



# House Journal

## THIRD SPECIAL SESSION, 2003

First Day

May 12, 2003

The House of Representatives of the Thirteenth Northern Marianas Commonwealth Legislature convened in its **First Day, Third Special Session**, on **Monday, May 12, 2003**, at **10:35 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.

In accordance with Rule XIII, § 2(a), **seventeen** members were recorded present; Representative Herman M. Palacios **was** excused.

### ADOPTION OF JOURNALS

None

Speaker Hofschneider: Before we go into Prefiled and Introduction of Bills, we'll go on recess for the presentation ceremony. Short recess.

The House recessed at 10:37 a.m.

### RECESS

The House reconvened at 10:54 a.m.

### PREFILED AND INTRODUCTION OF BILLS

Speaker Hofschneider: We're back to our session. We're under Prefiled and Introduction of Bills and recognize Representative Deleon Guerrero.

H. B. NO. 13-279: A Bill for an Act to prohibit the importation of lead plumbing fixtures; and for other purposes.

Offered by: Rep. Joseph P. Deleon Guerrero  
Referred to: Committee on Commerce

### PREFILED AND INTRODUCTION OF RESOLUTIONS

H. R. NO. 13-135: A House Resolution to congratulate Mr. Hideo Kato on the occasion of the 50<sup>th</sup> Anniversary of the founding of the Wakai Nekko No Kai and the 35<sup>th</sup> Anniversary of their first voyage to the island of Saipan.

Offered by: Rep. Ramon A. Tebuteb and seventeen others

H. R. NO. 13-136: A House Resolution Expressing to Mr. Herman C. Bliss, Manager of the Western Pacific Airports Division, Federal Aviation Administration (FAA), the Northern Mariana Islands' deepest appreciation and sincere thanks for all of the hard work and many accomplishments made by the FAA in developing and improving the public airports of Hawaii, American Samoa, Guam and the Northern Mariana Islands.

Offered by: Rep. Joseph P. Deleon Guerrero and seventeen others

Speaker Hofschneider: With no objections, H. R. NO. 13-135 and H. R. NO. 13-136 would be introduced by the Committee of the Whole.

There was no objection.

H. R. NO. 13-137: A House Resolution to urgently the Honorable Governor, Juan N. Babauta and the Secretary of the Department of Public Works, Mr. Juan S. Reyes to allocate 2.4 million dollars from the FY 2004 Federal Highway fund for Precinct I road paving and drainage.

Offered by: Rep. Manuel A. Tenorio and six others

H. R. NO. 13-138: A House Resolution to recognize the Tinian Head Start Program and its coordinator and staff for being named Center of the Year-Role Model Center for four (4) school years.

Offered by: Rep. Norman S. Palacios and seventeen others

Rep. N. Palacios: And it'll be introduced by the Committee of the Whole.

H. J. R. NO. 13-029: A House Joint Resolution to request the Governor to utilize his expenditure and reprogramming authority pursuant to Public Law 13-24 and the Planning and Budgeting Act, as amended, to assist the funding of the 2003 Liberation Day activities and the Northern Marianas Beauty Pageant Association.

Offered by: Rep. Benjamin B. Seman and seventeen others

### **MESSAGES FROM THE GOVERNOR**

GOV. COMM. 13-520 – 4/30/03 – Informing the Legislature that he disapproved H. B. NO. 13-274, SD1 (\$6,480,000 for Prison Project).

GOV. COMM. 13-521 – 04/30/03 – Transmitting the Administration's proposed legislation for an increase in the minimum wage.

GOV. COMM. 13-522 – 5/6/03 – Submitting a proposed emergency spending plan to use the funds reserved for Deficit Reduction und PL 13-24 to cover the unanticipated expenses incurred as a result of Supertyphoon Pongsona.

The Chair recognized Representative Babauta.

Rep. Babauta: Mr. Speaker, I understand that the frustration on GOV. COMM. 13-522 – this has to do with the typhoon related expenses. Were there any identified resources from both, primarily from the House? If so, whether or not did the Department of Finance concur with those?

Speaker Hofschneider: If you read your accompanying message from the Governor, basically \$13 million was spent by FEMA as a result of Supertyphoon Pongsona and the formula is that the state is responsible for 10% share for any total incurred by FEMA. So, 10% of \$13 million is \$1.3 million and that's the Commonwealth government's share. The CNMI is hard pressed for cash but it is in fact an obligation that we have to fulfill with FEMA. For that reason, we're allowing the Governor to dip into the deficit reduction plan as provided for under the current Budget Act that we emplaced, which is a 2% deficit reduction plan. There's over \$2 million in that account. Since the obligation of the Commonwealth is with FEMA and we can expect that every year a typhoon comes our way, it is appropriate that we fulfill our obligations with FEMA. We don't know what's in store for this year's typhoon season and for that reason, I think it's a good application of appropriation to satisfy our share with FEMA. It is in fact identified in the reduction plan.

Rep. Babauta: May I continue, Mr. Speaker? Mr. Speaker, my concern is whether or not the initial expenditure as a result of the declaration, from the Administration for Rota being in calamity following Supertyphoon Pongsona are attributed or included in the overall cost to be shared by the Commonwealth or is this separate from what have been expended, for instance, like when CUC personnel went to Rota? Is that taken into consideration in terms of operational costs to be included in what the Administration is requesting or is it on top of that?

Speaker Hofschneider: I don't know what's permitted but there is in fact a reimbursement application in what a state has in fact incurred. For specifics, I don't know if that includes the operations, but I know that a majority of the \$13 million is due to the disaster in Rota and a small percentage of that \$13 million is attributed in Tinian and Saipan. Nonetheless FEMA approaches from one state and we have an obligation to fulfill our 10% share.

Rep. Babauta: I brought up this concern, Mr. Speaker, because I have written to OPA. I don't know whether or not it is legal, but FEMA vouchers and government fuels are being utilized to offset tax primarily from the Division of Customs at the port of entry. Right now OPA has already initiated its investigations but I'm concern with this. I support the intent of having to extract 10% for the CNMI's share but the mere fact that those expenditures from FEMA vouchers and CNMI government fuels were inclusive in the direct contributions to augment the immediate needs of Supertyphoon Pongsona. So I'm just bringing this up as a matter of discussion for the members to be aware of the initial expenditure that the Commonwealth have used on its – whether or not it'll be replenished or reimbursable I am not too sure but I'm just questioning whether or not the initial expenditure of public funds to take immediate actions on emergencies is included on the 10% and that is what I'm trying to get at. Would it be accountable...

Speaker Hofschneider: Representative Babauta, I think we need to reserve the details and rest on trusting FEMA that they will go through the accounting procedures and what is permitted or not. The fact of the matter remains that we owe 10% of the \$13 million.

Rep. Babauta: Is the bill going to be introduced today, Mr. Speaker?

