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Sixth Day

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The House of Representatives of the Seventeenth Northern Marianas Commonwealth Legislature convened its Sixth Day, First Regular Session on Thursday, 11th of March 2010, at 10:18 a.m., in the House Chamber on Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

Vice Speaker Ogumoro: For everyone's information our Speaker is still down with the flu so that is why I am here to preside this morning.

The Honorable Felicidad T. Ogumoro, Vice Speaker of the House, presided.

A moment of silence was observed.

Vice Speaker Ogumoro: The Clerk will now call the roll.

The Clerk called the roll and eighteen members were present; Representatives Fredrick Deleon Guerrero and Froilan C. Tenorio was excused.

Vice Speaker Ogumoro: Thank you, Clerk. Before we proceed with our Order of Business, I would like to recognize the presence of our visitors who are here today for our session, in particular I understand that there is a delegation from Rota that are also here for this session today. Welcome to all of you. And now I would like to go down to Public Comments on our Agenda.

PUBLIC COMMENTS

Vice Speaker Ogumoro: So if anyone from the gallery would like to – Representative Tebuteb, recognized.

Representative Tebuteb: Thank you, Madam Speaker. Before you recognize the public for comments, I would just like to clarify my mind on the call for this session so that we are in line with the Open Government Act – so my question I guess would be for the Legal Counsel, if we are in line to the dated March 9 - 72 hours?

Vice Speaker Ogumoro: May I call on the Legal Counsel to please respond to that request for clarification.

LC J. Taijeron: Congressman, I have reviewed the applicable provisions in particular the provisions governing special sessions, special meetings, and the House Rules that which provide for a 72 hours normally under practical terms and this has been more than 72 hours as set forth in the notice on today – also the interpretation can be made that as a special session or special meeting only 24 hour notice is necessary and unless there is a waiver the notice issues do not apply if you are here present when the session is convened. So based on the totality and the reading of the Counsels concurred that the session here is properly noticed and we may proceed as either a Regular Session or a Special Session.

Representative Tebuteb: Okay so it is not a special session then so we do not need a special session so it is okay.

LC J. Taijeron: I do not believe we need one and if we did the special session would definitely cover it.

Representative Tebuteb: Thank you.

Vice Speaker Ogumoro: Does that answer your question, Representative Tebuteb?

Representative Tebuteb: Thank you, Madam Speaker.

Vice Speaker Ogumoro: Thank you.

Representative Benavente: Privilege, Madam Speaker.

Vice Speaker Ogumoro: I recognize, Representative Benavente.

Representative Benavente: Thank you, Madam Speaker, earlier this morning there was a request by someone from the public who wanted to raise a concern during the public comment section of the Agenda. It is my understanding and I think that this would be a good time to clarify since we do have a large number of our public that are in the gallery this morning and there might be a lot of comments during that particular part of our Agenda, but my question maybe to the Legal Counsel is, on the Agenda under Public Comments those would be limited to items that appear on the Calendar or do they have to appear on the Calendar?

Vice Speaker Ogumoro: Legal Counsel, please respond that inquiry.

LC J. Taijeron: If the business is to be just strictly limited to first action and not a First and Final for example then the items may be added by majority of the vote. Items may be added to the Agenda pursuant to our Rules they may not be deleted from the Agenda. But if the matter is already on the Calendar itself then it is very clear that it is safe to proceed.

Representative Benavente: Yes, my question is if the item, the issue does not appear on any part of the Agenda whether under Communications, can a member of the public comment on other issues other than those appearing on the today's Agenda?

LC J. Taijeron: I think the Vice Speaker as the Speaker dissolves into the committee of the whole then that would permit that to happen.

Representative Benavente: But if we do not.

LC J. Taijeron: *Absent that I do not believe so.*

Representative Benavente: Again, as an advise to the members of the gallery this morning that any comments should be limited to the items that appear on today's Calendar, is that a correct statement?

LC J. Taijeron: *I concur, yes, and I believe the Floor Leader and I discussed that whatever that is on the Agenda and whatever the Floor Leader calls will be the only ones discussed.*

Representative Benavente: And I would like to concur to that as well it is just that someone had actually wanted to comment on something that does not appeared on the Calendar and I had advised this individual that we will not be able to do that and I just wanted to clarify that further. Thank you.

LC J. Taijeron: *I believe I understand you and I believe that you are correct.*

Vice Speaker Ogumoro: Alright, that has clarified, Representative Benavente. I would now like to open the floor for public comments from our visitors in the gallery. So there is a binder there that you would have to fill out to make any public comments. So does anyone from the gallery that would like to make a public comment at this point? We will now proceed and I recognize the Chairperson of our Board of Education for the Public School System.

Ms. Lucia Blanco-Maratita: Good morning honorable members of this Legislature. I am just looking at the requirements here for public comments – just for the record I am here on behalf of the CNMI State Board of Education also the Public School System. I understand and I note that comments are limited to those items and just for clarification that comments that I am about to make is in reference to the Committee Reports not necessarily some of the bills that is introduced and that my comments are limited to one minute – so I will see what I can do to say what I need to say in one minute. And this is relating to under your order of business, Madam Speaker, is Item XII, under the Reports – reference to H. B. 17-22. May I proceed?

Vice Speaker Ogumoro: You may proceed, Chair.

Ms. Lucia Blanco-Maratita: Thank you. I do note that we have written to the Speaker regarding the impact of the Austerity holiday act of 2010 would have on PSS and I wanted to limit in that one minute to perhaps two really big issues that it would affect in terms of its impact to PSS and really it is not an impact to PSS but an impact to our education system. One of the biggest concerns is in that bill will violate the maintenance of effort requirement of the American Recovery and Reinvestment Act (ARRA) that was PSS and NMC have been granted. We do not want to jeopardize any of those funding that have been given to us because as we have planned – you know the restoration of the teachers, the improvement of our programs are really dependent on the ARRA funding. And of course in light of that the reason for the application to the ARRA grants not only that it is available to us, but also that the Board of Education and PSS recognizes that we have certain mandatory constitutional obligations to provide not only just the free education, but also that the educational system provide maximum educational and training opportunities. In line with that constitutional mandate and responsibility that is the reason why we have applied for the ARRA grants and that we are really concern that any sort of austerity measure would affect our ability to do that. Just another thing and that you know the concern we have in our ability to recruit highly qualified teachers when we start putting on restrictions or taking away from the competitive benefit that we try to extend it jeopardizes our ability to recruit. And I know for a fact Tinian and Rota has problems with recruiting because of just the way the islands are, but it will also put in an additional hamper on our ability to do that. And it is all reflected in the letter, Madam Speaker that we have submitted to the Legislature. I do not want to go beyond my one minute because perhaps there is going to be others present who wants to speak, but those are the two critical - is how can we ensure that we extend the optimum educational opportunities for our children recognizing the shortfall in funding in revenues in the CNMI we do not want to further jeopardize our ability to do that. Thank you very much.

Vice Speaker Ogumoro: Thank you, Chairperson Blanco-Maratita. I would now recognize and allow other individual to present his public comments.

Good morning my name is David Stafford, I represent the Judicial Branch - Legal Counsel for the Judicial Branch - I am here to comment on H. B. 17-22 the proposed austerity measures. The copy that I have received earlier in the week raises two great concerns with the Judiciary that prohibits us to fulfilling certain constitutional duties, for example, the travel restrictions were placed – the only exceptions are given to the Governor and the Lieutenant Governor. In the Constitutional, Article IV Section II, mandates that we serve Rota and Tinian in the same manner that we serve Saipan – this requires travel and I understand that the provision of the bill might have been changed to allow this, however we also have two pending Superior Court cases with Guam Judges sitting pro-tem on our Bench. Also there were in the version of the bill that we have received there were certain restrictions you know when we can be open and when we cannot be open and these logistical restrictions do not work with the Judiciary. We have to be open and we have to have certain personnel there when situations so requires. And I understand that the purpose of the bill is to cut overall expenditures to 10% to 15% and this can be done without placing uniform restrictions across the board, at least in the Judicial Branch. We have submitted a proposed amendment to Representative Basa and to the Speaker and I hope that you will take that into account – we will still contribute to deficit reduction we still can we elect to do it on our terms and with that I will rest. Thank you.

Vice Speaker Ogunoro: Thank you very much. Are there any more comments from the public?

Good morning Madam Vice Speaker Ogunoro and members of the Seventeenth Legislature especially from the House. My name is Rita Sablan and I am the Commissioner of Education and I am here to also to submit comments on H. B. 17-22. And I would like to specifically make a statement that there are three reasons why PSS is not supporting H. B. 17-22, as the Board Chair has already indicated, it violates the Maintenance of Effort in our ability to provide additional funding streams for the Public School System to renovate, repair and modernize the public schools and also to avail many educational programs that we are not able to provide under local resources and yet in addition to that it is also allowing us to require more teachers for our school system. Number two, it also violates the contracts of many of our certified employees mostly are classroom teachers who are highly qualified, our teacher aides within the Public School System. And this violation will lead to further lawsuits within the Public School System because we are not able to fulfill the contracts as stipulated. This bill I believe does not really solve the issue that is before us when we talk about deficit – it only allows for a \$4 million savings clause and you are looking at a higher deficit than that. So with this reason, I just would like to share the concern that is coming from the Public School System in terms of our employees. We do not want to lose many of our employees that are highly qualified. We want to ensure that we have highly qualified teachers for our students. We continue to do more with very little that we get, we have been able to manage our budget to the way that we have been given. I would like for the House to please not pass H. B. 17-22. Thank you.

Vice Speaker Ogunoro: Thank you, Commissioner Sablan. Are there any more public comments to be entertained this morning?

Good morning, my name is Tim Thornburg, I am the Federal Programs Officer with the Public School System. And I would just like you to know that basically the Maintenance of Effort requirement under the state fiscal stabilization fund requires us by law and the Governor has already signed off on it, that we will maintain local funding for the Public School System at the same level as the previous year or if there is a reduction in the General Funds it will be proportioned. The Governor has announced the reduction for \$150 million to \$137 million – PSS has already adjusted its budget from the continuing resolution level of \$34.6 million down to \$31.4 million – okay. Any austerity holidays would result in a further reduction which will violate the Maintenance of Effort and jeopardize over \$40 million in federal program projects. So if you do this to PSS – if you put us on austerity holiday's you will further cut our budget \$2.8 million and we will lose \$40 million and it does not make economic sense. So we ask you not to pass H. B. 17-22 or if you must pass it provide the PSS and the NMC with an exemption with any austerity holiday's and any non-paid holidays. We have contractual obligations with the Federal Government and as the Commissioner had mentioned, with our teachers – these we must do. Thank you.

Vice Speaker Ogunoro: Thank you, Mr. Thornburg.

Good morning, Madam Chairwoman, and members of the Seventeenth Legislature. I am here as a State President of the PTA Advisory Council. As you know, I am new under the Public School System but I have learned a lot within the past few months that working with PSS is a good organization and we should all support our students' education – it is our priority as mandated under the Constitution. Sizing down or eliminating some holidays and working days to PSS especially and the College is not a good idea and it is not financially prudent for the CNMI Government to take. We have other avenues that we can cut down costs we did mention some and collect revenues on different Agencies that are still outstanding for the CNMI Government. Aside from the contractual obligation for the PSS teachers, staff, and administrators that have to meet those contracts you are sizing down the amount of hours you may be violating those

contracts and subject to litigation – I do not need to mention any litigation of this government, because we have mountains of liabilities that the CNMI Government cannot afford to pay any litigation. Aside from that we are jeopardizing as the Commissioner mentioned, federal grants under ARRA and other federal grants that we are presently receiving and going to receive. Some of those grants require certain percentage of CNMI budget contribution and if we reduce that amount of hours we may be losing some money from the federal which again we cannot afford to lose since we are dying for money. Please consider PSS and the College in waiving that provision that holidays and unpaid work hours. Thank you for your consideration and let us have our kids have a better education. Thank you, Madam Chair and members.

Vice Speaker Ogumoro: Thank you, Mr. Sablan. Are there any more public comments?

Good morning, Madam Chair, for the record my name is Jose Kiyoshi. I am also one of the State PTSA Advisory Council as a Treasurer and I am also here as the President of the Tinian Elementary PTSA. I am here today to echo the concerns of the Board Chair, PSS Commissioner and also our President, to please consider exempting the PSS and NMC from this austerity measures. It is very important as we all know that during election year, education is the priority and I know that as Congressman you guys have a tough job ahead of you guys because we all know that the collection of budget or revenue is very limited. But it is also important to put in mind, that education is also important in our community. And I am here today to ask you to really consider, especially our Congressman from Tinian and Rota. We have as a neighboring island a very disadvantage with especially if you do cut PSS. So I am here today again, to ask you to please really consider on exempting PSS and NMC. Thank you again, for your time. *Si yu'us ma'ase*.

Vice Speaker Ogumoro: Thank you. I recognize, Representative Sablan.

Representative Sablan: Can the gentleman identify his name please?

Jose Kiyoshi: I am the State PTSA Advisory Council Treasurer and I am also the President of Tinian Elementary PTSA Organization. Thank you.

Vice Speaker Ogumoro: Thank you very much. Representative Yumul, I am ready to entertain the next speaker, yes.

Representative Yumul: Before we can continue can we have the blinds drawn open because we have people sitting outside to allow them to listen in.

Vice Speaker Ogumoro: Thank you, Sergeant At Arms, can you draw the blinds for the people outside. Thank you, you may proceed.

Good morning Madam Chair and the Seventeenth Representatives, I can speak in Chamorro?

Vice Speaker Ogumoro: *Hungan kuintinua*.

Gof mamahlao yu para bai hu fatto guini para bai fan estotba hamyu i offisiat. Yangin gi megahit gi kada man huyong hamyo yan man gaogao hamyo ayudu gi publiku pot para un fan matachong guini na siya hafa na hami i mañaina para u fan halom guini yan para u fan aligao i minaolek para i eskuelan famagu'on mami yangin gi megahit en pega hamyo guini para un fan prutehi i edukasion famagu'on mami – hafa na segiha hit para ta fatto guini para ta fana hamyo – che'cho miyo gi megahit para un fan protehi - yan enao gui mas gaigi gi palabran miyo en para un fan protehi i edukasion famagu'on mami. Ya hafa na para ta fan sigiha hit taiguini? You guys have to do your jobs we do not have to be here to be looking at you asking you all these questions when you guys – that is the first priority that you guys ever say every time you do all your business. Esta I was so surprise that I was called to come in this – and I say why are we wasting our time, the parents when we already elected these people to protect the education of our children. Why are we here - can you guys try and work it out and try to give us what we need for our children because that – every time we say that, the future for our children – what is the future of our children when we are coming here to you? I do not understand this. So you know we put you guys here because you guys are smarter than us – we are learning. So you know that is why we put the smart people to make sure to protect the interest of our children. Thank you.

Vice Speaker Ogumoro: *Si Yu'us Ma'ase Señor – antes undingo i podium ko siña un identifica sangan i na'an mu.*

Guahu si Antonio Magofna, I am the PTSA President for Kagman Elementary School for six years and I have been observing and watching you people and I hope that you guys realize what you guys are doing to try to protect our

children. Help us because that is what we are trying to do – even us the parents, we volunteer to help our children. So help us out here.

Vice Speaker Ogumoro: *Si Yu'us Ma'ase, Señor Magofna.* Are there further comments?

Good morning everyone, I am Dee Taimanao and I am also here as a State PTSA Vice President. It touches me that we are all here together. I hope and I am only going to leave a few words with all you leaders is that, the children are our future. I leave that thought with you. *Si Yu'us Ma'ase.*

Vice Speaker Ogumoro: *Si yu'us ma'ase, Señora Taimanao.*

I am Suzanne Lizama the Acting Special Education Coordinator for the Public School System. And every year it is extremely challenging to recruit the certified personnel that we need for Special Education for kids with disabilities, the Speech Therapists, Occupational Therapists, Physical Therapists, Educational Psychologists, Behavioral Specialists, Certified Special Ed Teachers extremely challenging with the salaries that we offer them now. And to now have to go in and say, possibly there will be a reduction in that. The CNMI is my paradise, it is my home, it is your home, it is your paradise – it is not necessarily the paradise to the people that we are trying to recruit over here – the austerity measures will destroy any efforts to try to recruit certified personnel that will work with your children, your grandchildren, your nieces, your nephews – kids with disabilities and the bottom-line all certified personnel that work with Special Education are federally funded. So to austerity them it will not save local resources at all anyway – it will just save the Federal Government a chunk of money and ultimately will impact our ability to continue to apply for Special Education funds. Thank you.

