In compliance with the Open Government Act, Senate President Paul A. Manglona issued a notice on June 18, 2010, announcing that the Senate of the Seventeenth Northern Marianas Commonwealth Legislature will convene this open and public session. The notice, the official session call, and the session agenda were filed in the Office of the Senate Clerk; released to the media; and posted at the Entrance Halls of the Office of the Governor, House of Representatives, and the Senate, and on the Commonwealth Legislature’s website at www.cnmileg.gov.mp.

The Senate of the Seventeenth Northern Marianas Commonwealth Legislature convened its First Day, Sixth Special Session, on Wednesday, June 23, 2010, at 12:10 p.m., in the Senate Chamber, Capitol Hill Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Paul A. Manglona, President of the Senate, presided.

A moment of silence was observed.

The Clerk called the roll and Seven (7) members were present and Two (2) members were absent.

President Paul A. Manglona: Please let the records reflect that Senator Juan M. Ayuyu and Senator Jovita M. Taimanao are excused for today’s session. And with the Seven (7) members present we have the necessary quorum to conduct today’s session. Reading and approval of the Journal, Clerk?

READING AND APPROVAL OF THE JOURNAL

NONE

MESSAGES FROM THE GOVERNOR


4. Gov. Msg. No. 17-146: May 11, 2010 – Signed into local law H.L.B. No. 17-9, D1, entitled, To appropriate $68,000 for Rota Municipal Scholarship Foundation; Youth & Sports; Rota Nurses; Cadets under DPS; Rota Dialysis patients; PTA and Office of the Mayor. (ROTA LOCAL LAW NO. 17-3)

5. Gov. Msg. No. 17-147: June 9, 2010 – Certification for annual salary in excess of $50,000.00 for Dr. Alberto B. Ventura, Dentist at CHC.


7. Gov. Msg. No. 17-149: June 9, 2010 – Certification for annual salary in excess of $50,000.00 for Dr. Brian Sullivan, MD Physician at CHC.


9. Gov. Msg. No. 17-151: June 9, 2010 – Certification for annual salary in excess of $50,000.00 for Dr. Sherleen M. Osman, MD, Physician at CHC.

10. Gov. Msg. No. 17-152: June 9, 2010 – Certification for annual salary in excess of $50,000.00 for Ms. Kathryn B. Fuller, AG’s Office.


   (Gov. Msg. No. 17-156 was on the June 17, 2010 session)


17. **Gov. Msg. No. 17-160**: June 17, 2010 – Signed into law House Bill No. 17-19, HD1 entitled, “To amend 2 CMC § 4335; and for other purposes,” became **Public Law No. 17-4**.

18. **Gov. Msg. No. 17-161**: June 17, 2010 – Signed into law House Bill No. 17-29, entitled, “To require the Department of Public Lands to fund an independent study to conduct an environmental sampling and consultation with the CNMI possibly contaminated with chemicals of concern; and for other purposes,” became **Public Law No. 17-5**.

19. **Gov. Msg. No. 17-162**: June 17, 2010 – Signed into law House Bill No. 17-15, HD1, SS1, entitled, “To authorize the Governor to reprogram and mobilize funds to address the current calamity; and for other purposes,” became **Public Law No. 17-6**.

20. **Gov. Msg. No. 17-163**: April 28, 2010 – Communication to Mr. James Jones regarding the Hyperion Power Generation Systems for the CNMI.

**President Paul A. Manglona**: Any comments or discussion? If none, from the Judiciary?

**COMMUNICATIONS FROM THE JUDICIARY**

NONE

**COMMUNICATIONS FROM HEADS OF EXECUTIVE DEPARTMENTS**

NONE

**COMMUNICATIONS FROM THE HOUSE**

1. **Hse. Comm. 17-32**: June 18, 2010 – Transmitting for Senate Action H.B. No. 17-78, HD1, entitled, “To Amend Public Law 16-7 and for other purposes.”

**COMMUNICATIONS FROM THE WASHINGTON DELEGATE**


**UNFINISHED BUSINESS**

NONE

**PRE-FILED BILLS AND RESOLUTIONS**

**BILLS**

1. **S.B. No. 17-32** – To amend Section 2 of Public Law 15-90; and for other purposes.  
   (Sen. Francisco Q. Cruz- 06/18/10)

   Amended by majority vote to include the following:

   2. **S.B. No. 17–31** – To name the Natibu Park Amphitheater on tinian, “the Antonio Manglona Borja Amphitheater.  
      (SEN. JUDE HOFSCNEIDER; SEN. HENRY H. SAN NICÓLAS – 06/24/10)

   3. **S.B. No. 17–33** – To increase the limits for medical school professional scholarships.  
      (SEN. PAUL A. MANGLONA – 06/24/10)

**INTRODUCTION OF BILLS AND RESOLUTIONS**

NONE

**REPORTS OF STANDING COMMITTEES**

NONE

**REPORTS OF SPECIAL AND CONFERENCE COMMITTEES**
PUBLIC COMMENTS

NO PUBLIC COMMENT PRESENTED

RESOLUTION CALENDAR

1. H. Concurrent Resolution No. 17-02, HD1- To approve revenues and resources of the CNMI, as identified pursuant to Article III, Section 9(a) of the Constitution, as amended, and 1 CMC, Division 7, for FY 2011, beginning October 1, 2010 and ending on September 30, 2011.

