



House Journal

SIXTH SPECIAL SESSION, 2003

Fourth Day

Thursday

July 24, 2003

The House of Representatives of the Thirteenth Northern Marianas Commonwealth Legislature convened in its **Fourth Day, Sixth Special** Session, on **Thursday, July 24, 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.

The clerk called the roll. In accordance with Rule XIII, § 2(a), **fifteen** members were recorded present; Representatives Martin B. Ada, Benjamin B. Seman and William S. Torres were excused and Representatives Francisco DLG. Aldan, Andrew S. Salas and Daniel O. Quitugua came in late.

Speaker Hofschneider: Representatives Ada, Seman and Torres are hereby excused and Representative Quitugua is to be marked present. He's at the Senate for a moment and I believe Representative Salas is in the building.

ADOPTION OF JOURNALS

None

PREFILED AND INTRODUCTION OF BILLS

H. B. NO. 13-318: A Bill for an Act to establish a bail and bond forfeiture account within the Department of Finance.

Offered by: Rep. Stanley T. Torres

Speaker Hofschneider: Thank you. Clerk, for the record, Representative Aldan is present and Representative Quitugua is also present.

H. B. NO. 13-319: A Bill for An Act to regulate the land exchange program; and for other purposes.

Offered by: Rep. Jesus T. Attao

H. L. B. NO. 13-046: A Local Bill for An Act to appropriate the sum of \$25,461.00 on the fees collected from the Bingo, Batu and Conckfight; and for other purposes. [1st Appearance]

Offered by: Rep. Jesus T. Attao

PREFILED AND INTRODUCTION OF RESOLUTIONS

None

MESSAGES FROM THE GOVERNOR

None

SENATE COMMUNICATIONS

The Chair recognized the Floor Leader.

Floor Leader Attao moved for the acceptance of SEN. COMM. 13-199 thru SEN. COMM. 13-202, and was seconded by two others.

SEN. COMM. 13-199 – Transmittal of S. B. NO. 13-8, entitled, “To repeal and reenact 3 CMC § 1341 and § 1342 to establish the CNMI Honor Scholarship Program; and for other purposes,” which the Senate passed on July 22, 2003. [For action]

SEN. COMM. 13-200 – Transmittal of S. B. NO. 13-64, entitled, “To amend 6 CMC § 3110(a) and (d) and add new subsections (e) and (f) to strengthen enforcement against tobacco sales to minors; and for other purposes,” which the Senate passed on July 22, 2003. [For action]

SEN. COMM. 13-201 – Informing the House that the Senate failed to pass H. B. NO. 13-306, Prison Financing Bill. [For info]

SEN. COMM. 13-202 – Transmittal of S. R. NO. 13-60, SD1, “A Senate Resolution to accept the resignation of Senator Jose M. Dela Cruz from the Senate; to suspend Senator Jose M. Dela Cruz from the Senate; and to freeze all office and committee accounts under the expenditure authority of Senator Jose M. Dela Cruz,” which the Senate adopted on July 22, 2003. [Certified copy for info.]

Speaker Hofschneider: The motion to accept SEN. COMM. 13-199 thru SEN. COMM. 13-202 has been seconded. Discussion on the acceptance motion? Representative Cabrera?

Rep. Cabrera: Oh, it’s just to accept the communications?

Speaker Hofschneider: You’re in order if you want to discuss any of the communication.

Rep. Cabrera: Yes, Mr. Speaker.

The Chair recognized Representative Cabrera.

Rep. Cabrera: In reference to SEN. COMM. 13-200, I’m not really sure, Mr. Speaker, as this bill is apparently supporting a Youth Congress Initiative. I believe Public Law 11-75 addresses the specific provisions in this particular bill that the Senate is trying to amend. So, as I read through it I have reason to believe that they are trying to amend the original statute and that has already been done – the Public Law 11-75. The author is in this chamber, Mr. Speaker.

Floor Leader Attao: Yes, confirmation, Mr. Speaker, there is an existing statute that governed that particular provision in that Senate Communication.

Rep. Babauta: Clarification, Mr. Speaker.

Speaker Hofschneider: State your point.

Rep. Babauta: Thank you, Mr. Speaker. If there's no objection from the members, may we allow the legal counsel to verify the clarity of pertinent sections? If not, then I support the intention of accepting the communication and therefore support to calendar it in today's session.

Speaker Hofschneider: I think that it won't be necessary for the counsel. We will refer this bill to the Committee for further work.

Rep. Babauta: Thank you.

There was no further discussion, and the motion to accept SEN. COMM. 13-199 thru SEN. COMM. 13-202 was carried by voice vote.

Speaker Hofschneider: Motion carried.

HOUSE COMMUNICATIONS

HSE. COMM. 13-74: Rep. Herman Palacios' letter to the Governor, Lt. Governor, Secretary of Public Health, Public Auditor and the Office of the Attorney General with regards to the Hawaii Medical Referral program.

There was no discussion.

COMMUNICATIONS FROM THE JUDICIAL BRANCH

None

COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE

None

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

DEPT. & AGENCY COMM. 13-269 – 7/21/03 – From Personnel Officer Juan I. Tenorio relative to random drug testing of sensitive safety positions within the departments.

Rep. Babauta: Mr. Speaker.

The Chair recognized Representative Babauta.

Rep. Babauta: On DEPT. & AGENCY COMM. 13-269 I was not aware whether the suspension of random drug testing of sensitive positions was suspended. I thought that the Commonwealth has its policy where each and every agency that hires public servant is required to go through. Per, Mr. Tenorio's, memorandum it insinuates that a drug testing is back to normal again. Can we find out from the respective Committee that is charged to oversee this agency whether or not the policy was, at one time or another, suspended for a period of time?

Rep. Babauta: I believe I recall that there was no suspension but rather the policy was not applied. And because of no one doing the random testing it may, in fact, appear to be suspended but I do not recall seeing any communication that the drug testing has been suspended even with the previous Administration. I believe that may have been the lack of applications of the existing drug testing policy that made it perceive to be suspended.

Floor Leader Attao: Mr. Speaker, in line with that, the pre-employment, applicant is responsible for paying the drug testing. In this case, if that particular person is an employee of a respective department who's going to be responsible of the drug testing? Is it the employee again or the department doing the random drug testing?