Vice Speaker Ogumoro: Thank you, Ms. Lizama.

Good morning *i na'an hu si Herman Hofschneider.* *Guahu pago gi present, Presidenti i PTA para i Tinian Junior Senior High School – lakkue nu kulan para bai hu tatiyiha ayo iyoña nu infotmasion ni ha na'i hit si Ms. Lizama. Nu i laiuhu lakkue man ma'asetebi gi Special Education. I laiuhu pago gaigi gui eighth grade desdi headstart hu li'e hafa na chenatsaga setbisio Tinian – anai hu sangan Tinian kana ha seguru lakkue Luta ha esperiensa esti ni i gof makkat man ma hire Tinian or ta kombira ha guatto para u fan ma cho'cho nu i Speech Therapists todou ayo siha na providers. Pago ha na satkan ni en accomplish yan siña ha si Ms. Lizama ha attest esti, na guaha parehu ha i Tinian Elementary yan i Tinian High School Special Ed contact teacher – I think that is an historical first. Yangin parehu ha malago yo para bai hu expressa i support ginen hamyo, na pot fabot exempt i PSS yan i NMC – lao kuloloña esti na infotmasion pot i special needs. Guaho kumo saina ni gai patgon ni enao hu senti esti for so many years yan hu congratulate lakkue i SPED program sa finally i satkan siha ni man advocate yo pot Special Ed contact teacher setbisio para i famagu'on ni man gaigi gi Special Education ma deliver pago ya ta na kunsigi esti mona. Thank you.*

Vice Speaker Ogumoro: *Si yu'us ma'ase, Señor Hofschneider.*

Good morning, my name is Lorraine Cabrera, Interim President for NMC. This morning you have all heard how our children are our future and of course NMC also plays a part in making sure that our children get the necessary education. Now, in NMC we have seen enrollment go up this semester, and yes, we are facing challenges with accreditation – the last time we had experienced austerity measures, we were placed in warning. We have a site visit coming up and this would probably be another mark on NMC if this comes to pass. So we strongly urge the House to please take no action on the bill. We would like to make sure that education is always in the minds of everybody – be it election time or at any other time just to make sure that it is always important and our children continue to believe that it is important from the very beginning that they stepped foot into the classroom until the very end and hopefully when they step into the classroom as teachers. Thank you.

Vice Speaker Ogumoro: Thank you very much, Ms. Lorraine Cabrera, Interim President of NMC. Are there any more public comments?

Good morning everybody, my name is Jessica Taylor, I am the PSS Current Technical Education Program Coordinator. And I just wanted to say that education is a different animal – you know when we invest in education we do not see the products right away. So when you do make your decisions with regard to you know PSS and the education of our children, please make sure that this is a long term investment – we are working on a lot of programs that will build local capacity and I just hope that you take into consideration of that. Thank you.

Vice Speaker Ogumoro: Thank you, Ms. Taylor.

Good morning, my name is Heather Kennedy, I am the Executive Director for the Law Revision Commission I work under the Judicial Branch and I just wanted to reiterate the Judicial Branch's request to be exempted from this bill or more importantly, that this bill not pass. The Public School System has provided you a very substantial case to not pass this bill or to exempt them from this bill. If they are exempted from this bill as well as NMC it defeats the overall purpose of the bill, which is to save money because PSS is one of the largest Government employers so that is going to have a huge chunk of what your potential savings were on this bill. So what the Judicial Branch, again, request is, you need to cut us – cut us, let us determine how to implement those cuts and in this way we can best effectuate justice for the CNMI community.

Vice Speaker Ogumoro: Thank you, Ms. Kennedy.

Good morning, my name is Bernie Dela Cruz Babauta, I am State Parent Advisory Secretary. I am here this morning in support of our parents and I hope that you consider this bill for us PSS on behalf of the kids and the parents and I am speaking on their behalf. Thank you very much.

Vice Speaker Ogumoro: Thank you, Ms. Babauta.

Buenas dias, Madam Chair yan todus hamyo na membrus man presenti pago. Na'an hu si Dexter Apatang, guahu i Presidenti i Junior High Luta i gatchung hu guini lokkue si Sandra Masga, guiya i Presidenti ginen i Elementary School, Sinapalo, si Marla ha kuentatayi lokkue i Presidenti i Rota High School gas Therese Hizon lao gaigi si Marla Barcinas guini. Buenas Chair yan todus hamyo ni man presenti na membru. Kumo esta kolu i Chairwoman yan i Commissioner yan todus ayu man kahulu man fofona kuntra hami en fafaisen hamyo ko siña en na'i ham enao na pudet i para un exempt i PSS guini gi esti hour reduction sa todudu i tiempo gi fino uno na ginen Tinian lokkue gi kada ha manohge hamyo guini gi kareda mona para esti para un fan matachong gi siya todudu i tiempo ilek miyo na dibidi'ha mana fona i edukasion i famagu'on pues iyo gui na tumohge ham guini para bai en faisen hamyo ni enao i chansa i para un na'i ham enao na pudet yan un exempt i PSS kuntra esti i hour reduction. Si yu'us ma'ase ni i tempon miyo.

Vice Speaker Ogumoro: *Si yu'us ma'ase Señot Apatang.*

Good morning, Madam Vice Speaker and Representatives of this Legislature. My name is Marla Barcinas, I am the Vice President of the Rota High School PTSA and I also work for the Department of Public Safety. And I am here to respectfully ask that you should take no action on this bill because you know how it will greatly affect, not only the people the community, but it will also affect our children. That one day of austerity will not play a big role on our children's lives. I want my child to be educated I do not want her to have mix feelings or I do not want to send her mix signals that education is not important. My child is going to tell me, mom we have this austerity day what am I going to do at home – you know. So same thing that goes for Public Safety you have this austerity holiday the crime rate will climb – it is bad enough that we are having problems because we lack the manpower what more if we have this austerity holiday. We need our people out there – we need our officers out there. We need our teachers out there and we need to get highly qualified teachers. So please I ask you again take no action on this bill. Thank you.

Vice Speaker Ogumoro: Thank you, Ms. Barcinas.

Good morning everyone, my name Craig Garrison I am a principal at Saipan Southern High School, Saipan. And just a few brief comments – obviously, I think we have heard and for me it was most convincing for Mr. Thornburg where in fact he gave some legal ramifications on the contractual obligation that is a no brainer – but obviously with no money there are issues. And when you all get together and you think about the money and you think about those issues and how we can do this and that to make everything happen, I am not all that convinced that the thinking went all the way down to that grassroot level, because as our earlier speaker just mentioned – you know it touches on the fact that you are talking about 11,000 plus students that they are going to have nowhere to go. Did we think about that? What are we going to do with that? That is more cost to parents for childcare and certainly at the school level when you talk about secondary education most of these students that we deal with are from the Seventh to the Twelfth level they are on their own running around. They do not need childcare pro se but they are running around in your neighborhood. So while you are up here legislating they are down there seeing what you got left in your house – they are seeing what your friends and neighbors are doing and you seriously need to consider those things. At our school level we also see it because when a student is absent for three or four days and we go to their house and find out what happened to you – what has been happening – a wide variety of things – everything from the uncle who stays home beating the crap out him for four days because they are free to be able to gone for three days from the their house and their parents do not know where are they at because they are given these opportunities of freedom. Now you are going to throw all the

thousand kids at home you got some serious society issues. Those are the kinds of things that are core to I think matters when you think about money. And I think those – you know from my administrative standpoint students first is what it should be about – right, that is what we have always said. The money things I can work some serious magic with money, but those efforts are really impeded upon when we have things like this austerity the ramification of difficulty. So again as many of the previous comments that I have made students first – think about it. Thanks

Vice Speaker Ogumoro: Thank you, Mr. Garrison.

Good morning everyone, I am Charlotte Camacho the Acting Principal for Gregorio T. Camacho Elementary School. And just putting politics aside, the Public School System has really come a long way – we have done so much for our kids with very little. Our students are very competitive with the US and other countries. And by passing this bill would really jeopardize the federal money that we need to continue implementing these programs for our children. So please, I echo the same message that our Commissioner of Education mentioned, our State Chairperson mentioned and everyone else out here. This is for our children please consider that.

Vice Speaker Ogumoro: Thank you, Ms. Camacho.

Good morning, Madam Speaker and members of the Legislature. My name is Herman Guerrero, I am a member of the Board of Education. We hear the lengthening of concerns that have been raised regarding this bill. Madam Speaker and members of the Legislature, we all know that we are still dreaming on the \$150 million. You already have been notified by the Governor that is operating on \$137 million – why not just pass the \$137 million and figure out how much PSS pays on the educational hours that it is supposed to get and let us work within our means let us figure out that is why we have the Board of Education to help the Commissioner and figure out to reduce budget and we have also indicated to the Commissioner to find ways to reduce cost within PSS. We understand that it affects everybody, not just PSS, but the entire government and that is all that we are asking. I believe that this bill is putting the cart in front of the horse and it does not work. If that is all the revenue that we are going to generate \$137 million pass the bill because that is what the Speaker said when he got sworn-in that he is going to pass the bill and you know it makes sense. Let each of the Departments and Agencies or give the Governor what he has given the authority under the Executive Branch but give the other Independent Agencies as well as the Branches to operate within their own means also. Thank you, Madam Speaker.

Vice Speaker Ogumoro: Thank you, Mr. Guerrero. Do we have any more public comments to be provided to the members?

Mayor Flores: Madam Chair, members, I am just going to say a few words the austerity measure is the subject matter right – on this measure PSS is not the victim for this austerity – it is the children that are going to school. They will end up not getting the full education they are going to get. Their tool is the teachers of learning – they should not get this austerity measure that will minimize full concentration of educating our kids. Before even going to PSS to implement the austerity measure check first and throughout the Government agency and reduce expenditure. The expenditure should be looked upon more seriously than what is going on now. Please try, please help PSS not to get into this dilemma. Thank you.

Vice Speaker Ogumoro: Thank you, Mayor Flores. Are there any more public comments?

Good morning everyone, my name is Catherine T. Palacios and I am the PTA Officer at Saipan Southern High School and I am also a staff Senator at the Northern Marianas College. This morning I am here I am not a good public speaking speaker but because I feel that I have this chance and I am going to take it and this is the chance that I am going to take to speak for our kids. I have two kids that are going to school now – my son, who goes to Saipan Southern High is a Senior and my daughter who goes to Northern Marianas College. Every single day, Monday to Friday, my kids look forward to going to school. I do not want everyone to limit kids from that since day one I always cherish and find the importance of my kids education. And I believe that I am speaking on behalf of each and every one of you guys here who has kids – that you are also working for the betterment of our children of the CNMI. And for you to limit the number of educational hours, educational days is the last thing that we want to do to our kids. I am sure that you can find other ways and means to recover from our downfall of our economy. Let us not touch our kids. I am appealing to you and asking that you do not pass this House Bill 17-22. Thank you and I am asking for your consideration on this. Thank you very much.

Vice Speaker Ogumoro: Thank you, Ms. Palacios.

Good morning Madam and members of the Legislature, my name Elen Gebin I am a teacher in Kagman Elementary School and parent and also the Vice President of our PTSA. I am here in support of every single member that is here right now. These are the children your children our children and the future leaders that will soon be sitting in this Chamber. We do not want to jeopardize the future of these students. Please, hear their voices, hear us, and please take no action on House Bill 17-22. Thank you very much.

Vice Speaker Ogumoro: Thank you, Ms. Gebin. Are there any more comments, if not I will now proceed to the next item of our Order Business, Clerk.

ADOPTION OF JOURNALS

4TH DAY, FIRST REGULAR SESSION JOURNAL, FEBRUARY 5, 2010

Vice Speaker Ogumoro: Floor Leader, recognize.

Floor Leader Camacho: Thank you, Madam Speaker, I would to go ahead and move that we adopt 4th Day, First Regular Session House Journal dated February 5, 2010.

The motion was seconded.

4th Day, First Regular Session Journal, February 5, 2010

Vice Speaker Ogumoro: The motion has been moved and seconded, discussion on the motion.

Several members voiced ready.

There being no further discussions on the motion to adopt the 4th Day, First Regular Session Journal, February 5, 2010, it was carried by voice vote.

Vice Speaker Ogumoro: We move down to Introduction of bills.

INTRODUCTION OF BILLS

Representative Benavente: Privilege, Mr. Speaker.

Vice Speaker Ogumoro: Under privilege, I recognize Representative Benavente.

Representative Benavente: Madam Chair, given the statements made during the public comment on the Order of Business and given that many individuals are present to observe our action on H. B. 17-22, I would like to request and at this time offer a motion to move to the Committee Report item of the Order of Business so that we may take action – action that I believe that is necessary to take today because when you think about it while we have so many here that have come to share their position on this matter – I know and we all know that there are hundreds more that are out there in our community who at this moment are experiencing some sort of an anxiety as to what their income will be if we should pass this legislation. I do not think that delaying this any further is right for our people. I do not think that delaying this any further is also right for our Administration when it is attempting to resolve the budget crisis that we are in right now. So at this time Madam Chair without objections and if I am in order, I would like to move that we proceed to Committee Report.

The motion was seconded by several members.

Vice Speaker Ogumoro: Before I recognize that motion I recognize the Floor Leader.

Floor Leader Camacho: Thank you, Madam Speaker, I have no objections to that motion, but at this time I would like to defer to the Chairman of Ways and Means because I believe he has a statement to make to the audience here in the gallery.

Vice Speaker Ogumoro: Chairman Basa, recognized.

Representative Basa: Thank you, Floor Leader and Vice Speaker. First of all, I would like to personally express my heartfelt appreciation to those that are present today. I feel overwhelmed to see that there are so many of you from all three islands take the effort, the time and energy and not to mention the cost to come and let your voice be heard concerning this particular bill. I feel that I am the culprit here, because I authored this bill. There is a reason for this bill that we are still working on – the process is not easy, and I am glad that we have this day when so many of you guys come to testify and let this body hear once and for all how you feel about this bill, particularly when it comes to education. I for one am a parent and I understand that education is critically important because in this island I guess the greatest asset that we have here is our people. We have heard a lot of you testify and this is a healthy forum, this is good and I thank everyone and I wish that every session will be like this when there is so many of you are present. At any rate, I am going to take all your concerns – one of the reasons that we have not finalized this bill is, because we are trying to strike a balance. We want to make sure that if this bill if it reaches its product that one, it is fair, reasonably, equitable and that it hears every side. We have been talking to various agencies we understand their concerns we are taking that into consideration as we meet as a Committee. Yes, there is a Committee Report H. D. 1, it is completed, but the Committee decided that it would be best if now that more concerns are being expressed today we will go back to the drawing table and take another look at this bill before it becomes a final product. I would like to ask this body to allow the Committee to work on this bill defer it to our next session. And I will tell you that we have been talking with respect to this bill and nobody in this House would like to entertain this bill – even myself, but given the fact that we are in a financial crisis, ladies and gentlemen, we are riding on this vehicle that, it is heading towards suicide cliff and we are just trying to do our jobs we are trying to prevent eventualities. We are trying to prevent massive layoffs, payless pay days because folks, in the absence of – you have mentioned that the Government, there is a still fat that needs to be trimmed down – I agree with you. What we need in the absence of not having funds, the vaults of money that we can tap, we do not have the ability to borrow to cover the shortfall – what other options do we have is, austerity. If we do not have the guts to say let us reduce the size of the Government then austerity is the only solution. I am willing to cut the Government if all this body wants to cut it let us cut it. I understand that our kids should be first and foremost – I agree, I cannot disagree with anybody out there, but we are looking at the reality of the situation. We are trying to stop the bleeding of this excessive spending – we have been spending money that we do not have and that is what we are trying to stop. So I ask this body to be patient, and I apology that the media came out and said that we are going to take action today concerning this bill, but I would like to ask this body to defer it until the next session perhaps, Monday, because of the 72 hours. That is all, ladies and gentlemen. Thank you.

Vice Speaker Ogumoro: Thank you, Mr. Chairman. I recognize Representative Joseph Deleon Guerrero.