The Chair recognizes Floor Leader Pete P. Reyes.

Floor Leader Pete P. Reyes: Mr. President, I think it’s appropriate at this time to make a motion to amend our Order of Business in compliance with the Open Government Act, so moved.

Seconded by Senator Ralph DLG. Torres.

President Paul A. Manglona: Any discussion?

Several members voiced, “ready”

President Paul A. Manglona: Senate Clerk, roll call please.

The Clerk called the roll on the motion to amend the Order of Business.

Senator Juan M. Ayuyu absent
Senator Luis P. Crisostimo yes
Senator Francisco Q. Cruz yes
Senator Jude U. Hofschneider yes
Senator Pete P. Reyes yes
Senator Henry H. San Nicolas yes
Senator Jovita M. Taimanao absent
Senator Ralph DLG. Torres yes
Senate President Paul A. Manglona yes

President Paul A. Manglona: With Seven (7) members voting yes, the motion to amend the Order of Business passes the Senate. Floor Leader is recognized.
Floor Leader Pete P. Reyes: Thank you Mr. President. At this time, I want to make a motion to place House Communication 17-33, with reference to House Bill 17-66, HD1 and House Communication 17-34, in reference to House Bill 17-38 on the Order of Business, so moved.

President Paul A. Manglona: Any discussion? All those in favor say ‘aye’

Several members voiced, “aye”.

President Paul A. Manglona: All opposed say, “nay”.

The motion was carried by voice vote.

The Chair recognized Floor Leader Pete P. Reyes.

Floor Leader Pete P. Reyes: Mr. President, I now move for the placement on today’s calendar for Final Reading, House Bill 17-66, HD1; Senate Bill 17-32; Senate Bill 17-33; Senate Bill 17-31 and House Bill 17-38.

President Paul A. Manglona: Okay there is a motion, can you repeat that again.

Floor Leader Pete P. Reyes: I ask Mr. President, that you do a roll call but before I do that, I would like the record to reflect on the motion I made earlier, that the entire members are supporting the placements of the House Communications on the agenda. So I repeat, House Bill 17-66, HD1, this is under House Communication 17-33, Senate Bill 17-31, Senate Bill 17-32, Senate Bill 17-33 and House Bill 17-38. Also, I would like to make a correction on the Miscellaneous Communication. It should have been Miscellaneous Communication 17-43, instead of 17-7, so moved.

Seconded by Vice President Jude U. Hofschneider.

President Paul A. Manglona: Any discussion? Senate Clerk, roll call please.

The Clerk called the roll on the motion to place on Calendar for Final Reading, House Bill 17-66, HD1, Senate Bill 17-32, Senate Bill 17-33, Senate Bill 17-31 and House Bill 17-38.

Senator Juan M. Ayuyu absent
Senator Luis P. Crisostimo yes
Senator Francisco Q. Cruz yes
Senator Jude U. Hofschneider yes
Senator Pete P. Reyes yes
Senator Henry H. San Nicolas yes
Senator Jovita M. Taimanao absent
Senator Ralph DLG. Torres yes
Senate President Paul A. Manglona yes
President Paul A. Manglona: By a vote of 7-0, motion to place House Bill 17-66, HD1, Senate Bill 17-32, Senate Bill 17-33, Senate Bill 17-31 and House Bill 17-38 on Final Reading Calendar passes the Senate.

The Chair recognizes floor Leader Pete P. Reyes.

Floor Leader Pete P. Reyes: Mr. President, I would like to make a motion for the suspension of pertinent rules in order to pass these bills on Final Reading.

Seconded by Vice President Jude U. Hofschneider.

President Paul A. Manglona: Those in favor say ‘aye”

Several members voiced, “aye”.

President Paul A. Manglona: All opposed say, “nay”.

The motion was carried by voice vote.

The Chair recognized Floor Leader Pete P. Reyes.

