially, some of the concerns did come from the Senate. Any further before we move to vote? Are we ready for the vote?

Several members voiced “ready”.

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

The Clerk called the roll on the motion for the passage of House Bill 19-87, House Draft 1, Senate Draft 1 on First and Final Reading with the following results:

Representative Edwin P. Aldan	yes
Representative Blas Jonathan “BJ” T. Attao	no
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	no
Representative George N. Camacho	no
Speaker Joseph P. Deleon Guerrero	yes
Representative Lorenzo I. Deleon Guerrero	no
Representative Angel A. Demapan	yes

Representative Rafael S. Demapan	yes
Representative Joseph Lee Pan T. Guerrero	yes
Representative Glenn L. Maratita	yes
Representative Felicidad T. Ogumoro	yes
Representative Edwin K. Propst	no
Representative Antonio P. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	no
Representative Francis S. Taimanao	yes
Representative Ramon A. Tebuteb	no
Representative Edmund Joseph S. Villagomez	no
Representative Ralph N. Yumul	no

House Clerk Linda B. Muña: Mr. Speaker, 11 members voted “yes” and 9 members voted “no.”

Speaker Joseph P. Deleon Guerrero: Thank you, Madame Clerk. The bill requiring a simple majority did garner the majority votes, 11 “yes” to 9 “no.” So House Bill 19-87, HD1, SD1 hereby passes the House. Floor Leader.

Floor Leader George N. Camacho made a motion to pass House Bill 19-114.

H. B. NO. 19-114

To transfer the Administration of the Government’s Group Health and Life Insurance Programs to the Department of Finance.

REP. ANGEL A. DEMAPAN of Saipan, Precinct 1 (*for himself*, Representatives Blas Jonathan “BJ” T. Attao, George N. Camacho, and John Paul P. Sablan)

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. Motion has been offered and seconded for the passage of House Bill 19-114, this was the bill introduced by Representative Demapan which was vetoed, the earlier bill vetoed by the Governor and this is the reintroduction without the Senate amendments that caused the veto. The motion has been seconded. Any discussion on the motion?

Several members voiced “ready”.

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

The Clerk called the roll on the motion for the passage of House Bill 19-114 on First and Final Reading with the following results:

Representative Edwin P. Aldan	yes
Representative Blas Jonathan “BJ” T. Attao	yes
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	yes
Representative George N. Camacho	yes
Speaker Joseph P. Deleon Guerrero	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Angel A. Demapan	yes
Representative Rafael S. Demapan	yes

Representative Joseph Lee Pan T. Guerrero	yes
Representative Glenn L. Maratita	yes
Representative Felicidad T. Ogumoro	yes
Representative Edwin K. Propst	yes
Representative Antonio P. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	yes
Representative Francis S. Taimanao	yes
Representative Ramon A. Tebuteb	yes
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	yes

House Clerk Linda B. Muña: Mr. Speaker, all 20 members voted “yes.”

Speaker Joseph P. Deleon Guerrero: Thank you, Madame Clerk. With the majority voting in the affirmative, House Bill 19-114 hereby passes the House. For the next motion, Floor Leader.

Floor Leader George N. Camacho made a motion to pass House Bill 19-115.

H. B. NO. 19-115

To amend 4 CMC §1402(c) (7) thru (13) to remove an unnecessary provision and to grant the Secretary of Finance the authority to classify new products for taxation purposes; and for other purposes.

REP. GEORGE N. CAMACHO of Saipan, Precinct 4 (*for himself*, Representatives Blas Jonathan “BJ” T. Attao, Angel A. Demapan, and John Paul P. Sablan)

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. Motion has been offered and seconded for the passage of House Bill 19-115 and again this is a very similar issue with the bill we just passed. It was amended in the Senate and the amendment in the Senate was considered by the House unconstitutional. The author reintroduced it without the Senate amendment and that is now before us. Any discussion on the motion? Are we ready for the vote?