Representative Joseph Deleon Guerrero: Yes, Madam Chair just a point of order. There was a motion that was raised on the floor and it was seconded, if you recognize that motion, may I say something under discussion?

Vice Speaker Ogumoro: At this time I would like to call for a brief recess.

The House recessed at 9:46 a.m.

RECESS

The House reconvened at 9:46 a.m.

Vice Speaker Ogumoro: We will now resume with our session. There is a motion on the floor from Representative Benavente to refer to the Committee Report item in our Order of Business and it has been seconded, I now recognize Representative Benavente under discussion.

Representative Benavente: Madam Speaker, my motion is made, because I feel so strongly that we have to act on this measure today and not tomorrow and not Monday. It is because it is really unfair for not just the PSS and not just the government employees and their families, but to the Administration and to us as well as the responsible leaders in trying to come up with ideas and ways to resolve the crisis. I objected to the idea of austerity from the Sixteenth Legislature from the two years that the Administration had pushed for it. I continue to object to the idea of austerity for a lot of reasons, and the most important one is that I feel that the sacrifice that we are asking government employees to make is, I believe too much to the resolution to the resolve of the intent of the austerity measure which is to solve the budget crisis because if we are looking at a \$20 million shortfall and we stand to save even without the exemptions, \$4 million, it really does not resolve the problem. And so I feel that it is important for us as elected leaders to not delay this any further because we do have a crisis in our hands and act on it today. So I ask the support of the members with that motion. Thank you.

Vice Speaker Ogumoro: Are there any further discussions on the motion on the floor? Ready.

There being no further discussion the motion made by Representative Benavente was carried by voice vote. The House proceeded to Item XII Standing Committee Reports.

REPORTS OF STANDING COMMITTEES

S. C. R. No. 17-1: Reporting on H. B. No. 17-8, entitled: "A Bill for an Act to remove the three legislative days requirement for certain local bills; and for other purposes." *Your Committee on Judiciary and Governmental Operations recommends passage of the bill.*

S. C. R. No. 17-2: Reporting on H. B. No. 17-22, entitled: "A Bill for an Act to implement a reduced-hour government pay period, establish government austerity holidays and unpaid legal holidays within the Commonwealth; and for other purposes." *Your Committee on Ways and Means recommends passage of the bill in the form of H. B. No. 17-22, HD1*

Vice Speaker Ogumoro: We are now on Item XII Reports of Standing Committees and I now recognize the Floor Leader.

Floor Leader Camacho: Thank you, Madam Speaker, we have two Reports of Standing Committees on the Calendar, however, I believe the most pressing Committee Report is Standing Committee

Report 17-2 and that is reporting on House Bill 17-22, HD1. With that, Madam Speaker, I move that we file this Committee Report.

The motion was seconded.

S. C. R. No. 17-2: Reporting on H. B. No. 17-22, entitled: “A Bill for an Act to implement a reduced-hour government pay period, establish government austerity holidays and unpaid legal holidays within the Commonwealth; and for other purposes.” *Your Committee on Ways and Means recommends passage of the bill in the form of H. B. No. 17-22, HD1*

Vice Speaker Ogumoro: Discussion on the motion? Ready, I now recognize Representative Joseph Deleon Guerrero.

Representative Joseph Deleon Guerrero: Thank you, Madam Speaker. I want to comment on the recent that – that I am supporting the filing and not supporting any form of austerity in the future in any manner, shape or form. Madam Speaker and members, I have been here when they introduced and passed the austerity measure that was implemented several years back. The justification was that it will save the Government at that time, I think the projection was anywhere between \$12 to \$15 million – it ending up saving us and Representative Yumul can correct me somewhere in the area of \$3.7 million I believe. That system of a solution to a financial crisis is greatly flawed, not only because it touches on government employees that have not been raised for well over ten years in every branch of Government, but at any time you cut the spending of power of the people, you are not just hurting them, you are not just hurting their children, you are not just hurting businesses – it ends up coming back to us multiplied compounded. When people cannot spend to pay their bills or buy food or whatever else they need, what that would translate to is a reduction in BGRT’s. Reduction in BGRT’s would mean,, lower revenues for our Government and then it comes back to this body. Lower revenues – you know several quarters down the road if we implement this austerity today means that we have a bigger job because now the projection is lower threefold from what you expect a savings of what \$4 million and then we realize that – that we did not realize revenues that could be tripled that amount then we would have to cut even further. So it is a vicious cycle, and I have seen that happen and I think that we should be creative. Several ideas have been proposed, one could be you know, pass a budget that reflects what the Governor’s projections are and let the Government agencies live within their means. We are basically dictating how they are going to reduce their budget by saying cut salaries when the agencies will know their own expenditures – know better how to control it - so I think that is a better solution. There are a lot of proposals to generate revenues and I think that should be something we should be seriously be looking at – I am not saying that we should not also be looking at other cost cutting measures, but I just do not believe that it should be touching employee’s pockets. Thank you, Madam Chair.

Vice Speaker Ogumoro: Thank you, Representative Joseph Deleon Guerrero. We are still under the discussion on the motion to file S. C. R. 17-2, I now recognize Representative Benavente.

Representative Benavente: Yes, Madam Speaker and thank you. First let me commend the Chair and the members of the Committee on Ways and Means who I know have worked hard. I took part in a meeting with the Acting Governor in the previous week and I know that the Chair has been calling and even requesting non-members of the Committee on Ways and Means to participate in the discussion on this austerity bill. So I commend the Chair and the members of the Committee for the hard work that they have done over the previous weeks to come up with this idea and to support the Administration’s position to assist with the budget crisis and come up with the austerity proposal.

But even during the meeting with the Governor, I offered my objections and made it clear that I do not agree with the austerity. I, though fully understand the budget crisis that we are in – I mean it is not hard to believe when the Acting Governor says that we are looking at a \$20 million deficit by the end of this fiscal year because just a couple of months ago we received the actual of the previous year in which we had over spent by over \$16 million and nothing really has changed. It is kind of obvious when you see developments in our community whether revenues are going to go up or down. So I would agree with the current projection of the \$137 million which really translate into a deficit if we do not do anything about it. And just as a reminder this deficit spending which is legal is occurring only because we can – October 1 of this year, the constitutional amendment which I authored would not allow that anymore. It basically requires that if we cannot run this Government under the balanced budget – balanced budget meaning, once the Governor determines the projections for revenues which is \$137 million then we cannot spend beyond that \$137 million and if we do not have a balanced budget that says that – that non-critical public services will shut down – not to mention the withholding of members legislative salaries as well as the Governor and Lieutenant Governor. That is a minor part compared to the idea of shutting down public services – okay and not to mention government employees not getting paid – but public services being eliminated. So there is a need for us to resolve this issue before October 1, and again we are doing this deficit spending but we are doing it because we can do it. I introduced House Joint Resolution 17-2 it is not on the Agenda because it did not meet the 72 hour requirement, but what it proposes to do, Madam Speaker is, is to convene a summit. A summit of the Administration and its agencies and programs – the departments, the Legislature and with the private sector and the community to come together and start talking about how do we balance a budget. Again, looking at October 1 which is six months away because something has to give – we cannot just cut \$20 million from the Government and not jeopardize critical public services. We cannot raise \$20 million today for this balanced budget. So there has to be a give, there has to be some sort of revenue generating, there has to be some sacrifices and these sacrifices has to be made today or at least let it be known to these programs and these agencies that are going to be sacrificed. On April 1 under the constitution, the Governor is required to submit its budget that we act responsibly by passing the budget of the next fiscal year within the same months – so that when decision is made after this submit and after the discussion of this budget that certain programs whether they are constitutionally created or not are not going to be funded for the next year and maybe can be funded in the future when the revenues increase. I think that the important part of this idea is that we have this transition period if you will in which we made known to these programs to these agencies that are not going to be funded in the next fiscal year that I am sorry but your jobs are going to not be available October 1 and that you have this time between now and October 1 to find another job – I mean it is only fair if the sacrifices are going to be made it is only fair for us to have this transition period. So there are other ways, Madam Speaker, in which we can resolve and we have to resolve this budget crisis once again especially come, October 1 of this year. Thank you.

Vice Speaker Ogumoro: Thank you, Representative Benavente. Are there any further discussions on the motion to file S. C. R. 17-2, I now recognize Representative Yumul.

Representative Yumul: Thank you, Madam Speaker. I would also like to commend the Chairman on Ways and Means he had put forward a legislation for consideration albeit obviously controversial legislation that requires a lot of input. We have seen that earlier today where the sampling of the public at large had come in and gave us their statements as to the concerns that they have. And these are part of the issues that we have to confront ourselves with. It is not just the economic well-being of the Government but also that of the community in general because as we seen it even in the local media both *Saipan Tribune and Marianas Variety* advertisements are not as dominant on non-

government pay days. Every time it is a pay day Friday for the CNMI Government the newspapers are crammed with advertisements from vendors offering goods and services. We do not see that on private business pay days and it sheds a very bright light as to where the economic engine is focused. We have the CNMI Government, we have tourism that is still faltering we do not have the Garment Industry anymore. Part of the ramifications of trying to trim down the Government without looking deeply into how the CNMI Government interacts with the entire CNMI in general is a big challenge and if we do not put it in into perspective we actually can encourage more economic decline. We may seem to be saving but in actuality we are not. Even in the Governor's Communication that we skipped over there are communications again with hiring that are being conducted. We do not have the ability to even analyze - the Chairman himself had sent out some request for information and they are very slow to come back and he is left with no choice but to work with the information that he has received and as we see in the Committee Report it is not very detailed and that it is not a gig on him it is really because we are working with a system that obviously has issues not just economically speaking but also from a perspective as a Legislature that we cannot legislate provisions that will make the best impact if we do not have the information. Representative Benavente did make some comments about a summit so to speak and that is very critical – we need to know what is going on not just within the Government but also outside Government that affects the entire community and we obviously will have to deal with this once again as we move forward with the 2011 budget. I know that our budget have already been reduced across the board. I know that my account had been reduced I do not have any issues with that. The issue that I do have is that if the Administration is firm on the \$137 million from a reduction of \$150 million he needs to put it in writing so that we can take appropriate action – the Chairman needs to present to this body with an amendment or a change in our House Concurrent budget so that we can acknowledge that reduction and so will the rest of the Government that is receiving funds. The Commissioner and the Chair of PSS even said that they want to make the changes but they want to do it according to what is in the best interest of PSS and that if the allocation is reduced it is done across the board equally. PSS is still the largest recipient of the General Fund funds, and rightfully so. So with that, thank you, Madam Speaker and to the Chairman too.

Vice Speaker Ogumoro: Thank you, Representative Yumul. Are we ready to vote on the motion? I recognize Representative Dela Cruz.

Representative Dela Cruz: Thank you, Madam Chair, I also want to make a statement on this Committee Report and what it intends to do. First of all, I would like to say that a lot of people say that this Government is bloated. Now, nobody can actually say whether it is or it is not, but I believe that if we say it is then we need to do something. And I believe that something is to do a desk audit on every Government agency in the Commonwealth - only then, we will find out whether we have more positions in Government than it is actually needed. I believe that – that is another option aside from having an austerity. And I would like to say that I will not support any type of austerity measure in whatever forms, because I believe that there are other options then taking the easy way out of reducing hours to our Government employees. I know, because I have experienced during the Fifteenth Legislature when we had an austerity Friday's implemented at that time - and was it fair, I do not think so. In this Legislature there was only a handful of Representatives aside from myself that took a 10% cut and gave it back to the Administration or the General Fund. It was only a handful, you can count them with your fingers and I believe that if an austerity measure was to pass before it even passes, I would like to ask each and every one of your to raise up your hand and who is going to take a 10% cut because it is not only us here that are protected but I feel for those people out there that have no say whether their salaries are cut their hours are cut – I feel for those people - people that are making less than \$10,000 per annum, people that have loans to pay and then I go

back again and say, is this Government bloated. And so we need to do a desk audit we need to find out exactly that is the thing that the Committee should be looking at whether we really need the employees that are non-essential to this Government – do we have those employees and if yes, maybe, we should cut the fat because it is really hurting every one. And I am not going to stop at saying that if we cut these people we let furlough these people, we as a Government must also work with the Labor Department to ensure that these employees if they are qualified in the private sector must get the employment from the private sector. I will not stand for any private employer out there to say, I am sorry but we already have employees – employees that are not locals not US citizens not Commonwealth residents we have to mandate the Department of Labor to ensure that these employees have a job waiting for them before those cuts are made in Government, it is the least we can do. That is another option. We must also look at the billings of CUC for Government agencies – the schools, I have read their CUC billings are climbing up – why is that? Saipan Southern High School where they have solar powered technology and windmill technology we must look at that and figure why are the schools not turning off lights in their corridors their walkways during the day? I have seen those happening 24 hour lights in hallways – I have seen those happening. Those are the things that we need to take a look at. Those are the thing that we can say this is an option. A desk audit, CUC billings for Government agencies those are the things we can look at not this austerity it is as if the austerity is the only solution to our ailing economy here there are other ways we just need to sit down and figure it out. Again, Madam Speaker, any other austerity measures that are introduced, again, I will say not support or be in favor. Thank you.

Vice Speaker Ogunoro: Thank you, Representative Dela Cruz. Are we ready to vote on the motion? Representative Conner, recognized.

Representative Conner: Thank you, Madam Speaker. In referring to the Committee Report you know as a Committee member, I brought up the issue regarding conducting a public hearing. And unfortunately, members of the Committee referred that we just try to legislate this through without conducting a public hearing. I feel that this is not right and as you can see today with the members of the community and PSS present and other respective agencies that we should give them the opportunity to have a public hearing so that they can express their concerns and sentiments in regards to this bill. I do not feel that it is right for us to legislate without having to hear the sentiments and the concerns of the public and the agencies involved. The Governor and the Administration presented \$16 million in deficit, but yet, they did not explain how did this occur - no reasoning behind the fact that we have \$16 million in deficit. Why is there no reasoning behind it? \$13 million in revenue projection – what is the reason for the \$13 million projection shortfall what areas are we encountering to have this shortfall – there was no explanation in the Committee Report. There was no recommendation from the Administration in how to address the deficit, but yet, I continue to hear that there is hiring's being processed at the Retirement Fund. There was concern and an echo from colleagues that if we are bloated we have to cut some more. There is a concern for us to have to take a 10% cut – I, myself will take that 10% cut. As an administration we should all take the 10% cut. PSS and other agencies have already echoed their concerns today regarding the austerity measure and as you can see members, they are disturbed about it. Tinian was taken to the Bank by the Administration pulling \$2.7 million from 702 funding aside from what they took from Rota to cover the EPA fine for CUC of \$4 million sum, but yet they echoed the concern of a deficit they echoed the concern of a revenue projection shortfall, but yet, from a \$600,000 fine it has ballooned to \$4 million. Where is the safety net? Where is the responsibility to be shown to the community and to the leadership in addressing these concerns? I had asked where are the over expenditures it was mentioned that CUC and CHC are the two primary expenditures that we are occurring such a deficit, but yet, there is no explanation there is no spreadsheet in what those

expenditures are. To sacrifice the low pay scaled workers in the Government would burden those families even more. I tried to reason to come up with an exemption to these low pay scaled workers, but to no avail strictly for a fact that members of the Committee had stated that it has to be across the board – I do not agree with that. That is why it is imperative that we know the facts first we come to reason in what the deficit is how it came about the revenue shortfall to understand where it is to try to address it as a leadership so that we will have a thorough understanding before imposing such a bill that has no clear clarity or definition but yet it imposes hardships amongst the people and the agencies involved. I too disagree with this bill although I am a Committee member. So I would advocate to the Chairman to open a public hearing for the community as a whole to hear their sentiments and concerns before addressing such a measure if they are imposing to introduce it and pass it. Thank you.

Vice Speaker Ogumoro: Thank you, Representative Conner. Are there any further discussions on the motion on S. C. R. 17-2? I recognize Representative Benavente for the last time.