Speaker Hofschneider: Well, yes. We're waiting for the resolution.

### SENATE COMMUNICATIONS

Floor Leader Attao moved for the acceptance of SEN. COMM. 13-173 thru SEN. COMM. 13-179, was seconded by Rep. Babauta and carried by voice vote.

SEN. COMM. 13-173: Return of H. J. R. NO. 13-025 (State Address & Washington Report), which was adopted by the Senate on April 9, 2003. [For inf.]

SEN. COMM. 13-174: Transmittal of S. B. NO. 13-135, SD1, entitled, "To amend 4 CMC § 4344(d) of the Commonwealth Entry and Deportation Act of 1983 to require the Office of the Attorney General to promulgate rules and regulations implementing certain applicable international treaties and conventions related to the status and treatment of persons fearing persecution, torture, cruel, inhumane or degrading treatment or punishment in their country of origin," which the Senate passed on April 9, 2003. [For action]

SEN. COMM. 13-175: Informing the House that the Senate filed H. B. NO. 13-016, HS1 (Importation of farm products study) on April 23, 2003.

SEN. COMM. 13-176: Informing the House that the Senate filed H. B. NO. 13-057, HS1 (Roadside Vendors) on April 23, 2003.

SEN. COMM. 13-177: Transmittal of S. B. NO. 13-107, SD1, entitled, "To amend the CNMI alcohol beverage control laws at 4 CMC § 5566 to provide that minors may not enter an establishment that is primarily engaged in the sale of alcoholic beverages; and for other purposes," which the Senate passed on April 23, 2003. [For action]

SEN. COMM. 13-178: Transmittal of S. R. NO. 13-41, entitled, "A Senate Resolution commending Ms. Catherine Hughes Wimberly for her exemplary work as a Delta Air Lines International On-Board Leader Flight Attendant attending to members of the 101<sup>st</sup> Airborne Division, United States Army on their February 28, 2003 Delta Airlines deployment fight to the Middle East and volunteering to forward a batch of letters from the 101<sup>st</sup> Airborne Division to their friends and families who, but for Ms. Wimberly's volunteering, would not have received them as quickly," which the Senate adopted on April 9, 2003. [Certified copy]

SEN. COMM. 13-179: Transmittal of S. R. NO. 13-42, entitled "A Senate Resolution conveying the sincere condolences and sympathy of the Senate of the Thirteen the Northern Marianas Commonwealth Legislature to the bereaved family of the late Honorable Miguel I. Kileleman on the occasion of his untimely passing and paying tribute to his fond memory," which the Senate adopted on April 23, 2003.

Speaker Hofschneider: SEN. COMM. 13-173 thru SEN. COMM. 13-179 are hereby accepted by the House. Discussion on any of the Senate Communications? Representative William Torres.

Rep. W. Torres: Thank you, Mr. Speaker. If there's no objection, I would like to ask for the indulgence of the House to pass on First and Final Reading, if not on First, S. B. NO. 13-135, SD1 reference SEN. COMM. 13-174. This is in regards to the Entry and Deportation Act of 1983.

Rep. Babauta: No objection for First Reading.

Speaker Hofschneider: Floor Leader, can you include S. B. NO. 13-135, SD1 when we get down to Bill Calendar?

Floor Leader Attao: Yes. Can I make a motion now so that we can place S. B. NO. 13-135, SD1 on today's calendar for action?

The Chair recognized the Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. Pursuant to Rule IX, Section 15, I move to place S. B. NO. 13-135, SD1 reference to SEN. COMM. 13-174 on today's calendar for action.

The motion was seconded by Rep. Babauta and carried by voice vote.

S. B. NO. 13-135, SD1: A BILL FOR AN ACT TO AMEND 4 CMC § 4344(d) OF THE COMMONWEALTH ENTRY AND DEPORTATION ACT OF 1983 TO REQUIRE THE OFFICE OF THE ATTORNEY GENERAL TO PROMULGATE RULES AND REGULATIONS IMPLEMENTING CERTAIN APPLICABLE INTERNATIONAL TREATIES AND CONVENTIONS RELATED TO THE STATUS AND TREATMENT OF PERSONS FEARING PERSECUTION, TORTURE, CRUEL, INHUMANE OR DEGRADING TREATMENT OR PUNISHMENT IN THEIR COUNTRY OF ORIGIN.

Speaker Hofschneider: Motion carried.

## **HOUSE COMMUNICATIONS**

The Chair recognized Representative Seman.

Rep. Seman: Thank you, Mr. Speaker. If there's no objection, can we go back Item 4, Prefiled and Introduction of Resolutions of our agenda?

There being no objection; the House went back to Item 4, Prefiled and Introduction of Resolutions.

## **PREFILED AND INTRODUCTION OF RESOLUTIONS**

The Chair recognized Representative Seman.

H. R. NO. 13-139: A House Resolution to recognize the value and accomplishments of Emergency Medical Services providers by designating May 18-24 as Emergency Medical Services Week.

Offered by: Rep. Benjamin B. Seman and seventeen others

H. R. NO. 13-140: A House Resolution to recognize the importance of emergency medical care for children in the Commonwealth of the Northern Mariana Islands.

Offered by: Rep. Benjamin B. Seman and seventeen others

H. R. NO. 13-141: A House Resolution commemorating May 9-16, 2003 as Buckle-up America and Buckle-up CNMI Week.

Offered by: Rep. Benjamin B. Seman and seventeen others

Speaker Hofschneider: Thank you. We go back to Item 7, House Communications.

### **HOUSE COMMUNICATIONS**

HSE. COMM. 13-54: Rep. Ada's trip report for April 3-9, 2003.

There was no discussion.

### **COMMUNICATIONS FROM THE JUDICIAL BRANCH**

JUD. BR. COMM. 13-17 – 04/30/03 – From Chief Justice Demapan providing a copy of the Judiciary's 2002 Annual Report.

There was no discussion.

### **COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE**

WASH. REP. COMM. 13-20 – 4/2/03 – Submitting the Office's 2002 Annual Report.

There was no discussion.

### **COMMUNICATIONS FROM DEPARTMENTS & AGENCIES**

DEPT. & AGENCY COMM. 13-198 – 4/23/03 – From Chief Parole Officer Vincent Attao providing a copy of the Office's 2003 Annual Report.

DEPT. & AGENCY COMM. 3-199 – 4/24/03 – From Director Dolores S. Moore, GHLITF, soliciting comments on the emergency amendments to the rules and regulations governing the Group Health Ins. Program.

DEPT. & AGENCY COMM. 13-200 – 4/30/03 – From Secretary Fermin M. Atalig, DOC, submitting the Fourteenth Annual Report of the director of Banking.

DEPT. & AGENCY COMM. 13-201 – 4/30/03 – From Executive Director Felix Nogis, regarding the Summer Youth Employment Program.