Several members voiced “ready”.

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

The Clerk called the roll on the motion for the passage of House Bill 19-115 on First and Final Reading with the following results:

Representative Edwin P. Aldan	yes
Representative Blas Jonathan “BJ” T. Attao	yes
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	yes
Representative George N. Camacho	yes
Speaker Joseph P. Deleon Guerrero	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Angel A. Demapan	yes
Representative Rafael S. Demapan	yes
Representative Joseph Lee Pan T. Guerrero	yes

Representative Glenn L. Maratita	yes
Representative Felicidad T. Ogumoro	yes
Representative Edwin K. Propst	yes
Representative Antonio P. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	yes
Representative Francis S. Taimanao	yes
Representative Ramon A. Tebuteb	yes
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	yes

House Clerk Linda B. Muña: Mr. Speaker, all 20 members voted “yes.”

Speaker Joseph P. Deleon Guerrero: Thank you, Madame Clerk. Majority of the members voting “yes,” House Bill 19-115 hereby passes the House. Floor Leader.

Floor Leader George N. Camacho made a motion to pass Senate Bill 19-62.

S. B. NO. 19-62

A Bill for an Act to remove the three legislative day requirement for local bills appropriating revenues derived from Public Laws 18-30 and 18-56; and for other purposes. *See* [SEN. COMM. 19-70]

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. A motion has been offered and seconded for the passage of Senate Bill 19-62. Any discussions at this time on the motion? Recognize the Chairman of JGO.

Representative Glenn L. Maratita: Thank you, Mr. Speaker. Let me thank the Floor Leader for putting this on calendar however, your Committee on JGO had a meeting and discussion about this bill. With that Mr. Speaker, I would like to offer a floor amendment on this bill.

Speaker Joseph P. Deleon Guerrero: Do you have copies for the members?

Representative Glenn L. Maratita: Counsel, can we just do ELMO please.

Several members voiced “no objection”.

Speaker Joseph P. Deleon Guerrero: Any objection to the Legal Counsel reading the amendment and showing it on ELMO?

Several members voiced “no objection”.

Speaker Joseph P. Deleon Guerrero: And then the mover can offer the motion. Let us take a short recess.

The House recessed at 2:41 p.m.

*RECESS**The House reconvened at 2:54 p.m.*

Speaker Joseph P. Deleon Guerrero: Thank you, members. We now return back to our session. Having left off on item XVI, the Bill Calendar. A motion was offered by the Floor Leader for the passage of Senate Bill 19-62, this is to remove the three legislative day requirement for local appropriation bill and I recognize the Chairman of JGO to offer a floor amendment.

Representative Glenn L. Maratita offered the following floor amendment:

Floor Amendment

To: Senate Bill No. 19-62

Offered by: Representative Glenn L. Maratita

AMENDMENTS:

1. Page 1

- **Line 16** after the word “**bill**” **insert** the following language “other than local appropriation bills”.

2. Page 2

- **Line 6** after “**§ 1404.**” To **Line 17**, **delete** the following language:

“Provided, however, that the provisions of this section shall not apply to:

(a) Local appropriation bills from the senatorial districts appropriating local revenues defined in 1 CMC §1402 (c)(4) and (5);

(b) The Tinian and Aguiguan Legislative Delegation in enacting an appropriation of casino gaming revenues pursuant to section 50 (5) of the Revised Tinian Casino Gaming Control Act of 1989; or

(c) The Rota Legislative Delegation in enacting an appropriation of casino gaming revenues pursuant to the Rota Casino Gaming Act.

(d) Local appropriation bills from the senatorial districts appropriating revenues derived from the electronic gaming machine fees pursuant to Public Law 18-30 and the Commonwealth exclusive casino license fees pursuant to Public Law 18-56.”

