



HOUSE OF REPRESENTATIVES

EIGHTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

FIRST REGULAR SESSION, 2013

LEGISLATIVE JOURNAL

Second Day

Tuesday, January 22, 2013

The House of Representatives of the Eighteenth Northern Marianas Commonwealth Legislature convened its Second Day, First Regular Session on Tuesday, January 22, 2013, at 9:15 a.m., in the House Chamber on Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Joseph P. Deleon Guerrero, Speaker of the House, presided.

A moment of silence was observed.

ROLL CALL

The Clerk called the roll and nineteen members were present, Representative Ramon A. Tebuteb was absent.

Speaker Joseph P. Deleon Guerrero: Let the record reflect that Representative Tebuteb is excused, he is off-island. On the next item of our agenda is Public Comments. Are there any members of the public out there that wishes to make a comment? If not, we move on to the next item on our agenda and that is the Adoption of Journals. Clerk.

PUBLIC COMMENTS

None

ADOPTION OF JOURNALS

The Clerk announced that there are no journals for adoption.

INTRODUCTION OF BILLS

House Bills:

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk. Under item IV, Introduction of House Bills, Representative Tebuteb is not here. Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. I believe you received a letter from Representative Tebuteb delegating me to officially introduce his bills on his behalf. So with that Mr. Speaker, I would like to officially introduce House Bill 18-1, “To ratify the adoption of the 2009 editions of the International Building Code, International Fire Code, related construction codes, as amended, and to provide for a task force to develop a new CNMI building code council, and for other purposes.” Introduced by Representative Tebuteb and three other members, thank you.

H. B. NO. 18-1

To ratify the adoption of the 2009 editions of the International Building Code, International Fire Code, related construction codes, as amended, and to provide for a task force to develop a new CNMI building code council, and for other purposes.

By: REP. RAMON A. TEBUTEB of Saipan, Precinct 3 (*for himself*), and Representative Antonio P. Sablan)

(Referred to the Committee on Natural Resources)

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. House Bill 18-1 will be referred to the Committee on Natural Resources. I think there was a question on the referral of the bill and if you go to your Interim House Rules, the Committee on Natural Resources has the jurisdiction over building codes and fire codes so that is why it is going to that committee. Representative Camacho on House Bill 18-2.

Representative George N. Camacho: Thank you, Mr. Speaker. I would like to formally introduce House Bill 18-2, “To repeal Title 4 sections 1971 and 1972 of the Commonwealth Code which were originally enacted as Public Laws 17-29, 17-58 and 17-75 in their entirety and to amend Title 4 sections 1803 and 1502(a) to increase the Hotel Occupancy Tax.” Thank you, Mr. Speaker.

H. B. NO. 18-2

To repeal Title 4 sections 1971 and 1972 of the Commonwealth Code which were originally enacted as Public Laws 17-29, 17-58 and 17-75 in their entirety and to amend Title 4 sections 1803 and 1502(a) to increase the Hotel Occupancy Tax.

By: REP. GEORGE N. CAMACHO of Saipan, Precinct 4 (*for himself*)

(Referred to the Committee on Tourism)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Camacho. Recognize, Representative Villagomez.

Representative Edmund S. Villagomez: Thank you, Mr. Speaker. Introducing House Bill 18-3, “To strengthen provisions regarding sex crimes and domestic violence by establishing minimum mandatory sentences for Sexual Assault and Sexual Abuse of a Minor, increasing the time-served component necessary for parole eligibility, and amending existing definitions to clarify provisions relating to sex crimes and domestic violence.” Thank you, Mr. Speaker.

H. B. NO. 18-3

To strengthen provisions regarding sex crimes and domestic violence by establishing minimum mandatory sentences for Sexual Assault and Sexual Abuse of a Minor,

increasing the time-served component necessary for parole eligibility, and amending existing definitions to clarify provisions relating to sex crimes and domestic violence.

By: REP. EDMUND S. VILLAGOMEZ of Saipan, Precinct 3 (*for himself*)
(Placed on the Bill Calendar for action)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Villagomez. Representative Camacho do you have a comment?

Representative George N. Camacho: Yes, just a quick question or clarification Mr. Speaker. Regarding House Bill 18-2 as you are probably are aware this bill is from the 17th House and it has gone through many scrutiny and comments and have been received from the affecting agencies even the hotel association, Marianas Visitors Authority (MVA) themselves, but I am willing to yield to the Chairman if you want to refer this to tourism or any other committee because I probably missed which committee you referred it to.

Speaker Joseph P. Deleon Guerrero: I did not refer it to a committee yet and I will be referring this bill to the Committee on Tourism. And I understand a lot of review has gone into this and there will be a lot of dialogue with the chamber as well as the hotel association. I think the Chairman wants to review it further and we will go on. With that, it will be referred to Committee on Tourism. Representative Villagomez.

Representative Edmund S. Villagomez: Thank you, Mr. Speaker. May I request that we act on House Bill 18-3 for today on First and Final Reading?

Speaker Joseph P. Deleon Guerrero: Will the author please enlighten the members about your request?

Representative Edmund S. Villagomez: Good morning members, I would like to push to pass this bill today on First and Final Reading. This bill has gone through – just like former Floor Leader Camacho – this bill came out from the 17th Legislature. We have taken all the comments and all the recommendations from all the affected parties including the AG's criminal division, the Coalition against Sexual Violence and Domestic Violence of the CNMI, the parole and other councils as well. We took all their consideration – it is all there – even though we disagreed with the Governor's veto message and the opinion of the AG at the time we still, just for clarification, also included their recommendation. So all the work was already done in putting this bill together and refining it and tuning up a little bit and I feel it is ready for passage. The gist of this bill is basically to add a floor to the second, third, and fourth degree assault and abuse as it relates to sexual assault and sexual abuse of minors. We also redefine burglary not only to break into a property to harm property, but also individuals. We also increased the parole eligibility from one-third of serving your sentence to two-thirds. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Villagomez. I think there were also comments from the court asking that we act expeditiously on this type of legislation. If there are no objections putting this on Calendar? I will ask the Floor Leader to make the appropriate motion to suspend the rules.

Several members voiced "no objection".

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. I would like to make a motion to suspend Rule VII, Section 9, Rule IX, Sections 8, 9, and 10 and all other pertinent rules to allow for the passage on First and Final Reading on today's agenda under Bill Calendar. Thank you, Mr. Speaker.

RULE VII. COMMITTEES GENERALLY

Section 9. Committee Reports; Other documents

(a) Standing or Special Committees shall submit a written report to the Speaker within 60 days from the date the matter was referred to the committee, unless a shorter or longer time is ordered by the Speaker pursuant to a decision by the House Leadership. Subcommittees shall submit reports on matters referred to them as prescribed by the Standing Committee Chair. Standing, special and conference committees shall submit their reports in writing and provide an electronic copy to the Clerk who shall number the reports consecutively in the order received, cause such reports to be reviewed for legal sufficiency, reproduced, and furnished each member of the House at least twenty-four hours prior to the session at which it is to be considered. A committee report shall state findings of facts and conclusions based thereon together with a specific recommendation as to the manner in which the bill, resolution, or other matter referred to the committee should be disposed of by the House. A report recommending a bill or resolution for passage shall clearly state the purpose of the bill. A report on a bill or resolution shall show clearly any proposed amendments and the Clerk shall place such a bill or resolution on the appropriate calendar.