Speaker Hofschneider: I think it's reasonable to assume that when an applicant is asked to submit drug testing that the applicant before being employed is responsible for the fee. But once you are an active employee and you are required to undergo random testing, then the government, by way of its own policy, must borne the cost. That has always been the case and I don't think it has changed. I don't recall of one active employee being asked to pay the cost of random drug testing. What is important in the OPM Director's communication is the definition I guess this a new and broad definition being applied here and perhaps the appropriate committee can take a look at it. Now, the words "safety sensitive positions" are being used. What are those? Do you hold a machete cleaning the road sensitive by virtue of holding a machete or driving a school bus or being the obvious, the police officer? I think that the caution here is we need to be informed as to the promulgation of definition of safety sensitive positions. That's more important than the message itself. Any other comment?

Floor Leader Attao voiced, "ready."

OTHER COMMUNICATIONS

MISC. COMM. 13-220 – 7/10/03 – From Dr. Elizabeth Duke, Administrator, US DHHS, relative to H. R. NO. 13-125, HD1, supporting DPH's grant application.

MISC. COMM. 13-221 – 7/17/03 - From Ms. Frances Muña, SNIMC Administrative Officer, transmitting a certified copy of 7SMC-6RS-49 thru 7SMC-6RS-68.

MISC. COMM. 13-222 – 7/17/03 - From Ms. Frances Muña, SNIMC Administrative Officer, transmitting a certified copy of 7SMC-7RS-01 thru 7SMC-7RS-07.

The Chair recognized Representative Babauta.

Rep. Babauta: Thank you. I was just going through Misc. Comm. 13-220. I'm not too familiar with the aspects of the grant. I'd just like to ask information, Mr. Speaker, whether or not this application for such grant would include rehabilitation and operations of such facilities, Mr. Speaker?

Speaker Hofschneider: Short recess.

The House recessed at 10:48 p.m.

RECESS

The House reconvened at 10:49 p.m.

Speaker Hofschneider: We're back to our session. This is a grant through the President's new program under the Department of Public Health. That is the expansion of satellite clinics and the Department of Public Health has been after the existing youth detention facility in Kagman to convert it into an outreach Public Health Clinic. There are monies under numerous grants but this particular grant is being sought to retrofit the youth detention facility in Kagman to have it as a satellite clinic, Public Health Clinic.

Rep. Babauta: Mr. Speaker, may I?

Speaker Hofschneider: Yes.

Rep. Babauta: Mr. Speaker, my concern here is whether or not the grant a one shot deal or are we looking at a perpetual grant annually that would foot the activities and operations of the satellite? If not, it's nice to have an outreach program in the community but we're looking at additionally funding locally if such is the case. I support the idea, Mr. Speaker, but we have to get ready to augment once the grant expires in terms of operating the facility in the eastern part. So it's a good idea to sort of debate this issue, Mr. Speaker, because in the past we continue to allow such programs and then it just cuts off then we end up looking for funds to continue its operation.

Speaker Hofschneider: For your information, this particular grant encourages, in fact, the facility to be run thereafter after using the grant to retrofit an existing or built a new facility. It encourages the non-profit concept. I think several months back Region IX sent out an organization from Honolulu that is being used as a prototype or a model for other jurisdictions to follow. They set up the center to be a non-profit organization. The physicians and the health care providers do, in fact, run it independent from the government. So that is the final objective of the proposed grant. It's to eventually run it as a non-profit to provide for its own needs.

Rep. Babauta: And this of course, Mr. Speaker, is similar to those facilities that we are operating in the villages of San Antonio and...

Speaker Hofschneider: No.

Rep. Babauta: Oh, it's not?

Speaker Hofschneider: No. Those facilities now are 100% funded by the Department of Public Health.

Rep. Babauta: Thank you, Mr. Speaker.

The Chair recognized Representative Cabrera.

Rep. Cabrera: Just to add on briefly, Mr. Speaker. The Division of Public Health under the umbrella of the Department continues to work very closely with this group of people who are currently operating the Waianae Coast Community Outreach Clinics and they're very successful and that is the model that they have adopted. The Division, as well as this group of people, are very optimistic in what this type of facility will have to offer to the community. It will be much more diverse in terms of the types of services that it will provide and that includes a family practitioner physician in the clinic. It's the initial step towards getting our people to become more community health oriented as opposed to the ER hospital oriented and I think it's a very good cause. And even though we're in the initial stage of it I think all involved are very excited as more and more people would be able to access health care as opposed to currently.

Speaker Hofschneider: Thank you. Any further comments?

Several members voiced, "ready."

Speaker Hofschneider: None. We'll move down to Bill Calendar.

REPORTS OF STANDING COMMITTEES

None

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

None

UNFINISHED BUSINESS

None

RESOLUTION CALENDAR

None

BILL CALENDAR

Speaker Hofschneider: Under Bill Calendar, we were discussing H. B. NO. 13-265, HS1 reference the amendments to the Retirement Act of 1998 and – Floor Leader?

H. B. NO. 13-265, HS1: A BILL FOR AN ACT TO AMEND THE NORTHERN MARIANA ISLANDS RETIREMENT ACT OF 1988; AND FOR OTHER PURPOSES.

Floor Leader Attao: Before we proceed with the discussion on the Retirement Bill, Mr. Speaker, can we take a one-minute recess so that we can place two or three bills on the calendar for our action today?

Speaker Hofschneider: If you so incline to ask the members. Before that, clerk, Representative Salas is present. May I remind everyone that we will concentrate and we will take as much time deliberating on the Retirement Bill so that everyone has an opportunity to understand what the final product is all about? It's a major piece of legislation and we want everyone to fully understand what we're embarking on. Short recess.

The House recessed at 10:55 p.m.

RECESS

The House reconvened at 10:57 p.m.

Speaker Hofschneider: We're back to our session and before we proceed, I recognize the Floor Leader.

Floor Leader moved for the suspension of Rule VII, Section 10, Rule IX, Sections 9, 10 and 11 for the placement and the passage of H. B. NO. 13-316, H. B. NO. 13-318 and H. B. NO. 13-319, was seconded by Rep. Babauta and carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader.

Floor Leader Attao: I move to dissolve into the Committee of the Whole so that we can invite the Retirement Fund Administrator and his support staff to enlighten us on the Retirement Bill this morning.

The motion to dissolve into the Committee of the Whole was seconded and carried by voice vote.

Speaker Hofschneider: We're in Committee of the Whole.

