

**HOUSE OF REPRESENTATIVES
NINTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
FOURTH REGULAR SESSION, 1995**

FOURTH DAY

Wednesday, September 27, 1995

The House of Representatives of the Ninth Northern Marianas Commonwealth Legislature, Fourth Day, Fourth Regular Session, 1995, was called to order on Wednesday, September 27, 1995, at 9:30 a.m. in the House Chamber, Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Diego T. Benavente, Speaker, presided.

A moment of silence was observed.

Speaker Benavente: Before we continue, I'd like at this time to recognize the presence of everyone in the gallery this morning. We thank you for taking the time to be with us in assisting us to make some hard decisions that we will be facing today. It is a major decision to include: the budget, tax amendment and of course the casino legislation. Buenas, si yu'us ma'ase para todos hamyo ni man prisenti pago na oga'an. Si yu'us ma'ase ni enyiti i tiempun miyo para tafan hita pago na oga'an ya ina'fan annok lokkue i posision i publiko, yan lokkue siña buenti in asisti ham fumatinas i dinanche siha na disision, espisiatmiente pago na session ni guaha siña ta alok tres na major na aktu, este pago i kongressu para u'entertain. Talo, si yu'us ma'ase para todos hamyo pot i finatton miyo pago na oga'an. Clerk, roll call please.

The Clerk called the roll. There were sixteen members present; Representative Ana Teregeyo was excused and Representative Vianney B. Hocog was absent (tardy).

Speaker Benavente: For the record, Representative Ana Teregeyo is ill and will not be able to attend this morning's session; therefore, she is excused from today's session.

ADOPTION OF JOURNALS

None

PREFILED AND INTRODUCTION OF BILLS

H.B. 9-472: "A Bill for an Act to make appropriations for the operations and activities of the Government of the Commonwealth of the Northern Mariana Islands, its agencies, instrumentalities and independent programs and to provide budget authority for Government Corporations for Fiscal Year 1996; and for other purposes."

Introduced by: Rep. Jesus T. Atiao

H.B. 9-473: "A Bill for an Act to regulate the disposal and recycling of lead-acid batteries and for other purposes."

Introduced by: Rep. Maria T. Peter and eleven others

Referred to: Committee on Public Utilities Transportation and Communications

H.B. NO. 9-474: "A Bill for an Act to prohibit the sale of products containing volatile solvents, nitrites and anesthetics to persons under the age of eighteen and for other purposes."

Introduced by: Rep. Maria T. Peter and eleven others

H.B. 9-475: "A Bill for an Act to authorize continuance of Government Health Insurance Coverage upon termination or resignation of employment; and for other purposes."

Introduced by: Rep. Vicente T. Attao and fourteen others

H.B. 9-476: "A Bill for an Act to amend the Commonwealth State Funeral Act; and for other purposes."

Introduced by: Rep. Vicente T. Attao and six others

Referred to: Committee on Judiciary and Governmental Operations

At the request of the Vice Speaker, House Bill No. 9-472 was placed on the Bill Calendar without objection.

The Chair recognized the presence of Rep. Vianney B. Hocog. The Chair then recognized Rep. Babauta.

Rep. Babauta: Can I request for a copy of House Bill No. 9-474.

Speaker Benavente: Clerk, please have a copy of House Bill No. 9-474 and the two bills introduced by Rep. Vicente Attao available for the members. Vice Speaker?

Vice Speaker Attao: Thank you, Mr. Speaker. Mr. Speaker, if there is no objection, I would like to place House Bill No. 9-474 on today's calendar for action.

Rep. Deleon Guerrero: Mr. Speaker, I do not know what is House Bill No. 9-474 and I ask that therefore ask that we have a copy so we know this bill is all about.

Speaker Benavente: For the members' information, we will be able to place these bills when we get to Bill Calendar of the Agenda. Since copies have not been distributed at this time, I would like to request that we wait until we get to the Bill Calendar and make the necessary request. Is that understood? (Pause) Thank you.

H. B. NO. 9-477: A Bill for an Act to amend 3 CMC Section 4437, subsection (e) and 3 CMC Section 4434, subsection (j).

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

Rep. Hofschneider: Mr. Speaker, this is an urgent bill and likewise, when we get down to the Bill Calendar I would like the indulgence of the House to consider it for First and Final Reading.

H. B. NO. 9-478: "A Bill for an Act to establish a CNMI Agricultural Emergency Revolving Trust Fund which will be administered by Trustees appointed by the Governor; and for other purposes."

Introduced by: Rep. Manuel A. Tenorio and seven others

Referred to : Committee on Natural Resources

H.B. 9-479: "A Bill for an Act to amend 9 CMC 5404 to prohibit the crossing of roadways and highways by pedestrians outside of crosswalks in unauthorized areas; and for other purposes."

Introduced by: Rep. Manuel A. Tenorio and two others
Referred to : Committee on Judiciary and Governmental Operations

H. B. NO. 9-480: "A Bill for an Act to repeal Public Law 9-22 in its entirety."

Introduced by: Rep. Manuel A. Tenorio and three others
Referred to : Committee on Ways and Means

H.B. 9-481: "A Bill for an Act to amend 4 CMC Division 1, Chapter 5, §1501(a)."

Introduced by: Rep. Ramon C. Dela Cruz and five others
Referred to : committee on Ways and Means

H.B. NO. 9-482: "A Bill for an Act to amend Title 4, Division 1, Chapter 7 of Public Law No. 9-22, the 1995 Tax Reform Act, to eliminate rebate forfeitures, avoid tax compliance disincentives and prevent unintended consequences of administrative provisions; and for other purposes."

Introduced by: Rep. Pete P. Reyes

PREFILED AND INTRODUCTION OF RESOLUTIONS

H.C.Res. No. 9-4: "A House Concurrent Resolution to approve revenues and resources of the Commonwealth of the Northern Mariana Islands, as identified by the Governor in compliance with Article II, Section 9(a) of the Constitution, as amended, and with 1 CMC Section 7201(c) for Fiscal Year 1996, beginning on October 1, 1995 and ending on September 30, 1996."

Introduced by: Rep. Jesus T. Attao

C.Res. No. 9-149: "A Commemorative Resolution to commemorate the passing of the late Daniel T. Borja, former Marine Scout."

Introduced by: Rep. Pete P. Reyes

H. J. R. NO. 9-27: "A House Joint Resolution to approve additional full time employees for the Department of Immigration and Labor."

Introduced by: Rep. Vicente T. Attao

MESSAGES FROM THE GOVERNOR

Gov. Comm. 9-488: Informing the House that he has signed House Bill No. 9-433, H.D.1 (Family Court Act of 1993) into Public Law 9-50.

Gov. Comm. 9-489: Informing the House that he has signed House Bill No. 9-444, H.D.2 (Government Employees' Credit Union Act of 1995) into Public Law 9-51.

Gov. Comm. 9-490: Certification for Public Health Physician (Medical Director).

Gov. Comm. 9-491: Extending State of Emergency for Water on Saipan.

Gov. Comm. 9-492: Enclosing a copy of Executive Order No. 95-1, Operations and Maintenance (O&M) Impact Assessments.

There was no discussion.

SENATE COMMUNICATIONS

Sen. Comm. 9-213: Returning without amendment H.J.R. 9-20 (To express full support for the Secretary of Health in his intention to approve extensions of all nonresident medical workers before the effective date of P.L. 9-45.) which was adopted by the Senate August 29, 1995. [To be engrossed]

Sen. Comm. 9-214: Returning without amendment H.J.R. 9-21 (To transfer the appropriations and FTE's of the Office of the Governor's Office on Rota to the Office of the Mayor) which was adopted by the Senate on August 29, 1995. [SEE Senate Comm. 9-232]

Sen. Comm. 9-215: Returning H.J.R. 9-22 (To approve the reprogramming of lapsed and other available public funds towards enumerated expenditures not included in P.L. 9-25; and for other purposes.) which was adopted by the Senate on August 29, 1995 in the form of H.J.R. 9-22, S.D.1. [For action on Senate amendment]

Sen. Comm. 9-216: Returning without amendment H.J.R. 9-23 (To earmark the \$11 million to be received by the Commonwealth in connection with probate of the estate of the late businessman Larry Hillblom to meet local matching requirements for Covenant Capital Improvement Funds) which was adopted by the Senate on August 29, 1995. [To be engrossed]

Sen. Comm. 9-217: Returning H.J.R. 9-24, H.D.1 (To urge the Governor to lift the freeze on government assisted medical referrals) which was adopted by the Senate on August 29, 1995 in the form of H.J.R. 9-24, HD2, SD1. [For action on Senate amendment]

Sen. Comm. 9-218: Returning without amendment H.B. 9-71, C.S.1, H.D.1 (Homestead Waiver Amendment) which was passed by the Senate on August 29, 1995. [Transmitted to the Governor 9/8/95]

Sen. Comm. 9-219: Returning without amendment H.B. 9-276 (Tinian Exemption Act of 1994) which was passed by the Senate August 29, 1995. [Will go to the Governor]

Sen. Comm. 9-220: Returning without amendment H.B. 9-404 (Right to Work At of 1995) which was passed by the Senate August 29, 1995. [For inf. -- P.L. 9-48]

Sen. Comm. 9-221: Returning without amendment H.B. 9-426 (Require bonus miles earned by government paid flights to be allocated to the Medical Referral Program) which was passed by the Senate August 29, 1995. [Transmitted to the Governor 9/8/95]

Sen. Comm. 9-222: Returning without amendment H.B. 9-433, H.D.1 (Family Court Act of 1995) which was passed by the Senate August 29, 1995. [Transmitted to the Governor 9/8/95]

Sen. Comm. 9-223: Returning without amendment H.B. 9-442 (Higher Education Act of 1995) which was passed by the Senate August 29, 1995. [Transmitted to the Governor 9/8/95]

Sen. Comm. 9-224: Returning without amendment H.B. 9-444, H.D.2 (Commonwealth Government Employees' Credit Union Act of 1995) which was passed by the Senate August 29, 1995. [Transmitted to the Governor 9/12/95]

Sen. Comm. 9-225: Returning without amendment House Bill No. 9-467 (Wage and Salary Review Board Act of 1995) which was passed by the Senate August 29, 1995. [For inf. - P.L. 9-50]

Sen. Comm. 9-226: Informing the House that the Senate accepted the House amendments to Senate Bill 9-67 (Victims Rights Act).

Sen. Comm. 9-227: Informing the House that the Senate accepted the House amendments to S.B. 9-145, SD1, (Adoption Act).

Sen. Comm. 9-228: Informing the House that the Senate accepted the House amendments to S.J.R. 9-24 (Governor's Reprogramming of funds).

Sen. Comm. 9-229: Transmitting Senate Bill No. 9-200, S.D.1, entitled, "A Bill for an Act to amend 3 CMC §1341 and §1342(a), (b) and (c) to establish the CNMI Special Scholarship Act of 1995 and for other purposes." [For action]

Sen. Comm. 9-230: Transmitting Senate Legislative Initiative No. 9-1, entitled, "A Senate Legislative Initiative to propose a constitutional amendment to authorize casino gambling in the Third Senatorial District pursuant to Article XVIII, Section 3 of the Commonwealth Constitution, establishing a Saipan Gaming Commission and providing for the regulation of commercial gaming in the Third Senatorial District," which was passed by the Senate on August 29, 1995. [For action]

Sen. Comm. 9-231: Senate appointment of Mr. Jose C. Ayuyu to the Advisory Commission on the compensation of government officials.

Sen. Comm. 9-232: Returning without amendment H.J.R. 9-21 (To transfer the appropriations and FTE's of the Office of the Governor's Office on Rota to the Office of the Mayor) which was adopted by the Senate on September 21, 1995. [To be engrossed]

Sen. Comm. 9-233: Returning H.B. 9-242 (CUC O & M Improvement Act of 1995) which was passed by the Senate on September 21, 1995, in the form of H.B. 9-242, SS1. [For action on Senate amendment]

Sen. Comm. 9-234: Returning H.B. 9-371, H.D.1, (Commonwealth Gaming Control Act.) which was passed by the Senate on September 21, 1995, in the form of H.B. 9-371, H.D.1, S.S.1. [For action on Senate amendment]

Sen. Comm. 9-235: Returning without amendment H.B. 9-421 (To name the House of Representatives Building of the NMI Commonwealth Legislature to as "Vice Speaker Jesus P. Mafnas Memorial Building".) which was passed by the Senate on September 25, 1995. [To be engrossed]

Sen. Comm. 9-236 Returning without amendment H.B. 9-412 (Two year additional grace period be given for recipients of homestead lots.) which was passed by the Senate on September 25, 1995. [To be engrossed]

Sen. Comm. 9-237: Returning without amendment H.B. 9-174, HD1, (To amend 2 CMC §4111 and §1222 in order to protect the public ownership of wetlands and submerged lands.) which was passed by the Senate on September 25, 1995. [To be engrossed]

Sen. Comm. 9-238: Returning without amendment H.B. 9-372, (To amend 9 CMC §5251(f) to delete the portion requiring the Commissioner of Public Safety to make regulations prior to erecting speed limit signs limiting the speed in an area.) which was passed by the Senate on September 25, 1995. [To be engrossed]

Sen. Comm. 9-239: Returning for your action H.B. 9-81, HD1, (To amend the Northern Marianas Retirement Fund Act of 1988.) which was passed by the Senate on September 25, 1995, in the form of H.B. 9-81, HD1, SD1, SS2. [For action on Senate amendments]

Sen. Comm. 9-240: Transmitting for action S.B. 9-209 (Special Constitutional Amendment Election Act of 1995.) which was passed by the Senate on September 25, 1995. [For action]

Sen. Comm. 9-241: Transmitting for action S.B. 9-194 (To amend Title 4, Division 1, Chapter 7 of Public Law 9-22, the 1995 Tax Reform Act.) which was passed by the Senate on September 25, 1995. [For action]

Sen. Comm. 9-242: Transmitting for action S.B. 9-192 (To restore the rebate trust account.) which was passed by the Senate on September 25, 1995. [For action]

Sen. Comm. 9-243: Transmitting for action S.B. 9-204 (To amend the Rota Agricultural Act.) which was passed by the Senate on September 25, 1995. [For action]

Sen. Comm. 9-244: Transmitting for action S.B. 9-191 (To amend 2 CMC, §4145 - public land exchanges.) which was passed by the Senate on September 25, 1995. [For action]

Sen. Comm. 9-245: Transmitting for action S.B. 9-189 (To repeal and reenact 8 CMC, §1101 regarding divorce.) which was passed by the Senate on September 25, 1995. [For action]

Sen. Comm. 9-246: Transmitting for action S.B. 9-178 (To amend 1 CMC §3709(a) to require that documents affecting interests in land filed with the Commonwealth Recorders Office.) which was passed by the Senate on September 25, 1995. [For action]

Sen. Comm. 9-247: Transmitting for action S.B. 9-177 (To amend 1 CMC §3706 to permit the filing of documents for recording with the Commonwealth Recorder at the Office of the Clerk of Court in the First and Second Senatorial Districts.) which was passed by the Senate on September 25, 1995. [For action]

Sen. Comm. 9-248: Transmitting for action S.B. 9-162 (To establish a Family Child Care Council.) which was passed by the Senate on September 25, 1995. [For action]

Sen. Comm. 9-249: Transmitting for action S.B. 9-108 (Informed Consent for Testing or Disclosure Act of 1994.) which was passed by the Senate on September 25, 1995. [For action]

Sen. Comm. 9-250: Transmitting for action S.B. 9-107 (HIV Infection, ARC, and AIDS confidentiality of Records and Information Act of 1994.) which was passed by the Senate on September 25, 1995. [For action]

Sen. Comm. 9-251: Transmitting for action S.J.R. 9-12 (To request the MPLC in conjunction with the PSS to set aside 50 hectares of public land on the island of Saipan.) which was passed by the Senate on September 21, 1995. [For action]

Sen. Comm. 9-252: Transmitting for action S.J.R. 9-11 (To request the MPLC to set aside public land on the islands of Saipan, Tinian, and Rota.) which was passed by the Senate on September 21, 1995. [For action]

Sen. Comm. 9-253: Transmitting for action S.J.R. 9-10 (To request the MPLC to set aside 10 hectares of public land on the islands of Saipan for use as a public cemetery.) which was passed by the Senate on September 21, 1995. [For action]

Sen. Comm. 9-254: Transmitting for action S.J.R. 9-9 (To request the MPLC to set aside 25 hectares of public land on the islands of Saipan.) which was passed by the Senate on September 21, 1995. [For action]

Sen. Comm. 9-255: Transmitting for action S.J.R. 9-5 (To establish a Joint Budget Committee pursuant to the Senate Rules.) which was passed by the Senate on September 25, 1995. [For action]

Sen. Comm. 9-256: Transmitting for action H.B. 9-165 (To provide for Child Care Leave in the Commonwealth.) which was passed by the Senate on September 25, 1995. [For action]

Sen. Comm. 9-257: Transmitting for action S.B. 9-9, SD1 (To amend 2 CMC Section 4303(a) to clarify the eligibility requirements for acquiring homestead land within the CNML.) which was passed by the Senate on September 25, 1995. [For action]

Sen. Comm. 9-258: Transmitting for action S.B. 9-163, SD1 (Child Day Care Facility Act of 1994.) which was passed by the Senate on September 25, 1995. [For action]

The Chair recognized the Minority Leader.

Rep. V. Attao: Mr. Speaker, I move that we place Senate Communication 9-230 on today's calendar for our consideration.

The motion was seconded.

Speaker Benavente: For clarification purposes, I would like the motion to first of all accept the Senate communications thereby placing them on the calendar and thereby making the necessary motions as to whether to refer it to the committee or to be placed on the calendar. Minority Leader?

Rep. V. Attao: Thank you, Mr. Speaker. I would like to move to accept Senate Communication No. 9-230 and also move it to place it on the calendar for our consideration.

The motion was seconded and carried by voice vote.

Speaker Benavente: With the adoption of the motion, Senate Legislative Initiative 9-1 is hereby placed on today's Bill Calendar. Minority Leader?

Rep. V. Attao: Thank you, Mr. Speaker. I would like to move that we refer to the committee Senate Communication 9-234.

The motion was seconded by several others.

Speaker Benavente: The motion would be to accept Senate Communication No. 9-234 and to refer House Bill No. 9-371, House Draft 1, Senate Substitute 1 to the committee. Discussion. Representative Palacios?

Rep. Palacios: I move to the previous question, Mr. Speaker.

The motion was seconded and carried by voice vote.

Speaker Benavente: With the adoption of that motion, House Bill No. 9-371, H.D.1, S.S.1 is hereby referred to the committee. Before we continue, I would like at this time to inform the people in the gallery that that action that we had just taken transmits the casino bill that the Senate passed to the committee. I will be referring it to the appropriate committee. One thing that I would like to say and that is, the general public will hear again from this house if it should be decided that it will be placed on the calendar. Representative Hofschneider?

Rep. Hofschneider: Mr. Speaker, malago yo' na un sedi -- maybe I am out of order in the discussion -- lao malago yo' na un sedi yanggen taya man object gi membru. Guaha dididi para baihu sangan pot este na cho'cho, Mr. Speaker. I aksion-ta pago, pagoha' ta aksesepta etyo i casino bill . . . ma move guatu gi komite para umadisidi ni komite hafa para u futunaña etyo na bill. Guiya este i casino ni ma pasa gi Sanhilo' na Guma. Mr. Speaker, i primet lugat guaha malabida. I malabida guaha kuestiona kao liggat. Liggat i kuestiona kao dinache bidan-niha i senadot, i gima i senadot pot machule un akto ni tinituhon-ña guine gi Sanpapa na Guma. Humanao hulo' etyo na akto i para uma haksa i presiun i taotao-hiyong yanggen man manaplika para u fan macho'cho guine, guiya etyo i permit. Ma haksa etyo na kantidan fee. Guaha kuestiona kao liggat na un chule otro akto ya un pega gi entalo dos na dihanan pan. I kuestiona kao dinanche na pan machule ya ma usa para u ma daggao halom i casino. Mr. Speaker, i segundo, hafa na para che'cho hinemhom? Yanggen guaha konsiensiatia na para ta fan manaligao salape basta ha ni agumento nai, Mr. Speaker. Pot taya salape, ma utot i medical referral. Taya salape, ma utot i scholarship. Taya salape para haksan sueddon i empliao-ta siha, famagu'on-ta, mañelu-ta. Mr. Speaker, yanggen fakto na chachaflik i gobiernamento, muña nai i che'cho hinemhom taimano i Senate bidaña. Ti guilayi na yanggen guaha akto tatkomu i casino na asunto para un na'na' ya un fagasi matamu ya un fagasi kanaimu gi otro taotao ni ignorante, ti manfitma guihe na akto. Kumeke ilek-hu cha'mu fagagasi i asunton casino ya para un chule etyo siha na los probres signature niha ya kulan mohon un daggao huyong gi publiko ya siha este umapaga i kritisisa, i inisao . . . Yanggen man fakto hit na mangai konsiensia-hit para ta protehi i mamoble, i manna'masi, i man inutit, man malaño, yan i famagu'on yanggen ti mana'e scholarship. Man madulalak gi eskuelan niha Amerika. Taya parentis-niha, taya parentela-niha guihe guato. Yanggen dilingkuente un simana i apartment, man madulalak i famagu'on. Lao ti enao rason ni para un cho'gue este i che'cho casino ni bidan-niha i senadot, i che'cho hinemhom. Planta huyong. Puru che'cho fabulas di chispas este. Puru che'cho hinemhom nai, Mr. Speaker. Hafa na man ma ilihe-hit guine?--Para un fama'desision. Munga ma chule un prohimo ya para un fagasi kanaimu yan matamu gi me'nan publiko pot este na asunto. Para un na'isao i ti manfitma? Difendi sa' mapo'lu hao guine gi gima i publiko para un representa i direchon-niha i publiko. Todo kosas ni ha fafana'hit guine, todo asunto guaha binabaña, guaha minaolekña. Etyogue na guaha pesadot lina'la. Yanggen asunton murat, guaha pesadot-ña i asunton murat, kao iniñgat i binabaña asunton murat na para un famatinas disision na munga i casino. Lao munga ma usa uno pat kuarto na prohimos ni ti man manfitma guihe na akto na para un fagasi mata-mu gi me'nan publiko na para un na' posipble inofresi-mu. Munga hit nui enao sa' ta dagin mamaisa hit guine. Enague na ti siña i publiko ha añgoku hit. Hafa na manaiguiguine hit guine? Hafa na guaha mina'anao-ta guine? Tapan affana' uno yan otro, tafa adingani, ta eksplikayi i publiko hafa para u masusedi yanggen ti un sapotta osino hafa para u masusedi yanggen un sapotta i casino. Lao ti enao i asunto pago ta fafana' na ma referi este na akto guato ki komite -- pot malabida. Aplacha' dimasiao bidan niha i senadot. Pot para u mana'posipble hafa na ofresimento, taya guaha ya u na'kesnuda un prohimo-mu? Dimasiao disatentu bidan niha i senadot kontra i publiko. Planta gi ginaggas ya un fatinas disision-mu gi ginaggas sa' ni uno

kumontra hao nui enao. Ma respeta yanggen un defendi i dinanche. Lao ni hago, ni prohimo-mu, ni publiko ti siña dinifendi hao yanggen mamatinas hao disision guine lache. Taya linache, taya inapplacha maolek guine gi hilo tano. Fan gaima'ase sa' bula famagu'on man e'ega'. Man ma'eshpos hit para i mangaokaolu'. Esta nahong pinadesin niha i manaina-ta. Munga pago na para hita ni man ma'eduka guine na pisun guma para ta na fannekun, i man masatpet. Pago ha' ta o'onra i manmatai gi gera. Pago ha' ta o'onra. Kada guaha matai . . . i mismo lugat para hita mismo para ta na' fanekun? Munga i che'cho hinemhom. Munga i che'cho malabida. Guaha dadalak-ña este i malabida na kumikililok ya mismo yanggen un isaogue i prohimo-mu, mismo hugandom-mu nui aplacha yan homhom maffatto ya hago para un aka' mismo dadalak-mu. Hafa taimanu ha difendi siha, Mr. Speaker, etyo siha i man macho'gue? Hafa rason-ña i senadot gi Sanhilo na Guma? Munga ma aligao pottan dikiki gi ligat na manera, pat i constitution ya para un alok na dikiki na potta, yaki didiki baihu fuetsas un sendankulo na buttu na un tungo ha' na ti omlat. Ti omlat etyo na akto guihe na akto ni ma usa. Apacha etyo na malabida, Mr. Speaker, ya ti dispensasion para ta diskuti guine kontra i aksion-niha i senadot. Ti siña enao ma konsidera sa lache. Planta gi me'nan i publiko, agang i publiko, eduka i publiko hafa bidada-ta, hafa murat-ña, hafa babaña yan hafa para u masusedi yanggen ti mangahulo hit guine gi siya-ta ya man manaligao hit fenkas. Guaha -- nichuka hanom ya mampos un gimen, ha nadanu tataotao-mu. Todo pine'lu guine -- etyo na ilelekña nai i manmafanaoguetta, munga mampos . . . munga mampos. Hita ha mu isaosaogue hit. Planta huyong gi publiko ya u alok i publiko -- u ma eduka i publiko sa seguru yo' na yanggen guaha edukasion pot este na asunto guaha inadahe. Guaha lai hame yan si Congressman Attao umentrudusi pot prostitution. Lao esta pago bula malapalacha nui bisnis gesnuda. Taigue i casino lao gaige etyo siha. Mr. Speaker, taya hu gagagao i munga hit enao i para ta -- pot man mana'e hit fuetsa guine para ta cho'gue i inaplacha gi hinemhom na manera. Maila ya ta eduka i publiko. Ma deserve. Ta didibi i publiko edukasion yan infotmasion ya ginen enao ni uno siña kumontra hao yanggen gasgas disision-mu, kao un sapopotta pat un kokontra. Lao munga enao i papa lamasa na klase. Si yu'us ma'ase.

Speaker Benavente: Antes di baihu rekognisa otro para u kuentos, malago yo' na baihu na klaru na hunggan ta sedi ya siña ha' manasedi hit na todo para ta fanguentos pot este na akto yan hafa masusedi. Gi magahet mohon -- pot i ha taya mas kumentos lao anai mafatinas i motion etyogue ni tafanguentos. Hu deseseha mohon guihe na biahe na yanggen nahong na eksplikasion yan nahong na kuentos yan nahong kinemprendeta na lache etyo na legislation na nisisario na ta nahanao guato gi kumite sa siña ha ta pega ya ta punu' ya u susuha. Baihu faisen ha i membrus pago pot fabot sa ta sedi, esta munhayan si Congressman Hofschneider para hu kuentos pot etyo na legislation. Yanggen para u ma diskuti i legislation pago, pues tana'para. Yanggen guaha para u mafatinas motion pues baihu entertain.

Rep. Palacios: Privilege.

Speaker Benavente: Under privilege, I recognize Representative Palacios.

Rep. Palacios: Mr. Speaker, I was one of the endorser of House Bill No. 9-371. And if you want to call that a tuna sandwich and somebody asked for an egg sandwich, the tuna went up to the Senate and instead they turned it into an egg sandwich, Mr. Speaker. I want to let the public know that that particular Bill 9-371 which includes me, Mr. Speaker, was not my bill. And my name appears on that.

Speaker Benavente: Etyogue na rason nai na yanggen ma diskuti etyo anai mafatinas i motion na ti nesisario na para u gasto talo mas tiempoña i House of Representatives ya u mafatinas ha' basta i motion ya u ma vote down ya u mana'suha gi me'na-ta.

Rep. Peter: Privilege, Mr. Speaker.

Speaker Benavente: I will recognize another privilege -- Representative Peter?