Consistent with the intent of the forgoing 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: 12/17/15

Offered by: /s/ Rep. Glenn L. Maratita

Reviewed by: /s/ Legal Counsel John Cool

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Maratita. Motion has been offered and seconded. Does everybody understand the amendment? Basically on page 2, all those provision are no longer needed. Those provisions clarify for the various senatorial districts, they are no longer required because the amendment on page 1 clarifies that any local appropriation bill regardless of senatorial district is treated the same. Basically it will not have to sit for three days. Any discussion on the motion?

Several members voiced “ready”.

There was no discussion and the motion to adopt the floor amendment as offered by Representative Glenn L. Maratita was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: Senate Bill 19-62, HD1. Any other comments under the main motion to adopt Senate Bill 19-62? Recognize the Minority Leader.

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker. For further clarification on my part, what we just did was delete based on the amendment offered by Representative Maratita provided from line 6 all the way. So in essence we have deleted – perhaps because I do not have my stuff in front of me – 1 CMC subsection 1404?

Speaker Joseph P. Deleon Guerrero: It is 1403.

Representative Ramon A. Tebuteb: No it is right after – the amendment offered was in line 6 after subsection 1404 from line 6 to line 17 what we eliminated, what we deleted is that the entire subsection 1404? I do not have my small ELMO with me that is why I am asking so can you clarify so we are clear what we are deleting. Let me further clarify Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Please continue.

Representative Ramon A. Tebuteb: Could you provide us what is 1 CMC 1404?

Speaker Joseph P. Deleon Guerrero: I can do that. 1404 establishes legislative delegations, but just to clarify the language as provided in 1 CMC 1404 is still there 1404 is not deleted. The one that was deleted was “provided however” all the way down to line 17 that is an amendment of 1 CMC 1403 it inserts this into 1 CMC 1403 from the Senate, from the author and that is the one that is stricken out. In 1403 this is not the language in there. 1403 will have been amended by this provision had the Chairman not delete it. Clarified? Anything further? Vice Speaker did you have your hands up? Anybody else, recognize Representative Demapan.

Representative Angel A. Demapan: Thank you, Mr. Speaker. Just for clarification. The amendment that we just adopted basically changed the intent of this bill, right? The intent of the bill was to waive the requirement for revenue bills relating to 18-30 and 18-56. There are references to 18-30 and 18-56 in section 1 of the bill and in the title so I wanted to just get clarification whether we also have to make the amendments there.

Speaker Joseph P. Deleon Guerrero: Thank you for raising that, that is correct. The amendment that we just adopted basically removed the three-day provision for all local appropriation and so the title only references local bills “appropriating revenues derived from Public Laws 18-30 and 18-56” so I believe you are correct and maybe a motion is in order or an amendment is in order just striking out from the title “derived from Public Laws 18-30 and 18-56.” So it would just read “To remove the three legislative day requirement for local appropriation bills” is what it should read. Anybody want to – recognize Representative Maratita.

Representative Glenn L. Maratita: Thank you, Mr. Speaker. And also on page one line 8, after the word “appropriations” period and we should delete the remainder of that language. Thank you. So I would like to offer a motion Mr. Speaker and members if there is no objection.

Several members voiced “no objection”.

Speaker Joseph P. Deleon Guerrero: Continue.

Representative Glenn L. Maratita: On the title to remove after the word “revenues” the language “derived” and so forth. Going down to line 8 after the word “appropriations” period and delete the remainder of that language. So move.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Motion has been offered and seconded. Under discussion can we clarify the language on the title? Just removing the “derived” does not make it flow. Perhaps it can be worded differently and read “To remove the three legislative day requirement for local” then insert “appropriation” and then “bills” and then strike “appropriating revenues” as well. Just to clarify would that be – and then on the findings and purpose, the same thing we are proposing to strike out “derived” on line 8, prior to that “appropriation” insert after “for” insert “local” and then “appropriations” remove the “s” and insert the word “bills.” Just to clarify.