The House went into Committee of the Whole at 10:58 a.m.

COMMITTEE OF THE WHOLE

The House returned to plenary session at 12:13 p.m.

Speaker Hofschneider: We're back to our plenary session and I recognize Representative Arnold Palacios.

Rep A. Palacios: Mr. Speaker, thank you. Since it's almost lunchtime I want to remind you that Representative Babauta is buying pizza today.

Speaker Hofschneider: Do we continue deliberation or we recess for lunch?

Floor Leader Attao: Recess for lunch.

Speaker Hofschneider: We'll recess for lunch until 1:30 p.m.

The House recessed at 12:14 p.m.

RECESS

The House reconvened at 2:50 p.m.

Speaker Hofschneider: We're back to our session and we're still under discussion of H. B. NO. 13-265, HS1 reference the Retirement Amendment Act. Before we proceed, based on the deliberation with the Retirement Fund Administrator and counsel, it is suggested that we clarify the conflict or potential conflict between the Workman's Compensation and the disabilities section. With that, I offer a written floor amendment to H. B. NO. 13-265, HS1 and I believe everyone has a copy before them.

The motion to adopt the written floor amendment offered by Speaker Hofschneider to H. B. NO. 13-265, HS1 was seconded and carried by voice vote.

The written floor amendment offered by Speaker Hofschneider to H. B. NO. 13-265, HS1 is as follows:

(1) on page 2 –

(a) Line 14, "(p)(3)" is changed to (p)(2)," and "8313(p)(2)" is deleted.

(b) Line 15, after the word "through," strikeout "8328, 8329 through 8332, 8333 and"

(c) Line 20, strikeout "8401" (this section was repealed by PL 11-114).

(2) on page 8, line 17, (before section 7), a new subsection (k) is inserted to read as follows:

"(k) 1 CMC § 8347(h) is amended to read as follows:

(h) Any annuity received by a class I or class II member as a result of any disability shall be reduced by an amount equal to any sum the member is entitled to from U.S. Social Security, and workman's worker's compensation insurance or any other insurance covering such disability."

(3) on page 9, line 26, substitute "2005" for "2004."

Speaker Hofschneider: The floor amendment is hereby adopted and we're discussing H. B. NO. 13-265, HS1 as amended. Ready?

Several members voiced, "ready."

Speaker Hofschneider: Clerk, roll call.

The roll called on the motion to pass H. B. NO. 13-265, CS1, HD1 on First and Final Reading is as follows:

Rep. Martin B. Ada	excused
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	absent
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	excused
Rep. Ramon A. Tebuteb	yes
Rep. Manuel A. Tenorio	yes
Rep. Stanley T. Torres	yes
Rep. William S. Torres	excused
Rep. Heinz S. Hofschneider	yes

Speaker Hofschneider: With a vote of 14 “yes”, H. B. NO. 13-265, HS1 as amended is hereby passed on First and Final Reading by the House. Representative Stanley Torres?

Rep. S. Torres: May we go back to Prefiled and Introduction of Bills please?

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

PREFILED AND INTRODUCTION OF BILLS

The Chair recognized Representative Stanley Torres.

H. B. NO. 13-320: A Bill for An Act to re-appropriate \$1,000,000.00 from PL 11-119, Section 5 (C)(3) Kagman Homestead Wastewater System for the construction of sewer distribution lines from Northern Marianas College to Tun Antonio Apa Road to Tun Joaquin Doi Road; and for other purposes.

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

Speaker Hofschneider: Thank you. Any other bill for introduction? If none, I have a bill to introduce.

H. B. NO. 13-321: A Bill for An Act to appropriate \$1,500,000.00 from the account balances of the Development Banking Division asset account of CDA for various CIP projects in the three senatorial districts.

Offered by: Rep. Heinz S. Hofschneider and one other

Speaker Hofschneider: Short recess.

The House recessed at 2:54 p.m.

RECESS

The House reconvened at 3:06 p.m.

BILL CALENDAR

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

Floor Leader Attao: No, back to Prefiled and Introduction of Bills.

Speaker Hofschneider: I thought we're done. He introduced it already.

Floor Leader Attao: Oh. Thank you, Mr. Speaker. I move to place H. B. NO. 13-320 and H. B. NO. 13-321.

The motion to place H. B. NO. 13-320 and H. B. NO. 13-231 on the day's calendar was seconded and carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader.

Floor Leader Attao moved for the passage of H. B. NO. 13-321 on First and Final Reading, was seconded by Rep. Babauta.

H. B. NO. 13-321: A BILL FOR AN ACT TO APPROPRIATE \$1,500,000.00 FROM THE ACCOUNT BALANCES OF THE DEVELOPMENT BANKING DIVISION ASSET ACCOUNT OF CDA FOR VARIOUS CIP PROJECTS IN THE THREE SENATORIAL DISTRICTS.

Speaker Hofschneider: The motion for the passage of H. B. NO. 13-321 on First and Final Reading 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. 13-321 on First and Final Reading is as follows:

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

Speaker Hofschneider: By a vote of 13 “yes”, H. B. NO. 13-321 is hereby passed by the House on First and Final Reading. Floor Leader.

Floor Leader moved the passage of H. B. NO. 13-318 on First and Final Reading, was seconded.

H. B. NO. 13-318: A BILL FOR AN ACT TO ESTABLISH A BAIL AND BOND FORFEITURE ACCOUNT WITHIN THE DEPARTMENT OF FINANCE.

Speaker Hofschneider: The motion for the passage of H. B. NO. 13-318 has been seconded. Discussion on the bill. Representative Torres, isn't the court now entrusted with the accounts, the bail bonds?

Rep. S. Torres: Mr. Speaker, according to my source, the court is still holding the money in the vault. Nothing is being done. It's just sitting there. So I guess it's encumbered on us that we pull that money out and appropriate to some good use.

Speaker Hofschneider: Are we talking about people who have violated and forfeited the bonds?

Rep. S. Torres: Those monies that are forfeited – people that post money and jump their bail. They're not coming back. So this is about other nationals running away from the court.

Speaker Hofschneider: How much money are we talking about?

Rep. S. Torres: I think it's in the neighborhood of \$75,000 or \$80,000. Those are monies that are still sitting there for distribution.

Speaker Hofschneider: Would this transfer the existing monies deposited with the court to the Department of Finance?