Representative Benavente: Yes, I realize that it is pass lunchtime and we still have members in the gallery here, but it is important to note also and I was hoping that the members of the majority would explain further and I know that when you invited me in to speak with the members of the majority you had offered and suggested that we defer action on the bill so that we can take into consideration those that have been raised before us as well as other communications and to the credit of the majority I commend you for that, but I am also glad that I was able to convince and with the motion being offered by the Floor Leader majority to file it, I extend my appreciation that we support the idea of just completely eliminating it today the idea of austerity. So with that, Madam Speaker, I am ready to vote.

Vice Speaker Ogumoro: Thank you, Representative Benavente and I now recognize Representative Tebuteb.

Representative Tebuteb: Thank you, Madam Speaker since you have mentioned for the last time for Representative Benavente, I will try and make it short. In line with Representative Benavente's comments to the Committee members I have to also give you credit because I realized too, at the same time that even to put your signature on the Committee Report I can sense some degree of hesitation and to that extent I do appreciate and commend you for the guts to do that. And it is because of the findings and purposes or the intent of the measure and it is stated that it is to alleviate the current financial crisis. And of course, this is one step of trying to I guess assist in that nature to alleviate current financial crisis of the CNMI Government and so I commend you with that. At the same time just on the Committee Report, Madam Chair, the cost benefit on page 3, and in that cost benefit that the Committee finds that in effect how is this House Bill will provide ample funding for the Government of the Commonwealth of the Northern Mariana Islands to assist – and I think the word that is striking me is, to assist in carrying out more essential government operation. So that word “more” kind of put me in a limbo on this particular Committee Report and at the same time I remembered the memo and I commend the Floor Leader for doing such. The Floor Leader put out a memo for us to be creative and come up with legislation that would be revenue generating legislations and I know for a fact that there has been some proposal to that effect. And it also pains me when we will be having in this particular bill, exemptions. And one of the exemptions of course is to the constitutional protected that we have that the elected officials are exempted from this austerity measure. We all know that the Planning and Budgeting Act has some steps towards the final shut down in a government one of it is austerity. We all know that we pledged to uphold the constitution and protect the constitution at the same time I believe that the intent of any constitution

is for the benefit for the people by the people you know the magic words. So in all fairness if we want to provide that constitutional protection that we uphold and at the same time what is fair across the board before the actual shut down within any government, I think the proposed idea in this particular measure needs to be further explored and at the same time I remembered when we implemented Public Law 15-24 was the austerity measure that I for one supported and at the end of the day there was a report of a surplus from the Administration, but then we are now back to the drawing board. Thank you, Madam Speaker.

Vice Speaker Ogumoro: Thank you, Representative Tebuteb. Are there any further discussions? Ready. We are ready to vote on the motion to file S. C. R. 17-2.

There being no further discussion the motion to file S. C. R. 17-2 reporting on H. B. 17-22, HD1, and it was carried by voice vote.

Vice Speaker Ogumoro: Floor Leader, recognized.

Floor Leader Camacho: Thank you, Madam Speaker, we do have other items on our Agenda this was the most pressing, however, with that business done, I would like to move to recess and come back at two o'clock.

The motion was seconded and being no discussions on the motion it was carried by voice vote.

The House recessed at 12:31 p.m.

RECESS

The House reconvened at 2:25 p.m.

Vice Speaker Ogumoro: We are now back to our session and I now recognize the Floor Leader.

Floor Leader Camacho: Thank you, Madam Speaker, I would like to move that we move back to Item IV Introduction of Bills on our Agenda.

Vice Speaker Ogumoro: Is there a second to that motion?

The motion was seconded and it was carried by voice vote.

INTRODUCTION OF BILLS

Vice Speaker Ogumoro: Under privilege, I now recognize Representative Joseph Deleon Guerrero.

Representative Joseph Deleon Guerrero: Thank you, Madam Speaker. Our Minority Leader has asked that we inform the Chair that he will be coming in a little late – just to notify you. Thank you.

Vice Speaker Ogumoro: Thank you, Representative Joseph Deleon Guerrero. We are now on Item IV of our Agenda, Introduction of bills, I now recognize the Clerk.

Acting House Clerk Alicia Deleon Guerrero: Madam Speaker and member, we have under Introduction of Bills, House Bill 17-32, to amend 4 CMC §8182 to avail NMC CREES of the special water rates established for farmers and ranchers and for other purposes, introduced by Representative Tebuteb of Precinct 3.

Vice Speaker Ogumoro: I am going to refer House Bill 17-32 to the Committee on Natural Resources. I recognize the Floor Leader.

Floor Leader Camacho: Thank you, Madam Speaker, if there are no objections can we let the authors introduced their bills so that they may be given a brief moment to speak freely of their bill of what the purpose may be.

Vice Speaker Ogumoro: Are there any objections from the members?

There were no objections raised on the floor.

Vice Speaker Ogumoro: Alright, thank you Clerk. So House Bill 17-32 is referred to the Committee on Natural Resources, and I now recognize Representative McGinnis-Torres.

Representative McGinnis-Torres: Madam Speaker, can we hear from the author on why is he introducing that bill?

Vice Speaker Ogumoro: Representative Tebuteb, please proceed.

Representative Tebuteb: Thank you, Representative Torres. This is a request by NMC CREES there has been numerous discussions with relative to special water rates with the farmers – in particular Saipan farmers on the water rate and I believe that there are concerns raised on the language and that is also included in this specific bill. There may be a need for the Committee to tweak it a little so that it would somewhat address the concerns raised by the NMC CREES as well as the farmers. There is also some concerns raised during the agricultural summit last week from CUC on what is the financial impact and if there is any funds identified to offset the rates as proposed in this legislation. So although the bill basically authorizes the Public Utility Commission (PUC) it does not have much teeth and that is one concern from the NMC CREES as well as the farmers and ranchers and so there may be a need for CUC – PUC in particular to maybe work out some sort of a solution with the Committee. Thank you.

Representative Tebuteb introduced the following prefiled House Bill:

HOUSE BILL 17-32:

To amend 4 CMC §8182 to avail NMC CREES of the special water rates established for farmers and ranchers and for other purposes

Sponsored by REP. Ramon A. TEBUTEB of Saipan, Precinct 3 (*for himself*)
Referred to the Committee Natural Resources.

Vice Speaker Ogumoro: Thank you, Representative Tebuteb. Let us now move down to House Bill 17-33. Yes, Representative Tebuteb.

Representative Tebuteb: Madam Speaker, my apologies, before you proceed, I was going to ask Representative McGinnis-Torres if that satisfies his question.

Vice Speaker Ogumoro: Representative McGinnis-Torres, recognized.

Representative McGinnis-Torres: Thank you, Madam Speaker, my colleague from Oleai, Precinct 3, thank you very much it is a satisfactory report.

Vice Speaker Ogumoro: Thank you, Representative McGinnis-Torres. I now recognize Representative Santos.

Representative Santos: Thank you, Madam Speaker. This is to introduce H. B. 17-33, which has been prefiled on February 26, 2010, To amend Section 3 of Public Law 12-14, as it applies to the surrounding waters of the municipality of Rota, to ensure that such regulations do not restrict the rights of persons to engage in non-commercial net-fishing, provided that such right be restricted to non-commercial net-fishing for the purpose of obtaining fish for personal or immediate family consumption, to also ensure that the definition of “non-traditional fishing methods” is not misinterpreted to include non-commercial net-fishing; and for other purposes. Thank you, Madam Speaker.

Representative Santos introduced the following prefiled House Bill:

HOUSE BILL 17-33:

To amend Section 3 of Public Law 12-14, as it applies to the surrounding waters of the municipality of Rota, to ensure that such regulations do not restrict the rights of persons to engage in non-commercial net-fishing, provided that such right be restricted to non-commercial net-fishing for the purpose of obtaining fish for personal or immediate family consumption, to also ensure that the definition of “non-traditional fishing methods” is not misinterpreted to include non-commercial net-fishing; and for other purposes

Sponsored by REP. Teresita A. SANTOS of Rota, Precinct 7 (*for herself, Representatives Ogumoro, Villagomez, and Basa*)

Referred to the Committee on Natural Resources

Vice Speaker Ogumoro: Thank you, Representative Santos. On H. B. 17-34, I now recognize Representative Santos.

Representative Santos: Thank you, Madam Speaker, this is my bill again, to introduce H. B. 17-34 which has been prefiled on February 26, 2010 to amend Subsection 2204(b) of Section 3 of Public Law 15-105 regarding the Health Care Professions Licensing Board; and for other purposes. This bill seeks to add two additional members from the general public, one from the First Senatorial District and the other member from the Second Senatorial District. Thank you, Madam Speaker.

Representative Santos introduced the following prefiled House Bill:

HOUSE BILL 17-34:

To amend Subsection 2204(b) of Section 3 of Public Law 15-105 regarding the Health Care Professions Licensing Board; and for other purposes.

Sponsored by REP. Teresita A. SANTOS of Rota, Precinct 7 (*for herself*, Representatives Ogumoro, Villagomez, and Basa)

Referred to the Committee on Health and Welfare

Vice Speaker Ogumoro: Thank you, Representative Santos and I am referring that bill to the Committee on Health and Welfare. On H. B. 17-35, I now recognize Representative McGinnis-Torres.

Representative McGinnis-Torres: Madam Speaker, a numbered H. B.17-35, a bill for an act to prohibit the cruel treatment of animals; to provide for penalties; and for other purposes. This introduced this bill by request because this bill has been introduced for like six terms and in fact I remembered that about 12 years ago and it still has not yet gotten off the ground so I am trying for the last time maybe – one more time.

Representative McGinnis-Torres introduced the following prefiled House Bill:

HOUSE BILL 17-35:

To prohibit the cruel treatment of animals; to provide for penalties; and for other purposes.

Sponsored by REP. Stanley T. MCGINNIS-TORRES of Saipan, Precinct 3 (*for himself*)

Referred to the Committee on Judiciary and Governmental Operations

Vice Speaker Ogumoro: Thank you, Representative McGinnis-Torres I am referring that bill to the Committee on JGO. On H. B. 17-36, I now recognize Representative Joseph Palacios.

Representative Joseph Palacios: Thank you, Madam Chair, a bill for an act to amend 9 CMC § 5660 (d) to increase penalties for parking in a space reserved for the use of persons with disabilities; and for other purpose. In the amendment here to read as follow that § 5660 citation penalties registered owners, drivers both responsible on (d) the penalty for parking in violation of this Article shall be raised from \$150 to \$300.

Representative Joseph Palacios introduced the following prefiled House Bill:

HOUSE BILL 17-36:

To amend 9 CMC § 5660 (d) to increase penalties for parking in a space reserved for the use of persons with disabilities; and for other purpose.

Sponsored by REP. Joseph M. PALACIOS of Saipan, Precinct 1 (*for himself*)

Referred to the Committee on Health and Welfare

Vice Speaker Ogumoro: Thank you, Representative Joseph Palacios, that bill is referred to the Committee on Health and Welfare.

Representative Joseph Palacios: Thank you, Madam Chair.

Vice Speaker Ogumoro: On H. B. 17-37, I now recognize the Floor Leader.

Floor Leader Camacho: Thank you, Madam Speaker, before I introduce my bill, I would like to raise a point of information – H. B. 17-33, which Committee is that bill referred to?

Vice Speaker Ogumoro: H. B. 17-33 will be referred to the Committee on Natural Resources. You may now continue, Floor Leader.

Floor Leader Camacho: Thank you, Madam Speaker, I would like to introduce H. B. 17-37, this is to amend 4 CMC, Division 3, Chapter 3, Article 2 by adding a new § 3327 to require certain CNMI offices to provide notary public services; and for other purposes, offered by myself and Representative Santos.

Representative Camacho introduced the following prefiled House Bill:

HOUSE BILL 17-37:

To amend 4 CMC, Division 3, Chapter 3, Article 2 by adding a new § 3327 to require certain CNMI offices to provide notary public services; and for other purposes.

Sponsored by REP. George N. CAMACHO of Saipan, Precinct 4 (*for himself*, Representative Santos)
Referred to the Committee on Judiciary and Governmental Operations

Vice Speaker Ogumoro: Thank you, Floor Leader. H. B. 17-37 is referred to the Committee on Judiciary and Governmental Operations. On H. B. 17-38, I now recognize Representative McGinnis-Torres.

Representative McGinnis-Torres: Thank you, Madam Speaker. H. B. 17-38, a bill for an act to amend the Nuclear and Chemical Free Zone Act of 1983 – to allow for the modern deployment of economically feasible power generation technology, which has been designed and developed by the United States Department of Energy the famous Los Alamos laboratory in New Mexico. To eliminate the dependency of the high priced diesel fuel excessive cost of spare parts and continuous break down and expensive temporary and semi permanent repairs of our power generation. This translates to long lasting dependable and inexpensive power bills for our people which should encourage a major social and business boost for the Commonwealth. Madam Speaker, I introduced this by myself and seven others.

Representative McGinnis-Torres introduced the following prefiled House Bill:

HOUSE BILL 17-38:

To amend 2 CMC Title 2, Division 1, Chapter 3, § 1301 et seq., “The Nuclear and Chemical Free Zone Act of 1983”.

Sponsored by REP. Stanley T. MCGINNIS-TORRES of Saipan, Precinct 3 (*for himself*, Representatives Dela Cruz, Benavente, Joseph P. Deleon Guerrero, Cabrera, and Yumul)

Referred to the Committees on Natural Resources; Health and Wealth; Education; and Public Utilities, Transportation & Communications

Vice Speaker Ogumoro: Thank you, Representative McGinnis-Torres, H. B. 17-38 is referred to the Committee on Natural Resources and also to the Committee on Health and Welfare. Representative McGinnis-Torres, recognized.

Representative McGinnis-Torres: Madam Speaker, may the Committee on PUTC be assigned too because this has to do with power generation.

Vice Speaker Ogumoro: I recognize Representative Tebuteb.

Representative Tebuteb: Thank you, Madam Speaker, I am looking at Representative McGinnis-Torres' particular bill and I kindly ask if can I have the Clerk insert my name, and I kindly ask the author to allow me to participate to authorize this nice bill.

Representative McGinnis-Torres: I have no objections.

Vice Speaker Ogumoro: Alright, so to Representative McGinnis-Torres' request H. B. 17-38 is also referred to the Committee on PUTC if there are no objections.

Representative McGinnis-Torres: Thank you.

Vice Speaker Ogumoro: On H. B. 17-39, Representative McGinnis-Torres recognized.

Representative McGinnis-Torres: Thank you, Madam Speaker, a H. B. 17-39, the Postsecondary Education Amendment Act of 2010. For the sake of the wellbeing and security of the faculty and staff at the Northern Marianas College for the overall betterment of the Northern Marianas College students, I am introducing this bill to modify the duties of the Northern Marianas College Board of Regents to provide due process protections for the Northern Marianas College employees. I do this as a concern legislator who sincerely supports our local college and I kindly ask my colleagues to please concur with this amendment bill as allowed by the Northern Marianas Constitution Article XV Section 2 (a) the composition of the Board of Regents and other matters pertaining to its operation and duties shall be provided by law and this is why I am introducing this bill to correct the problem at the Northern Marianas College employees. Thank you.

Representative McGinnis-Torres introduced the following prefiled House Bill:

HOUSE BILL 17-39:

To amend 3 CMC Title 3, Division 1, Chapter 3, § 1316 et. Seq., “The Postsecondary Education Act of 1984”.

Sponsored by REP. Stanley T. MCGINNIS-TORRES of Saipan, Precinct 3 (*for himself*)
Referred to the Committee on Education.

Vice Speaker Ogumoro: Thank you, Representative McGinnis-Torres, H. B. 17-39 is referred to the Committee on Education. On H. B. 17-40, I now recognize Representative Cabrera.

Representative Cabrera: Thank you, Madam Speaker, I am introducing H. B. 17-40, amending the business license on Article 1, Chapter 6 of Division 5. The last time they have established the Business License Fee was back in 1982 that was 28 years ago – and it has never change ever since. They had amended it once, but they did not even amend fee for the business license. I met with the business license people a couple of days ago and we came up with a more detailed on the issues of issuing business license and also to better control of the regulations, laws that pertains to the business license also in conformance and compliance and the fines. These fees, I kind of added more detailed compared to the first bill that was introduced, H. B. 17-6, that is with the Ways and Means Committee. It is okay with me if we shelved that bill and probably maybe take a look at this. H. B. 17-40, might generate more revenue than the first bill that I introduced. And therefore I hope that we pass this bill soon, maybe not this time but maybe on the next round because we can generate more revenue by allowing the Revenue and Taxation in the implementation of this business license fee.