Representative Ralph N. Yumul: Just to clarify because I am confused. I thought we are just disposing of the first one and then we can continue with the next. I believe Representative Maratita did the first amendment. Should we dispose of that so that way we can go on and start touching other parts of the amendment.

Speaker Joseph P. Deleon Guerrero: This is to make it consistent with his first amendment because – this is a new motion he is offering, but the new motion touches on the title and the findings. John are you done on the findings that would be line 8 after – can you show us on line 8 it is not showing on ELMO. Alright there, and the title move down a little bit “for local appropriation bill” and then strike out “appropriating revenues.” Are we clear? Alright motion has been offered and clarified and seconded. Any discussion on the second floor amendment as offered by Representative Maratita?

Several members voiced “ready”.

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

Speaker Joseph P. Deleon Guerrero: This would become Senate Bill 19-62, HD2. Thank you for noticing that. Any further comments or discussions? Are we ready for the main motion?

Several members voiced “ready”.

Speaker Joseph P. Deleon Guerrero: If we are ready. Madame Clerk, please call the roll.

The Clerk called the roll on the motion for the passage of Senate Bill 19-62, House Draft 2 on First and Final Reading with the following results:

Representative Edwin P. Aldan	yes
Representative Blas Jonathan “BJ” T. Attao	yes
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	yes
Representative George N. Camacho	yes
Speaker Joseph P. Deleon Guerrero	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Angel A. Demapan	yes
Representative Rafael S. Demapan	yes
Representative Joseph Lee Pan T. Guerrero	yes
Representative Glenn L. Maratita	yes
Representative Felicidad T. Ogumoro	yes
Representative Edwin K. Propst	yes
Representative Antonio P. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	yes
Representative Francis S. Taimanao	yes
Representative Ramon A. Tebuteb	yes
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	yes

House Clerk Linda B. Muña: Mr. Speaker, all 20 members voted “yes.”

Speaker Joseph P. Deleon Guerrero: Thank you, Madame Clerk. With the unanimous vote, Senate Bill 19-62, HD2 hereby passes the House. Floor Leader.

Floor Leader George N. Camacho made a motion to pass Senate Bill 19-25, House Draft 1.

S. B. NO. 19-25, HD1

To prohibit tattooing of minors without the written consent of the parent or legal guardian; and for other purposes. *See [S. C. R. NO. 19-57]*

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. Motion has been offered and seconded for the passage of Senate Bill 19-25, HD1 and for those who are looking for it, it would be contained in Standing Committee Report 19-57. This is a bill to prohibit tattooing of minors without the written consent of parents or legal guardians. Any discussion on the motion? Recognize Representative Villagomez.

Representative Edmund S. Villagomez: So is this just for like registered tattoo businesses because I could be wrong, but I have heard that there are some people just doing their own tattooing. Did the committee – was that looked into? How does that work like if I can get a tattoo kit right now and I put a tattoo on a minor, do I get? Is there any clarification.

Speaker Joseph P. Deleon Guerrero: The same concern was raised during our leadership meeting and we raised that issue to the Legal Counsel. And because the way it is worded it does not say a person, business, entity or whatever. It says a person commits the offense and furthermore on under line 16 page 2 the penalty provision is also referring to a person. So legally if passed and if it becomes law, a parent can I guess press charges against an adult if this provision or if this law would be violated and I would like to ask the Legal Counsel whether we are somewhere in the ball park. Whether what I just said is correct.

Legal Counsel John Cool: Person would include – I was going to get the definition of person, but they would be corporations, partnerships, individuals it would even include another person under 18 years of age. So the term person is all inclusive covers individuals and businesses.

Speaker Joseph P. Deleon Guerrero: Clear Representative Villagomez.

Representative Edmund S. Villagomez: Thank you. What if the tattoo artist is under 18?

Legal Counsel John Cool: They would be tried as a juvenile. It is with the discretion of the court. Just to make sure I got the definition of person it means any natural and human being and quite relevant a corporation or unincorporated association or other entity and that is directly from the criminal code of title 6.