Rep. S. Torres: I guess if we pass this bill then it would authorize the court to release it to the Department of Finance for deposit in the account.

Speaker Hofschneider: Okay. I don't think the language is sufficient to transfer the existing funds but I would support it in terms of keeping the money with the court so that they're allowed to use it for the purposes of maybe replenishing the court marshals needs or even maintenance of the building. Representative Quitugua?

Rep. Quitugua: Well, Mr. Speaker, if that's the case, then it needs legislative action granting them that authority to use.

Speaker Hofschneider: I'm not sure because we need to – perhaps take a short recess and have the counsel look at it. Short recess.

The House recessed at 3:12 p.m.

RECESS

The House reconvened at 3:16 p.m.

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

Floor Leader Attao: Subsidiary motion for the passage of H. B. NO. 13-318 on First Reading only.

Rep. Babauta seconded the motion to pass H. B. NO. 13-318 on First Reading only and was carried by voice vote.

Speaker Hofschneider: H. B. NO. 13-318 is hereby passed on First Reading only. Floor Leader.

Floor Leader Attao: Thank you, Mr. Speaker. I move for the passage of H. B. NO. 13-319 on First and Final Reading. This is relative to the sunset provision on the land exchange program.

Rep. Babauta seconded the motion.

H. B. NO. 13-319: A BILL FOR AN ACT TO REGULATE THE LAND EXCHANGE PROGRAM; AND FOR OTHER PURPOSES.

Speaker Hofschneider: The motion to pass H. B. NO. 13-319 on First and Final Reading has been seconded. Discussion on the bill. Floor Leader, why are we striking out for a period of 10 years after June 1, 1987?

Floor Leader Attao: Mr. Speaker, that is the sunset provision on Public Law 5-34 on the land exchange program. This particular bill, Mr. Speaker, is to allow land exchange only within the same senatorial district. After June 1, 1987, Mr. Speaker, there were some land exchanges taken from Rota to Saipan. I think it's only fair that Saipan be given the priority on the land exchange because we have not only land compensation but we have some land exchanges pending for the past twenty to thirty years and we need to reserve our land here for that purpose. That's why I'm introducing this bill to remove the sunset provision and also to do with within senatorial district land exchange.

Speaker Hofschneider: This is land-to-land exchange, right?

Floor Leader Attao: Right.

Speaker Hofschneider: Alright. Representative Quitugua?

Rep. Quitugua: What if the landowner desires to land exchange other than Saipan? For example, a landowner on the island of Saipan wanted to land exchange his property elsewhere other than Saipan.

Speaker Hofschneider: Well, this is why for a period of ten years there was a moratorium or a suspension of the permissibility between inter island exchanges. The reason for that is they wanted to account for the diminishing public lands on the Third Senatorial District, which is Saipan. Everyone wants to exchange into Saipan because of the appreciated land value and the potential for commercial purposes or maybe just the preference of a family or a landowner who has purchased property in Rota that is proceeded with a land exchange. The fact remains that it's a policy decision that we have to make in terms of being mindful of the 4,000 or 5,000 pending homestead applicants for the island of Saipan. And when we do this then we're subjecting the 5,000 applicants awaiting homestead to be pushed down in less priority as opposed to a person exchanging into Saipan whether it be from Rota or Tinian. So a decision has to be made whether do we have enough available public lands in the Third Senatorial District to accommodate inter island exchanges and not attend to the 4,000 or 5,000 pending homestead applicants. We have a responsibility on those 4,000 kids and families awaiting a homestead lot. So between attending to the accommodation of one land exchange from the other islands into the Third Senatorial District I think the reverse can be open if any land exchange is willing to exchange into Rota and Tinian I think that we should leave that door open. But to allow the pressure to add on to the 4,000 or 5,000 homestead applicants I think is a decision that we have to make today and it's indicating that we should close the door for the meantime. Representative Quitugua.

Rep. Quitugua: I am fully cognizant of that issue, Mr. Speaker. I'm just wondering whether this bill would limit the independent choice of an individual or family members, who wishes to land exchange his or her property other than the island of Saipan. The world peace group is coming back to Rota so the land value in Rota is going to go up, Mr. Speaker. At some point in time it's not going to go down.

Speaker Hofschneider: I believe that making a decision between the two, the homestead program is a constitutional program that MPLA must execute. Land exchange is also a part of the prescription under MPLA but limiting the option for a land exchange or a person to have the choice of deciding which island to exchange to is less of concern and a priority than to consider the 4,000-5,000 homestead applicants. Enrichment of one versus the enrichment of the 4,000 or 5,000 I think it outweighs the question. Ready? Representative Palacios.

Rep. A. Palacios: I yield.

Speaker Hofschneider: Thank you. Ready?

Floor Leader Attao voiced, "ready."

Speaker Hofschneider: Clerk, roll call.

The roll called on the motion to pass H. B. NO. 13-319 on First and Final Reading is as follows:

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

Speaker Hofschneider: By vote of 13 “yes”, H. B. NO. 13-319 is hereby passed on First and Final Reading by the House. Floor Leader.

Floor Leader moved for the passage of H. B. NO. 13-316 on First and Final Reading, was seconded by Rep. Babauta.

H. B. NO. 13-316: A BILL FOR AN ACT TO RESTRICT THE OPERATION OF POKER MACHINES IN VILLAGES WITHIN THE CNMI; AND FOR OTHER PURPOSES.

Speaker Hofschneider: The motion to pass H. B. NO. 13-316 on First and Final Reading has been seconded. Discussion on the bill. May we have order? The bill is to restrict the operation of poker machines in villages within the CNMI introduced by Representative Andrew Salas.

Rep A. Palacios: Are we in recess, Mr. Speaker?

Speaker Hofschneider: No. Ready? We’re under discussion. Any comments or discussion? Representative Quitugua.

Rep. Quitugua: Personally, Mr. Speaker, I’m very much in favor of this bill. However, I have to be realistic. There are only two villages in the island of Rota and people have entered into land lease agreements with the landowners and I wonder if the signing into law of this bill would create law challenges on those that have executed land leases.

Speaker Hofschneider: I believe not if you’re 1,000 feet from schools, day care centers, churches, health clinics and hospitals.

Rep. Quitugua: Well, that's my point, Mr. Speaker. As a matter of fact, we have two poker establishments within the prescribed distance.