Representative Cabrera introduced the following prefiled House Bill:

HOUSE BILL 17-40:

To amend Article 1 of Chapter 6 of Division 5 of Title 4; and for other purposes.

Sponsored by REP. Eliceo D. CABRERA of Saipan, Precinct 1 (*for himself*)
Referred to the Committee on Ways and Means

Vice Speaker Ogumoro: Thank you, Representative Cabrera. H. B. 17-40 is referred to the Committee on Ways and Means. On H. B. 17-41, I now recognize Representative Cabrera.

Representative Cabrera: Again, thank you, Madam Speaker. This bill was introduced in the last Legislature by another member – to rename the Northern Marianas College to Governor Carlos S. Camacho. One of the reasons why I reintroduced this bill is because back in March 12, 1981, the Governor issued an Executive Order No. 25 which established the Northern Marianas Community College now known as the Northern Marianas College operating under the supervision of the Board of Regents. There are two functions on the plan of the College is to organize and meets the postsecondary education program and the other is to consolidate and administer the vocational and technical learning institution.

Representative Cabrera introduced the following prefiled House Bill:

HOUSE BILL 17-41:

To rename the Northern Marianas College (NMC), the “Governor Carlos S. Camacho, Northern Marianas College”; and for other purposes.

Sponsored by REP. Eliceo D. CABRERA of Saipan, Precinct 1 (*for himself*)

Referred to the Committee on Judiciary and Governmental Operations and the Committee on Education.

Vice Speaker Ogumoro: Thank you, Representative Cabrera, H. B. 17-41 is referred to both the Committee on Judiciary and Governmental Operations and the Committee on Education. We shall move down to House Local Bills. On H. L. B. 17-8, I now recognize Representative Santos.

Representative Santos: Thank you, Madam Speaker, I would like to introduce H. L. B. 17-8, which has been prefiled on February 24, 2010, and this is to increase the poker and pachinko slot machine annual local license fees in the First Senatorial District by amending 10 CMC § 1901 and for other purposes. Accordingly, the poker license annual fees shall be increased from \$4,000 to \$4,500 beginning January 2011 and from \$4,500 to \$5,000 beginning January 2012. The 50% of both increases shall be reserved for the Rota Municipal Scholarship Fund and the other 50% shall be reserved for the compensation of those individuals affected by Public Law 7-31 also known as the Commonwealth Compensation Adjustment Act of 1991. Thank you, Madam Speaker.

Representative Santos introduced the following prefiled House Local Bill:

HOUSE LOCAL BILL 17-8:

To increase the poker and pachinko slot machine annual local license fees in the First Senatorial District by amending 10 CMC § 1901; and for other purposes.

Sponsored by REP. TERESITA A. SANTOS of Rota, Precinct 7 (*for herself*)
First Legislative Day Appearance

Vice Speaker Ogumoro: Thank you, Representative Santos. I now recognize Representative Cabrera.

Representative Cabrera: They passed out additional House Bills to our offices, I guess to the members of H. B. 17-42, I think you authored that bill and also H. B. 17-43 – I received that, it is not on the Agenda, but I believe Ms. Fleming and Ms. Muña are absent for some other reasons so...

Vice Speaker Ogumoro: That is correct so we can hold off on those bills until the next session.

Representative Cabrera: Okay, I just wanted to make sure. Alright, because I have an unnumbered bill that I want to introduce, but maybe I will just hold off until the next session if you allow me to do so.

Vice Speaker Ogumoro: You may introduce your bill, but it has not been numbered yet. So Representative Cabrera, can you hold on until the next session to introduce your bill or what is it – are you ready to introduce it today?

Representative Cabrera: I am ready.

Vice Speaker Ogumoro: Alright, Representative Cabrera, if I may, the Clerk could receive, but it will not be numbered...

Representative Cabrera: Okay, I will submit it and maybe for the next session.

Vice Speaker Ogumoro: For the next session – thank you, very much Representative Cabrera. Let us now move on, we are on H. L. B. 17-9 and I now recognize Representative Santos.

Representative Santos: Thank you, Madam Speaker, I would like to introduce H. L. B. 17-9, which was prefiled on March 2, 2010 and this a local appropriation bill for an act for the First Senatorial District to appropriate \$16,000 from local license fee collected for poker and pachinko slot machines in the First Senatorial District and for other purposes. The appropriation is for the following – a, for the Rota Municipal Scholarship Foundation for \$14,000 and b, Youth Recreational and Sports Facilities for \$2,000. Thank you, Madam Speaker.

Representative Santos introduced the following prefiled House Local Bill:

HOUSE LOCAL BILL 17-9:

To appropriate \$16,000 from local license fee collected for Poker and Pachinko Slot Machines in the First Senatorial District and for other purposes.

Sponsored by REP. TERESITA A. SANTOS of Rota, Precinct 7 (*for herself*)
First Legislative Day Appearance

Vice Speaker Ogumoro: Thank you, Representative Santos. I recognize Representative McGinnis-Torres.

Representative McGinnis-Torres: Madam Speaker, I know that – that bill from Representative Santos was introduced in the last session – can we have the consensus of the majority of this body to allow that the first appearance of that bill dated back to the last session and that today will be the second day of appearance – on H. L. B. 17-9.

Vice Speaker Ogumoro: Representative Santos, recognized.

Representative Santos: Thank you, Madam Speaker and colleague, Representative McGinnis-Torres for trying to assist to expedite this bill from getting out from this House and it being transmitted to the Rota Delegation, but as you may recall I withdrew this bill the first time it was introduced again because of some OGA concerns and today I am introducing it like it is the first introduction. Thank you, Madam Speaker.

Vice Speaker Ogumoro: So this again, will be the first appearance for the bill, thank you. Thank you, Representative McGinnis-Torres. Let us move on to H. L. B. 17-10, I now recognize Representative Cabrera.

Representative Cabrera: Thank you, Madam Speaker, introducing H. L. B. 17-10 to appropriate the lapsed and unobligated funds from the Saipan Local Laws 14-11, 15-12, 15-24 for the SNILD and shall be funded for the personnel and operation. And this would be the first appearance.

Representative Cabrera introduced the following prefiled House Local Bill:

HOUSE LOCAL BILL 17-10:

To appropriate the lapsed/unobligated funds from Saipan Local Laws 14-11, 15-12, 15-24; and for other purposes.

Sponsored by REP. ELICEO D. CABRERA of Saipan, Precinct 1 (*for himself*, Representative Joseph M. Palacios)

First Legislative Day Appearance

Vice Speaker Ogumoro: Thank you, Representative Cabrera. I recognize, Representative Iguel.

Representative Iguel: Thank you, Madam Chair, I just wanted to ask my colleague, Representative Cabrera if he can enlighten me on this SLL 15-12. I understand that this particular law is already committed for Precinct IV projects – if there are no objections from the members, I would like to be given with my colleague the opportunity to make decision on this particular bill or commitment Madam Speaker. Thank you.

Vice Speaker Ogumoro: Thank you. I think this will be the first appearance and it will take three legislative appearances before it is referred to as a local bill to the appropriate Committee to the Saipan Delegation. Would you like to get some information from the introducer? Representative Cabrera, recognized.

Representative Cabrera: Okay, I verified with the Department of Finance on this and the project is completed and these are the Local Laws that have lapse funds. So the only way for us to take the funds away is to reappropriate and we are going to bring it down to the Saipan Delegation so maybe we can discuss amongst our Delegation level. So these are the three unobligated lapse funds from these particular Local Laws. So it will be discussed on the floor when it reaches the Delegation level.

Vice Speaker Ogumoro: Right. Representative Iguel, recognized.

Representative Iguel: Thank you, Madam Chair and thank you colleague Representative Cabrera, I am just giving a heads up. So with all due respect no problem.

Vice Speaker Ogumoro: Alright, Representative Cabrera and Representative Iguel thank you. We are now going to on to the next item on our Agenda and that is on House Legislative Initiatives.

HOUSE LEGISLATIVE INITIATIVES

None

Vice Speaker Ogumoro: We have none. We go done to Introduction of Resolutions.

INTRODUCTION OF RESOLUTIONS

Vice Speaker Ogumoro: I now recognize the Floor Leader.

Floor Leader Camacho: Thank you, Madam Speaker, if I am not out of line I believe there are no House Resolutions or House Joint Resolutions. The only one we have is the House Commemorative Resolution and I would like to go ahead and introduce it.

Vice Speaker Ogumoro: Please proceed Floor Leader.

Floor Leader Camacho: I will go ahead and introduce H. Comm. Res. 17-4 this is a House Commemorative Resolution to convey the sincere condolences and sympathy of the House of Representative to the bereave family of the late Honorable Francisco C. Ada on the occasion of his untimely passing and pay fond tribute to his many contributions to the Commonwealth and with that, Madam Speaker, I would like to ask you to place that on today's Resolution Calendar for today's action.

Representative Camacho introduced the following prefiled House Commemorative Resolution and by majority consent of the members it was made part of the day's Agenda:

HOUSE COMMEMORATIVE RESOLUTION 17-4:

To convey the sincere condolences and sympathy of the House of Representatives to the bereaved family of the late Honorable Francisco Castro Ada on the occasion of his untimely passing and to pay fond tribute to his contributions to the Commonwealth.

Sponsored by REP. George N. CAMACHO of Saipan Precinct 4 (*for himself*, Representatives Ramon S. Basa, Diego T. Benavente, Eliceo D. Cabrera, Trenton B. Conner, Francisco S. Dela Cruz, Joseph P. Deleon Guerrero, Frederick P. Deleon Guerrero, Rafael S. Demapan, Sylvestre I. Iguel, Felicidad T. Ogumoro, Joseph M. Palacios, Raymond D. Palacios, Antonio P. Sablan, Teresita A. Santos, Ramon A. Tebuteb, Froilan C. Tenorio, Stanley T. McGinnis-Torres, Edmund S. Villagomez, and Ray N. Yumul)

Vice Speaker Ogumoro: So we will be entertaining this on the Resolution Calendar. Thank you, Floor Leader. Representative Joseph Deleon Guerrero, recognized.

Representative Joseph Deleon Guerrero: Thank you, Madam Speaker. I have no objections placing it on today's Calendar but I just wanted to clear with the OGA thing because it was introduced today – do we need to vote to have a motion to place it on the Calendar – to get a majority vote.

Floor Leader Camacho: The Legal Counsel can correct me if I am wrong, I am trying to find it in our Rules and according to our Rules any resolutions may be place directly on the Calendar by the Speaker.

Vice Speaker Ogumoro: Short recess please.

The House recessed at 2:51 p.m.

RECESS

The House reconvened at 2:55 p.m.

Vice Speaker Ogumoro: We are now back in session, members to comply with the requirements of the Open Government Act I would like to withdraw that motion to place Hse. Comm. Res. 17-4 for consideration today and wait until the next session to be taken up. Alright, we will move down to House Concurrent Resolution there is one, and I recognize, Representative Joseph Deleon Guerrero.

Representative Joseph Deleon Guerrero: Thank you, Madam Speaker, there is a House Joint Resolution that is authored by Representative Benavente our Minority Leader, but as I said earlier he will be coming in late, so if there is no objection from the members as a coauthor of this resolution I would like to introduce it now on his behalf.

Vice Speaker Ogumoro: You may proceed.

Representative Joseph Deleon Guerrero: It is a H. J. Res. 17-2, to request the Governor to convene a budget summit to discuss ideas for the dealing with the Commonwealth's budget crisis. Thank you, Madam Chair.

Vice Speaker Ogumoro: Thank you, Representative Joseph Deleon Guerrero. Floor Leader, recognized.

Floor Leader Camacho: Point of information, just going back and I know we are too consume with this OGA but going back to Representative Cabrera's bill where we could not – could that be amending the Agenda – it is not on the Agenda is it okay to – a question I guess to the Legal Counsel. Can Representative Joseph Deleon Guerrero introduce a new legislation – bill or resolution that is not on the Agenda unless there is a new Agenda because I do not have that on mine.

Vice Speaker Ogumoro: Legal Counsel.

Floor Leader Camacho: Do I still have the floor?

Vice Speaker Ogumoro: Yes, Floor Leader.

Floor Leader Camacho: Counsel, according to our last Legal Counsel we could introduce new stuff but we have to go ahead and vote to amend the Agenda.

LC J. Cool: Yes, the Agenda can be amended to include the acceptance of a new bill that is not on the Agenda, but final action cannot be taken on the bill.

Vice Speaker Ogumoro: Floor Leader, has it been numbered. It has been prefiled. So Floor Leader, recognized.

Floor Leader Camacho: Thank you, Madam Chair, – okay with that I would like to move that we place on our Agenda H. C. R. 17-4 and H. J. Res. 17-2.

The motion was seconded.

Vice Speaker Ogumoro: There is a motion on the floor and it has been seconded to place H. C. R. 17-4 and H. J. Res. 17-2 on the Agenda. Ready.

There being no discussions on the motion to have H. Comm. Res. 17-4 and H. J. Res. 17-2 be made part of the day's Agenda approved by the majority consent of the members and it was carried by voice vote.

Vice Speaker Ogumoro: I recognize, Representative Yumul.

Representative Yumul: Madam Speaker, because of the fact that we added through “no objections” from the members these two resolutions in compliance with the Open Government Act, if we could hear from you at a later time – public comments if there are any on these two resolutions as we move along just for formality. Although, there is no one in the audience, I think for the journal it will be appropriate that we ask because this was not part of the Agenda and the crowd that was here earlier this morning may or may not had wanted to make comments on these two resolutions but I think it would be appropriate to just state for the record that if there are any public comments for these resolutions and if none we can just continue on with the normal business. Thank you.

Vice Speaker Ogumoro: Alright, to comply with the requirements of the Open Government Act, H. C. R. 17-4 and H. J. Res. 17-2 is currently under consideration. Since both resolutions were not previously on the Agenda I would like at this point to ask if there are any public comments that are going to be presented while we have these two resolutions before us before we take any action.

There were no public comments made.

Vice Speaker Ogumoro: There are no public comments. Under point of clarification, I recognize the Floor Leader.

Floor Leader Camacho: Madam Speaker, I believe you mentioned House Concurrent Resolution when it is a House Commemorative Resolution 17-4 – just so that we are clear on that.

Vice Speaker Ogumoro: I am sorry – yes. So it is House Commemorative Resolution 17-4. Under privilege, I now recognized Representative Joseph Deleon Guerrero.

Representative Joseph Deleon Guerrero: I am a little bit disturbed that we need to get public comments just to place on the Agenda. I can understand – I know we are not – well you did a motion not calendared to place it on the Agenda – but to solicit comments to put it on the Agenda – what were you talking about then?

Representative Yumul: No, just to ask for public comments – that was my concern in general.

Representative Joseph Deleon Guerrero: No, but the action was just to place it on the Agenda. Why would we need comments? We cannot act on it today – it would be acted on...

Vice Speaker Ogumoro: Right, just to place on the Agenda.

Representative Joseph Deleon Guerrero: Yes, so why would we need to...

Vice Speaker Ogumoro: Alright, so is everybody clear now on what Representative Joseph Deleon Guerrero is trying to do with the resolution before us – just to place it on the Calendar and not entertain it in today’s session. Alright, if there is nothing else – do we need to have a short recess if not, Floor Leader recognized.

Floor Leader Camacho: Yes, let us move along with the items on the Agenda.

MESSAGES FROM THE GOVERNOR

Gov. Comm. 17-31: (No Date) Executive Order 2010-2 – Declaration of a State of Emergency: Commonwealth Utilities Corporation’s Imminent Generation and other Failure and the Need to Provide Immediate Reliable Power, Water, and Wastewater services, Continuation #19.