Representative Edmund S. Villagomez: Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Villagomez and thank you Legal Counsel. Recognize Representative Larry Deleon Guerrero.

Representative Lorenzo I. Deleon Guerrero: Thank you, Speaker. Just for the Legal Counsel if a person performs tattooing or offers to perform tattooing is that also – so if I offer someone to tattoo, but I have not done it is that also an offense. According to the language “or offers to perform tattooing.” John it is on page 2, line 3.

Speaker Joseph P. Deleon Guerrero: That is what it states.

Legal Counsel John Cool: Yes, it would be the actual performing of the tattoo or offering to perform tattooing on a minor.

Representative Lorenzo I. Deleon Guerrero: So it is both right John.

Legal Counsel John Cool: Yes both.

Representative Lorenzo I. Deleon Guerrero: Thank you, clarified.

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

Floor Leader George N. Camacho: Thank you, Mr. Speaker. My first question was what if it was a minor committing the offense, but that has been clarified. My other concern is on page 2, line 6 “consent of the parent being present” that is clear but when it come on a written under line 11, on page 2 “with the permission signed by the parent or legal guardian,” I mean anybody can forge a excuse slip. John is it clear, does it need to be notarized because any 16 year old can write up a note just so that we are clear and the intent of this legislation is covered.

Legal Counsel John Cool: You will notice that the provisions are not either or it is both. The person has to provide reasonable proof of the person’s identity and family relationship and written permission. So the written permission, I would have to contemplate that being something that the tattooing agency or business would prepare as a consent form. Something like you sign when you go to the doctor.

Floor Leader George N. Camacho: Thank you, John. So clarified.

Speaker Joseph P. Deleon Guerrero: Any other member who have not spoken yet? Recognize Representative Villagomez.

Representative Edmund S. Villagomez: Alright so we clarified if the artist is a minor, but what if that minor tattoo’s himself?

Speaker Joseph P. Deleon Guerrero: To answer that I raised that also in the leadership. We covered all the grounds and when I tattooed myself in the seventh grade my parents could of charged me, good thing the law was not there yet.

Representative Edmund S. Villagomez: Thank you.

Speaker Joseph P. Deleon Guerrero: Any further comments? I think we have covered all the basis already. Are we ready for the vote?

Several members voiced “ready”.

Speaker Joseph P. Deleon Guerrero: Minority Leader.

Representative Ramon A. Tebuteb: Just one small one Mr. Speaker. The committee report also indicated that they did submit a recommendation or consideration on recommendation from the Attorney General. Part of the recommendation from the Attorney General is to I guess properly define what Legal Guardian means and I am not sure – perhaps maybe the committee may have gone ahead with not necessarily taking the recommendation from the AG, but I am trying to decipher if that is taking into the account in the Senate’s House Draft 1.

Speaker Joseph P. Deleon Guerrero: If we all go to the last page of the comments from the Attorney General’s Office and I am glad that you raised that issue. The AG had recommended on the recommendation is to define the term legal guardian and it says “it appears that the guardians appointed pursuant to 8 CMC 4221 was intended and proper reference to this statute should be

made in the bill.” So there is legal definition already in the code under 8 CMC 1421 and John just so that we cover all the basis can you bring that up for the members. Short recess.

The House recessed at 3:17 p.m.

RECESS

The House reconvened at 3:18 p.m.

Speaker Joseph P. Deleon Guerrero: We go back into session. We are not back in session and an issue was raised regarding the issue of legal guardians. I would like to recognize the Minority Leader for a floor amendment.

Representative Ramon A. Tebuteb: Thank you, Mr. Speaker. And if I may ask the Legal Counsel ELMO. Perhaps after the word on page 2, line after the word “legal guardian” insert before the semicolon “pursuant to 8 CMC § 1421;”. So move.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Minority Leader. Everybody clear and John go ahead and clarify it under ELMO.