Floor Leader Attao: Mr. Speaker, we're still in recess?

Rep. Babauta: *Ahe, session.*

Floor Leader Attao: Are we under discussion?

Speaker Hofschneider: Yes, we are.

Floor Leader Attao: Mr. Speaker, I have floor amendment to offer and it's been distributed.

Speaker Hofschneider: The question on the floor from Representative Quitugua is, would it generate litigation because there is no amortization period to allow businesses to appropriately move. I believe that's the litmus test and it only requires that we accommodate a certain period for them to relocate. You have that floor amendment, Floor Leader?

Floor Leader Attao: Yes, it's been distributed, Mr. Speaker.

Speaker Hofschneider: Make a motion please.

Floor Leader Attao: So moved.

The motion was seconded.

The written floor amendment offered by Floor Leader Attao to H. B. NO. 13-316 is as follows:

Section 4. Amendment. 4 CMC § 1503(a)(2), as amended by PL 12-52, is hereby amended to read as follows:

“(a) for amusement machines whose major element is chance which provides a reward or prize of value or for poker machines or similar amusement machines the fee is \$6,000 \$2,000 per machine, slot machine or other similar amusement machine. Those such machines situated in a casino licensed by the Tinian Casino Gaming Control Commission (TCGCC) shall be exempted from the \$6,000 \$2,000 annual machine fee imposed by this section.”

Speaker Hofschneider: The written floor amendment offered by the Floor Leader has been seconded. Discussion on the floor amendment.

Floor Leader Attao: Mr. Speaker, on my written floor amendment on page 1, Section 3, line 17 change “1,000” to read “200” and on Section 4, subsection 2 change “\$6,000” to “\$2,000” per machine. Thank you.

Rep. Quitugua: Short recess, Mr. Speaker.

Speaker Hofschneider: Short recess.

The House recessed at 3:26 p.m.

RECESS

The House reconvened at 3:33 p.m.

Speaker Hofschneider: We're back to our session and under discussion of the written floor amendment offered by Representative Attao. Representative Attao, please next time show the effective amendment by striking out \$6,000 and inserting \$2,000. This is somewhat of an unorthodox amendment. You're learning from the Senate.

Floor Leader Attao: No, Mr. Speaker, this is my style. Just to make it clear, Mr. Speaker. I'm sorry – on my floor amendment please underline "\$2,000" and insert and strikeout "\$6,000".

Speaker Hofschneider: After the word "is" insert "\$6,000" and strike it out.

Floor Leader Attao: And insert and underline "\$2,000". Thank you.

Speaker Hofschneider: Short recess.

The House recessed at 3:34 p.m.

RECESS

The House reconvened at 3:38 p.m.

Speaker Hofschneider: We're back to our session and we're discussing the floor amendment.

Floor Leader Attao: Mr. Speaker, with the concession of the group I wholeheartedly support the amendment. However, Mr. Speaker, because of some technicalities here I move to defer action.

Speaker Hofschneider: Before you do that, you want to recall your floor amendment because that's on the floor? We have to dispose of the floor amendment or recall it. You want to vote and keep it in so that we'll fix it?

Floor Leader Attao: Okay. Why don't we proceed with the vote?

Speaker Hofschneider: Okay.

There was no further discussion, and the motion to adopt the written floor amendment offered by Floor Leader Attao was carried by voice vote.

Speaker Hofschneider: The written floor amendment is hereby adopted and now, Floor Leader, defer action.

Floor Leader Attao moved to defer action on H. B. NO. 13-316 as amended and to remain on the calendar, was seconded and carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader.

Floor Leader Attao moved for the passage of H. B. NO. 13-320 on First and Final Reading, was seconded.

H. B. NO. 13-320: A BILL FOR AN ACT TO REAPPROPRIATE \$1,000,000.00 FROM PUBLIC LAW 11-119, SECTION 5 (C)(3) KAGMAN HOMESTEAD-WASTEWATER SYSTEM FOR THE CONSTRUCTION OF SEWER DISTRIBUTION LINES FROM NORTHERN MARIANAS COLLEGE TO TUN ANTONIO APA ROAD TO TUN JOAQUIN DOI ROAD; AND FOR OTHER PURPOSES.

Speaker Hofschneider: The motion for the passage of H. B. NO. 13-320 on First and Final Reading has been seconded. Discussion on the bill. Ready?

Floor Leader Attao voiced, "ready."

Rep. Aldan: I'd like to offer an oral floor amendment on the bill.

The Chair recognized Representative Aldan.

Rep. Aldan: After "Tun Joaquin Doi Road; and" strikeout "for other purposes" and insert "\$300,000.00 for Achugao sewer distribution lines". On line 4 add "\$300,000.00 for Achugao sewer distribution lines" and on line 8 after "Tun Joaquin Doi Road" add "\$300,000.00 for Achugao sewer distribution lines".

The motion to adopt the oral floor amendment offered by Representative Aldan was seconded and carried by voice vote.

Speaker Hofschneider: Division. We'll take a roll call on the oral floor amendment. Clerk.

The roll called on the motion to adopt the oral floor amendment offered by Representative Aldan is as follows:

Rep. Martin B. Ada	excused
Rep. Francisco DLG. Aldan	yes

Floor Leader Attao: Mr. Speaker, before I cast my vote, may I know how much is the oral floor amendment?

Speaker Hofschneider: \$300,000.

Floor Leader Attao: May I ask the mover of that to reduce it down to \$200,000 because Precinct I needs \$800,000?

Speaker Hofschneider: You're question is out of order. If you want to allow the mover of the motion, let's strike down the amendment and ask the mover of the motion to consider it.

Floor Leader Attao: No, I'm going to vote yes for the amendment. However I would like to ask the mover to reduce it down to \$200,000 so that we can proceed with the project.

Speaker Hofschneider: Continue.

Floor Leader Attao: Yes on my vote.

Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	yes
Rep. Gloria DLC. Cabrera	yes
Rep. Pedro P. Castro	no
Rep. Joseph P. Deleon Guerrero	absent
Rep. Arnold I. Palacios	yes
Rep. Herman T. Palacios	no
Rep. Norman S. Palacios	abstained

Rep. Quitugua: Abstained, Mr. Speaker. I missed the discussion on this.

Speaker Hofschneider: The discussion is taking \$1 million from Precinct I under Public Law 11-119 and giving it to Precinct I for sewer distribution line. The new amendment offered by Precinct IV, Representative Aldan, is taking \$300,000 in addition to the \$1 million from Precinct I and moving it to Precinct IV.