(b) A report shall be considered adopted by a committee when the Chairperson and a majority of the members of the committee have signed the report concurring therein. A member or members not concurring in the report of the majority may so indicate by submitting a minority report which shall be attached to the committee report or by signing with "I do not concur".

(c) When a committee recommends that a bill or resolution be formally filed (indefinitely postponed), the recommendation is reported to the House floor as a committee report to be confirmed by majority vote. Adoption of the committee report by the members has the effect of officially filing the bill.

(d) When, by majority vote, the House adopts a committee report recommending favorable action on a bill or resolution, the bill or resolution as reported by the committee shall be placed on the appropriate calendar for House floor action."

(e) All documents, testimonies, or other evidence submitted to any standing or special committee or subcommittee in connection with any matter referred to the committee or subcommittee shall be the property of the House. The Chair of any committee or subcommittee shall deliver all such documents, testimonies, or other evidence to the House Clerk upon expiration of the term of the House.

RULE IX. BILLS, RESOLUTIONS AND AMENDMENTS

Section 8. Referral of Bills and Resolutions

(a) Bills and resolutions shall be read by title upon introduction and (except as provided in subsection (b), the Speaker shall refer such measures to an appropriate committee or to more than one committee, jointly or sequentially. The Clerk shall endorse such reference on the measure before duplication and shall enter such reference upon the Journal. In the case of error of reference, correction may be made by the House, with debate, immediately after the reading and approval of the Journal, by unanimous consent, or upon motion of either committee claiming jurisdiction or the committee to which the measure has been erroneously referred.

(b) The Speaker may place a resolution directly on the Resolution Calendar, rather than refer it to a committee, subject to appeal to the House.

Section 9. First Reading of Bills and Resolutions

(a) When a bill or resolution is read in the House the first time, the Clerk shall report the bill by title, unless a majority orders it read in full, or by such subdivisions as the motion to read may indicate. The House shall then proceed to debate the measure, and no other amendment shall be in order until all committee amendments shown in the Committee Report are disposed of, except that such committee amendments shall themselves be subject to amendment. At the conclusion of debate the House shall vote on passing the measure on First Reading after affording an opportunity for one motion to recommit with or without instructions. If the Measure passes with amendments, the Clerk shall engross such amendments and cause the measure, or any page thereof, to be reprinted as provided in Sections 4 and 6 of this Rule.

(b) If a bill passes First Reading, the Clerk shall place it on the Bill Calendar for Second Reading the next legislative day.

(c) First Reading of a resolution shall be the only and final reading, and upon its passage, the Clerk shall dispose of it pursuant to Section 13 of this Rule.

Section 10. Second Reading of Bills

(a) When a bill is read in the House a second time, it shall be considered in the same manner as for First Reading, except that further amendments shall be in order without regard to whether or not they are proposed by the committee reporting the bill.

(b) Second Reading of a bill shall be the final reading, and upon its passage, which shall be by Call of the Roll, the Clerk shall dispose of it pursuant to Section 13 of this Rule.

Speaker Joseph P. Deleon Guerrero: There is a motion, is there a “second.”

Several members voiced “second.”

Speaker Joseph P. Deleon Guerrero: Under discussion, Representative Ogomoro.

Representative Felicidad T. Ogomoro: Thank you, Mr. Speaker. I do not know if this is the time I should voice my concern, but since we have a motion to place it on the calendar I will hold my comments and deliver it later. Thank you.

Speaker Joseph P. Deleon Guerrero: This is just a suspension motion, suspension of the rule and there will be a motion to put it on calendar and under discussion, Representative Ogomoro you may discuss. So a motion is on the floor for the suspension of the rules and it has been seconded, any further discussions?

Several members voiced “ready”.

There were no discussions and the motion to suspend Rule VII, Section 9 and Rule IX, Sections 8, 9, and 10 was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: Floor Leader, a motion for the placement on calendar.

Floor Leader George N. Camacho: If I may Mr. Speaker, can I move for a short recess?

Vice-Speaker Francisco S. Dela Cruz voiced “no objection.”

Speaker Joseph P. Deleon Guerrero: Short recess.

The House recessed at 9:27 a.m.

RECESS

The House reconvened at 9:30 a.m.

Speaker Joseph P. Deleon Guerrero: I call this session back to order. I recognize the Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. So with that, I would like to move to place House Bill 18-3 on the Bill Calendar for the First and Final Reading.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: There is a motion to place House Bill 18-3 on the Bill Calendar and it has been seconded. Discussion, Representative Ogomoro.

Representative Felicidad T. Ogomoro: Are we on the calendar already?

Speaker Joseph P. Deleon Guerrero: No. I thought you said – so you want to reserve it?

Representative Felicidad T. Ogomoro: Yes, until we come to the Bill Calendar.

Speaker Joseph P. Deleon Guerrero: Any further discussions before we vote?

Several members voiced “ready”.

There was no further discussion and the motion to place House Bill 18-3 on the Bill Calendar for First and Final Reading was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: House Bill 18-3 will be in the calendar. Legal Counsel, can this bill be acted on today?

Legal Counsel Joseph Tajeron: Yes, I have already conferred with Mr. Cool, it complies with the Open Government Act (OGA), it has been on our agenda for more than the relevant legal time so it can be, yes.

Speaker Joseph P. Deleon Guerrero: Thank you. Going forward, Floor Leader are you going to be introducing Representative Tebuteb's other bill? I recognize the Floor Leader.

Floor Leader Rafael S. Demapan: Yes, thank you Mr. Speaker. This is to formally introduce House Bill 18-4, "To repeal and re-enact 2 CMC §§ 1621-1624 to reallocate funding from the Mañagaha Island Landing and User Fee Trust Account; and for other purposes." Introduced by Representative Tebuteb and two other Representatives, thank you.

H. B. NO. 18-4

To repeal and re-enact 2 CMC §§ 1621-1624 to reallocate funding from the Mañagaha Island Landing and User Fee Trust Account; and for other purposes.

By: REP. RAMON A. TEBUTEB of Saipan, Precinct 3 (*for himself*, Representatives Anthony T. Benavente and Antonio P. Sablan)

(Referred to the Committee on Ways and Means)

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. I now recognize Representative Ogumoro.

Representative Felicidad T. Ogumoro: Thank you, Mr. Speaker. I would now introduce House Bill 18-5, "To present to the voters in the Commonwealth in the next general election the question: "Shall there be a constitutional convention to propose amendments to the Constitution?" Introduced by myself and all of you are welcome to also sign on that bill as co-sponsors.

H. B. NO. 18-5

To present to the voters in the Commonwealth in the next general election the question: "Shall there be a constitutional convention to propose amendments to the Constitution?"

By: REP. FELICIDAD T. OGUMORO of Saipan, Precinct 3 (*for herself*)

(Referred to the Committee on Judiciary and Governmental Operations)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Ogumoro. Going back to House Bill 18-4 introduced by Representative Tebuteb, I am referring that bill to the Committee on Ways and Means. And I am referring House Bill 18-5 to the Committee on Judiciary and Governmental Operations (JGO). Representative Ogumoro, I think you still have the floor.