Representative Ramon A. Tebuteb: Let me rephrase. I would like to withdraw what I just said and refer members down to line 15 insert a new subsection 4 and transpose what I just said earlier so that we create one new subsection under definition. So move.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you. So on page 2, after line 15 would be a new subsection it would be (b) (4) and “Legal Guardian. Pursuant to 8 CMC 1421” got it John? Everybody clear? So motion has been offered and it has been seconded. At this time, are there any discussion on the floor amendment as offered by the Minority Leader?

Several members voiced “ready”.

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

Speaker Joseph P. Deleon Guerrero: This would now be HD2. Senate Bill 19-25, HD2. Thank you. Are there any further discussions now on the HD2 version? Are we ready for the main motion?

Several members voiced “ready”.

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

The Clerk called the roll on the motion for the passage of Senate Bill 19-25, House Draft 2 on First and Final Reading with the following results:

Representative Edwin P. Aldan	yes
Representative Blas Jonathan “BJ” T. Attao	yes
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	yes
Representative George N. Camacho	yes
Speaker Joseph P. Deleon Guerrero	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Angel A. Demapan	yes
Representative Rafael S. Demapan	yes
Representative Joseph Lee Pan T. Guerrero	yes
Representative Glenn L. Maratita	yes
Representative Felicidad T. Ogumoro	yes
Representative Edwin K. Propst	yes
Representative Antonio P. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	yes
Representative Francis S. Taimanao	yes
Representative Ramon A. Tebuteb	yes
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	yes

House Clerk Linda B. Muña: Mr. Speaker, all 20 members voted “yes.”

Speaker Joseph P. Deleon Guerrero: Thank you, Madame Clerk. With all 20 members voting “yes,” Senate Bill 19-25, HD2 hereby passes the House. Floor Leader.

Floor Leader George N. Camacho made a motion to pass Senate Bill 19-23, Senate Substitute 1.

S. B. NO. 19-23, SS1

To amend 6 CMC §3171 to define and prohibit electronic cigarettes where smoking is prohibited and to regulate electronic cigarettes by including it in the Tobacco Control and to prohibit minors who are under the age of 18 from using it; and for other purposes.
See [S. C. R. NO. 19-61]

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. Motion has been offered and seconded. Senate Bill to define and prohibit electronic cigarettes where smoking is prohibited. Any discussion on the motion?

Several members voiced “ready”.

Speaker Joseph P. Deleon Guerrero: If we are ready then, Madame Clerk, please call the roll.

The Clerk called the roll on the motion for the passage of Senate Bill 19-23, Senate Substitute 1 on First and Final Reading with the following results:

Representative Edwin P. Aldan	yes
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Representative Blas Jonathan “BJ” T. Attao	yes
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	yes
Representative George N. Camacho	yes
Speaker Joseph P. Deleon Guerrero	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Angel A. Demapan	yes
Representative Rafael S. Demapan	yes
Representative Joseph Lee Pan T. Guerrero	yes
Representative Glenn L. Maratita	yes
Representative Felicidad T. Ogumoro	yes
Representative Edwin K. Propst	yes
Representative Antonio P. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	yes
Representative Francis S. Taimanao	yes
Representative Ramon A. Tebuteb	yes
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	yes

House Clerk Linda B. Muña: Mr. Speaker, all 20 members voted “yes.”

Speaker Joseph P. Deleon Guerrero: Thank you, Madame Clerk. With all members voting “yes,” Senate Bill 19-23, SS1 passes without any amendments passes the House. Floor Leader.

Floor Leader George N. Camacho made a motion to pass House Bill 19-76.

H. B. NO. 19-76

A Bill for an Act to amend 4 CMC §1401 and 4 CMC §1402 (a) to separate cigars from being taxed as a tobacco and establish its own tax rate; and for other purposes. *See [S. C. R. NO. 19-43]*

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. Motion has been offered and seconded. Any discussion on the motion?