Rep. Peter: Si yu'us ma'ase, Mr. Speaker. Komu guahu uno mañgombida magi para u fanmatto este siha i manmembrun kominida ni man entrisao pot hafa pago ta diskukuti, malago yo' na un na'e este na pribilehu para baihu sangan dididi pot este i hafa man masusesedi guine.

Speaker Benavente: Without objection.

No one objected.

Rep. Peter: Si yu'us ma'ase. Malago yo' finenina na baihu na'e i membrun kominida ni mangaige guine dangkulu na si yu'us ma'ase yan agradesimento pot i finaton miyo. En yiti i tiempon miyo pot para en fanmatto guine ya enli'e haye guiya hame humonenesto gi hinanaoña mo'na para ta fan masetbe ki kareran mame guine gi lehislatibu gi anai un na'fanhalom ham para bai en che'gue enao. Anok ha' hafa na kuchinada ma cho'gue ni esta ma sangan. I aksion a'anok na baha este i casino sa estague na para u ma na'atok hinanaoña mo'na. Dangkulon prebasion este, manaina-hu, malelu-hu yan todo taotao CNMI. Yanggen mauleg este i casino, ti u taiguine kareraña este. Estague na para baihu na tungo hamyo -- ya hu gagagao na yanggen para u mama'e i komite, i komite hu huyong ya u agang i publiko ya ma eksplikaye i minalegña yan i binabaña. Lao este ha' baihu na saga gi hinasson miyo na komu lache yan homhom hinanaoña este gi kareraña ni ma bidaña i aksion ni ma cho'gue gi senadot, fanmanhongge publiko na baha este casino. Si yu'us ma'ase. Siña manhanao hamyo pago guato gi gima miyo ya en fandiskansa.

Rep. Reyes: Point of Order.

Speaker Benavente: Under Point of Order -- Representative Reyes?

Rep. Reyes: Mr. Speaker, in order for us to continue making statements on this, I would like to make a motion to recall the previous action by the House in placing the responsible bill in committee and put it back so that we can entertain this and place it on the calendar so that we can dispose of this nonsense from the Senate.

Seconded by Rep. Tenorio.

Speaker Benavente: There is a motion offered by Representative Reyes to reconsider our action with regards to Senate Communication No. 9-234. It has been seconded. The discussion now will be on the motion as offered by Representative Reyes. Representative Hofschneider?

Rep. Hofschneider: Thank you, Mr. Speaker. I thought I made it clear. Hinaso-ku na una'klaru. Yanggen ta punu' este pago, dokku ta'lo. Haya guine siña umalok na ahe ni u dokku. Dokku. Dokku talo. Maila ya ta na'funhayan. Maila ya ta refer guato gi komite ya u ma ina, ma planta gi me'nan publiko. Etyogue hu kekesangan. Sa dokku ha' talo este. Mentras ti un dishahale' nai i asunto, mañusu talo nai. Pues, Mr. Speaker, enague hu kekesangan, Mr. Speaker . . . na maila ya ta na'funhayan. Hafa na manma'anao hit? Dumokku talo este ya yanggen para ta na' para, maila ya ta planta mo'na gi me'nan i publiko. Thank you, Mr. Speaker.

The Chair recognized Rep. Santos under privilege.

Rep. Santos: Mr. Speaker, konfotme yo' nui etyo i ha rekomemenda si Representative Heinz Hofschneider pot uno na rason -- u hanao este guato gi komite ya u ma kondukta public hearing. U hanao magi este siha na kantidan taotao yan i publiko ya u masangan i posision niha ya hita debi di ta ekungok i mayoria i hafa i rekomendasion niha i publiko. Yanggen ti manmalago, ta tatiyi i dinisehan niha. Lao estague na oputunidat anai para ta hungok i posision i publiko yan i rason hafa na makokontra yan i rason hafa na mafaboreresi. Estague dangkulu na oputunidat este. Munga hit pago man manbota pot para ta fan mamuno pat hafa. Malago yo' na u guaha enao na hearing ya hu kombibida todo i publiko, todos siha i mu represente i indibiyuat pat gurupu, organization pat hafa. Guaho malago yo' uno na baihu fatachong guihe hulo yanggen un

sedi yo', Mr. Speaker, ya baihu ekungok, baihu famaisen opnion, baihu famaisen rekomendasion, ya maila ya u kuentos i publiko. Ta na'e este na chansa. Munga hit manmaminas disision pago ni para ta cho'gue hafa na aksion fuerra di para ta riferi este guato gi komite. I komite u estudia lokkue, u famatinas hearing ya u famatinas rekomendasion pues ni ta bota guine. Sa guahu uno baihu tatiye i minalago i publiko, lao maila ya tana'e chansa i publiko ni este na oportunidat.

Speaker Benavente: Reminder, again, to all the members -- let's not use the privilege motion to debate. Everyone has raised their hands, please allow me to recognize you when your time comes up. I would now like to recognize Representative Reyes.

Rep. Reyes: Mr. Speaker, colleagues, basta hit umensutta i publiko. Let's stop insulting the public. We have introduced legislation, we have heard the constitutional convention delegates --

Rep. Santos: Point of Order!

Speaker Benavente: Under Point of Order -- let me recognize the Point of Order.

Rep. Santos: Cha'mu famatitinas generalization na manmaninsusutta hit! Hago maninsusuta!

Rep. Reyes: Mr. Speaker --

Rep. Hocog: Point of Order, Mr. Speaker.

Rep. Reyes: Mr. Speaker --

Speaker Benavente: Point of Order.

Rep. Maratita: Privilege.

Speaker Benavente: Ti nisisario na ta fan a'esalaogue guine.

Rep. Santos: Mr. Speaker, ti yahu etyo na insinuation anai ilekña --

Rep. Reyes: May I continue?

Speaker Benavente: Order.

Rep. Santos: -- na hita manmaninsusuta. Ti man insusustta yo'.

Speaker Benavente: Representative Santos, ti nisisario na un esalao.

Rep. Hocog: Point of Order.

Rep. Reyes: May I continue, Mr. Speaker.

Speaker Benavente: Look, we need to get a hold of ourselves and maintain order. Under Point of Order, I recognize Representative Hocog.

Rep. Hocog: Mr. Speaker, there is a motion on the floor to recall House Bill No 9-371.

Speaker Benavente: We are under discussion at this time and it is on the motion.

Rep. Hocog: I move at this time to second that motion by Representative Reyes.

Speaker Benavente: That has been seconded and the discussion continues on the motion to reconsider our action. Representative Reyes, you may continue.

Rep. Reyes: Mr. Speaker, the issue of casino gambling is an issue that is of extreme interest to the general public. This has been proven in the past and that the general public has spoken -- they do not want casino gambling. They have spoken in the past when the slot machine was in operation in the Marianas. They have been very instrumental in pushing the elected official -- their people which they trust, people that they count on, people that they say is going to represent their best interest. Let's not fool around here. Let's stop personal interest. Let's stop supporting people that supports our position in the legislature. Let's support the general public. They have spoken -- they do not want casino. They do not want gambling in the Marianas because they have said to the Marianas people, to the elected official this is evil. It is evil. It causes family breakdown, it causes funding problem with children going to school because parents are going gambling and they are using the money that they should have given to their kids. If this is not around, there will be excess money for all these. Family relationships will go back to normal, to where it used to be where husband and wife are very . . . they have an extremely good relationship. Mr. Speaker, I move and urge my colleagues that please, let's place this on the calendar and allow the members here to vote on this crucial and unnecessary bill. Let's kill it now. Let's kill it now and if anyone wants to continue to try to put out another bill to insult the public, let them do it and let them answer to their action on November 4th. Thank you, Mr. Speaker.

Speaker Benavente: Before I recognize anyone else, I would also like to speak on the motion and I would like to ask Representative Hofschneider to please come up to the podium while I step down.

At this time, the Speaker stepped down and Representative Hofschneider, as Speaker Pro Tempore, chair the Floor.

Speaker Pro Tem Hofschneider: Recognized, Mr. Speaker.

Speaker Benavente: Mr. Speaker --

Rep. V. Attao: May I, Mr. Speaker, I have been raising my hand.

Speaker Benavente: I yield at this time.

Rep. V. Attao: No, I think there are several people before me. So may I ask for the congressmen--?

Speaker Pro Tem Hofschneider: I recognized the Minority Leader?

Rep. V. Attao: I move to end debate, Mr. Speaker.

Seconded by Rep. Palacios.

Speaker Benavente: Privilege.

Speaker Pro Tem Hofschneider: Before I recognize that motion -- the reason why the Speaker stepped down is simply because this is a healthy discussion. Ta rekognisa i indibiyuat ya hu sangan i pinitia. Ta fan a'respeta ya hu gagagao i Minority Leader na u reconsider ya ta allow talo. Lao baihu warn -- tan fan order.

Rep. Palacios: Under Point of Order, you are Out of Order, Mr. Speaker.

Rep. V. Attao: I move to recess, Mr. Speaker.

Speaker Benavente: Privilege.

Speaker Pro Tem Hofschneider: State your privilege.

Speaker Benavente: You may be able to not recognize the motion at this time and may recognize me at this time, Mr. Speaker.

Speaker Pro Tem Hofschneider: I so now recognize the Speaker.

Speaker Benavente: Thank you, Mr. Speaker. Thank you for the opportunity to speak. Mr. Speaker, i disisionta ni para tafatinas guine . . . etyo na malago yo' na ta diskute este i pot rason na ti pot casino na issue ha' lokkue guine. Komu guahu Speaker i House yan komu hamyo lokkue ni membrun i Sanpapa na Guma guaha – taimanu ha' hasangan si Congressman Hofschneider – kao dinanche etyo na fino' Chamorro lao malabida masusedi. I masusedi ma amut i aturidatña este na guma – i aturidat miyo – i aturidat na debi, ya i consitution ilelekña na este na guma ni u tituhon este siha na klasen i legislation. Tata aturidatña para u cho'gue este i Senate. Hafa na manlisto hit na para ta na'e enao na klasen aturidat, para ta sotta enao na klasen aturidat ni i constitution, i constitution ni ma disidi ni publiko, ma pega na para hita ta cho'gue enao. Gaigi ha i legal opinion esta na humuyong na achuka siña revenue generating etyo i uno na bill ni \$200 i filing fee, este otro este na revenue generating bill. Pues kumelelekña na yanggen guaha otro na revenue generating legislation, debi talo na para u tutuhon guine gi House of Representaives. Hafa taimanu na mangof listo hit na para ta sotta este na aturidat ni manmana'e hit nui publiko para ta susteni – Constitutional Authority – fuerra nui este. Pago ha' munhahayan i Minority Leader mamatinas motion na para ta place etyo i Senate Legislative Initiative ni para i publiko para u binota talo i casino gi November 4th. Hafa ta kekecho'gue. Guaha uno na motion esta ta aksepta na para ta sotta ya i publiko u dinisidi gi November 4th pues para ta kontinua ha' este ta'lo na disision ni para ta sedi i leyislatura na para u nafaloffan i casino guine gi guma kongressu pat guine gi leyislatura. Ilekhu na gof easy este yanggen esta ta disidi na para i publiko u dinisidi gi November 4th. Pues taya rason para ta gasta i tiempon i komite para u review este pat para tana'guaha public hearing guine magi, pot casino, pot etyo na bill i para ta pasa guine gi leyislatura. Debi na ta pega etyo na bill. Taya aturidatña etyo na bill na para u kontinua lumála'. Debi na na place gi floor ya debi na ta dispose. Si yu'us ma'ase.

Speaker Pro Tem Hofschneider: Minority Leader, before you end debate I would like to give the give privilege to the other members.

Rep. V. Attao: Thank you, Mr. Speaker. Mr. Speaker, guaha pago problemata pot fengkas salape. Todos ha' tomungo yan malago para ta kontinua etyo na programma i medical referral para todo manmalañgu na taotao-tano ni siña mana'fanhanao para otro bandan para ufanma'kubre problemaman-niha. Guaha lokkue problemata pot i scholarship. Bula famagu'on-ta mangaige gi eskuela ya ti chago yan pago siña ha' ti manrisibe salape pot rason na tinahong fengkas. Ta nisisita na ta apase -- guaha problemata pot bandan drugs -- illegal drugs -- lao taya salape ni para ta espiha chalan ni para ta kubre todo este siha na problema. Meggai problemata. Guaha posision-ta pot para ta roll-back i tax. Si Congressman Tenorio para u ma repeal i Public Law 9-22. Este siha na problema nai na ta a'atan na debi ta chule i mas mauleg na chalan ni para ta atan para i publiko. Hunggan ta pasa i para ta na'e i publiko na u disidi i casino. Casino enao -- full fledge casino. Ti ilelekña poker, pachinko, baccarat, hi-low yan twenty-one. Debi ta komprende, munga hit muna' fanlache i publiko. I full fledge casino ta papasa.

Speaker Benavente: Point of clarification, Mr. Speaker.

Speaker Pro Tem Hofschneider: State your point.

Speaker Benavente: Debi na tana' dinanche. Taya guaha gi halom i casino . . . enao nai i un sangan todo . . . enao ha' guaha gi halom i casino. Pues ahe, taya guaña nui etyo i mafanana'an mini-gaming establishment. I casino enao ha' i un sangan tododo: baccarat, hi-low – enao gaige gi halom i casino. Thank you.

Rep. V. Attao: Point of order, allow me to finish because if I continue, I will never finish it.

Speaker Pro Tem Hofschneider: Continue, Minoirty Leader.

Rep. V. Attao: It will probably take me three hours to finish it. Na'e yo' chansa ya baihu kuentos. Yanggen guaha tiempon miyo, chule tiempon miyo. Hafanelos, todos hit ha guine . . . basta hit man politika. Maila tana'guaha balabola sa enague na man lahe hit para ta disidi mauleg para i publiko. Estague . . . basta hit nui este na hugandu an gaige i publiko nai para ta fanburuka. Lao yanggen para ta na'e fondu, maburuka talo sa' taya salape. Manu guine impottante? Ti ilelekña na yanggen ta refer guato gi committee para u lãla' etyo. I komite para u disidi hafa para u cho'gue -- kao para una'guaha public hearing pat para u puno, pat hafa para u cho'gue. Siña ha maigo astaki i membrun kongressu ha chule halom talo enao gi propio na chalan. Basta hit man a'dagi. I mayoria debi di u ma disidi. Masangan na i publiko enaogue disisionña, man lache. Tinian dos biahe manmanbota referendum ya mapupuno ha'. Hafa otimoña pago?--Ma pasa no. Sa mali'e nai na mauleg para siha. Hafa na makontra hit pago guine gi House?--Sa ti manmalago na tana' guaha guine. Sa hafa?--I henifisio para guatto. Mauleg este. Maila ta fanfrãku ya basta hit ni mana'dagi. Maila ta espiha chalan hafa mas mauleg para ta na'guaha salape. Yanggen guaha gi publiko ha tuño mas chadek na chalan, pot fabot fanhalom ya en ayuda hame sa' makkat.

Rep. Reyes: Point of clarification.

Rep. V. Attao: Naña, fañgetto naya. Kao manmalago hamyo na bai en tax hamyo talo? Ilek-hu na ti enao malago miyo. Ilek-hu na malago miyo para en na'suffisente salape para nila'la miyo yan i famagu'on miyo. Estague impottante. Gof makkat kumongresu sa' bula interes manhahalom, lao i mas tatkilu ni manmabota hit nui publiku. Kao publiko este kinsi na taotao pat tres sientos.

Speaker Pro Tem Hofschneider: Minority Leader, I have to recognize the motion. I warn again -- Chairman Reyes, I will recognize your point of clarification to the piont.

Rep. Reyes: Yes, to the point. Ha mensiona i Minority Leader na i problemata fengkas. Mr. Speaker, taya problemata fengkas. Taya scholarship fund, taya medical referral fund sa' timalago i gobietno ha fondu este. Lao anai kumahulo i nisisidat para u ma fund i boti -- etyo i sports boat, fishing boat guaha salape. Estague na ilelek-hu taya nisisario na para ta fanmanpasa casino sa' guaha bula, suffisiente salape (Tape I-B) . . . (inaudible) . . . in fact money.

Speaker Pro Tem Hofschneider: The point is well taken.

Rep. Hocog: Privilege, Mr. Speaker.

Speaker Pro Tem Hofschneider: Continue, Minority Leader.

Rep. V. Attao: Thank you, Mr. Speaker.

Speaker Pro Tem Hofschneider: I will now recognize the Minority Leader -- and close up in two minutes.

Rep. Hocog: Privilege, Mr. Speaker.

Rep. V. Attao: There is a privilege, Mr. Speaker.

Speaker Pro Tem Hofschneider: Do you yield?

Rep. V. Attao: I yield the Floor, Mr. Speaker.

Speaker Pro Tem Hofschneider: Again, I will not allow and I will not entertain interruptions. He is closing up. I recognize Representative Hocog. Make it to the point and state your privilege.

Rep. Hocog: Mr. Speaker, under privilege, I think this is within the House Rules. I would just like to advise the members, Mr. Speaker, that there are three senatorial representations in this Chamber today. Before anything and anybody would move to end debate, I would like the opportunity to have the good representative from Tinian deliberate also on this measure, Mr. Speaker.

Speaker Pro Tem Hofschneider: So recognized.

Rep. Hocog: Thank you.

Speaker Pro Tem Hofschneider: Continue, Minority Leader.

Rep. V. Attao: Mr. Speaker, taiguihe ha' i ilelek-hu nai na guaha siha aksion na tafatinas esta gi manmalofan pot i disision publiko. Guaha na aksion ma kontra lao gi ottimoña ma apreba. Hita guine gi halom Kongressu, i prisisu i mas guine i para ta espiha i mayoria. Kao tres sientos na taotao nai mayoria? Debi di na chule este huyong ya tafaisen lökkue i taotao kao -- ta sangane, ta eksplikaye through i public hearing kao magahet na mauleg este na programma pat bâba. Ta fanmanespiha otro siha bândan taotao ni kao siña manhalom man manayuda umeksplikaye hit i binabâña yan i minaulegña. Meggai na taotao-ta, espisiatmente hita ni kongressu yan guaha lökkue gi sanhiyong i man scientist ha' gotpe. Ta tungo ha' lao ti ta tungo hafa science. Man scientist ha gotpe. Enaogue na dangkulon binenu i para ta sigi ta nachtetton gi tinanus publiko na bâba este. Lao yanggen ilekña, lao hafa nai para tahguenña, kao nahung pupulu, enaogue kakatneña -- kao siña hit ta difende. Si Congressman Tenorio esta para u punu' i Public Law 9-22. Manu i publiko, kao manlisto hit para ta fai'a (fire) tododo i taotao? Hafa para ta cho'gue nai ni taotao-ta. Guahu lökkue fabot yo' na u mapunu' i Public Law 9-22 sa i ekonomia, i bisnis debi di u la'la ya u supotta i kominida. Lao anai taya chalan ni para ta naguahaye i publiko, obligasionta enao i para ta espiha enao na chalan. Lao yanggen taigue nai . . . i publiko guenao na intension i para ta punu, ta punu', ta punu' ya taya munggi, munggi para u nala'la i otro banda, ilek-hu na lache enao. Ilekhu na i mas propio na chalan ya baihu sigi papa i u mana'e i komite ya guiya hu disidi. Parehu ha' i para ta disidi pago yan an tana'e i komite -- guiya ha'. Lao yanggen ta na'guaha, ta force i komite ya u kondukta public hearing ya u fanmakonne' tododo etyo i mangaige pago guine magi ya u fañguentos yan tododo lökkue i sumupopotta nai, enague i mas dinanche. Thank you, Mr. Speaker.

Rep. Manuel Tenorio: Privilege.

Rep. Babauta: Point of clarification.

Speaker Pro Tem Hofschneider: State your privilege, Representative Tenorio.

Rep. Manuel Tenorio: Mr. Speaker, for the record, I want to respond to the allegation. My name was mentioned.

Speaker Pro Tem Hofschneider: I will not recognize a response to --

Rep. Manuel Tenorio: Mr. Speaker, malago ha yo' lakkue kumentos pot este i discussion pago ni ta sasangan.

Speaker Pro Tem Hofschneider: I will allow you to discuss the issue before the Floor, but not on any comments mediating from the discussion. I recognize Representative Palacios.

Rep. Babauta: I made my point of clarification, Mr. Speaker.

Rep. Palacios: Do you want to entertain the Point of Clarificatin before I start, Mr. Speaker.

Speaker Pro Tem Hofschneider: Thank you. I recognize Representative Babauta. State your Point of Clarification.

Rep. Babauta: Si yu'us ma'ase, Mr. Speaker. Dinanche etyo i fino'mu gi lattaftaf pot este i Senate Communication 9-324 na antes ha' di ta disidi i fotunaña este na akto malago yo', Mr. Speaker, na yanggen para ta punu, ta punu pat u ma refer tatte gi komite. Yahu na baihu faisen i Chair, Mr. Speaker, ya pot fabot na halom ofisiatmente i rekuesta ya baihu mana'huyong i na'an-hu guihe na akto sa' ti sasaonao yo' guihe, Mr. Speaker. Ti saonao yo' tanpoku manfitma. Enao ha' para baihu na' klaru. Si yu'us ma'ase.

Speaker Pro Tem Hofschneider: Representative Palacios.

Rep. Palacios: Thank you, Mr. Speaker. I do believe that both sides have went ahead and delivered with their full intelligence and knowledge. If we were to continue this, we would be here until tonight, Mr. Speaker. The motion is only whether or not the House would reconsider our action on House Bill 9-371. This is going to get to a point where we would -- as good close brothers and sisters in this House, with the election coming up real soon, Mr. Speaker, it is going to cause bitterness in this House. We have all been working harmoniously. I think we should stick to the subject right now of whether or not we should reconsider our action. I therefore, Mr. Speaker, move to the previous question.

The motion was seconded.

Speaker Pro Tem Hofschneider: Before I recognize that, I want to again entertain some members here. I ask your indulgence to recall your motion so that --

Rep. Palacios: I am not hard to deal with, Mr. Speaker. I recall.

The Chair recognized Rep. Tenorio.

Rep. Manuel Tenorio: Thank you, Mr. Speaker, for the opportunity to deliberate on this. Si yu'us ma'ase. Mr. Speaker, ta tungo ha' esta este i asuntong gambling, okay. Ti nuebu este na ma diskute ya guaha sumangan guine na teniki ha' malakngos, maskiseha hafa ta cho'gue, tenikiha nai malakngos. Mangaige pago guine siha i publiko na man e'ekungok ya i motion i para u malakngos este na bill ya para u mana'e guatto i committee . . . Mr. Speaker, yanggen mauleg este na bill nai, hafa na rason na tisiña ta diskute guine gi floor. Bula man e'ekungok pago taotao. Ta tungo ha' na esta i taotao Saipan guine gi alacha ma vote down gi referendum ma vote down i casino gambling. Taya rason, Mr. Speaker, na ta upos etyo na oputtunidat para tana'e i taotao, i publiko ya siha u dinisidi este kao manmalago nui casino gambling ya ta eduka lakkue kabales. Taya este kao pot dammot pat ti dammot, Mr. Speaker. Estague guaha obligasion-ta . . . tana'e para u faninifekta ya siha u fanmamatinas disision intelihente. Ti siña un deny i publiko nui este na klasen pribilehu. Mr. Speaker, ti hu'egun bill ofkao este, bula maninafefeakta nui este. Taya direcho-ta guine gi kongresu manmamatinas ni este na klasen disision. En tingo ha' na esta ilek-niha guine gi alacha na munga siha. Hafa ma'anao miyo na tana'guaha public referendum? Hafa luhan mimiyo kao magahet na manmatai hit komu ti ta intrudusi casino

gambling agupa. Un mensionna pot etyo i public law. Mr. Speaker, ta atan pago gi me'nata para ta address este i \$230 million na budget. Dos sientos trenta miyon na budget ta a'atan. Ni un sentimos guine ma identify pot casino. Ya hafa na rason na para ta sigi ha' chumonnek este casino ni esta a'anok ha' na from \$190 million last year, \$230 million pago na year. Hafa na rason? Ta faisen i gobietno manu guine casino--taya! Kumeke ilekña, Mr. Speaker, na guaha salape. Dinadanche ha' si Congressman Reyes -- guaha salape sa' yanggen guaha para u mafahan, malakngos. Ma apase esta etyo i Tinian na tano. Ma apase i PSS. Hafa talo na boti yan hafkao siha man machocho'gue. Che'cho politika este nai. Yanggen ilekmu pot politika nai, estigue man polilitika i manmasatsatpet pago i medical referral yan i scholarship, pot rason na guaha agenda na para u mana'halom i casino gambling. Esta pago, Mr. Speaker, taya yo' ni manli'e analysis casino na kuantu miyon para u na'halom guine giya Marianas. Ni un biahe ni todo i tinaitai-hu. Taya mamatitinas analysis na yanggen guaha casino gambling guine giya Marianas, giya Saipan u na'halom este na kandidan salape. Tinian fina'an man broke. Guaha casino gambling Tinian pago. Fanhanao ya en fanhungando giya Tinian yanggen enao malago miyo. Ta fafaisen Tinian . . . manmongge? Hafa nai, Mr. Speaker . . . Ma mensionña pot etyo i tax . . . guahu nai ti man bota yo' gi Public Law 9-22 sa' ti manhongge yo' na para uma push guato giya i legislature iyon-niha agenda ya mana'guaha etyo na tax. Enaogue para baihu fana' lao pot fabot, Mr. Speaker, na'e i publiko ni direchon niha ya u ma public referendum este ya u guaha kabales na edukasion para siha ya yanggen ha bota "yes" ya ta pass guine giya Saipan pues so be it. Enao ha' hu gagagao, Mr. Speaker. Thank you. (Applause from the audience)

The Chair recognized Rep. Peter.

Rep. Peter: Si yu'us ma'ase, Mr. Speaker. Guahu uno, malago yo' na en tingo todos hamyo ni mangaige guine na taya ni hu hungok gi hiyong este na guma na mauleg casino. Haye ha' asotda-hu gi hiyong este i lehislatibu desde kuantos años tatte, taya na hu hungok na mauleg casino -- outside of this legislature building. Tododo asotda-hu, ya ti mandadagi yo', hita ha' yan hita ha' guine mana'asangane na mauleg i casino. Atyo na ti hu tungo taimanu na para tana'e tatte i publiko para u mabota talo. Kuantu biahe yan hafa taimanu na para ta sangan na taya balin niha este siha i mangaige guine pot makontra casino. Na' ma'ase, na' pinite este i para ta sangan na ti mayoria pat hafa. Mangaige este siha guine sa' ma kokontra. Mannungge i mafabobot i casino na manague guine para u fanguentos na para u manali'e hit na mangaige. Este baihu sangane hamyo na i publiko ni manhahame ya ni un biahe ni hu hungok na mauleg i casino. Taimanu ha' i ma sangan na guaha salape lao i priority guine taya. Gigon ha' guaha malago-ta chispas ha' i salape gi me'nata. Manmatai esta taotao sa' taya referral. Manmama'saisai'antis hit nai sa' taya ni tana'klaruyi i publiko hafa minaulegña este yan hafa binahaña. I komision hu gagagao desde anai taigue yo' guine, desde anai mangaige ham -- desde 1980's este -- na u guaha komision desde anai malakngos este i casino na issue pot para u na'fanriku hit ya u fanmamuno' yan u dangkulu murat na problema. Taimanu ha' i ilekmiyo na guaha pat taya, u guaha murat. Otro este na issue. Baihu sangane hamyo na desde i etyo i early '80's man mamaisen ham ni gurupon famalao'an na u guaha komision ya u maestudiaye ya u mana'e i publiko ya u manafangomprende i publiko hafa minaulegña yan hafa binahaña despues etyo na u mabota. Siempre ha' i taotao manmama'sai'antis yanggen taya tiningo niha. Este ha' haihu sangan na hita ha' guine sumasangan na mauleg i casino. Malago yo' otro biahe na u fanmatto i manmanhongge na mauleg i casino gi otro na dinanñaña'ta yanggen para u guaha talo este na issue ya munga na para ta sangan na i mangaige guine na taya balin niha sinenten niha sa mangaige este siha na taotao guine sa' guaha sinenten niha gi famagu'on-niha yan i famangu'on famagu'on-niha. Si yu'us ma'ase, Mr. Speaker.