FIRST READING

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<tr>
<th>LEG. NO.</th>
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FINAL READING

<table>
<thead>
<tr>
<th>LEG. NO.</th>
<th>TITLE</th>
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<tbody>
<tr>
<td>H.B. No. 17-33, HD1 (Hse. Comm. 17-28)</td>
<td>To amend Section 3 of PL 12-14, as it applies to the surrounding waters of the Municipality of Rota, to ensure that such regulations do not restrict the rights of persons engage in non-commercial net-fishing, provided that such right be restricted to non-commercial net-fishing for the purpose of obtaining fish for personal or immediate family consumption, to also ensure that the definition of “non-traditional fishing methods” is not misinterpreted to include non-commercial net-fishing</td>
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<td>Bill Number</td>
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<tr>
<td>H.B. No. 17-66, HD1, SD1 PASSED</td>
<td>To reform the Commonwealth’s Election statues to conform with Federal requirements.</td>
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<tr>
<td>H.B. 17-78, HD1, SD2 PASSED</td>
<td>To amend Public Law 16-7, and for other purposes.</td>
</tr>
<tr>
<td>S.L.I. 17-03 PASSED</td>
<td>To propose a constitutional amendment to explicitly state that qualified retirees may be reemployed as classroom teachers, doctors, nurses, and other medical professionals without loss of retirement benefits, regardless of the individual’s occupation prior to retirement, to eliminate the time limitation on such reemployment, and to clarify that the term “medical professionals” include dentists, dental lab technicians, dental assistants, medical lab technicians, medical assistants, therapists, veterinarians, animal health officer or equivalent, and the like.</td>
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<tr>
<td>S.B. 17-29, SD1</td>
<td>To amend Section 4(c) (2) of Public Law 15-70, 1 CMC § 8343, 1 CMC § 8342 and for other purposes.</td>
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<tr>
<td>S.B. 17-31, SD1 PASSED</td>
<td>To name the Natibu Park amphitheater on Tinian, “The Antonio Manglona Borja Amphitheater”</td>
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<tr>
<td>S.B. 17-32 PASSED</td>
<td>To amend Section 2 of PL 15-90</td>
</tr>
<tr>
<td>S.B. 17-33 PASSED</td>
<td>To increase the limits for medical school professional scholarships</td>
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**Floor Leader Pete P. Reyes:** Mr. President, I would like to make a motion for the passage on Final Reading House Bill 17-66, HD1. This is with reference to election status to conform to federal requirements, so move.

**President Paul A. Manglona:** Is the motion for SD1, Floor Leader?
Floor Leader Pete P. Reyes: That is correct Mr. President, the motion is for SD1. I want to amend that motion to include SD1.

President Paul A. Manglona: Okay, under discussion, I just want to inform the members that the Executive Director is here with us and if you so desire we can ask him to explain but if there is no need I guess we are under discussion.

Several members voiced, “ready”

President Paul A. Manglona: Senate Clerk, roll call please.

The Clerk called the roll on the motion to pass House Bill 17-66, HD1, SD1.

<table>
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<tr>
<th>Senator</th>
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<tr>
<td>Senator Juan M. Ayuyu</td>
<td>absent</td>
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<tr>
<td>Senator Luis P. Crisostimo</td>
<td>yes</td>
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<tr>
<td>Senator Francisco Q. Cruz</td>
<td>yes</td>
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<tr>
<td>Senator Jude U. Hofschneider</td>
<td>yes</td>
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<td>Senator Pete P. Reyes</td>
<td>yes</td>
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<tr>
<td>Senator Henry H. San Nicolas</td>
<td>yes</td>
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<tr>
<td>Senator Jovita M. Taimanao</td>
<td>absent</td>
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<tr>
<td>Senator Ralph DLG. Torres</td>
<td>yes</td>
</tr>
<tr>
<td>Senate President Paul A. Manglona</td>
<td>yes</td>
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</tbody>
</table>

President Paul A. Manglona: By a vote of 7-0, House Bill 17-66, HD1, SD1 passes the Senate on Second and Final Reading. I just want to inform the members that I have spoken to Congressman Ralph Demapan, the Chairman and the sponsor of House Bill 17-66, who has been working very hard with the Board of Election with this legislation for the last three months and he understands the amendment made by the Senate and he understands the House will be taking this legislation up in its next session on Friday. I know that the Executive Director Robert Guerrero is concern also because we have several amendments to the Constitutions through Legislative Initiative that is before the Board of Election to be placed this coming election. This is an urgent matter and for that I appreciate the understanding of the members and the quick deliberation in addressing this legislation here in the Senate, so I just wanted to mention that.

The Chair recognizes the Floor Leader.

Floor Leader Pete P. Reyes: Mr. President, I move for the passage in Final Reading, House Bill 17-78, HD1, “To amend Public Law 16-7 and for other purposes.”

Several members voiced, “Second”.

President Paul A. Manglona: Any discussion?

Floor Leader Pete P. Reyes: Mr. President, I believe we have a Senate draft one.
President Paul A. Manglona: I like to take a very short recess.

The Senate recessed at 12:20 p.m.

And

The Senate reconvened at 12:22 p.m.

President Paul A. Manglona: We are back to our plenary session.

The Chair recognizes the Floor Leader

Floor Leader Pete P. Reyes: Mr. President, I want to withdraw my motion for the passage of House Bill 17-78, HD1, SD1, pending receipt of all the thorough amendment Senator Torres is making. At this time, I want to make a motion for the passage of Senate Legislative Initiative 17-3.

President Paul A. Manglona: If there is no objection on the withdrawal on the motion, any discussion? Discussion on Legislative Initiative 17-03?

Several members voiced, “ready”

President Paul A. Manglona: Senate Clerk, roll call please.

The Clerk called the roll on the motion to pass Senate Legislative Initiative 17-03.

Senator Juan M. Ayuyu    absent
Senator Luis P. Crisostimo yes
Senator Francisco Q. Cruz yes
Senator Jude U. Hofschneider yes
Senator Pete P. Reyes yes
Senator Henry H. San Nicolas yes
Senator Jovita M. Taimanao absent
Senator Ralph DLG. Torres yes
Senate President Paul A. Manglona yes

President Paul A. Manglona: By a vote of 7-0, we have the two third votes I understand necessary to pass Senate Legislative Initiative 17-03, so I hereby declare its adoption.

The Chair recognizes the Floor Leader.
Floor Leader Pete P. Reyes: Mr. President, I move for the passage of Senate Bill 17-32 on Final Reading.

Seconded by Senator Ralph DLG. Torres.

President Paul A. Manglona: Discussion on Senate Bill 17-32.

Floor Leader Pete P. Reyes: Let me clarify that Mr. President, its Senate Bill 17-32.

The Chair recognized Vice President Jude U. Hofschneider.

Vice President Jude U. Hofschneider: Mr. President, may I ask Senator Cruz if this is the amendment to the conservation area on Tinian?

Senator Francisco Q. Cruz: Yes sir, I would like to open the portion of the conservation area.

Vice President Jude U. Hofschneider: Nothing further Mr. President.

President Paul A. Manglona: Copies of the Senate Bill is in our binders. Any further discussion? Senate Clerk, roll call please.

The Clerk called the roll on the motion to pass Senate Bill 17-32.

Senator Juan M. Ayuyu absent
Senator Luis P. Crisostimo yes
Senator Francisco Q. Cruz yes
Senator Jude U. Hofschneider yes
Senator Pete P. Reyes yes
Senator Henry H. San Nicolas yes
Senator Jovita M. Taimanao absent
Senator Ralph DLG. Torres yes
Senate President Paul A. Manglona yes

President Paul A. Manglona: By a vote of 7-0, Senate Bill 17-32, passes the Senate on Second and Final Reading.

The Chair recognizes the Floor Leader.

Floor Leader Pete P. Reyes: Thank you Mr. President. I now move for the passage of Senate Bill 17-33 on Final Reading.

Seconded by Senator Ralph DLG. Torres.
**President Paul A. Manglona:** Discussion? This bill is to increase the scholarship from fifteen to thirty thousand per year for medical students in the CNMI. Any further discussion? If none, Senate Clerk, roll call please.

The Clerk called the roll on the motion to pass **Senate Bill 17-33**.

- Senator Juan M. Ayuyu: absent
- Senator Luis P. Crisostimo: yes
- Senator Francisco Q. Cruz: yes
- Senator Jude U. Hofschneider: yes
- Senator Jude U. Hofschneider: yes
- Senator Pete P. Reyes: yes
- Senator Henry H. San Nicolas: yes
- Senator Jovita M. Tainano: absent
- Senator Ralph DLG. Torres: yes
- Senate President Paul A. Manglona: yes

**President Paul A. Manglona:** By a vote of 7-0, Senate Bill 17-33, passes the Senate on Second and Final Reading.

The Chair recognized Floor Leader Pete P. Reyes.

**Floor Leader Pete P. Reyes:** Thank you Mr. President. I now move for the passage of Senate Bill 17-31, “To name the Natibu Park amphitheater on Tinian, “the Antonio Manglona Borja Amphitheater;” and for other purposes,” so move. This is on Final Reading.

**President Paul A. Manglona:** Any discussion? Vice President Hofschneider is recognized.

**Vice President Jude U. Hofschneider:** Mr. President, I will yield to Senator San Nicolas.

The Chair recognizes Senator Henry H. San Nicolas.

**Senator Henry H. San Nicolas:** I would just like to request from the author Mr. President, if we can co-author such legislation.

**Vice President Jude U. Hofschneider:** No objection. Thank you Mr. President.

**President Paul A. Manglona:** Senate Clerk, please reflect such matter.

The Chair recognizes Vice President Jude U. Hofschneider.

**Vice President Jude U. Hofschneider:** Mr. President, I want to make a floor amendment. I want to ask our good Legal Counsel to assist us on this. Just to include on the findings and purpose that the late Antonio M. Borja is the Vice Chair for the agency that he was representing the Second Senatorial District and also not only the Commonwealth Development Authority (CDA) but also the Northern Mariana Housing Corporation. As we all know the facility that we
are honoring for his named as yet to be utilized. The late Antonio M. Borja is very instrumental since the beginning of not only this particular project but on several other areas where he was able to assist the local government on the island to develop and I know from just conversating with him over the years that he was very passionate about having this amphitheater. The only unfortunate part is he is not around anymore to witness the actual usage but I know somewhere out there he shaking his head in agreement with this legislation. Thank you.

President Paul A. Manglona: Thank you Senator Hofschneider. Any other member? If not Senate Clerk, roll call please.

The Clerk called the roll on the motion to pass Senate Bill 17-31, as amended.

Senator Juan M. Ayuyu absent
Senator Luis P. Crisostimo yes
Senator Francisco Q. Cruz yes
Senator Jude U. Hofschneider yes
Senator Pete P. Reyes yes
Senator Henry H. San Nicolas yes
Senator Jovita M. Taimanao absent
Senator Ralph DLG. Torres yes
Senate President Paul A. Manglona yes

President Paul A. Manglona: By a vote of 7-0, Senate Bill 17-31, as amended, passes the Senate on Second and Final Reading.

The Chair recognizes Floor Leader Pete P. Reyes.

Floor Leader Pete P. Reyes: Mr. President, I move for the passage on House Bill 17-38 on Final Reading.

Seconded by Vice President Jude U. Hofschneider.

President Paul A. Manglona: Discussion on House Bill 17-38, to amend 2 CMC Title 2, Division 1, Chapter 3, §1301 et seq. ‘The Nuclear and Chemical Free Zone Act of 1983’, any discussion?

The Chair recognizes Vice President Jude U. Hofschneider.

Vice President Jude U. Hofschneider: Thank you Mr. President. This bill particularly amends to omit the power plants and reactors. It is very explicit for limited use on certain rectors for power plants. In your package it is pretty thick because there are some attachments there that kind of give a brief history as to what is happening right now. Back in the Fifteenth Legislature, I sponsored this bill as well and unfortunately it didn’t make it out the Senate because at the time it was in its infancy. I think it is more important now that we really think about this. It is not the conventional nuclear power plants that we see around over the years. This is a battery that upon
the approval from the nuclear regulatory commission it will be considered for market. It was also believed that this is the solution to the cost of the electricity now days which is running at twenty four, on a sustained amount if not more than that. And this bill can significantly drop it down as low as seven cents per kilowatt hour for the cost of the customer. Again, this bill will essentially omit that and of course we are going to the CNMI or anywhere else in the U.S. jurisdiction would go through the motion of approving this thing before we even install it. I ask for the support of this bill. Thank you.

President Paul A. Manglona: Thank you Senator Hofschneider. Floor Leader is recognized.

Floor Leader Pete P. Reyes: Mr. President, in addition to dropping down the cost of kilowatt hours, this type of battery last for a period of ten years. The important thing to consider here is that for the period of ten years, we are not going to be saddled by the fuel cost because it will not have fuel cost. It runs for a period of ten years without the need for fuel to run it. This is a bill that I supported during the last legislature. A bill that was introduced by the Vice President and I still support it. I also encourage the members to please support it. This is a good bill and it responds to the current economic situation of our people. We need to find a way to reduce the cost of power and still have a reliable source of power. Thank you.

President Paul A. Manglona: Thank you Floor Leader. I just want to point out that there is an attached Committee Report from the House of Representative. I understand that it did not mentioned that this was publicly heard and I remember attending a public hearing on Rota by the House of Representatives on this very legislation. I just want the record to reflect that there was a public hearing conducted on House Bill 17-38, any further discussion?

The Chair recognizes Senator Luis P. Crisostimo.

Senator Luis P. Crisostimo: Thank you Mr. President and members. I know that nuclear energy is the most efficient form of energy. My take on this is that I just want to make sure that when they bring in the nuclear battery that they would have a place that when we replace it that it doesn’t go down to one of our islands or the marine life in the oceans. The reason why a lot of us are opposing nuclear energy is because of the safety and the sensitivity and it is a high scale of risk in terms of toxic waste. I just want to make sure that we have a contractor or nuclear IPP producer coming into the Commonwealth that would be responsible in making sure that if there is a problem with the system that we are assured that they will take care of the problem. If we look back in the Commonwealth the Department of Defense left a lot of war explosives and what not in our lagoon. We do not have a big island in Saipan, Tinian or Rota. I hope that the IPP, the Individual Power Producer or CUC protect this and will be more cautious and put more time in evaluating and assuring the people of the Commonwealth the ultimate safety and that is probably more my think on this piece of legislation. I like that if they bring in the battery that they will have a place after ten years to take it out of the Commonwealth and not store it in any of our islands. Thank you.

President Paul A. Manglona: Thank you Senator Crisostimo. Any other member? If none, Senate Clerk, roll call please.
The Clerk called the roll on the motion to pass **House Bill 17-38**.

- Senator Juan M. Ayuyu: absent
- Senator Luis P. Crisostimo: yes, with reservations
- Senator Francisco Q. Cruz: yes
- Senator Jude U. Hofschneider: yes
- Senator Pete P. Reyes: yes
- Senator Henry H. San Nicolas: yes
- Senator Jovita M. Taimanao: absent
- Senator Ralph DLG. Torres: yes
- Senate President Paul A. Manglona: yes

**President Paul A. Manglona:** By a vote of 7-0, the Senate passes House Bill 17-38, amending The Nuclear and Chemical Free Zone Act.

The Chair recognizes the Floor Leader.

**Floor Leader Pete P. Reyes:** Thank you Mr. President. Now Mr. President, I move for the passage on Final Reading House Bill 17-78, SD1.

Several members voiced, “Second”.

**President Paul A. Manglona:** It has been moved and seconded to pass House Bill 17-78, SD1. Discussion?

The Chair recognizes Floor Leader Pete P. Reyes.

**Floor Leader Pete P. Reyes:** Mr. President, let me just correct that, it is House Bill 17-78, HD1, SD1.

**President Paul A. Manglona:** I believe your copies should reflect such, so we are discussing House Bill 17-78, HD1, SD1.

The Chair recognizes Floor Leader Pete P. Reyes.

**Floor Leader Pete P. Reyes:** Yes, I know the copies we have is HB 17-78, SD1 but we need to correct this to reflect that there was a House amendment made, so it would be 17-78, HD1, SD1. Can I ask the members to please correct their copies?

**President Paul A. Manglona:** So does everyone have that copy that reflects House Bill 17-78, HD1, SD1? That is the legislation that we are discussing and that the motion has been made for its passage. Any further discussion?

The Chair recognizes Senator Ralph DLG. Torres.
Senator Ralph DLG. Torres: I just want to make a couple of amendments. Just on page 2, line 2, I would like to make a motion just to change the word “earmark” to “appropriate”. Just follow through with the remaining of the bill or anything that says earmark lets change it to appropriate.

President Paul A. Manglona: So that is the motion, any second?

Several members voiced, “second”.

President Paul A. Manglona: So that is the motion. Any discussion on the motion to change the word earmark to appropriate? Our rule does allow the Legal Counsel to address the issue, so before we have any discussion can I ask the legal counsel, let me recognize the Floor Leader first.

Floor Leader Pete P. Reyes: Can I ask for a very short recess?

President Paul A. Manglona: Short recess.

The Senate recessed at 12:37 p.m.

And

The Senate reconvened at 1:25 p.m.

President Paul A. Manglona: Thank you for your understanding of our long recess break. We are back to our plenary session. We are still discussing HB 17-78, HD1, SD1. I understand that Senator Torres still has the floor.

The Chair recognizes Senator Torres.

Senator Ralph DLG. Torres: Thank you Mr. President. I guess back again to the original amendment, just for clarification is to include next the word “earmark” where every word comes in “and to appropriate”. For example page 2, line 2, at the end amend Public Law 16-7, to earmark and appropriate future MPLT general funds distribution in the amount of four million and so forth.

Several members voiced, “Second”.

President Paul A. Manglona: It has been moved and seconded. Any discussion?

The Chair recognizes the Floor Leader.

Floor Leader Pete P. Reyes: Also, just to allow the Senate Legal Counsel to make the appropriate change to correspond to that amendment.
President Paul A. Manglona: And to also to allow the legal counsel to make the technical amendment as far as underlining and reflecting the necessary amendments that we hereby making as well as the whole legislation itself. So no further discussion. Those in favor say ‘aye”.

Several members voiced, “aye”.

President Paul A. Manglona: All opposed say, “nay”.

The motion was carried by voice vote.

President Paul A. Manglona: We are still back discussing 17-78, HD1, SD1, as amended.

The Chair recognized Senator Torres.

Senator Ralph DLG. Torres: Thank you Mr. President. I would like to make the floor amendment to increase additional One point Two Five Zero Million Dollars shall be provided to the Commonwealth Health Center for the purchase of MRI machine or sixty four slices CT scan. Two Hundred and Fifty Thousand shall go to Commonwealth Health Center (CHC) to make up for the short fall of purchasing medicine such and dialysis and chemotherapy drugs and so forth.

President Paul A. Manglona: Short recess.

The Senate recessed at 1:27 p.m.

And

The Senate reconvened at 1:28 p.m.

President Paul A. Manglona: We are back to our session. Senator Torres still has the floor and he was in the process of making the necessary floor amendments.

The Chair recognizes Senator Ralph DLG. Torres.

Senator Ralph DLG. Torres: Just for clarification, I would like to ask the legal counsel to put in the bill where appropriate to include this. One Million Dollars shall be for the purchase of MRI machine or sixty four slices of CT scan. Additional of Two Hundred and Fifty Thousand shall go to the Commonwealth Health Center (CHC) for the shortfall of purchasing medicines for our dialysis patients and chemotherapy, etc. That is my motion. I would just like to go further and explain why I made this amendment. For the year 2009, we have over two hundred and fifty, close to three hundred patients being sent off island for scanning issues such as for MRI, so we have patients that are being sent to Guam. Can you imagine the cost of airline of families, patients that are being sent for such procedure? If we purchase this machine it will eliminate all
of that travel and also patients. Our biggest issue that we have here is even if our doctors here are well educated and they have the experience, if we lack this kind of machine, they are not able to perform and give the proper diagnose or even the medication because of the radiology machines that we don’t have here. So by providing these machines that will give the doctors a clearer understanding of what kind of assistance that our patients needs. Now as far as the medication, to purchase medicine, again currently we are sending our patient to Guam and Hawaii to get chemotherapy treatment and medication. We don’t have our in house pharmacist. If our patients are being treated here, AETNA insurance pays for that treatment. However, if they go to Guam or Hawaii, the patients end up paying for that treatment. So again, I encourage that we make this amendment and we pass this amendment so our patients can start getting their treatment and their medications here on island. One thing also that I would like to emphasize to the members is that any time we have family members leaving off island on medical issues that the stress and the depression that you give each family member, there is no monetary value for that. So by providing such medications and machines you are providing that assurance and for love ones to be attended on island. I hope that we can all vote on this amendment. Thank you.

President Paul A. Manglona: Any further discussion? Senator Crisostimo is recognized.

Senator Luis P. Crisostimo: Thank you Mr. President. I commend Senator Torres for such a great intent and just to be on record that these funds are from the Marianas Public Land Trust for the indigent. I like that one day that if we find these funds that is specifically for indigents that one day the legislature will pay back these funds or revert back what we have taken on this intent. Again, I know that it will save the Government a lot of money. Even our patients in the Commonwealth don’t have to travel to the neighboring island of Guam, Honolulu and elsewhere to get these health services. Thank you.

President Paul A. Manglona: Thank you Senator Crisostimo. Any other member on the amendment? If not, those in favor of the amendment offered by Senator Torres please say ‘aye’

Several members voiced, “aye”.

President Paul A. Manglona: All opposed say, “nay”.

The motion was carried by voice vote.

President Paul A. Manglona: Discussion on House Bill 17-78, HD1, SD1, as amended.

Several members voiced, “ready”

President Paul A. Manglona: Ready, Senate Clerk, roll call please.

The Clerk called the roll on the motion to pass House Bill 17-78, HD1, SD1 as amended.

Senator Juan M. Ayuyu absent
Senator Luis P. Crisostimo yes

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President Paul A. Manglona: By a vote of 7-0, House Bill 17-78, HD1, SD1 as amended passes the Senate on Second and Final Reading.

The Chair recognizes the Floor Leader.

Floor Leader Pete P. Reyes: Mr. President, we do not have anymore bills to entertain today.

PETITIONS, MEMORIALS AND MISCELLANEOUS COMMUNICATIONS:


President Paul A. Manglona: Any comments from the members? If none, Miscellaneous Business?

MISCELLANEOUS BUSINESS

NONE

ANNOUNCEMENT

The Chair recognizes Vice President Jude U. Hofschneider.

Vice President Jude U. Hofschneider: Thank you Mr. President. I just want to remind everyone again that the public hearing, the first of seven is scheduled on the CNMI will start tonight at 6:00 p.m. at Koblerville Elementary School Cafeteria. I want to remind the committee members and also the other members of the Senate to join in and additionally the members of the House are also participating. So just to remind everyone it’s at six o’clock and I will continue reminding the members for every week that we conduct the public hearing. Thank you Mr. President.
President Paul A. Manglona: Can I ask the Chairman for every hearing, maybe I will just ask one of the clerk, or whoever to put out a memo for all the members of both houses. Sometimes we have many schedules and maybe every time we have a hearing, so that no body misses out on this hearing, I just kindly ask the members to be informed. Any other announcements? If none, I would just like to recognize Congressman Eli Cabrera in the back of the gallery. I know he has been working with the Senate for two days now on many legislations so I appreciate any time the house members participate on our discussions. We welcome any house members when we deliberate on any legislation. I believe we should be working together. Again, I just want to bring up to the members that we need to continue working on the budget. Again, today we passed another legislation trying to help out with our various financial situations and other crisis legislation. I think that this all points to the fact that it is critical to look at our financial situation and to continue working on the budget especially because of the new Constitutional requirement. I continue to ask our counter parts in the House to please try to send up to the Senate by the end of July a budget so the Senate also will do its part and pass the budget before the end of August. This will give us at least a thirty day period to work out our differences that we hope will not be a lot. Again, thank you for our colleagues in the House for working with us on this legislations we passed today and last week. Let me recognize Senator Crisostimo.

The Chair recognizes Senator Luis P. Crisostimo.

Senator Luis P. Crisostimo: Thank you Mr. President and members. I just want to inform the members that I will be traveling on government business this coming Friday. I am going to be off island for almost two weeks. I will be visiting Washington D.C. for some issues at the same time, I will be spending time with my family in the states. I want to commend the members, both Houses, for properly responding to this vital most urgent need that the CNMI faces for payroll operations CUC whatever that we face. I was off island when the emergency was called and I had to change my plans and come right back. I hope that this will conclude the Commonwealths urgency so that we can go on to our other business as leaders of the Commonwealth and assure that there will be no other payless paydays. A friend of mine the other day said Senator Crisostimo, I have to dogs that I have to name today. One is named payless and the other is payday. It just hurts because this person is a retiree individual and he says I just hope that we don't get the same thing at the Retirement. Senators, I want to tell you guys that we are faced with great revenue decline. Our businesses are facing some uncertainties and consumer confidence is at the all time low. We need to find sources of revenue to cushion the need of this great Commonwealth. In order for us to even compete with health care, education or I remember we were trying to do a Pacific Gateway Project and various other things that the Commonwealth can get into. It is us legislators to focus, plan and obtain the necessary funding. Today I commend our young gun Senator Torres for fighting hard for the Commonwealth Health Center (CHC). A lot of people would say that we need to go aboard to get health care and treatment but now we are faced with such uncertainty in the future. Si Yu’us Ma’a’se hao kontinua na ta fan ha komprende yan i san papa’ na guma’ i house. Hu li’e’ na guaha mas komprende and we confirm ourselves in one avenue and I hope that this continues and the relationship will be stronger. Thank you. Si Yu’us Ma’a’se.
President Paul A. Manglona: Thank you Senator Crisostimo. Let me recognize Floor Leader Reyes.

Floor Leader Pete P. Reyes: Just to remind the members of the conference committee that there is a nine o’clock meeting tomorrow, so please come. Thank you.

President Paul A. Manglona: I understand there is conference committee on the austerity legislation. Any further announcement? If none, motion for adjournment.

The Chair recognizes the Floor Leader for the motion to adjourn.

Floor Leader Pete P. Reyes: Mr. President, I move to adjourn subject to your call.

Seconded by Senator Ralph DLG. Torres.

President Paul A. Manglona: It has been moved and seconded. Any discussion? Those in favor say “aye”.

Several members voiced, “aye”.

President Paul A. Manglona: All opposed say, “nay”.

The motion was carried by voice vote.

President Paul A. Manglona: The Senate adjourns subject to the call of the Chair.

The Senate adjourned at 1:40 p.m. subject to the call of the Chair

Respectfully Submitted,

/s/Geraldine T. Cruz
Senate Journal Clerk

APPEARANCE OF SENATE LOCAL BILLS

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<thead>
<tr>
<th>LEG. NO.</th>
<th>TITLE</th>
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<tr>
<td>S.L.B. 17-02</td>
<td>To amend 10 CMC §§ 1403(c) and 1407(a) changing provisions of the Rota Cockfighting Law.</td>
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<td>3rd Appearance</td>
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<td><strong>S.L.B. 17-03</strong></td>
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<td>To allow on-sale licensee to operate and sell alcoholic beverages to customers up until 4:00 a.m. and 2:00 a.m. for off-sale licensee on Fridays, Saturdays, and holidays, inclusive.</td>
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<td>3rd Appearance</td>
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The Senate may consider, debate, and/or act upon any item contained in this Order of Business at the time and place described herein.