Gov. Comm. 17-32: (2/16/10) Certifying that 1 Special Assistant for Operation, 1 Director for Administrative Services, and 1 Director for Solid Waste Management is vacant and must be filled, Department of Public Works. *[For info]*

Gov. Comm. 17-33: (2/16/10) Certifying and granting approval for Dr. John William Rodgers, M.D. (Physician, Pediatrician), to receive an annual salary of \$135,000.00. *[For info]*

Gov. Comm. 17-34: (2/16/10) Certifying and granting approval for Dr. Saied Safabakhsh (Physician, End Stage Renal Dialysis Medical Director), to receive an annual salary of \$100,000.00. *[For info]*

Gov. Comm. 17-35: (2/16/10) Certifying and granting approval for Dr. Jeri Manning Hallman (Physician, General Surgeon), to receive an annual salary of \$180,000.00. *[For info]*

Gov. Comm. 17-36: (2/16/10) Certifying and granting approval for Dr. George Macris (Physician, Internal Medicine), to receive an annual salary of \$145,000.00. *[For info]*

Gov. Comm. 17-37: (2/16/10) Certifying and granting approval for Attorney Elchonon D. Golob at the OAG to receive an annual salary of \$71,600.00. *[For info]*

Gov. Comm. 17-38: (2/16/10) Certifying that 1 Computer Operator I, 1 Deputy Clerk I, and 1 Records Assistant is vacant and must be filled, Superior Court. *[For info]*

Gov. Comm. 17-39: (2/16/10) Certifying that 1 ABTC – EUDL Enforcement Officer, and 1 ABTC – EUDL Investigator is vacant and must be filled, Commerce. *[For info]*

Gov. Comm. 17-40: (2/23/10) Certifying that 1 Records Assistant is vacant and must be filled, Superior Court. *[For info]*

Gov. Comm. 17-41: (2/22/10) Certifying that 1 Director of Planning is vacant and must be filled, DPL. *[For info]*

Gov. Comm. 17-42: (2/24/10) Certifying that 1 Foreign Student and 1 Special Assistant to the Secretary is vacant and must be filled, Commerce. *[For info]*

Gov. Comm. 17-43: (2/25/10) Certifying that 1 Customs Inspector I is vacant and must be filled, Division of Customs, Department of Finance, Rota. *[For info]*

Gov. Comm. 17-44: (2/23/10) Certifying that 1 Building Permit Specialist is vacant and must be filled, Building Safety Code Division, DPW. *[For info]*

Gov. Comm. 17-45: (2/23/10) Certifying that 1 Technical Librarian is vacant and must be filled, Joeten-Kiyu Public Library. *[For info]*

Gov. Comm. 17-46: (2/25/10) Certifying that 1 Physician (Radiology) is vacant and must be filled, Department Public Health. *[For info]*

Gov. Comm. 17-47: (2/25/10) Certifying and granting approval for Dr. Edward Hirsh Kolner (Physician, Radiology), to receive an annual salary of \$167,500.00. *[For info]*

Gov. Comm. 17-48: (2/25/10) Certifying and granting approval for Ms. KK Anderson (Physician Assistant), to receive an annual salary of \$72,800.00. *[For info]*

Gov. Comm. 17-49: (2/25/10) Certifying that 1 Physician Assistant is vacant and must be filled, Department Public Health. [*For info*]

Gov. Comm. 17-50: (2/25/10) Certifying that 1 Administrative Officer I, 1 Community Development Specialist I, 2 Sports Development Technicians, 1 Sports Development Coordinator I, and 1 Eligibility Worker II is vacant and must be filled, Department of Community and Cultural Affairs. [*For info*]

Gov. Comm. 17-51: (3/2/10) Informing the House that he signed into law H.L.B. No. 17-3, D1 (“To appropriate \$133,000.00 from local license fees for poker and pachinko slot machines in the First Senatorial District; and for other purposes”). [Became **Rota Local Law 17-1**]

There were no discussions under this item of the agenda.

Vice Speaker Ogomoro: Alright, thank you. Let us now move down to Messages from the Governor.

SENATE COMMUNICATIONS

Sen. Comm. 17-4: (3/1/10) Returning H. B. No. 17-20 (To provide for the lateral transfer of Division of Immigration personnel to other agencies or departments of the Commonwealth government; and for other purposes.) which was passed by the Senate with amendments on February 26, 2010, in the form of **H. B. No. 17-20, SD1** . [*For action on Senate amendments*]

Sen. Comm. 17-5: (3/1/10) Transmitting for House action S.B. No. 17-4, entitled, “To amend 6 CMC §§ 3154 and 3156 (a) (3); and for other purposes,” which was passed by the Senate on February 26, 2010. [*For action*]

Sen. Comm. 17-6: (3/1/10) Transmitting for House action S.B. No. 17-6, entitled, “To include gaming commission officers as recipients of the Law Enforcement Officers’ Benefit Act; and for other purposes,” which was passed by the Senate on February 26, 2010. [*For action*]

Sen. Comm. 17-7: (3/1/10) Transmitting for House action S.B. No. 17-13, entitled, “To domesticate or allow the raising of Sambar Deer in captivity; and for other purposes,” which was passed by the Senate on February 26, 2010. [*For action*]

Sen. Comm. 17-8: (3/1/10) Transmitting for House action S.B. No. 17-15, entitled, “To mandate attendance for Early Childhood Education, to expand the age range for Early Childhood and Adult Education; and for other purposes,” which was passed by the Senate on February 26, 2010. [*For action*]

Sen. Comm. 17-9: (3/1/10) Transmitting for House action S.B. No. 17-17, entitled, “To authorize the Licensing of Drag, Trap, and Surround Nets for subsistence fishing; and for other purposes,” which was passed by the Senate on February 26, 2010. [*For action*]

Sen. Comm. 17-10: (3/2/10) Transmitting a certified copy of Senate Resolution No. 17-04, entitled, “A Senate Resolution to commend and recognize Reverend Reid D. Ellis, M.Ed. and Mrs. Joann L. Ellis, M.Ed. for their outstanding leadership and contributions to the education of the forever grateful students of the Grace Christian Academy in Tinian,” which was adopted by the Senate on February 26, 2010. [*For info*]

Sen. Comm. 17-11: (3/2/10) Transmitting a certified copy of Senate Resolution No. 17-06, entitled, “A Senate Resolution expressing the Senate’s interest in having the Commonwealth of the Northern Mariana Islands considered as a viable location for the stationing and operation of the Department of Defense Joint High Speed Vessels,” which was adopted by the Senate on February 26, 2010. [*For info*]

Sen. Comm. 17-12: (3/2/10) Transmitting a certified copy of Senate Resolution No. 17-07, entitled, "A Senate Resolution to amend the Official Rules of Procedure of the Senate of the Seventeenth Northern Marianas Commonwealth Legislature," which was adopted by the Senate on February 26, 2010. [*For info*]

Vice Speaker Ogumoro: On Senate Communications. Floor Leader, recognized.

Floor Leader Camacho: Under Senate Communications, commenting on Sen. Comm. 17-4 returning H. B. 17-20, I would like to place this on the Bill Calendar for action today.

The motion was seconded.

Sen. Comm. 17-4: (3/1/10) Returning H. B. No. 17-20 (To provide for the lateral transfer of Division of Immigration personnel to other agencies or departments of the Commonwealth government; and for other purposes.) which was passed by the Senate with amendments on February 26, 2010, in the form of **H. B. No. 17-20, SD1** . [*For action on Senate amendments*]

Vice Speaker Ogumoro: Discussion on the motion, ready.

There being no discussions on the motion it was carried by voice vote.

Vice Speaker Ogumoro: Are there anything else offered under Senate Communications – if none we move down to House Communications.

HOUSE COMMUNICATIONS

Hse. Comm. 17-23: (2/19/10) From Rep. Ramon S. Basa, WM Chair, appointment of the Committee on Ways and Means members. [*For info*]

Hse. Comm. 17-24: (2/19/10) From Rep. Fredrick Deleon Guerrero, Off-island notice. [*For info*]

Vice Speaker Ogumoro: Representative McGinnis-Torres, recognized.

Representative McGinnis-Torres: Madam Speaker, this is not part of the today's Agenda, but I would like to make this part of the Agenda as read and submitted as a House Communication. If there are no objections from the members.

Vice Speaker Ogumoro: Please proceed, Representative McGinnis-Torres.

Representative McGinnis-Torres: Madam Speaker, may I ask the Sergeant At Arms to help me on this and when he is done helping I would like the Sergeant At Arms to watch my back because it is sensitive and I might irk some individual.

Vice Speaker Ogumoro: Let us move for a minute of recess.

The House recessed at 3:07 p.m.

RECESS

The House reconvened at 3:09 p.m.

Vice Speaker Ogumoro: We are back in session – has everybody gotten a copy of what was passed out from Representative McGinnis-Torres? Representative McGinnis-Torres, we would need for us to be able to place that on the Agenda we need to get a majority vote. So do I hear a motion? Floor Leader or Representative McGinnis-Torres?

Representative McGinnis-Torres: If putting it on the Agenda is difficult then may I be permitted to deliver this verbally from the floor?

Vice Speaker Ogumoro: Floor Leader, recognized.

Floor Leader Camacho: We need the Clerk to number it.

Vice Speaker Ogumoro: No, it has not been numbered yet. We have to vote first.

Floor Leader Camacho: I would like to move that we place Representative McGinnis-Torres' privilege speech on the Agenda as a House Communication.

The motion was seconded.

Vice Speaker Ogumoro: Discussion on the motion. Ready.

There being no discussions on the motion to have Representative McGinnis-Torres' privilege speech be made part of the day's Agenda as House Communication and it was approved the by majority consent of the members by voice vote.

Vice Speaker Ogumoro: Alright, the privilege speech by Representative McGinnis-Torres is now placed on the Agenda. Short recess.

The House recessed at 3:10 p.m.

RECESS

The House reconvened at 3:11 p.m.

Vice Speaker Ogumoro: We are back in session. I will now allow Representative McGinnis-Torres to go ahead and deliver his privilege speech.

Representative McGinnis-Torres: Thank you, Madam Speaker. The title of my privilege speech is "FERNANDEZ HAS FLUNKED—EXPEL HER NOW!" Are we now an island of political cowards, whose ancestors braved ancient hardships of illness, severe storms, invasions of cruel conquistadors, and other calamities but still survived? Time and time again we hear stories and see actual proof of fiscal and personnel mismanagement at NMC under the misguided and selfish leadership of Carmen Fernandez, and yet the Board of Regents seems paralyzed to terminate her, and we as political leaders of this island sit here and quietly talk back and forth that if we take any action, that Barbara Beno of WASC will scold us like her foster children and threaten NMC's accreditation again. THE BOARD OF REGENTS SHOULDN'T KEEP WAITING TO TAKE ACTION AND PAYING HER BIG SALARY...TERMINATE HER NOW WITH CAUSE. Remember, in the past when the legislature and court entertained giving NMC employees due process protection, and Beno barked that if NMC employees got this civil service protection of being

terminated only with cause, she would threaten NMC's accreditation. Meanwhile, numerous colleges under her control in California all have employee protections like unions, civil service and state due process protections. Didn't Beno fit the description of being a major hypocrite over this employee issue? Now, after months of serious allegations, supported by a transition report from reliable sources and reports from numerous former NMC instructors and staff, Fernandez keeps getting surprisingly paid while being suspended. This is after her being reported for allegedly changing grades, her excessive traveling, her improperly spending money on frivolous expenses and parties with reported monies from the EDUCATIONAL TAX CREDIT fund at NMC, and her getting rid of long-time loyal NMC instructors and staffers, like Danny Wyatt, Patricia Taylor, Bernie Sablan, Robert Churney, Ignacia Villaluz, and even Sam McPhetres. Did Barbara Beno say or do anything during these incidents? NO. But as soon as a transition report shows the true colors of Fernandez and she is subsequently suspended with pay, then Beno threatens NMC's accreditation again. Didn't Beno and Gaines of WASC also intimidate the founder of NMC when she properly raised concerns about Fernandez in February of 2009. NMC President Emerita Agnes McPhetres was first publicly scolded by WASC by an unsigned letter from BENO-WASC that caused widespread concern about how Beno and WASC operates, which led to the legislature investigating the origin and motivation of such a letter. Later, a follow-up letter from a WASC Chairperson Gaines then scolded Agnes again, and warned her to keep college issues confidential. Why should former NMC President McPhetres have to keep college issues confidential, when WASC always preaches that the college must have full transparency within both the community and college. Frankly speaking, WASC has a monopoly over NMC's accreditation, and monopolies can be bad if abused and misused, and both Fernandez and Beno have used this monopoly to their advantage. Fernandez knows that WASC wants her in as president, no matter what, and Beno will guard her extended 4-year contract for reasons that seem sometimes mysterious. Unfortunately, NMC has to pay WASC large amounts of money to stay accredited, and it's like having to pay the Mafia keep your store "protected" to stay open in the old days in Chicago and New York. Didn't the United States government stop this activity and other business monopolies in the past? So, I ask this legislative body, especially the Chairman of the Committee on Education, to have the United States Department of Education, which oversees WASC, and Dr. Ralph Wolff of the WASC Accreditation Commission for Senior Colleges and Universities to investigate our concerns and provide us with alternatives that will protect our college from the unilateral and vindictive oversight of Beno and her mafia, which protects people like Fernandez. Granted, after this speech, there will be cries from misguided protectors of Fernandez and those seeking "fake Taotao Tano" jobs from her, and BENO-WASC will again puff up their feathers and say that the legislature had no business interfering with NMC. But don't we island leaders have a responsibility to the students and staff of NMC, and the TAXPAYERS, who pay for NMC, to monitor NMC's activities from a legislative distance? I ask, has one legislator over the past years caused anyone to be fired at NMC, or interfered in NMC's classes, or refused their budgetary requests? - I SAY NO! I ask, has Beno stood by silently and allowed Fernandez to run amok in the mismanagement of student and staff affairs, and then they both interfere only when Agnes, or former NMC employees, or concerned legislators have inquired about the collapse of NMC's morale and management? - I SAY YES! I also say if Beno threatens NMC and its current Board again, especially if they do the RIGHT thing and fire Fernandez, let's initiate legal action against Beno and let a court of law decide what boundaries should be observed and how much control do the parties have over each other. Personally, I am tired of reading reports from reliable sources of the abuses of presidential management at NMC. Even today as I speak, can anyone here show me the legally-mandated financial report of NMC that was due on January 1, 2010 by President Fernandez. I've written the current Acting President almost a month ago, and still no response. As a rule, when un-audited expenditures, such as financial reports, are missing, something stinks. Is NMC a sovereign agency with no oversight, with Queen Carmen always smiling at us in

the newspapers like we are cowardly servants to her? The biggest problem at NMC is the climate of fear and chaos among its employees due to the lack of due process protections for its employees. We need to prevent any future self-serving and paranoiac Queen or King at NMC from chopping off the heads of its employees without cause, whenever someone raises a valid concern that displeases an unprofessional and insecure president. We need to establish a free-flowing democratic process at NMC, and this will provide the proper checks and balances towards management without fear of retaliation. I believe this will be the only way to provide a higher standard of academic morale for the students, staff and the management of NMC. [See [Hse. Comm. 17-25.](#)]

Vice Speaker Ogumoro: Thank you, Representative McGinnis-Torres. We shall now move down to Communications from the Judicial Branch.

COMMUNICATIONS FROM THE JUDICIAL BRANCH

NONE

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

DEPT./AGCY. COMM. 17-4: (2/19/10) From Ms. Herminia M. Fusco, Chair of the Commonwealth Zoning Board responding to Representative Stanley T. McGinnis-Torres letter in regards to Waft By The Sea. [*For info*]

DEPT./AGCY. COMM. 17-5: (2/26/10) From the Public School System to the 17th Commonwealth Legislature transmitting its Fiscal Year 2011 Proposed Budget. [*For info*]

Vice Speaker Ogumoro: On item X, Communications from Departments and Agencies.

There were no discussions under this item of the agenda

MISCELLANEOUS COMMUNICATIONS

MISC. COMM. 17-7: (2/22/10) From LB Director Glenna SP Reyes to Speaker Tenorio in regards to the transfer of employees.

MISC. COMM. 17-8: (2/22/10) From NMI Delegate to the 17th Commonwealth Legislature encouraging to maintain funding for education for Fiscal Year 2009 Level.

Vice Speaker Ogumoro: On Miscellaneous Communications.

There were no discussions under this item of the agenda

REPORTS OF STANDING COMMITTEES

Vice Speaker Ogumoro: On Reports of Standing Committees. I now recognize the Floor Leader.

Floor Leader Camacho: Thank you, Madam Speaker, we have one Standing Committee Report remaining on the Agenda and that is, S. C. R. 17-1, reporting on H. B. 17-8 and I would like to move for its adoption.