Rep. Santos: Privilege, Mr. Speaker.

Speaker Pro Tem Hofschneider: State your privilege.

Rep. Santos: Mr. Speaker, pot ottimo ha' este ha' baihu sangan -- maila ya tana'e oputunilat i publiko gi public hearing ya u masangan hafa malago niha ya ta tattiye i mayoria na dinesehan i publiko. Mampos ana'puti yo' este para baihu --

Speaker Pro Tem Hofschneider: Representative Santos, I will not allow the use of privilege to debate. You are debating and I will --

Rep. Santos: I am wrapping up, Mr. Speaker.

Speaker Pro Tem Hofschneider: Do so in 30 seconds.

Rep. Santos: Hana' puti yo', Mr. Speaker, este anai si Representative Reyes yan si Representative Peter masangan todo i binaban i gambling ya siha i dos umesponsor i pachinko slot machine. Authors este i dos gi pachino slot machine ya gambling este mañelu-hu yan manaina-hu. Mr. Speaker, este ha'.

Rep. Reyes: Mr. Speaker, point of clarification.

Speaker Pro Tem Hofschneider: Again, I would rather that you raise your hand to debate not use any motions in the House Rule. Again, I advise that I will not allow the usage of privilege or point of clarification to debate.

Rep. Reyes: Mr. Speaker, again I would like to be recognized.

Speaker Pro Tem Hofschneider: I recognize Representative Reyes.

Rep. Reyes: Mr. Speaker, anai humuyong nai i pachinko yan i slot machine na issue ha sangangane i gobietno magi i legislatura na taya salape para i scholarship ya mamopodung ha taotao-ta ya man mamatai sa' tisiña mana'fanhanao sa ilekña taya salape. Ilekña i gobietno na taya lokkue salape para i scholarship, Mr. Speaker. Etyo na rason na tumogi yo' ya hu supotta etyo sa' pot para tana' guaha i scholarship salapeña pot para tana' fanhanao i taotao-ta para u fanma'amte sa' man na'ma'ase. Despues na hu tutungo na ha dagi hit tododo, mandinagi i publiko, ha dagi hame todo guine. Ilekña i gobietno na taya salape . . . guaha salape para si David Cahn, guaha salape para si Kilili -- si Jesus, si haye na'anña etyo i patgon -- guaha salape para i boti, etyo i sports fishing boat, para guaha umaestudia -- hekkua hafa para uma'estudia kao maulegña etyo i para uma'estudia -- u ma estudiaye i tasi pat para umanafanhanao i taotao-ta ufanma'amte sa' manmamatai! Komu guaha taotao-ta esta matai haye para ta blame! Haye para uma apunta! Estague siha nai na taotaogues i mangaokaulu hulo guine gi halom puetton kongresu ya sigi masangan na mauleg i casino! Etyogue para ta apunta. Haye para ta blame gi taotao-ta yanggen ti manhanao?--Estague siha na taotao! Sa hafa?!--Sa manasesetbe dos programman i mas prisisu gi tano-ta. Programman i tradition, culture este na programma. Ti siña i famaguon-ta maeskuela sa' man ma amot ni salape niha. Sa hafa?--Sa pot para u mapasa i casino gambling. Estague na kuchinada! Kichinu sa ha dadagi hit. Ha dagi hamyo, ha dagi ham. Pot atyo na rason piniti yo' ni taotao-ta na para u fanhanao ya u fanma'amte. Pot atyo na rason na komu en atan enao na bill sientto pot sientto humahanao guato gi medical referral; sientto pot sientto humahanao guato gi scholarship. Only for that reason that I supported it because the governor lied to the public! The governor lied to us and here in this Chamber we have people that are still lying to the public! One that you just heard. People and colleagues, please understand that whenever that administration publicly come out and say we do not have any money, we tend to believe that, we tend to believe that and our heart goes out to our people who are sick. Whenever I receive a telephone call, Mr. Speaker, saying, Congressman, my brother is sick. I need to send my brother on medical referral because he is going to die if I don't. I do not want the hospital to send the people that are terminally ill, that are going to die when they are referred. I want people to go so that their lives can be saved. There is no price for human life. No price. And folks, I did not vote on the tax increase because I believe there is money, and I am

proving now that there is money. The reason why we do not have money for scholarship and for medical referral is simply because they want to put that as hostage to force your representatives, the people that should have in their heart your interests. I have no interest in casino! I do not own any business. I do not know anybody that runs casino. I do not associate with people that -- in fact, I do not even go out at nights to bars because I do not want to have any appearance of impropriety.

Speaker Pro Tem Hofschneider: Representative Reyes, please close.

Rep. Reyes: Mr. Speaker, I just want to tell our people that it is time. The time is now to let our people, the general public, decide on a referendum if they want or they do not want casinos. It is time now for us to show these people, the general public, how we vote on this bill because we are elected into this office to represent their interests. And if we do have their interests in our heart then it will show today, in this chamber, on the way we vote. Thank you, Mr. Speaker.

Rep. Palacios: Point of Clarification, Mr. Speaker.

Speaker Pro Tem Hofschneider: State your point.

Rep. Palacios: I did not want to interrupt Congressman Reyes when he was deliberating, but I would like the record to clear whether I am included in the members of the Legislature that are lying.

Rep. Reyes: No, Mr. Speaker, he is not. Congressman Palacios has been very supportive in the interest of the public, Mr. Speaker.

The Chair recognized the Vice Speaker.

Vice Speaker Attao: Thank you, Mr. Speaker. Mr. Speaker, bula siha manmasangan ya parehu ha' minauleg yan binaba. Guaho uno, Mr. Speaker, manhongge yo' gi hilo tano na yanggen un akto un fitma, tumotogi hao gi dos adengmu. I masusesde gi Senate anai ma sandwich etyo i bill i "nonresident workers fee increase" guato gi "casino," guahu uno, Mr. Speaker, ti manfitma yo' nui enao lao manna'ma'ase etyo i man manfitma. Manmapega na'an-niha halom ni timalago niha. Enague uno debi tana' komprede lakkue i senadot na u guaha respetu ni bandan akto ni mana'hanao hulo gi Senate. Yanggen malago i senadot na u mapasa i casino gambling, u pasa gi dinanche na manera. I mapos tres session na tiempo, ma reject i casino gambling. I segundo, ma sandwich i casino gambling. Ilek-hu, Mr. Speaker, na ti fair para i House members ni man manfitma gi etyo na akto i taya iyon-na relationship yan i casino. Lakkue ma mensionna pago pot i manfitma gi bandan i pachinko machine -- Mr. Speaker, gaige ha i record anai ma substitute etyo na bill. Guaha ti manfitma gi etyo na bill lao humalom anai ma substitute. Pues yahu lakkue na umakomprede ya ugargas i record na guaha guine na timanfitma i membru lao humalom pot i guaha substitution. Estague yahu na umakomprede ya umana'klaru gi publiko. Munga ma pega i na'an taotao halom yanggen ti malago. Ya hu gagago kinemprenden miyo todos na yanggen timalago i membru na hu halom gi halom etyo na akto, pot fabot lakngos na'anña -- kao i committee report ni para unlakngos pat manu ni para unlakngos sa' isao yan gimagahet, ti fair para i membru. Uno lakkue, Mr. Speaker, pot i esta ma pass i motion ni para uma refer guato i casino gaming bill gi komite, Mr. Speaker -- yan haye para u kinatga etyo na chairman -- pot fabot, hugagago na ti este ha gi halom i chamber na uguaha public hearing. Malago na umakondakta gi kada village kosake siña i publiko manma'eduka kabales hafa minaulegña yan hafa binabaña. Entingo ha' na gi mina' ocho na kongressu ta pasa i prostitution bill para tana' parra i prostitution . . . lao baihu sangane hamyo, mas bula prostitution pago ki anai ti mapapasa i lai. Estague yahu an enkomprede -- na bulaña prostitution pago ki anai ti mapapasa i lai. Pues yahu na enkomprede ya yahu lakkue i komiten eyto i para u handle este i gaming bill na umana'fantunas mo'na, u ma fan eduka i publikogi kada village kosake siña guaha sanu na disision para umakomprede yan lakkue i umasupotta pat ti umasupotta. Guaha un mes

imedia desde pago para umafatinas disision gi atyo i amendment i constitution pot bandan casino. Lao ti mafatto este na tiempo. Yahu yanggen para ukondukta i komite i public hearing, yahu na uhuyong gi kada village giya Saipan ya umakondukta ya umali'e kao magabet na mafabobot i casino pat ahe. Este ha' ni siña, Mr. Speaker, mana'komprende hit, mana'komprende yan i publiko. Na'e ya siha u disidi. Enoa ha', si yu'us ma'ase.

The Chair recognized Rep. Deleon Guerrero.

Rep. Deleon Guerrero: Si yu'us ma'ase, Mr. Speaker. Kulan atman ni huhatsa lokkue hulo i kanaihu lao senenbatgo, latmegai esta manmadiskuti mo'na ginen este na akto, Mr. Speaker. Tumaigue yo' guihe na tiempo anai ma introdusi este na bill i 9-371 ya anai hu a'atan i iyonña content, hungan hulipara na i mañelu-ta ni manmanfitma guine na akto nai humalom na guaha direchon niha para umakobla tatte i hafa mafitma yan hafa ma polu halom gi halom i akto ni ti direcho. Guiya etyo i ilelekmu na che'cho kuchinada. Umatulaika hafa gimagahet fundamentonña eyto na akto anai ma'introdusi guine ya matulaika gi Sanhilo na Guma'. Humahlom yo' na guaha direchon niha para uma'aligao este. I otro, Mr. Speaker, malago ha' yo' lokkue baihu air i iyoku concern na mampos gimagahet na puti este i talili'e este siha i mañelu-ta. Dididi ha' este i para baihu sangan, ti yahu na baihu sigi ha' muripiti lao gi kinemprendekhu mampos hit man latga, i gobietno-ta mampos latga. I mantinsion ilekhu na manhahong hit mantinsion, lao guiya este gi halom guma' etyo i yanggen mit ungagana para unkannu' balin mit kinientos pat balin dos mit. Dispidisiu gimagahet. Anai mankampen hit ta sangan pot gaston gobietno pat tana'latdikiki i gobietno, i gobietno-ta mas dumadangkulo. Hu komprende na i publiko dumadangkulo gi populasion lao debi di tafan conservative. Ta fan nahong ni mantinsion-ta. Estague nilachiña i ma pega este i referral yan i scholarship pot este i casino. Si yu'us ma'ase.

The Chair recognized Rep. Sablan.

Rep. Sablan: Thank you, Mr. Speaker. Mr. Speaker, annok na mampos controversial este na issue i casino ya it comes to a point na guaha na biahe na kume-emotional. Malago yo' manufrese, Mr. Speaker, another way of looking at this thing. Mr. Speaker, manhongge yo' guine gi informed decisions. Malago yo' na baihu tungo atyo siha i kuestionna ni: what, where, how, why, who? Todo enao siha, Mr. Speaker, na kuestiona debi di ufanma'oppe. Mampos pago i kuestiona i action i Senate nui etyo i -- How did it materialize este i casino legislation, substituting or sandwiching, etyo ma'a'alok i 9-371, which is the labor bill, ya mana'halom este i casino pago. Hunggan dankulo na kuestiona enao ya bula maninafekta. Hita lokkue guine gi Sanpapa na Guma ha afekta hit. Sa hafa?--Manmanpasa hit akto, humano hulo gi senadot ya humuyong etyo i manman-sign yan etyo i mabota na akto ti guiya etyo i ha bira gue tatte gi guma'ta guine gi Sanpapa na Guma. Enague na kuestiona i, "How did it come about?" is a big question. Lao i kuestiona lokkue ni debi di ta attan is, what? Etyo i "what" i legislation pot casino. Atman tiempo, Mr. Speaker, di tadibati. Ti este ha' na lehislatura. Hagas ha' este na issue i casino, ilekhu na desde First Legislature este humuyong. Ya mañelu-hu yan mañaina-hu asta pago ti manmafakpo hit. Sigi ha' di tadibate, sigi ha' di ta alok na polu ya i publiko u diniside, lao sigi ha' lokkue di ma chonnek gi guma kongresista. Ya pago guine gi Ninth Legislature, Mr. Speaker, annok na kontodo i gobietnamento, i administrasion tanpoku, ilelekh masupotta ni este pot rason na guaha nili'e niha na fondu problemata ya hafafaisen i leyislatura kao siña hapessa ya ha'attan hafa minaulegña yan hafa taimanu na siña tana'mas mauleg este na klasen legislation i para u address siha i problemata gi presente. Guahu i iyok-hu question i kao manman-afford i taotao-ta oputunidat para uma'attan este na bill ni mapasa gi legislature. Kuantu gi taotao-ta uma'tan? Sa' ombres guahu ha tulaika ha' yo' anai manhalom atyo siha na concerns ni atyo i concern yo' lokkue like, medical referral, scholarship, 5% subsidy on utilities. Ya guaha lokkue bula listaku ni para baihu na halom yanggen siakasu para umapasa. Ya fanhongge mañelu-hu yan mañaina-hu na baihu na'halom listaku lokkue. Lao attan fan? Yan en attan ya enkonsidera sa' bula nisisidatta. Sigi hit ha' manesalao pot medical referral . . . manmamatai. Sa ombres segroku hu nahanao gi last two weeks ago para Hawaii. Manmangasta

ham ni familia sa' taya medical referral. Hu'u sa ti man mamadedesi ham lakkue? Mamadedesi yo' lakkue sa' mangasta yo' para baihu na'hanao segroku sa' malañgu. Pues manparehu ha', manparehu ha' sinentetta yan hafa nisisidatta. Ya thank God na siña enapase – lao etyo i ti ana'siña? Mauleg si Ben Songsong, bula famagu'onña ya mandanña' ham, ya enna'danña resources mame ya enna'gupu si segroku. Lao para etyo i na'mase, hafa para ta cho'gue? Pues anai guaha solution gi me'namu, polu ya i publiko lakkue u dinisidi sa ti makpo ha guenao gi komite. Hagas ha' este na issue ya asta pago mangagaige hit ha' guenao. Mr. Speaker, hugagagao i publiko -- pot fabot attan naya ya entaitai etyo pues fanmatto magi ya ensangane ham na, Ben, na lathalom mas ta'lo gueno sa puede mauleg. Lao baihu sangane hamyo, mañelu-hu yan mañaina-hu este na bill pago ombres guahu hatulaika yo'. Gi finenina fifty-fifty pago siña ha sixty-forty. Sa hafa?--Hu li'e medical referral, hu li'e scholarship, hu li'e five cents per kilowatt para un apase gi utilidat taotao-ta. Ya yahu na baihu na'halom lakkue etyo i government insurance -- hu sangangane este i mangachong hu -- na yanggen government employee hao ya pumara hao ya malago hao macho'chu gi private sector ukontinua iyommu government insurance, yan ta'lo siha lista. Baihu na anakuku na lista esta ki mapasa i casino lao me'nan -- mañelu-hu yan mañaina-hu -- para hamyo. An esta enao malago niha para umapasa i casino, pues pasa i casino lao na'halom todo para i publiko. Enague, ya hamyo endisidi dispues kao mauleg pat baha. Lao etyo i para ta'alok ha' na baba ya ti talili'e hafa sanhalomña, enague na in entrega ham nui enao na posision. En na'e ham nai enao na oputunidat para bai en fanhalom guine para pachut miyo, talangan miyo, mattan miyo. Pues na'e ham oputunidat lakkue. Yan hamyo ni manga'chong-hu, ta komprende ha' na guaha na biahe i meeting of minds ti gof parehu, ti mana'ali'e hit matta yan matta gi issues. Lao manparehu hit ha manma ilihe ya guaha lakkue iyokku constituents na para baihu report yo' ya munga na guahu despues baihu magalulute sa' hafa na un a'lok ha "no" ni ti un dibina, ni ti unpesa ya ti unchagi manu ni para unpupekta atyo na dokumento, na unna'halom hafa malago-mu ni para u address benefisio para i publiko. Yanggen hago atyo i konsressun "no" ha, kada hafa "no", pues basta. Maulegña hago un basta. Na guaha "yes" lakkue yanggen para minauleg ya ta chagi. Todo ha' guine manmenhalom. Mankabiloso este kongressu miyo, na fanhanidosu hamyo. Lao maila ya ta dititmina hafa minaulegña yan binabaña, yan en presenta huyong gi publiko ya hago na representante un togi ya un alok, tumogi yo' gi dos patas-hu ya guaha balabola-hu lakkue ni manbota yo' hafa minauleg para gaige gi publiko. Thank you. Mr. Speaker. Ya hu gagagao pinasensian-miho, mañelu-hu yan mañaina-hu.

The Chair recognized the Minority Leader for the second time.

Rep. V. Attao: Thank you, Mr. Speaker. Yahu na baihu kontinua atyo i statement ni hafatinas si Ben. Hafañelos, ti hutungo kao guaha kopian miyo nui este i pripositun lai. Maila ya baihu eksplikaye hamyo dididi. Guaha guine mana'halom siha programma na para hafa na tafanluhan ni kongressu ni kao ti para umana'e salape. Ma garentiha kada sakan yanggen mapasa este na lai para i medical referral, para i scholarship, para i school lunch program ni meggai giya hamyo manmanapapase; lakkue, para i manhoben, programma yan setbisio; para i manamko, programma yan sethision; yan para lakkue health yan mental program, para guato gi Karidat. Yan lakkue hafañelos guaha pago na binenon ammot, i "ice" -- i mas klaru yan mas dañu pago ni guaha giya Marianas. Para u guaha salape para u mana'e enao na programma ya u ma korihi yanggen siña yan lakkue sinko pot sientu pot un peso humahanao guato para u inayuda i mañaina, mañelu-ta, i mandreñion guma. Gi este lakkue hafañelos, guaha lakkue dose miyon kinientos pesos na yanggen matto guenao na tiempo, matto enao na salape ya sinitifika ni Sekretarian i Finance ha roll back gue i tax . . . guaha siha propositu ni para u roll back i tax. Estague para u inayuda i kominidat businis. Lakkue hafañelos, para u guaha training program -- programma ni para u fanmafana'gue i famagu'on-ta, mañelu-ta, ya i ayudanten enao na programma man masuesuetdu ha' ya yanggen siakasu na munhayan i programma siempre ma chule' i posision ni mankualifikao. I menus lakkue gi apas, sais pesos gi ora -- ti u menus gi sais pesos. Estague hafañelos i bill. Tres ha' este na attikulu pat kuarto sa' ha chule' halom i pachinko slot machine -- i baccarat, i hi-low, yan i twenty-one. Pago guaha gambling lao hekkua hafa na mañiguekuentos-hit pot gambling . . . lao esta guaha pachinko yan poker -- i mas dañu,

hafañelos, ni a'attan i para u gaige ta'lo este i poker gi me'nan guma-mu ha', gi me'nan kumonmu. Gi kada humuyong hao, humalom hao, parehu ha manrissibe hao programman federat pat hafa na programma ni para u inayuda i familia. I salape ni unchuchule', un dadaggao halom gi makina. Estague hafañelos, na malago yo' . . . yan lakkue guaha guine kuestiona pot legat kao magahet na propio na para u ma tulaika i propositun aktun lai ni gaige gi House Bill No. 9-371 ni para u hatsa, para unaguaha etyo i complaint fee para atyo siha na kaosa i manhahalom gi Labor. Enague na rason na gumuaha enao . . . na hu chochonik yanggen siña sumaga gi komite ya uma ina. Ya taguihe ha i ilekña si Vice Speaker Attao na hu chule' i komite nai guato gi publiku ya hu eksplikayi ya hu komprende hafa gi magahet gaige gi halom i paketi -- kao mauleg para i publiko. Yanggen siña mauleg ya siña todo tana'halom mas programma ni para ta na' mas mauleg lina'la-ta, ilek-hu na enague na chalan ni siña ta na'e enao -- ta na'halom, ti gi halom i komite. Guaho hafañelos ti hu supopotta lakkue i casino, ya en tingo ha' posision-hu na anai hu bira yo' tatte anai ginen mumalañgo yo', enague fine'nina . . . en chenik halom este gi halom i komite. Sa hafa?--Malago yo' lakkue na baihu na maolilik mo'na . . . baihu na' siguru na antes di umasusedi este, i binifision publiko u gaige manu mas i binifisio. Debi i publiko ni ta na'e manu i mas. Enague na gi mismo ora na hu supotta lakkue etyo i casino. Sa' malago yo', hafañelos, na i publiko hu disidi este sa ilek-hu na prisisu na hu disidi i publiko kao mu malago hit pat ti manmalago hit. Pago yanggen manmalago hit, siempre ta na'guaha. An ti manmalago hit, ta puno' ta'lo. Lao debi -- ti siña ta tungo hafañelos i posision publiko yanggen ti manhuyong hit ya tafaisen siha. Yan ti siña lakkue ta tungo posision publiko yanggen ti tana'e siha chansa ya siha u fanmanbota nui este na disision. Makkat enao i para ta sigi ha manmumu guine. I bill ni ta na'hahanao guato gi komite ti ilelek-ta na ta fabobot i casino. Taya enao. Debi na en komprende ya munga hit muna'lache i publiko na todo i manmanbota ta kokontra. Ahe. Ombres si Malua man bota na para na u ma refer guato gi committee. Para ta na'maolek ya ta na'guaha publiko -- ta eduka i publiko magahet yanggen mansinseru hit. Enague na mana'hanao guato. En li'e ha' na ta pass i initiative. Etyogue para u hanao para i publiko ya i publiko u disidi. Lao ti kumeke-ilekña na an tana'halom gi komite u la'la. Siña i komite ha puno' ha'. Basta hit nu . . . muna' ti yahu na para ta pega magi gi satgin i kongresu sa nihi ya tana'e chansa i komite ya u huyong gi publiko ya hu chule' este na matiriat guato gi publiko ya enague na u eduka. Ta'lo ha' antes di baihu diñgo -- hu tuñgo ha' Mr. Speaker, na siempre ilek-mu na bai tunok -- lao yahu na en komprende na i aksion ni en fatinas para guato gi komite ti kumeke-ilekña na in supopotta i casino. Debi enao na en komprende. In supopotta na u mana'e i publiko mauleg na edukasion gi hafa gaige gi dokumento ya ilek-hu na prisisu enao na en tiñgo. Munga hit nai sa ti en tingo hafa gaige gi halom i paketi. Ya tisiña mama'tinas hit disision mauleg yanggen ti ta lili'e i paketi. Etyo ha' hit ha' i, "baba i casino!". Lao hafa na babaña? Kao baba etyo i munga yo' casino sa' ti casino este i ilelek-hu. I baccarat kao baba? Kao baba i hi-low yan kao baba i black-jack? Mas baba i poker yan pachinko. Sa' hafa, un lili'e ha nai hafa para u gaige. Lao yanggen i card nai tumalak-papapa, ti un tungo hafa para u gaige kao "Ace" pat "Q". Estague . . . guahu nai kumekuentos yo' sa' hu ekspirensia, hu lili'e maggai gi mañelu-ta manhahanao magi gi kongresu manmana'ayao salape para ufan hungandu poker. Ahe ti para umakubre i petsonat. Meggai besis ni mangaige gi halom i poker. Yan meggai lakkue giya hita gamblers guine, maila tana'klaru este. Hafa na manma'anao hit gambling ni mismo hita manga-gamble guine. Haye para ta dagi. Guahu, sessu yo' mu poker lao poker, ti etyo i makina, ya illegal enao i card game. Lao estague nai, basta hit ni ta dagi i publiko. Meggai gi publiko man non-knock (knock poker game) kada dia ya ti ma ta-tax enao. Kada bela man balaha-hit. Enaogue siha debi di ta attan kao magahit na ti gambling enao. Yanggen ti gambling, sangane yo' pot fabot hafa enao. An un ganna un taotao nai, esta gambling enao. Maseha hafa kao botu -- maila tafan bet hayi para ufanganna kao si Manuel Tenorio pat si Ben Attao -- enague siha gambling enao. Pues munga nai hit manmandagi, na ta dagi i publiko. Estague, Mr. Speaker . . . dispensa yo' sa' malago yo' lakkue na i publiko u komprende i posision-hu. Talo' publiko, i aksion ni enfatinas ni para guato i komite i para u guaha mas mauleg na edukasion, public hearing. Guaha akto ni para bai endisidi pago para i manmammai siha na tiempo kao para u posipble etyo i initiative para tana' guaha casino ya i publiko u dinisidi. Dangkulu na si yu'us ma'ase.

The Chair recognized Speaker Benavente.

Speaker Benavente: Thank you very much, Mr. Speaker. Pot rason na -- hu tungo ha' na esta este masangan lao i uttimo anai kumentos i Minority Leader ha sangan talo hafa sanhalom-ña este ta bill, ya ilelek-ña na guaha siha guine salape manma-earmark para este siha i manimpottante na programma. I klaru na gaige ha pago ni para ta act na budget mangaige todo etyo na programma na ta fund. I referral program gaige halom etyo i budget ni para ta pasa pago na ha'ane. I scholarship gaige etyo na programma. En na' halom \$500,000 para este i immigration para bandan deportation; \$300,000 para etyo i rehabilitation program -- todo este siha na programma i ilek-ña na para ufan ma-fund guine, gaige ha' guine gi budget. \$230 Million etyo i budget ya taya casino guine. Pues tana' klaru enao na ti matto chiña trabiha na ilek-ta ni i publiko na manmatai hit yanggen ti ta pasa i casino. Gaige ha' na ta cho'gue sen i casino. Pues estague uno klaru. I otro, Mr. Speaker, i disision hunggan siña ta alok na malago hit na u guaha oputnidat para ufan ma-educate i publiko antes di umafatinas i disision -- kao yanggen ma pasa etyo i legislative initiative ni para u annok gi Novembre dia kuarto na ileksion. Enao na klasen nisisidat ni guaha giya hita mumalagu'e nai, sen siña ha' ta cho'gue este gi halom i komite ha', ti nisisario na para ta kuintina mu entertain etyo na legislation i esta kulan megai-ña giya hita komu hu huñgok todo kabales mu agree na maulek-ña i publiko u disidi. Munga na hita para disidi enao. Ya guahu, talo unbiahe, i rason na debi na i publiko este u dinisidi -- tisiña ta sigi ha' kumunpara ya tana' halom lokkue i bingo yan i gayera guine yan i poker yan etyo i mafa'nana'an casino establishment. Casino, baihu na tungo hao ha na -- mantaiguihe hit siempre kakko-ta i Las Vegas. Dangkulu na tinulaika gi i kominida, dangkulu gi tododo i publiko kulan mohon tatulaika iyota political status -- kao man hanao hit ginen i commonwealth esta i independent pat otro na klase ni ha tulaika i nila'la i publiko. Etyogue na rason na guahu hu sasangan na taya dirichon-ña 27 na taotao guine gi sanpapa na sanhilo na guma' para u fatinas enao na klasen disision ya para u inafekta i publiko ti taiguenao na manera i para u tinulaika i kuminidat, para u tinulaika i lina'la taotao. Pues yanggen esta hit mana'komprende na maulek-ña este na klasen disision -- kao para u ma supotta pa ahe -- u hanao para i publiko. Pues taya nai esta bisnista para ta kuintina mu entertain etyo i malabida na legislation ni ilek-ta na fuerra di unconstitutional ti nisisario na para ta kuintina mu diskute. Etyo na basta nai tana' suha ya u fankontentu lokkue i publiko na esta dinanche i disision-ña i sanpapa na guma na yanggen para u guaha casino para u ma sedi gi tano'-ta giya Saipan. I publiko u dinisidi ya u fankontentu i publiko na munhayan este na issue. Si yu'us ma'ase, Mr. Speaker.