Representative Felicidad T. Ogumoro: Thank you, Mr. Speaker. House Bill 18-6, "To establish the Northern Marianas Descent Institute, a Non-Profit Public Corporation for persons of Northern Marianas Descent that will establish a school and job training program; and for other purposes." Introduced by myself and again, any of you are more than welcome to be a co-sponsor for the bill, thank you.

H. B. NO. 18-6

To establish the Northern Marianas Descent Institute, a Non-Profit Public Corporation for persons of Northern Marianas Descent that will establish a school and job training program; and for other purposes.

By: REP. FELICIDAD T. OGUMORO of Saipan, Precinct 3 (*for herself*)
(Referred to the Committee on Judiciary and Governmental Operations)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Ogumoro. This bill will be referred to the Committee on JGO and will also be referred to the Committee on Education since this is an establishment it will go to JGO, but because it does deal with training and school it will be a dual appointment. Next I recognize Representative Janet Maratita.

Representative Janet U. Maratita: Thank you, Mr. Speaker. I would like to introduce House Bill 18-7, “To require 100% of the items in snack and beverage vending machines located in areas of buildings primarily occupied by governmental offices to meet certain nutritional guidelines; and for other purposes.” Introduced by myself, Mr. Speaker this bill has been introduced in the 17th Legislature and was recommended for passage in the Health Committee during the 17th Legislature, therefore, I would like to move that this be placed on today’s Calendar. Thank you.

H. B. NO. 18-7

To require 100% of the items in snack and beverage vending machines located in areas of buildings primarily occupied by governmental offices to meet certain nutritional guidelines; and for other purposes.

BY: REP. JANET U. MARATITA of Saipan, Precinct 1 (*for herself*)
(Referred to the Committee on Health and Welfare)

Speaker Joseph P. Deleon Guerrero: Thank you. Representative Maratita can I just clarify, did we act on it on the floor? Was it passed by the House?

Representative Janet U. Maratita: Yes.

Speaker Joseph P. Deleon Guerrero: I know it was referred to a committee and the committee probably recommended passage, but was it acted on the House floor?

Representative Janet U. Maratita: It was calendared, but it was never acted on. There was a Committee Report.

Speaker Joseph P. Deleon Guerrero: Vice-Speaker.

Vice-Speaker Francisco S. Dela Cruz: Thank you, Mr. Speaker. At this time, because of no action by the last Legislature, I think it is only fitting that maybe the Chair of Health and Welfare be given the opportunity to also scrutinize the legislation and that is basically my comment Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Vice-Speaker. I think we have given allowances to allow bills that have passed the House and in the case today where we are putting a bill in the calendar – that bill passed both the House and the Senate – but I would like to ask the mover or the author if there is no objection I will be referring this bill to the Committee on Health and

Welfare. And also, Chairman of Health and Welfare take note that there was a Committee Report and maybe you do not need to reinvent the wheel. You can use that and maybe act in a more timely fashion to get this bill out of the committee. So with that House Bill 18-7 will be referred to the Committee on Health and Welfare. Representative Maratita, I think you still have the floor.

Ms. Janet U. Maratita: Introducing House Bill 18-8, “To re-appropriate up to \$286,786.00 of the remaining \$140,000,000.00 bond within the Commonwealth Development Authority (CDA) to the Commonwealth Healthcare Corporation; and for other purposes.” Again Mr. Speaker, this bill was introduced by then Representative Yumul and co-authored by me and two others for the record, thank you.

H. B. NO. 18-8

To re-appropriate up to \$286,786.00 of the remaining \$140,000,000.00 bond within the Commonwealth Development Authority (CDA) to the Commonwealth Healthcare Corporation; and for other purposes.

BY: REP. JANET U. MARATITA of Saipan, Precinct 1 (*for herself*)

(Referred to the Committee on Ways and Means)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Maratita. This bill will be referred to the Committee on Ways and Means. Floor Leader.

Floor Leader George N. Camacho: Thank you, Mr. Speaker. Officially introduce House Bill 18-9, “To amend 4 CMC §1939(a) of the Developer Infrastructure Tax Act; and for other purposes.” Introduced by myself, thank you.

H. B. NO. 18-9

To amend 4 CMC §1939(a) of the Developer Infrastructure Tax Act; and for other purposes.

BY: REP. RAFAEL S. DEMAPAN of Saipan, Precinct 2 (*for himself*)

(Referred to the Committee on Ways and Means)

Speaker Joseph P. Deleon Guerrero: Thank you, Floor Leader. This bill would be referred to the Committee on Ways and Means. Any further House Bills? If not, let us go to House Local Bills. I recognize Representative Conner.

House Local Bills:

Representative Trenton B. Conner: Thank you, Mr. Speaker. This is to officially introduce House Local Bill 18-1, “To appropriate Forty Thousand Dollars (\$40,000.00) from the local license fees collected from poker machines in the Second Senatorial District; and for other purposes.” Thank you.

H. L. B. NO. 18-1

To appropriate Forty Thousand Dollars (\$40,000.00) from the local license fees collected from poker machines in the Second Senatorial District; and for other purposes.

BY: REP. TRENTON B. CONNER of Tinian, Precinct 6 (*for himself*)

Speaker Joseph P. Deleon Guerrero: Thank you, I believe you still have the floor.

Representative Trenton B. Conner: Thank you, Mr. Speaker. This is to officially introduce House Local Bill 18-2, “To re-appropriate the sum of \$36,948.00 from Tinian Local Laws 17-8, 17-10, and 17-11; and for other purposes.” Thank you.

H. L. B. NO. 18-2

To re-appropriate the sum of \$36,948.00 from Tinian Local Laws 17-8, 17-10, and 17-11; and for other purposes.

By: REP. TRENTON B. CONNER of Saipan, Precinct 6 (*for himself*)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Conner. I now recognize Representative Santos.

Ms. Teresita A. Santos: Thank you, Mr. Speaker. I would like to introduce House Local Bill 18-3, “To appropriate \$45,000.00 from local license fees collected for poker and pachinko slot machines in the First Senatorial District; and for other purposes.” Thank you, Mr. Speaker.

H. L. B. NO. 18-3

To appropriate \$45,000.00 from local license fees collected for poker and pachinko slot machines in the First Senatorial District; and for other purposes.

By: REP. TERESITA A. SANTOS of Rota, Precinct 7 (*for herself*)

Speaker Joseph P. Deleon Guerrero: Thank you. Representative Agulto.

Representative Antonio R. Agulto: Thank you, Mr. Speaker. I would like to introduce House Local Bill 18-4, to re-appropriate \$200,344.00 to Precinct 5 for various projects. Thank you, Mr. Speaker.

H. L. B. NO. 18-4

To re-appropriate the fund balance from Saipan Local Law 16-1 section 1(A); and for other purposes.

BY: REP. ANTONIO R. AGULTO of Saipan, Precinct 5 (*for himself*, Representatives Lorenzo I. Deleon Guerrero, Christopher D. Leon Guerrero, Antonio P. Sablan, and Mariano Taitano)

Speaker Joseph P. Deleon Guerrero: Just for clarity’s sake Representative, can you read the title of the House Local Bill?

Representative Antonio R. Agulto: Sorry, Mr. Speaker. “To re-appropriate the fund balance from Saipan Local Law 16-1 section 1(A); and for other purposes.” We are re-appropriating this with four other members of the Legislature. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Please turn-off your microphone thank you. And thank you for letting us know how much you are planning to re-appropriate.