Rep. Aldan: Correction, Mr. Speaker. Precinct IV is involve in that \$10 million. Kagman I is part of Precinct IV.

Speaker Hofschneider: The money is coming from Kagman Sewer Project of about \$10 million but less architectural or design fees. So they both share the same jurisdiction.

Rep. Quitugua: Mr. Speaker, we're voting on the bill. Right?

Speaker Hofschneider: Yes.

Vice Speaker Tenorio: We're voting on the amendment, Mr. Speaker.

Rep. Quitugua: On the amendment?

Speaker Hofschneider: On the amendment rather.

Rep. Quitugua: Abstain, Mr. Speaker. I don't know what's the amendment.

Speaker Hofschneider: The oral floor amendment is adding \$300,000.

Rep. Quitugua: I never liked this idea of robbing Paul to pay Peter, Mr. Speaker.

Speaker Hofschneider: Be careful.

Rep. Quitugua: I'd prefer that they sit and discuss this, Mr. Speaker.

Speaker Hofschneider: So your vote is yes?

Rep. Quitugua: Abstain, Mr. Speaker.

Speaker Hofschneider: Abstention.

Rep. H. Palacios: Point of clarification.

Speaker Hofschneider: State your point under voting.

Rep. H. Palacios: Thank you, Mr. Speaker. Kagman I is also part of Kagman but Achugao is not Kagman I.

Speaker Hofschneider: Thank you.

Rep. Aldan: And so as Tun Joaquin Doi Road.

Rep. H. Palacios: It's still part of Precinct I.

Speaker Hofschneider: Roll call please.

Rep. S. Torres: Mr. Speaker.

Rep. Daniel O. Quitugua	abstained
Rep. Andrew S. Salas	absent
Rep. Benjamin B. Seman	excused
Rep. Ramon A. Tebuteb	yes
Rep. Manuel A. Tenorio	no
Rep. Stanley T. Torres	no
Rep. William S. Torres	excused
Rep. Heinz S. Hofschneider	yes

Speaker Hofschneider: The floor amendment passes with a 7 "yes". Representative Torres?

Rep. S. Torres: Can I withdraw my "no" vote to "yes"? I'm voting yes for the amendment.

Speaker Hofschneider: Should we allow Representative Torres to vote?

There was no objection.

Rep. S. Torres: Thank you. Yes.

Speaker Hofschneider: Clerk, recognize the “yes” vote. I said recognize. The clerk recognizes the change from “no” to “yes” vote but she’ll mark no. Once you cast a vote we can’t recall your vote.

Floor Leader Attao: Yes, Mr. Speaker, pursuant to Rule...

Rep. S. Torres: Mr. Speaker, point of order. I was raising my hand to be recognized before the count of the vote is final. I intended to change my vote.

Speaker Hofschneider: Okay.

Rep. S. Torres: If I may be allowed to...

Floor Leader Attao: You’re the author. You cannot change your vote.

Rep. S. Torres: No, but there’s some goodness in that change and that’s why I...

Speaker Hofschneider: Clerk, announce the vote. (The clerk announced the result of the call of the roll) By a vote of 7 “yes”, the amendment passes. Now, recognize Representative Torres.

Rep. S. Torres: Mr. Speaker, after understanding the oral floor amendment from Representative Aldan, I decided to change my vote from “no” to “yes” allowing the \$300,000 in addition to my bill.

Speaker Hofschneider: Thank you. Any further comments on the bill as amended? Vice Speaker.

Vice Speaker Tenorio: Not as amended but on the bill itself, Mr. Speaker, if I may?

Speaker Hofschneider: As amended.

Vice Speaker Tenorio: No comment as amended.

Speaker Hofschneider: No, we’re done with the amendment.

Vice Speaker Tenorio: Oh, we’re discussing the bill?

Speaker Hofschneider: As amended.

Vice Speaker Tenorio: Okay. Mr. Speaker, if I may, first of all I’m against H. B. NO. 13-320 for many reasons. If you recall during our last session I don’t know the date exactly but we in Precinct I even came up with the bill to make certain to appropriate certain funds from this particular project for road projects in Precinct I and I had to convince my colleagues not to touch the Kagman homestead waste water system because it’s already in progress. I know perhaps the Chairman on the Committee on Ways and Means with good intentions, Mr. Speaker, wants to help out with Precinct I but I would ask him to kindly withdraw this bill and perhaps look for other means to do the sewer line in Precinct I that is from the College and the Tun Joaquin Doi Road. This project, Mr. Speaker, as I said, is ongoing already. We have consulted with CUC management and they told us that the project is in progress and any attempt to remove or to re-appropriate funds from that particular project would further kill the project in the sense that they would not be able to finance it. Even as it is now, Mr. Speaker, we still do not have enough money to complete the entire project on phase II