Rep. Palacios: Mr. Speaker, privilege -- and it is a right privilege.

Speaker Pro Temp Hofschneider: State your privilege.

Rep. Palacios: Mr. Speaker, Congressman Adriano has asked me to assist him -- I know it is the privilege of the Chair to recognize or not to recognize --

Speaker Pro Temp Hofschneider: So Noted. Congressman Maratita?

Rep. Maratita: Thank you, Mr. Speaker. Nu ana'matman yo' este pago i tafafana' mo'na na bill siha, i H.B. 9-371. Komu guahu este plumanta huyong ti pison kongressu i 9-371, dos page ha' este. Dos ha' este na page, Mr. Speaker, ya i hu risibi nigap na 9-371 kulan gaipinetput. Pot rason, Mr. Speaker, na hu supotta gi fine'nina na para ta po'lu este gi komite i kosake siña lokkue bai cho'gue hafa para ta cho'gue gi halom este i 9-371 anai inakompania ni dosse na kongressu guine man manapreba gi este i 9-371. Malago yo' na ta tungo tumaimanu este. Ti atman ha' na un sangan na guaha kuestion pot este. Yahu na ta tungo enao nai, ya etyogue na munhayan hit ta konfitma na tana'e guato i komite ya malago yo' lokkue na bai ketungo hafa este uttimon-ña na akto i 9-371. Pues guaha na -- esta bula manguentos pot casino pat hafa lao guahu hu a'attan casino guine yan hu a'attan nonrefundable filing fee. Pues nisisario nai na ta fandaña' yan i komite lokkue. Sa' hamyo ni man manbota ni dosse, debi di entingo munaomanu i botun-miyo' ya entingo hafa na litratu enbobota. Pues ta po'lu guato gi komite nai ya ta fanmacho'cho ya ta cho'gue lokkue che'cho-ta guine gi House. Munga yo' na bai hu puno' este i 9-371 sa' esta dosse

este mu apreba i 9-371 ya para ta puno'. Hafa na para ta puno' este pago i 9-371?--Dosse man manfitma . . . ya dos pappit ha guaha. Ya para ta puno' ha' pago? Maila nai ya ta po'lu gi komite. Etyo na manbota yo' para ta po'lu gi komite ya ta tungo munaomanu etyo i dosse, maseha onsi -- ya ta fanmacho'cho mauleg para i taotao-ta siha nai. Ti ta tungo lakkue kao lache este i 9-371 -- kao dos guaha na 9-371. Pues etyogue na ta po'lu este ya ta attan ya ta fandañia' todo ya ta fan a'ayuda hafa minauleg para i publiko. Debi lakkue entingo tumaimanu i botun-miyo guine anai man manbota hamyo. Si yu'us ma'ase, Mr. Speaker.

Vice Speaker Attao: Privilege.

Speaker Pro Temp Hofschneider: Before I recognize that privilege, I want to recognize the two other senatorial districts.

Vice Speaker Attao: I withdraw the privilege.

The Chair recognized Rep. Hocog.

Rep. Hocog: Thank you, Mr. Speaker. I think it is only fair that I speak before that Second Senatorial District representative because they are pro-casino. Mr. Speaker, beforehand we have a decision to make whether we are to recall House Bill No. 9-371 or to send this bill to the committee. I am supporting the motion by Representative Reyes on major particular areas, Mr. Speaker. The issue at hand, Mr. Speaker, here is casino. Under 1 CMC 1402 it provides for procedures and measures as to which we can enact legislation of such nature. Under Article 21 also, Mr. Speaker, it provides a prohibition of such industry, except as provided by Commonwealth law. Commonwealth law, Mr. Speaker, is defined also as one enacted by the general legislative embodiment senatorial delegation act and that of the promulgation of rules and regulations by institutions of the Executive Branch. Enabling legislation, Mr. Speaker, has been so accorded. Under 4 CMC 1103 it has defined the difference between the amusement machines. Under 6 CMC, Mr. Speaker, on Article 2, it has been defined what gaming device and gaming machines and similar activities are. Article 2 of such section states that gaming device is so-called slot machines or similar machines that by the insertion of coins gives rewards, and two, the combination of any subsequent gaming activity. Mr. Speaker, this legislature has enacted Public Law 9-29 which is called the Pachinko Slot Machine Act wherein defined the enabling of operation and management of pachinko slot machines or similar machines. By this token, Mr. Speaker, *similar machine* goes under the definition which is so defined by Article 2 under 6 CMC. What we have beforehand also, Mr. Speaker, is an analogous whether or not the casino industry would prosper and would find prosperity to the government of the people of the Commonwealth. We see during the regulation as instigated by the Secretary of Finance that there are \$13,000 interest provided at \$1,000 per licensing fee cumulates \$13,000,000. It is evident, Mr. Speaker, that there is indeed a probability in potentials of economic prosperity. However, under 9-371 -- if passed by the Senate -- it states that if we come to a point where it raises \$12,000,000 it will provide for rollback. This, Mr. Speaker, is one of the impediments of this House Bill No. 9-371. Secondly, Mr. Speaker, under Public Law 1-14 -- back during the olden days of 1978 and '79, the first legislative component provided for the casino industry. Then there was a referendum made. Under this Public Law 1-14, it stipulates that casino industry will be for the Third Senatorial District only. Then, the first referendum that defines whether casino would be authorized within Saipan . . . it is denied. Secondly, by the same token, Mr. Speaker, those master-minds of the first legislative component did one of the most horrendous act for the Commonwealth society -- one, the people of Rota and Tinian can not vote on referendum that is of a local nature to the Third Senatorial District. By such referendum, Mr. Speaker, Public Law 1-14 died. Within the same scope, Mr. Speaker, Kan Pacific Development then, submitted a security deposit of \$1,000,000 for such temporary licensing in casino industry. This \$1,000,000 to date has remained within the coffer of the Commonwealth Government and has yet to be reimbursed to Kan Pacific Development. This is a liability to the Commonwealth Government for almost 17 years. If Kan Pacific Development would today litigate the

Commonwealth Government, Mr. Speaker, under the banking laws of the U.S. statutory provisions, we shall reimburse Kan Pacific Development. Bearing with the thought interest of \$1,000,000.00, even at 3% -- the lowest inflationary interest that can be imposed -- would culminate a huge chunk from the Commonwealth coffer. Also, Mr. Speaker, if you look at House Bill No. 9-371, it tends to provide for casinos in the Commonwealth. We have already a statute that provides for gambling and casino management for all the islands of the Commonwealth. This legislation, Mr. Speaker, therefore, provides that this body today, august within its own prerogative, must provide the decision whether to vote for its funeral and these people win this beforehand today. Who has the balls and who carries the most realistic genital components, Mr. Speaker. If you can not vote today for these people to witness whether you would kill gambling then so be it, for November 4 or 6 it was, you will not be sitting here again. Mr. Speaker, again, I am saying that we should place this House Bill No. 9-371 before this chamber today and let us vote whether we want to kill it, we want to kick it, we wanna dip it or you wanna eat it. Thank you. (Applause from the gallery)

Rep. Palacios: Point of information, Mr. Speaker.

Speaker Pro Temp Hofschneider: Before I recognize that -- for your information Representative Hocog, the bill has been referred to the committee and the motion before the Floor is to recall not to vote on the bill itself. I recognize Representative Adriano.

Rep. Adriano: Thank you, Mr. Speaker. Mr. Speaker, gi minagahet ti man a'adagao hit pago na oga'an guine komu ti . . . mandaña' mohon etyo i Senadot Tinian, lao uno na senadot Tinian ha slaughter Tinian etyogue na gumuaha pago discussion nui este ya hita man mamapot. Mr. Speaker, ta hungok esta todo hafa i mansangan guine pot este i House Bill No. 9-371. Hinasokku, Mr. Speaker, na todo i tiempo Tinian ha gagagao Saipan yan Luta chansa pot para u adilanta gue sa' pago ha' kahuhulu' i casino. Taya magagagao ni publiko na hu mana'e huyong ya i publiko u bota este. Munga na sinko ha' na senadot, Mr. Speaker, para hu dinisidi i casino giya Marianas. Pot enao, Mr. Speaker, I move to the previous question.

The motion was seconded and carried by voice vote.

Speaker Pro Temp Hofschneider: The motion carries. Before we take a vote on that, I would like to call the Speaker up and I'll step down.

Speaker Benavente took the Chair.

Speaker Benavente: We will now be voting. For clarification purposes, our vote will be on to reconsider our action on House Bill No. 9-371, House Draft 1, Senate Substitute 1 and that action was to refer it to the committee. We will now be voting to reconsider that action.

By voice vote on the motion to reconsider the action of the House, a division of the question was declared.

Speaker Benavente: I will now ask the Clerk for a roll call.

Rep. Hocog: Point of information, Mr. Speaker. Can we clarify on the Floor again what we are voting for?

Speaker Benavente: The motion is to reconsider our action, which is to refer to the committee, and place it in front of the members to vote or decide what to do with the bill. At this time, the voting is to reconsider our action.

The Acting Clerk called the roll on the motion to reconsider the House's action on House Bill No. 9-371 and to place it on the calendar. The result is as follows:

Representative Adriano	yes
Representative J. Attao	no
Representative V. Attao	no
Representative Babauta	yes
Representative Dela Cruz	no
Representative Deleon Guerrero	yes
Representative Hocog	yes
Representative Hofschneider	no
Representative Maratita	no
Representative Palacios	no
Representative Peter	no
Representative Reyes	yes
Representative Sablan	no
Representative Santos	no
Representative Tenorio	yes
Representative Teregeyo	excused
Representative Torres	no
Speaker Benavente	yes

Speaker Benavente: The motion to reconsider our action of House Bill No. 9-371, HD1, SS1, fails in the House. Floor Leader?

Floor Leader Torres: Mr. Speaker, I move for a recess of one hour for lunch.

The motion was seconded.

Speaker Benavente: We will go ahead and recess without objection. I ask the members to report back at 1:30 p.m. We will start promptly at 1:30. We will be taking up the budget act, so I ask for everyone's cooperation to please be here. Recess until 1:30 p.m.

The House recessed at 11:45 a.m.

R E C E S S

The House reconvened at 2:15 p.m.

Speaker Benavente: We are back to our session and we are still on Item 6 of our Agenda under Senate communications? Floor Leader?

Floor Leader Torres: Mr. Speaker, I move for the acceptance of all Senate Communications from 9-213 to 9-258 except 9-217, 9-230 and 9-234.

The motion was seconded.

Speaker Benavente: Discussion on any of the Senate communications? Representative Reyes?

Rep. Reyes: Mr. Speaker, on Senate Communication 9-234, I thought this is done already -- referred to . . .

Speaker Benavente: Yes, except for that. The motion is to accept the other communications except for those three at this time -- 9-217, 9-230, and 9-234.

The motion to accept Senate Communications 9-213 through 9-258 with the exception of 9-217, 9-230 and 9-234 carried by voice vote.

The Chair recognized the Floor Leader.

Floor Leader Torres: Mr. Speaker, I move to place on today's calendar for action Senate Communication No. 9-240 relating to Senate Bill No. 9-209.

The motion was seconded and carried by voice vote.

Speaker Benavente: Senate Bill No. 9-209 is hereby placed on today's calendar for our deliberation. Floor Leader?

Floor Leader Torres: For clarification, Mr. Speaker, has Senate Communication 9-217 been referred to the committee or calendared? I do not remember the action. We accepted the communication but it is not calendared. I would like to make a motion that we calendar this. Do you want to refer it to the committee?

Speaker Benavente: Short recess.

The House recessed at 2:17 p.m.

R E C E S S

The House reconvened at 2:18 p.m.

The House went down to House Communications.

Speaker Benavente: We are back to our session, and we go down to House Communications.

H O U S E C O M M U N I C A T I O N S

Hse. Comm. 9-29: From Reps. Tenorio, Deleon Guerrero and J. Attao thanking the 9th Legislature for their support and participation at the Misan Agradecimiento honoring local Marine Scouts and "War Babies".

Hse. Comm. 9-30: From the Speaker appointing Mr. Gregorio B. Sablan to serve on the Advisory Commission on the compensation of government officials.

Hse. Comm. 9-31: From Rep. Crispin I. Deleon Guerrero, requesting the Governor's intervention regarding the closure of the South access road at American Memorial Park to Smiling Cove Marina.

The Chair recognized the Floor Leader.

Floor Leader Torres: Did the Minority Leader earlier move for the placement of the bill on today's calendar.

Speaker Benavente: We've taken care of that. The reference legislative initiative is on the Bill Calendar. Under House Communications -- discussion on any of those communications. Representative Guerrero.

Rep. Deleon Guerrero: Thank you, Mr. Speaker. On House Communication No. 9-31 on my letter to the Governor requesting him to use his authority to intervene in the closure of the American Memorial Park road. There was a previous resolution that had been passed by this House and also your letter to the Department of Public Works. I was telling him in my letter that

it was unanticipated that the park now becomes invisible to the people and to the tourists alike. I want this House to support me in this letter. Thank you.

The Chair recognized Rep. Reyes.

Rep. Reyes: Mr. Speaker, I would like to just echo the concern of House Communication No. 9-31. I recall that there was a resolution which calls for cooperation between the Feds that literally own the American Memorial Park to allow the people -- because there are a lot of complaints received by my office asking if there is something that we can do. It creates a mess with traffic congestion as a result of the closure of that particular road. I hope that we can recruit the support of all the members to try in their own to encourage the Administration to assist the legislature in urging the undertaker of the American Memorial Park to cooperate and open that road. Thank you.

The Chair recognized the Minority Leader.

Rep. V. Attao: Thank you, Mr. Speaker. I do not know whether we any legal right to do that. We have signed -- we approved the Covenant and part of the Technical Agreement includes the American Memorial Park. We have passed a resolution and we do not know what transpired, but if we are to do it, we have to amend the Technical Agreement because that particular area belongs to the Federal Government. So, it will be useless on our part. In fact, right now there is a structure already built and I do know if the Federal Government will be able to acknowledge -- they will probably acknowledge our desire, but I do not know whether they will agree to remove those structures. Thank you, Mr. Speaker.

Speaker Benavente: Your point is well-taken, Minority Leader. I guess if we do have the authority and if it is within the authority of the Governor or the Secretary of Public Works then our request would be for them to comply with our request. Any further discussion on any of the House Communications? Ready? (Pause) We will now move to Item 8 of our Agenda.

REPORTS & COMMUNICATIONS FROM THE JUDICIAL BRANCH

Jud. Br. Comm. 9-15: From Acting Chief Justice Villagomez providing a copy of a Certificate of Appreciation for Distinguished Service to the family of the late Larry Hillblom.

Jud. Br. Comm. 9-16: From Acting Chief Justice Villagomez appointing Mr. Michael A. White to serve on the Advisory Commission on the compensation of government officials.

Jud. Br. Comm. 9-17: From Acting Chief Justice Villagomez appointing Ms. Margarita M. Palacios to serve on the Advisory Commission on the compensation of government officials.

The Chair recognized the Floor Leader.

Floor Leader Torres: Mr. Speaker, is there a need to suspend all those items and move to Resolution Calendar.

Rep. Maratita: So move.

The motion was seconded.

Speaker Benavente: I think we did that at our last session and that is why it continues to build up. Unless there is a major concern that we may have that is going to require a lengthy discussion . . . let me just call for a short recess and have the members go over it. Let us go over

these so that the Clerk can dispose them and they will not appear on our next Agenda. Before I call for a recess -- Minority Leader?

Rep. V. Attao: I was going to move to end debate of Item 8 so that we can move down to Item 9.

Speaker Benavente: But the motion at this time is to suspend discussion on the following communications. There are a lot of communications on Item 10, Item 9, and Item 11.

Rep. Hofschneider: On Item 10, Mr. Speaker, I have a few comments.

Speaker Benavente: Let me just call for a short recess then.

The House recessed at 2:25 p.m.

R E C E S S

The House reconvened at 2:30 p.m.

Speaker Benavente: We are back to our session and at this time we are discussing the motion to suspend items on our Agenda and move to Item 15.

There being no discussion, the motion to suspend Items 10 through 14 and move on to Item 15 of the House Agenda carried by voice vote.

The following were suspended for discussion as the House to Item 15, Resolution Calendar: REPORTS & COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE; REPORTS & COMMUNICATIONS FROM DEPARTMENTS & AGENCIES; OTHER COMMUNICATIONS; REPORTS OF STANDING COMMITTEES; AND, REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

RESOLUTION CALENDAR

The Chair recognized the Floor Leader.

Floor Leader Torres: Mr. Speaker, I move for the adoption of House Concurrent Resolution No. 9-4.

The motion was seconded.

H.C.Res. No. 9-4: "A House Concurrent Resolution to approve revenues and resources of the Commonwealth of the Northern Mariana Islands, as identified by the Governor in compliance with Article II, Section 9(a) of the Constitution, as amended, and with 1 CMC Section 7201(e) for Fiscal Year 1996, beginning on October 1, 1995 and ending on September 30, 1996."

Minority Leader Attao moved to end debate, was seconded, and carried by voice vote.

The motion to adopt House Concurrent Resolution No. 9-4 carried by voice vote.

Speaker Benavente: House Concurrent Resolution No. 9-4 is hereby adopted by the House. Floor Leader?

Floor Leader Torres: Mr. Speaker, I move for the adoption of House Resolution No. 9-27.

The motion was seconded.

H. RES. NO. 9-27: "A House Joint Resolution to approve additional full time employees for the Department of Immigration and Labor." (For adoption)

The Chair recognized Rep. Reyes.

Rep. Reyes: Mr. Speaker, I want to understand this resolution. Does this mean . . . I guess the author -- Minority Leader, my question is: the intent of this is to transfer those 35 employees that are already being paid out of the reimbursement account into the government operation general fund only to free that so that they can hire another 35 employees?

Rep. V. Attao: No, Mr. Speaker. The intent is that the government is committed in freeing -- in not requiring the international airlines to pay for any amount for the purpose of providing services to the airlines. Currently, there are 35 workers who are under this account and that by the end of next month and thereafter, people will start to be removed or I would say terminated because the account will be closed. The 19 FTE's are included in the proposed FY'96 budget. The remainder of 16 -- if we pass this, it will continue to hire those people until such time that we include them in the FY'97 budget. If we do not act on this, we will be expecting people to call your offices asking for assistance. I can not guarantee you that if this is done that the account will be free, but I know for a fact that the government is in the process of not requiring airlines to pay for services provided to the airlines because right now the airlines are also paying taxes to the airport. This is in response to the resolution that was passed by the Eighth Legislature, Resolution 8-25 which authorizes full-time employees to provide services to the airlines. I am sure you are aware of that.

Rep. Reyes: Mr. Speaker, I guess I am concern because here are several things. Number one, what is going to happen to the airline ticket for citizens of the Northern Marianas if we were to stop making them pay for taxes that we render, that the government render? Would that be translated to reduce airline fare? Because if is not, then it does not serve any purpose why we should start shouldering the expense when airlines all over the world are burden with responsibility of paying for services . . . because you do not get any free services. That is one of my questions. If you wish to answer, I'll ask my second question later on.

Rep. V. Attao: Mr. Speaker, this was done in Eighth Legislature when the Division Immigration and Labor were providing services to these airlines at an overtime rate. So what the airlines did in consonance with plan is to recruit more workers, more employees so they can expedite the processes of these passengers coming in and going out. That was the intent. When the resolution was passed by the Eighth Legislature, they recruited these people. Now there is a move by the government that because these airlines are already paying taxes to the Commonwealth that it will be unfair to continue to charge them more for services for taxes that we receive for the services supplied to the airlines.

Rep. Reyes: Mr. Speaker, I want to know because I am trying to make sense because the airlines is paying the overtime for the employees. Last year, we changed that. We say, okay, instead of paying the overtime employees we will go into three shifts so that it be around-the-clock shift. But to accomplish that, we are going to used what normally is overtime pay to the employee to recruit 35 employees in total to be paid of the reimbursable account or recycling account. Now we are saying, okay, we are not going to ask the airlines to pay for the services that we provide them. Every time that an inspector of immigration, customs or quarantine provide services to the airlines, he needs to be paid. Nothing is free. Here we have already a resource that is in place. We are trying to take this away and there is no reciprocation because -- unless somebody tells me that the airlines ticket is going to go down so that our people can benefit, I just do not see the rationale of having to do this.

The Chair recognized Rep. Hofschneider.

Rep. Hofschneider: Thank you, Mr. Speaker. I guess it is not getting too clear. What is being addressed here, Representative Reyes, is, when at a time when the CNMI did not have the proper staffing to man the schedules of the airlines – not necessarily the schedules of regular government hours from 7:30 a.m. to 4:30 p.m. – it was necessary at that time to accommodate the time schedules that the airlines do come in to the CNMI or Saipan in particular. As a result at that time, the CNMI could not shoulder a full shift to man the immigration, labor, quarantine and customs -- a full shift we could not at that time. This is why the airlines were asked if they could chip-in, and the assumption was it was a temporary accommodation. It is the obligation of the government to insure that when you provide immigration, you provide them with proper staffing. The problem is that we do not control the schedules of the airlines coming in to the CNMI. If everyone come in at 7:30 to 4:30, we would not be discussing this. But obviously some airlines come in at midnight, three o'clock, four o'clock in the morning and leave respectively. This is why we need to provide proper staffing, a sufficient number of FTE's for those particular departments that do service the airline industry. But, it is not intended for any purposes to perpetuate the increase in burden when CPA (Commonwealth Ports Authority) just a few months ago was being questioned whether they are charging excessively and are making profits beyond what is necessary to accomplish the mission as a port authority. Here we are again increasing the burden on the airlines. Obviously we will not be able to see a decrease in transportation cost, airline cost because here we are chipping-in to the burden. What we need is to accomplish a three-shift or four shifts is to provide sufficient FTE's so that these people may be shouldered under the government. It is an expenditure, it is a service provided for to the airline industry and it is the obligation of this government the proper staffing. The question is whether we have the money.

Speaker Benavente: How would Custom Services be affected by this? I understand that both Customs and Immigration benefit from this fund.

Rep. Reyes: Mr. Speaker, all employees in government when they provide services – the government is responsible in hiring employees to provide eight hours a day of government service. Anything over and beyond the eight hours, the airline is responsible to pay in the form of overtime. The offices of immigration, custom and quarantine have, by staggering the employees work schedule, extended the period where it was normally eight hours now become twelve hours because some people come in at six in the morning and get out eight hours later and those who come in at eight o'clock in the morning gets out eight hours later. So if you start to stagger the schedule – and most recently during the Eighth Legislature when we worked on this new 35 employees, we now treated this differently because we want to have a complete cycle of staggered employees shift so that rather than employees coming in 7:30 to 4:30 there are employees coming in after 4:30 and work up until midnight, so that there is a full cycle of service extended to the airline business. That is the first question because they will continue. They need to continue to pay services for the government that is why if we take this away, we may end up having to tax the people again so that we can start to pump in money to pay for these people. Secondly, not too long ago Continental Airlines sued the government because they want to recover all the taxes that they have paid, the business gross revenue tax (BGRT) that they have paid because under Federal laws they are not supposed to pay taxes. So they took us to court, we lost. No, I am sorry I take that back – before the adjudication in court is made, there was an out of court settlement to pay back the airline. So I just want to caution that the airline is not paying BGRT. By Federal law, they are not required to pay BGRT. So where does the savings to the airlines translate to our people? Where do the people benefit here by freeing the overtime charges, the services that we extend?—Because when you go to custom to clear your cargo, you have to pay for the services especially on hours that is outside the regular schedule.

Rep. V. Attao: Mr. Speaker, I think this concept was brought by as a result of the lack of manpower and the regular employees of the customs and immigration, including labor for that matter, were fatigued . . . fatigued enough that they were having problems. One reason why the Eighth Legislature came in was to remedy that problem so that all those employees who were

under this account and were receiving overtime are not fatigued and they do their regular jobs. Many of these people that I've talked to have said that they want the whole thing but yet they are very fatigued that they can not do their regular jobs. This is precisely . . . if we do not act on this now, then we expect people to leave soon by result of termination.

Speaker Benavente: Let me just call for a short recess here.

The House recessed at 2:44 p.m.

R E C E S S

The House reconvened at 3:06 p.m.

Speaker Benavente: We are back to our session and at this time we are discussing House Joint Resolution No. 9-27. Any further discussion? Representative Hofschneider?

Rep. Hofschneider: I move to end debate.

The motion was seconded.

There being no objection, the motion to adopt House Joint Resolution No. 9-27 carried by voice vote.

Speaker Benavente: House Joint Resolution No. 9-27 is hereby adopted by the House. Floor Leader?

Floor Leader Torres: I move for the adoption of Commemorative Resolution 9-149.

The motion was seconded.

C. RES. NO. 9-149: "A Commemorative Resolution to commemorate the passing of the late Daniel T. Borja, former Marine Scout." (For Adoption)

The Chair recognized Rep. Reyes.

Rep. Reyes: Mr. Speaker, I would like offer to the members if they wish to co-sponsor this resolution. It is open for any of the members.

Speaker Benavente: Thank you.

There being no further discussion, the motion to adopt Commemorative Resolution No. 9-149 carried by voice vote.

Speaker Benavente: Commemorative Resolution No. 9-149 is hereby adopted by the House. Floor Leader?

Floor Leader Torres: Motion to adopt House Joint Resolution No. 9-24, House Draft 2, Senate Draft 1.

The motion was seconded.

H. j. RES. NO. 9-24, HD2, SD1: To urge the Governor to lift the freeze on government assisted medical referrals and for other purposes."

The Chair recognized Rep. Reyes.

REPORTS OF STANDING COMMITTEES

S.C.R. No. 9-121: Reporting on House Bill No. 9-420, entitled, "A Bill for an Act to amend Section 1402(a) of P.L. 9-22; and for other purposes." Your Committee on Ways and Means recommends passage of House Bill No. 9-420 in the form of House Draft 1.

Floor Leader Torres: Motion for the adoption of Standing Committee Report No. 9-121.

The motion was seconded.

The Chair recognized Rep. Hocog.

Rep. Hocog: Mr. Speaker, I just want to make this body aware that within Public Law 9-22, there is a provision that states that the task force shall make recommendations to the Governor and the Legislature for any future amendments to this bill. And for us, I would just like to know whether the task force has indeed made this amendment to both the Legislature and the Governor, and have these two entities consented to the amendment of this legislation? Thank you.

Rep. Reyes: Your question is whether the tax task force's recommendation is incorporated in this bill?

Rep. Hocog: No, the question, Mr. Speaker, is – we'll be in violation of law if we are not in compliance with the provision of P.L. 9-22 wherein it states that the task force shall recommend and the Governor and the Legislature shall agree before any amendment is undertaken.

Rep. Reyes: Mr. Speaker, I do not know the answer to that.

Speaker Benavente: First of all, part of this legislation is a recommendation from the task force, others, of course, we have gotten after the public hearing that we had here. Your concern though – I can respond to say that this is also going to be a law that will supersede an older law.

Rep. Hocog: So would that put this legislature in any . . . will we be violating any Commonwealth law by doing it without out compliance with the provision of P.L. 9-22? Can Maya (Leg. Counsel) give us an opinion of that.

Speaker Benavente: Representative Hofschneider – before I call for a recess.

Rep. Hofschneider: Mr. Speaker, as you recall the Chairman conducted a public hearing consistent with members of the task force being present and echoed their concern. Whether in fact they represent the task force themselves as appearing before the body is anyone's guess, but obviously it is the same group of people that testified before the committee on this bill. It will be with good assumption so that they will be consistent with whatever proposals or product that they will be coming out with. But it is not a question anymore.

Rep. Hocog: It is, Mr. Speaker, because P.L. 9-22 is very specific that any future amendments to P.L. 9-22 shall be forthcoming only from the task force withstanding however that the Legislature and the Governor shall agree.