Several members voiced “ready”.

Speaker Joseph P. Deleon Guerrero: If we are ready then Madame Clerk, please call the roll.

The Clerk called the roll on the motion for the passage of House Bill 19-76 on First and Final Reading with the following results:

Representative Edwin P. Aldan	yes
Representative Blas Jonathan “BJ” T. Attao	no
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	no
Representative George N. Camacho	yes
Representative Joseph P. Deleon Guerrero	yes
Representative Lorenzo I. Deleon Guerrero	no
Representative Angel A. Demapan	yes
Speaker Rafael S. Demapan	yes

Representative Joseph Lee Pan T. Guerrero	yes
Representative Glenn L. Maratita	yes
Representative Felicidad T. Ogumoro	yes
Representative Edwin K. Propst	no
Representative Antonio P. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	no
Representative Francis S. Taimanao	yes
Representative Ramon A. Tebuteb	no
Representative Edmund Joseph S. Villagomez	no
Representative Ralph N. Yumul	no

House Clerk Linda B. Muña: Mr. Speaker, 12 members voted “yes” and 8 members voted “no.”

Speaker Joseph P. Deleon Guerrero: Thank you, Madame Clerk. With a vote of 12 to 8, House Bill 19-76 hereby passes the House. I believe that takes care of our Bill Calendar. Chairman Sablan, I wanted to ask if there would be a need to have a session after this to address the concerns that were raised. You are recognized.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. I am glad that you asked, I was going to go ahead and ask the Chair if we can schedule a session before the twenty-third or anytime before the twenty-third. We have communicated through the Senate and they are awaiting and willing to meet in session on the twenty-third to address the time sensitive legislation to address the two pending probation officer positions. So if we can have a session either on the twenty-second or – I think that would be fine.

Speaker Joseph P. Deleon Guerrero: And the reason before the twenty-third is because the Senate will be holding a session.

Representative Antonio P. Sablan: The Senate is agreeing that they are willing to schedule the session for the twenty-third to address this particular legislation. Thank you.

Speaker Joseph P. Deleon Guerrero: Alright thank you for the clarification. Recognize the Floor Leader.

Floor Leader George N. Camacho: Thank you, Mr. Speaker. Just a note on the twenty-second is the schedule with the *Man'amko* luncheon so we have to either on the afternoon of the twenty-second or even the day before that. Just a note.

Speaker Joseph P. Deleon Guerrero: Yes, I was going to get that under announcements, but I believe the time is about 10:30 that they are going to be heading up here. We will let the Chair work around it so when I turn it back over to you it will be a motion to adjourn subject to the call and I will work on that. Right now let us move to item XVII, Miscellaneous and we can entertain Miscellaneous matter. Recognize Representative Roman Benavente.

There was no action for the following legislations:

H. B. NO. 19-10, HD1

A Bill for an Act to repeal and re-enact Public Law No. 6-10 “The Education Act of 1988” as amended and as codified as 3 CMC § 1101 through § 1193; and for other purposes. *See* [S. C. R. NO. 19-56]

S. B. NO. 19-30, SD1, HD1

A Bill for an Act to include in the duties and responsibilities of the Commonwealth Utilities Corporation the expense, payment of all costs and fees pertaining or relating to the operations, maintenance, and lighting of street lights on public and residential access roads; and for other purposes. *See* [S. C. R. NO. 19-51]

MISCELLANEOUS BUSINESS

Representative Roman C. Benavente: Thank you, Mr. Speaker. I would just like to tell my colleague to the author of the bill – the last bill that we just passed. Nothing against the bill, but I am very concern in regards to a lot of issues that is surrounding. This is the end of the year and we are challenged and we are faced with economic, the government is challenged and faced with economic issues such as not enough budget and everything. We are trying to get – the government is still striving to get enough revenue to move ahead, unfortunately a lot of the bill that we have passed would be compromising a lot of tax bills. We have been trying pass bills that will strikeout this tax and that tax and whatnot. Mr. Speaker, I would just like to share this among others. We have to be more mindful and more careful with regards to compromising our tax revenues because sooner or later we are not going to have any more money for the government to generate and we are not even going to have enough money to operate the entire CNMI if we continue to compromise taxes. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you. Recognize under miscellaneous.