and we're still looking for funds. So I don't know what we're trying to do here. I don't know if this is a big joke or this is a political gimmick or have they consulted people in Precinct I? Did the author consult CUC? Did the author consult Army Corps Engineer whether they have enough funds to even finish phase I? This is totally ridiculous, Mr. Speaker. We're moving money around, delaying projects and especially a project of this magnitude, Mr. Speaker. Precinct I is a fast growing community and you need to put the proper sewage system in that community before we all contaminate our fresh water sources. I don't understand what the move is, Mr. Speaker, and everybody is grabbing for funds. Is it because this is election year? I'll probably be as an individual legislator, be the one to lose out on this because where they're putting this money is right in front of my house. I recall during the Tenth Legislature we appropriated funds for that Tun Joaquin Doi Road sewer treatment and I think that money, again, disappeared. \$6 million of funds appropriated during the Eleventh Legislature for this particular project was taken away and from what I understand it'll probably cost a total of \$17 million to finally complete this. There's Kagman I, Kagman II, Kagman III and Kagman IV in that area. You have all the schools there, Mr. Speaker. You have two high schools. You have an intermediate school and a grade school and the community is growing real fast. What are we trying to do? Mr. Speaker, if the author of this bill really has real intention of helping Precinct I don't take away projects from them for heaven's sake. Find other sources because you're the Chairman on the Committee on Ways and Means – maybe take it from the Revitalization Fund. We all should share into that. No, you want to take it from one area of that precinct to another we can do that, Mr. Speaker. What Tun Antonio Apa's Road needs is it needs to be widen. I don't know – if you can find money for that that would be a big help to that area over there and I'll support any new funding for the sewer line. I'll be the last one to go against this, Mr. Speaker, but we have tried to take in this for this particular project in the past and I fought against it. It's an ongoing project. Can we be guaranteed that when the time comes and it's needy to use that \$1 million, can we be guaranteed that the funds would be made available? Who's going to answer this? Precinct I Representatives ... there're only three of us and it's good timing to do this kind of tactic. What is this? I don't understand – are we here trying to make fun of the strength? Are we showing strength here on who's really strong and want to move things around here? Or are we here to help the community? You're not helping Precinct I community. You're not helping the Kagman community by taking away needed funds to continue the project. You're doing them a big disservice, a great disservice to that community. And as a member of Precinct I and elected in that area I cannot allow that, Mr. Speaker, to happen. We have health problems all over. We have problems with water. We have problems with sewer in other areas. We haven't even started doing the sewer so that we can correct this problem we're already taking money away from the project. Mr. Speaker, to me this is totally unacceptable and without consulting – the Chairman on the Committee on Ways and Means doesn't have to consult with us but as a matter of courtesy because we work as one Legislature here. As a matter of courtesy he should at least call on one of our people here and tell us, what do you think about this. Maybe somebody approached him hey do this for me and – I don't know, Mr. Speaker, it makes me sick. This kind of tactic makes me sick and I'd like to think that I trust everybody here. I'd like to think that we're matured people. I'd like to think that we respect one another. And with this kind of action, what are we trying to prove, Mr. Speaker? I know that my time is up and I won't say anymore. I would like to yield the floor to Congressman Castro and Herman Palacios.

Rep. H. Palacios: I yield my time to him.

Speaker Hofschneider: Thank you. Representative Castro.

Rep. Castro: Thank you, Mr. Speaker. I really much appreciate the intent of the good Chairman on the Committee on Ways and Means in rectifying the concerns and the problems within Precinct I. I also echo the concern of Vice Speaker Tenorio. Way back, Mr. Speaker and members, I believe we met with the Department of Public Works relating to the sewer treatment plant in Kagman and I am very much aware of the many CIP projects pending within our precinct. There was an attempt to take away \$1 million from this project in Kagman and the Governor himself is also very hesitant to accept due to the fact that Kagman is a large community and in need of this service. Aside from the present \$10 million I believe the Department of Public Works has indicated that another \$20 million is needed to fully complete the project. We are criticized almost everyday by our constituents in Election Precinct I for not attaining to the needed projects within our precinct. And accepting this, Mr. Speaker and fellow members, for the \$1.3 million to be taken away will create more criticism on us and I beg this full house and the author of this bill if there's another source that can be identified to provide the needed sewer distribution within this area indicated in the bill I do appreciate and let us all support. I ask of you to support us in finding more funding for other projects within our precinct. I remember that there was an appropriation in the amount of \$1 million for Kannat Tabla and was reprogrammed. It leaves us with only half a million dollars and I don't believe that would accommodate the need for that particular project, Mr. Speaker. We have dumped tons of coral there to temporary rectify the wash out at Kannat Tabla but the \$500,000 is indicated that it is not enough to even pave an 18 feet stretch road. The amended form, Mr. Speaker, I ask our good colleague from Precinct IV if he can identify aside from taking it from the Kagman project I will and I ask our members from our election precinct to support. Thank you, Mr. Speaker.

The Chair recognized Representative Aldan.

Rep. Aldan: Mr. Speaker, for the record, every time they try to appropriate out of that project, I've always opposed it. In the past Precinct I was trying to re-appropriate money out of there and I've been telling them that if they are going to get money out of that project Kagman I is entitled to 1/3 of that money. So every attempt to re-appropriate money out of there, I will attempt to take 1/3 of that amount out of that project too so that Precinct IV in Kagman I or the people in Precinct IV will benefit from the re-appropriation. That's the reason why I did the oral amendment here. The \$300,000 is 1/3 of \$1 million. Like I said, every time somebody would try to re-appropriate funds out of that project, I will attempt to take 1/3 because we are entitled to 1/3 of that.

Speaker Hofschneider: So what you're saying is, you're willing to forego the \$300,000 if we kill the amendment?

Rep. Aldan: If we kill the bill, then I am willing to forego the \$300,000. But if we are going for the bill, then I will take 1/3 out of that.

Rep. Babauta: Mr. Speaker.

Speaker Hofschneider: Precinct II you're excused from deliberating on Precinct I matters. I recognize Representative Babauta.

Rep. Babauta: Thank you, Mr. Speaker, for the recognition. Mr. Speaker, I share the Vice Speaker's concern and as well as Congressman Castro that right now CUC is conducting the construction I guess as a result of their recent appropriation to tie in the As Lito waterline into C.K. and Susupe. I'm cognizant of the fact that Kagman, the entire Kagman community is equally important as Fina

Sisu and As Lito because where the water wells are sitting, Mr. Speaker, are by the road ways, primarily on Tun Antonio Apa Road. There are several wells there that are feeding the water system into Fina Sisu and As Lito. The reason why I'm supporting the project is because that particular water line that is coming down to my district would be from the same source. Doing this, Mr. Speaker, would alleviate a potential contamination on the water system that would flow down to the villages and definitely it's going to be faster than the rest of the villages because it's flowing down hill. Besides that, the water table on those wells is shallow as opposed to Koblerville and Kagman. Since most of these wells are sitting on top of a murky soil are pumped out on a daily basis to serve the people of Fina Sisu and As Lito therefore, it's tying in again to Chalan Kanoa and Susupe. So it's for this reason that I support the construction of the lateral lines and the distribution of lines of the sewer system in that particular area, Mr. Speaker.

Speaker Hofschneider: Thank you. First of all, we have attempted to move money from the same source and I believe the Governor's message as Representative Castro explained that the Governor is very hesitant to move any money from that account. But be mindful Precinct I that regardless of the full appropriation being in tact by killing this bill and respecting your desire to keep that whole appropriation in tact, we all know that regardless of the full amount being used in constructing the sewer system it's either you have tributaries or sewer lines or the main trunks, it won't be enough to construct a treatment plant or the reverse. You can have enough money for a treatment plant but not enough money to construct the distribution lines or the main trunks. So you must conclude that to spend \$10 million in a non-operational system and wait for \$20 million further or to attend to equally important and pending environmental problems in the same precinct. That's up to you. But I will advice everyone that it'll be futile effort of this house to pass this bill having sense the Governor that he will not move money anywhere but to keep that appropriation in tact in spite of the obvious that the system will not be operational even if you spend the whole amount of \$10 million. Vice Speaker.