DEPT. & AGENCY COMM. 13-202 – 05/01/03 – From Managing Director Jonas Ogren providing a copy of MVA's audited Financial Statements for FY '02.

The Chair recognized Representative Stanley Torres.

Rep. S. Torres: Do we have DEPT. & AGENCY COMM. 13-199 available?

Speaker Hofschneider: Representative Stanley Torres, I do not recall the emergency amendments to the Rules and Regulations being forwarded to the Speaker's Office, but I'll double check and find out if we have received it.

Rep. S. Torres: For information of the members, I attended the public hearing on GHLI emergency amendments for the Rules and somehow, I was a little bit confused by the presentation. I brought along a copy of the emergency rules of GHLI. I was recommending and suggesting amendments but somehow I found out that I was talking about the wrong proposed amendment. I tried my best to ask for a copy from the agency and was told that it will not be distributed because it's still unsigned.

Speaker Hofschneider: Representative Stanley Torres, it is attached to DEPT. & AGENCY COMM. 13-199.

Rep. S. Torres: I guess I'm talking about a different copy too. I apologize for that.

Speaker Hofschneider: If any member wishes to obtain a copy, it's with the clerk.

Rep. S. Torres: My mistake.

Speaker Hofschneider: No, you're correct. It's not attached to the material that was passed out to the members. It's with the clerk.

Rep. S. Torres: Mr. Speaker, can I continue?

Speaker Hofschneider: Yes.

Rep. S. Torres: Since we're on this subject, is it correct or am I wrong to request for a copy of the proposed rules and regulations that is not yet signed that the agency refused to provide me a copy?

Speaker Hofschneider: I think it's fiduciarily responsible for the Board not to share any unsigned proposed rules and regulations because it's not an official position of the Board. But we have a signed copy with the clerk. There's nothing wrong with asking for an unsigned copy but it is wrong for the Board to issue out an unsigned copy. Representative William Torres?

Rep. W. Torres: I noticed that your office has received this proposed emergency amendments on May 2, and the deadline for submission of comments is fast approaching – May 24. If there's no objection, may I ask the Speaker to seek an extension for one full month? Especially in view of the fact that the Retirement Association will be meeting sometime this week. I'm very sure that they'll be very anxious to review and reappraise as to what constitutes, what are the changes that will impact especially the retirees. I find it rather interesting that this was approved by the Board on the 23<sup>rd</sup> of April, and we just got this copy. In fact, your office received it on the 2<sup>nd</sup> of this month. So may we ask your office to seek an extension so that there is ample time to review this?

Speaker Hofschneider: So noted. Any other comments? Representative Castro.

Rep. Castro: Thank you, Mr. Speaker. Just to express my appreciation to the members of the Saipan and Northern Islands Legislative Delegation for supporting H. L. B. NO. 13-033 and also thanking the Governor for signing it into S. L. L. 13-15. Thank you.

### **OTHER COMMUNICATIONS**

MISC. COMM. 13-162 – 5/2/03 - From Ms. Frances Muña, SNIMC Administrative Officer, transmitting resolutions 7SMC-6RS-10 to 7SMC-6RS-19.

There was no discussion.

### **REPORTS OF STANDING COMMITTEES**

None

### **REPORTS OF SPECIAL AND CONFERENCE COMMITTEE**

None

### **UNFINISHED BUSINESS**

None

### **RESOLUTION CALENDAR**

The Chair recognized Vice Speaker Tenorio.

Vice Speaker Tenorio: Mr. Speaker, if there's no objection, I want to request the indulgence of the members if we can move back to Item 3, Prefiled and Introduction Bills on our agenda?

There being no objection; the House went back to Prefiled and Introduction of Bills.

### **PREFILED AND INTRODUCTION OF BILLS**

The Chair recognized Vice Speaker Tenorio.

H. B. NO. 13-280: A Bill for an Act to appropriate available funds from the 702 CIP Covenant Funding for certain Capital Improvement Projects in FY 2003; and for other purposes.

Offered by: Rep. Manuel A. Tenorio and six others

Vice Speaker Tenorio: Thank you. Also, Mr. Speaker, I would like this to be included in today's Bill Calendar.

Rep. Babauta: No objection.

Speaker Hofschneider: Can we have copies while we're moving down? We return to Item 15, Resolution Calendar.



## RESOLUTION CALENDAR

The Chair recognized the Floor Leader.

Floor Leader Attao: Two minutes recess, Mr. Speaker.

The Chair declared a recess at 11:18 a.m.

## RECESS

The House reconvened at 1:34 p.m.

Speaker Hofschneider: We're back to our session and we were under Resolution Calendar. We took a recess for lunch and with no objection on the floor, we'll move 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

The Chair recognized Representative Quitugua.

Rep. Quitugua: *Mr. Speaker, esta man gaige hit gi bisinu siña ta fan hathilu guenao gi Item 3?*

There being no objection; the House went back to Prefiled and Introduction of Bills.

## PREFILED AND INTRODUCTION OF BILLS

The Chair recognized Representative Quitugua.

H. B. NO. 13-281: A Bill for an Act to amend 1 CMC § 2281 to improve the administration of Public School System Capital Improvement Projects; to ensure quality work by contractors on such projects; and for other purposes.

Offered by: Rep. Daniel O. Quitugua and one other

H. L. B. NO. 13-041: A Local Bill for an Act to establish a dog licensing and dog control act for Rota in order to protect the public health and welfare of the public; and for other purposes. [First Appearance]

Offered by: Rep. Daniel O. Quitugua

Speaker Hofschneider: With no other bills for introduction, we'll move to Prefiled and Introduction of Resolutions.

## PREFILED AND INTRODUCTION OF RESOLUTIONS

H. J. R. NO. 13-030: A House Joint Resolution to approve the reprogramming of funds from the reserved funds for deficit reduction under Public Law No. 13-24 to cover unanticipated expenses incurred as a result of Supertyphoon Pongsona including the cost of fulfilling the CNMI's immediate obligation of 10% matching of local funds with Federal Emergency Management Agency.

Offered by: Rep. Heinz S. Hofschneider and seventeen others

Speaker Hofschneider: If there's no objection, this would be introduced by the Committee of the Whole.

There was no objection.

## RESOLUTION CALENDAR

The Chair recognized the Floor Leader.

Floor Leader Attao moved for the suspension of Rule VII, Section 10, Rule IX, Sections 9, 10 and 11 for the adoption of H. R. NO. 13-135, H. R. NO. 13-136, H. R. NO. 13-137, H. R. NO. 13-138, H. R. NO. 13-139, H. R. NO. 13-140, H. R. NO. 13-141, H. J. R. NO. 13-029, and H. J. R. NO. 13-030, was seconded by Rep. Babauta and carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader.

