



HOUSE OF REPRESENTATIVES

TWENTIETH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SPECIAL SESSION, 2017

LEGISLATIVE JOURNAL

1st Day, First Special Session

Monday, April 3, 2017

The House of Representatives of the Twentieth Northern Marianas Commonwealth Legislature convened its First Day, First Special Session on Monday, April 3, 2017, at 1:43 p.m., in the House Chamber on Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Rafael S. Demapan, Speaker of the House, presided.

A moment of silence was observed.

ROLL CALL

The Clerk called the roll and all twenty members were present.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Clerk. With all 20 members present we do have a quorum to proceed. Before we move on to our next item on our Order of Business, let me ask the Floor Leader to effectuate a motion.

The Floor Leader made a motion to suspend Rule IX, Section 4 (d).

RULE IX. BILLS, RESOLUTIONS AND AMENDMENTS.

Section 4. Format of Bills and Resolutions.

(d) Bills and resolutions for introduction may be pre-filed with the House Clerk for formal introduction at the next session, provided that it is pre-filed in sufficient time to appear on the session agenda as required under Rule III. The 72-hour notice and agenda requirements may be dispensed with for Special Emergency Sessions and Sessions called by the Governor in accordance with Rule III.

The motion was seconded.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Floor Leader. Again your motion has been seconded. Discussion on that motion?

Several members voiced "ready".

Speaker Rafael S. Demapan: Clerk for the roll call.

The Clerk called the roll on the motion to suspend Rule IX, Section 4 (d) with the following results:

Representative Francisco C. Aguon	yes
Representative Edwin P. Aldan	yes
Representative Blas Jonathan “BJ” T. Attao	yes
Representative Donald C. Barcinas	yes
Representative Ivan A. Blanco	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Angel A. Demapan	yes
Speaker Rafael S. Demapan	yes
Representative Joseph Lee Pan T. Guerrero	yes
Representative Alice S. Igitol	yes
Representative Jose I. Itibus	yes
Representative Glenn L. Maratita	yes
Representative Janet U. Maratita	yes
Representative Edwin K. Propst	yes
Representative Gregorio M. Sablan, Jr.	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	yes
Representative Edmund Joseph S. Villagomez	yes

House Clerk Linda B. Muña: Mr. Speaker, all 20 members voted “yes.”

Speaker Rafael S. Demapan: *Si Yu’us Ma’ase*, Clerk. With all 20 members voting in the affirmative, the move to suspend Rule IX, Section 4 (d) is hereby carried. Thank you. We will now go ahead and proceed down to item II, which is the Public Comment. Public Comment is afforded to our guest for any comment in the order of our business for today. So anyone who wishes to comment on any of the item you may proceed to the podium. I also ask that there will be a five minutes limit for each speaker.

PUBLIC COMMENTS

The following individuals made comments:

Mr. Ramon B. Camacho
 Mr. Jesus M. Castro
 Ms. Marian Teregeyo
 Mr. Ralph N. Yumul

Speaker Rafael S. Demapan: We will proceed down to our Order of Business, which is the Adoption of Journals. Let me recognize the Floor Leader.

ADOPTION OF JOURNALS

The Floor Leader made a motion to adopt the following journal:

Third Day, First Regular Session Journal – February 28, 2017

The motion was seconded.

There was no discussion and the motion to adopt the Third Day, First Regular Session Journal – February 28, 2017 was carried by voice vote. There was no nay vote.

Speaker Rafael S. Demapan: Going down to item IV, the Introduction of Bills let me first recognize Chairman Joseph Lee Pan Guerrero.

INTRODUCTION OF BILLS

House Bills:

Representative Joseph Lee Pan T. Guerrero officially introduced the following House Bill and welcomed the members to coauthor the bill:

H. B. NO. 20-49

To amend the Commonwealth Museum Act under Title 2, Division 4, Chapter 8, Article 6 of the Commonwealth Code to include representatives from the Indigenous Affairs Office, Carolinian Affairs Office, and the Marianas Visitors Authority to be included in the Museum Board of Governors; and for other purposes.