Speaker Benavente: Representative Hocog, the original version of House Bill No. 9-420 was a bill recommended by the task force.

Rep. Hocog: If we are indeed in compliance with the provision then . . . because there are other statutes that state that any ambiguities in the law does indeed nulls and voids whatever enactment that we may have passed.

Rep. Reyes: Mr. Speaker, can I respond? Mr. Speaker, let me try to do my best to respond to that question. Notwithstanding the provision of the creation of the tax task force, any member of the legislature can offer amendments to any bill that it passed that becomes law. And once that is signed into law, then it amends officially and technically . . .

Rep. Hocog: Yes, but when we pass a law, we have established legislative history that it is being consented amongst ourselves – that there will be no further amendment to P.L. 9-22 unless subsequent embodiments of government has agreed upon it.

Rep. Reyes: I am sorry, Congressman, I did not agree. In fact, I did not vote to support that bill.

Rep. Hocog: That is why, Mr. Speaker, before we enact further amendments, we would like to get the best legal opinion for any best legal activity that shall be forthcoming.

The Chair recognized Rep. Sablan.

Rep. Sablan: Thank you, Mr. Speaker. In line with my colleague's question over here, I think we just introduced a bill to repeal 9-22. Now if that is against the provisions of law, then what are we talking about. I agree with Chairman Reyes that this house, this body can make amendments or even repealers for that matter. I move to the previous question, Mr. Speaker.

The motion was seconded.

The Chair recognized Rep. Hofschneider.

Rep. Hofschneider: I have to applaud the Rota delegate. He is absolutely correct. There is a section in P.L. 9-22 on the tax about the tax task force. But, he was wholeheartedly mistaken on the fact whether we have to get concurrence from the tax task force. There is no mention at all.

There being no further discussion, the motion to adopt Standing Committee Report No. 9-121 carried by voice vote.

Speaker Benavente: Standing Committee Report No. 9-121 is hereby adopted by the House and House Bill No. 9-420 is placed on the Calendar. Without objection, we now move to Item 16 of our Agenda.

There was no objection raised.

BILL CALENDAR

The Chair recognized the Floor Leader.

Floor Leader Torres: Mr. Speaker, I move for the passage on First and Final Reading of House Bill No. 9-420.

The motion was seconded.

H.B. NO. 9-420: "A Bill for an Act to amend Section 1402(a) of PL 9-22; and for other purposes." (For passage on First & Final Reading)

The Chair recognized Rep. Hofschneider.

Rep. Hofschneider: Mr. Speaker, I have an oral amendment to make on page 2, line item 18 to strike out from line 18 to line 20 and renumber accordingly, and on line 22, increase the "50,000 per unit" to half or "500,000 per unit".

The motion was seconded.

Rep. Reyes: Mr. Speaker, can I have the oral amendment repeated.

Rep. Hofschneider: On page 2, line 18, item 14 – line 18 to line 20 are hereby deleted in its entirety; on line 22, strike out "50,000" and insert "500,000".

Rep. Reyes: Mr. Speaker, I would like to second that.

Speaker Benavente: Does the Clerk and the Legal Counsel have that down? Is the floor amendment clear to everyone? There is an oral floor amendment offered by Representative Hofschneider and it has been seconded. Discussion on the oral floor amendment.

There being no discussion, the motion to amend House Bill No. 9-420 as offered orally by Rep. Hofschneider carried by voice vote.

Speaker Benavente: The oral floor amendment as offered by Representative Hofschneider is hereby adopted. We continue to discuss House Bill No. 9-420, as amended. Representative Reyes?

Rep. Reyes: Mr. Speaker, I have a floor amendment to make. I have a written floor amendment and I'll read it –

"To be amended as follows:

(1) Page 3, beginning with line 13, amend Section 2(b) to read as follows:

"(b) Amendment. 4 CMC, Division 1, Chapter 4, Article 2 is hereby amended to add a new section 1422 to read as follows:

"§1422. Non-refundable Credit.

(a) Except as provided in subsection (c) of this section, a person may take the User Fee imposed under this Article as a non-refundable credit against the NMTT before calculation of the rebate allowed under section 1708 of this Division.

(b) For purposes of this section, the amount of the non-refundable credit shall be the lesser of:

(1) The amount of the NMTT paid with respect to gross revenues for which a rebate is allowed under this Division; or

(2) The amount of User Fees required under Section 1421 during the taxable year.

(c) A person may not take the credit allowed under this section if the person has deducted the User Fee in determining taxable income under the NMTT. The person may elect any deduction allowed under the NMTT or the credit allowed under this section."

Current subsections 1422 and 1423 are renumbered accordingly.

(2) At page 2 lines 32 and 33, delete the words "and paid by the person".

(3) At page 4 after line 2, insert new subsections (d), (e), and (f).

(d) Amendment. 4 CMC, Division 1, Chapter 4, Article 2 is hereby amended to add a new section 1425 to read as follows:

"§1425. Regulations.

The Secretary or his designee may issue regulations consistent with the purposes of this Article."

(e) Amendment. 4 CMC, Division 1, Chapter 3, section 1307(a) is hereby amended to read as follows:

(a) Except as provided in subsection (c) of this section, a person may take any tax imposed on gross revenues under section 1301 or any other Commonwealth tax or fee imposed in

lieu of such tax (such as 4 CMC 2002(h)) as a non-refundable credit against the NMTT imposed under Chapter 7 of this Division.

(f) Amendment. 4 CMC, Division 1 is hereby amended to substitute the words "rebate offset" for the word "rebate" wherever it may occur."

I'll have copies made for the members, Mr. Speaker.

The motion was seconded.

Rep. Deleon Guerrero: Point of information, Mr. Speaker.

Speaker Benavente: Before I recognize that, that is a second to the floor amendment offered by Representative Reyes. We will be discussing the floor amendment as offered by Representative Reyes. Under Point of Information, I recognize Representative Guerrero.

Rep. Deleon Guerrero: Thank you, Mr. Speaker. We just adopted the Committee Report and now we are trying to pass the bill. Is it proper that we amend the bill when the committee report has already been adopted.

Speaker Benavente: The Committee report is separate. When we adopted the committee report itself, it places the bill on the calendar and we are now voting on the Calendar.

Rep. Deleon Guerrero: It is kind of an amendment, too, Mr. Speaker.

Rep. Reyes: Mr. Speaker, may I say something regarding that –

Speaker Benavente: Representative Reyes.

Rep. Reyes: Mr. Speaker, the committee report is written to address the amendment that I am introducing as a floor amendment here except that when the original bill was drafted it was short of saying exactly what the committee says. So it conforms.

Speaker Benavente: Do we wish to take a recess before we vote on the floor amendment until we get a copy of the amendment?

Rep. Deleon Guerrero: Mr. Speaker, can we go into recess, because I want to know that – I have confidence in our Chairman, but . . . I am kind of confused because his amendment is very long.

Speaker Benavente: It is a written floor amendment. Representative Tenorio?

Rep. Tenorio: I think it will be helpful if they incorporate the floor amendment into the bill. If that can be done . . . because it is such a long amendment, including the oral amendment.

Speaker Benavente: This is one way to incorporate it. Let me call for a short recess.

The House recessed at 3:30 p.m.

R E C E S S

The House reconvened at 3:45 p.m.

Speaker Benavente: We back to our session and I understand all the members have a copy of the floor amendment offered by Representative Reyes. Discussion on the floor amendment? Ready?

There being no discussion, the floor amendment offered by Rep. Reyes to House Bill 9-420, H.D.1 carried by voice vote.

Speaker Benavente: The floor amendment as offered by Representative Reyes is hereby adopted. Representative Hofschneider?

Rep. Hofschneider: I move to end debate.

The motion was seconded.

The motion to pass House Bill No. 10-420, H.D.2, was carried by roll call vote which resulted as follows:

Representative Adriano	yes
Representative J. Attao	yes
Representative V. Attao	yes
Representative Babauta	yes
Representative Dela Cruz	yes
Representative Deleon Guerrero	yes
Representative Hocog	yes
Representative Hofschneider	yes
Representative Maratita	yes
Representative Palacios	absent (during voting)
Representative Peter	yes
Representative Reyes	yes
Representative Sablan	yes
Representative Santos	yes
Representative Tenorio	yes
Representative Teregeyo	excused
Representative Torres	yes
Speaker Benavente	yes

Speaker Benavente: House Bill No. 10-420, as amended passes the House on First and Final Reading. Floor Leader?

Floor Leader Torres: Mr. Speaker, by request, I move to go back to Senate Communications on our Agenda.

Speaker Benavente: Short recess.

The House recessed at 3:48 p.m.

R E C E S S

The House reconvened at 3:55 p.m.

Speaker Benavente: We are back to our session. Without objection, we will stay on Item 16 of our Agenda under Bill Calendar and I recognize the Floor Leader.

Floor Leader Torres: Mr. Speaker, I move for the passage of Senate Bill 9-209 on First and Final Reading. This is regarding an amendment for a constitutional special election.

Seconded by Rep. Hofschneider and several others.

Speaker Benavente: Before we discuss this bill, let me just call for a short recess.

The House recessed at 3:56 p.m.

R E C E S S

The House reconvened at 3:58 p.m.

(PORTION NOT RECORDED)

There were several seconds to a motion.

Speaker Benavente: There is a motion offered by the Floor Leader to suspend all pertinent Rules so that we may pass on First and Final Reading Senate Bill No. 9-209. It has been seconded.

The motion to suspend pertinent Rules for the passage of Senate Bill No. 9-209 carried by voice vote.

The Chair recognized the Floor Leader.

Floor Leader Torres: Mr. Speaker, I now move for the passage on First and Final Reading, for the second time, Senate Bill No. 9-209.

Seconded by Rep. Hofschneider.

S.B. NO. 9-209: "To provide for a special election to consider proposed amendments to the Constitution submitted by the Third Northern Marianas Constitutional Convention."

Speaker Benavente: Discussion on the Bill? Representative Hofschneider?

Rep. Hofschneider: I move to end debate.

The motion was seconded.

Speaker Benavente: Without objection then, we will now be voting on Senate Bill No. 9-209 on First and Final Reading. I ask the Clerk for a roll call please.

The Clerk called the roll with the following result:

Representative Adriano	yes
Representative J. Attao	yes
Representative V. Attao	yes
Representative Babauta	yes
Representative Dela Cruz	yes
Representative Deleon Guerrero	yes
Representative Hocog	yes
Representative Hofschneider	yes
Representative Maratita	yes
Representative Palacios	yes
Representative Peter	yes
Representative Reyes	yes
Representative Sablan	yes
Representative Santos	yes
Representative Tenorio	yes
Representative Teregeyo	excused
Representative Torres	yes
Speaker Benavente	yes

Speaker Benavente: Senate Bill No. 9-209 passes the House on First and Final Reading. Floor Leader?

Floor Leader Torres: Mr. Speaker, I move to suspend all Rules --

Rep. Palacios: Point of Order.

Speaker Benavente: Under Point of Order -- Representative Palacios.

Rep. Palacios: He can not suspend *all* rules. That means we do not have a rule.

Speaker Benavente: The point of order is well-taken. Floor Leader?

Floor Leader Torres: I stand corrected. Mr. Speaker, I move to suspend all pertinent Rules for the passage of House Bill No. 9-472.

The motion was seconded and carried by voice vote.

The Chair recognized the Floor Leader.

Floor Leader Torres: I now move for the passage on First and Final Reading of House Bill No. 9-472, meaning Budget.

The motion was seconded.

H.B. 9-472: "A Bill for an Act to make appropriations for the operations and activities of the Government of the Commonwealth of the Northern Mariana Islands, its agencies, instrumentalities and independent programs and to provide budget authority for Government Corporations for Fiscal Year 1996; and for other purposes."

Speaker Benavente: Discussion on the budget, the appropriations bill. Representative Hofschneider?

Rep. Hofschneider: I move to end debate.

Seconded by two others.

Speaker Benavente: Before I recognize that motion, I would like at this time to recognize Representative Reyes.

Rep. Reyes: Mr. Speaker, I wish to again reinforce to my colleagues that I will be supporting the bill, so remove any doubts from your minds. Mr. Speaker, however, I would like to make a floor amendment. I would like to request that if we pass the bill that we allow author to make some corrections because there are some corrections that need to be done. Rather than going into that process, if I could get the consensus of the members to allow the author to make those corrections, then I will not dwell into that area. (There were seconds to the request) But I do have one floor amendment which is already prepared and I would like to make that amendment also. Can I make a motion on the first one, Mr. Speaker?

The motion was seconded.

Speaker Benavente: Representative Reyes, you did offer a motion and it has been seconded but, prior to discussion, I would like for that to be further clarified. We can not leave that to be an open opportunity for the author.

Rep. Reyes: There are line items that already in the possession of the author of this bill. It is not going to make any changes into the structure of the budget. It will make some changes within one area. And rather than going into lengthy debate on this because – it seemed that the author feels that it is not significant enough warrant a lengthy debate then I agreed to just offer the amendment if the consensus of the members can be obtained. I will just dismiss that and will let the author make that correction. The floor amendment --

Speaker Benavente: We are discussing the floor amendment, first of all – I think a very important motion, not necessary a floor amendment but a motion that you offered . . . is the motion understood by all the members.

Rep. Santos: Can we have a copy of that floor amendment that Representative Reyes offered.

Speaker Benavente: No, before we consider that floor amendment what he is offering right now is a motion to have the Vice Speaker be able to make some corrections on the bill itself. My concern is that this needs to be further clarified to limit the kind of change that we are going to be authorizing the Vice Speaker to make. I do not think that we should allow that to be open. Representative Hofschneider, for further discussion.

Rep. Hofschneider: Mr. Speaker, I make a subsidiary motion to the seconded motion of Representative Reyes to allow only two amendments. One, to the Vice Speaker and the one he is holding as a floor amendment.

Rep. Palacios: Point of clarification.

Speaker Benavente: Representative Palacios?

Rep. Palacios: Mr. Speaker, I am not too sure what is in his paper.

Speaker Benavente: Right now, let's limit our discussion to the idea – the motion that we will be authorizing the Vice Speaker to make changes after we adopt this bill. The clarification that I need and I hope is supported by the members is to limit that change. Representative Santos?

Rep. Santos: I would like to ask if those changes in any way changes the context of the provision, if it is on the provisions. Are they grammatical, are they typo's?

Rep. Reyes: No.

Rep. Santos: Changes in figures?

Rep. Reyes: Changes in figures, but within one area that concerns that.

The Chair recognized the Minority Leader?

Rep. V. Attao: I would like to make a subsidiary motion to that authorization not to authorize the Vice Speaker to change any figure above \$50,000.

Speaker Benavente: Above what?

Rep. V. Attao: Well, we do not know . . . he might change to more than a hundred thousand. (Laughter)

Speaker Benavente: Minority Leader?

Rep. V. Attao: In as far as I trust my own brother, I always think about protecting the interest of the public too. So rather than giving him the latitude of doing whatever he wants to -- because we are giving him a blanket authorization -- is to limit that to at least to a figure less or not more than \$50,000.

Speaker Benavente: That is something that I am interested in, because we can not show this any time in our journal that authorizes anyone . . . and yes I trust my uncle too, but, we can not allow the journal to show that we are going to pass a bill that is going to be allowed to change after that. So just as long as we understand what changes we will be making, I think that should be okay. Representative Reyes?

Rep. Reyes: Mr. Speaker, this is a request that does not affect Saipan and Tinian. It does affect Rota but it --

The Chair recognized the Vice Speaker.

Vice Speaker Attao: Mr. Speaker, this is for clarification. Rota in FY'96 is given \$12,096,000. Rota is receiving \$12 million. The changes here will increase Rota to about Tinian's share. It is going to be within Rota's allocation, so I hope that the members understand this and allow me to do the necessary changes.

The Chair recognized Rep. Tenorio.

Rep. Tenorio: Mr. Speaker, I was just going to comment that I think everybody should be accorded the opportunity to see what is being changed if there is going to be any change at all. That's all, Mr. Speaker.

Rep. Reyes: Mr. Speaker, in the first place, that is what I want to do, but in the interest of time I was requested if I could just call for that amendment . . . because we are going to recess until tomorrow. I can assure you if we are going to entertain this budget . . .

The Chair recognized Palacios.

Rep. Palacios: Mr. Speaker, the change of figure would only affect Rota and the delegation from Rota is fully satisfied to support the change. So I see no obstacle in any additional argument. I think we should dispose of it -- take care of the amendment and allow the author to go ahead and change that figure. Thank you.

The Chair recognized Rep. Hocog.

Rep. Hocog: Thank you, Mr. Speaker. I think on FY'95 the delegation from Saipan has been too giving to the island of Rota. This amendment today also, even if it does indeed decrease the \$12 million bracket, I would yield to that. However, I would just like to make a pen change on Section 512 that reads on line 16 "within" -- I would like to add "and without".

Rep. Reyes: Can we finish with my motion, Mr. Speaker, then maybe my good colleague can offer his motion.

Speaker Benavente: I would like to dispose of the motion offered by Representative Reyes. Again, this is an in-house concern that I have. We have got to be able to show there is control here. We can't just leave the motion as it is. So is there anyway we can further clarify that motion?

Rep. Hocog: Again, Mr. Speaker, this only affects Rota, so I will consent.

Speaker Benavente: I understand and I thank you for your support but --

Rep. Sablan: Mr. Speaker, if the concern is reaching the level for Tinian for '96, so why don't we just give him that authorization to increase up to the level of the First Senatorial District . . . I mean the Second.

Speaker Benavente: There is one way to limit that, but is that all that you need?

Vice Speaker Attao: Yes, Mr. Speaker.

Speaker Benavente: That's all. If that is understood by the members, then it certainly helps the situation. Representative Dela Cruz?

Rep. Dela Cruz: I was just going to say exactly what Representative Sablan said -- that just get a figure and the figure or amount is supposedly FY'95 for Rota and Tinian.

Speaker Benavente: We are voting on the motion offered by Representative Reyes and it is clarified and understood by the members.

The motion offered by Rep. Reyes to allow the Vice Speaker to make a change in the Rota allocation was carried by voice vote.

Speaker Benavente: The motion carries. Let me recognize Representative Reyes for the floor amendment.

Rep. Reyes: Mr. Speaker, I have a prepared floor amendment. I would like to check with the members if they wish for me to get copies before we --

Speaker Benavente: Can I ask for everyone's cooperation please, especially if you have a written floor amendment -- you have no reason not to have copies ready to be passed out.

Rep. Palacios: All I ask is that Representative Reyes reads his amendment and I am satisfied.

Speaker Benavente: I think some of the member wish to have a copy. At this time we continue to discuss House Bill No. 9-472. Any further discussion before we entertain the motion from Representative Reyes?--Let me recognize Representative Hocog.

Rep. Hocog: Thank you, Mr. Speaker, I would like to make an amendment to add on line 16 on section 512, page 13, after "within" to add "and without". This would be an all inclusive protective It reads, Mr. Speaker, "Lateral Transfer. An employee moving from one position to another position within the same pay level. . . ." I would like to add ". . .within and without the same pay level. . .".

Speaker Benavente: Is there anything there that says it is not within the same pay level?

Rep. Hocog: Because if it is not within the same pay level, Mr. Speaker, then this might change the brackets.

Speaker Benavente: Let me call for a short recess.

The House recessed at 4:13 p.m.

R E C E S S

The House reconvened at 4:20 p.m.

Speaker Benavente: We are back to our session. Representative Hocog, you had the floor at the time.

Rep. Hocog: I yield.

Speaker Benavente: Thank you. Any further discussion? I recognize Representative Reyes.

Rep. Reyes: Thank you, Mr. Speaker. I had a copy of my floor amendment given to every member. I would like to read it now -- "To be amended as follows: Section 505(a) to be amended to as follows: "(a) The Mayor and Chairman of the Municipal Councils of the respective senatorial districts shall have the expenditure authority for appropriations for their respective offices." This is the amendment - "In the First and Second Senatorial Districts, expenditure authority over all local executive branch expenditures including capital improvement projects shall be with the respective mayor. Such expenditure authority shall be with the mayors notwithstanding language to the contrary in Public Laws 9-1 and 9-24.'" Section 506(h) to be amended as follows: "(h) \$502,800 is appropriated out of the Nonresident Worker Fee Fund to the Department of Labor and Immigration for the Commonwealth-wide of the Nonresident Workers Act in addition to the \$60,000 mandated by 3 CMC Section 4424(c)(1), for a total of \$562,800 under the expenditure authority of the Secretary of Labor and Immigration. An additional \$25,000 each is mandated for Tinian and Rota by 3 CMC Section 4424(c)(1). Expenditure authority for these funds" and this is where the amendment is, cross-out "for the island of Rota shall rest with the Resident Director of Labor and Immigration" and add "for the islands of Tinian" and the amendment is, "and Rota", underlined, "shall rest with the Mayor of Tinian" and the amendment again, "and the Mayor of Rota."

Seconded by the Vice Speaker.

Speaker Benavente: There is a floor amendment offered by Representative Reyes copies have been passed out -- it has been seconded. Discussion on the floor amendment. Representative --

Rep. Palacios: Mr. Speaker, point of information.

Speaker Benavente: Under point of information -- Representative Palacios.

Rep. Palacios: Mr. Speaker, this looks like it is authorizing two people to make the expenditure authority. Am I to understand that the word "mayor" remains a mayor, but the word, "Chairman of the Municipal Councils" then will have to become the acting mayor in order that he will be authorized. Otherwise, he is going to take two people. If there is a conflict, Mr. Speaker, and one doesn't want to cooperate, then there is no spending authority. This is a twisted tongue language.

Rep. Reyes: Mr. Speaker, the chairmen of the municipal councils will be the expenditure authority for their respective offices. The mayor is going to be the expenditure authority for his responsibility under Amendment 25 (of the CNMI Constitution). What I attempt to do in this amendment, Mr. Speaker, is to make it consistent with Tinian. Tinian . . . it can not be alright for Tinian and not be alright for Rota. It has to be consistent. We allow it for Tinian, then it should be okay. We should allow it for Rota. All we are doing is we are trying to make it fair. The application and the uniform treatment of expenditure authority in our neighboring islands should be treated fairly. That is all this floor amendment is attempting to do.

The Chair recognized Hocog.

Rep. Hocog: You know, Mr. Speaker, I understand the concern of the good Representative Reyes. However, if we want to be consistent with Tinian, I can not sense that Rota in the future will be accorded half a million and then denied. I do not want to see myself go into litigation . . .

into court trying to see what happens to the funds allocated to Rota. Although I understand the necessity of consistency, the Rota Mayor and the Commonwealth Governor seems not to be having significant rapport developments. If I have to let this amendment prevail, what I am providing to the First Senatorial District is again, alluding a proposition that the Governor again would not like this piece of legislation. Secondly, Mr. Speaker, the senatorial delegation is composed of Senate delegations that are democrats. I do not like to see this bill again come down to the House for reconsideration because Senator Hocog would definitely, would definitely delete this line. I would yield to the consent of this Chamber, but what I am saying here today again is I expect this bill to come back to us by the insertion of this. If not, then it will go to the Governor and the Governor would again be irritated by such an insertion. All these political bickering and mockeries only will result to the people and the island of Rota being subjected, denied of what is actually to be of public service and of interest to them. I am just alluding this, Mr. Speaker, so that this Chamber would be aware of the concerns that shall be forthcoming by this insertion. Thank you.

Speaker Benavente: Thank you. Representative Hofschneider?

Rep. Hofschneider: I can see the rationale, Mr. Speaker, on the amendment, but I couldn't put it better than the delegate from Rota. If we are sincere about having a budget by the end of this fiscal year – and it is only a couple of days – the more concerning part is in the Continuing Resolution. Under the Continuing Resolution, the Governor has enormous, enormous reprogramming power. I do not want to see exhausting the Medical Referral Program under the Fiscal Year '95 budget in the amount of \$2 Million . . . exhausted in just one quarter or less. If we are to consider . . . if we are sincere about making it equitable between the senatorial district of Tinian and Rota – and we can all assume with good certainty that what Congressman has alluded to – then for the life of me, I do not think that the passage of the budget in the House would mean anything. I would support the amendment, Mr. Speaker, on the premise that we need to have fairness – fairness to their concern. The political reality is another consideration when it comes to acceptance of the budget with a proposed amendment like this by the Governor. That should be on the record that we have discussed this in the past under the FY'95 budget. And we are again facing the same consequence with such fairness amendment. The political consequence is enormous. Public service will again come and haunt us, because we could not come to meet minds. This amendment is fair, the political reality behind it is enormous – it would deny a budget for the people . . . and I move to end debate.

The motion was seconded by several others and carried by voice vote. The motion to amend House Bill No. 9-472 as offered by Representative Reyes was carried by voice vote.

Speaker Benavente: Further discussion on House Bill No. 9-472, as amended. Minority Leader?

Rep. V. Attao: I move to the previous question.

The motion was seconded.

Speaker Benavente: Without objection, at this time we will now be voting on House Bill No. 9-472, as amended, on First and Final Reading. Clerk, roll call please.

The Clerk called the roll on the motion to pass House Bill No. 9-472, HD1.

Representative Adriano	yes
Representative J. Attao	yes
Representative V. Attao	yes
Representative Babauta	absent
Representative Dela Cruz	yes
Representative Deleon Guerrero	yes

Representative Hocog	yes
Representative Hofschneider	yes
Representative Maratita	yes
Representative Palacios	yes
Representative Peter	yes
Representative Reyes	yes
Representative Sablan	yes
Representative Santos	yes
Representative Tenorio	yes
Representative Teregeyo	excused
Representative Torres	yes
Speaker Benavente	yes (with reservation)

Speaker Benavente: House Bill No. 9-472, the Appropriations Act, as amended, hereby passes the House on First and Final Reading. Representative Reyes?

Rep. Reyes: Mr. Speaker and fellow colleagues, I would like to take this opportunity to congratulate the Vice Speaker for an excellent job. I know that he had spent a lot of time, putting many hours to the work . . . and because I know the kind of work involved here, I can appreciate the kind of obstacles that the Vice Speaker faced. I would also like to congratulate him on a very excellent administrative provisions which took me no time to appreciate. I know that in the past there were problems with passing budgets. Mr. Speaker, I would like to give my wholehearted congratulations to our Vice Speaker and pledge that when I return in the Tenth Legislature, I would make sure that he becomes the Chairman of the Ways and Means again. (Applause)

Vice Speaker Attao: Mr. Speaker, first I would like to thank our good chairman, Chairman Reyes for giving me this task and I take this opportunity to extend my deep appreciation to all the members who voted "yes" for the passage of the FY'96 budget. This budget, Mr. Speaker, would help the Medical Referral and scholarship programs and also PSS of which we are increasing their budget from \$32 Million to \$42 Million, the DPS and CHC. I thank you all for your support. Thank you. (Applause)

Speaker Benavente: Let me recognize Representative Hocog, before I call for a recess.

Rep. Hocog: Mr. Speaker, I would like to make for the record that the House of Representatives for the Ninth Legislature has consistently passed a budget during its tenure. As we approach the election of everyone of us, we have lived a living memory that this House of Representatives of the Ninth Legislature under your leadership has consistently and effectively passed a budget for the Commonwealth.

Speaker Benavente: Thank you. With that, we will not recess until tomorrow at 9:30 in the morning.

Floor Leader Torres: Privilege.

Speaker Benavente: Under privilege – Floor Leader.

Floor Leader Torres: I would like to ask the Speaker's indulgence to give the Floor Leader one more bill.

Speaker Benavente: Mr. Floor Leader, it is 4:30 and we will be coming in tomorrow morning. I do not think that anything is that urgent at this time. I think all the members are ready to go rest and come back with an open mind tomorrow morning.

Floor Leader Torres: Mr. Speaker, I believe that we have duties and responsibilities to try our best to do our job.