Floor Leader Attao moved for the adoption of H. R. NO. 13-135, H. R. NO. 13-136, H. R. NO. 13-137, H. R. NO. 13-138, H. R. NO. 13-139, H. R. NO. 13-140 and H. R. NO. 13-141, was seconded by Rep. Babauta.

H. R. NO. 13-135: A HOUSE RESOLUTION TO CONGRATULATE MR. HIDEO KATO ON THE OCCASION OF THE 50<sup>TH</sup> ANNIVERSARY OF THE FOUNDING OF THE WAKAI NEKKO NO KAI AND THE 35<sup>TH</sup> ANNIVERSARY OF THEIR FIRST VOYAGE TO THE ISLAND OF SAIPAN.

H. R. NO. 13-136: A HOUSE RESOLUTION EXPRESSING TO MR. HERMAN C. BLISS, MANAGER OF THE WESTERN PACIFIC AIRPORTS DIVISION, FEDERAL AVIATION ADMINISTRATION (FAA), THE NORTHERN MARIANA ISLANDS' DEEPEST APPRECIATION AND SINCERE THANKS FOR ALL OF THE HARD WORK AND MANY ACCOMPLISHMENTS MADE BY THE FAA IN DEVELOPING AND IMPROVING THE PUBLIC AIRPORTS OF HAWAII, AMERICAN SAMOA, GUAM AND THE NORTHERN MARIANA ISLANDS.

H. R. NO. 13-138: A HOUSE RESOLUTION TO RECOGNIZE THE TINIAN HEAD START PROGRAM AND ITS COORDINATOR AND STAFF FOR BEING NAMED CENTER OF THE YEAR-ROLE MODEL CENTER FOR FOUR (4) SCHOOL YEARS.

H. R. NO. 13-139: A HOUSE RESOLUTION TO RECOGNIZE THE VALUE AND ACCOMPLISHMENTS OF EMERGENCY MEDICAL SERVICES PROVIDERS BY DESIGNATING MAY 18-24 AS EMERGENCY MEDICAL SERVICES WEEK.

H. R. NO. 13-140: A HOUSE RESOLUTION TO RECOGNIZE THE IMPORTANCE OF EMERGENCY MEDICAL CARE FOR CHILDREN IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

H. R. NO. 13-141: A HOUSE RESOLUTION COMMEMORATING MAY 9-16, 2003 AS BUCKLE-UP AMERICA AND BUCKLE-UP CNMI WEEK.

Speaker Hofschneider: The motion for the adoption H. R. NO. 13-135 thru H. R. NO. 13-141 has been seconded. Discussion on any of the resolutions? Representative Palacios.

Rep. A. Palacios: Mr. Speaker, I have a question. Does that mean that we're going to vote on all the resolutions right now?

Speaker Hofschneider: Yes.

Rep. A. Palacios: Can we skip over H. R. NO. 13-137? I have some questions on this resolution that I want to be clarified.

Speaker Hofschneider: Floor Leader, subsidiary motion.

Floor Leader Attao moved to exclude H. R. NO. 13-137 for adoption, was seconded by Rep. Babauta and carried by voice vote.

Speaker Hofschneider: H. R. NO. 13-137 is excluded from the main motion. Any discussion on H. R. NO. 13-135 thru H. R. NO. 13 141 with the exception of H. R. NO. 13-137?

There was no further discussion, and the motion to adopt H. R. NO. 13-135, H. R. NO. 13-136, H. R. NO. 13-138, H. R. NO. 13-139, H. R. NO. 13-140 and H. R. NO. 13-141 was carried by voice vote.

Speaker Hofschneider: H. R. NO. 13-135, H. R. NO. 13-136, H. R. NO. 13-138, H. R. NO. 13-139, H. R. NO. 13-140 and H. R. NO. 13-141 are hereby adopted by the House. Floor Leader, motion for the adoption of H. R. NO. 13-137.

Floor Leader Attao: I move for the adoption of H. R. NO. 13-137.

The motion was seconded by Rep. Babauta.

H. R. NO. 13-137: A HOUSE RESOLUTION TO URGENTLY THE HONORABLE GOVERNOR, JUAN N. BABAUTA AND THE SECRETARY OF THE DEPARTMENT OF PUBLIC WORKS, MR. JUAN S. REYES TO ALLOCATE 2.4 MILLION DOLLARS FROM THE FY 2004 FEDERAL HIGHWAY FUND FOR PRECINCT I ROAD PAVING AND DRAINAGE.

Speaker Hofschneider: The motion for the adoption of H. R. NO. 13-137 has been seconded. Discussion on the resolution? Representative Palacios.

Rep. A. Palacios: Mr. Speaker, I have a question on this resolution. That's not to say that I am opposed to the allocation of this future funding from the Federal Highway Fund. However, I want to get some clarification from the author as to what happened to the FY 2003 Highway Fund because

the FY 2003 Highway Fund is also specifically allocated to this project, if I'm not mistaken. And from what I gathered from the Department of Public Works, some of those funds have been again reprogrammed or reallocated to other projects within Precinct I. I just want some clarification on specifics and what is the final amount that we're going to need to complete this project.

Speaker Hofschneider: Vice Speaker, for the benefit of the members, what is the Federal Highway Fund for FY 2003 committed to?

Vice Speaker Tenorio: Mr. Speaker, to respond to your question and the issue brought up by Congressman Palacios, we had a short discussion with the Secretary of the Department of Public Works this morning and as you know there's a litigation going on the CRM with the Airport Road. Apparently \$3.1 million was allotted from the FY 2003 Highway Fund for the Airport Road project and that amount was not sufficient to do the work that's needed to be done there. That's to do the center lane as an architecture work by Swavely – I'm not really sure.

Speaker Hofschneider: Duenas and Swavely?

Vice Speaker Tenorio: Yes. What happened is – because this morning we called him up and he told us that some of that particular fund will probably be used to finance the cross-island road and part of it would be used to do the A & E for ponding basin that's required to do the center lane work. So the additional funding, Mr. Speaker, is actually over \$2.6 million. We can't come up with exact figure because that was not available to us from the Highway Fund. So even \$2.4 million available is short for this. What we're doing here is we're reserving our portion of the FY 2004 Highway Fund for the Third Senatorial District. The amount that we have been given in the past was \$3.199 million with the entitlement for Rota and Tinian of \$800,000.00 that picks up the balance of roughly \$2.4 million. So, that's the only amount that we're requesting the Governor and the Secretary of the Department of Public Works to reserve for the Airport Road. Needless to say, Mr. Speaker, the Airport Road must be completed, not only because it's a gateway to the island of Saipan and to the CNMI, it's a very dangerous road right now. I don't need to remind you that at one time almost an entire family was wiped out. That road will continue to be dangerous as long as it's used for the airport because the traffic is rushing all the time to catch the plane. So a center lane concept was – they call it a middle lane for left turn and right turn – because of the fact that there's continuous growth of population at that area so we have to turn left and right and we need the center lane...[end of recording]

Speaker Hofschneider: [beginning of recording]...for additional funds but I believe we have records from CPA in that to supplement their appropriation for the Airport Road – it's \$2 million. They have \$2.5 million and all they're is for an additional \$2 million and that's for a four-lane concept. So by downsizing it to three lanes with a center lane would obviously be much less dedicating \$1 million now under the 2003 and \$2.5 million is over appropriating it. So can we take a short recess and get the correct figures?