Representative Antonio R. Agulto: Yes.

Speaker Joseph P. Deleon Guerrero: House Legislative Initiative. I recognize Representative Ogumoro.

House Legislative Initiatives:

Representative Felicidad T. Ogumoro: Thank you, Mr. Speaker. I am introducing House Legislative Initiative 18-1, “To amend Article XII, Section 1 and Section 4 of the Northern Mariana Islands Constitution; and for other purposes.” Introduced by myself and anybody else that would like to cosign is more than welcome.

H. L. I. NO. 18-1

To amend Article XII, Section 1 and Section 4 of the Northern Mariana Islands Constitution; and for other purposes.

By: REP. FELICIDAD T. OGUMORO of Saipan, Precinct 3 (*for herself*)
(Referred to the Committee on Natural Resources)

Speaker Joseph P. Deleon Guerrero: Are there any other bills, local bills, or initiatives before I move on to item V? If not, let us move on to the Introduction of Resolutions. Recognized Representative Ogumoro.

Representative Felicidad T. Ogumoro: Which committee are you referring House Legislative Initiative 18-1 to?

Speaker Joseph P. Deleon Guerrero: My apologies, Representative that will be referred to the Committee on Natural Resources.

Representative Felicidad T. Ogumoro: Thank you, Mr. Speaker.

INTRODUCTION OF RESOLUTIONS

House Resolutions:

Speaker Joseph P. Deleon Guerrero: Thank you, Representative. Going back to item V under Introduction of Resolutions I would like to introduce House Resolution 18-2, “Impeaching Benigno Repeki Fitial, Governor of the Commonwealth of the Northern Mariana Islands, for commission of a felony, corruption and neglect.” Introduced by myself and fifteen others. I will be referring this resolution to a Special Committee. I have an appointment memo here, appointing the special investigative committee on impeachment and I am hereby appointing the following House members to this committee. This committee will be duly authorized by this House to perform any and all duties as required pursuant to the CNMI Constitution, Article 2 Section 8, Article 2 Section 14 (b) the 18th CNMI House Rules, but not limited to Rule 7 and Rule 12, and CNMI law, but not limited to Title 1 of the Commonwealth Code Sections 1301 to 1309. Representative Antonio P. Sablan is hereby appointed Chairman of this Committee. Vice-Speaker Francisco Dela Cruz will be a member. Representative Christopher Leon Guerrero will be a member. Representative Felicidad T. Ogumoro will be a member. Representative Teresita A. Santos will be a member. Representative Ramon A. Tebuteb will be member. Representative Edmund S. Villagomez would be the final member. This appointment memo will be distributed

to the members. Also, further there has been some questions raised and clarifications on the Constitutional – under Constitution with regards to the initiation of this process and let me read out Article 2, Section 8, it says “The Legislature may impeach those executive and judicial officers of the Commonwealth subject to impeachment under this Constitution. The house of representatives may initiate impeachment proceedings by the affirmative vote of two-thirds of its members and the senate may convict after hearing by the affirmative vote of two-thirds of its members.” There is no question that once this resolution is put on the floor for action that it will require voting of two-thirds. The question here is the language saying that it may initiate the proceedings of two-thirds votes so just to ensure that there is no ambiguity perhaps a motion to initiate this process here in the House is in order. So do I hear a motion? Representative Antonio Sablan you are recognized.

H. R. NO. 18-2

Impeaching Benigno Repeki Fitial, Governor of the Commonwealth of the Northern Mariana Islands, for commission of a felony, corruption and neglect.

BY: REP. JOSEPH P. DELEON GUERRERO of Saipan, Precinct 1 (*for himself*, and Representatives Antonio R. Agulto, Anthony T. Benavente, Roman C. Benavente, Trenton B. Conner, Francisco S. Dela Cruz, Lorenzo I. Deleon Guerrero, Rafael S. Demapan, Christopher D. Leon Guerrero, Janet U. Maratita, Antonio P. Sablan, John Paul P. Sablan, Mariano Taitano, Ramon A. Tebuteb, Edmund S. Villagomez and Ralph N. Yumul)

(Referred to the Special Committee on Impeachment)

Representative Antonio P. Sablan: Thank you, Mr. Speaker. Pursuant to the language that you have just sited, which is included in Article 2, Section 8 of the CNMI Constitution, at this time I would like to move for a vote by the full body to initiate proceedings pursuant to the language just sited. So move.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: It has been moved and seconded, discussion? Under discussion, just for clarification purposes, this vote that is on the floor right now is not to adopt the resolution. It is merely a motion to initiate the process, it is not a vote on the resolution. So with that further discussion.

Several members voiced “ready”.

Speaker Joseph P. Deleon Guerrero: Clerk, please call the roll.

The Clerk called the roll on the motion to initiate the process of impeachment with the following results:

Representative Antonio R. Agulto	yes
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	yes
Representative George N. Camacho	yes
Representative Trenton B. Conner	yes
Representative Francisco S. Dela Cruz	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Rafael S. Demapan	yes

Representative Christopher D. Leon Guerrero	yes
Representative Janet Ulloa Maratita	yes
Representative Felicidad Taman Ogumoro	yes
Representative Antonio P. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Teresita A. Santos	yes
Representative Richard B. Seman	yes
Representative Mariano Taitano	yes
Representative Ramon A. Tebuteb	absent (<i>excused</i>)
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	yes
Speaker Joseph P. Deleon Guerrero	yes

Clerk: Mr. Speaker, all 19 members present voted “yes.”

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk. With the vote of 19 “yes” the motion is duly adopted. I now recognize Representative Santos for House Resolution 18-3.

Representative Teresita A. Santos: Thank you, Mr. Speaker. I would like to introduce House Resolution 18-3, “To recognize and congratulate Antenille Maratita Mendiola Santos for being selected as the 2012 Teacher of the Year for Dr. Rita H. Inos Jr./Sr. High School.” Thank you, Mr. Speaker.

H. R. NO. 18-3

To recognize and congratulate Antenille Maratita Mendiola Santos for being selected as the 2012 Teacher of the Year for Dr. Rita H. Inos Jr./Sr. High School.

BY: REP. TERESITA A. SANTOS of Rota, Precinct 7 (*for herself*)

(Referred to the Resolution Calendar for action)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Santos. The chair will refer this to the Resolution Calendar. Under House Joint Resolution, I recognize Representative Ogumoro.

House Joint Resolutions:

Representative Felicidad T. Ogumoro: Thank you, Mr. Speaker. I now introduce House Joint Resolution 18-1, “Respectfully requesting and urging the United States Congress to recognize the longstanding ancestral rights of persons of Northern Marianas descent with respect to their ownership of the submerged lands of the Northern Mariana Islands and its adjacent waters; and for other purposes.” Thank you, Mr. Speaker.

H. J. R. NO. 18-1

Respectfully requesting and urging the United States Congress to recognize the longstanding ancestral rights of persons of Northern Marianas descent with respect to their ownership of the submerged lands of the Northern Mariana Islands and its adjacent waters; and for other purposes.