Speaker Benavente: Recess until 9:30 tomorrow morning.

The Chair declared for a recess, without objection.

The House recessed at 4:30 p.m. and stands in recess.

FOURTH DAY

(Continued)

Thursday, September 28, 1995

The House of Representatives of the Ninth Northern Marianas Commonwealth Legislature reconvened its Fourth Day, Fourth Regular Session, 1995, on September 28, 1995, at 10:15 a.m. in the House Chamber, Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Diego T. Benavente, Speaker, presided.

Speaker Benavente: We are back to our session and we are still under Bill Calendar. Let me recognize Representative Reyes.

Rep. Reyes: Thank you, Mr. Speaker. Mr. Speaker, in view of the fact that there is question on the Senate Bill that we have calendared to entertain this morning, I have prepared a bill to introduced. It is now number as House Bill 9-482, "A Bill for an Act to amend Title 4, Division 1, Chapter 7 . . .

Speaker Benavente: Chairman Reyes, we are at Bill Calendar at this time. Again, the understanding is that we will entertain the changes in the budget and then we will go back to the introduction.

Rep. Reyes: Mr. Speaker, I move that we go back to . . .

Speaker Benavente: Chairman Reyes, because we are on Bill Calendar at this time, we will entertain the budget and I recognize the Vice Speaker.

Vice Speaker Attao: Thank you, Mr. Speaker. Mr. Speaker, I move to recall House Bill No. 9-472 for reconsideration.

The motion was seconded by several others.

Rep. Hofschneider: Objection.

Speaker Benavente: Your objection, Representative Hofschneider?

Rep. Hofschneider: We should reconsider our vote first.

Speaker Benavente: Let me just clarify – the motion is to reconsider. We do not to recall. The bill is still within the House. The motion is clarified. It is to reconsider our action on the appropriations bill and it has been seconded.

There being no discussion the motion to reconsider the House action on House Bill No. 9-472 carried by voice vote.

H.B. No. 9-472, HD1: "A Bill for an Act to make appropriations for the operations and activities of the Government of the Commonwealth of the Northern Mariana Islands, its agencies, instrumentalities and independent programs and to provide budget authority for Government Corporations for Fiscal Year 1996; and for other purposes."

Speaker Benavente: House Bill No. 9-472, as amended, is before the members as this time. I recognize Representative Reyes.

Rep. Reyes: Mr. Speaker, yesterday I made a motion to allow the Vice Speaker, which is the author of the bill, to make minor amendments on the bill. I would like to withdraw that motion. I learned that that motion is not legal, that action is legal. I wish at this time to withdraw that motion and make another motion.

Speaker Benavente: Without objection – because the action that the House took yesterday with regards to the motion that was offered by Representative Reyes – that will be officially removed, and we continue to discuss and the floor is open for that amendment at this time.

Rep. Reyes: Mr. Speaker, I now move to replace pages – that are at this time are being passed out – on the budget. I move that this amendment be made in the form of worksheets that are being passed out – just to remove the pages.

Seconded by the Vice Speaker.

Speaker Benavente: There is a floor amendment that is being offered by Representative Reyes and it has been seconded. Before we go into discussion, let's have everybody get copies. I'll call for a short recess and have the members review that floor amendment.

(The worksheet pages replaced are numbered: Page 1 of 1, Page 1 of 2; Page 9, Page 10, Page 11, Page 24, Page 28, and Page 44.)

The House recessed at 10:19 a.m.

R E C E S S

The House reconvened at 10:20 a.m.

Speaker Benavente: We are back to our session and the floor is open for discussion on the floor amendment offered by Representative Reyes. Minority Leader?

Rep. V. Attao: I move to end debate.

The motion was seconded by several others and carried by voice vote.

Speaker Benavente: The floor amendment offered by Representative Reyes is hereby adopted by the House, and we continue to discuss House Bill No. 9-472, as amended.

Rep. Reyes: I move to the previous question.

The motion was seconded.

Speaker Benavente: Are we ready to vote? Representative Hofschneider?

Rep. Hofschneider: The mover of the motion is out of order. He was not recognized. I move to the previous question.

The motion was seconded.

Speaker Benavente: Before I recognize the motion, I recognize the Vice Speaker.

Vice Speaker Attao: May I ask the mover to withdraw his motion? I have an oral amendment to be consistent with the correction.

Speaker Benavente: Representative Reyes?

Rep. Reyes: Withdrawn.

Speaker Benavente: Thank you. Vice Speaker Attao, recognized?

Vice Speaker Attao: Thank you, Mr. Speaker. Mr. Speaker, on page 13 of House Bill No. 9-472, line item 32, I would like to make an oral amendment. An oral amendment to change "\$9.4 million" to "\$9.3 million". This amendment will be consistent with the worksheet that we just inserted. Thank you.

Speaker Benavente: The oral floor amendment offered by the Vice Speaker has been seconded. On the discussion on the floor amendment, I recognize Representative Santos.

Rep. Santos: I just wish to verify with the Vice Speaker that we are reducing the "\$9.4 million" to "\$9.3 million"?

Vice Speaker Attao: Right.

Rep. Santos: Okay, since I just notice that in this floor amendment, we are increasing Rota's allocation to \$12,075,000 – where does the other \$25,000 go?

Vice Speaker Attao: For the record, Mr. Speaker, \$25,000 goes to the Arts Council.

Rep. Santos: To the Arts Council?

Vice Speaker Attao: Yes.

Rep. Santos: Okay, thank you.

Speaker Benavente: For clarification – page 13 of the worksheet. or line item 32, Vice Speaker . . . is that what you are referring to?

Vice Speaker Attao: Yes, Mr. Speaker.

Speaker Benavente: Which one is changed? Both of them are changed to \$9.3 million?

Vice Speaker Attao: "\$9.4", change it to "\$9.3".

Speaker Benavente: On both of them?

Vice Speaker Attao: Yes.

Speaker Benavente: Is the oral floor amendment understood? Are we ready?

There being discussion, the motion to amend offered by the Vice Speaker to House Bill No. 9-472, HD2 carried by voice vote.

Speaker Benavente: The oral floor amendment as offered by the Vice Speaker is hereby adopted. Any further discussion? Minority Leader?

Rep. V. Attao: I move to end debate, Mr. Speaker.

The motion was seconded and carried by voice vote.

Speaker Benavente: We will now be voting on House Bill No. 9-472, the appropriations act, as amended. Clerk, roll call please.

The Clerk called the roll on the motion to pass House Bill No. 9-472, with the following result:

Representative Adriano	yes
Representative J. Attao	yes
Representative V. Attao	yes
Representative Babauta	yes
Representative Dela Cruz	yes
Representative Deleon Guerrero	yes
Representative Hocog	absent
Representative Hofschneider	yes
Representative Maratita	yes
Representative Palacios	yes
Representative Peter	yes
Representative Reyes	yes
Representative Sablan	yes
Representative Santos	yes
Representative Tenorio	yes
Representative Teregeyo	excused
Representative Torres	yes
Speaker Benavente	yes (with reservation)

Speaker Benavente: House Bill No. 9-472, as amended, hereby passes the House on First and Final Reading. Representative Hofschneider, under privilege.

Rep. Hofschneider: I assume that the Senate is waiting for this budget, Mr. Speaker. Can we expedite it?

Speaker Benavente: Let me just call for a short recess.

The House recessed at 10:25 a.m.

R E C E S S

The House reconvened at 10:26 a.m.

Speaker Benavente: We are back to our session. Without objection, we now move to Item 3 of our Agenda, under prefiled and introduction of Bills. Any objection?

There being no objection from the Floor, the House went back to Item 3.

PREFILED AND INTRODUCTION OF BILLS

The Chair recognized Rep. Reyes, and Rep. Reyes introduced the following:

H.B. NO. 9-482: "A Bill for an Act to amend Title 4, Division 1, Chapter 7 of Public Law No. 9-22, the 1995 Tax Reform Act, to eliminate rebate forfeitures, avoid tax compliance disincentives and prevent unintended consequences of administrative provisions; and for other purposes."

Rep. Reyes: Mr. Speaker, the reason why I introduce this is because an important Senate Bill had been transmitted to the House which is questionable that it could be a revenue generating bill and should have been initiated in the House of Representatives. To avoid legal question once the

bill is acted upon, there is a need to introduce the same bill with the minor language correction to achieve the intended purpose of this bill. So, therefore, I would like to ask the members to help me place this on today's calendar for action.

Speaker Benavente: Without objection, with one clarification - I thought I heard 9-472, the House Bill No. 9-492. Without objection, House Bill No. 9-482 will be placed on today's calendar. At this time we move back to Item 16 of our Agenda.

The House went down to Item 16, Bill Calendar.

BILL CALENDAR

The Chair recognized the Floor Leader.

Floor Leader Torres: Can you call for a short recess.

Speaker Benavente: Short recess.

The House recessed at 10:30 a.m.

R E C E S S

The House reconvened at 10:31 a.m.

Speaker Benavente: We are back to our session. Under Item 16 of our Agenda, Bill Calendar, I recognize the Floor Leader.

Floor Leader Torres: Mr. Speaker, I move for the suspension of all pertinent Rules for the passage of House Bill No. 9-482 on First and Final Reading.

The motion was seconded and carried by voice vote.

The Chair recognized the Floor Leader.

Floor Leader Torres: I now move for the passage on First and Final Reading of House Bill No. 9-482.

The motion was seconded.

H.B. NO. 9-482: "A Bill for an Act to amend Title 4, Division 1, Chapter 7 of Public Law No. 9-22, the 1995 Tax Reform Act, to eliminate rebate forfeitures, avoid tax compliance disincentives and prevent unintended consequences of administrative provisions; and for other purposes."

Speaker Benavente: Discussion. Representative Hofschneider?

Rep. Hofschneider: Thank you, Mr. Speaker. I would like to ask the author one question on page 3, line 6, on the stricken out languages. I now read: "Provided, however, that the taxpayer has paid the income tax reported on the return before any rebate is allowed." Now, Mr. Speaker, I know for a fact that there is a huge liability of unpaid taxes by certain individuals in the upper tax bracket operating in the CNMI. If this amendment is . . . I can see where the author of the bill is coming from. This bill is particularly beneficial to the lower tax bracket individuals.

However, Mr. Speaker, I have a concern and I would like to get an answer. Do we want to allow the perpetuation of such practices by the upper tax bracket income earners of unpaid tax liability, but yet under this amendment will certainly receive their rebate prior to offsetting their tax liability with the people of the CNMI or the government?

Rep. Reyes: Mr. Speaker, the whole idea here is . . . because right now when you apply Chapter 2 collection of taxes against NMTIT, the application of allowing the credit to be applied is there, except that you do this after . . . let me try and give an example in figures. For example, in Chapter 2, which is a local tax, you paid in \$500. Under the NMTIT tax which is the mirror image effect of the Internal Revenue Code (IRC) you have, when the compute the liability based on all the exceptions and of all the requirements that you need to do before you file your federal tax, the bottom line shows that you have a total liability of \$400 - but only during the process of a payroll deduction, they only deduct \$100 from that. Okay? Now, what the present law says is that you have to pay the difference between \$400 and the \$100 that you already put in, which is \$300, you have to pay it into the government before they allow you to apply the \$500 that is already collected under the local tax. And so when you do that, they rebate back whatever is the difference. So if the difference is \$300, then what essentially is happening here is that you paid into the government the \$300 and when you file your tax return you get the \$300 back. That is what it amounts to. It does not in any way prevent the requirement to satisfy the tax obligation because the rebate anyway is not going to be triggered unless the full obligation is met.

Rep. Hofschneider: On the local side?

Rep. Reyes: Both, local and federal, because they compliment each other.

Rep. Hofschneider: The rebatable provision is only applicable to NMTIT, not on the local tax.

Rep. Reyes: Absolutely correct, but, there is a non-refundable credit that you apply to the NMTIT before you get your rebate.

Rep. Hofschneider: Mr. Speaker, yesterday we passed in good conscience the user fee provision which allow credit. If this occurs, then essentially, Mr. Speaker, what we are saying is that now this is the second part of the picture that would now make the whole picture true in a sense that you are now no longer depositing the user fee when you are allowed to do this. In essence then, you are removed from that liability or obligation and then you are still allowed to get your rebate prior to meeting all of your obligations. Is that essentially what we are trying to do?

Rep. Reyes: Mr. Speaker, I have an expert in the Chamber now that I asked to come. If the members would wish, I would like to request that we go into Committee of the Whole to allow this to be answered.

Rep. Hofschneider: Before we call for that, Mr. Speaker, I want to insure that as an elected body, we understand what we are doing. In this scenario, Mr. Speaker, I fully support because it is really hitting towards those individuals that are far below those brackets that I am particularly concern with. And one case, that I would not mention the name, owes the CNMI over \$30 million and we can not collect it. However, when that person was here, he took the rebate already. There is no need to call an expert. I fully understand this, but I am just airing the concern, the ramification that certain individuals like what I just alluded to or similar to that person may again occur. But nonetheless, Mr. Speaker, without further procrastinating the session, I move to end debate.

The motion was seconded.

Speaker Benavente: For clarification - I guess it is true that there is going to be an impact here, but what we have got to be comfortable with is there are other laws that guarantee that the

government will collect sometime those liabilities that they owe us. We just have to be confident that the government is able to forcibly collect from the taxpayer.

Rep. Reyes: Also, Mr. Speaker, I think there are some serious questions with regards to this and need to be answers. While I understand this, I am basically concern with the majority of the citizens in the Marianas. I am not too sure whether the case that you alluded to – because I am familiar with the case you are talking about. I am not sure whether rebate has been given to this individual. I seem to recall that it was not.

The Chair recognized Rep. Santos.

Rep. Santos: Mr. Speaker, I find it also a little bit strange that given the information that the Division of Revenue and Taxation and the information that they have on their data base – when you file an income tax return, be it individual, business, or corporation, that they will have the information of any tax due to government. And when you submit your tax return, that information will come out and be reflected and should be used as a deduction to any rebatable amount that is due the individual or the company. If that is not the case, then we have serious, serious information breakdown within the Revenue and Taxation. That should be a built-in mechanism to reduce, deduct any due tax liability due to the government. So, I think I am a little familiar also with the case that Representative Hofschneider is alluding to, and I find it strange that that individual will be given the rebate without having the tax due government not deducted from the rebatable amount in the past.

Rep. Reyes: The congressman is absolutely correct. I remember that even when I was in the Department of Finance, even to the extent of utility billing, that reimbursement or refund is being held to insure that all liabilities to the government is paid. That is why I question whether or not in fact that rebate was paid out . . . because in my recollection, it is not.

Rep. Hofschneider: Mr. Speaker, for the second time, I move to end debate.

The motion was seconded.

Speaker Benavente: Okay, now I will recognize the motion to end debate.

The motion was carried by voice vote.

Speaker Benavente: We will now be voting on House Bill No. 9-482 on First and Final Reading. Clerk, roll call please.

The Clerk called the roll on the motion to pass House Bill No. 9-482, with the following result:

Representative Adriano	yes
Representative J. Attao	yes
Representative V. Attao	yes
Representative Babauta	yes
Representative Dela Cruz	yes
Representative Deleon Guerrero	yes
Representative Hocog	absent
Representative Hofschneider	yes
Representative Maratita	yes
Representative Palacios	yes
Representative Peter	yes
Representative Reyes	yes
Representative Sablan	yes

Representative Santos	yes
Representative Tenorio	yes
Representative Teregeyo	excused
Representative Torres	yes
Speaker Benavente	yes

Speaker Benavente: House Bill No. 9-482 passes the House on First and Final Reading. Vice Speaker?

Vice Speaker Attao: Can we have one more bill? This is the inhalant bill. Can you give special consideration for today's calendar, House Bill No. 9-474.

Speaker Benavente: Under Bill Calendar then, I recognize the Floor Leader.

Floor Leader Torres: Mr. Speaker, I move to suspend all pertinent Rules for the passage of House Bill No. 9-474.

The motion was seconded and carried by voice vote.

Rep. Deleon Guerrero: Privilege.

Speaker Benavente: Under Privilege – Representative Guerrero?

Rep. Deleon Guerrero: Is that on the calendar?

Speaker Benavente: We made the motion yesterday to place it on the calendar. It is House Bill No. 9-474. Floor Leader?

Floor Leader Torres: Mr. Speaker, I now move for the passage of House Bill No. 9-474 on First and Final Reading.

The motion was seconded.

H.B. NO. 9-474: "A Bill for an Act to prohibit the sale of products containing volatile solvents, nitrites and anesthetics to persons under the age of eighteen and for other purposes."

The Chair recognized Rep. Santos.

Rep. Santos: Can I make a subsidiary motion, Mr. Speaker, to include House Bill No. 9-430 on First and Final Reading.

Rep. Hofschneider: Out of Order.

Speaker Benavente: The Point of Order is recognized. At this time we are discussing House Bill No. 9-474. Minority Leader?

Rep. V. Attao: I move to end debate.

The motion was seconded and carried by voice vote.

Speaker Benavente: We will now be voting on House Bill No. 9-474 on First and Final Reading. Clerk, roll call please.

The Clerk called the roll on the motion to pass House Bill No. 9-474, with the following result:

Representative Adriano	yes
Representative J. Attao	yes
Representative V. Attao	yes
Representative Babauta	yes
Representative Dela Cruz	yes
Representative Deleon Guerrero	yes
Representative Hocog	absent
Representative Hofschneider	yes
Representative Maratita	yes
Representative Palacios	yes
Representative Peter	yes
Representative Reyes	yes
Representative Sablan	yes
Representative Santos	yes
Representative Tenorio	yes
Representative Teregeyo	excused
Representative Torres	yes
Speaker Benavente	yes

Vice Speaker Attao: Privilege, Mr. Speaker.

Speaker Benavente: Under Privilege.

Vice Speaker Attao: Mr. Speaker, may I ask the Clerk to transmit this bill to the Senate today so that the Senate can act on it tomorrow.

Speaker Benavente: First of all, let me declare that House Bill No. 9-474 passes the House on First and Final Reading. Minority Leader?

Rep. V. Attao: I move that we recess, Mr. Speaker.

The motion was seconded.

Rep. V. Attao: The reason why -- we have two bills going up to the Senate now and I think this is overloaded. The Clerks will not have time to do it.

Speaker Benavente: At this time, we recess until 9:30 tomorrow morning.

Rep. Dela Cruz: Mr. Speaker, clarification.

Speaker Benavente: Representative Dela Cruz -- under clarification.

Rep. Dela Cruz: Mr. Speaker, on Governor's Communications, Item 5 on our Agenda, Gov. Comm. 9-488, Public Law 9-50, it is showing up also as Public Law 9-50 on Senate Communication 9-225. Can we have that clarified?

Speaker Benavente: We will do that tomorrow morning. Recess.

The Chair declared for a recess at 11:30 a.m. and the House stands in recess.

FOURTH DAY
(Continued)

Thursday, September 29, 1995

The House of Representatives of the Ninth Northern Marianas Commonwealth Legislature reconvened its Fourth Day, Fourth Regular Session, 1995, on September 29, 1995, at 10:07 a.m. in the House Chamber, Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Diego T. Benavente, Speaker, presided.

Speaker Benavente: We are back to our session. Without objection, we move back to Item 3, Prefiled and Introduction of Bills.

There being no objection, the House went back to Item 3.

PREFILED AND INTRODUCTION OF BILLS

Speaker Benavente: Before we continue, I would like at this time to call on Representative Herman Palacios to be Speaker Pro Tem while I step down and take care of some other business in the office. May I please now call upon Representative Herman Palacios to be Speaker Pro Tem.

Representative Palacios stepped up to the dias and chaired the Floor.

Speaker Pro Tem Palacios: Under Item 3 of our Agenda, Prefiled and Introduction of Bill – Representative Teregeyo.

Rep. Teregeyo introduced the following:

H. B. NO. 9-483: A Bill for an Act to amend 3 CMC, Div. 4, Section 4437; and for other purposes."

Introduced by: Rep. Ana S. Teregeyo and five others

Rep. Teregeyo: If I may – may I request that this be calendared for today's action on First and Final Reading?

There being no objection from the floor, House Bill No. 9-483 was placed on the calendar.

The following bills were also introduced:

H. B. NO. 9-484: A Bill for an Act to amend Title 4, Division 1, Chapter 7 of Public Law No. 9-22, the 1995 Tax reform Act, to return the operation of the non-refundable credit to its previous status and thereby avoid double payment of some 1995 tax by both businesses and ordinary taxpayers, and eliminate administrative nightmares and excessive burdens on the private sector.

Introduced by: Rep. Pete P. Reyes.

Rep. Reyes: Mr. Speaker, this bill would amend the tax reform act, and I would get into more detail once we get down to the calendar.

H. B. NO. 9-485: A Bill for an Act to authorize the payment of car allowance and insurance to members of the police department who from their own funds furnished and regularly use their own automobile to perform official duties.

Introduced by: Rep. Heinz S. Hofschneider and five others
Referred to: Committee on Judiciary and Governmental Operations

At the request of the authors, House Bill No. 9-484 and 9-485 were also placed on the Bill Calendar.

The Chair proceeded to go down the Agenda by Line Item.

PREFILED AND INTRODUCTION OF RESOLUTIONS

None

MESSAGES FROM THE GOVERNOR

The Chair recognized Rep. Hofschneider.

Rep. Hofschneider: Mr. Speaker, at our last session, we agreed to suspend the communications and move down to Bill Calendar to expedite the session.

Speaker Pro Tem Palacios: You are asking to omit it . . . is that your request Congressman Hofschneider?

Rep. Hofschneider: Mr. Speaker, we agreed at our last session to defer discussion on all communications and move down to Bill Calendar.

There was a motion and it was seconded.

Speaker Pro Tem Palacios: There is a motion to move down to Bill Calendar. Before I entertain that – Representative Dela Cruz?

Rep. Dela Cruz: Mr. Speaker, I would like to point out – I think it is just a clerical error or typo. On Item 5, Messages from the Governor, Communication 9-488 where it says Public Law 9-50, that public law is also showing up on Item 6, Senate Communication 9-225. It is showing different titles, but showing the same public law number. I just want to make that clarification.

Speaker Pro Tem Palacios: Without any objection, can we go ahead and ask the legal counsel to take care of that?

There was no objection raised.

Speaker Pro Tem Palacios: Okay, that is taken care of. The motion to move down to Bill Calendar.

The motion to move down to Bill Calendar was carried by voice vote.

BILL CALENDAR

The Chair recognized Rep. Teregeyo.

Rep. Teregeyo: Mr. Speaker, I would like to inform the Chair that I consulted with the Chairman on JGO on a bill that was referred to his committee and he concurs that I shall recall the bill for reconsideration and action on today's Bill Calendar, and that is House Bill No. 9-429. I move to place it on today's Calendar.

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

The Chair recognized the Minority Leader.

Rep. V. Attao: Thank you, Mr. Speaker. I move that we delete from the Bill Calendar House Bill No. 9-411 and House Bill No. 9-401.

The motion was seconded, and carried by voice vote.

Rep. Manuel Tenorio: Clarification.

Rep. Babauta: What is the other bill number, Mr. Speaker?

Speaker Pro Tem Palacios: Minority Leader, go ahead and repeat the bill numbers.

Rep. V. Attao: Thank you. There are two House Bills: One is 9-411 and the other is 9-401.

Speaker Pro Tem Palacios: 9-411 and 9-401.

The Chair recognized Rep. Tenorio.

Rep. Manuel Tenorio: I understand the two bills that the Minority Leader wants to remove from today's calendar. I just wonder why . . . what is the rationale?

Rep. V. Attao: On the first one, the minimum wage, we have passed that already and it is public law right now. The second one is on the medical expense which I introduced. I recalled that bill that came from the Senate. So, I purposely want to replace it with the bill from the Senate, because the Senate Bill came first. But that was my bill.

Rep. Manuel Tenorio: Thank you, Mr. Speaker.

Rep. Deleon Guerrero: Privilege.

Speaker Pro Tem Palacios: Under privilege, Congressman Guerrero?

Rep. Deleon Guerrero: I think House Bill No. 9-411, there is a bill that became law, isn't it?

Rep. V. Attao: That is correct.

Rep. Deleon Guerrero: Thank you.

The Chair recognize the Vice Speaker.

Vice Speaker Attao: Thank you, Mr. Speaker. Mr. Speaker, if there is no objection, I would like to make a motion to withdraw Senate Bill No. 9-6 from the committee for action today.

There being no objection, Senate Bill No. 9-6, Public Auditor's Amendment Act, was recalled from the Committee by voice vote.

Rep. Deleon Guerrero: Privilege – is that Senate Bill on the Calendar.

Rep. Teregeyo: No.

Rep. Deleon Guerrero: We are discussing the bills that . . . we are on the Calendar.

Speaker Pro Tem Palacios: Yes, but the Vice Speaker made a motion to include that.

Rep. Deleon Guerrero: In the Calendar?

Speaker Pro Tem Palacios: Yes.

Rep. Dela Cruz: Mr. Speaker, can we – Point of Order.

Speaker Pro Tem Palacios: That is what I like. State your Point of Order, Congressman Dela Cruz.

Rep. Dela Cruz: Can we dispose of the motion by the Minority Leader on the two bills that are to be deleted off the Bill Calendar?

Speaker Pro Tem Palacios: That was taken care of already. Your Point of Order is well taken care of.

Rep. Teregeyo: Mr. Speaker, I beg to disagree with you. I think we were under discussion. We need to dispose of those two.

Speaker Pro Tem Palacios: Didn't we dispose the motion?

Vice Speaker Attao: Yes.

Rep. Babauta: Yes, we did.

Rep. Teregeyo: I apologize.

Speaker Pro Tem Palacios: No problem.

Rep. Teregeyo: Mr. Speaker, I would like to move that under the Bill Calendar we should dispose all House Bill referenced with committee reports. I would like to dispose of those first before we can entertain any bill that does not have a committee report.

The motion was seconded. There was an objection from the Floor.

Rep. V. Attao: Mr. Speaker, I hate to differ with my good colleague. I think we should give the opportunity for the Floor Leader to decide.

Rep. Hofschneider: So move.

The motion was seconded.

The Chair recognized Rep. Teregeyo.

Rep. Teregeyo: Mr. Speaker, I am just taking the liberty of making that motion on behalf of our good Floor Leader. If that is the case, I can refer that to the Floor Leader to make that motion, thank you.

Speaker Pro Tem Palacios: Alright, well taken care of. Floor Leader?

Floor Leader Torres: Can we continue now? Did you recognize me, Mr. Speaker?

Rep. Deleon Guerrero: Mr. Speaker, you should call for a recess.

Speaker Pro Tem Palacios: There is a motion for a recess. Short recess.

There being no objection, the Chair declared recess at 10:20 a.m.

R E C E S S

The House reconvened at 10:30 a.m.

Speaker Pro Tem Palacios: We are now going to resume our session and at this time I would like to ask Representative Hofschneider to come and take the chair. I am stepping down to debate.

At this time, Rep. Hofschneider stepped up to the dias and Chair the Floor.

Speaker Pro Tem Hofschneider: We are still on Bill Calendar. Floor Leader, there was a request to consider bills with committee reports, but a subsidiary comment by the Minority Leader to get the Floor to reconsider. Floor Leader?

Speaker Pro Tem Palacios: That is noted, Mr. Speaker.

Floor Leader Torres: Mr. Speaker, I move for the passage of Senate Legislative Initiative No. 9-1 on First and Final Reading.

The motion was seconded.

S. L. I. No. 9-1: "A Senate Legislative Initiative to propose a constitutional amendment to authorize casino gambling in the Third Senatorial District pursuant to Article XVIII, Section 3 of the Commonwealth Constitution, establishing a Saipan Gaming Commission and providing for the regulation of commercial gaming in the Third Senatorial District." (For passage)

The Chair recognized the Minority Leader.

Rep. V. Attao: I move to end debate.

The motion was seconded.

Speaker Pro Tem Hofschneider: Before I recognize the motion – Representative Guerrero?

Rep. Deleon Guerrero: What is the motion?

Speaker Pro Tem Hofschneider: To pass.

Rep. V. Attao: I move to end debate, Mr. Speaker.

Rep. Teregeyo: Privilege.

Speaker Pro Tem Hofschneider: State your privilege.

Rep. Teregeyo: May I hear the title of that Senate Communication?

Speaker Pro Tem Hofschneider: Floor Leader, may you do the honor and read the title.

Floor Leader Torres: The title is: A Senate Legislative Initiative to propose a constitutional amendment to authorize casino gambling in the Third Senatorial District

Rep. Teregeyo: Thank you.

The motion to pass Senate Legislative Initiative 9-1 was entertained by voice vote.

Speaker Pro Tem Hofschneider: The motion is carried. Floor Leader?

Floor Leader Torres: Mr. Speaker, I move for the passage of House Bill No. 9-381 on First and Final Reading.

The motion was seconded.

H.B. No. 9-381: "To amend 1 CMC, Section 8248, to allow government attorneys to be exempted from the salary cap on government officials."

Speaker Pro Tem Hofschneider: Discussion.

Rep. Teregeyo: Mr. Speaker –

Speaker Pro Tem Hofschneider: Representative Teregeyo?

Rep. Teregeyo: Mr. Speaker, may I ask the mover to please at least read the titles of the bills that are being acted on. Thank you.

Speaker Pro Tem Hofschneider: Floor Leader.

Floor Leader Torres: House Bill No. 9-381 is exempting government attorneys from the salary cap.

Speaker Pro Tem Hofschneider: Representative Reyes?

Rep. Babauta: Privilege, Mr. Speaker.

Speaker Pro Tem Hofschneider: Representative Reyes?

Rep. Reyes: Mr. Speaker, I yield to the privilege then I would like to --

Speaker Pro Tem Hofschneider: State your Privilege.

Rep. Babauta: Thank you. Before we continue, I would like kindly suggest if we could have a copy of the order of or rather the manner of which is which to pass first because we are juggling around with our Bill Calendar and we can not --

Speaker Pro Tem Hofschneider: Okay, we will take a three-minute recess. Floor Leader, can you provide the order in which you would like to address the Bill Calendar.

Floor Leader Torres: It is prepared in the Calendar. It is all typewritten in the Calendar.

Rep. Babauta: I under stand that, Mr. Speaker, its --

Speaker Pro Tem Hofschneider: One minute recess.

The House recessed at 10:35 a.m.

R E C E S S

The House reconvened at 10:37 a.m.

Speaker Pro Tem Hofschneider: We are back in session. Floor Leader, for the second time – we need to go back to the Senate Legislative Initiative.

Floor Leader Torres: Mr. Speaker, I think I have to restate my motion. I move for the House to reconsider its action on S.L.I. 9-1.

The motion was seconded.

S. L. I. No. 9-1: "A Senate Legislative Initiative to propose a constitutional amendment to authorize casino gambling in the Third Senatorial District pursuant to Article XVIII, Section 3 of the Commonwealth Constitution, establishing a Saipan Gaming Commission and providing for the regulation of commercial gaming in the Third Senatorial District." (for reconsideration)

Speaker Pro Tem Hofschneider: There is a motion to reconsider our action on Senate Legislative Initiative 9-1 and it has been seconded. Discussion.

Speaker Benavente: Excuse me, Mr. Speaker, can I be recognized?

Speaker Pro Tem Hofschneider: You are recognized.

Speaker Benavente: What is the voting for?

Speaker Pro Tem Hofschneider: We are going back to reconsider our action on Senate Legislative Initiative 9-1. It needs a three-fourth vote for passage. There was a motion and it was seconded to reconsider our action.

The motion to reconsider action was carried by voice vote.

The Chair recognized the Floor Leader.

Floor Leader Torres: Mr. Speaker, I now move for the passage of Senate Legislative Initiative 9-1 on First and Final Reading.

The motion was seconded.

S. L. I. No. 9-1: "A Senate Legislative Initiative to propose a constitutional amendment to authorize casino gambling in the Third Senatorial District pursuant to Article XVIII, Section 3 of the Commonwealth Constitution, establishing a Saipan Gaming Commission and providing for the regulation of commercial gaming in the Third Senatorial District." (for passage)

Speaker Pro Tem Hofschneider: Discussion. I recognize Representative Benavente.

Speaker Benavente: Thank you. Mr. Speaker, I thought that the members were going to continue on with the session, but I understand that we went right away to the Bill Calendar in order to pass this legislative initiative. There are a lot of problems with this legislative initiative and even though I have spoken in the past in support of the people voting for casino, there are

alot of problems with this particular legislative initiative because one, it does not have the time . . . the time is too short between now and November 4th for the people, for the general public to get educated about what they will be voting for. Number two, it does not have any provision in the bill for that public education. That is very important. I was hoping that we would have time to discuss this so that maybe we can place it on a later date, but not November 4th. I think that there is possibility that the we can hold it at another special election – allow it by law. We will be acting, again, irresponsibly if we were to pass this today and make and force the people to decide on this issue on November 4th because it is too short. We can not do this to the people. Let's try to amend this. Let's go into recess and see if we can create an amendment that would include a provision at least, at least a provision in this bill that would have a provision in there that would have public education. We can not just pass this and expect it to be on the ballot for the people to decide. It is too important of a decision. It is a major decision for our people to decide. Thank you.

The Chair recognized the Minority Leader.

Rep. V. Attao: I move, make a subsidiary motion to refer this to the committee.

The motion was seconded and carried by voice vote.

Speaker Pro Tem Hofschneider: Senate Legislative Initiative 9-1 is referred to the committee. Floor Leader?

Floor Leader Torres: I move for the passage of House Bill No. 9-215, SD1, on First and Final Reading.

The motion was seconded.

H.B. NO. 9-215, SD1: "To authorize administrative leave for disaster service volunteers and for other purposes." (For passage - acceptance of Senate amendment)

Speaker Pro Tem Hofschneider: Discussion.

Vice Speaker Attao: Mr. Speaker, may I ask the author if she agrees with the Senate amendment.

Rep. Teregeyo: Yes, I do.

Vice Speaker Attao: You do.

Rep. Teregeyo: Yes.

Vice Speaker Attao: Thank you.

There being no discussion, the Clerk called the roll on the motion to pass (accept the Senate amendment) House Bill No. 9-215, SD1, on First and Final Reading:

Representative Adriano	yes
Representative J. Attao	yes
Representative V. Attao	yes
Representative Babauta	yes
Representative Dela Cruz	yes
Representative Deleon Guerrero	yes
Representative Hocog	absent
Representative Hofschneider	yes
Representative Maratita	absent

Representative Palacios	yes
Representative Peter	yes
Representative Reyes	yes
Representative Sablan	absent
Representative Santos	absent
Representative Tenorio	yes
Representative Teregeyo	yes
Representative Torres	yes
Speaker Benavente	absent (during voting)

Speaker Pro Tem Hofschneider: House Bill No. 9-215, SD1, passes the House. Floor Leader?

Floor Leader Torres: Mr. Speaker, I move for the passage of House Bill No. 9-298, House Draft 1 on First and Final Reading, entitled, Traditional Medicine used by Chamorro and Carolinian Herbalist/Healers.

The motion was seconded.

H.B. 9-298, H.D.1: "To effect the identification and study of medicinal plants and the methods of preparation of traditional medicines used by Chamorro and Carolinian herbalist-healers; to authorize the appropriation of \$50,000; and for other purposes."

Speaker Pro Tem Hofschneider: Discussion.

There being no discussion, the motion to pass House Bill No. 9-298, House Draft 1 carried with the following result:

Representative Adriano	yes
Representative J. Attao	yes
Representative V. Attao	present
Representative Babauta	yes
Representative Dela Cruz	yes
Representative Deleon Guerrero	yes
Representative Hocog	absent
Representative Hofschneider	yes
Representative Maratita	absent
Representative Palacios	yes
Representative Peter	yes
Representative Reyes	yes
Representative Sablan	absent
Representative Santos	absent
Representative Tenorio	yes
Representative Teregeyo	yes
Representative Torres	yes
Speaker Benavente	absent (during voting)

Speaker Pro Tem Hofschneider: House Bill No. 9-298, House Draft 1 passes the House. Floor Leader?

Rep. Teregeyo: Privilege, Mr. Speaker.

Speaker Pro Tem Hofschneider: State your privilege.

Rep. Teregeyo: I do not know whether I am out of order, but I wish to be recognized as present today. Thank you.

Speaker Pro Tem Hofschneider: So recognized. Floor Leader?

Floor Leader Torres: Mr. Speaker, I move for the passage of House Bill No. 9-477, entitled, Census bill.

The motion was seconded.

H. B. NO. 9-477: "To amend 3 CMC Section 4437, subsection (e) and 3 CMC Section 4434, subsection (j)."

Speaker Pro Tem Hofschneider: Minority Leader?

Rep. V. Attao: Ready.

Rep. Deleon Guerrero: Privilege.

Speaker Pro Tem Hofschneider: State your privilege.

Rep. Deleon Guerrero: Was that just calendared?

Speaker Pro Tem Hofschneider: Floor Leader?

Floor Leader Torres: Mr. Speaker, I have to apologize. Can we take one step back?—I recall my motion. And I would move to suspend all pertinent Rules for the passage of House Bill No. 9-477.

The motion was seconded.

Speaker Pro Tem Hofschneider: Minority Leader?

Rep. V. Attao: I would like to make a subsidiary motion to include House Bill No. 9-475.

Vice Speaker Attao: Mr. Speaker, can we dispose of the first bill and then proceed with the motion made by the Minority Leader.

Speaker Pro Tem Hofschneider: Sincere there is no second to the subsidiary, I recognize the main motion.

Rep. Teregeyo: Privilege.

Speaker Pro Tem Hofschneider: State your privilege.

Rep. Teregeyo: Mr. Speaker, I think House Bill No. 9-483 is similar in the action that we need to take today. I would like to make a subsidiary motion to include House Bill No. 9-483.

Vice Speaker Attao: Mr. Speaker, can we have a copy of the bill?

Rep. Teregeyo: You have it. It has been distributed.

Speaker Pro Tem Hofschneider: Short recess.

The House recessed at 10:48 a.m.

R E C E S S

The House reconvened at 11:05 a.m.

Speaker Pro Tem Hofschneider: We are back in session. Floor Leader?

Floor Leader Torres: Mr. Speaker, can I ask you to recognize the Minority Leader to restate his statement.

The Chair recognized the Minority Leader.

Rep. V. Attao: I think there is a big problem here in this Chamber. One is that right now the leadership of the House consists of the Vice Speaker, the Floor Leader and the Speaker, all from Garapan, Precinct III. Now the House is moving and leading by the two minority, I mean two independents. It is kind of weird . . . but just to recognize how good the republicans, the democrats and the independents are working together to foster the betterment of our people. I hope that we return back to congress in the Tenth.

Speaker Pro Tem Hofschneider: Thank you. Floor Leader?

Floor Leader Torres: Yes, Mr. Speaker.

Speaker Pro Tem Hofschneider: We were discussing to include those requests that were not calendared.

Floor Leader Torres: Mr. Speaker, I would have to get a copy from the Clerk.

Speaker Pro Tem Hofschneider: Let's move on to the next bill.

Rep. Teregeyo: Privilege.

Speaker Pro Tem Hofschneider: State your privilege.

Rep. Teregeyo: Mr. Speaker, I think we were on the issue of suspension of rules. That is a motion that we have to dispose of.

Speaker Pro Tem Hofschneider: For clarification to the members – we were on the suspension of Rules and requested that everyone submits their request to the Floor Leader for calendar purpose if not calendared.

Vice Speaker Attao: Mr. Speaker, are we on recess?

Speaker Pro Tem Hofschneider: No.

Vice Speaker Attao: Mr. Speaker, may I ask the members to have the Floor Leader take the rule and make the necessary motion to suspend or to pass so that we can go on?

Rep. Teregeyo: Mr. Speaker, I think I need to withdraw my subsidiary motion so that we can proceed with the suspension of rules.

Speaker Pro Tem Hofschneider: Do you want to make that into a formal motion?

Rep. Teregeyo: Thank you, Mr. Speaker. I withdraw my subsidiary motion to include H.B. 9-483, so we can proceed with the motion the Floor – the suspension of rules for House Bill No. 9-477.

Speaker Pro Tem Hofschneider: So noted. Floor Leader?

Floor Leader Torres: I think we are still under discussion, Mr. Speaker.

Rep. Teregeyo: Ready for the question.

Speaker Pro Tem Hofschneider: Floor Leader, are you on 9-477?

Floor Leader Torres: Correct. I now move for the passage on First and Final Reading of House Bill No. 9-477.

The motion was seconded.

Rep. Teregeyo: Point of Order, Mr. Speaker.

Speaker Pro Tem Hofschneider: State your Point.

Rep. Teregeyo: We have not dispose of the suspension of rules, Mr. Speaker, we were under discussion. We have to suspend the rule to entertain House Bill No. 9-477.

Speaker Pro Tem Hofschneider: Floor Leader, can you restate correctly the motion for 9-477.

Floor Leader Torres: Alright this is going to be cooperating so I will restate my motion. I move for the suspension of all pertinent rules for the passage of House Bill No. 9-477.

The motion was seconded and carried by voice vote.

The Chair recognized the Floor Leader.

Floor Leader Torres: Mr. Speaker, I now move for the passage on First and Final Reading of House Bill No. 9-477.

The motion was seconded.

H. B. NO. 9-477: "To amend 3 CMC Section 4437, subsection (e) and 3 CMC Section 4434, subsection (j)."

Speaker Pro Tem Hofschneider: Discussion. Representative Palacios?

Rep. Palacios: I'm sorry the motion has been entertained, but I just want to make it clear. On the first paragraph of this bill, Mr. Speaker, what if it is just a voluntary, without compensation type of service. This question was raised for some time already.

Speaker Pro Tem Hofschneider: For the benefit of the members, the Census has strict guidelines and it also – the federal law on census is also applicable. There is a question whether that is allowable when confidential matters are being compiled.

Rep. Palacios: Thank you, Mr. Speaker. Shouldn't there be an exception of those that would be permitted by the labor department when they fall on their complaint. Because if we go ahead and adopt this the way it is, irregardless of whether or not the labor department would consent these people to work on another source of employment, they are not supposed to. I want to make sure that I understand this very clearly.

Speaker Pro Tem Hofschneider: That is well-taken. Again, for the benefit of the members, the census has very strict guidelines. I am pretty sure and I trust that the census will not enroll

people who have other liabilities or complaints or judgments against the CNMI. That is well-taken.

Rep. Palacios: Thank you, Mr. Speaker.

There being no further discussion on the bill, the motion to pass House Bill No. 9-477 on First and Final Reading carried with the following result:

Representative Adriano	yes
Representative J. Attao	yes
Representative V. Attao	yes
Representative Babauta	yes
Representative Dela Cruz	yes
Representative Deleon Guerrero	yes
Representative Hocog	absent
Representative Hofschneider	yes
Representative Maratita	absent
Representative Palacios	yes
Representative Peter	yes
Representative Reyes	yes
Representative Sablan	absent
Representative Santos	absent
Representative Tenorio	yes
Representative Teregeyo	yes
Representative Torres	yes
Speaker Benavente	yes

(comment during voting:

Rep. Babauta: Mr. Speaker, may I for a few seconds – I was wondering . . . isn't this provision included in Public Law 7-45 that would continue their . . .

Speaker Pro Tem Hofschneider: No, that is why there is an urgent request for this because the census is on-going.

Rep. Babauta: Yes, because I as understood Secretary Dela Cruz wrote to us an official testimony asking us or rather telling us that they no longer need it. That's just for informational purposes.)

Speaker Pro Tem Hofschneider: House Bill No. 9-477, passes the House. Floor Leader?

Floor Leader Torres: Mr. Speaker, I move for the passage of House Bill No. 9-414 on First and Final Reading, title: Reprogram fund balance from P.L. 7-36.

The motion was seconded.

H.B. No. 9-414: "To reprogram fund balances from Public Law No. 7-36; and for other purposes."

Speaker Pro Tem Hofschneider: Discussion. Vice Speaker?

Vice Speaker Attao: Thank you, Mr. Speaker. On page 1, line item 11 – if there is no objection – I would like to make an oral amendment to change "speed bumps" to "basketball bleachers". Thank you.

There was no objection raised and the motion to amend was seconded.

Rep. Teregeyo: Point of Information.

Speaker Pro Tem Hofschneider: State your point.

Rep. Teregeyo: Vice Speaker, I did not quite hear – what was the amendment . . . from "basketball" to "speed bumps"?

Vice Speaker Attao: No, from "speed bump" to "basketball bleachers".

Rep. Teregeyo: Then in what precinct, what village?

Vice Speaker Attao: 1, 2, 3, and 4.

Rep. Teregeyo: Thank you.

Vice Speaker Attao: This is not only for Precinct 3. It is for precinct –

Speaker Pro Tem Hofschneider: Minority Leader?

Rep. V. Attao: Mr. Speaker, I think the urgent need now specifically in Precinct 1 is speed bumps, because this is for traffic control. It is a health hazard for kids who are playing around. I do not see the real need for changing it. I think the very important is to make sure that our villages with paved roads that we have to control the speed. And the only way to control it, is to install the speed bumps.

Vice Speaker Attao: Mr. Speaker, I think we have enough funding for the speed bumps.

Speaker Pro Tem Hofschneider: Vice Speaker, you are Out of Order. The Minority Leader has the floor.

Rep. V. Attao: May I ask the Vice Speaker then to enlighten me as to where it shows that there are enough for speed bumps particularly in Precinct 1?

Vice Speaker Attao: Yes, Mr. Speaker. I will be very glad to answer that question. We have about \$30,000 available right now. Nobody is using that money. So, if you want speed bumps, Minority Leader, we can give you.

The Chair recognized Rep. Teregeyo.

Rep. Teregeyo: I would like to air the same concern, Mr. Speaker, and I would like to make a subsidiary oral amendment to include "speed bumps or baseball bleachers, or basketball bleachers, or ball field bleachers as the need requires".

Speaker Pro Tem Hofschneider: Representative Teregeyo, for oral amendments, we could not allow – which specific amendments would you like?

Rep. Teregeyo: I would like to retain "speed bumps and/or".

The motion was seconded.

Speaker Pro Tem Hofschneider: There is a subsidiary motion offered to the amendment by the Vice Speaker to include "and/or".

The motion to amend was carried by voice vote.

Speaker Pro Tem Hofschneider: Discussion.

Vice Speaker Attao: Thank you, Mr. Speaker. The reprogramming, Mr. Speaker, is calculated based on the need of bus shelters and also based on the need of the basketball bleachers. If Precinct 1 wants to amend this, I want the record to show that any bleacher going to Precinct 1 should be adjusted or computed and taken away and put it under speed bumps.

The Chair recognized Rep. Dela Cruz.

Rep. Dela Cruz: Mr. Speaker, I agree with . . . I am sorry to say that I am differing with my two colleagues from Precinct 1, but I agree with the Vice Speaker. There is an existing approximately \$21,000 under the dispensing authority of the Mayor's office for speed bumps. I believe that the oral amendment offered by the Vice Speaker to substitute the speed bumps with basketball bleachers is in order. I will request my two colleagues to please leave the original motion of the Vice Speaker in tact so that we can move on with this one.

Rep. Palacios: Point of information, Mr. Speaker.

Speaker Pro Tem Hofschneider: State your point.

Rep. Palacios: Is my good colleague from Precinct 1 honestly saying that there is \$21,000 remaining for speed bumps?

Speaker Pro Tem Hofschneider: Out of Order. That is not a point of information. That is a direct question.

Rep. Palacios: That is information, Mr. Speaker. I will not be able to vote unless I receive the correct information.

Speaker Pro Tem Hofschneider: I will recognize you to ask the question now.

Rep. Palacios: I will do it again. Congressman Dela Cruz, I just want to make sure that you are equipped with that information that there is in fact \$21,000 remaining to be used for speed bumps in Precinct 1.

Rep. Dela Cruz: Thank you, Mr. Speaker. Mr. Speaker, I do not believe the Vice Speaker have ever led us astray in the direction that is good for the people. I will gladly share the information with my colleague, Representative Palacios. Thank you, Mr. Speaker.

Rep. Palacios: That is taken care of, Mr. Speaker.

The Chair recognized Rep. Teregeyo.

Rep. Teregeyo: Thank you, Mr. Speaker. This is a question to the Vice Speaker. Of the \$28,737.00 of unexpended balance that we are talking about to cover basketball bleachers as you offered on the Floor, how much of this do you know other than the \$2,900 shortfall for Oleai basketball court due Guerrero Brothers in addition to the remaining and the other priorities as identified under the use of the remaining funds?

Vice Speaker Attao: Can you repeat your question?

Rep. Teregeyo: The \$28,237.00, Mr. Vice Speaker, was identified by this bill as unexpended fund balance that we are now debating on the Floor. That amount is to cover Convention Center

toilet and air-conditioning which I know far exceeded \$28,000. The purpose of constructing bus shelters with you oral amendment of substituting speed bumps with basketball bleachers and the remaining fund to cover the shortfall due the Guerrero Brothers, Incorporated, is there any other . . . or can you provide us with the figure of what would it take to pay all of these debts and to pay for or to provide funds for the construction of all we want under this bill?

Vice Speaker Attao: Mr. Speaker, first to answer the question of the shortfall. Mr. Speaker, the \$2,900 when the basketball court was constructed by Guerrero Brothers, there was a shortfall by that much. Only this house can authorize that amount for appropriation by the years. Mr. Speaker, the \$2,900 is not coming from the \$28,000. Second question is, how much would it cost for the construction of shelters and bleachers. To base on line item 17, page 1, 17 shelters would cost about \$3,000 a piece, a standard shelter. Now the bleachers, based on the number of bleachers needed per precinct, all in all, from precinct one to precinct four, Mr. Speaker, I was given that \$19,760 would be sufficient to cover for the bleachers for all basketball courts. I hope I answer the question, Chairwoman Teregeyo.

Rep. Teregeyo: Is \$28,000 . . . you indicated, Vice Speaker, that \$28,000 is not to pay for the shortfall of \$2,900?

Vice Speaker Attao: The \$28,000 was earmarked to cover 17 shelters, Mr. Speaker. Mr. Speaker, in addition to that, this money was appropriated way back during the 7th Congress and up till now -- and I do not think it is fair for the money to be sitting down in Finance and not do anything. I think it is our responsibility to help our young generation, to help our students and so forth. So reprogramming those unexpended balance, I think it is only fair that we address the needs of each precinct. Thank you.

The Chair recognized Rep. Tenorio.

Rep. Manuel Tenorio: Mr. Speaker, this is a good bill and I move to end debate.

The motion was seconded and carried by voice vote.

Speaker Pro Tem Hofschneider: Ready? Clerk, roll call please.

The Clerk called the roll on the motion to pass House Bill No. 9-414, HD1, on First and Final Reading:

Representative Adriano	yes
Representative J. Attao	yes
Representative V. Attao	yes
Representative Babauta	yes
Representative Dela Cruz	yes
Representative Deleon Guerrero	yes
Representative Hocog	absent
Representative Hofschneider	yes
Representative Maratita	absent
Representative Palacios	yes
Representative Peter	yes
Representative Reyes	yes
Representative Sablan	absent
Representative Santos	absent
Representative Tenorio	yes
Representative Teregeyo	yes
Representative Torres	yes
Speaker Benavente	yes

Speaker Pro Tem Hofschneider: House Bill No. 9-414, House Draft 1 passes the House. Floor Leader?

Floor Leader Torres: Mr. Speaker, I have to make a suspension of the rules by special request. A motion to suspend all pertinent rules – for clarification, did anybody move to calendar House Bill No. 9-484.

Rep. Reyes: Mr. Speaker, when I introduced the bill, I make a very short comment and then I ask if there is any objection to put it on today's calendar and there was no objection . . . and you ruled that it would be on the calendar.

Speaker Pro Tem Hofschneider: So be it. Floor Leader?

Floor Leader Torres: Mr. Speaker, I move to suspend all pertinent Rules for the passage of House Bill No. 9-484.

The motion was seconded.

H. B. NO. 9-484: "To amend Title 4, Division 1, Chapter 7 of Public Law No. 9-22, the 1995 Tax reform Act, to return the operation of the non-refundable credit to its previous status and thereby avoid double payment of some 1995 tax by both businesses and ordinary taxpayers, and eliminate administrative nightmares and excessive burdens on the private sector."

Speaker Pro Tem Hofschneider: There is a motion for the suspension of all pertinent rules for the passage of House Bill No. 9-484 and it has been seconded. Discussion. Representative Reyes?

Rep. Reyes: Mr. Speaker, I would like to make this short. We passed a house bill, House Bill No. 9-420, which gave the garment industry the tax credit. Then we passed House Bill No. 9-482 which allows the tax rebate – once it is determined – it allows the tax rebate to be applied against your tax liability at the time you file your tax return. Since that is your money, you could apply that amount. Under the current law, you can not even get your rebate until you pay your money upfront. There are many other factors in that particular bill. Secondly that bill, 9-482, it also prevents you from losing your entire liability and entire rebate simply because you file your tax late or you miscalculate your liability. Section 708(b)(2) on that bill allows you to . . . makes you lose 10% of your rebate for every fraction of the month where you did not file your tax return. Also on the same section (b)(3)(b), if you miscalculate your tax liability by \$100.01 then you lose the entire rebate. If you have \$2,000 rebate and you miscalculated by just \$100.01, you lose your entire rebate. We passed that. This bill, all correlate – since we passed that and give the garment industry the tax credit, this bill is now to give the normal, our people, the poor people, the ability to apply their tax on chapter 2 against NMTT in the process of filing their tax return so that they do not lose or be required to pay the entire amount do because that is applied. So, Mr. Speaker, I would like to ask my colleagues here to support this bill so that we can prevent our people, the people that earns wages to benefit also from this. Thank you.

The Chair recognized Rep. Babauta.

Rep. Babauta: Thank you, Mr. Speaker. I would just like to clarify from the author page 2, line 27, subsection (b) – what does "partners and S Corporations" stand for?

Rep. Reyes: It is purposed to be partners and sub-corporations.

Rep. V. Attao: Mr. Speaker, move for a recess.

Speaker Pro Tem Hofschneider: Short recess.

The House recessed at 11:35 a.m.

R E C E S S

The House reconvened at 11:36 a.m.

Speaker Pro Tem Hofschneider: We are back in session. Representative Babauta?

Rep. Babauta: Ready for the question.

The Chair recognized the Minority Leader?

Rep. V. Attao: I move to end debate, Mr. Speaker.

The motion was seconded and carried by voice vote.

The motion to pass House Bill No. 9-484 carried by roll call vote as follows:

Representative Adriano	yes
Representative J. Attao	yes
Representative V. Attao	yes
Representative Babauta	yes
Representative Dela Cruz	yes
Representative Deleon Guerrero	yes
Representative Hocog	absent
Representative Hofschneider	yes
Representative Maratita	absent
Representative Palacios	yes
Representative Peter	yes
Representative Reyes	yes
Representative Sablan	absent
Representative Santos	absent
Representative Tenorio	yes
Representative Teregeyo	yes
Representative Torres	yes
Speaker Benavente	yes

Speaker Pro Tem Hofschneider: House Bill No. 9-484 passes the House. Floor Leader?

Rep. Teregeyo: Mr. Speaker, privilege.

Speaker Pro Tem Hofschneider: State your privilege.

Rep. Teregeyo: Was this bill reviewed by our legal counsel? (The response was yes)

The Chair recognized Rep. Benavente.

Speaker Benavente: Thank you, Mr. Speaker. I received a letter from the Senate President a few days ago – a very nice letter – asking us if the House may consider some of the Senate bills that are sitting here in the House. At this time, may I ask the Floor and the members to please look for an urgent Senate bill that is sitting in the calendar so that we may pass it.