The House recessed at 1:46 p.m.

## RECESS

The House reconvened at 1:50 p.m.

Speaker Hofschneider: We're back to our session, and Vice Speaker, you have the floor.

Vice Speaker Tenorio: Thank you, Mr. Speaker, and thank you for your understanding. I think we're clear on the issue of the \$2.4 million so I want to ask the support of everybody to please let's do it and get it over with. Thank you, Mr. Speaker. I move to end debate.

Speaker Hofschneider: Vice Speaker, before I recognize that motion, since this is a commitment to the Commonwealth Federal Highway – I know it's only for Saipan but it would be highly recommended to put it in a House Joint Resolution form.

Vice Speaker Tenorio: You want to do that?

Speaker Hofschneider: Just to strengthen it. But if you guys think that a House Resolution will be sufficient, that's fine.

Vice Speaker Tenorio: Mr. Speaker, just to clarify that the \$800,000 or the entitlement for the First and Second Senatorial Districts is fully taken into consideration so we're not asking for that. We're only asking for our share of the Federal Highway Funds.

Speaker Hofschneider: Okay. So, Representative Palacios, are you satisfied?

Rep. A. Palacios: Not really, Mr. Speaker. As a matter fact I want commitment from the Department of Public Works – I have no problem with this project. Just like you said, we really need to move on with this project but we keep saying and you keep moving those funds from FY 2003. We already moved the FY 2003 out of the system. Let's put \$3 million part of the FY 2003 and 2004 so this issue will be finished. *Basta este — ma chuli 'e i cross-island road talo. Polu naya etyo ya hu tatati ya ta na funhayan este i Airport Road* but we've always left it to Precinct I Representatives to work it out and this is becoming an issue. Let's hold off on the cross island-road and put everything into this so that we can get moving on it right away.

Speaker Hofschneider: You want to amend the resolution and request to include 2003 funds for the cross-island to be reserved for the application to the Airport Road?

Rep. A. Palacios: Yes. So moved, Mr. Speaker.

Rep. Deleon Guerrero: *Mr. Speaker, kumu magahit nai...*

Speaker Hofschneider: Let me recognize. Representative Palacios, are you finished?

Rep. A. Palacios: Yes.

The Chair recognized Representative Deleon Guerrero.

Rep. Deleon Guerrero: Mr. Speaker, I don't have any problems with the recommendations by Representative Palacios, provided that we do get some kind of affirmation from the Department of Public Works that the August deadline will not jeopardize that funding because like I was saying this morning we got the statement from the Secretary that that current funding for the Airport Road is really for construction. And because of the permit issue problem, they can't go with construction that's why they have to put it into design to resolve the drainage problem and the remaining would

be used for the design of the cross-island road. If that is not an issue, I have no problem whatsoever, but we do need to get some of confirmation from the Department of Public Works that the money will not be jeopardized. *Enao ha, Mr. Speaker.*

Rep. A. Palacios: Mr. Speaker, so therefore let me maybe recommend that we'll postpone this until we get that clarification from the Department of Public Works.

Rep. Deleon Guerrero: We already did.

Rep. A. Palacios: No. The one where the money will not lapse.

The Chair recognized Representative Ada.

Rep. Ada: Mr. Speaker, I have a lot of problems for Precinct I. When I came in on my first term as a congressman...

Speaker Hofschneider: We're sticking only to Federal Highway discussion.

Rep. Ada: Thank you, Mr. Speaker. It's all about Federal Highway. I have six bills that I had introduced since January 2000 – *esta para 2004, Mr. Speaker*, and it has to do with traffic lights. If we're going to deal with Precinct I roads, especially the Airport Road, which I don't deny is a priority and I support that Vice Speaker, I want to offer an oral floor amendment on H. R. NO. 13-137 to include traffic lights for Precinct I. It has long been ignored, denied, put aside – I believe it's time to address the problem especially at the San Vicente Round House.

Speaker Hofschneider: Representative Ada, are you saying that there are six of you in Precinct I and that none of the other five are thinking are about the traffic light?

Rep. Ada: They are supporting it but Airport Road is a priority. Like I said, I don't deny that the Airport Road is a priority. You have to tackle it like Chairman Palacios said.

Speaker Hofschneider: So make a motion, Representative Ada, and we'll dispose this resolution.

Rep. Ada: I would like to offer an oral floor amendment after the word "drainage" must include "and order and installation of traffic lights for Precinct I, Saipan." I have it in writing, Mr. Speaker.

Speaker Hofschneider: To include what?

Rep. Ada: On the heading after the word "drainage" include "and order and installation..."

Speaker Hofschneider: Order? What do you mean order?

Rep. Ada: We must order and then install the traffic lights, Mr. Speaker. I don't want to say installation of traffic lights...

Speaker Hofschneider: Procurement.

Rep. Ada: Oh, yes, okay, “and procurement and installation of traffic lights for Precinct I, Saipan.” I want it to be an order, Mr. Speaker. Anyone want to second that?

The motion was seconded.

Floor Leader Attao: We need a specific...

Rep. Ada: “and procurement and installation of traffic lights for Precinct I, Saipan.” *Esta para kuartru años este.*

Speaker Hofschneider: Specifically what site?

Rep. Ada: I have the bill for the Floor Leader.

Speaker Hofschneider: No, Representative Ada...

Floor Leader Attao: He’s got plenty, Mr. Speaker.

Rep. Ada: I have six bills that address the traffic light situation in Precinct I.

Speaker Hofschneider: So you want to include all the traffic lights in Precinct I?

Rep. Ada: There are about three that are most important, for example, the entrance to Kagman...

Speaker Hofschneider: Representative Ada, before you’re out of order, please, specify which sites you want to erect or construct.

Rep. Ada: The entrance to Kagman, the San Vicente Roundhouse is very dangerous every morning from Monday to Friday.

Speaker Hofschneider: San Vicente Roundhouse, and the last one?

Rep. Ada: The Afetna Square. Tun Joaquin Doi Road is also another. *Sais este.*

Rep. A. Palacios: *Representative Ada, ti ha meet enao i Federal Highway.*

Rep. Ada: Wait – let me finish. And the Atis and COP’s main intersection road in Koblerville.

Speaker Hofschneider: Representative Ada, a road has to be designated a primary road.