By: REP. FELICIDAD T. OGUMORO of Saipan, Precinct 3 (*for herself*)

(Referred to the Committee on Natural Resources)

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Ogumoro. I will be referring House Joint Resolution 18-1 to the Committee on Natural Resources. Are there any other

resolutions to be introduced today? If there are no further resolutions, House Commemorative Resolutions or House Concurrent Resolutions then we will move on to item VI, Messages from the Governor. Clerk.

House Commemorative Resolutions: None

House Concurrent Resolutions: None

MESSAGES FROM THE GOVERNOR

Clerk: Mr. Speaker, we have two communications, Governor's Communication 18-1 and 18-2.

Speaker Joseph P. Deleon Guerrero: Any comments on Governor's Communication 18-1 or 18-2? Vice-Speaker.

Vice-Speaker Francisco S. Dela Cruz: Mr. Speaker, at this time I would like to move for the rejection of Governor's Communication 18-2 for the Commonwealth Utilities Corporation (CUC).

GOV. COMM. 18-2: (1/18/13) **Executive Order 2013-02** – 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.

Speaker Joseph P. Deleon Guerrero: There is a motion on the floor, do I hear a second?

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: It has been seconded. Discussion, Vice-Speaker.

Vice-Speaker Francisco S. Dela Cruz: Thank you, Mr. Speaker. The reason for the motion to reject Governor's Communication 18-2 on his Executive Order declaring a disaster emergency at CUC. CUC has been plagued with numerous issues, issues that the Governor has identified such as payment or lack thereof from government agencies and departments. To name a few, the Commonwealth Health Center has not been able to remit payment to CUC. The Public School System has been having a hard time and these are the reasons that the Governor sites, but I would like to think that this is not CUC's fault, it is the fault of the agency's and the Administration. The reasoning to put CUC under disaster emergency because of other agencies, not CUC, not being able to foot the bill really is not a problem of CUC. CUC is the corporation, CUC receives payments and to declare an emergency because other agencies cannot pay the bill or having a hard time paying their bills should not even be considered as an emergency for CUC. The other issue that I take is that the Administration pretty much has put a chokehold on the Public Utilities Commission, the regulator of all utilities in the CNMI. At this time, I do not even know where the Public Utilities Commission stands. We have an investor that has been waiting in the wings, GTA TeleGuam for a year now. These people are waiting to come in, but the Public Utilities Commission fails to act because the Administration has the power. Why should we have a regulatory body when they cannot regulate let alone bring new investors in? This is the problem

that we face. The issue with nonresident workers that solely lies with the United States Citizenship and Immigration Services (USCIS) a federal entity for immigration. The Governor does not need to put that in because we need foreign workers, if we needed foreign workers the government should apply to USCIS. All these rambling and reasoning's about CUC being under a state of emergency is baloney. The board for CUC, who appoints the board for CUC? It is the Administration that appoints it. It is him, has he appointed anyone to the board of CUC? I have not heard anything about any appointments and that is why I bring this out to reject Governor's Communication 18-2, the Governor's Executive Order 2013-02. We need to give CUC its autonomy and definitely we need to give the Public Utilities Commission to stand on its own two feet and entertain these utilities company GTA TeleGuam is an example. We talked about bettering our economic situation in the CNMI yet we are blocking a lot of these investors. Why are we blocking them? Is it because we have other players now that we do not want to disturb? I always believe – Mr. Speaker, I know my five minutes is almost up, but I am wrapping up – I always believe that the more players you have the consumers are going to benefit and that is what we want. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Thank you, Vice-Speaker. Under further discussion, I recognize Representative Santos and then Representative Maratita.

Representative Teresita A. Santos: Thank you, Mr. Speaker. I would like to pose this question to the Legal Counsel. What would be the repercussions in the event that we reject the Executive Order 2013-02? Thank you.

Legal Counsel John Cool: It would not be accepted as a Governor's Communication.

Representative Teresita A. Santos: Plainly as that?

Legal Counsel John Cool: Yes.

Representative Teresita A. Santos: That would only be the repro cautions, but it would not refrain or prohibit or take back the Governor from executing this declaration, is that correct?

Legal Counsel John Cool: No, it would not affect the Governor's emergency declaration.

Representative Teresita A. Santos: Thank you, Counsel.

Speaker Joseph P. Deleon Guerrero: Representative Deleon Guerrero.

Representative Lorenzo I. Deleon Guerrero: Thank you, Mr. Speaker. Just to add on further in regards to the declaration, I believe this is probably the ninth declaration that the Governor has initiated. Secondly, in regards to the Board of Directors, the last time CUC had a Board of Director was back in 2005 and this is something I would like to add on in addition to what the Vice-Speaker had mentioned earlier. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Deleon Guerrero. Further discussion? Before we go on to act on that, if there is no objection, I wanted to ask our Legal Counsel a question regarding this matter?

Several members voiced “no objection”.

Speaker Joseph P. Deleon Guerrero: Legal Counsel in your opinion of the statute governing emergency declarations, does this emergency declaration and specifically on page 2, items 1 to 5 do they rise to the level and do they qualify as reasons as the justification to make a declaration of state of disaster emergency under the law? In your opinion.

Legal Counsel John Cool: The law is extremely broad. We are talking about 3CMC 5114, Disaster Relief. Definitions. Subsection (a) is Disaster, means the occurrence or immediate threat of a widespread or severe damage injury or loss of life or property resulting from any natural and here is an expansion, manmade occurrence. This is what the Governor is relying on, this is a manmade occurrence. Then the definition goes on to list a bunch of conditions such as typhoons, tornadoes, storms or floods, but this list begins with the phrase including, but not limited to. So this is what the Governor is relying on, a manmade cause not limited to the specifically the defined disasters. So this definition allows him to basically define whatever he wants as a manmade disaster. It is a very broad definition, the recommendation has been made before that the statute be amended.

Speaker Joseph P. Deleon Guerrero: Thank you, Counsel. And for the members the statute is listed up there. And as stated by the Counsel the Governor is relying on that one part of the code under manmade cause as the basis for the declaration and we have already heard there are serious concerns regarding what this declaration – whether it is justified or not – we have a motion on the floor. Are there any further discussions on this matter before I put the motion to vote? Representative Ogumoro.

Representative Felicidad T. Ogumoro: Just for clarification before we take final action on the motion on the floor. Where does CUC stand right now? Is it well-off financially? Did it get the necessary loan that I think we were trying to assist CUC with, does it have enough money to function? Mr. Speaker, I am only raising these concerns because I think those are the factors we should take into consideration. And I think I would like to know where does CUC stand right now financially?

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Ogumoro. We still have a motion on the floor and we will put it to vote. Subsequent to that I will ask our Chairman of PUTC to call in CUC and for the 18th Legislature, the members and the committee to be given a status if you will of the matter. Representative Ogumoro you still have the floor.

Representative Felicidad T. Ogumoro: Yes, I would like unless there is something else that we are looking at, before I take action on the motion on the floor, wouldn't it be appropriate for us to meet with the CUC first so that we can hear where do they stand financially? Because I think that is what is causing this emergency declaration or part of the reason why we are having emergency declarations issued because CUC needs help. Unless, I am reading something else and maybe for those of you that are more familiar with the subject matter you could enlighten us.

Speaker Joseph P. Deleon Guerrero: I recognize Representative Sablan.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. At this time, if there is no objection I would like to ask for a short recess please.