The motion was seconded.

S.C.R. No. 17-1: Reporting on H. B. No. 17-8, entitled: “A Bill for an Act to remove the three legislative days requirement for certain local bills; and for other purposes.” *Your Committee on Judiciary and Governmental Operations recommends passage of the bill.*

Vice Speaker Ogumoro: There is a motion adopt S. C. R. 17-1 and it has been seconded, discussion on the motion. Representative Benavente, recognized.

Representative Benavente: Madam Chair, I do have a question for the Legal Counsel but it is probably more appropriate when we discuss the bill on the Calendar, so I will yield at this time.

Vice Speaker Ogumoro: Thank you, Representative Benavente. Let us now take action on the motion on the floor. I recognize Representative Tebuteb.

Representative Tebuteb: My apologies Madam Speaker, this is on the specific Committee report. I do support the intent of this measure – I have one question to the Committee and that is the cost benefit and I do appreciate the intent that it is critical for these kinds of legislation to be put forth for consideration on the floor – but specifically on the cost benefit – it says on the second sentence the legislation will expedite the process of appropriating locally generated revenues and that is of course stipulated in the codes, but my question would be, is the Committee looking at only the critical needs of the people and then it cites some examples such as subsistence allowance for terminally ill or is it further from the medical expenses or what is defined and I am assuming that the Committee has considered what is critical needs of the people defined.

Vice Speaker Ogumoro: I would like to recognize the Chairperson of the Committee on Judiciary and Governmental Operations, Representative Demapan.

Representative Demapan: Thank you, Representative Tebuteb. As Chair for the JGO, I also looked at the substance of that bill – as you may recall, I wrote a letter on March 1, this is to ensure and assist the JGO Committee in its responsibility to review and analyze and formulate the Committee Report to pass or amend the bill. I am also requesting the Committee that the author of the bill refer to the Committee, submit in writing the following as you mentioned earlier, but more importantly the substance of that bill.

Vice Speaker Ogumoro: Did that answer your question, Representative Tebuteb?

Representative Tebuteb: I will yield for now I think we can also look at that when we come to the bill itself.

Vice Speaker Ogumoro: Thank you, we are still discussing S. C. R. 17-1 ready for the question?

There being no further discussions on the motion to adopt S. C. R. 17-1, reporting on H. B. 17-8 and it was carried by voice vote.

Vice Speaker Ogumoro: Floor Leader, recognized.

Floor Leader Camacho: I think we can go ahead and move down to the next items on our Agenda.

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

Vice Speaker Ogumoro: We have no Reports of Special and Conference Committees filed.

UNFINISHED BUSINESS

Vice Speaker Ogumoro: We have nothing under Unfinished Business.

RESOLUTION CALENDAR

Vice Speaker Ogumoro: Floor Leader, recognized.

Floor Leader Camacho: We have none under Resolution Calendar. Can we go ahead and move down to item XVI, Bill Calendar.

BILL CALENDAR

Vice Speaker Ogumoro: We have H. B. 17-30, and I now recognize the Floor Leader.

Floor Leader Camacho: Thank you, Madam Speaker, we have three items on the Bill Calendar. The first is, H. B. 17-30, to repeal and reenact Title 4, Subsection 51405 of the Commonwealth Code as established by Public Law 15-36 to regulate recycling business operating under the Commonwealth and to establish the offenses of theft of copper and for other purposes, and I would like to move for its passage.

The motion was seconded.

[H. B. 17-30](#)

IN THE HOUSE OF REPRESENTATIVES

A BILL FOR AND ACT TO REPEAL AND REENACT TITLE 4 § 51405 OF THE COMMONWEALTH CODE AS ESTABLISHED BY PUBLIC LAW 15-36 TO REGULATE RECYCLING BUSINESSES OPERATING IN THE COMMONWEALTH; AND ESTABLISH THE OFFENSE OF THEFT OF COPPER; AND FOR OTHER PURPOSES.

Introduced by REP. Stanley T. MCGINNIS-TORRES of Saipan, Precinct 3 (*for himself*).

Vice Speaker Ogumoro: Before I recognize that motion let me recognize Representative McGinnis-Torres.

Representative McGinnis-Torres: Thank you, Madam Speaker, I just got caught off guard. I was supposed to do some recalling of my bills for placement on the Bill Calendar for action not necessarily now but in the next session so that we have it on record to meet the requirement of the OGA. I have wrote a letter to the Chairman of JGO, Representative Demapan, to recall H. B. 17-4 and H. B. 17-7 for placement on the Bill Calendar - if not for today on the next session. And also my bill on Notary Publics has been introduced and I wish to recall that from the Committee for placement on the Bill Calendar for action. I have passed out a House Substitute 1, would you please keep that in your binders for the next session so we will take action on the next session. Thank you.

Vice Speaker Ogumoro: Alright, thank you Representative McGinnis-Torres. I would like to now recognize the Floor Leader. There is a motion that you are going to offer now.

Floor Leader Camacho: Yes, back to the original motion and the motion is to pass H. B. 17-30 and it has been seconded and I think we are ready.

Vice Speaker Ogumoro: Discussion on the motion, Representative Benavente recognized.

Representative Benavente: I do not think that we had passed this on First Reading so the motion should be clarified to pass on First and Final Reading.

Floor Leader Camacho: So move.

The motion was seconded.

Representative Benavente: And because this is a legislation does not have a Committee Report I believe that we need to suspend part of the bill to allow us to pass without the Committee Report and also to allow to make necessary amendments – I mean in order for us to make amendments.

Vice Speaker Ogumoro: Can I have the mover of the motion to please restate the motion? The motion is to pass on First and Final Reading.

Floor Leader Camacho: Yes, Madam Speaker, however, I in line with the statements of Representative Benavente we should suspend pertinent Rules, particularly Rule 9, Section 8, that we pull it out from the Committee and place it on the Calendar.

Vice Speaker Ogumoro: So you are withdrawing the motion...

Floor Leader Camacho: Okay, I will withdraw the original motion and make a motion to suspend Rule 9, Section 8 so that we may place this bill on the Calendar for action.

The motion was seconded.

Vice Speaker Ogumoro: Discussion on the motion, ready.

There being no discussion on the motion to suspend pertinent Rules to place H. B. 17-30 on the Calendar and it was carried by voice vote.

Vice Speaker Ogumoro: Floor Leader, recognized.

Floor Leader Camacho: Thank you, Madam Speaker and with that I now move that we pass on First and Final Reading H. B. 17-30.

The motion was seconded.

[H. B. 17-30](#)

IN THE HOUSE OF REPRESENTATIVES

A BILL FOR AND ACT TO REPEAL AND REENACT TITLE 4 § 51405 OF THE COMMONWEALTH CODE AS ESTABLISHED BY PUBLIC LAW 15-36 TO REGULATE

RECYCLING BUSINESSES OPERATING IN THE COMMONWEALTH; AND ESTABLISH THE OFFENSE OF THEFT OF COPPER; AND FOR OTHER PURPOSES.

Introduced by REP. Stanley T. MCGINNIS-TORRES of Saipan, Precinct 3 (*for himself*).

Vice Speaker Ogumoro: Discussion on the motion. Representative Yumul, recognized.

Representative Yumul: Thank you, Madam Speaker. The question is on page 3, lines 17 and 18, I noticed that the provision says that the amount of copper sold is over and above five pounds in weight shall be a punishment. My question is what happens if someone is selling copper just under five pounds – is that an allowable activity then? If we are trying to make a moratorium this might be used as an opportunity to go ahead and allow the purchasing but at these minimal quantities like that is just an ounce under five pounds.

Vice Speaker Ogumoro: Representative McGinnis-Torres, recognized.

Representative McGinnis-Torres: That is for us to decide now – amend it to make it lower – from what I have in mind is zero, but you know by constitution that maybe an excess material from an electric company that be as you know excess material to be thrown away – five pounds is not much maybe a half spool of number twelve – I think it is ten pounds per spool right or fifteen pounds, but that is for us to decide now – amend it to be lower.

Vice Speaker Ogumoro: Thank you, Representative McGinnis-Torres. Representative Dela Cruz, recognized.

Representative Dela Cruz: Thank you, Madam Speaker, also section 51313 which begins on page 4, line 19 – mandates that the Department of Commerce and the Division of Customs respectively shall enforce and adopt Rules and Regulations necessary. So the promulgation of Rules and Regulation will be up to these two Agencies to make the necessary enforcement Regulations. Thank you, Madam Speaker.

Vice Speaker Ogumoro: Thank you, Representative Dela Cruz. I now recognize, Representative Joseph Deleon Guerrero.

Representative Joseph Deleon Guerrero: Thank you, Madam Speaker, going back to the comments about the weight. Perhaps we should consider just removing the five pounds and the reason I say that is because on the prior subsections on line 12 – one of the prohibited acts is to engage in the purchase, sell, trade, or barter of copper in any form - so that does not specify weight. So it is a prohibited act to barter, trade or sell copper in any form that is the prohibited practice so if they violate that the penalties is on the next subsection 51311. So we do not really need to have a weight pro se of what will constitute how much copper would constitute a prohibited act it is already on the prior section it is define that any purchase in any form is prohibited. So if there are no objections from the author maybe ask the mover to consider amending it to just remove the weight part of it.

Representative McGinnis-Torres: I have no objections to that, Madam Speaker. I am for that but during the course of drafting this with my Committee present the consent of the majority of my Committee decided that we come up with that version. Now what Representative Dela Cruz has brought up is I guess – in fact I believe that – that is in the current law but we are just amending it to

include the penalty of recycling purchasing and selling copper and the amount of how much copper to bring in.

Vice Speaker Ogumoro: Thank you, Representative McGinnis-Torres. Let me now recognize, Representative Benavente.

Representative Benavente: Thank you, Madam Speaker. Earlier the author suggested that the reason why that five pound might be necessary is there may be real scrap materials, real materials that could be sold for scrap – copper materials and so allowing anything less than five pounds should be okay. The problem with that is that there are several different and I am not sure how many all together of this businesses that buy this scrap materials and it will become a loop hole if someone were to take 4.9 pounds of copper to each one and you end up with 50 pounds worth of copper then. So I would agree that we should just remove it entirely and not have this loop hole. There is a need for this legislation because there is a very serious situation currently in which thieves are going out there and taking out wiring from homes for the purpose of making money. And there really is, I would think at this time there is really no such thing as a large amount of scrap coppers that could be sold throughout the island. I think if there were in the past they are all sold already. So the only coppers purchase currently going on is those coppers that are being stolen out of homes. And so I know that this is something that constituents has suggested to me and so I guess in support of the arguments that are presented I would feel also that removing this five pound minimum is a more safer way to fulfill the intent of the legislation. So may be a short recess for the Counsel to come up with the language.

Vice Speaker Ogumoro: Short recess.

The House recessed at 3:36 p.m.

RECESS

The House reconvened at 3:37 p.m.

Vice Speaker Ogumoro: We are back in session. Representative Joseph Deleon Guerrero, you said you are ready with a floor amendment.

Representative Joseph Deleon Guerrero: Yes, and on page 3, under subsection 51311 line 17, to strikeout the words “if” to the word “weight” to read as follows:

§51311. Criminal Penalties.

A person who knowingly or willfully violates §51405 (c) or causes a person to violate this provision shall be charged accordingly:

(a) (1) ~~If the amount of copper sold is over and above five (5) pounds in weight,~~ the punishment shall be no more than one year in jail, a \$500 fine, and revocation of license as a recycler for a minimum of one year.

The motion was seconded.

Vice Speaker Ogumoro: The motion has been seconded, discussion on the motion. Ready.

There being no discussions on the oral amendment offered by Representative Joseph Deleon Guerrero the motion was carried by voice vote.

Vice Speaker Ogumoro: Now, back to the main motion, but before I entertain that, I recognize Representative Yumul.

Representative Yumul: Thank you. My last concern is on page 4, lines 1 through 5, it states here “any person who is convicted of theft of copper from a private business or a public utility service shall be sentenced to serve no less than one-half the maximum term of imprisonment which may otherwise be imposed upon conviction of the offense, which sentence may not be suspended.” What happens if this person steals from other than these two entities, the private business or a public utility service, meaning private homes, PSS – this provision would probably not apply it would seem that there is favoritism to these two entities and might draw a lawsuit – so I would like to ask the Legal Counsel to clarify?

Vice Speaker Ogumoro: Let me recognize, Representative Joseph Deleon Guerrero.

Representative Joseph Deleon Guerrero: A very simple oral floor amendment that could accommodate his concerns. Basically starting on section 51311, subsection (b) on page 4, lines 1 through 5 just strikeout the words “from a private business or a public utility service” and that way it does not matter where he steals it from. And it will now read:

§51311. Criminal Penalties.

(b) “any person who is convicted of theft of copper ~~from a private business or a public utility service~~ shall be sentenced to serve no less than one-half the maximum term of imprisonment which may otherwise be imposed upon conviction of the offense, which sentence may not be suspended.”

The motion was seconded.

Vice Speaker Ogumoro: It has been moved and seconded that we further amend H. B. 17-30 discussion on the motion. Ready.

There being no discussions on the oral amendment offered by Representative Joseph Deleon Guerrero, the motion was carried by voice vote.

Vice Speaker Ogumoro: Let us now move back to the main motion, Floor Leader, for the passage of H. B. 17-30 as amended.

Floor Leader Camacho: Yes, we are ready for the main motion.

Vice Speaker Ogumoro: Before I recognize that motion, Representative Tebuteb for the last time.

Representative Tebuteb: Just clarification and information and I know that Representative Benavente has somewhat suggested that we suspend the motion and I want to be clarified and make

sure that we are all clear on what we are suspending and I realized that the Floor Leader used the word “pertinent” information but at the same time used Rule 9, Section 8 and of course that is for the suspension of the bills to be placed on the Calendar, I authorize you, but Representative Benavente also indicated that because of the lack of a Committee Report – I want to make sure that we are at that level that we are also suspending Rule 7, Section 9, I believe, so that we do not require the Committee Report. Thank you.

Vice Speaker Ogumoro: May I hear a motion on that?

Floor Leader Camacho: So move, Madam Speaker.

The motion was seconded.

Vice Speaker Ogumoro: There is a motion on the floor to suspend our Rules calling for Committee Reports and it has been seconded, discussion on the motion. Ready.

There being no further discussion on the motion to suspend Rules requiring for Committee Reports and the motion was carried by voice vote.

Vice Speaker Ogumoro: We are now back to the main motion, Floor Leader please restate your motion.

Floor Leader Camacho: Okay, just for record purposes, thank you Madam Speaker, I would like to move to pass on First and Final Reading H. B. 17-30 as amended.

The motion was seconded.

Vice Speaker Ogumoro: As amended on First and Final Reading and it has been seconded. Are there any further discussion? Ready. Clerk, please call the roll.

The Clerk called the Roll for the passage of H.B. 17-30, HD2 on First and Final Reading with the following results:

Representative Ramon S. Basa	yes
Representative Diego T. Benavente	yes
Representative Eliceo D. Cabrera	absent (during voting)
Representative George N. Camacho	yes
Representative Trenton B. Conner	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	yes
Representative Fredrick P. Deleon Guerrero	absent (excused)
Representative Rafael S. Demapan	yes
Representative Sylvestre Ilo Iguel	yes
Representative Felicidad Taman Ogumoro	yes
Representative Joseph M. Palacios	yes
Representative Raymond D. Palacios	absent (during voting)
Representative Antonio P. Sablan	yes
Representative Teresita A. Santos	yes
Representative Ramon A. Tebuteb	yes
Speaker Froilan C. Tenorio	absent (excused)
Representative Stanley McGinnis Torres	yes
Representative Edmund Joseph S. Villagomez	yes

Representative Ray N. Yumul yes

Vice Speaker Ogumoro: H. B. 17-30, HD2 hereby passes the House. Floor Leader, recognized.

Floor Leader Camacho: Thank you, Madam Speaker, the next item on our Bill Calendar is H. B. 17-20, SD1, and I move for its passage accepting the Senate’s amendment.

The motion was seconded.