Rep. Ada: Those are primary roads. Koblerville is a primary road.

Speaker Hofschneider: You better check first.

Rep. Ada: Yes, next to the fire station, that’s the intersection.

Speaker Hofschneider: I think three is enough accommodation?

Rep. Ada: Mr. Speaker, I believe for now those are very important.

Speaker Hofschneider: Alright. So can you rephrase your oral floor amendment? Can you rephrase the procurement and installation?

Rep. Ada: “And procurement and installation of traffic lights for Precinct I, Saipan” namely the four.

Speaker Hofschneider: Three.

Rep. Ada: *Oh, tres ha? Kuartru.* Koblerville, Afetna Square, Tun Joaquin Doi Road but seriously the most important are the Kagman entrance and the San Vicente Roundhouse. These are very dangerous areas. Then Afetna Square and Koblerville so Tun Joaquin Doi Road is next time around.

Speaker Hofschneider: Okay. Any second?

The motion was seconded.

Speaker Hofschneider: An oral floor amendment offered by Representative Ada has been seconded. Discussion on that amendment? Representative Deleon Guerrero.

Rep. Deleon Guerrero: Mr. Speaker, first let me clarify that the San Vicente would be part of the cross-island road project. They’re going to remove that roundhouse and there would be a traffic light. I think it’s called for on the design so as far as one of the projects they don’t need that in here.

The Chair recognized Representative Ada.

Rep. Ada: We need to clarify this and make sure that it’s really coming from the DPW’s Secretary that it’s included under the cross-island road project. I, myself, have seen the design. I am not too sure whether that’s included.

Speaker Hofschneider: Representative Deleon Guerrero, it will not hurt if the DPW’s Secretary and the Federal Highway sees that the application of the cross-island would better accommodate the traffic light then they would not fund that under this resolution. Representative Tebuteb?

Rep. Tebuteb: I’m a little confused now.

Speaker Hofschneider: Who is not?

Rep. Tebuteb: I’m trying not to. Could I ask the mover of the oral floor amendment – is this \$2.4 million also inclusive of, can you give us a cost estimate of what you just amended? Is this within the \$2.4 million and how much it costs?

Rep. Ada: Yes, it is Federal Highway.

Rep. Tebuteb: No, your estimate on the three...

Rep. Ada: Okay. The estimate on the three, each traffic light cost no more than \$250,000.



At this time, the Chair declared for a short recess at 2:06 p.m.

## RECESS

The House reconvened at 2:13 p.m.

Speaker Hofschneider: Representative Ada, recognized.

Rep. Ada: Are we back in session?

Speaker Hofschneider: Yes.

Rep. Ada: *Mr. Speaker, guahu uno kumu risponsibilidat hu ni ma ilih'i ni taotao para bai protehi lakkue i linala todudu parehu ha i famagu'on yan man amko. Kada oga'an ya u sugun i kareta ti siña yu humanao mas ki sinko miyas desde i Nan Ocha Road esta ki un upos i Roundhouse. Ahe ti pot bulan kareta lao i famagu'on guehi. Kuantu biahi ni u li'e man ma ke-chiget i famagu'on. Guaha iyok-hu yellow traffic blinkers u intrudusi gi local delegation desde mapas na January – mamaigu ha. Yanggen siña maniagu, maniagu ha esta etyo. Desde 2000 para infotmasion miyu ni pago man hahalom gi Congressu gi iyon-hita precinct, Precinct I desde 2000 lakkue etyo u na halom. Guiya este todun na bills i introdudusi, guiya ha exactly word for word pudi matulaika i date. Ahe ti pot Ada gaige guihi sa Committee of the Whole todun este na legislation i u chochogue. Atan ha sa todun man gaige i iyon-miyu signature. Hu popotlu na risponsibilidat miyu lakkue para en ayuda i Precinct I – i famagu'on guehi. Munga na bai u nangga ya para bai hu ma sanggani na attana nai agas ha u sanggani hao. Si Yu'us Ma'ase para si Floor Leader ni ha sede yu para bai u fan gapot gi i local funding, etyo i twenty thousand sa esta kumeke posible etyo. Para infotmasion miyo gi Precinct I kumeke posible para u ma pega i blinkers lao ti nanahung ha nu i blinkers. Nisisita i control guehi, i flow i kareta. Etyo gue presisu sa siña ni na fananaga i kareta man sasafu hayi man ma drodrop. Taya ni en li'e, taya ni en observe sa guahu hagas ha sumasaga yu guehi ya gof na fugo etyo i u lili'e man malalago pat guaha para u saga sa guaha kareta kume crash sa i famagu'on. Thank you, Mr. Speaker. Yanggen gof makat para ta na halom todun i tres pues San Vicente yan maseha etyo i entrance to Kagman yanggen ti nahong salape.*

Speaker Hofschneider: Representative Ada, may I suggest something and that would accommodate you, consistent with FY 2003? Since \$1 million of the FY 2003, as we have heard earlier, is dedicated towards the design, would you be amenable to insert language that for the current dedication of FY 2003 to include the design and construction of traffic lights for Precinct I?

Rep. Ada: On H. R. NO. 13-137?

Speaker Hofschneider: On H. R. NO. 13-137. Or if you care withdraw your amendment and do a resolution specifically for FY 2003 Federal Highway that is now dedicated towards the cross-island, which will start with San Vicente and the Kagman entrance, which is really consistent with the \$1 million already dedicated for the design.

Rep. Ada: And you would assure me, Mr. Speaker, that we would have a session tomorrow to address that?

Speaker Hofschneider: Yes.

Rep. Ada: Thank you, Mr. Speaker. I withdraw my amendment.

Speaker Hofschneider: Thank you.

Rep. Babauta: Clarification.

Speaker Hofschneider: State your clarification.

Rep. Babauta: On page 1, line 22, Mr. Speaker. After the stricken WHEREAS, \$2.4 million from Federal Highway Funds or do we have a communication that stipulates the actual available funds for FY 2004?

Speaker Hofschneider: The Vice Speaker reiterated earlier that the available funds for FY 2004.

Rep. Babauta: This is exclusive of First and Second Senatorial Districts?

Speaker Hofschneider: Yes.

There was no further discussion, and the motion to adopt H. R. NO. 13-137 was carried by voice vote.

Speaker Hofschneider: H. R. NO. 13-137 is hereby adopted by the House. Floor Leader.

The Chair recognized Representative Palacios.

Rep. A. Palacios: Mr. Speaker, I want to remind our Precinct I Representatives that for FY 2003 and FY 2004 Federal Highway Funds, we have allocated to Precinct I...

Speaker Hofschneider: \$3.4 million.

Rep. A. Palacios: Yes. So we're already looking at close to \$4 million for that road.

Speaker Hofschneider: But that's a CNMI concern so...