Representative Joseph Lee Pan T. Guerrero: Thank you, Mr. Speaker. Just to expunge on tomorrow's invitation by sky walker regarding the green state project, I humbly request my colleagues to be present there because this would probably address the housing issues that our constituent had lost during Soudelor. It is viable and affordable, so I know that we have constituents that are still staying in the dome, temporary shelter and I encourage you guys to come and see this and probably introduce it to the community because it is viable and I think this is the quick solution for the housing shortage. That will be at four tomorrow at fishing base. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, I believe that was going to go under announcements, but any other miscellaneous. We go to announcements.

ANNOUNCEMENTS

Speaker Joseph P. Deleon Guerrero: Under announcements in addition to what Representative Lee Pan said for precinct 1 members and maybe invite other members as well today I believe at four or four thirty is the ribbon cutting for the pavilion at Coral Ocean Point beach, I believe we have all been invited to that today so we should cut it short soon. Second as was mentioned earlier on the twenty-second we continue our tradition of hosting the *Man'amko* this is the legislature the House and the Senate it would be about 10:30 they would be coming up here and they will be performing and caroling the members and we want to remind everybody to bring a few coins or change because they will be passing around the Santa's hat for donations for the *Man'amko* drive and I think we will be having another session before the twenty-fifth so the other activity we will mention then. Anything else under announcements? Recognize.

Representative Lorenzo I. Deleon Guerrero: I just wanted to remind you about the 30th the House party.

Speaker Joseph P. Deleon Guerrero: That is why I said we will have a session on the 21st or 22nd and we will announce it then, but yes tentatively we are scheduled to have an X-Mas party for the House, Senate and the Bureau, but we will get into the details later. Representative Maratita did you raise your hand?

Representative Glenn L. Maratita: So you are trying to schedule a session for the 21st or 22nd?

Speaker Joseph P. Deleon Guerrero: I believe Representative Sablan said we need to do it before the 23rd and more than likely it will be on the Monday, the 21st to give the Bureau staff some time to engross the bills and transmitted to the Senate. Are we alright? We will try to set it up early Monday, maybe nine or nine-thirty so that we can get it going. Anything else under announcements?

Several members voiced “ready”.

Speaker Joseph P. Deleon Guerrero: If nothing further, the Chair will turn it over to our Floor Leader for the motion to adjourn.

ADJOURNMENT

Floor Leader George N. Camacho: Thank you, Mr. Speaker. I would like to go ahead and make a motion that we adjourn subject to your call.

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

The House adjourned at 3:41 p.m.

Respectfully submitted,

Venetia S. Rosario
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: NONE

THIRD LEGISLATIVE DAY: NONE

*Appearance of Measures introduced on the House Floor during the House Session
11/17/15:*

H. B. NO. 19-108: To establish the Northern Islands Agriculture and Marine Revolving Fund; and for other purposes. Introduced by REP. BLAS JONATHAN “BJ” T. ATTAO, of Saipan, Precinct 3 (*for himself*, Representatives Anthony T. Benavente, George N. Camacho, Lorenzo I. Deleon Guerrero, Edwin K. Propst, Ramon A. Tebuteb, and Edmund S. Villagomez) on November 17, 2015; referred to the Committee on Natural Resources.

H. B. NO. 19-109: To implement a penalty provision for repeat offenders; and for other purposes. Introduced by REP. LORENZO I. DELEON GUERRERO of Saipan, Precinct 5 (*for himself*) on November 17, 2015; referred to the Committee on Judiciary and Governmental Operations.

House information on deadlines for override: