



House Journal

SIXTH SPECIAL SESSION, 2002

First Day

July 23, 2002

The House of Representatives of the Thirteenth Northern Marianas Commonwealth Legislature convened in its **First Day, Sixth Special Session**, on **Tuesday, July 23, 2002**, at **8:50 a.m.**, in the House Chamber, Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Heinz S. Hofschneider, Speaker of the House, presided.

A moment of silence was observed.

The clerk called the roll and thirteen members were present. Representatives Joseph P. Deleon Guerrero, Herman T. Palacios, Stanley T. Torres and William S. Torres came in late, Representative Ramon A. Tebuteb was absent.

ADOPTION OF JOURNALS

Floor Leader Attao moved for the adoption of the Journal for the 1st Day, Fifth Special Session, 2002, was seconded and carried by voice vote.

PREFILED AND INTRODUCTION OF BILLS

H. B. NO. 13-153: A Bill for an Act to amend 4 CMC § 2103 by giving the Marianas Visitors Authority the authority to regulate tour operators and tour guides; and for other purposes.

Offered by: Rep. Francisco DLG. Aldan
Referred to: Committee on Tourism

H. B. NO. 13-154: A Bill for an Act to implement the Traditional Food and Hospitality Promotion Act; and for other purposes.

Offered by: Rep. Martin B. Ada
Referred to: Committee on Health and Welfare

H. B. NO. 13-155: A Bill for an Act to amend § 6205(c) of Public Law 12-18; and for other purposes.

Offered by: Rep. Francisco DLG. Aldan
Referred to: Committee on Natural Resources and Committee on Judicial & Governmental Operations

H. B. NO. 13-156: A Bill for an Act to increase the tax on gaming device jackpots; and for other purposes.

Offered by: Rep. Stanley T. Torres

H. B. NO. 13-157: A Bill for an Act to amend 4 CMC § 1818 to add a new section that provides the Secretary of Finance with waiver authority in response to an emergency; and for other purposes.

Offered by: Rep. Heinz S. Hofschneider
Referred to: Committee on Ways and Means

H. B. NO. 13-158: A Bill for an Act to increase the user fee collected under 4 CMC § 1421 to 5% the gross value of merchandise which require the Department of Finance's certification for export from the Commonwealth.

Offered by: Rep. Heinz S. Hofschneider
Referred to: Committee on Ways and Means

Speaker Hofschneider: Clerk, for the record Representatives Stanley T. Torres, William S. Torres and Herman T. Palacios are present.

Floor Leader Attao: Mr. Speaker?

The Chair recognized Floor Leader Attao.

Floor Leader Attao: I would like to make a motion to refer user's fee increase to the Committee on Ways and Means.

Speaker Hofschneider: As normally practiced, a motion is not required for that. But, if the Floor Leader wishes to rationalize his position as to why he wants to refer it to the committee for a public hearing or other reasons ... it has to be a justified reason why you're asking the Chair to refer that.

Floor Leader Attao: Refer it to the Committee on Ways and Means for a public hearing, Mr. Speaker.

Speaker Hofschneider: If that is the consensus of the majority, without running through the procedure, let me just see a raise of hand of at least ten to refer it, or at least eight.

Rep. Babauta: Point of clarification, Mr. Speaker.

Speaker Hofschneider: State your point.

Rep. Babauta: Thank you, Mr. Speaker. I believe we could take this up on the Bill Calendar should there be a bill passed today. If the Chair wishes to acknowledge the motion of the Floor Leader, then so be it and we can take a vote right now.

Speaker Hofschneider: That is correct. So we don't complicate ourselves what is the wish because either way I'm going to have to justify it -- either you want to place on the Bill Calendar and take a vote, or you want to refer it to the committee and do a public hearing. It doesn't really matter, we still have to justify the motion. So let me see a raise of hands of maybe a minimum of eight.

Floor Leader Attao: To refer to the committee?

Speaker Hofschneider: Yes, refer to the committee. Five, seven.

Floor Leader Attao: Just refer it to the committee, Mr. Speaker, for a public hearing.

Speaker Hofschneider: I've always been an advocate of doing a public hearing or committee report or cost benefit analysis, I've always been that advocate. And I will not deprive any member, even by one, with a request wishing to do a public hearing. I will not deny that person or any member wishing to do so. So regardless of whether there's seven or one, I will not deny that opportunity. You know why? The CNMI garment industry is the most scrutinized industry in the world. It is the most studied industry in the world. For such an industry, organizations, firms and individuals have spent millions of dollars over the last decade either defending it or trying to tear it apart and we have done so equally. We spend millions of dollars defending the garment industry and we have every right to that as government and its people. So, one more public hearing will not add on or take away anything from the truth because in the end, I hope to God that all of you who will be voting on this issue will just think of one thing -- why you're here, why they voted you in to the Thirteenth Legislature. I don't care if your uncle, your auntie, your brother, your cousin, your friend ... remove those things, remove it. I would not object to a public hearing, but I'd like to raise a point to the industry. I want to make it very clear that this is not a game that you all can play anytime you want. *Ti hugandu este.* On May 20, 2002, Mr. Gonzalo Santos wrote me a letter and it is signed with the heading or the identification of the organization as the individual, as a Member Resident Manager at the SGMA Association. On May 20, they asked to postpone the June 4, 2002 meeting. That was a result of the May 6 letter. Both Mr. Gonzalo Santos and Mr. Taisacan came to see me and I wrote down what I said after they left. I've been waiting for the Association to come and see me about a dialogue or an open channel of communication or a public hearing. I've been waiting for you people, and it is the very same Association who wrote me a letter and said it is not necessary, we should postpone it. Until when? Assuming that the delegation is being controlled and the bill in the delegation is being hostaged, think again. *Ti man matto na'tata-ta guenao. Basta este siha na huegu.* And I would appreciate that if an organization calls itself an organization and they request for a meeting, a public forum, that every member appears. *Un tungu sa' hafa? Sa' gof chatpagu ya gof tatkilu na hemplo nai gi taotao-ta. Entre mas a'gang i latan ganta ni tai nina'siña nai na' sinini. Entre mas empty i latan ganta, mas a'gang. Afañelos tatdong enao na fino' manamko. Pues yanggen para ta fan risunable, ta fan matto gi pisu ya ta fan risunable pot este na asunto sa' taya ma chachanda. Lao munga este ginen i kalaguak na malisiosu siha na klasen palabra gi anai mismo tiempo ta na'e hamyo kutusiha. Ta kondukta public hearing lao na' fan listo hamyo sa guaha para bai hu sangani hamyo na siña ti entungo mismo hamyo ni emplihao. Ya munga man hinenghan. Ti ñahlalang este na disision i para ta taks i garment. Ti matto chiña man tromposun mami guine gi lehislatura, tampoku guahu ni mu intrudusi este. Ti matto guenao chiña para ta fan tromposu. Lao baba matan miyu. Baba matan miyu lokkue ya en li'e ginen mamamu magi enao. Ta kondukta public hearing, lachai sumangan hafa kinemprende miyu pot este ya ta ina. Lao pot los otimos munga na para ta justify sa' pot hagu mismo ya ta nega i mit yan mit. Atan taimanu i para ma usaña i salape. Yanggen ti man konfotmi hamyo, sangan, sangan sa hafa. Sa' gi halom dies años*

hokok man mansangan pot este na industry. I Hay study, i Interior Department study, i G. A. O. study and numerous other smaller studies, I've indicated all, ya ni ta na'dilukchaka i asunto taiguegue ha'. Pues pot enao ilek-ta nichuka uno ha' gi pisu mangagao para public hearing, ta refer i bill guatu gi Ways and Means ya, Chairman Stanley Torres, debi di un ripot tatte by next week Friday, the latest. Pues kondukta i public hearing between now and next week Friday. Yanggen nisisario na un kondukta mas ki un biahe, kondukta mas ki un biahe lao na chadek sa ti para ta fan a'anangga ha'. Esta este na asunto hagas, mas ki trenta dias etyo na bill gaige gi halom i delegation, in go'ti tatte nai. Komu patgon-mu umeskuekuela gi lagu ya taguine atrasao-ña man mamadision hit ya ha nanangga i apas i apartment, pat ha nanangga i apas i espitat-ña, hamyo mismo pumuno' i patient yan i patgon miyu. Fan gai responsabilidat dididi sa' ti huegu este, nila'la' taotao este. An ma kundukta, Chairman, i public hearing make sure na un agang i publiku. Mungga na para un tren-ha' para u fantalak halom, agang interisimu publiku ya ta hungok. And the last caution is between now yan ma take action este, komu humalom hao guine na building ya mu lobby hao, debi di un fanunuli' iyom-mu lobbying license, okay. Arestao hao komu hu tungo na mu la-lobby hao guine halom ya taya lisensia-mu mu lobby. Baratu i lisensia sa' para todou u fan ma rihistra guatu gi Board of Election. Baratu i lobbying license, pues taya nu animasa, osino impedamentu na ti siña manule' hao lobbying license sa' baratu. Gaige gi as Kilili gi Board of Election, lao debi di u guaha arekglu guine halom. Yanggen man siriosu hamyo nui pine'lun miyo halom, pues parehu tatte. Debi di u guaha arekglu. Rispetu ha' ta gagagao sa' bisio-ta ni natibu, guaha na mofo'na palakpak sikosta ya malisiosu na klasen palabra ya ti ta ha'su hafa ta sanggan. Palabra mu nana'magof, palabra mu nana'puti, ya ti bale, ti bale. Un amu ha mannge' ma tattiye gi hilo' tano' yan gi linala'-ta, un amu ha'. Ya este i idat-ta nai, ti nisisario para bai hu sangani hamyo hayi enao na amu. Uno ha' bali gi linala'-ta para ta tattiye na amu. Worth dying for, worth sacrificing our lives for, there's only one loyalty that we owe ourselves. And at our age, it's not necessary for me to tell you who that person is. So with that and so that it goes on the record, I'm submitting to the Clerk this communication as part of the discussion. [See attachments]

Rep. S. Torres: Mr. Speaker?

The Chair recognized Representative Torres.

Rep. S. Torres: I think that by next Tuesday I will be able to call a public hearing because I'm waiting for a vital document regarding the garment industry in the CNMI.

Speaker Hofschneider: The Committee will make the decision when between now and next Friday. But, by next Friday I expect a report back, and we will take the issue up no longer than next Friday.

Floor Leader Attao: Ready, Mr. Speaker.

The Chair recognized Representative William S. Torres

H. B. NO. 13-159: A Bill for an Act to amend 4 CMC 9346; and for other purposes.

Offered by: Rep. William S. Torres
Referred to: Committee on Commerce

H. B. NO. 13-160: A Bill for an Act to amend 4 CMC 5611; and for other purposes.

Offered by: Rep. William S. Torres
Referred to: Committee on Commerce

Rep. S. Torres: Mr. Speaker, these two bills are a result of the Task Force Report on the Business Licensing Improvement Task Force.

PREFILED AND INTRODUCTION OF RESOLUTIONS

H. R. NO. 13-061: A House Resolution to request that the Department of Public Works promulgate rules and regulations in partnership with the Commonwealth Ports Authority for the disposal of empty shipping containers.

Offered by: Rep. Francisco DLG. Aldan
Referred to: Committee on Public Utilities, Transportation and Communications

H. R. NO. 13-062: A House Resolution to request the Department of Finance promulgate regulations in consultation with MPLA to ensure that poker establishments are not licensed for locations where prohibited by deed or law.

Offered by: Rep. Manuel A. Tenorio
Referred to: Committee on Natural Resources

MESSAGES FROM THE GOVERNOR

GOV. COMM. 13-208 – July 2, 2002 – P.L. 11-6 notification of exemption for Eucon International School of Saipan.

GOV. COMM. 13-209 – July 2, 2002 – P.L. 11-6 notification of exemption for Korean Airlines Company, Ltd.

GOV. COMM. 13-210 – July 2, 2002 – P.L. 11-6 notification of exemption for Diego M. /Antonia A. Songao, dba Kold Wind.

GOV. COMM. 13-211 – July 2, 2002 – P.L. 11-6 notification of exemption for Saipan Crewboats, Inc.

GOV. COMM. 13-212 – July 2, 2002 – P.L. 11-6 notification of exemption for V.B. Manglona Enterprises.

GOV. COMM. 13-213 – July 2, 2002 – Certification of vacant position at the Office of Aging, DCCA.

GOV. COMM. 13-214 – July 2, 2002 – Certification of vacant position at the Office of the Governor.

GOV. COMM. 13-215 – July 2, 2002 – Certification of vacant position at the Department of Public Health.

GOV. COMM. 13-216 – July 2, 2002 – Certification of vacant position at the Hawaii Liaison Office.

GOV. COMM. 13-217 – July 3, 2002 – Informing the Legislature that he signed H. B. NO. 13-138, SS1 (\$2.6M Appropriation for MVA) into **Public Law 13-16**.

GOV. COMM. 13-218 – July 8 2002 – Appointment of Mr. Edward Tenorio to the position of Special Assistant for Management and Budget.

GOV. COMM. 13-219 – July 10, 2002 – Certification of vacant position at the Department of Commerce.

GOV. COMM. 13-220 – July 10, 2002 – Certification for annual salary in excess of \$50,000 for Dr. Willi D. Gutowski.

GOV. COMM. 13-221 – July 10, 2002 – Certification for an annual salary in excess of \$50,000 for Dr. Matthew Joel King.

GOV. COMM. 13-222 – July 10, 2002 – Certification for an annual salary in excess of \$50,000 fro Dr. John Michael Yarofalir.

GOV. COMM. 13-223 – July 10, 2002 – Certification of vacant positions at the Office of the Lt. Governor.

GOV. COMM. 13-224 – July 10, 2002 – Certification of vacant positions at the Department of Commerce.

GOV. COMM. 13-225 – July 10, 2002 – Certification of vacant position at the Department of Finance.

GOV. COMM. 13-226 – July 10, 2002 – Certification of vacant position at DLNR.

GOV. COMM. 13-227 – July 10, 2002 – Certification of vacant position at DLNR.

GOV. COMM. 13-228 – July 10, 2002 – Certification of vacant positions at the Department of Public Heath.

GOV. COMM. 13-229 – July 12, 2002 – P.L. 11-6 notification of exemption for GTM Enterprises.

GOV. COMM. 13-230 – July 12, 2002 – P.L. 11-6 notification of exemption for Island Medical Center.

GOV. COMM. 13-231 – July 12, 2002 – P.L. 11-6 notification of exemption for 3's Auto Parts & Service.

GOV. COMM. 13-232 – July 12, 2002 – P.L. 11-6 notification of exemption for Marine Tech, Inc. dba S2 Club.

GOV. COMM. 13-233 – July 15, 2002 – Certification of vacant positions at the Department of Public Health.

GOV. COMM. 13-234 – July 15, 2002 – Certification of vacant positions at DPS, Tinian.

GOV. COMM. 12-235 – July 16, 2002 – Certification of vacant position at the Division of Youth Services, DCCA.

GOV. COMM. 13-236 – July 17, 2002 – Certification of vacant positions at the Department of Public Health.

GOV. COMM. 13-237 – July 17, 2002 – Certification of vacant positions at DOLI.

Speaker Hofschneider: Under GOV. COMM. 13-217 this is part of overall scheme of rejuvenating or revitalizing the economy and the user fee is a component from the very beginning. The MVA appropriation under Public Law 13-16 is another component of that endeavor by the House. Floor Leader, do we have any message that your bill on the \$40 million land compensation has been signed into law?

Floor Leader Attao: Mr. Speaker, I had a meeting with the Governor on Friday and the Governor assured me that the bill with respect to the \$40 million will be signed this morning. Before signing the bill, Mr. Speaker, he submitted to us an amendment to the bill to address the concerns of the MPLA and the Attorney General. As of this time, Mr. Speaker, the Governor has not yet signed the bill and I am unable to introduce the proposed amendment for simple reason that the bill has not yet become law. So upon signing that bill, I will introduce the proposed amendment.

Speaker Hofschneider: Can we take a short recess and check with the Administration?

Floor Leader Attao: Yes, two minutes recess, Mr. Speaker.

The Chair declared a recess at 9:18 a.m.

RECESS

The House reconvened at 9:34 a.m.

Speaker Hofschneider: We're back to our session and we're under Item 5, Messages from the Governor. With no objection, we go back to Prefiled and Introduction of Resolutions.

There being no objection, the House went back to Prefiled and Introduction of Resolutions.

PREFILED AND INTRODUCTION OF RESOLUTIONS

Speaker Hofschneider: Under Prefiled and Introduction of Resolutions, I recognized Representative Gloria Cabrera.

Rep. Cabrera: Thank you, Mr. Speaker.

H. R. NO. 13-063: A House Resolution to request that the Federal Communications Commission deny the Petition and Applications of Pacific Telecom, Inc. or to alternatively request that a hearing be held to provide the public with more information about this transaction.

Offered by: Rep. Gloria DLC. Cabrera and seven others
Referred to: Committee on Public Utilities, Transportation and Communications

Speaker Hofschneider: Any other resolution?

Rep. Deleon Guerrero: Privilege, Mr. Speaker?

Speaker Hofschneider: State your privilege.

Rep. Deleon Guerrero: Let the record reflect that I am present. Thank you.

Speaker Hofschneider: Clerk. We're back to Governor's Communications. Any other comments on Governor's Communications?

MESSAGES FROM THE GOVERNOR

Floor Leader Attao: May I have my say, Mr. Speaker?

The Chair recognized Floor Leader Attao.

Floor Leader Attao: For the record, Mr. Speaker, House Bill 13-001 is now before the Governor for signature. Up to this time, Mr. Speaker, the Governor has not yet signed the bill into law. So the proposed amendment will be tabled until such time that the Governor signs that bill into law. Thank you.

Speaker Hofschneider: Thank you. Senate Communications?

Vice Speaker Tenorio: Governor's Communications, Mr. Speaker.

The Chair recognized Vice Speaker Tenorio.

Vice Speaker Tenorio: Thank you, Mr. Speaker. Mr. Speaker, the three Governor's communications here on certifications of annual salary. I just wanted to find out, Mr. Speaker, whether or not when they advertise for the position they advertise for the \$50 thousand or they advertise for the higher salary? These are probably people that have been here already so when they initially come to work or report to work or consented to be hired, are they hired at this lower level? The reason I'm asking is perhaps we should include these people instead of the person's position and do a blanket legislation that allows the flexibility for these people to get hired on a certain level. The three of them are all doctors, so I just thought perhaps when they opened the announcement for work that these people had the salary in there and hopefully they come here with the fixed salary in mind

when they get the contract and not ... what I'm saying is I hope they don't sign for \$50,000 and later on with understanding that they should be getting \$142,000 or whatever is the final total with all the benefits.

Speaker Hofschneider: Are you talking about physicians?

Vice Speaker Tenorio: Yes.

Speaker Hofschneider: Floor Leader, you want to expound on that?

Floor Leader Attao: Yes, Mr. Speaker, under Public Law 8-6, the Governor is permitted to certify salaries in excess of \$50,000. The excess amount, Mr. Speaker, for the doctors are included in the budget. This is just a requirement under that law for the Governor to certify salaries in excess of \$50,000.

Vice Speaker Tenorio: I understand that, Mr. Speaker. My question is when they opened the position, let's say for physicians, do they advertise that \$50,000 or do they leave it open?

Floor Leader Attao: The answer to that, Mr. Speaker, is no, the amount that's advertised is the amount that is budgeted.

Vice Speaker Tenorio: That's what the Governor is requesting here?

Floor Leader Attao: Yes, but the law requires the Governor to certify salaries in excess of \$50,000.

Vice Speaker Tenorio: Yes, I understand that.

Floor Leader Attao: So the announcement is in excess of \$50,000.

Vice Speaker Tenorio: In excess of \$50,000?

Floor Leader Attao: Yes.

Vice Speaker Tenorio: Thank you.

Floor Leader Attao: And that is also part of the budget.

Speaker Hofschneider: Any other comments? Representative Torres.

Rep. W. Torres: On GOV. COMM. 13-224, I would like to make the House aware that the position of an economist will be announced soon. Unfortunately, the salary of this position is such that it couldn't attract the type of individual that is highly qualified, so I would like to perhaps forewarn the House that an exemption request for above the cap maybe forthcoming. Thank you.

The Chair recognized the Floor Leader.

Floor Leader Attao: To answer the concern of Representative Torres, there is an amendment up at the Senate that will address that particular concern, and that is amending Public Law 8-6 to include other professionals.

Speaker Hofschneider: In addition to that, I'm merely making a comment not debating on the issue. I think it's high time that we work together with the Administration particularly the Civil Service Commission and the Office of the Personnel Management. We have to really reassess the salary schedules of employees of the government that's highly skilled. When compared to just about every private sector, the government is highly skilled in its schedule and inconsistent in most areas. We need to revisit that and perhaps, through mutual understanding, get together or create a commission or a task force by law and to report back on a certain period of time and revisit the Compensation Act of the government. A case in point, some of the office secretaries are making more than deputies and supervisors for instance. On the other hand, for police officers, the pay scale has to reflect current times. There are numerous other departments and agencies that are quite inconsistent in terms of what the occupation is or the skill required, number of years of education and experience. The word "commensurate" doesn't have any force and effect anymore on consideration of the individual when applied to the position. So I think it's high time we compose between the Administration and the Legislature, the Civil Service and OPM to come together and reassess, reevaluate the entire structure of the compensation scale and maybe also perform a desk audit on the entire CNMI and see where we are. Are there duplications of functions? I think everyone here can honestly say that they are some duplications in our government. And are they necessary? Is the load at the Department of Labor & Immigration equivalent to the two hundred and some dollars that every employer pays in, and should we continue forcing two hundred dollars per non-resident on an annual basis? It seems like it is a penalty for some of the good employers and employees to be annually renewed at two hundred dollars. So we need to take a look on how we assess for a fee, for instance, on non-resident and is it equivalent to processing one application and enforcing the laws under labor and immigration. Is it a justified fee when we do a fee, and is it adequate in funding for the department itself? The two hundred dollars under P.L. 5-32, as amended, is distributed to the college for vocational programs, retirement, and so on. I think that we need to reassess the Compensation Act of the entire Commonwealth and do a desk audit of the entire Commonwealth government and see where we are rather than to do piecemeal amendments to P.L. 8-6 or whatever the compensations and amendments thereafter. And if it falls that we need to eliminate some of the duplications, so be it. I think the taxpayers are worried on what we're doing with their taxes so we need to reassess ourselves. Representative Torres?

Rep. W. Torres: Mr. Speaker, P.L. 7-31 or P.L. 8-6 included a provision that mandated the Office of the Personnel Management to do just that. I wonder if their report was ever completed because that was a prerequisite for implementation of the salary classification of the P.L. 7-31.

Floor Leader Attao: That is correct, Mr. Speaker, but P.L. 7-31 addressed only the civil service employees. They did the audit for all civil service employees.

Rep. W. Torres: So there is a report?

Floor Leader Attao: Yes.

Speaker Hofschneider: All civil service employees?

Floor Leader Attao: All civil service employees.

Speaker Hofschneider: But that does not include necessarily the excepted service?

Floor Leader Attao: Only civil service employees not including the excepted service employees.

Speaker Hofschneider: I think we need to begin a dialogue with the Administration, OPM and CSC so we have a comprehensive review of the pay scale. Because, honestly, I don't want to be facetious about the issue but instead of raising the user fee, we should be increasing the rebates and refunds of people. It takes seventy five thousand dollars an hour for this government of the Commonwealth to operate. And at that seventy five thousand dollars an hour, we barely meet our obligations from Retirement Fund -- a fifty-nine million dollar deficit, medical referral, scholarship, PSS, Public Safety, maybe we don't have to raise the user fee. So the trade off is we assess the government and it's going to take time. A lot of people will go hungry before we do that. So it's incumbent of this government, incumbent of all of us to put aside this issue and work towards a comprehensive study and proposal so that we have an equitable distribution of compensation. If you look at the Northern Marianas College's pay scale and you look at other agencies in the government, it's a huge disparity. So what we need to do is assess it and look at what we're doing with people's taxes.

SENATE COMMUNICATIONS

The Chair recognized the Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. I move for the acceptance of SEN. COMM. 13-056 through SEN. COMM. 13-061.

Seconded by Rep. Babauta.

SEN. COMM. 13-56: Return of H. J. R. NO. 13-013 (Reprogramming Authority) which was adopted by the Senate on July 3, 2002. [For information]

SEN. COMM. 13-57: Return of H. B. NO. 13-111 (Rota & Tinian Dialysis Centers \$2,000,000 Appropriation) which the Senate passed on July 3, 2002 without amendment. [Before the Governor]

SEN. COMM. 13-58: Transmittal of S. J. R. NO. 13-3, entitled, "A Senate Joint Resolution requesting the United States Department of Defense to leaseback to the Commonwealth of the Northern Mariana Islands, Arable lands on Tinian; and for other purposes," which the Senate adopted on July 3, 2002. [For action]

SEN. COMM. 13-59: Transmittal of S. J. R. NO. 13-5, entitled, "A Senate Joint Resolution to establish per diem travel allowance for travel to regularly traveled regions and to set the class of travel for air travel," which the Senate adopted on July 3, 2002. [For action]

SEN. COMM. 13-60: Transmittal of S. B. NO. 13-48 entitled, "A Bill for an Act to require that all Public School System students attain a basic level of proficiency in the Chamorro or Carolinian language prior to receiving a high school diploma to preserve and promulgate the

language, history, and culture of the CNMI,” which was passed by the Senate on July 3, 2002. [For action]

SEN. COMM. 13-61: Transmittal of S. B. NO. 13-78, entitled, “A Bill for an Act to amend 9 CMC § 5703 regarding motorcycle safety helmets and for other purposes,” which the Senate passed on July 3, 2002. [For action]

Speaker Hofschneider: The motion to accept SEN. COMM. 13-056 through SEN. COMM. 13-061 has been seconded. Discussion on the motion?

Rep. Babauta voiced, “ready.”

The motion was seconded and carried by voice vote.

Speaker Hofschneider: Motion carried.

HOUSE COMMUNICATIONS

HSE. COMM. 13-11: Rep. Pete Castro’s trip report for the period of May 22-24, 2002.

HSE. COMM. 13-12: Rep. Frank Aldan’s trip report for the period of February 27, to March 4, 2002.

HSE. COMM. 13-13: Rep. Arnold Palacios’ trip report for the period of June 10-15, 2002.

The Chair recognized Representative Herman Palacios.

Rep. H. Palacios: Thank you, Mr. Speaker. *Guaha nai guine ma susesede gi halom i House ya siguru yo’ na man-gachong-ta ha’. Guaha ta’lo ma quote na man mafahan etyo siha i para fan sinupotta etyo i user’s fee na bill. Ya ti gof bunito este, ya guahu uno nai, Mr. Speaker, nichuka’ u ma chalapon i salape guine gi me’na-hu ti bai chule’ yanggen pot enao na banda ni para bai hu mafahan. Disision hu yo’ ni tumotogue, ya u gof adahi gue’ etyo i sumasangan na man mafafahan hami sa yanggen man bota yo’ guine, I have the right to vote the way I feel like voting. Basta hit naya nui este man asangani na guaha man mafahan. Ya bai hu na klaru na ti hagu, sa’ an hagu, un fana’ hami ya etyo na un sangan enao. Lao este gue’ nai ta’lo na sinangan i man mafafahan hami ya etyo na para bai en bota. Hayi man mafafahan? Preba magi na man manrasisibi ham salape ni man mafahan. Basta hit naya ni este na churan kuentos sa humuhuyong gi publiko.*

Speaker Hofschneider: Members, let’s be careful on our conjectures. Let’s be very careful because even if the person is wholly with good intention not to support or to support, accusing one another inside, let’s not tolerate that. I think that at our age we don’t have to be told what to do. More importantly *para ta akusa un taotao na mafahan pat hafa, esta lai idat-ta. Yanggen guaha ni enao siha, na para, na para gi halom hita mismo. Patikulatmente, yanggen para un sangan gi sanhiyong nai na’ siguro na fakto. Na’ siguro na fakto sa’ dinanche si Represenative Palacios. Ti guiya mismo sa’ esta idat-ña parake gue’ nichuka u ma sangan, lao guaha famagu’on-ña, guaha familiar-ña. Mungga na hita guine gi disi ocho para ta fan na’tekon. Ta fan arispeta gi botun kada indibiyuat sa katda uno giya hita guaha disision-ña para u fatinas. Siña ti yata, siña ha ti ta lañgat disision kada uno guine, but that’s life, that’s life. Katda uno u katga kilu’os-ña, lao mungga na*

para ta fan mama' si Pilatus ni ha bendi si Jesu Kristo, mungga ni enao. O si Judas, munga hit ni enao, afañetlos sa man parehu-hit ha' todú. Representative Castro?

Rep. Castro: Good morning, Mr. Speaker, *si Yu'us Ma'ase. I tumaiguetu guine gi May 22-24, is primarily attending the committee hearing on the island of Tinian and Rota under the Committee on JGO. Mr. Speaker, parehu sinentin mami yan si Congressman Palacios. Ilek-hu na man gai rispansibilidadat hit, sa i mas takfe'na gi sensia katda uno giya hita i para ta na' guaha respetu entalo' i uno yan i otro. Guahu petsonatmente hu sakrafisia yo' atman tiempo guine gi man maloffan pot para bai hu potsible matachong guine na chamber. Ya ni uno na komensiante matto man ayuda nu guahu pot para u ayuda yo' mo'na guine na karera. Este na asunto i ta diskukute pot user fee mampos sensitibu para i pumalu. Guahu hu na' annok ya hu manifesta na hu kokontra pot rason na guaha prinsipat-hu lökkue', guaha obligasion-hu para bai hu ayuda etyo siha na prohimu ni mu nisisita ayudu hu pattikulatmente i halom Election Precinct I. Maila ya ta na' guaha respetu sa buente yanggen para ta kula kabalis hayi bumemende gue' siña tita fan makpo' tududia. Tatnai hu mirese ya buente ti bai hu mirese ha' sa tumotogue' yo' gi prinsipat. Ya munga ma sangan naihon i un taotao na man mafahan pat ma na'fan boka sa enague' mas hu chagugu'e lökkue'. Maila ya ta na' guaha atension yan respetu gi entalo' katda uno giya hita. I haven't read the newspaper today but I was quoted in the newspaper that I am supporting the user fee. I stand on my previous decision. If the government or the garment factory is to be closed, give me reasons and enough information that will convince me that the replacement of these individuals particularly in the Election Precinct I that jobs will be readily available once the garment factory is closed and I will support the bill hundred percent. Mr. Speaker and fellow colleagues, let us give respect to one another. Let us not go out and tell the public that they have hosted us lunch or given us something of value to change our decision in voting for the user fee. Give me enough reference and assurance that the opportunities for these individuals who are presently working in the garment factories in the Election Precinct I and I will vote for and support any economic bill, any revenue generation bill that will help the economy, the government of Saipan, the Commonwealth. Mr. Speaker, I think we have to discipline the media in reporting issues to the public. Thank you.*

The Chair recognized the Vice Speaker.

Vice Speaker Tenorio: *Si Yu'us Ma'ase, Mr. Speaker. Yahu ha' tomotche dididi si Congressman Castro iyon-na statement. Mr. Speaker, mangukuentos hit guine pot respetu ya ta adadahi hafa ta sangan sa dikiki este na guma'. Kuantu, disi ocho hit ha guine lao bula birak gi halom este na guma na gigon hafa i taotao disision-ña esta nu man mafafahan. Yanggen un review pago na session diste tutuhon, guaha lökkue enao siha man huyong na palabra. Ya parafa ta puni, Mr. Speaker, etyo i local bill ni un sasangan, ti siguru yo kao etyo na bill pat este lao mamatkilo ha' yo' sa ti klaru yo' esta ki un mensiona na guaha mu hostage. Atman etyo gi delegation ya esta, Mr. Speaker, gimagahit hu pripara todo esta anai para ta fan meeting guine gi alacha lao humoyong ti guahu kumondukta i meeting na hagu. Lao i meeting pot etyo ha' na rason, lao un tungu ha este parafa na ta na dangkulu nai. Lao taya potfin hayi manunule' ebidensia nai. Kao guaha guine gi iyot-ta members ni man spapai. Este gue' na gof tiyahu este spy na cho'chu, Mr. Speaker, sa fondumento este gi hinenggen Amerikanu este i iyomu privacy. Ya etyo gue' na un tiempo gimagahit este i spy man mapupunu' ha mo'na. Taya iyon-niha recourse. Lao ti enao i problema, Mr. Speaker. An tafan arispeta, tafan arispeta. Debi, Mr. Speaker, i ofisina-mu na hu agang halom i media sa guaha este lökkue na media man gof bias, un banda ha machocho'gue. Guaha ni ma agang hao para un ma interview, kuartu oras na interview. Anai humuyong, one sentence ha', ni taya period, Mr. Speaker. Este siha na klase osino este gue siha ma a'alok trying to convince i publiko nai, Mr.*

Speaker, propaganda. Let's play clean because I think, Mr. Speaker, as good the congressmen from Precinct I, both Congressman Palacios and Congressman Castro we are all elected to this position to the Legislature. Precinct I holds the largest number of population in terms of voting population and people that are staying there. We listen to them because they put us here to represent them. The people that are out there, Mr. Speaker, the other day came here to show their disagreement or discontentment on the bill that was introduced in the Saipan Delegation. And we had a couple of meetings on this, Mr. Speaker, and all we ask you was to accord the people the opportunity to be listened to in a forum, we should have a public hearing. And these are the people that will be affected. There are other people out there who understand the pros and cons of the garment industry. There are so many things that are not nice about the garment. There are only so many things that we can't live at this time without them because it provides food to the table, it shortens the food line at the food stamp. And it makes people work. Most probably the least educated person, the non-graduate, no education at all go there and ease out a living. I felt for these people because I'd rather go and take a broom and sweep the floor, Mr. Speaker, than to stay on line at the food stamp because it's free. These are the type of people that we have working at the garment. Maybe a lot of us will say, well maybe only ten out of hundred are Chamorros or Carolinians. That's beside the point. The point is there are people that are working for a living and they have to eat like everybody else. They have to put on ties and these people never even bother I don't know if they have a tie all their life, but they are people and they are working people. They're not sitting idle waiting for the food stamp. So these are people that want to hear, and also you have the big guys that make a lot of money. If you follow the history because I've been in the Legislature before, I hardly have the chance even one time to support the garment industry. I support labor, I support the economy, I'm pro economic development but not necessarily pro garment. And I have a bill out already which ask for an increase in the benefits of our workers and they came out strong against me. Why should I, for instance, stand on my feet and say wait that's a different issue altogether. This is an issue that involves ... and we will debate this perhaps, Mr. Speaker. I don't want to make a long story about this but to make a long story short, Mr. Speaker, I think we should call in the media. This is a free country, you have the right to say what you want to say but still if it involves character assassination ... because like you said, Mr. Speaker, maybe we're too old for that. But we have kids out there, and friends and relatives and every now and then they bounce in here and ask what's going on. Why is this thing going this way or that way? It's not nice but all our intentions are the same. It does not necessarily mean that your intention is better because you're for the 1.3 percent and 5 percent might take over because of the benefits. I think that's for everybody's decision to make. You know it's ridiculous every time you turn the paper something else happens but that's nature, that's the way of life. Maybe people get affected because they have the facts right in front of them. I don't know, but I hope this public hearing, Mr. Speaker, on this issue would give all the facts both pros and cons, and for us to make the decision because this is not an easy job. I wish the media will make our job easier and not take sides on this. If you can read, you have to read between the lines and those writers are good you know they can really put icing on a piece of s---. You know what I mean? But you can be convincing, very convincing on how you write it but you don't have to make other people look bad, Mr. Speaker, to accomplish that. That's all I ask -- for everybody's cooperation. We hope, Mr. Speaker, that the one week that you're asking us or asking the people to review the user's fee bill is sufficient or ample time for the proponent or whatever of the garment textile industry to come and say their peace. That's for us to decide, Mr. Speaker. I am not a member of this committee so it's out of my area but I would like to ask the Chairman of the Ways and Means to be able to participate during the deliberation. Thank you.

The Chair recognized Representative Stanley Torres.

Rep. S. Torres: Mr. Speaker, I'm bringing up something from yesterday's front page of the Marianas Variety ... the garment industry blamed for ground water contamination. Mr. Speaker and colleagues, in that article various contamination were found such as nitrate, asbestos, arsenic, nickel and other chemicals called VOC and SOC were reported since 1996 and reported to the Executive Branch for action. Somehow as a result of these findings and violations issued to the Tan Holdings Corporation dated February 16, 2000, it got Mr. Ignacio better known as Ike Cabrera, the former Director of DEQ fired. Let me refresh your memories. You are all aware of the food poisoning of the eleven hundred garment workers of Tan Holdings in 1999. Actually it was not from the food but it came from toxin found in their water. Mr. Cabrera cited Tan Holdings Corporation with twenty-three findings of violations and was only doing his duty as a public servant but somehow got him into hot water with the higher-ups and resulted with his removal. That's the hold up of yesterday's front page, thank you.

The Chair recognized Representative Palacios.

Rep. H. Palacios: *Mr. Speaker, yahu na bai fino' Chamorro ya bai danche hafa para bai sangan sa' an fumino' English yo' guaha nai ti hu gof danche dibladan ila'u. I medical referral, Mr. Speaker, ta lili'e ha na mas tiempo mas meggai taotao-ta man mamatai. Sa man ma a'ñao i mediku man man refer taotao to a better facility and probably better doctors. I will not criticize any doctor by saying they are not doing the best they can. They are doing the best they can but their best is not good enough. Kumu hayi na taotao un kuentusi pot este siha na problema, Mr. Speaker, ilekniha, ai adai hamyo nai ni kongresu. Ya malagu yo', Mr. Speaker, na bai faisin hao yan iyotta Chairman gi Health ya pot fabot tutuhon umatan sa' tatnaisisida. Guahu chelu-hu uno, sigi ha di ti ha taka hinagongña este ki ma'pos. Ya kumu Guam etyo siempre ma tokcha kalaguakña para u malakngos i hanom taiguihe ma bida-hu anai kumematai yo'. Tinahung, Mr. Speaker, i care guine, tinahung fasilidat. Ti siña bai blame i mediku sa I want to repeat, they're doing the best they can but they're best is not good enough. Taya, tinahung fasilidat pues yanggen siña nai hita guine ni man mamatitinas lai yan arekglu ta atan fan ya ta busbusi sa' mas pago na tiempo ma ribaha ta'lo papa i medical referral. Kuntodu i kuantu Hawaii man ma ribaha papa. Etyo i man ma gogo'ut ni twenty pago fifteen ha' sa esta either mana' fan hanao guatu Guam pat man matai ha guine papa gi health center. Pues hu gagagao nu ayudon miyu yan koparasion miyu ya ta atan fan este. I iyotta Chairman si Congressman Seman pot fabot atan este ya ta tutuhon mu push este sa yanggen chelumu nai matai, pat nana-mu, pat somebody that's close to you gof na piniti ya ni kuantu na lagu' ta chuda ti ta na lala' tatte. Si Yu'us Ma'ase, Mr. Speaker.*

Speaker Hofschneider: For the members and it goes to the media, I'm pretty sure that before you quote you must have talked to a source. I don't think that the media is an ounce wreckless in the sense that they would talk to someone and that will become a source and they write the stories based on a source. A good example is that I think it was Friday last week. Somehow they linked my objection and the division in the House on the user fee and my removal from the Speaker's chair. And it tickles my duodenum. You know the duodenum part in your stomach is where the acid really rest when you get an ulcer. So it tickles my duodenum, and that's why that meeting was called on Friday, because the media will not be as wreckless as to insinuate or connect the division in the House or the user fee and connect it to my removal, or possible removal of myself from the Speaker's chair. Friends, there's two ways to look at the Chair. You look at the person sitting on the chair, and you look at the chair. The chair of the Speaker has to be respected. The person, you don't have to like him, they'll always be replaced but the chair has to be respected. When we were going

through the caucus in the December, everything that we're doing today, and arguing today, I warned you all. I looked back on my notes of December when we were discussing the composition on who's going to be Speaker, and who's going to be Vice Speaker and who's going to be Floor Leader and Chairmen. And I recall that number one on the list that I warned everyone was we're going to have tighten our belts, because we're in for a rough ride. Two, is that it is incumbent of us in the Thirteenth Legislature to look for revenue generations and jump-start the economy. How we accomplish that brings us today on the division of our contentions on whether the user fee is a legitimate jump-start mechanism. There are other remedies and equally as hard to swallow or to impose but the user fee is one that is before us. To become a speaker, anybody can become a speaker. Let me tell you that. It's the desire of the group. Where is that desire coming from? Trust, loyalty and respect. We can differ in opinions, we can differ on what we believe, we can differ just as well as who we want to marry but, we cannot differ on trust, we cannot differ on loyalty to the chair not the person to the chair. Why is this important? The minute I put myself more important than any of you, more important than the people out there I don't deserve to become a speaker. So what I'm saying is after that Friday's article the leadership is being questioned, the Speaker is being questioned in loyalty, in trust and integrity. So I instructed the legal counsel to draft the resignation. I knew that in the House Rule and the Constitution everyone on the floor has to accept the resignation from the Speakership. I knew that was coming. I knew that all of you will reject it, because a typical behavior is you have to defend it. Even if it's not true, even if it's true. There was an inkling of removal, even if it wasn't true. I knew you were going to reject it. So the point is in life as you become an adult and you become mature and you become well rounded on what is necessary, what is important in our life. If you raise your hand, you have five fingers but there are only a handful of things that you cannot fit in five fingers that are important -- worth dying for, worth sacrificing yourself and your family, worth throwing everything that you've done -- because it's for the good of the people. We all have to make a decision. And if I, the Speaker, fail you and the people I don't deserve to continue sitting here, I don't deserve it. Because number one, you questioned my loyalty, you questioned my leadership, you questioned my integrity. Why am I still sitting here? You don't deserve me and I don't deserve you. It comes down to that. This issue is very important to me and I don't think anyone can really question that. Being an elected individual is not that important. I don't value that above why I'm committed to doing it, why I need to care and provide for people out there. Can anyone find out what happen to the four hundred graduates this year? Can anyone find out how many went to college, how many found sufficient financial assistance to go to college, how many remained? And we're going to sit status quo? *Guiya nai etyo ma fanana'an batko sin timon, sigi man kililok hit.* As difficult as it is, the Administration has not put forth a sound economic package. And what we're trying to do is help the Administration, it is incumbent of us to help and work together. So when the Administration and the Senate agreed in principle to support the user fee and the Governor delivered the message that he will sign it into law, that's when we begin to do something for the people. We're not stupid, I am not stupid as a lot of people have been going around the community and saying that. I've minimized the risk, I've calculated it. You may not agree with my calculation but d--- if I'm going to sit still and let the boat sink. So forewarning, if any of you is contemplating a threat like that, don't think it, don't think it. You want the seat, say so ... I'll give it to you guys. You want me out of here ... you working in the garment ... you want me out of the Legislature ... I'll give it to you, I'll give it to you. Before I go down in defeat you have my resignation and that's a promise and everyone has to live with their conscience. This issue *kimadu, kimadu este na issue. Un tungo hafa kimadu? Dokgnos.* And the longer we burn it, it becomes toxic to all of us. So my advice to you all ... respect one another, respect one another we all have to make decisions. Sooner or later *un tungo este i politika no, este na guma, recycle este.* This is the best environmental system. It is the best recycling program.

When a member is becoming deteriorated, decomposing, it is recycled to something else. *Yanggen kangrena, ma recycle. Guaha na biahi ni man lachi, ya nichuka maumauleg bidaña, ma recycle ha. Ma laknos huyong sa' namaiki, ti ha tungo hafa bidadaña, mudoru. Este hulo' tano' taya mafananagu malati yan mudoru, man parehu ha todo. Lao gi anai un tutuhon ti mu rispeta, un usa enao na palabra i mudoru yan malati. Lao atan hao ha gi espehos an oga'an ya un faisen hao kao malati hao.* Am I smart? Look at yourself in the mirror in the morning, especially when you just got up. Don't brush your teeth, don't wash your face, look at yourself in the mirror and say am I smart, or am I dumb? Because that's reality. That's reality, if you don't respect one another for their position and their decision then you begin to inject malicious criticisms because you need to defend yourself. Right? *Kulan etyo i otimon tano', otimon linala'-mu nai sa' este tiningo-mu para un ma empleha. Un difende hao ya baba siha na palabra, baba siha siha na intension pot taotao nai, ti ta rispeta esta i indibiyuat guine. Rispeta kada uno sa' enao ha ni siña guaha inafamaolek* and conclusion to this issue. *Siña ha' ti yata i outcome lao kada uno giya hita mamatitinas hit disision. Dinanche pat lache* it's not for us to judge, history will judge us. It's not for us to judge *kao maolek ha para ta supotta si James yan si Willy para u fan miyinario.* They're working hard, they earned their money *pues munga nai enao siha na kesang sa' lache enao. Kada kumesiante,* every person in business has to make profit. It's not a sin to make profit, it's how you apply it to your people that makes the departure, the character of the person more important. *Taya guine pot politika. Nichuka un supotta i user fee ya ti ma guaiya hao, ma bota hao huyong. Nichuka un kontra i user fee ya ti ma guaiya hao, ma bota hao huyong.* It doesn't really have an equation because the bottom line is politics is about a number game. On a political argument, if we're all concern about the three hundred votes, what about the five thousand registered voters in Precinct I that are not working in the garment? You neglect to look at that? On the other hand, if you do what is right, your conscience dictate, your heart is in the right place and you vote against the user fee, I'm not going to quarrel with that. Nobody can take it away from you. They tried to run me out one time and I know that they spent money campaigning, it didn't matter ... it didn't matter. We need to co-exist. We cannot afford the garment industry to close down. This Commonwealth cannot afford the garment industry to be out. Why? Just on the shipping, the commodities will go up if the volume of the garment is not computed into the shipping lines. The economic contribution on and on and on we cannot afford one industry, we need a degree of diversification. *Pues ta fan arispeta, ta fan mamadision, katda uno katga kilu'os-ña. No? Basta etyo siha i insinuation, basta enao siha i accusations.*

Floor Leader Attao: *Mr. Speaker, recess fan a few minutes?*

The Chair declared a recess at 10:27 a.m.

RECESS

The House reconvened at 10:40 a.m.

Speaker Hofschneider: We are back to our session and with no objection, we'll skip formalities and go down to Bill Calendar.

Floor Leader Attao: No objection.

Speaker Hofschneider: Floor Leader?

Rep. S. Torres: Mr. Speaker?

The Chair recognized Representative Stanley Torres.

Rep. S. Torres: With all indulgence of the members, I'd like to request that we go back to Item 4.

There being no objection, the House went back to Item 4.

PREFILED AND INTRODUCTION OF RESOLUTIONS

The Chair recognized Representative Stanley Torres.

H. R. NO. 13-064: A House Resolution to acknowledge and support 30 years of the federal Coastal Zone Management Act (CZMA) and 22 years of the CNMI Coastal Zone Management Program administered through the CNMI Coastal Resources Management Office (CRMO).

Offered by: Rep. Stanley T. Torres and seventeen others

Rep. S. Torres: I'd like to ask the members that this resolution be placed on today's calendar for adoption.

Speaker Hofschneider: For the information of the members it is important that we dispose of that resolution today. The Coastal Resources management Office is having their annual publication and the message has to be included in their publication before its deadline. So with no objection, we go down to Resolution Calendar.

There being no objection, the House went back to Resolution Calendar.

RESOLUTION CALENDAR

The Chair recognized the Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. I move for the suspension of Rule VII, Section 10, Rule IX, Sections 9, 10 and 11 for the adoption of...

The Chair declared a recess at 10:43 a.m.

RECESS

The House reconvened at 10:44 a.m.

Speaker Hofschneider: We're back to our session and for the benefit of the members, Representative Stanley Torres, please read the title.

Representative Stanley Torres read the resolution.

Speaker Hofschneider: Floor Leader can you rephrase your motion?

Floor Leader Attao: Thank you, Mr. Speaker. I now move for the suspension of Rule VII, Section 10, Rule IX, Sections 9, 10 and 11 for the adoption of H. R. NO. 13-064.

The motion was seconded and carried by voice vote.

The Chair recognized the Floor Leader.

Floor Leader Attao: I now move for the adoption of H. R. NO. 13-064.

The motion was seconded.

H. R. NO. 13-064: TO ACKNOWLEDGE AND SUPPORT THE 30 YEARS OF THE FEDERAL COASTAL ZONE MANAGEMENT ACT (CZMA) AND 22 YEARS OF THE CNMI COASTAL ZONE MANAGEMENT PROGRAM ADMINISTERED THROUGH THE CNMI COASTAL RESOURCES MANAGEMENT OFFICE (CRMO).

Speaker Hofschneider: Motion for the adoption of H. R. NO. 13-064 has been seconded. Discussion on the Resolution?

Several members voiced, "ready."

The Chair recognized Rep. Babauta.

Rep. Babauta: If there's no objection from the author, can I offer a motion for introduction by the Committee of the Whole? Thank you.

Rep. S. Torres: No problem.

Speaker Hofschneider: Clerk, reflect that. Ready?

The motion was seconded and carried by voice vote.

Speaker Hofschneider: H. R. NO. 13-064 is hereby adopted by the House. Without objection, we move down to Item 16, Bill Calendar. We still have a few minutes and I'd like to ask the indulgence of the floor to calendar one bill for passage today and that is on the increasing of the winnings tax from ten percent to twenty percent as proposed by the Administration. Any objection?

There was no objection.

COMMUNICATIONS FROM THE JUDICIAL BRANCH

JUD. BR. COMM. 13-8 – July 11, 2002 – From Presiding Judge Edward Manibusan, certifying to the vacant position of Deputy Clerk I, Superior Court.

COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE

WASH. REP. COMM. 13-8 – July 11, 2002 – Update regarding HR665 and HR4799 on the Federal Minimum Wage.

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

DEPT. & AGENCY COMM. 13-45: From Executive Director Carlos Salas, CPA, providing a copy of the agency's 2001 Annual Report.

DEPT. & AGENCY COMM. 13-46: From Commissioner Edward Camacho, DPS, regarding amendments to the boating safety law.

DEPT. & AGENCY COMM. 13-47: From Executive Director Thomas Camacho, DDC, commenting on H. B. NO. 13-126.

DEPT. & AGENCY COMM. 13-48: From Special Assistant Edward Tenorio, OMB, forwarding for review and consideration a Federal Grant Application for State Justice Statistics Program for Statistical Analysis Center.*

DEPT. & AGENCY COMM. 13-049: From Ms. Ross Zapanta, OPA Senior Audit Manager, informing the Speaker of the request to review the 13th Legislature's travels.

OTHER COMMUNICATIONS

MISC. COMM. 13-58: From Mr. Tony Mosley, Verizon Acting GM, to Speaker Hofschneider regarding a direct tax break in exchange for offering low cost broadband services (ADSL).

MISC. COMM. 13-59: From Ms. Frances Muña, SNIMC, transmitting certified copies of 7SMC-2RS-38 thru 7SMC-2RS-47, relative to the winners of the 23rd Agricultural Fair.*

MISC. COMM. 13-60: From Mr. Bob Springer, Far East Broadcasting Co., regarding the closure of KSAI and extending an invitation to the 13th Legislature to visit their facilities in Marpi.

MISC. COMM. 13-61: From Chairman Norman Tenorio, CTC, soliciting comments on the sale of Verizon to Pacific Telecommunications Inc.*

MISC. COMM. 13-62: From Ms. Frances Muña, SNIMC, transmitting certified copies of 7SMC-2RS-01 thru 7SMC-2RS-05 recognizing private companies providing local employment.*

MISC. COMM. 13-63: From Vice President Jay B. Jones, SCC, in opposition to H. L. B. NO. 13-025, increasing the use fee rates to 5%.

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

None

UNFINISHED BUSINESS

None

BILL CALENDAR

The Chair recognized the Floor Leader.

Floor Leader Attao: Mr. Speaker, if there's no objection from the floor, I would like to make a motion to place H. B. NO. 13-156 on today's calendar for action.

The motion was seconded and carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. I now move for the suspension of Rule VII, Section 10, Rule IX, Sections 9, 10 and 11 for the passage of H. B. NO. 13-156 on First and Final Reading.

The motion was seconded.

Speaker Hofschneider: Suspension motion for the passage on First and Final Reading of H. B. NO. 13-156 has been seconded. Discussion on the motion?

Several members voiced, "ready."

There being no discussion, the motion was carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader, move for passage.

Floor Leader Attao: Thank you. I now move for the passage of H. B. NO. 13-156 on First and Final Reading.

The motion was seconded.

H. B. NO. 13-156: A BILL FOR AN ACT TO INCREASE THE TAX ON GAMING DEVICE JACKPOTS; AND FOR OTHER PURPOSES.

Speaker Hofschneider: Motion is for the passage of H. B. NO. 13-156, this is to increase the winnings tax from ten percent to twenty percent as proposed by the Administration due to the reflected increase in the poker licensing. It has been seconded. Discussion on the Bill?

Several members voiced, "ready."

Speaker Hofschneider: Clerk, roll call.

The roll called on the motion to pass H. B. NO. 13-156 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. Francisco DLG. Aldan	yes
Rep. Jesus T. Attao	yes
Rep. Gloria DLC. Cabrera	yes
Rep. Pedro P. Castro	yes

Rep. Joseph P. Deleon Guerrero	yes
Rep. Arnold I. Palacios	yes
Rep. Herman T. Palacios	yes
Rep. Norman S. Palacios	yes
Rep. Daniel O. Quitugua	yes
Rep. Ramon A. Tebuteb	absent
Rep. Manuel A. Tenorio	yes
Rep. Andrew S. Salas	yes
Rep. Benjamin B. Seman	yes
Rep. Stanley T. Torres	yes
Rep. William S. Torres	yes
Rep. Heinz S. Hofschneider	yes

Speaker Hofschneider: By a vote of 17-0, H. B. NO. 13-156 is hereby passed by the House. Floor Leader recess.

Floor Leader Attao: Move to recess until one o'clock?

Speaker Hofschneider: Do we have communications from the Administration?

Floor Leader Attao: No, I haven't received any. Mr. Speaker, I think the Governor will be transmitting something by one o'clock. Whether to approve or to disapprove, I have no idea, we just have to wait for that particular message.

Speaker Hofschneider: So we'll recess until two o'clock and we'll wait for the message.

Floor Leader Attao: Yes, move to recess until two o'clock.

Speaker Hofschneider: Motion to recess until two o'clock. Any second?

The motion was seconded.

Speaker Hofschneider: Recess until two o'clock.

The House recessed at 10:58 a.m.

RECESS

The House reconvened at 3:00 p.m.

Speaker Hofschneider: We're back to our session and under Bill Calendar. I recognize the Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. I am very pleased to introduce H. B. NO. 13-161, entitled, A Bill for an Act to amend the Land Compensation Act of 2002; and for other purposes. Introduced by myself and all others.

Speaker Hofschneider: Let me go back to Prefiled and Introduction of Bills and allow you to introduce that because, we are at Item 16, Bill Calendar. We go back to Prefiled and Introduction of Bills.

PREFILED AND INTRODUCTION BILLS

The Chair recognized the Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker.

H. B. NO. 13-161: A Bill for an Act to amend the Land Compensation Act of 2002 (Public Law 13-17); and for other purposes.

Offered by: Rep. Jesus T. Attao and sixteen others

Speaker Hofschneider: We go back to Item 16, Bill Calendar, and I recognize the Floor Leader.

Floor Leader Attao: Mr. Speaker, can we go Item 12 to adopt the Reports of Standing Committees then we'll go down to Bill Calendar?

Speaker Hofschneider: Sorry, my mistake.

The House went back to Item 12.

REPORTS OF STANDING COMMITTEES

The Chair recognized the Floor Leader.

Speaker Hofschneider: Thank you, Mr. Speaker. I now move for the adoption of S. C. R. NO. 13-030 reference to H. B. NO. 13-021, S. C. R. NO. 13-031 reference to H. B. NO. 13-002, S. C. R. NO. 13-032 reference to H. B. NO. 13-008, S. C. R. NO. 13-033 reference to H. B. NO. 13-041, S. C. R. NO. 13-034 reference to H. B. NO. 13-044, S. C. R. NO. 13-035 reference to H. B. NO. 13-057, S. C. R. NO. 13-036 reference to H. B. NO. 13-056, S. C. R. NO. 13-037 reference to H. B. NO. 13-120, S. C. R. NO. 13 038 reference to H. B. NO. 13-108, S. C. R. NO. 13 039 reference to H. B. NO. 13-104, S. C. R. NO. 13-040 reference to H. B. NO. 13-084 and S. C. R. NO. 13-041 reference to H. B. NO. 13-083.

The motion was seconded.

S. C. R. NO. 13-030: Reporting on H. B. NO. 13-021, entitled, "To make public education a mandatory requirement on any proposed amended to the Constitution of the Commonwealth of the Northern Mariana Islands; and for other purposes." *Your Committee on JGO recommends passage of the bill as substituted.*

S. C. R. NO. 13-031: Reporting on H. B. NO. 13-002, entitled, "To provide for the issuance of certificates as certified public accountants to regulate the practice of accountancy in the public interest; to establish a Board of Accountancy and prescribe its powers and duties; and for other purposes." *Your Committee on Commerce recommends passage of the bill as amended.*

S. C. R. NO. 13-032: Reporting on H. B. NO. 13-008, entitled, “To regulate business operations during tsunami warnings; and for other purposes.” *Your Committee on Commerce recommends that the House File the bill.*

S. C. R. NO. 13-033: Reporting on H. B. NO. 13-041, entitled, “To amend § 3324 of P.L. 12-32 as amended by P.L. 12-50 and P.L. 12-80 and for other purposes.” *Your Committee on Commerce recommends that the House File the bill.*

S. C. R. NO. 13-034: Reporting on H. B. NO. 13-044, entitled, “To amend 4 CMC § 1503(c), created by section 1503(c) of Public Law 9-22; and for other purposes.” *Your Committee on Commerce recommends that the House File the bill.*

S. C. R. NO. 13-035: Reporting on H. B. NO. 13-057, entitled, “To regulate roadside vendors; and for other purposes.” *Your Committee on Commerce recommends passage of the bill as substituted.*

S. C. R. NO. 13-036: Reporting on H. B. NO. 13-056, entitled, “To require all businesses to provide receipts to clients and customers for cash transactions and retain a copy for inspection by the tax authority; to increase penalties for businesses that under-report their true gross earnings; to enhance enforcement of said penalties; and for other purposes.” *Your Committee on Commerce recommends passage of the bill as substituted.*

S. C. R. NO. 13-037: Reporting on H. B. NO. 13-120, entitled, “To establish an Office of Federal Assistance and Programs under the Office of the Governor; and for other purposes.” *Your Committee on JGO recommends passage of the bill.*

S. C. R. NO. 13-038: Reporting on H. B. NO. 13-108, entitled, “To criminalize and punish the conduct of stalking and for other purposes.” *Your Committee on JGO recommends passage of the bill as substituted.*

S. C. R. NO. 13-039: Reporting on H. B. NO. 13-104, entitled, “To amend the Immigration fraud statute.” *Your Committee on Labor and Immigration recommends passage of the bill as substituted.*

S. C. R. NO. 13-040: Reporting on H. B. NO. 13-084, entitled, “To establish and create a Marshal Service Division within the CNMI Judicial Branch; and to empower and define the authority, duties, responsibilities and functions of such Division and for other purposes. *Your Committee on JGO recommends passage of the bill.*

S. C. R. NO. 13-041: Reporting on H. B. NO. 13-083, entitled, “To repeal 4 CMC § 2103(d); amend Public Law 11-41, and for other purposes.” *Your Committee on Tourism recommends passage of the bill as amended.*

Speaker Hofschneider: Motion for the adoption of Standing Committee Reports 13-030 through 13-041 has been seconded. Discussion on any of the standing committee reports?

Several members voiced, “ready.”

Speaker Hofschneider: No discussion on the Standing Committee Reports? Amazing.

The Chair recognized the Floor Leader.

Floor Leader Attao: On S. C. R. NO. 13-032 with reference to H. B. NO. 13-008, based on the committee's findings, Mr. Speaker, the intent of the bill is good. I'm wondering why the intent of the bill is good and the committee is reporting out to the full House for the bill to be filed. Maybe the Chairman on the Committee on Commerce can enlighten us the real finding of the bill. There was no amendment to the bill and based on the report, comments from agencies raised some constitutional issues. However, Mr. Speaker, I do not see any amendment to the bill, and I'm just wondering why the bill was not amended to reflect the concerns of the agencies when they submitted their comments.

Speaker Hofschneider: Representative Salas?

Rep. Salas: Thank you, Mr. Speaker, can we take a one-minute recess so I can go get my notes on this. Thank you.

Speaker Hofschneider: Short recess.

The House recessed at 3:07 p.m.

RECESS

The House reconvened at 3:13 p.m.

The Chair recognized Representative Salas.

Rep. Salas: Mr. Speaker, thank you for allowing me time to get my notes. I remember correctly this bill after we discussed it several times in the committee. There are many, many complaints about it. The reason it took a while to get this out was because I gave the original documents to Congressman Castro. I told him what the committee had agreed upon. For example on the comments made by the Attorney General's Office, and I spoke to Congressman Castro about this too, that we needed information, especially information as to quantities of tsunamis that hit our island in the past, testimonies from workers that were affected by tsunamis, the loss of life and crops related to tsunamis, and also to address the commerce clause on equal protection grounds to take a look at data regarding plants and crops and stuff like that, and also to take a look at why only the first floor of a building is to be shut down in case of a tsunami. They were many, many instances, and the committee was kind of concern because there was a lot of information. The bill looks so simple and it looks like you can really just sit down and say, okay it's going to benefit the people in case a tsunami were to hit the island. And it's common sense to say, okay everybody go home. But really if you take a look at it, you would have to address the concerns, for example, of what are low-lying areas. I told Congressman Castro that if we were to stay with this bill in the committee we would have to rewrite the whole bill and do an investigative study as to what are low-lying areas, get testimonies from people that were affected by tsunamis, how many times have a tsunami come to the islands and the loss of property, the loss of life. Thank you, Mr. Speaker.

Speaker Hofschneider: Perhaps, I, during recess, encouraged the author to expand the legislation. Maybe it's about time that we have what we call a national safety or emergency act. The "do's and don'ts" of this community, not only the government because I think the government is very obvious in the sense that, in its privilege that upon condition two being declared, the government employees are sent home. Only those that are essential like DPS, Public Health are asked to remain at their stations, but the rest of the government employees are asked to go home and prepare for the ensuing typhoon. The problem is that the Commonwealth is lacking a national safety act in the sense that every year we expect a typhoon, but there doesn't seem to be a consistent policy governing what the safety of the general community is. We leave it up to the individual establishment to take the risk and in most cases, up to condition two during typhoons some of the stores are kept open and I've seen it before. But the inquiries are coming from employees themselves asking when do they get relieved from their work because there's no law when they ask their employers as typhoon condition II has been declared and the government employees, teachers and everyone are sent home to prepare. Yet they were kept at work. So this is a very critical issue because you don't want to subject it to the private sector. I think that there should be quasi mandatory, quasi option but I think we have to have a national policy when it comes a season of typhoon, for instance. When do we declare that is unsafe and not to tend to your personal property and livelihood? Condition two, condition one, or as soon as the Governor declares it. So we need to have a national safety act governing tsunamis, typhoons and whatnot. Bomb threats, for instance, I think it's about time that we work with the Administration to have a definition.

Rep. Castro: I don't want to rebuttle, Chairman Salas. When he came to my office, he gave me the package, I believe, when the committee recommended that the bill be filed. And I commend him for coming to me and telling me that the committee has made the decision.

Speaker Hofschneider: Any other comment on any of the committee reports? On S. C. R. NO. 13-042 this is relative to DEPT. & AGENCY COMM. 13-1. Representative Palacios?

Rep. A. Palacios: Thank you, Mr. Speaker. Mr. Speaker, this Standing Committee Report does not refer to any legislation. But if you may recall, the Speaker referred this matter of the request for legislative action from MPLA regarding the Kan Pacific Lease to the committee. Therefore, the committee looked at that matter, met on several occasions with MPLA and Kan Pacific, and in its deliberation came out with a report. This is the report, Mr. Speaker. It basically makes recommendation as to what needs to be done, what we will do with the request from MPLA for legislative approval for an extension of a certain land lease in Marpi.

Speaker Hofschneider: I recall that when we came in January this is one of those documents I found on the desk of the out going Speaker Fitial that came in the midst of the transitional period of him exiting the office and us moving in to the Thirteenth Legislature. I found it as one of those pending documents to be taken up by the incoming legislature.

Rep. A. Palacios: Mr. Speaker?

The Chair recognized Representative Palacios.

Rep. A. Palacios: If I may, Mr. Speaker, the committee report is fairly extensive in that we did look at the background, the history of this lease and we looked at the request of MPLA. It is our recommendation that, at this point in time, we do not have to take any action, pending MPLA and

Kan Pacific to come up with a new proposal for a fifteen-year extension for deliberation by the legislature. That is our recommendation and I hope that the House adopts the recommendation.

Speaker Hofschneider: For the benefit of the members, I think it was two legislatures back when the House of Representatives and the Senate convened in a Joint Session forum to act on several land leases. Kan Pacific was one of those given a fifteen-year extension with conditions. So the argument here is that because the economic situations everywhere one of the conditions is the skating rink. Right, Chairman? That is not possible or economically feasible for them to construct and meet the compliance of having an effective fifteen-year lease extension. The argument is do they still have a fifteen-year extension in spite of their request to delete or have an extension on one of the condition and that is the skating rink and others that were conditioned in the fifteen-year approval. So the question before us is given the situations that we have, looking at what we have right now, do we send the message to both Kan Pacific and MPLA to reconsider submitting another fifteen-year extension request so that there's clarity in the purpose and maybe the House and the Senate considering removing some of the impractical conditions set in the previous fifteen-year extension. So rather than having to fight in the legal interpretation of whether they have an effective fifteen-year extension or not, I think we have to present that issue before the House and Senate. Essentially this what you're saying in your committee report, Mr. Chairman?

Rep. A. Palacios: That's correct. Therefore, we await for action from MPLA and Kan Pacific to come up with an agreement and therefore we will transfer it to the House for deliberation.

Speaker Hofschneider: Any other comments on other Standing Committee Report? Vice Speaker?

Vice Speaker Tenorio: Mr. Speaker, one thing we have to notice here actually is despite the two conditions we requested Kan Pacific to come up with the last couple of years, they did put up a spa which costed them eight hundred thousand dollars and much more in terms of fiscal impact than what the skating rink would have cost. We asked them why they did that instead of a skating rink. At the time when revenue was going down, it was a business decision that the spa would be more profitable for them. So it was a business call.

Speaker Hofschneider: On a more serious note and it's never been done ... this issue about Kan Pacific, how many remaining years, Mr. Chairman?

Vice Speaker Tenorio: Two years.

Speaker Hofschneider: It has never been done all these years dating back to the Seventh Legislature, Sixth Legislature on land leases ... remember when this chamber was in chaos in Sixth Legislature when people were walking on tables. There was an adoption of land use planning then under the corporation of the constitution, the Marianas Public Land Corporation (MPLC). So we always use the word "land banking" and this is the first lease to expire under a turning twenty-five year term. Now we have to live up to the word of land banking. This is the first lease that goes back to the people by December. There's another methodology that we should encourage Marianas Public Lands Authority and that is, instead of a fifteen-year extension, why don't Kan Pacific and Marianas Public Lands Authority sit down and go into a management contract as if they have a fifteen-year extension ... maybe ten-year management contract. Now MPLA and the people are co-owners of the whole facility, but there is no lease. We own the facility and now they're managing it or somebody else can manage it. But to lock into another fifteen-year extension, that's the typical route that everyone,

especially from an investor's point. A fifteen-year would give them peace of mind in terms of investing. But the same conditions can be given or provided in terms in the management operations. It's never been done and this is the first lease expiring under the auspices of land banking that we have been consistently using here to approve land leases. Representative Quitugua?

Rep. Quitugua: I yield, Mr. Speaker.

Speaker Hofschneider: To? Representative Castro?

Rep. Castro: *Mr. Speaker, yanggen ti lachi yo' guaha ni man aplika este esta para fifteen-year extension?*

Speaker Hofschneider: Two legislatures ago, we approved the lease with conditions.

Rep. Castro: *Ya ma grant i fifteen years?*

Speaker Hofschneider: *Hunggan.*

Rep. Castro: *Mr. Speaker, gi anai pa'go hu hungok pot este tomopadiset i Chairman ya jokingly, ilekhu basta ya ta chule' tatte ya ta na'e i publiko. I otro yanggen ta cho'gue este ya ti ta akseptata etyo i manegogasio gi presente, yanggen ti lache yo' guaha los kuantos lokkue man manatkila tano' twenty-five years plus fifteen years extionsion. Ma na'e ha todú i dos ya nihafafa ma chocho'gue gi presente ya i MPLA fana'an ti ma ter-terminate etyo siha na agreement. I Haas and Haynie, i PRDI, todú i dos mana'e nui enao i kuarenta años ya nihafafa esta pa'go. Pues etyo ilelek-hu na hita pa'go para ta disidi este ya an humuyong etyo na dokumento i ma chocho'gue pago gi entalo' i MPLA yan i Kan Pacific ta atan sa ilek-hu na machachagi i ninasiñan-niha i los prohimos para hu fan man contribute lokkue. Lao hu sangani i Chairman na basta ya ta chule tatte ya maseha i government u run i golf course. Enao hu rekomenda disde tutuhon.*

The Chair recognized Representative Deleon Guerrero.

Rep. Deleon Guerrero: Mr. Speaker, something to be mindful of – Kan Pacific was given a conditional approval for a fifteen-year extension. This fifteen-year extension would start the end of this year, December 14. They have completed part of their bargain for an eighty-room hotel and they have incurred a seventy million dollar debt. I don't know if they did part of the bargain even though they did not complete it, they did do the spa. I'm not supporting nor against it but I'm just throwing this out as something to consider that they did incur a debt with the understanding that they would be granted an extension. If we renege on our part, where does that leave us. Are we going to be facing a lawsuit?

Speaker Hofschneider: Yes, both sides are quite disconcerting *nai yanggen para un hassu.* On the other hand an investor who has five years remaining on a lease, *para u fan* invest millions of dollars in a five-year lease *nai* makes you think twice. *Esta para matai ha' i lease ya pago ni para un tutuhon i hotel gi anai* for the last twenty years *ti un tutuhon.* In fact, Kan Pacific, on record, *ma force para u nana'lu tatte* a substantial portion of property *sa ti ma* develop, *ti ma* accomplish *iyon-niha* conditions. On on the flip side, *gof piligro para ta* shake *i ekonomiha* particularly *taiguine este* tourism. Pioneer *este* Kan Pacific *giya Marianas pues kao* appropriate *na para ta na'e ni* extension *nai.* We'll take a look. Maybe the Tenth Legislature, when we voted for it, went overboard on

certain conditions that we know for a fact wasn't going to be met. On the other hand *debi di u guaha dididi honesto nai na timana 'siña ya* tell us. *Hagu i* Chairman *no guenao?*

The Chair recognized the Vice Speaker.

Vice Speaker Tenorio: Thank you. *Ahe' lao an un atan magahit iyon-niha investment nai i Kan Pacific yan i* condition about three years ago, skating rink, multipurpose building and a nine-hole mini-golfcourse, *esta este para munhayan ha'*. *Lao i* amount of investment is actually less than *etyo i spa ni macho'gue, pot ti macho'gue ha' hafa ta faisen*. But if you really think in terms of the investment, then they put in more money than what we actually required them in terms of dollars. *Ti macho'gue i skating rink, lao macho'gue ya manafunayan i eighty-room hotel yan i spa*.

Speaker Hofschneider: Whose idea is the skating rink?

Vice Speaker Tenorio: I think it was their idea. *Siha tumulaika nai, Mr. Speaker. Hekkua hayi gai idea sa ti mu ska-skate yu guenao na tiempo*.

Speaker Hofschneider: Okay, so I think, Mr. Chairman, you can take this up with MPLA.

Rep. A. Palacios: Yes, I'll have MPLA invite Kan Pacific and express the sentiment that the Speaker expressed to us and tend to not look at it that narrow and to see if there are other options open.

The Chair recognized Representative Torres.

Rep. S. Torres: Mr. Speaker, I think that we should call them in and ask them again what their plans are. If I'm not mistaken there's a move to sale *para u ma bende nai lao ma nanangga buente esta ki machule' i* extension. So we have to be very careful and scrutinize it until we are satisfied that they are really planning for expansion, then we'll consider the extension.

The Chair recognized Representative Aldan.

Rep. Aldan: Mr. Speaker, *anai ma disidi ni Kan Pacific para u ma haksa i spa*, they were following the trend, the demand -- what tourists are looking for in a destination -- and that's the reason why they decided to build the spa instead of the skating rink. The Marianas Resort Spa is one of the major attractions we have now in the CNMI. *Enague i trend pa'go*. The tourist are going to destinations that have spas and the Marianas Resort has the biggest spa on the island. That's one of the major attractions now that's luring tourists to the CNMI, so we have to keep that in mind. When they built the eighty-room hotel, they incurred a seven million dollar debt to build that, but they did that with a condition that they get the fifteen-year extension. At that time they were assuming that they have the fifteen-year extension, and that's the reason why they went into such a large debt to build the hotel rooms. So we have to keep in mind that the Marianas Resort is one of the biggest attractions we have in the CNMI, and let's not do something drastic.

Speaker Hofschneider: Okay. Any other comments on any of the Standing Committee Reports?

Several members voiced, "ready."

Speaker Hofschneider: Any comment on S. C. R. NO. 13-040, Mr. Chairman on JGO?

Rep. Ada: Does anyone want to question? We have done our job. It wasn't an easy task, Mr. Speaker. We listened to both the Chief Justice and the Presiding Judge and also have all the written testimonies in. We have weighed the pros and cons and the previous doings of the past legislatures on creating an office for the *Guma Hustisia*, and I believe we are on the right track. It's legal and everybody is ready for the passage of the bill. I'm open for any question, or any opposition to the committee report and justification of the passage. Thank you, Mr. Speaker.

The Chair declared a recess at 3:40 p.m.

RECESS

The House reconvened at 3:46 p.m.

Speaker Hofschneider: We're back to our session and we're under Standing Committee Reports. Are there any other comments on any of the reports? Ready for the question?

Several members voiced, "ready."

There being no further comments, the motion was carried by voice vote.

Speaker Hofschneider: Motion carried. S. C. R. NO. 13-030 through S. C. R. NO. 13-041 are hereby adopted by the House.

The Chair recognized the Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. I now move for the adoption of S. C. R. NO. 13-042.

The motion was seconded.

S. C. R. NO. 13-042: Reporting on DEPT. & AGENCY COMM. 13-1 relative to the Kan Pacific lease extension. Your Committee on Natural Resources recommends that the House take no action on the request for extension.

There being no discussion, the motion was carried by voice vote.

Speaker Hofschneider: Motion carried. S. C. R. NO. 13-042 is hereby adopted by the House. Floor Leader?

BILL CALENDAR

Floor Leader Attao: Thank you, Mr. Speaker. Mr. Speaker, if there's no objection from the members, I would like to withdraw from the Committee H. B. NO. 13-118. This is relative to the nonresident workers employed by the Department of Public Works whose contracts will be expiring on September 30th of this year. This bill is for an extension of one year or up to September 2003.

Speaker Hofschneider: This is for non-resident workers?

Floor Leader Attao: Non-resident worker's assigned to DPW under the Technical Services Division.

Floor Leader Attao: The Chairman on JGO, Mr. Speaker, agreed for the withdrawal of this bill.

Speaker Hofschneider: Is that a motion?

Floor Leader Attao: Yes, that's a motion.

Speaker Hofschneider: Any second to the motion?

Seconded by Rep. Babauta.

Speaker Hofschneider: Motion to withdraw H. B. NO. 13-118 has been seconded. Discussion on the motion?

Rep. Deleon Guerrero: I believe that bill was referred to my Committee, Mr. Speaker, but I wrote a memo requesting that it be referred to JGO because it is now a PUTC issue. Until such time that you refer it to JGO, it's still under my Committee. I just wanted to let the record reflect that it should be withdrawn from PUTC.

Speaker Hofschneider: Let the record reflect that. Is there any other discussion on the motion to withdraw H. B. NO. 13-118 from the respective committee?

Rep. Ada: I have no objection to the motion, but if that's regarding a contract of an alien worker for DPW then I guess my colleague to my right, the Chairman of Labor & Immigration, his Committee is the most appropriate Committee, Mr. Speaker, with all due respect.

The motion to withdraw H. B. NO. 13-118 was carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader?

Floor Leader Attao: Thank you, Mr. Speaker. Again, if there's no objection, Mr. Speaker, I move to place H. B. NO. 13-118 and H. B. NO. 13-161 on today's calendar for action.

The motion was seconded.

Speaker Hofschneider: Motion for the placement of H. B. NO. 13-118 and H. B. NO. 13-161 on today's calendar for action has been seconded. The floor is open for discussion. I recognize Representative Quitugua.

Rep. Quitugua: There must be an urgent situation requiring the withdrawal of this bill out of the Committee, Mr. Speaker, and I wonder if the good Floor Leader can share that information with us.

The Chair recognized the Floor Leader.

Floor Leader Attao: Mr. Speaker, the employees of the Technical Services Division at DPW, the nonresident workers, their contracts and entry permits will be expiring on September 30, 2002. The

Secretary asked us to pass this bill so that they can start processing their entry permits. I think it will take the Department of Labor & Immigration about thirty days to process those. So the time is kind of short if we're not to act today. The problem if we do not pass this today is that these people's contracts will not be renewed and our CIP projects would be delayed. The extension is up to 2003 rather than the sunset provision of September 30, 2005, so we're giving them at least a year to complete all the projects here. In line of that, the DPW Secretary is looking at replacing these with our local people, so it's going to be a transition period from now until September 2003.

Rep. Quitugua: Mr. Speaker, I appreciate the information that the Floor Leader has provided us, because it is one of those issues that followed us for quite a while and I'm glad that there is a time period in which this extension is going to expire. Similarly with CUC, I think earlier on during the session this morning you have indicated the number of graduates that have completed high school and they are lingering out there. Maybe if these young adults of ours know that there are positions available that they will pursue this in their post secondary education. So I am pleased with that information, Mr. Speaker. Thank you.

Speaker Hofschneider: Before we get out of order, we are out of order already let's dispose of the motion for placement on today's calendar. When we get to the Bill Calendar, we can discuss that further. Ready?

The motion to place H. B. NO. 13-118 and H. B. NO. 13-161 was carried by voice vote.

The Chair recognized the Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. I now move for the suspension of Rule VII, Section 10, Rule IX, Sections 9, 10 and 11 for the passage of the following Bills: H. B. NO. 13-002, HD1, H. B. NO. 13-021, CS1, H. B. NO. 13-056, HS1, H. B. NO. 13-057, HS1, H. B. NO. 13-083, HD1, H. B. NO. 13-084, H. B. NO. 13-104, HS1, H. B. NO. 13-108, HS1, H. B. NO. 13-118, H. B. NO. 13-120, and H. B. NO. 13-161.

Seconded by Rep. Babauta, and carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader?

Floor Leader Attao: Thank you, Mr. Speaker. I now move for the passage of H. B. NO. 13-161 on First and Final Reading.

Seconded by Rep. Babauta.

H. B. NO. 13-161: A BILL FOR AN ACT TO AMEND LAND COMPENSATION ACT OF 2002 (PUBLIC LAW 13-17); AND FOR OTHER PURPOSES.

Speaker Hofschneider: Motion for the passage on H. B. NO. 13-161 on First and Final Reading has been seconded. Is there any discussion on the Bill? I recognize the Floor Leader.

Floor Leader Attao: I have a written floor amendment to offer, Mr. Speaker.

Speaker Hofschneider: Have you distributed copies? You can officially offer it and then we'll take a short recess for duplication.

Floor Leader Attao: On page 1, beginning on line 14, the phrase "on or before" is inserted after the comma following the word "contrary"; the date "October 1, 2002" is reinstated by removing the strikeout so indicated; and, the word "upon" is deleted and replaced by the word "with." I so move.

Seconded by Rep. Babauta.

Speaker Hofschneider: The floor amendment offered by the Floor Leader has been seconded. Before we discuss, short recess for copies.

The House recessed at 3:55 p.m.

RECESS

The House reconvened at 4:14 p.m.

Speaker Hofschneider: We're back to our session, and the floor amendment that was offered by the Floor Leader has been seconded. The floor is open for discussion on the floor amendment.

There being no discussion, the motion to amend H. B. NO. 13-161 as offered by Floor Leader Attao was carried by voice vote.

Speaker Hofschneider: Floor amendment is hereby adopted. Ready?

Several members voiced, "ready."

Speaker Hofschneider: We're now voting on H. B. NO. 13-161, as amended. Clerk, roll call.

The roll called on the motion to pass H. B. NO. 13-161, HD1, on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. Francisco DLG. Aldan	yes
Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	yes
Rep. Gloria DLC. Cabrera	yes
Rep. Pedro P. Castro	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Arnold I. Palacios	yes
Rep. Herman T. Palacios	absent (during voting)
Rep. Norman S. Palacios	yes
Rep. Daniel O. Quitugua	yes
Rep. Andrew S. Salas	yes
Rep. Benjamin B. Seman	yes
Rep. Ramon A. Tebuteb	absent
Rep. Manuel A. Tenorio	yes

Rep. Stanley T. Torres	yes
Rep. William S. Torres	yes
Rep. Heinz S. Hofschneider	yes

Speaker Hofschneider: By a vote of 16-0, H. B. NO. 13-161, HD1 passes the House. Floor Leader?

Floor Leader Attao: Thank you, Mr. Speaker. I now move for the passage of H. B. NO. 13-118 on First and Final Reading.

Seconded by Rep. Babauta.

H. B. NO. 13-118: A BILL FOR AN ACT TO AMEND 3 CMC § 4434(i)(1)(B) OF PUBLIC LAW 12-34 TO PROVIDE THE DEPARTMENT OF PUBLIC WORKS WITH THE SAME EXPIRATION DATE GRANTED TO THE OTHER GOVERNMENTAL DEPARTMENTS AND AGENCIES LISTED; AND FOR OTHER PURPOSES.

Speaker Hofschneider: Motion to pass H. B. NO. 13-118 on First and Final Reading has been seconded. Discussion on the Bill?

Rep. Babauta voiced, "ready."

Speaker Hofschneider: Ready. Clerk, roll call.

The roll called on the motion to pass H. B. NO. 13-118 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. Francisco DLG. Aldan	yes
Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	yes
Rep. Gloria DLC. Cabrera	yes
Rep. Pedro P. Castro	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Arnold I. Palacios	yes
Rep. Herman T. Palacios	absent (during voting)
Rep. Norman S. Palacios	yes
Rep. Daniel O. Quitugua	yes
Rep. Andrew S. Salas	yes
Rep. Benjamin B. Seman	yes
Rep. Ramon A. Tebuteb	absent
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	yes
Rep. William S. Torres	yes
Rep. Heinz S. Hofschneider	yes

Speaker Hofschneider: By a vote of 16-0, H. B. NO. 13-118 hereby passes the House. Floor Leader?

Floor Leader Attao: Thank you, Mr. Speaker. I now move for the passage of H. B. NO. 13-084 on First and Final Reading.

The motion was seconded.

H. B. NO. 13-084: A BILL FOR AN ACT TO ESTABLISH AND CREATE A MARSHALL SERVICE DIVISION WITHIN THE CNMI JUDICIAL BRANCH; AND TO EMPOWER AND DEFINE THE AUTHORITY, DUTIES, RESPONSIBILITIES AND FUNCTIONS OF SUCH DIVISION; AND FOR OTHER PURPOSES.

Speaker Hofschneider: Motion for the passage on First and Final Reading on H. B. NO. 13-084 has been seconded. Discussion?

The Chair recognized Representative Palacios.

Rep. H. Palacios: Mr. Speaker, I'm on the negative side of this Bill simply because the two judges disagree with what was put in as a Bill. Thank you.

Speaker Hofschneider: Thank you. Ready?

Several members voiced, "ready."

The Chair recognized Representative Torres.

Rep. S. Torres: Mr. Speaker, I am entirely in favor of this Bill. This is the only time that this House would render decision in favor of the lower court. Thank you.

Speaker Hofschneider: Clerk, roll call.

The roll called on the motion to pass H. B. NO. 13-084 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. Francisco DLG. Aldan	yes
Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	yes
Rep. Gloria DLC. Cabrera	yes
Rep. Pedro P. Castro	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Arnold I. Palacios	yes
Rep. Herman T. Palacios	no
Rep. Daniel O. Quitugua	yes
Rep. Norman S. Palacios	yes
Rep. Andrew S. Salas	yes
Rep. Benjamin B. Seman	abstained

(Mr. Speaker, for the reason that it was recommended by the Attorney General to try and get the two judges to compromise, I feel that this was not addressed and therefore, I would like to abstain.)

Rep. Ramon A. Tebuteb	absent
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	yes
Rep. William S. Torres	abstained
Rep. Heinz S. Hofschneider	yes

Speaker Hofschneider: By a vote fourteen “yes”, one “no”, two “abstentions”, one “absent”, H. B. NO. 13-084 is hereby passed by the House. Floor Leader, recess?

Floor Leader Attao: Two more, *Mr. Speaker, ya u funhayan ha’*.

Speaker Hofschneider: Okay, proceed.

Floor Leader Attao: Thank you, Mr. Speaker. I now move for the passage of H. B. NO. 13-057, HS1, on First and Final Reading.

Seconded by Rep. Babauta.

H. B. NO. 13-057, HS1: A BILL FOR AN ACT TO REGULATE ROADSIDE VENDORS; AND FOR OTHER PURPOSES.

Speaker Hofschneider: Motion for the passage on First and Final Reading H. B. NO. 13-057, HS1 on roadside vendors has been seconded. Discussion on the Bill?

Several members voiced, “ready.”

Speaker Hofschneider: Clerk, roll call.

The roll called on the motion to pass H. B. NO. 13-057, HS1 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. Francisco DLG. Aldan	yes
Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	yes
Rep. Gloria DLC. Cabrera	yes
Rep. Pedro P. Castro	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Arnold I. Palacios	yes
Rep. Herman T. Palacios	yes
(There was a question of free enterprise in the original version of this Bill, Mr. Speaker, and it has been changed, so I’m voting, yes.)	
Rep. Norman S. Palacios	yes
Rep. Daniel O. Quitugua	yes
Rep. Andrew S. Salas	yes
Rep. Benjamin B. Seman	yes
Rep. Ramon A. Tebuteb	absent
Rep. Manuel A. Tenorio	yes

Rep. Stanley T. Torres	yes
Rep. William S. Torres	yes
Rep. Heinz S. Hofschneider	yes

Speaker Hofschneider: By a vote 17-0, H. B. NO. 13-057, HS1 is hereby passed by the House. Floor Leader?

Floor Leader Attao: Thank you, Mr. Speaker. I now move for the passage of H. B. NO. 13-056, HS1 on First and Final Reading.

The motion was seconded.

H. B. NO. 13-056, HS1: A BILL FOR AN ACT TO ACQUIRE ALL BUSNIESSES TO PROVIDE RECEIPTS TO CLIENTS AND CUSTOMERS FOR CASH TRANSACTIONS AND REATIN A COPY FOR INSPECTION BY THE TAX AUTHORITY; TO INCREASE PENALTIES FOR BUSINESSES THAT UNDER-REPORT THEIR TRUE GROSS EARNINGS; TO ENHANCE ENFORCEMENT OF SAID PENALTIES; AND FOR OTHER PURPOSES.

Speaker Hofschneider: Motion for the passage on First and Final Reading H. B. NO. 13-056, HS1 has been seconded. Discussion on the Bill?

Rep. Babauta voiced, "ready."

Speaker Hofschneider: Clerk, roll call.

The roll called on the motion to pass H. B. NO. 13-056, HS1 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. Francisco DLG. Aldan	yes
Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	yes
Rep. Gloria DLC. Cabrera	yes
Rep. Pedro P. Castro	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Arnold I. Palacios	yes
Rep. Herman T. Palacios	yes
Rep. Norman S. Palacios	yes
Rep. Daniel O. Quitugua	yes
Rep. Andrew S. Salas	yes
Rep. Benjamin B. Seman	yes
Rep. Ramon A. Tebuteb	absent
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	yes
Rep. William S. Torres	yes
Rep. Heinz S. Hofschneider	yes

Speaker Hofschneider: By a vote 17-0, H. B. NO. 13-056, HS1 is hereby passed by the House. Floor Leader?

Floor Leader Attao: Thank you, Mr. Speaker. I now move for the passage of H. B. NO. 13-108, HS1 on First and Final Reading.

The motion was seconded.

H. B. NO. 13-108, HS1: A BILL FOR AN ACT TO CRIMINALIZE AND PUNISH THE CONDUCT OF STALKING; AND FOR OTHER PURPOSES.

Speaker Hofschneider: The motion to pass H. B. NO. 13-108, HS1, Anti-Stalking Act on First and Final Reading has been seconded. Discussion on the Bill? Representative Ada?

Rep. Ada: *Mr. Speaker, malagu yo' bai hu ekstende un komendasion para i chumo'gue este na aktu. Maulek este para i tano'-ta sa guiya este i fine'nina para u protehe siha i man inafefekta na indibiyuat ni este na chotnot i stalking. I fine'nina na palau'an guine gi kongressu ... ti hu gof tungo pumula' este gi fino' Chamorro este i stalking ... siña ta alok, ilao osino engulo', guiya ha. Si Yu'us Ma'ase, Mr. Speaker.*

Speaker Hofschneider: Is there any other comment or discussion on the Bill?

Rep. Ada: *Ola mohon, Mr. Speaker, ya todu man inafefekta, parehu ha' lalahi yan famalao'an. Sa' ti diskreminasion na akto, ilek-hu na inaplilika tododu ha' dos banda ya puedi ha' mohon ma chule' este mo'na na hinasso na inafefekta todu i dos banda.*

Speaker Hofschneider: *Representative Ada, siña un alaba dididi hafa kumekelekmu?*

Rep. Ada: *Puedi ha' ti man a'abuska hit nai gi oriya. Si Yu'us Ma'ase, Mr. Speaker.*

Speaker Hofschneider: Thank you.

Rep. Cabrera: Mr. Speaker?

The Chair recognized Representative Cabrera.

Rep. Cabrera: I want to extend my deepest appreciation on behalf of the female population on this island. I believe the bill in its entirety represents a language that is unisex and therefore, it applies both ways. But I do want to say thank you to my handsome colleague to my left for setting aside his own personal views on this matter and supporting the recommendation to pass this Bill. The CNMI is one of the few entities that has yet to enact such a law and I think it's about time that we have this law in place.

Speaker Hofschneider: Thank you. Representative Palacios, you have a personal view? Ready?

Several members voiced, "ready."

Speaker Hofschneider: Clerk, roll call.

The roll called on the motion to pass H. B. NO. 13-108, HS1 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. Francisco DLG. Aldan	yes
Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	yes
Rep. Gloria DLC. Cabrera	yes
Rep. Pedro P. Castro	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Arnold I. Palacios	yes
Rep. Herman T. Palacios	yes
Rep. Norman S. Palacios	yes
Rep. Daniel O. Quitugua	yes
Rep. Andrew S. Salas	yes
Rep. Benjamin B. Seman	yes
Rep. Ramon A. Tebuteb	absent
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	yes
Rep. William S. Torres	yes
Rep. Heinz S. Hofschneider	yes

Speaker Hofschneider: By a vote of 17-0, the Anti-Stalking Act, H. B. NO. 13-108, HS1 is hereby passed by the House. Floor Leader?

Floor Leader Attao: Thank you, Mr. Speaker. I now move for the passage of H. B. NO. 13-120 on First and Final Reading.

The motion was seconded.

H. B. NO. 13-120: A BILL FOR AN ACT TO ESTABLISH AN OFFICE OF FEDERAL ASSISTANCE AND PROGRAMS UNDER THE OFFICE OF THE GOVERNOR; AND FOR OTHER PURPOSES.

Speaker Hofschneider: Motion for the passage on First and Final Reading H. B. NO. 13-120, Federal Assistance and Programs Office has been seconded. Discussion?

Several members voiced, "ready."

Speaker Hofschneider: Ready. Clerk, roll call.

The roll called on the motion to pass H. B. NO. 13-120 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. Francisco DLG. Aldan	yes
Rep. Jesus T. Attao	yes

Rep. Oscar M. Babauta	yes
Rep. Gloria DLC. Cabrera	yes
Rep. Pedro P. Castro	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Arnold I. Palacios	yes
Rep. Herman T. Palacios	yes
Rep. Norman S. Palacios	yes
Rep. Daniel O. Quitugua	yes
Rep. Andrew S. Salas	yes
Rep. Benjamin B. Seman	yes
Rep. Ramon A. Tebuteb	absent
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	yes
Rep. William S. Torres	yes
Rep. Heinz S. Hofschneider	yes

Speaker Hofschneider: By a vote of 17-0, H. B. NO. 13-120 is hereby passed by the House. Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. I move for the passage of H. B. NO. 13-083, HD1 on First and Final Reading.

The motion was seconded.

H. B. NO. 13-083, HD1: A BILL FOR AN ACT TO REPEAL 4 CMC § 2103(d); AMEND PUBLIC LAW 11-41; AND FOR OTHER PURPOSES.

Speaker Hofschneider: Motion for the passage on First and Final Reading H. B. NO. 13-083, HD1 has been seconded. Discussion on the motion?

Several members voiced, “ready.”

Speaker Hofschneider: Clerk, roll call.

The roll called on the motion to pass H. B. NO. 13-083, HD1 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. Francisco DLG. Aldan	yes
Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	yes
Rep. Gloria DLC. Cabrera	yes
Rep. Pedro P. Castro	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Arnold I. Palacios	yes
Rep. Herman T. Palacios	yes
Rep. Norman S. Palacios	yes
Rep. Daniel O. Quitugua	yes

Rep. Andrew S. Salas	yes
Rep. Benjamin B. Seman	yes
Rep. Ramon A. Tebuteb	absent
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	yes
Rep. William S. Torres	yes
Rep. Heinz S. Hofschneider	yes

Speaker Hofschneider: By a vote of 17-0, H. B. NO. 13 13-083, HD1 is hereby passed by the House. Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. I move for the passage of H. B. NO. 13-080, HD1 on First and Final Reading.

The motion was seconded.

H. B. NO. 13-080, HD1: A BILL FOR AN ACT TO ESTABLISH AN AGRICULTURE EQUIPMENT SERVICE REVOLVING FUND PROGRAM WITHIN THE DIVISION OF AGRICULTURE; AND FOR OTHER PURPOSES.

Speaker Hofschneider: Motion for the passage on First and Final Reading, H. B. NO. 13-080, HD1, CNMI Agriculture Equipment Service Revolving Fund Program has been seconded. Discussion on the Bill?

Several members voiced, "ready."

Speaker Hofschneider: Ready. Clerk, roll call.

The roll called on the motion to pass H. B. NO. 13-080, HD1 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. Francisco DLG. Aldan	yes
Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	yes
Rep. Gloria DLC. Cabrera	yes
Rep. Pedro P. Castro	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Arnold I. Palacios	yes
Rep. Herman T. Palacios	yes
Rep. Norman S. Palacios	yes
Rep. Daniel O. Quitugua	yes
Rep. Andrew S. Salas	yes
Rep. Benjamin B. Seman	yes
Rep. Ramon A. Tebuteb	absent
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	yes
Rep. William S. Torres	yes

Floor Leader Attao: Thank you, Mr. Speaker. I move for the passage of H. B. NO. 13-110, HD1 on First and Final Reading.

The motion was seconded.

H. B. NO. 13-110, HD1: A BILL FOR AN ACT TO CREATE A MARINE RESERVE AREA ON TINIAN EXTENDING FROM THE NORTH POINT OF THE MUNICIPAL BREAKWATER TO PUNTAN DIABLO POINT; AND FOR OTHER PURPOSES.

Speaker Hofschneider: Motion for the passage on First and Final Reading, H. B. NO. 13-110 has been seconded. Discussion on the motion?

Several members voiced, "ready."

Speaker Hofschneider: Ready. Clerk, roll call.

The roll called on the motion to pass H. B. NO. 13-110 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. Francisco DLG. Aldan	yes
Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	yes
Rep. Gloria DLC. Cabrera	yes
Rep. Pedro P. Castro	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Arnold I. Palacios	yes
Rep. Herman T. Palacios	yes
Rep. Norman S. Palacios	yes
Rep. Daniel O. Quitugua	yes
Rep. Andrew S. Salas	yes
Rep. Benjamin B. Seman	yes
Rep. Ramon A. Tebuteb	absent
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	yes
Rep. William S. Torres	yes
Rep. Heinz S. Hofschneider	yes

Speaker Hofschneider: By a vote of 17-0, H. B. NO. 13-110, Tinian Marine Reserve Act of 2002 is hereby passed the House. Floor Leader?

Floor Leader Attao: Thank you, Mr. Speaker. I move for the passage of H. B. NO. 13-019, HD1 on First and Final Reading.

The motion was seconded.

H. B. NO. 13-019, HD1: A BILL FOR AN ACT TO AMEND PUBLIC LAW 12-43, SECTION 3 TO GIVE THE SPEAKER OF THE YOUTH CONGRESS THE AUTHORITY TO APPOINT

INDIVIDUAL MEMBERS OF THE YOUTH CONGRESS TO SERVE AS NON-VOTING HONORARY MEMBERS OF EACH COMMONWEALTH BOARD AND COMMISSIONS; AND FOR OTHER PURPOSES.

Speaker Hofschneider: Motion for the passage on First and Final Reading, H. B. NO. 13-019, HD1 has been seconded. Discussion on the motion?

Several members voiced, “ready.”

Speaker Hofschneider: Ready. Clerk, roll call.

The roll called on the motion to pass H. B. NO. 13-019, HD1 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. Francisco DLG. Aldan	yes
Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	yes
Rep. Gloria DLC. Cabrera	yes
Rep. Pedro P. Castro	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Arnold I. Palacios	yes
Rep. Herman T. Palacios	yes
Rep. Norman S. Palacios	yes
Rep. Daniel O. Quitugua	yes
Rep. Andrew S. Salas	yes
Rep. Benjamin B. Seman	yes
Rep. Ramon A. Tebuteb	absent
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	yes
Rep. William S. Torres	yes
Rep. Heinz S. Hofschneider	yes

Speaker Hofschneider: By a vote of 17-0, H. B. NO. 13-019, HD1, relative to the Youth Congress is hereby passed by the House. Recess.

Floor Leader Attao: *Mr. Speaker, tres ha' tetehnan esta ... ta na'funayan ha' basta.*

Speaker Hofschneider: Okay.

Floor Leader Attao: Thank you, Mr. Speaker. I move for the passage of H. B. NO. 13-104, HS1 on First and Final Reading.

The motion was seconded.

H. B. NO. 13-104, HS1: A BILL FOR AN ACT TO AMEND THE IMMIGRATION FRAUD STATUTE.

Speaker Hofschneider: Motion for the passage on First and Final Reading, H. B. NO. 13-104, HS1, Immigration Fraud has been seconded. Discussion on the Bill?

Several members voiced, “ready.”

Speaker Hofschneider: Ready. Clerk, roll call.

The roll called on the motion to pass H. B. NO. 13-104, HS1 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. Francisco DLG. Aldan	yes
Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	yes
Rep. Gloria DLC. Cabrera	yes
Rep. Pedro P. Castro	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Arnold I. Palacios	yes
Rep. Herman T. Palacios	yes
Rep. Norman S. Palacios	yes
Rep. Daniel O. Quitugua	yes
Rep. Andrew S. Salas	yes
Rep. Benjamin B. Seman	yes
Rep. Ramon A. Tebuteb	absent
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	yes
Rep. William S. Torres	yes
Rep. Heinz S. Hofschneider	yes

Speaker Hofschneider: By a vote of 17-0, H. B. NO. 13-104, HS1 on Immigration Fraud is hereby passed by the House. Floor Leader?

Floor Leader Attao: Thank you, Mr. Speaker. I move for the passage of H. B. NO. 13-028, HD1 on First and Final Reading.

The motion was seconded.

H. B. NO. 13-028, HD1: A BILL FOR AN ACT TO AMEND 1 CMC SECTION 8314 (a) TO PROVIDE AND RESERVE ONE SEAT FOR THE COMMONWEALTH ASSOCIATION OF RETIRED PERSONS, INC. TO THE BOARD OF TRUSTEES OF THE RETIREMENT FUND; AND FOR OTHER PURPOSES.

Speaker Hofschneider: Motion for the passage on First and Final Reading H. B. NO. 13-028, HD1 has been seconded. Discussion on the Bill?

Several members voiced, “ready.”

Speaker Hofschneider: Mr. Chairman, did the Committee clarify with the Governor’s reservations?

Rep. Ada: Yes.

Speaker Hofschneider: The association is clear?

Rep. Ada: Yes.

Speaker Hofschneider: They submitted all the documents?

Rep. Ada: Yes.

Speaker Hofschneider: Thank you. Clerk, roll call.

The roll called on the motion to pass H. B. NO. 13-028, HD1 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. Francisco DLG. Aldan	yes
Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	yes
Rep. Gloria DLC. Cabrera	yes
Rep. Pedro P. Castro	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Arnold I. Palacios	yes
Rep. Herman T. Palacios	yes
Rep. Norman S. Palacios	yes
Rep. Daniel O. Quitugua	yes
Rep. Andrew S. Salas	yes
Rep. Benjamin B. Seman	yes
Rep. Ramon A. Tebuteb	absent
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	yes
Rep. William S. Torres	yes
Rep. Heinz S. Hofschneider	yes

Speaker Hofschneider: By a vote of 17-0, H. B. NO. 13-028, HD1, Retirement Act Amendment is hereby passed by the House. Floor Leader?

Floor Leader Attao: Thank you, Mr. Speaker. I move for the passage of S. B. NO. 13-022 on First and Final Reading.

The motion was seconded.

S. B. 13-022: A BILL FOR AN ACT TO AMEND 2 CMC DIVISION 4 § 4144 BY ADDING A NEW SUBSECTION (d) RELATING TO LAND IN THE FIRST SENATORIAL DISTRICT; AND FOR OTHER PURPOSES.

Speaker Hofschneider: S. B. 13-022? Short recess.

The House recessed at 4:41 p.m.

RECESS

The House reconvened at 4:41 p.m.

Speaker Hofschneider: We're back to our session and the is motion for the passage on First and Final Reading of S. B. 13-022, Rota Land Exchange reference S. C. R. NO. 13-029 has been seconded. Discussion?

Rep. Babauta voiced, "ready."

Speaker Hofschneider: Ready. Clerk, roll call.

The roll called on the motion to pass S. B. NO. 13-022 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. Francisco DLG. Aldan	yes
Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	yes
Rep. Gloria DLC. Cabrera	yes
Rep. Pedro P. Castro	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Arnold I. Palacios	yes
Rep. Herman T. Palacios	yes
Rep. Norman S. Palacios	yes
Rep. Daniel O. Quitugua	yes
Rep. Andrew S. Salas	yes
Rep. Benjamin B. Seman	yes
Rep. Ramon A. Tebuteb	absent
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	yes
Rep. William S. Torres	yes
Rep. Heinz S. Hofschneider	yes

Speaker Hofschneider: By a vote of 17-0, S. B. NO. 13-022, Rota Land Exchange Bill is hereby passed by the House. Floor Leader?

Floor Leader Attao: Thank you, Mr. Speaker. I move for the passage of H. B. NO. 13-021, HS1 on First and Final Reading.

The motion was seconded.

H. B. NO. 13-021, HS1: A BILL FOR AN ACT TO MAKE PUBLIC EDUCATION A MANDATORY REQUIREMENT ON ANY PROPOSED AMENDMENT TO THE CONSTITUTION OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS; AND FOR OTHER PURPOSES.

Speaker Hofschneider: Motion for the passage on First and Final Reading H. B. NO. 13-021, HS1, Public Education Initiative Act, has been seconded. Representative Ada?

Rep. Ada: I commend the author, Representative William Torres, for this. We've been hearing time and time again about placement of initiatives and neglect education on referendums of initiatives. All we hear out there is that there's not enough time for them absorb. I guess this bill is overdue and we should really educate the people at least six months or more down the line prior to any initiatives being put on the ballot in any election. Thank you.

Speaker Hofschneider: Mr. Chairman, did the Committee arrive at who's going to pay for the publications on public education?

Rep. Ada: I would let the author to answer that question. If I'm not mistaken, the Board of Elections is given the authority to administer the public education on any initiative.

Speaker Hofschneider: How did the Committee arrive at funding? Is it through annual appropriation, Mr. Chairman?

Rep. Ada: Let me get my notes, Mr. Speaker.

Speaker Hofschneider: Because we don't want the Board of Election to say, thank you for the responsibility and you don't give us the money to buy the gas.

Rep. Ada: I believe it's to request the Office of the Governor capitol resources for use by the commission.

Speaker Hofschneider: So it'll be appropriated?

Rep. Ada: Yes.

Speaker Hofschneider: So before we act on the 2003 Budget make sure you fund it. There are several initiatives before the Board of Election also for votes this coming election. Make sure that it is appropriately funded so that we accomplish the Act.

Rep. Ada: Yes, thank you.

Speaker Hofschneider: Ready?

Floor Leader Attao voiced, "ready."

Speaker Hofschneider: Clerk, roll call.

The roll called on the motion to pass H. B. NO. 13-021, HS1 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. Francisco DLG. Aldan	yes
Rep. Jesus T. Attao	yes

Rep. Oscar M. Babauta	yes
Rep. Gloria DLC. Cabrera	yes
Rep. Pedro P. Castro	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Arnold I. Palacios	yes
Rep. Herman T. Palacios	yes
Rep. Norman S. Palacios	yes
Rep. Daniel O. Quitugua	yes
Rep. Andrew S. Salas	yes
Rep. Benjamin B. Seman	yes
Rep. Ramon A. Tebuteb	absent
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	yes
Rep. William S. Torres	yes
Rep. Heinz S. Hofschneider	yes

Speaker Hofschneider: By a vote of 17-0, H. B. NO. 13-021, HS1, Education Initiative Act is hereby passed by the House. The reason why I raised that for the members is that happened during the Constitutional Convention. The Board of Election wrote a very nasty letter to the Legislature. *Ma mandate nai ya ti ta tungo.* You realize that being a JGO Chairman, when there's an initiative to be placed for public education you're the spokesman to the Board of Election here at the House. It's been a tradition that we do that.

Rep. Ada: I have confidence in your leadership, Mr. Speaker, and of course at the guide of the Floor Leader who is the expert on money matters. Thank you.

Speaker Hofschneider: We have fifteen minutes. There are several bills that are important. I still get calls from the members at the Senate. *Pot fabot atan fan i Senate Bills, etyo i helmet uno, Mr. Floor Leader.*

Floor Leader Attao: *Mr. Speaker, gaige ha etyo gi pago na order of busines. Ta passa etyo?*

Speaker Hofschneider: *Si President Manglona, guaha lokkue ginagagao-ña.*

Floor Leader Attao: *Etyo i water rate for commerce.*

Speaker Hofschneider: *Atan fan etyo i hagas man gaige gi komiteh.*

Floor Leader Attao: *Mr. Speaker, maila ya ta passa maseha dos na Senate Bills no?*

Speaker Hofschneider: *Yanggen taya objection. Guaha committee report? Pues basta ya ta fan recess ya next session pot fabot lakngos fan i iyon i mañetluta gi san hilo', sa esta kulan guaha sinentin niniha na ti ta atetendi siha.* Seriously, let's reciprocate. Representative Torres?

Rep. W. Torres: Mr. Speaker, if I may, if we can go back to Other Communications, under Miscellaneous Communication No. 13-58, this request by Verizon on broadband services. It is extremely important and I would like you, Mr. Speaker, to brief us.

Speaker Hofschneider: With no objection can we go back to Item 11?

There being no objection, the House went back to Item 11.

OTHER COMMUNICATIONS

Speaker Hofschneider: In the midst of a lot of “ifs” and “buts” about the franchise fee and the potential of Verizon being sold to another owner, if we have to look at what is in the best interest of this community, this Commonwealth, we look at other regent in our neighbors like, from Japan, Korea, China, Indonesia, Singapore, Hong Kong. And if you look and assess what common instrument or endeavor that they are really pumping a lot of their efforts and resources into, it is in technology. And for that we solicited Verizon to submit a proposal that if Verizon were to offer broadband technology to the Commonwealth at the price of broadband in the United States. Right now if you want to subscribe to the prototype broadband the monthly rate is somewhere in the neighborhood of three hundred to six hundred a month, but that national average in the United States is between thirty-nine dollars and forty-nine dollars. So we tossed that to Verizon and asked them if they were willing to consider investing in the technology for the people here and make it available to not only the government but also to the residences, the public and the schools at the national rate of thirty-nine dollars to forty-nine dollars a month. We will give them either the qualifying certificate (“QC”) or tax waiver to the equivalent of their investment up to maybe twenty-five years. If you look at other jurisdictions, that’s what they’re investing in. Essentially we’re saying we don’t need their franchise fee, we want the technology, we want them to invest in the Commonwealth that would benefit. Because if we have this technology, then in the long run investors would look at us favorable as they did with fiber optic ten years ago. We may not realize that we have the fiber optic way before Honolulu, the State of Hawaii and that’s the kind of policy that I want to have this Thirteenth Legislature consider. Let’s invest in technology, and you know we don’t have to pay for it. If we lose this opportunity it will be another ten, fifteen, twenty years before such an investment can come our way. So we asked them to look at us favorable and submit a proposal so we can come together as a House and look at their proposal and see if it makes sense. If it does, then more power to the people and more power to Verizon and the owners that will take over. The economic base would be realized for the telecommunications but for us, as people, I think that there are a lot of advantages if we all agree to support this request by the Chair. I asked them submit a proposal. Three hundred thousand in franchises is a drop in the bucket, but if Verizon invests in millions of dollars in the technology then we don’t know the potentials. So it’s open for discussion. In the next leadership meeting, we should take the opportunity and discuss this.

Rep. W. Torres: Perhaps, Mr. Speaker, it’ll be matter to the appropriate committee to do whatever investigation or deliberation that needs to be done. This is really an opportunity. It’s an opportunity to diversify our economy and engage into telecommunications. There are a lot of competitions out there in the market in telecommunication and this is one way of diversifying our economy here.

Speaker Hofschneider: The Chairman on PUTC is on top of this so again I ask that you take the lead and set up a meeting with Verizon for everyone in the House to come. Because we’re not only limiting it to the public school or the government, we’re opening it up and saying make it available to all three islands and all sectors of the community. This is a one-time deal that the window is closing in on, so if we lose this opportunity and it goes by we may not be in a position to offer. Because seriously, if the economy appreciates then there’s no point in granting QC’s or tax breaks. They have the advantage and it’s profitable. More importantly is that if the telecommunications in

the Commonwealth changes hand and becomes profitable then the leveraging on the government's side is diminished. So we need take this opportunity and discuss them and let's help Verizon or whoever is going to buy it poised in a better economic or financial situation, maybe a mutual agreement and compatibility in terms of existence here. So, Mr. Chairman on PUTC, take the lead role. Set it up so we can discuss more in detail what is in store. I think it's a good start.

Rep. W. Torres: Mr. Speaker, on Item 9, the issue on minimum wage again is cropping out and I know that we do have concern on this and I would like the body to seriously consider this and pursue it at the earliest time possible before any interest again, you know five thousand miles away takes place. The Washington Representative is really forewarning us on this and we need take up this issue.

Speaker Hofschneider: The bill on minimum wage will soon be offered on the floor and I am pretty sure that everyone will be relieved to see what we're going to offer as an elected body. We have no choice but to level the playing field between employers and employees. P.L. 5-32 has lived its usefulness to some respect and we need to balance the responsibility aspect of an employer and an employee. So I expect that in our regular session beginning the end of the month the minimum wage issue will be on the floor. Keep in mind, we made a commitment that if the user fee goes through, the garment is not going to be imposed with increase of minimum wage. We're going to adopt a tier wage, but what suits the Commonwealth in terms of tier wage is what we're going to arrive through the debate. There are enough examples out there, enough scenarios where we can factually use to base decision at to what level and balance the responsibility of being an employer and employee, from benefits to wage and hour issues. Health insurance, for instance, is a big problem between employers and employees. We have some court cases that just read the Act, black and white, and applied the rule on that basis. From pregnancy, to transplant to whatnot so it is obvious that the employer is substantially being burdened, especially for employers that did not cover their employees with some form of health insurance. We need to act on that this year. Ready for recess?

Several members voiced, "ready."

ANNOUNCEMENTS

The Chair recognized Representative Quitugua.

Chairman Quitugua: I just want to announce that the scheduled public hearing for tomorrow on H. B. NO. 13-043 is rescheduled to August 14, 2002. Some members have commitments and the rest of the witnesses that have been requested to appear, most of them are public school officials and they are currently spread all over the Pacific and they'll be back by the tenth of August.

The Chair recognized Representative Deleon Guerrero.

Chairman Deleon Guerrero: The scheduled PUTC Committee meeting was supposed to take place today at 2:00 p.m. is to be rescheduled because of this session. We're rescheduling it for tomorrow at 2:00 p.m. For the members, the reason for the meeting is to discuss the upcoming sale of Verizon. The public hearing for any member who wants to attend for Saipan will be on Thursday night and the PUTC will be compiling its position for the public hearing.

Speaker Hofschneider: On that note, a lot of you performed travels, be mindful that you still owe the House a trip report. Floor Leader?

Floor Leader Attao: I move to recess subject to the call of the Chair.

The motion to recess subject to the call of the Chair was seconded, and carried by voice vote.

The House recessed at 5:05 p.m.

Respectfully submitted,

Lavida S. Palacios, Journal Clerk
House of Representatives

APPEARANCE OF LOCAL BILLS

H. L. B. NO. 13-031: To establish local license fees for pachinko slot machines and poker machines in the Second Senatorial District; and for other purposes. [3rd Appearance]