Several members voiced “no objection”.

Speaker Joseph P. Deleon Guerrero: Short recess.

The House recessed at 10:09 a.m.

RECESS

The House reconvened at 10:21 a.m.

Speaker Joseph P. Deleon Guerrero: Back to our plenary session. I recognize the Vice-Speaker.

Vice-Speaker Francisco S. Dela Cruz: Thank you, Mr. Speaker. At this time, I wish to withdraw the motion to reject Governor’s Communication 18-2.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: That is a motion I believe without objection. There is no objection we can allow the mover to withdraw his motion. So there is no objection, the motion is withdrawn. We were under item VI, Messages from the Governor. Are there any other comments on this item before we move on to Senate Communications?

Several members voiced “ready”.

Speaker Joseph P. Deleon Guerrero: Let us move on to item VII, Senate Communications. Do we have any communications Clerk?

No discussions were made for the following Governor’s Communication.

GOV. COMM. 18-1: (1/18/13) **Executive Order 2013-01** – Declaration of a State of Emergency: CHC’s Imminent threat of disruption of critical medical services in the Commonwealth and the danger that such a condition poses to the public because of the great increase in otherwise preventable deaths that would result.

SENATE COMMUNICATIONS

The Clerk announced that there were no Senate Communications.

HOUSE COMMUNICATIONS

Speaker Joseph P. Deleon Guerrero: Item VIII, House Communications Clerk?

Clerk: Mr. Speaker, we have House Communications 18-1 to 18-13.

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk. Under House Communications, I recognize Representative Santos.

Representative Teresita A. Santos: Thank you, Mr. Speaker. I would like to thank those Committee Chairpersons who considered the First Senatorial District to their Committee, however, Mr. Speaker this with respect to House Communication 18-5. I noticed that the First and Second Senatorial Representatives were excluded to this Special Committee of NMIRF and as we are all aware, Mr. Speaker and members, the Retirement issues are one of the most critical and controversial issues facing us today and to directly and fairly represent all the CNMI retirees on any and all issue been discussed or to be discussed which affects the retirees. Mr. Speaker, I would like to ask the diligence of our good Chairman of this Special Committee to please consider the First and Second Senatorial Representatives to be included in this important committee. Thank you, Mr. Speaker.

Hse. Comm. 18-5: (1/17/13) From Representative Taitano, Spc Cmte NMIRF Chair, appointing members to the House Special Committee on NMI Retirement Fund.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Santos. Before I recognize the Chairman since the issue was about the First and Second Senatorial District, Representative Conner.

Representative Trenton B. Conner: Thank you, Mr. Speaker. Just to second that motion from Representative Santos if there is no objection from the Special Committee on Retirement. It is a fact that I have spoken to some retirees in Tinian and I have asked them to form their own organization down there, but unfortunately it has not come to fruition. So at this point, if there is any opportunity for the First and Second Senatorial District to be represented then it would be in good gesture and in good faith then I hope that the Chair would accept us. Thank you.

Speaker Joseph P. Deleon Guerrero: Thank you, Mr. Conner. Chairman Taitano.

Representative Mariano Taitano: Thank you, Mr. Speaker. The rationale behind my appointment of these individuals is because these people – I did not intend to exclude the people of Tinian or Rota – these individuals have vested rights in the system and those rights will terminate on March 1, 2014. I do not know if my colleagues from both islands are DBP members or not, but my rationale is that where DBP members, retired, and former retirees. If you take a look at the composition and that is the main reason why. If they wish, of course I will consider them and have this amended to include the two of them if nine members are allowed.

Speaker Joseph P. Deleon Guerrero: Thank you, Chairman. For the members' information with the exception of one or two committee, I believe the maximum number of members for Standing Committees is seven. This is a Special Committee, Counsel are there any restrictions regarding the maximum numbers of members? There is no restriction. So Chairman Taitano, there are no restrictions on the number of members you may have, your committee is not a Standing Committee. So I ask that perhaps this dialogue continue after the session and if you can make accommodations to allow our members from the First and Second Senatorial District to be included, I leave that up to the discretion of the Chair. With that are there any other? I recognize, Representative Leon Guerrero. Is it on the same item or another item?

Representative Christopher D. Leon Guerrero: Another item.

Speaker Joseph P. Deleon Guerrero: Then before you do so, I believe the Chairman wanted to respond. Go ahead Representative Taitano.

Representative Mariano Taitano: Thank you, Mr. Speaker. If I may be allowed at this point in time to officially appoint these two Representatives from Tinian and Rota to be a part of this Committee. Thank you.

Several members voiced “no objection”.

Speaker Joseph P. Deleon Guerrero: That is within the discretion of the Chairman. Please resubmit your memo to include the two additional members to the Speaker’s office. Now that we have disposed of that I recognize Representative Leon Guerrero.

Representative Christopher D. Leon Guerrero: Thank you, Mr. Speaker. For clarification on House Communication 18-1, just to clarify my Vice-Chairmanship, it is no longer Mr. Antonio Agulto, it was actually replaced for John Paul Sablan as my Vice. I have communicated with the Clerk on this earlier.

Hse. Comm. 18-1: (1/16/13) From Speaker Joseph P. Deleon Guerrero appointing standing committee chair(s) and vice chair(s) and Special Committee on NMI Retirement Fund.

Speaker Joseph P. Deleon Guerrero: And your new Vice-Chair is included in your memo to the Speaker.

Representative Christopher D. Leon Guerrero: Yes.

Speaker Joseph P. Deleon Guerrero: Thank you. We will make the necessary corrections. Are there any other comments on item VIII? Representative Antonio Sablan.

Representative Antonio P. Sablan: Thank you, Mr. Speaker. If the members would look at the communication, you would realize that there is no appointment for the Ways and Means and just for your information, the Chair and the Speaker is still deciding on the so-called traditional practice of including all Standing Committee Chairs on Ways and Means. So the official memo appointing the members would be forthcoming. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: So noted. Thank you, Representative Sablan. Representative Santos then Representative Villagomez.

Representative Teresita A. Santos: Mr. Speaker, and then again I would like to refer a statement to our good Chairman here on Ways and Means. I understand that he said traditionally all chairpersons of each respective committees are going to be included in Ways and Means. Traditionally, I understand also that the First and Second Senatorial Districts are always included in this Ways and Means Committee by verge of the fact that appropriations starts from the bottom so if you can please include that my good Chairman. Thank you.

Speaker Joseph P. Deleon Guerrero: Just to respond to Representative Santos, I think our current House Rules does include at least one member representing Rota and one member representing Tinian and a member of the minority. So it is the Chairmen's of the other Standing Committees that are the ones in question. Representative Villagomez.

Representative Edmund S. Villagomez: I just want to echo Representative Sablan saying memo will be forthcoming regarding the appointment of members to my committee. Thank you.

Speaker Joseph P. Deleon Guerrero: So noted. Any other comments, if not, let us move on to item IX, Communications from the Judicial Branch. Clerk.

No discussions were made for the following House Communications.

Hse. Comm. 18-2: (1/14/13) From Speaker Joseph P. Deleon Guerrero appointing members to the Ad Hoc Committee to review the 18th House Rules.

Hse. Comm. 18-3: (1/16/13) From Representative Roman C. Benavente, ED Chair, appointing members to the House Standing Committee on Education.