Rep. A. Palacios: It is but I want to...

Vice Speaker Tenorio: Clarification.

Speaker Hofschneider: State your clarification, Vice Speaker.

Vice Speaker Tenorio: Thank you. Just to raise a point that the cross-island road crosses over Precinct I, Precinct III and Precinct IV. It goes from San Vicente to Mobile gas station, which used to be Jack Mangloña's. That's the cross-island road just for your information. So long...

Speaker Hofschneider: 2% in Precinct III.

Vice Speaker Tenorio: Perhaps, but it crosses over. So it's for everybody. Thank you.

Speaker Hofschneider: Floor Leader, we move to Bill Calendar.

Floor Leader Attao: Two more resolutions, Mr. Speaker.

The Chair recognized the Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. I move for the adoption of H. J. R. NO. 13-029 and H. J. R. NO. 13-030.

The motion was seconded by Rep. Babauta.

H. J. R. NO. 13-029: A HOUSE JOINT RESOLUTION TO REQUEST THE GOVERNOR TO UTILIZE HIS EXPENDITURE AND REPROGRAMMING AUTHORITY PURSUANT TO PUBLIC LAW 13-24 AND THE PLANNING AND BUDGETING ACT, AS AMENDED, TO ASSIST THE FUNDING OF THE 2003 LIBERATION DAY ACTIVITIES AND THE NORTHERN MARIANAS BEAUTY PAGEANT ASSOCIATION.

H. J. R. NO. 13-030: A HOUSE JOINT RESOLUTION TO APPROVE THE REPROGRAMMING OF FUNDS FROM THE RESERVED FUNDS FOR DEFICIT REDUCTION UNDER PUBLIC LAW NO. 13-24 TO COVER UNANTICIPATED EXPENSES INCURRED AS A RESULT OF SUPERTYPHOON PONGSONA INCLUDING THE COST OF FULFILLING THE CNMI'S IMMEDIATE OBLIGATION OF 10% MATCHING OF LOCAL FUNDS WITH FEDERAL EMERGENCY MANAGEMENT AGENCY.

Speaker Hofschneider: The motion for the adoption of H. R. NO. 13-029 and H. J. R. NO. 13-030 has been seconded. Discussion on the resolutions?

Several members voiced, "ready."

Speaker Hofschneider: Ready. Clerk, roll.

The roll called on the motion to adopt H. R. NO. 13-029 and H. R. NO. 13-030 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	excused
Rep. Norman S. Palacios	yes
Rep. Daniel O. Quitugua	yes
Rep. Andrew S. Salas	yes
Rep. Benjamin B. Seman	yes
Rep. Ramon A. Tebuteb	yes

Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	yes
Rep. William S. Torres	yes
Rep. Heinz S. Hofschneider	yes

Speaker Hofschneider: H. J. R. NO. 13-029 and H. J. R. NO. 13-030 are hereby adopted by the House. Representative Palacios?

Rep. A. Palacios: Mr. Speaker, I remember last year we passed a similar legislation for Liberation Day. I think there was a provision in there that requires our Mayor's Office to submit a financial report. I don't know if the Legislature, regardless of whether it's a Saipan Local Law or a CNMI-wide law, have we gotten any financial report?

Speaker Hofschneider: I have not seen one.

Rep. A. Palacios: I think we need to remind our Mayor that he needs to have that.

Speaker Hofschneider: Chairman on the Committee on Ways and Means, could you please take note and write a letter to the Office of the Mayor to submit a financial report. Representative Ada?

Rep. Ada: Mr. Speaker, I was given the opportunity to head the Liberation Day festivity in 1990 by former Mayor Jesus Guerrero. We started out with nothing and we ended up with sixty some thousand dollars in net profit diverted back to the Mayor's Office for flood, fire or typhoon victims. I don't have a problem with supporting the resolution. I have a problem trying to figure out how much is being realized after all the expenditures.

Speaker Hofschneider: Are you still the Chairman of the Liberation Day Committee?

Rep. Ada: In 1990.

Speaker Hofschneider: Thirteen years ago.

Rep. Ada: Yes.

Speaker Hofschneider: Oh, you've never submitted one?

Rep. Ada: We did submit our report and the net profit was sixty some thousand dollars after paying everything. We didn't have rides at that time.

Speaker Hofschneider: What's the point, Representative Ada?

Rep. Ada: The point is the people accountability. They want to find out what's really happening and how much is given back to the Mayor's Office after all the expenses and what does the Mayor do with those funds.

Speaker Hofschneider: Thank you. That's what Representative Palacios is asking. Floor Leader, under Item 16, Bill Calendar.

## BILL CALENDAR

Floor Leader Attao: Mr. Speaker, if there's no objection, I move to place H. B. NO. 13-280 and S. B. NO. 13-135, SD1 on today's calendar.

There was no objection.

H. B. NO. 13-280: A BILL FOR AN ACT TO APPROPRIATE AVAILABLE FUNDS FROM THE 702 CIP COVENANT FUNDING FOR CERTAIN CAPITAL IMPROVEMENT PROJECTS IN FY 2003; AND FOR OTHER PURPOSES.

S. B. NO. 13-135, SD1: A BILL FOR AN ACT TO AMEND 4 CMC § 4344(d) OF THE COMMONWEALTH ENTRY AND DEPORTATION ACT OF 1983 TO REQUIRE THE OFFICE OF THE ATTORNEY GENERAL TO PROMULGATE RULES AND REGULATIONS IMPLEMENTING CERTAIN APPLICABLE INTERNATIONAL TREATIES AND CONVENTIONS RELATED TO THE STATUS AND TREATMENT OF PERSONS FEARING PERSECUTION, TORTURE, CRUEL, INHUMANE OR DEGRADING TREATMENT OR PUNISHMENT IN THEIR COUNTRY OF ORIGIN.

Speaker Hofschneider: The motion is to place S. B. NO. 13-135, SD1 and H. B. NO. 13-280 on the calendar for today's action. Any second?

The motion was seconded. There was no discussion, and the motion to place S. B. NO. 13-135, SD1 and H. B. NO. 13-280 on the calendar was carried by voice vote.

Speaker Hofschneider: H. B. NO. 13-280 and S. B. NO. 13-135, SD1 are hereby placed on today's calendar. Floor Leader.

Floor Leader Attao: Also, Mr. Speaker, with the approval of the Chairman on the Committee on Ways and Means, I would like to withdraw H. B. NO. 13-023, H. B. NO. 13-024, H. B. NO. 13-025, H. B. NO. 13-026, H. B. NO. 13-047 and H. B. NO. 13-048 to be placed on today's calendar.

Speaker Hofschneider: The motion for withdrawal from the Standing Committee on Ways and Means subject to approval H. B. NO. 13-023, H. B. NO. 13-024, H. B. NO. 13-025, H. B. NO. 13-026, H. B. NO. 13-047 and H. B. NO. 13-048 – any second?