H. B. 17-20, SD1:

TO PROVIDE FOR THE LATERAL TRANSFER OF DIVISION OF IMMIGRATION PERSONNEL TO OTHER AGENCIES OR DEPARTMENTS OF THE COMMONWEALTH GOVERNMENT; AND FOR OTHER PURPOSES. [SEE SEN. COMM. 17-4]

Vice Speaker Ogumoro: Discussion on the motion. Ready. Representative Tebuteb, recognized.

Representative Tebuteb: Not much discussion more so then we are discussing the Immigration bill that was passed by this House and then it was transmitted to the Senate and the Senate made some minor amendments and now it is back in our court to pass it and I ask everybody to support it.

Vice Speaker Ogumoro: Alright, ready.

Several members voiced ready.

Vice Speaker Ogumoro: Clerk, roll call.

The Clerk called the Roll for the passage of H.B. 17-20, SD1 on First and Final Reading with the following results:

Representative Ramon S. Basa	yes
Representative Diego T. Benavente	yes
Representative Eliceo D. Cabrera	absent (during voting)
Representative George N. Camacho	yes
Representative Trenton B. Conner	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	yes
Representative Fredrick P. Deleon Guerrero	absent (excused)
Representative Rafael S. Demapan	yes
Representative Sylvestre Ilo Iguel	yes
Representative Felicidad Taman Ogumoro	yes
Representative Joseph M. Palacios	yes
Representative Raymond D. Palacios	absent (during voting)
Representative Antonio P. Sablan	yes
Representative Teresita A. Santos	yes
Representative Ramon A. Tebuteb	yes
Speaker Froilan C. Tenorio	absent (excused)
Representative Stanley McGinnis Torres	yes
Representative Edmund Joseph S. Villagomez	yes
Representative Ray N. Yumul	yes

Vice Speaker Ogumoro: H. B. 17-20, SD1 hereby passes the House. Floor Leader, recognized.

Floor Leader Camacho: Thank you, Madam Speaker, the last item on the Bill Calendar is H. B. 17-8 and I move for its passage on First and Final Reading.

The motion was seconded.

[H. B. 17-8:](#)

A BILL FOR AN ACT TO REMOVE THE THREE LEGISLATIVE DAYS REQUIREMENT FOR CERTAIN LOCAL BILLS; AND FOR OTHER PURPOSES.”
[SEE S. C. R. 17-1]

Vice Speaker Ogumoro: Discussion on the motion. Representative Benavente, recognized.

Representative Benavente: My question, Madam Speaker to the Legal Counsel – I am in support of the removal of the three legislative day appearance of local bills but the intent, I am not sure now if it is constitutional or existing statute that requires that three day appearance in the CNMI Legislature’s Agenda is that it gives a time necessary to confirm that it is a local matter and not a Commonwealth wide matter. And I wonder if it is a constitutional provision that may not be legal – that would be my question, are we within legal authority to remove that requirement?

Vice Speaker Ogumoro: Legal Counsel, recognized.

LC J. Cool: Presently the three day requirement is in the local bill statute and not the Constitution.

Representative Benavente: Not the Constitution.

LC J. Cool: Right.

Representative Benavente: So there is no constitutional restriction.

LC J. Cool: No.

Representative Benavente: Thank you.

Vice Speaker Ogumoro: Thank you, Representative Benavente. Are there any further discussion? I now recognize Representative Joseph Deleon Guerrero.

Representative Joseph Deleon Guerrero: Thank you, Madam Chair. First, this is a House Bill to amend what is a local law? And it is interesting that on the findings it says that local law it does not state that it was a Saipan, Tinian, and Rota Local Law, but again, I wanted to ask the Counsel about the language in there which says, the Commonwealth Legislature that the Local Law Act of 1983 requires that all bills other than gaming appropriations in Tinian & Aguiguan and Rota other than that it lie before the House of introduction for three legislative days. Now the intention of this bill is to change it to one day, perhaps it does not need to be commended because it requires that all bills other than appropriation and my understanding of what this bill intends to do is to exempt local appropriation bills from the three legislative days, but as I read the findings it is exempted, but then again I know that we had discussed this earlier the word “gaming appropriations” may by the defining language here whether local appropriations and we all know that local appropriations

revenues comes from poker and is poker considered a gaming activity. If it is, then I would say that such bills are already exempted from the three days at least for the First and the Second Senatorial District, according to the findings. If not, then perhaps this bill is warranted. So I want to pose that question to the Legal Counsel.

Vice Speaker Ogumoro: Let me call for a short recess.

The House recessed at 3:53 p.m.

RECESS

The House reconvened at 4:07 p.m.

Vice Speaker Ogumoro: We are back in session and we are still discussing H. B. 17-8, is there anymore discussion? Ready.

Several members voiced ready.

Vice Speaker Ogumoro: Clerk, please call the roll.

The Clerk called the Roll for the passage of H.B. 17-8 on First and Final Reading with the following results:

Representative Ramon S. Basa	yes
Representative Diego T. Benavente	yes
Representative Eliceo D. Cabrera	absent (during voting)
Representative George N. Camacho	yes
Representative Trenton B. Conner	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	yes (with reservations)
Representative Fredrick P. Deleon Guerrero	absent (excused)
Representative Rafael S. Demapan	yes
Representative Sylvestre Ilo Iguel	yes
Representative Felicidad Taman Ogumoro	yes
Representative Joseph M. Palacios	yes
Representative Raymond D. Palacios	absent (during voting)
Representative Antonio P. Sablan	yes
Representative Teresita A. Santos	yes
Representative Ramon A. Tebuteb	yes
Speaker Froilan C. Tenorio	absent (excused)
Representative Stanley McGinnis Torres	yes
Representative Edmund Joseph S. Villagomez	yes
Representative Ray N. Yumul	yes

Vice Speaker Ogumoro: H. B. 17-8 hereby passes the House. I now recognize, Representative Santos.

Representative Santos: I would like to extend my gratitude to my colleagues for supporting this bill at least this is one bill out of the House instead of it just sitting here and collecting dust and I am sure Saipan, Rota, and Tinian are very happy just like you, Madam Speaker you are going to be very happy again because this is one bill out of the House. Thank you.

Vice Speaker Ogumoro: Thank you, Representative Santos. I now recognize the Floor Leader.

Floor Leader Camacho: Thank you, Madam Speaker, I would like to recall our action on H. B. 17-30, HD2 and leave it on the Calendar.

The motion was seconded.

Vice Speaker Ogumoro: Discussion on the motion. Ready.

Several members voiced ready.

Vice Speaker Ogumoro: Clerk, please call the roll.

The Clerk called the Roll on the reconsideration of House action of H.B. 17-30, HD2 with the following results:

Representative Ramon S. Basa	yes
Representative Diego T. Benavente	yes
Representative Eliceo D. Cabrera	absent (during voting)
Representative George N. Camacho	yes
Representative Trenton B. Conner	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	yes
Representative Fredrick P. Deleon Guerrero	absent (excused)
Representative Rafael S. Demapan	yes
Representative Sylvestre Ilo Iguel	yes
Representative Felicidad Taman Ogumoro	yes
Representative Joseph M. Palacios	yes
Representative Raymond D. Palacios	absent (during voting)
Representative Antonio P. Sablan	yes
Representative Teresita A. Santos	yes
Representative Ramon A. Tebuteb	yes
Speaker Froilan C. Tenorio	absent (excused)
Representative Stanley McGinnis Torres	present
Representative Edmund Joseph S. Villagomez	yes
Representative Ray N. Yumul	yes

Vice Speaker Ogumoro: Thank you. So moved, Representative Sablan, recognized.

Representative Sablan: Thank you, Madam Speaker, before we move on, I just want to take this opportunity as well to thank the support of my colleagues of the passage of H. B. 17-20 thank you.

Vice Speaker Ogumoro: Thank you, Representative Sablan. Floor Leader, recognized.

Floor Leader Camacho: Thank you, Madam Speaker, there are a lot of bills being referred to Committees and I would like to ask the Chairpersons to please meet with your Committee members because we need to start getting all these bills out of Committee. And I preferably prefer that the bills come out with Committee Reports so there would be legislative history on the legislations that we pass in this House. I do not like too much to defer to pulling out from the Committee without a Committee Report. So with that, I would like to ask every Chairperson to meet frequently and start producing Committee Reports – there are a lot of bills introduced in this House already and Senate

Bills are coming also. Madam Chair, there are a lot of Senate Communications, I kindly ask that you also refer those to the proper Committees. Thank you.

Vice Speaker Ogumoro: Yes, I will, and thank you, Floor Leader. Is there anything else, Floor Leader before we move on to the next item on the Agenda.

Floor Leader Camacho: On Miscellaneous Business.

MISCELLANEOUS BUSINESS

Vice Speaker Ogumoro: Under Miscellaneous Business, I recognize Representative Benavente.

Representative Benavente: Thank you, Madam Speaker. This morning, I and several other members had met with the Mayor of Saipan. The Mayor had raised some concerns and issues with us and at this time my statement would be to bring this before us, the members of the House and also hopefully and without objections from the members in getting the assistance of the Legal Counsel to review what is happening with the staffing in the Mayor's office as it conflicts with the authority of the Governor to sign off on staffing of the Mayor of Saipan. We like to think that the Mayor of Saipan is a separate entity from the Administration probably not a fourth Branch of Government, but certainly comparable to the status that the Legislature has within the CNMI Government where if we were to hire staff the Administration's authority on the contract that we offer is only a certification by the Secretary of Finance and that is only for the purpose of determining that there is sufficient funds to process that contract and that is the current status of the third Branch of Government. Now within the Mayor's office apparently even though it is a separate entity a separate elected member of this leadership and certainly not within the Department under the Administration, there is no such thing as the Department of the Mayor of Saipan if the process and I am not sure where the authority lies, but apparently what the Mayor and I think it is also with the Mayor of Rota and Tinian and the Northern Islands is that in signing off for contract for employment in those offices the Governor is required or has the authority to sign off on those contract and make changes in the contract. And so I would like to ask that the Legal Counsel to review this and see and tell us where the authority is where the Governor can then interfere with the day to day operations of the Mayor's office in that way where it has the authority to deny hiring's that the Mayor's Office has sufficient FTE for and sufficient funds for. And certainly, I would agree just like we here as a separate branch of Government, we may be denied the opportunity to hire that is if there is no sufficient fund by the Secretary of Finance. And I think it should be treated the same and I just would like at this time to ask without objections from the members, that the Legal Counsel can look into this and see whether the Governor if any, has the authority to basically deny the Mayor's office the opportunity to hire if there is sufficient funds and sufficient FTE. Thank you.

Vice Speaker Ogumoro: Thank you, Representative Benavente, it is so noted. Are there any other comments under Miscellaneous Business? Representative Dela Cruz, recognized.

Representative Dela Cruz: Thank you, Madam Speaker. I just wanted to follow up with regards to the lateral transfer of the Immigration employees. I know we had just passed an amended bill from the Senate, but my recollection was that Speaker Tenorio had asked I believe the Ways and Means Chair to find out if the FTE's for those positions were still in the continuing resolutions – I am not sure whether that was the Chair for Ways and Means or the Chair for JGO, but I know I it was one of them and I just wanted to get an update on the status – that is all, Madam Speaker.

Vice Speaker Ogumoro: Let me recognize, Representative Sablan.

Representative Sablan: Thank you, Madam Chair. I know that the inquiry was directed toward Chairman Basa, but I will provide an update on the situation on the remaining Immigration employees. We had met a week ago with the Lieutenant Governor the Acting Governor at the time and some of the minor amendments that were made by the Senate were some of the minor language concerns that was raised by the Acting Governor at the time. In our meeting he had mentioned that he was going to instruct the Director of the Office of Personnel Management (OPM), Ms. Rosario, to work with the Special Assistant in trying to locate the appropriate Agencies that the remaining employees can be accommodated in, but I think that the important part of all this is one, that we passed H. B. 17-20 to provide the legal support to do this. The other consideration that came from that meeting was that we mentioned that there were others that have already been assigned and absorb by the various Agencies – the language there is to ensure that the transfer as authorized by H. B. 17-20 would be for the remaining 14 employees – 10 from Saipan and 4 on Rota so that the office would be more in a position to do the accommodation now and not back track and have to entertain request for lateral transfer for those that have been already placed in the various agencies. I guess with the passage of H. B. 17-20 this afternoon, the next step would be to get it transmitted to the Governor and wait for action, but I think I will go ahead and try to share with the Lieutenant Governor that we did pass the version as recommended from out of his office and I will try to get an update on the status on where the Special Assistant and SAA and the Office of Personnel is at – I hope that answered your concern.

Vice Speaker Ogumoro: Does that answer your concerns, Representative Dela Cruz?

Representative Dela Cruz: Somewhat, Madam Speaker, I guess the actual question was what happens to those FTE's under the Office of the Attorney General while we are still in the continuing resolution – and so a budget has not been passed to amend the number of FTE's and if those FTE's that fell under the employment of Immigration under the umbrella of the Office of the Attorney General is still within tack – that was my question I had, but I guess since a budget has not yet been passed I would assume that those FTE numbers still remain for the former local Immigration employees – that is all, Madam Speaker.

Vice Speaker Ogumoro: Thank you, Representative Dela Cruz. Are there any more under Miscellaneous before we move down to Announcements? Representative McGinnis-Torres, recognized.

Representative McGinnis-Torres: A couple of weeks ago I was listening to the *KSPN 2 Cable News* the United States Fish and Wildlife have added more birds on the list of endangered species. And I do not believe that the *Tinian Monarch* has been taken off the list of endangered species. This bird is found only in one place in the entire earth, Tinian that is why they call it *Tinian Monarch*. Now, my disbelief is that it is taken off the endangered species list and ironically this is the place that the United States Marine has designated targeting point in Tinian – I do not know if my colleague, Representative Conner knows about this but the *Tinian Monarch* will be phased out from the face of the earth. And you know the *ga'ga' karisu* on Saipan is becoming a nuisance they are all over the island – I do not know maybe they are on Tinian too. But they are still the strongest of all the birds in the islands – it is guarded by the *Seventh Fleet of the Pacific* – and I do not know where are you guys – you are not supporting me to request the Fish and Wildlife to delist the nightingale reed-warbler (laughter) from the island of Saipan it is very nuisance. This morning when I was in my bathroom in the shower and I can hear (made whistling sounds) - so I got out and walked around

they are all over – I guess there were about twenty of them. And the *sihik* too is becoming a nuisance bird – the *Sali* is chasing the *sihik* away from its turf, I have seen that many times. It is becoming a public nuisance because they do not respect people – you know many times my wife get scared because the *sihik* just flew by her ear to dive into her lily pond to swim so that is how dangerous they are. I need your help to maybe once again ask the Federal Fish and Wildlife to come to Saipan and I will personally guide them to where they – if they do not want to delist then maybe I will shoot the bird in their presence. Thank you.

Vice Speaker Ogumoro: Thank you, Representative McGinnis-Torres. I now recognize, Representative Conner.

Representative Conner: Thank you, Madam Speaker, just to respond to our colleague, Representative McGinnis-Torres' remarks. In regards to the Tinian Monarch, I am aware that they have been delisted under the endangered species act. I believe that is also in line with the situation in how the Federal Government took away islands to the North and our Trench that they know that we do not have the ability defend ourselves when it comes to fighting a giant – so they have probably instilled their will and enforced Fish and Wildlife to delist it in order the military to get their affairs as far as the Department of Defense is concern. So, yes, I am aware of it colleague and yes, I will communicate with you and I will bring it up under Delegation matter and I will get back to you. Also to make it in line with your remarks about shooting the *karisu* or whatever bird that might be, just remember that you also introduced an animal cruelty act. (laughter)

ANNOUNCEMENT

No announcements were made.

ADJOURNMENT

Vice Speaker Ogumoro: Thank you, Representative Conner. Floor Leader, recognized for adjournment.

Floor Leader George N. Camacho moved to adjourn and it was seconded and carried by voice vote.

The House adjourned at 4:30 p.m.

Respectfully submitted,

/s/ Linda B. Muña, Journal Clerk
House of Representatives

APPEARANCE OF LOCAL BILLS

FIRST APPEARANCE: 1st Legislative appearance of a local bill is on the day it is introduced.

SECOND APPEARANCE: NONE

THIRD APPEARANCE:

H. L. B. 17-6: To amend 10 CMC § 3901; and for other purposes.
Introduced by: REP. Felicidad T. OGUMORO of Saipan, Precinct 3 (*for herself*)