Speaker Pro Tem Hofschneider: Short recess.

The House recessed at 11:37 a.m.

R E C E S S

The House reconvened at 11:39 a.m.

Speaker Pro Tem Hofschneider: Floor Leader?

Floor Leader Torres: Ready.

Speaker Pro Tem Hofschneider: So I am. Move.

Floor Leader Torres: Mr. Speaker, I move for the passage of House Bill No. 9-427 on First and Final Reading. It is entitled, "To strengthen statute on the release of names of minor victims of crimes.

The motion was seconded.

H.B. NO. 9-427: "To strengthen laws prohibiting the release of the names of minor victims of violent or abusive crimes by the amendment of † CMC 9918(a)(12)."

There being no discussion, the motion to pass House Bill No. 9-427 carried with the following voting result:

Representative Adriano	yes
Representative J. Attao	yes
Representative V. Attao	yes
Representative Babauta	yes
Representative Dela Cruz	yes
Representative Delcon Guerrero	yes
Representative Hocog	absent
Representative Hofschneider	yes
Representative Maratita	absent
Representative Palacios	yes
Representative Peter	yes
Representative Reyes	yes
Representative Sablan	absent
Representative Santos	absent
Representative Tenorio	yes
Representative Teregeyo	yes
Representative Torres	yes
Speaker Benavente	yes

Speaker Pro Tem Hofschneider: House Bill No. 9-427 passes the House. Floor Leader?

Floor Leader Torres: Mr. Speaker, I move for the passage on First and Final Reading House Bill No. 9-396, appropriating \$100,000 for the Battle of Saipan monument.

The motion was seconded.

H.B. 9-396: "To authorize the appropriation of one hundred thousand dollars for the building of a monument to commemorate the Carolinian and Chamorro civilians who lost their lives in the Battle of Saipan during World War II."

There being no discussion, the motion to pass House Bill No. 9-396 on First and Final Reading carried with a roll call vote, as follows:

Representative Adriano	yes
Representative J. Attao	yes
Representative V. Attao	yes
Representative Babauta	yes
Representative Dela Cruz	yes
Representative Deleon Guerrero	yes
Representative Hocog	absent
Representative Hofschneider	yes
Representative Maratita	absent
Representative Palacios	yes
Representative Peter	yes
Representative Reyes	yes
Representative Sablan	absent
Representative Santos	absent
Representative Tenorio	yes
Representative Teregeyo	yes
Representative Torres	yes
Speaker Benavente	yes

Speaker Pro Tem Hofschneider: House Bill No. 9-396 passes the House. Floor Leader?

Floor Leader Torres: Mr. Speaker, I move . . . can we pause for a moment.

Speaker Pro Tem Hofschneider: Short recess.

The House recessed at 11:43 a.m.

R E C E S S

The House reconvened at 11:44 a.m.

Speaker Pro Tem Hofschneider: We are back to our session. Floor Leader?

Floor Leader Torres: Mr. Speaker, since we have already recalled from the committee, I am going to suspend all pertinent rules for the passage on First and Final Reading of Senate Bill No. 9-6.

The motion to suspend pertinent rules was seconded and carried by voice vote.

Speaker Pro Tem Hofschneider: Floor Leader?

Floor Leader Torres: I now move for the passage on First and Final Reading Senate Bill No. 9-6.

The motion was seconded.

S.B. No. 9-6: ""To amend and strengthen the Commonwealth Auditing Act of 1983, 1 CMC, Section 7811 et seq., to amend 1 CMC, Section 7831(a), (b), (c), and (d); 1 CMC, Section 7823(a) and (d), 1 CMC, Section 2302(d); to amend 1 CMC, Section 7844(b); to amend 7 CMC, Section 2303(g); and to add new Section 1 CMC 7822(d); 7851; 7852; and to repeal and reenact 1 CMC, Section 2305(a), and add a new Subsection 1 CMC Section 2305(d), and for other purposes."

Rep. Deleon Guerrero: Privilege.

Speaker Pro Tem Hofschneider: State your privilege.

Rep. Deleon Guerrero: What is the title of the bill.

Vice Speaker Attao: Public Auditor Act.

Speaker Pro Tem Hofschneider: Ready?

There being no discussion, the motion to pass Senate Bill No. 9-6 on First and Final Reading carried by roll call vote, as follows:

Representative Adriano	yes
Representative J. Attao	yes
Representative V. Attao	absent
Representative Babauta	yes
Representative Dela Cruz	yes
Representative Deleon Guerrero	yes
Representative Hocog	absent
Representative Hofschneider	yes
Representative Maratita	absent
Representative Palacios	yes
Representative Peter	yes
Representative Reyes	yes
Representative Sablan	absent
Representative Santos	absent
Representative Tenorio	yes
Representative Teregeyo	yes
Representative Torres	yes
Speaker Benavente	yes

Speaker Pro Tem Hofschneider: Senate Bill No. 9-6 passes the House. Floor Leader?

Floor Leader Torres: Mr. Speaker, I move for the passage on First and Final Reading Senate Bill No. 9-188, alien deportation fund.

The motion was seconded.

S.B. No. 9-188: "To establish a 'Commonwealth Alien Deportation Fund' that will assist in the investigation, apprehension, detention and deportation of illegal aliens; and for other purposes."

The Chair recognized the Vice Speaker.

Vice Speaker Attao: Thank you, Mr. Speaker. Mr. Speaker, on page 1, line 15, I would like to make an oral amendment to change the fee from "\$100" to "\$25". This change, Mr. Speaker, was agreed by the counterpart in the Senate.

The motion was seconded.

The Chair recognized Rep. Babauta.

Rep. Babauta: Mr. Speaker, I understand we passed that with amendment when we held our session in the Senate Chamber – for a fee of instead of "\$100", we lowered it down to "\$25".

That was placed on First Reading on that date and evidently calendared later on. I believe that amendment is there already.

Speaker Benavente: Privilege.

Speaker Pro Tem Hofschneider: State your privilege.

Speaker Benavente: That is a very important concern and I think we should recess and check with the Clerk as to what action we did already to that bill.

Speaker Pro Tem Hofschneider: Short recess.

The House recessed at 11:49 a.m.

R E C E S S

The House reconvened at 11:50 a.m.

Speaker Pro Tem Hofschneider: We are back to our session, and we are under discussion of the oral amendment offered by the Vice Speaker to lower the fee from one hundred dollars to twenty-five dollars. It has been seconded.

There being no discussion, the amendment offered by Vice Speaker Attao to Senate Bill No. 9-188 on page 1, line 18 to change "\$100" to "\$25" was carried by voice vote.

The Chair recognized Rep. Benavente.

Speaker Benavente: I would like to ask – I totally support even though it means for our deportation fund, a requirement that we have at Immigration, but can I ask the Vice Speaker how much we funded for FY'96 the deportation fund for Immigration, if we did.

Vice Speaker Attao: Nothing.

Speaker Benavente: We did not fund it? Are you sure?

Vice Speaker Attao: I am sure that . . . I move to end debate.

Rep. Reyes: Mr. Speaker, one important comment. Mr. Speaker, I want to allow my good colleague to make that concern known because I share that concern. I yield to Congressman Babauta.

Rep. Babauta: Section 3 of the bill is very broad with respect to the fund. I am worried and that we need to identify or to establish a permanent trust or rather trust account for such fees so that we will not commingle it with the regular revenue that is generated by such fees that are charged. I just want to be assured that these funds are actually allocated to deportation.

Vice Speaker Attao: Mr. Speaker, I think the question can be answered on page 2, line 3 to 5.

Speaker Pro Tem Hofschneider: Representative Babauta, are you satisfied?

Rep. Babauta: Yes, thank you.

Vice Speaker Attao: Also, Mr. Speaker, I would like for the record to show that yes, indeed, \$150,000 was appropriated to cover deportation and cost increase. Thank you.

Speaker Pro Tem Hofschneider: So noted.

There being no further discussion, the motion to pass Senate Bill No. 9-188, HD1, carried with a roll call vote, as follows:

Representative Adriano	yes
Representative J. Attao	yes
Representative V. Attao	absent
Representative Babauta	yes
Representative Dela Cruz	yes
Representative Deleon Guerrero	yes
Representative Hocog	absent
Representative Hofschneider	yes
Representative Maratita	absent
Representative Palacios	yes
Representative Peter	yes
Representative Reyes	yes
Representative Sablan	absent
Representative Santos	absent
Representative Tenorio	yes
Representative Teregeyo	yes
Representative Torres	yes
Speaker Benavente	yes

Speaker Pro Tem Hofschneider: Senate Bill 9-188 passes the House, as amended. Floor Leader?

Floor Leader Torres: Mr. Speaker, I move to suspend rules for the passage of House Bill No. 9-475 and 9-483.

The motion was seconded and carried by voice vote.

Speaker Pro Tem Hofschneider: Floor Leader?

Floor Leader Torres: Mr. Speaker, I move for the passage on First and Final Reading of House Bill No 9-475.

Seconded by the Vice Speaker.

H.B. 9-475: "A Bill for an Act to authorize continuance of Government Health Insurance Coverage upon termination or resignation of employment; and for other purposes."

The Chair recognized Rep. Benavente.

Speaker Benavente: Thank you, Mr. Speaker. I believe that this proposed legislation is supposed to take care of the possible technical problems that we have in the prior bill that we passed. The author is not here to explain that, but more than just a technical problem that we might take care of in this bill, Mr. Speaker, is I think now we need to consider the policy decision that we want to make with regards to the health insurance. I had a chance to speak with the administrator and she really has grave reservations with regards to this. I tried to explain to her the intent of the legislature and I think that we do have a very good intent. We are just thinking of our people of whether or not they are employed with the government. But the actual reality with what is happening in the government calls for us to take a look at this and maybe possibly have atleast a public hearing or maybe get some comments in from the administrator and to hear from the people that are going to be affected. One of those things, again, it is not

only just a policy decision, but there might be problems with the office itself that handles the health insurance for the government as to their needs in additional funding or additional manpower. So, I think we need to refer this to the committee, and I think we need to get more information. I do not know, I'd personally . . . with the policy of it, I now disagree that it would be good for us to do this, that it would be a good decision. But, if members still feel that they want something like this offered to our people, I think we have to take care of other stuff such as the need to provide for more funding or FTE for that office. Thank you.

Rep. Reyes: Mr. Speaker, when this bill first appeared before us, I had reservation. But, we passed it and it went up and when the Governor vetoed this bill, I spoke in favor of the bill and in fact placed this on the calendar for an override which was apparently very successful at the time. Unfortunately, it was not overridden by the Senate. Mr. Speaker, my position then and my position now has not changed. The government employees enjoy very good benefits and our attempt in the past to try and encourage employees to move to the private sector is not working because we do have a lot of benefits in government employment. This is one benefit that we would like to extend to post government employment. Maybe sometime in the future we can start considering also the extension of retirement to resigning government employees or retiring employees or terminated government employees. But, the time is now to try and extend this benefit to our government employees. I guess in this bill, the Minority Leader who authored the original bill has taken into account the concern raised in the veto message. So, I ask my colleagues to please join me in supporting this bill. Thank you.

Rep. Palacios: Privilege, Mr. Speaker.

Speaker Pro Tem Hofschneider: State your privilege.

Rep. Palacios: Will you ask the Sergeant-at-Arms to give the opportunity to our Minority Leader who introduced this bill to participate in this discussion?

The Sergeant-at-Arms was instructed to look for the Minority Leader.

Speaker Pro Tem Hofschneider: I recognize Representative Tenorio.

Rep. Manuel Tenorio: Mr. Speaker, I think to some extent we talked about the bill or a similar bill that we overrode last session and I tend to agree with my good colleague, Chairman Reyes. We want to provide good quality health care to our people whether or not they are in government. One benefit of doing that is extending this program to people who have decided to leave government service and continue to work elsewhere. I think there are provisions also in this bill that will take away some of the concerns – if they have other coverage, they will not be entitled to this. But, the fact of the matter is, Mr. Speaker, is that these people will still be paying into the insurance company as everybody else. So, I do not see any reason there for additional services or additional funding necessary to pump into the insurance program. I believe that our people deserve a good insurance policy whether or not they are working for the government as long as they are contributing members. Thank you.

The Chair recognized Rep. Teregeyo.

Rep. Teregeyo: Thank you, Mr. Speaker. It boggles my mind to be discussing an issue that we had spent a good number, a good length of our time discussing in our previous session. It is basically the same bill that the governor vetoed and we acted on through the exercise of our override responsibility guine gi kongresu, Mr. Speaker. I feel that it is an exercise in futility because the Senate refused to follow suit of the House. I would like to request, Mr. Speaker, and I move to defer action and refer this to the committee, and end debate.

The motion was seconded by Speaker Benavente.

Vice Speaker Attao: Mr. Speaker, privilege.

Speaker Pro Tem Hofschneider: Before I recognize the motion – Representative Attao?

Vice Speaker Attao: Thank you, Mr. Speaker. Mr. Speaker, when the governor vetoed the same bill, it was vetoed because of some concerns. Those concerns, Mr. Speaker . . . based on the new bill, 9-475, those concerns were addressed on this bill. We overrode the bill. We know that the bill is defective and that is coming out from the author of the bill that was vetoed by the Governor. We did not give him the chance to refine that vetoed bill. Now this bill changed and addressed what was raised on that vetoed message. So I am pretty sure that this bill is timely and we need it. We need it for our people. We need it for those people who are terminating and resigning from government. I think it is only fair that this house address the corrected bill rather than the one we overrode. Thank you.

Speaker Pro Tem Hofschneider: May I ask the mover of the motion to give the privilege of the Minority Leader, and you may introduce your motion again.

Rep. Teregeyo: So accommodated.

Speaker Pro Tem Hofschneider: Minority Leader?

Rep. V. Attao: Thank you, Mr. Speaker. When we were to override the Governor's veto, I was explaining the position I had with respect to refining the bill. Everybody agreed – except three of us – to override the Governor's veto. Mr. Speaker, we all feel that this bill was important and that is one reason why we overrode the veto. The amendment that I had made with respect to the third and fourth items is that I want to make sure that this program covers only people who are residing in the Commonwealth. I feel that if we were to allow other government workers who resigned and re-establish their residency elsewhere that it might probably bankrupt the company, the government insurance program. That is one reason why I have decided to include that. The third one, Mr. Speaker, is that although this is an election of coverage, I feel that if a person leaves the government and do have coverage in the private sector, then they should take that coverage rather than having to continue with the government, but that is through election. They have that opportunity to decide whether they want to continue the government coverage where they are required to pay the full premium or to accept a new coverage under new company. I feel that the amendment covers precisely what we want. We want to protect the program, but yet we also want to make sure that our employees, our people, who have decided to leave the government and not get employment elsewhere that they may continue to get covered and that would definitely have an impact – tremendous impact – in the cost of medical bills, having to appropriate more money to fund those unpaid bills. I think this program, if we do pass it, and I believe that the members will pass it, because we overrode the governor's veto. I am asking the members their indulgence to enact this legislation, because I feel it is very important. Thank you, Mr. Speaker.

The Chair recognized Rep. Benavente.

Speaker Benavente: Thank you, Mr. Speaker. As you know the Lt. Governor is again the Acting Governor and in his veto message one of his problems was of course on the front page, line 7, the "grossly unfair" words. It is still in the bill. One of my other concern is whether or not we might be faced with legal problems with regards to that provision where it allows the entitlement for only those who reside in the Commonwealth. Right now I have a concern with that. I do know if members have the same concern, and whether it warrants that we call a short recess and ask our legal counsel, but, that is a concern that I have. Thank you.

Rep. V. Attao: I do not think there is a legal problem facing this bill. This is just like the election law. When our people re-establish their residency elsewhere, they are not eligible to vote here in the Commonwealth. They have to be a resident of the Commonwealth. So I see no legal . . . in fact, this is why I put it in here – to make sure that we have that language in here.

Rep. Palacios: Mr. Speaker yan membru, sanu, fitu, yan adikueta este na bill i gaige gi me'nata pago. Meggai na numerun taotao-ta, Mr. Speaker, dumiseseha na pot fabot na' fan halom ham guenao gi hamyo pago en enjoy gi kongresu yan i man machocho'chu. Ya i diniseha dangkulo, Mr. Speaker, na pot i pressuña este na insurance yan etyo i pot para uma kontinua mo'na yanggen ma move siha ginen i government employment guato gi private sector na man mamaisen asiguracion na u ma kontinua este na health insurance coverage giya siha. Ti taotao San Antonio ha', guaha loka taotao Garapan, guaha taotao San Roque man ma mamaisen, Mr. Speaker, ya man magof anai ma hungok este gi alacha gi anai ta move para i override. Man magof sa' esta ma asigura na mapos gi un guma ya puedi i otro guma hu attan este. Pues, Mr. Speaker, guahu loka hu diseseha yan hu fafaisen tododos hamyo ni manga'chong-hu guine na ta ayuda fan, ya tana'la'la' ya kosake i benifision ufan gaigi loka gi palu na mañelu-ta. Ha refine esta este si Congressman Ben Attao ya ha na'fansuha etyo siha na provisions i achuka' taigue hao guine para un kinubre nui este. Ya megagai . . . etyo na hu hongge etyo i ilekña na yanggen para ta kontinua etyo, pues siña ha mu bankrupt. Lao estague pago na ma restrict ya ti para u nina'fansaonao etyo siha na taotaogue i manague yan ti mañasaga guine gi halom i Commonwealth. Thank you, Mr. Speaker.

The Chair recognized Rep. Dela Cruz.

Rep. Dela Cruz: Thank you, Mr. Speaker, for recognizing my hand. Mr. Speaker, I would like to request that we go into a short recess so that we can have the legal counsel address one issue on page 2, lines 1 and 2 where it starts off with, ". . . this act shall not be available to those persons who receive health insurance coverage from another source." I would like to ask the legal counsel if he could narrow this down to . . . I think what this sentence is trying to say is that you could only elect one or the other health insurance. It is either the government health insurance that you should use, or the private sector's health insurance if they do have and that they can not be inter-using both health insurance coverage.

Speaker Pro Tem Hofschneider: Short recess.

The House recessed at 11:50 a.m.

R E C E S S

The House reconvened at 11:51 a.m.

Speaker Pro Tem Hofschneider: We are back to our session and I want to appoint Representative Benavente to act as Floor Leader.

Speaker Benavente: Thank you, Mr. Speaker.

Speaker Pro Tem Hofschneider: We are under discussion. I recognize Representative Reyes.

Rep. Reyes: Mr. Speaker, with the consent of the members, I would like to make an oral floor amendment – on page 1, line 23, beginning with "Fourth" strike that out all the way to page 2, line 2, ending on "source".

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

Speaker Pro Tem Hofschneider: I recognize Representative Reyes.

Rep. Reyes: I would like to point out before I make another floor amendment that once you leave government service, in the bill, the government employee is responsible for the entire insurance premium. My motion now is – if the members consent – to strike out "Section 5" and renumber the rest of the sections accordingly.

The motion was seconded.

Speaker Pro Tem Hofschneider: There is a motion to strike out Section 5 from line 8 to line 10 on page 2, and it has been seconded.

Rep. Palacios: Can I ask Chairman Reyes to repeat that amendment please?

Speaker Pro Tem Hofschneider: Representative Reyes, can you repeat that?

Rep. Reyes: Mr. Speaker, we have two amendments. The first one, I am sure I do not repeat. The second one is to strike out page 2, line 8 beginning with "Section 5" all the way to line 10, ending on "or both" – to strike that out in its entirety, and to renumber the rest accordingly. In other words, "Section 6" will now be "Section 5", and "Section 7" will now be "Section 6".

The motion to delete Section 5 of House Bill No. 9-475, HD1 was carried by voice vote.

Rep. Teregeyo: Privilege.

Speaker Pro Tem Hofschneider: Recognized, Representative Teregeyo?

Rep. Teregeyo: Mr. Speaker, I think – there was a motion on the floor which I made and it has taken a train ride around it. My motion was to defer this to the committee. For one, I am very concern on the viability of the medical insurance program. Although we are requiring that employees who so decide to continue coverage under this manner, the health insurance is a program definitely will need additional staff to maintain the applicability of this act should it become law. I move that – I made that motion on the floor to move that we defer this to the committee so that we can look into the viability of the health insurance program, whether or not it is going to survive because of the many, many problems it has incurred over the years, and whether or not we can really take this up as part of our consideration. So I made that motion. I know that we made a ride around this, amending this orally, and I agree with the amendments.

Vice Speaker Attao: Privilege.

Speaker Pro Tem Hofschneider: State your privilege.

Vice Speaker Attao: Mr. Speaker, Chairwoman Teregeyo mentioned about employees. I am pretty much sure that --

Speaker Pro Tem Hofschneider: Pause for a change of tape.

The House recessed at 12:11 p.m.

R E C E S S

The House reconvened at 12:24 p.m.

Rep. Attao: Thank you, Mr. Speaker. Mr. Speaker, Chairwoman Teregeyo mentioned about employees of the health insurance. Right now, they have about ten employees and there are two additional in FY'96. I am pretty sure that twelve employees would be more than sufficient to

cover the needs should we pass this. I do not see any problem. If it is for employees, I do not think there is a problem. I think our people are capable, able employees to handle this.

Speaker Pro Tem Hofschneider: There is a motion to defer this to the committee and it was seconded. Any further discussion?

Speaker Benavente: Mr. Speaker, the reason why I am supporting the motion to defer this to the committee is because we have to hear from the Administrator. I have met with the Administrator and she has grave reservations. There are a lot of problems with this legislation. So, we need to atleast hear from these people.

Rep. V. Attao: Mr. Speaker, I will answer that. I spoke to her and she says that the only problem here is staffing. I just found out from the Vice Speaker that we do have staff. I move to end debate, Mr. Speaker.

The motion was seconded and the motion to refer House Bill No. 9-475 to the committee was defeated by voice vote.

Speaker Pro Tem Hofschneider: Ready for the main question?

All responded in the affirmative.

The Clerk called the roll on the motion to pass House Bill No. 9-475, H.D.1 with the following result:

Representative Adriano	abstained
Representative J. Attao	yes
Representative V. Attao	yes
Representative Babauta	absent
Representative Dela Cruz	yes
Representative Deleon Guerrero	absent
Representative Hocog	absent
Representative Hofschneider	yes
Representative Maratita	yes
Representative Palacios	yes
Representative Peter	abstained
Representative Reyes	yes
Representative Sablan	absent
Representative Santos	absent
Representative Tenorio	yes
Representative Teregeyo	no
Representative Torres	yes

Speaker Benavente: Privilege, Mr. Speaker, I need guidance from the legal counsel. Would it be possible to withdraw my signature from this legislation right now prior to voting?

The House recessed at 12:30 p.m.

R E C E S S

The House reconvened at 12:32 p.m.

Speaker Pro Tem Hofschneider: Before we continue the roll call, I would like to take this privilege to allow Representative Benavente to withdraw his concern.

Speaker Benavente: Thank you, Mr. Speaker, before I vote, if there is no objection from the members, I would like to withdraw my signature from the legislation.

There was no objection.

Speaker Benavente: If none, Mr. Speaker, thank you very much, and my vote is "no".

Speaker Benavente

no

Speaker Pro Tem Hofschneider: House Bill No. 9-475, as amended, passes the House. Floor Leader?

Floor Leader Torres: Mr. Speaker, I move for the passage of House Bill No. 9-483 on its First and Final Reading.

Seconded by Rep. Teregeyo.

H. B. NO. 9-483: "To amend 3 CMC, Div. 4, Section 4437; and for other purposes."

Rep. V. Atao: Mr. Speaker, when I look at this bill, this is really a slap in the face. I know this is in the committee and because of the inability of the committee to report back to the full House, this is a tactic that I do not want to see anymore. Thank you, Mr. Speaker.

Rep. Tenorio: Mr. Speaker, I have a couple of concerns on this bill. Number one is, does this bill exempt professionals and executives on four year compliance. I have some people calling my office asking and that if this bill is passed as it is, it will be very difficult for local people to move up to the rank for professional or executive level. As you know in the industry, like the hotel industry, a lot of these top level executives are on a rotation basis so you will never get your local people, in my opinion, to be top executives of some of this very important industry. Number two, I am not too impressed by the term "executive" as defined in this bill on page 2, line 20 -- "An executive is an employee whose primary management directs work of two or more employees." And so down the line, trash collector managing two or more employees would probably -- as long as you are doing management, would probably be considered an executive. There are a lot of areas or work levels in many of the industries where this qualification would probably deny the local individual an opportunity to work. These are some of my concerns.

Speaker Benavente: Mr. Speaker, I was member of the Seventh Legislature when we deliberated on the same legislation or similar legislation. I remember that we took -- there were public hearings, there were a lot of committee meetings that took place when we were deliberating on this very major piece of legislation. I do not think that at this time we should pass this on First and Final Reading. I think that we to refer this to the committee and at least hear from the public. There is going to be major impact in the community. Major impact with regards to what is going to happen with the business community and who ends up paying for this additional expense. I think that Representative Tenorio has a valid concern. I know that one of the intents of the legislature is to be able to phase out the need of nonresident workers, but when we exempt the executive and managerial positions from this, then we are not helping our people move up to those. Those are the positions that we want removed so that we can get our people up to those positions. We really need to refer this to the committee and we really need to hear from the public. So at this time, I move that we refer this to the committee so that we may put it before a public hearing.

The motion was seconded by several others.

Rep. Teregeyo: Privilege.

Speaker Pro Tem Hofschneider: Before I recognize the motion, state your privilege.

Rep. Teregeyo: Thank you, Mr. Speaker. I heard the concerns of Representative Tenorio and Speaker Benavente with respect to this bill. Since I am the author of this bill and co-sponsored by several others, Mr. Speaker, the concerns of the exemption is addressed in our 3 CMC §4413. So if that is the concern, that this bill --

Speaker Pro Tem Hofschneider: Representative Teregeyo, I have to call you Out of Order. You are elaborating and it is a privilege that you were recognized under.

Rep. Teregeyo: Well I am trying to respond, Mr. Speaker. If I may, I would like to request the mover of the motion to end debate to withdraw that so I can respond to the concerns addressed by these members.

Speaker Benavente: Mr. Speaker, my motion was to refer it to the committee and if you entertain that motion, we may be able to continue discussing on the subsidiary motion.

Vice Speaker Attao: Mr. Speaker, if I recall it correctly, we have a comprehensive labor bill. This particular bill is also included in that bill. I would like to ask as to the status of the bill so we can have once an for all a comprehensive one rather than piece meals. I will strongly recommend to whoever is working on that particular bill be reported as soon as possible.

Speaker Pro Tem Hofschneider: Vice Speaker, if you are using the privilege to debate, I advise that you refrain so that we can address the motion and then we can discuss it.

The motion to refer House Bill No. 9-483 carried by voice vote.


Speaker Pro Tem Hofschneider: House Bill No. 9-483 is hereby referred to the committee. Floor Leader?

Floor Leader Torres: Mr. Speaker, I move for a lunch break.

The motion was seconded and carried by voice vote.

The House recessed at 12:40 p.m.

Respectfully submitted,


Joan P. Kaipat, Journal Clerk
House of Representatives

APPEARANCE OF LOCAL BILLS

H.L.B. 9-54: "A Local Appropriation Bill for a Act for the Third Senatorial District to authorize the appropriation from the funds generated and collected through Bingo operations to the Office of the Mayor of Saipan for the purpose of administration and enforcement of the Bingo law; and for other purposes." (REP. ANA S. TEREGEYO and sixteen others 9/13/95) [2nd Appearance]

H.L.B. 9-53: "A Local Bill for an Act for the Second Senatorial District to amend 2, CMC §5201 to establish visitation fees for Aguiquan Island." (REP. JOAQUIN G. ADRIANO 8/17/95) [3rd Appearance]