The motion was seconded.

H. B. NO. 13-023: A BILL FOR AN ACT TO APPROPRIATE THE SUM OF TWO HUNDRED TWO MILLION DOLLARS (\$200,000.00) FROM CNMI COVENANT SECTION 702 CIP PROJECT FUNDS; AND FOR OTHER PURPOSES.

H. B. NO. 13-024: A BILL FOR AN ACT TO APPROPRIATE THE SUM OF EIGHT HUNDRED THOUSAND DOLLARS (\$800,000.00) FROM THE CNMI COVENANT SECTION 702 CIP PROJECT FUNDS; AND FOR OTHER PURPOSES.

H. B. NO. 13-025: A BILL FOR AN ACT TO APPROPRIATE EIGHT HUNDRED THOUSAND DOLLARS (\$800,000.00) FROM THE CNMI COVENANT SECTION 702 CIP PROJECT FUNDS FOR THE INSTALLATION OF TRAFFIC LIGHTS AT THE KAGMAN II INTERSECTION; AND FOR OTHER PURPOSES.

H. B. NO. 13-026: A BILL FOR AN ACT TO APPROPRIATE THE SUM OF EIGHT HUNDRED THOUSAND DOLLARS (\$800,000.00) FROM THE CNMI COVENANT SECTION 702 CIP PROJECT FUNDS; AND FOR OTHER PURPOSES.

H. B. NO. 13-047: A BILL FOR AN ACT TO APPROPRIATE ONE MILLION DOLLARS (\$1,000,000.00) FROM THE CNMI COVENANT SECTION 702 CIP PROJECT FOR TRAFFIC LIGHTS TO BE INSTALLED AT THE INTERSECTION ENTERING KGAMAN; AND FOR OTHER PURPOSES.

H. B. NO. 13-048: A BILL FOR AN ACT TO APPROPRIATE EIGHT HUNDRED THOUSAND DOLLARS (\$800,000.00) FOR THE INSTALLATION OF TRAFFIC LIGHTS AT THE KOBLERVILLE CROSS SECTION, FROM THE CNMI COVENANT SECTION 702 CIP PROJECTS; AND FOR OTHER PURPOSES.

Speaker Hofschneider: Chairman on the Committee on Ways and Means, discussion?

Rep. S. Torres: Mr. Speaker, I have no problem with that request but I would have to rely on the Floor Leader's knowledge of where is the money coming from.

Speaker Hofschneider: Okay. So, we'll suggest a First Reading only.

Floor Leader Attao: Yes, Mr. Speaker, the bills withdrawn from the committee are related to H. B. NO. 13-280. So for discussion purposes, I think it is humane that we put these bills before H. B. NO. 13 280 to either refer them to the committee and file them. It's up to the members here, Mr. Speaker.

Speaker Hofschneider: So noted.

There was no further discussion, and the motion to withdraw H. B. NO. 13-023, H. B. NO. 13-024, H. B. NO. 13-025, H. B. NO. 13-026, H. B. NO. 13-047 and H. B. NO. 13-048 from the Committee on Ways and Means was carried by voice vote.

Floor Leader Attao moved for the suspension of Rule VII, Section 10, Rule IX, Sections 9, 10 and 11 for the passage for the passage of H. B. NO. 13-280 and all the bills appearing on the day's calendar on First and Final Reading, was seconded and carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. I move for the passage of S. B. NO. 13-135, SD1 on First and Final Reading.

The motion was seconded by Rep. Babauta.

S. B. NO. 13-135, SD1: A BILL FOR AN ACT TO AMEND 4 CMC § 4344(d) OF THE COMMONWEALTH ENTRY AND DEPORTATION ACT OF 1983 TO REQUIRE THE OFFICE OF THE ATTORNEY GENERAL TO PROMULGATE RULES AND REGULATIONS IMPLEMENTING CERTAIN APPLICABLE INTERNATIONAL TREATIES AND CONVENTIONS RELATED TO THE STATUS AND TREATMENT OF PERSONS FEARING PERSECUTION, TORTURE, CRUEL, INHUMANE OR DEGRADING TREATMENT OR PUNISHMENT IN THEIR COUNTRY OF ORIGIN.

Speaker Hofschneider: The motion for the passage of S. B. NO. 13-135, SD1 on First and Final Reading has been seconded. Discussion on the bill? Representative Babauta.

Rep. Babauta: Mr. Speaker, while I agree with the intent of S. B. NO. 13-135, this brings a lot of legal questions that I need to resolve. I'm afraid that a provision such as this, might be utilized in the future for personal gain with our nonresident workers perhaps to prolong their stay. I understand Congressman William Torres have attended the summit.

Speaker Hofschneider: My mistake, Representative Babauta and members. We just received a confirmed memo from the Attorney General, I believe on Friday, for an additional amendment to the bill to clarify certain sections. So we will pass it on First Reading only and hold it on the calendar.

Rep. Babauta: Besides I need to talk to the legal counsels on the ramification of the provisions.

Speaker Hofschneider: Agreed. Floor Leader?

Floor Leader Attao: First Reading?

Speaker Hofschneider: Yes.

Floor Leader Attao: Alright. Subsidiary motion to pass S. B. NO. 13-135, SD1 on First Reading only.

The motion was seconded and was carried by voice vote.

Speaker Hofschneider: S. B. NO. 13-135, SD1 is hereby passed by the House on First Reading only. Floor Leader?

Floor Leader Attao: Thank you, Mr. Speaker. I move for the passage of H. B. NO. 13-280 on First and Final Reading.

The motion was seconded by Rep. Babauta.

H. B. NO. 13-280: A BILL FOR AN ACT TO APPROPRIATE AVAILABLE FUNDS FROM THE 702 CIP COVENANT FUNDING FOR CERTAIN CAPITAL IMPROVEMENT PROJECTS IN FY 2003; AND FOR OTHER PURPOSES.

Speaker Hofschneider: The motion for the passage of H. B. NO. 13-280 on First and Final Reading has been seconded. Discussion on the bill? Representative Ada.

Rep. Ada: Mr. Speaker, I would like to offer an oral floor amendment. On page 2, line 1 after the word "Koblerville" insert "and San Vicente".

The motion was seconded by Rep. Babauta.

Speaker Hofschneider: Page 1?

Rep. Ada: Page 2, line 1 after the word “Koblerville” insert the word “San Vicente”.

Speaker Hofschneider: Slash, San Vicente?

Rep. Ada: Yes. After the word “Koblerville,” or insert “and San Vicente”.

Speaker Hofschneider: Short recess.

The House recessed at 2:32 p.m.

Respectfully submitted,

Lavida S. Palacios, Journal Clerk  
House of Representatives

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**APPEARANCE OF LOCAL BILLS**

None