Hse. Comm. 18-4: (1/16/13) From Representative Yumul, Tourism Chair, appointing members to the House Standing Committee on Tourism.

Hse. Comm. 18-6: (1/17/13) From Representative Anthony T. Benavente, NR Chair, appointing members to the House Standing Committee on Natural Resources.

Hse. Comm. 18-7: (1/16/13) From Representative Conner, FFR Chair, appointing members to the House Standing Committee on Federal and Foreign Affairs.

Hse. Comm. 18-8: (1/18/13) From Representative Leon Guerrero, JGO Chair, appointing members to the House Standing Committee on Judiciary and Governmental Operations.

Hse. Comm. 18-9: (1/18/13) From the Minority Leader to the Speaker informing him of the appointment of Minority Members to the Special Committee on Impeachment.

Hse. Comm. 18-10: (1/16/13) From Representative Agulto, HW Chair, appointing members to the House Standing Committee on Health and Welfare.

Hse. Comm. 18-11: (1/18/13) From Representative Lorenzo I. Deleon Guerrero, PUTC Chair, appointing members to the House Standing Committee on Public Utilities, Transportation and Communications.

Hse. Comm. 18-12: (1/18/13) From Representative Tebuteb informing the Speaker that he will be off-island from Monday, January 21 to Wednesday, January 23, 2013 and request to be excused from any sessions or meetings.

Hse. Comm. 18-13: (1/18/13) Pursuant to Rule XI, Section 4(f) of the House Rules of Procedure, Representative Tebuteb officially authorizes Representative Demapan to introduce his legislations on his behalf.

COMMUNICATIONS FROM THE JUDICIAL BRANCH

The Clerk announced that there were no Communications from the Judicial Branch.

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

Speaker Joseph P. Deleon Guerrero: Item X.

Clerk: We have two communications, Mr. Speaker. We have Department Communications 18-1 and 18-2.

Speaker Joseph P. Deleon Guerrero: Comments on item X, Communications from Departments and Agencies. Recognized Representative Taitano.

Representative Mariano Taitano: Thank you, Mr. Speaker. First I would like to inform the House that when this report was filed last week Tuesday, Honorable Judge Frances Tydingco-Gatewood mentioned that there was no policy makers present in the gallery in the court house. Mr. Speaker, our good colleague Ms. Janet Maratita was there all day long, I was present then I had to come back here to the office, I stayed approximately three or four hours. Therefore, yes we are very concerned about the fate of our NMI Retirement Fund. In that line Mr. Speaker, if you all review the reports submitted by Mr. Razzano to the court. First, allow me to take you all through my findings on the report because there are some errors made by Mr. Razzano when he filed this report to the court especially on page 1, second paragraph. My good colleagues from Tinian and Rota may be insulted by this report where it stated, “Saipan Constitution.” I have never heard of any Constitution established for Saipan alone, it should be “CNMI Constitution.” Second, on page 2, the second paragraph again, fourth line he stated “the People of Saipan,” that should be “the People of the CNMI.” Mr. Speaker, if this report is accurate, Mr. Razzano should know that under the DB Plan on page 7, line 4 the maximum benefit received by retirees is not 75%, it is 85% as allowed by Public Law 6-17, NMI Retirement Fund Act. Page 8, under the Additional Benefits, “In addition to the health and life insurance benefit, the Fund members may qualify for additional benefits: (i) Retirement bonus” has been repealed pursuant to either Public Law 11-15 or 11-115. Further on, page 9 ASC Trust Corporation, second paragraph. If you read the second paragraph to the last sentence, second and third paragraph it is quite disturbing Mr. Speaker and fellow colleagues because the ASC Trust Corporation refuses to be audited. We have family members, friends, who are members of the Defined Contribution Plan. Page 12, under the “Market Value of Fund Assets as of September 30, 2012” nothing, there is no such report. There is no mention of the fund assets. I apologize, my colleague on my left – my copy cannot see the Value of Fund Assets it is not showing on my copy. Anyhow Mr. Speaker, I would like to ask that we have another joint meeting with the Senate so that we may ask Mr. Razzano to do this report to us, Mr. Razzano is the Trustee Ad Litem. I think as soon as possible Mr. Speaker for us to have this meeting with the Senate because March 1 is just next year and it is very scary that a lot of our families, friends will ultimately lose their benefit on March 1, 2014. Thank you, Mr. Speaker.

DEPT./AGCY. COMM. 18-1: (1/17/13) From the NMI Retirement Fund Acting Administrator submitting copy of the *Trustee Ad Litem's* status report to the U.S. District Court.

Speaker Joseph P. Deleon Guerrero: Thank you, Chairman Taitano. I am not sure at this time whether the Senate has created a Special Committee on Retirement at this time. I suggest that you communicate with the Senate and maybe the Retirement issue could be with their JGO Committee and maybe both committees can call up Mr. Razzano and at least start with this report to ask the hard questions. And if they are not prepared, I suggest you do not wait Chairman Taitano, go ahead and call Mr. Razzano in, your committee does have that authority like you said time is very short so maybe you can start with that. Are there any other comments regarding item X, Communications from Departments and Agencies.

Several members voiced “ready”.

No discussions were made for the following Department and Agencies Communication.

DEPT./AGCY. COMM. 18-2: (1/15/13) From the State Board of Education informing of the election of its Board of Education Officers. [For info]

MISCELLANEOUS COMMUNICATIONS

Speaker Joseph P. Deleon Guerrero: Item XI, Miscellaneous Communications.

The Clerk announced that there were no Miscellaneous Communications.

REPORTS OF STANDING COMMITTEES

Speaker Joseph P. Deleon Guerrero: Item XII under Reports of Standing Committees.

The Clerk announced that there were no Reports of Standing Committees.

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

None

UNFINISHED BUSINESS

None

RESOLUTION CALENDAR

Speaker Joseph P. Deleon Guerrero: We will go on to item XV, Resolution Calendar. I think the Chair has placed House Resolution 18-3 on the Calendar. Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. With that Mr. Speaker, I would like to move for the adoption of House Resolution 18-3.

H. R. NO. 18-3

To recognize and congratulate Antenille Maratita Mendiola Santos for being selected as the 2012 Teacher of the Year for Dr. Rita H. Inos Jr./Sr. High School.

BY: REP. TERESITA A. SANTOS of Rota, Precinct 7 (*for herself*)

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: There is a motion to adopt House Resolution 18-3 it has been seconded, discussion?

Several members voiced “ready”.

There was no discussion and the motion to adopt House Resolution 18-3 was carried by voice vote. There was no nay vote.

BILL CALENDAR

Speaker Joseph P. Deleon Guerrero: We now move on to item XVI, Bill Calendar. I think we also have House Bill 18-3, this is Representative Villagomez's bill to strengthen penalties for sex crimes and domestic abuse. Floor Leader, can I get a motion?

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. We have only one for today. I would like to move for the passage of House Bill 18-3 on First and Final Reading.

H. B. NO. 18-3

To strengthen provisions regarding sex crimes and domestic violence by establishing minimum mandatory sentences for Sexual Assault and Sexual Abuse of a Minor, increasing the time-served component necessary for parole eligibility, and amending existing definitions to clarify provisions relating to sex crimes and domestic violence.