Vice Speaker Tenorio: Thank you. Mr. Speaker, with all due respect, I asked a question when we were reviewing this particular project and I was assured that the system will be partly operational, will not be fully operational but some of the distribution will reach some of the houses there.

Speaker Hofschneider: But the treatment system is another question.

Vice Speaker Tenorio: Even the treatment system.

Speaker Hofschneider: They're embarking in changing the concept from a conventional to a constructed wetland. Now I heard the latest that to fast track the expenditure of these funds they're probably avoiding or abandoning the concept of constructed wetlands and going back to a conventional treatment plant like we have in Aguiguan Point and Sadog Tasi. On the average a million gallon capacity is about a million dollars of a treatment facility.

Vice Speaker Tenorio: Mr. Speaker, whether or not you have the right answer, I think it's best that we leave the project alone. I don't want to be misread by my constituent or Congressman Babauta that I don't see the need of extending or rather putting a sewer line in Fina Sisu because there is a need. I'm very much aware of that and for that reason, I would like to even ask assistance to find other funding for that. In the mean time, Mr. Speaker, if in fact you're correct then perhaps we should look at the entire project and see where we can best prioritize the fund in Precinct I and use it there. Like I said again, we discussed this with the CUC people and they convinced us that please do

not – we told them the necessity of other priority of other projects within the precinct line and we would like to use part of these funds for those projects, much needed projects. But they assured us that they need these funds to get to the point where they can get at least part distribution and functional for Kagman. And for that reason, Mr. Speaker, we fought a few attempts by some of our own members to try to move these funds and they're very much aware of that.

Speaker Hofschneider: I will support you in keeping the money in tact but neither CUC nor EPA nor DEQ has answered the question that we have posed, I have posed for several years. Keep in mind Public Law 11-119 has appropriated that money and sitting idle for more than five years and that's not acceptable. The question is really to motivate EPA and DEQ and CUC to look into constructing wetlands because if the outfall is to be situated either on the south end of the peninsula or the north end of peninsula either way you're going to contaminate a pristine like Laulau Bay or the Marine Beach and we have that scenario in Sadog Tasi treatment plant. The outfall is about a thousand feet out of Charlie Dock and now CUC with the assistance of EPA has done a two-year undertaking study to further bring the outfall of the Aguiguan Point further down. I think it's now at sixty feet and they have to bring it down to reach the undertow or the lower current, prevailing current in the channel of Saipan and Tinian. The easterly prevailing winds and currents in the eastern part of the island that if the methodology that is to be approved is at a conventional treatment plant that is to bring it up to secondary treatment then the contamination would reach Laulau Bay, Marine Beach if it is put on the north end. If it is on the south end Laulau Bay will be destroyed. In the northern end it'll be destroying the shores to north of Kagman. So I will support you in keeping the money.

Vice Speaker Tenorio: Mr. Speaker, it's not only keeping the money. I'm aware of what you're saying but we'll like to at least give an opportunity and if there's no objection, Mr. Speaker, by the members perhaps this project is very important for all of us and for the CNMI that it behooves us to even probably get...

Speaker Hofschneider: Vice Speaker, what I'm saying essentially and I want to clarify. Reserve \$2-\$3 million and have a complete study done. Don't try and fast track this sewer system in the eastern side because it'll be disastrous. Keep it.

Vice Speaker Tenorio: Can I finish, Mr. Speaker, if I may? I just wanted to suggest that there are technical questions that have to be asked and what I wanted to suggest is, call these people in once and for all and let's see where we are in this project. And if we find out that we're kidding ourselves by maintaining the funds, which we can use to do some of our more urgent needs or project for the community, we'll do so.

Speaker Hofschneider: Okay.

Vice Speaker Tenorio: But until such a time that we get complete information on how this project is going to **take shape**, where are we and what should we do with the funds, then I think it's best that we leave it alone and get these people in. That's what I'm saying.

Speaker Hofschneider: To the author, would you be inclined to suspend the passage of the bill and we'll call DEQ and CUC in and see where the stage of their progress is? If it doesn't look like it's going to take into consideration the potential environmental impact by going with the conventional treatment plant, then the Vice Speaker in Precinct I is inclined to reprioritize that money and I think that's not too much to ask of you. Would you be inclined to that?

Rep. S. Torres: Mr. Speaker, I recommend that we put it on hold until we receive recommendations after contacting the concerned agencies.

Speaker Hofschneider: Okay, thank you. Floor Leader, motion to defer discussion and action.

Floor Leader Attao: Mr. Speaker, I move for the passage of H. B. NO. 13-320, HD1 on First Reading only.

The motion to pass H. B. NO. 13-320, HD1 on First Reading only was seconded and carried by voice vote.

Speaker Hofschneider: Motion carried. Floor Leader, recess until Monday at 10:00 a.m.

Floor Leader Attao: I move to recess until Monday, July 28, 2003 at 10:00 a.m.

Rep. Quitugua: Mr. Speaker.

Speaker Hofschneider: Before I recognize that motion, Representative Quitugua?

Rep. Quitugua: Thank you, Mr. Speaker. We only have two planes flying out daily from Rota, Mr. Speaker, and they're very slow. So can we make it 10:30 a.m.?

Floor Leader Attao: Subsidiary motion to recess until Monday at 10:30 a.m.

The motion was seconded.

Speaker Hofschneider: So noted. The motion to recess until Monday at 10:30 has been seconded.

There was no further discussion, and the motion to recess until Monday, July 28, 2003 at 10:30 a.m. was carried by voice vote.

Speaker Hofschneider: Recess until Monday at 10:30 a.m.

The House recessed at 4:18 p.m.

Respectfully submitted,

Lavida S. Palacios, Journal Clerk
House of Representatives

APPEARANCE OF LOCAL BILLS

H. L. B. NO. 13-045: To amend Section 2(a) of Saipan Local Law 13-14; and for other purposes. (REP. GLORIA DLC. CABRERA) [2nd Appearance]