By: REP. EDMUND S. VILLAGOMEZ of Saipan, Precinct 3 (*for himself*)

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: There is a motion on the floor, it has been seconded, discussion? Representative Villagomez.

Representative Edmund S. Villagomez: Thank you, Mr. Speaker. Since we have a representative from the coalition against sexual and domestic violence in the gallery, I would like to have Maisie Tenorio come up and maybe enlighten the group as to the importance of this bill and the issue surrounding it. Thank you very much.

Speaker Joseph P. Deleon Guerrero: Thank you, Representative Villagomez. Floor Leader, if there are no objections from the members can I ask the Floor Leader to offer a motion to resolve into Committee of the Whole so we can allow Ms. Maisie Tenorio.

Several members voiced "no objection".

Speaker Joseph P. Deleon Guerrero: Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. If there is no objection I would like to ask the members if we can dissolve into Committee of the Whole to allow Ms. Tenorio to present.

Speaker Joseph P. Deleon Guerrero: That was a motion and it has been seconded, discussion?

Several members voiced "ready".

There were no discussion and the motion to dissolve into Committee of the Whole was carried by voice vote. There was no nay vote.

The House dissolved into Committee of the Whole at 10:43 a.m.

COMMITTEE OF THE WHOLE

The House reconvened in plenary session at 10:58 a.m.

Speaker Joseph P. Deleon Guerrero: Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. With that I would like to make a motion to move back into plenary session.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: There is a motion to go back into plenary session discussion.

Several members voiced “ready”.

There was no discussion and the motion to reconvene in plenary session was carried by voice vote. There was no nay vote.

Speaker Joseph P. Deleon Guerrero: We are on item XVI, Bill Calendar. We have one item on the Bill Calendar. Floor Leader.

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. For the passage on House Bill 18-3 on First and Final Reading, I move.

The motion was seconded.

Speaker Joseph P. Deleon Guerrero: There was a motion for the passage of House Bill 18-3, it has been seconded, discussion? Representative Santos.

Representative Teresita A. Santos: Thank you, Mr. Speaker. I supported this bill during the 17th Legislature and I will support it again. Earlier Representative Villagomez stated that comments including those comments cited by the Governor have been addressed. I would like to know why at least a brief Committee Report was not produced to ascertain that those comments have indeed been addressed. Thank you, Mr. Speaker.

Speaker Joseph P. Deleon Guerrero: Will the Chairman like to respond? I recognize Representative Villagomez.

Representative Edmund S. Villagomez: Thank you very much. The reason why I am pushing for this again is we do not want to reinvent the wheel. I have kept in touch with all the other organizations including the coalition and they had no concerns other than the technical stuff that the Legal Counsel and I have looked over and corrected and the only thing left was to include the Governor’s veto message, which we did include to further clarify and then some in this bill. So just to expedite the process and save time and also give more time for the JGO to act on other bills, thank you.

Representative Teresita A. Santos: Thank you, Mr. Speaker. So by the mere maybe revising the bills or adding the – whatever justification that needs to be justified – does that still allows for us to be passing a bill such as this in its self without necessarily having at least again a brief

Committee Report. I am afraid that by passing this today we are setting a precedent whereby we can always randomly select bills and put it on Calendar and passing it without necessarily having a committee report and that to me Mr. Speaker is a concern. Thank you.

Speaker Joseph P. Deleon Guerrero: So noted. As the Chair stated earlier, there are a few cases when members vote to allow bills that were previously adopted, but vetoed to be placed on the Calendar and this was on such case because it did pass both Houses and it did go to the Governor. The Governor did veto it because of technicalities; we have heard from the Chairman today that those technicalities have been addressed. I believe the testimony from Ms. Maisie Tenorio further confirmed that those in their review that those concerns have been addressed in this version and so we voted to put this on the Calendar and there is a motion on the floor now. So your concerns have been noted, further response Representative Villagomez.

Representative Edmund S. Villagomez: Yes, I just want to add the findings and purposes was really extended to note all those clarifications and all the recommendations and considerations that we have taken into consideration in regards to redrafting this bill for the 18th Legislature.

Speaker Joseph P. Deleon Guerrero: If no further comments with that there is a motion on the floor it has been seconded, no further discussions. Clerk, please call the roll.

The Clerk called the roll on the motion for the passage of House Bill 18-3 on First and Final Reading with the following results:

Representative Antonio R. Agulto	yes
Representative Anthony T. Benavente	yes
Representative Roman C. Benavente	yes
Representative George N. Camacho	yes
Representative Trenton B. Conner	yes
Representative Francisco S. Dela Cruz	yes
Representative Rafael S. Demapan	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Christopher D. Leon Guerrero	yes
Representative Janet Ulloa Maratita	yes
Representative Felicidad Taman Ogumoro	yes
Representative Antonio P. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Teresita A. Santos	yes
Representative Richard B. Seman	yes
Representative Mariano Taitano	yes
Representative Ramon A. Tebuteb	absent (<i>excused</i>)
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	yes
Speaker Joseph P. Deleon Guerrero	yes

Clerk: Mr. Speaker, all 19 members present voted “yes.”

Speaker Joseph P. Deleon Guerrero: Thank you, Clerk. With the vote of 19 “yes” the motion to adopt House Bill 18-3 passes the House.

Representative Edmund S. Villagomez: Thank you member.

Speaker Joseph P. Deleon Guerrero: That is the only item on Bill Calendar. Under Miscellaneous Business, is there anything so we can finish off before lunch?

Several members voiced “ready”.

MISCELLANEOUS BUSINESS

None

ANNOUNCEMENTS

Speaker Joseph P. Deleon Guerrero: Under Announcements, to all committee Chairs for those bills that have been referred to your committee, I ask that the Committee that was just appointed, the Special Committee on impeachment will be given the access to the chamber for their Committee meetings and so I ask the Chairmen to their consideration to hold off on acting on any of the bills until we can dispose of the Special Committee Report. With that if there is no other announcement, Representative Agulto.

Representative Antonio R. Agulto: Thank you, Mr. Speaker. Today at 3:30 p.m., I would like to invite my colleagues here to come down to support the Health Walk down at the Fishing Base and as well as the Staff. Mr. Speaker, thank you.

Speaker Joseph P. Deleon Guerrero: Thank you for that announcement. Each member has the authority and discretion over your staff. I also encourage every member to partake in that event. I believe in the Executive Branch, employees are being given Administrative Leave?

Representative Antonio R. Agulto: They are given one hour Administrative Leave provided that they go down there.

Speaker Joseph P. Deleon Guerrero: Yes, provided that they go down. With that if there are no other announcements, Floor Leader can we have a motion to adjourn subject to the call?

Floor Leader Rafael S. Demapan: Thank you, Mr. Speaker. Before I move to adjourn, let me just take time to acknowledge the freshmen first time legislators for their perfect attendance.

ADJOURNMENT

Floor Leader Rafael S. Demapan: With that I move to adjourn subject to the Call of the Chair.

The motion was seconded and carried by voice vote. There was no nay vote.

The House adjourned at 11:05 a.m.

Respectfully submitted,

/s/

Venetia A. Sanchez
House Journal Clerk

APPEARANCE OF LOCAL BILLS

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

SECOND LEGISLATIVE DAY: NONE

THIRD LEGISLATIVE DAY: NONE