REP. JOSEPH LEE PAN T. GUERRERO of Saipan, Precinct 1 (*for himself*)

The Chair referred House Bill 20-49 to the Committee on Judiciary and Governmental Operations and recognized Representative Edwin K. Propst for the next introduction.

Representative Edwin K. Propst officially introduced the following House Bill:

H. B. NO. 20-50

To amend the Commonwealth Code to provide for adequate regulation of the casino industry; and for other purposes.

REP. EDWIN K. PROPST of Saipan, Precinct 1 (*for himself*, Representatives Blas Jonathan “BJ” T. Attao, Vinson F. Sablan, and Edmund S. Villagomez)

The Chair referred House Bill 20-50 to the Committee on Gaming and recognized Representative Edwin K. Propst for the next introduction.

Representative Edwin K. Propst officially introduced the following House Bill:

H. B. NO. 20-51

To amend 2 CMC §40203 to extend the duration for tenancy upon termination of agreement before vacating the living premises.

REP. EDWIN K. PROPST of Saipan, Precinct 1 (*for himself*, Representatives Blas Jonathan “BJ” T. Attao, and Edmund S. Villagomez)

The Chair referred House Bill 20-51 to the Committee on Judiciary and Governmental Operations and recognized Representative Joseph P. Deleon Guerrero for the next introduction.

Representative Joseph P. Deleon Guerrero officially introduced the following House Bill and welcomed the members to coauthor the bill:

H. B. NO. 20-52

To require all sales and purchases to be made by credit or debit card as one of the methods for making payments.

REP. JOSEPH P. DELEON GUERRERO of Saipan, Precinct 1 (*for himself*, Representatives Francisco C. Aguon, Edwin P. Aldan, Blas Jonathan “BJ” T. Attao, Ivan A. Blanco, Joseph Lee Pan T. Guerrero, and John Paul P. Sablan)

The Chair referred House Bill 20-52 to the Committee on Commerce and Tourism and recognized Representative Blas Jonathan “BJ” T. Attao for the next introduction.

Representative Blas Jonathan “BJ” T. Attao officially introduced the following House Bill and welcomed the members to coauthor the bill:

H. B. NO. 20-53

To establish and clearly define the authority of the Department of Public Works to promulgate rules and regulations within the Rights Of Way (ROW); and for other purposes.

REP. BLAS JONATHAN “BJ” T. ATTAO of Saipan, Precinct 3 (*for himself*, Representatives Francisco C. Aguon, Donald C. Barcinas, Ivan A. Blanco, Francisco S. Dela Cruz, Lorenzo I. Deleon Guerrero, Joseph Lee Pan T. Guerrero, Jose I. Itibus, Janet U. Maratita, John Paul P. Sablan, and Edmund S. Villagomez)

The Chair referred House Bill 20-53 to the Committee on Judiciary and Governmental Operations and recognized Representative Francisco C. Aguon for the next introduction.

Representative Francisco C. Aguon officially introduced the following House Bill and welcomed the members to coauthor the bill:

H. B. NO. 20-54

To amend 4 CMC § 4263 to provide a reasonable and current fee structure for business related filings.

REP. FRANCISCO C. AGUON of Saipan, Precinct 5 (*for himself*, Representatives Blas Jonathan “BJ” T. Attao, Donald C. Barcinas, Ivan A. Blanco, Francisco S. Dela Cruz, John Paul P. Sablan, and Rep. Edmund S. Villagomez)

The Chair referred House Bill 20-54 to the Committee on Ways and Means and recognized Representative Joseph Lee Pan T. Guerrero for the next introduction.

Representative Joseph Lee Pan T. Guerrero officially introduced the following House Bill and welcomed the members to coauthor the bill:

H. B. NO. 20-55

To repeal and reenact 4 CMC §4263(a) to impose a higher fee structure for the Department of Commerce, Office of the Registrar of Corporations; and for other purposes.

REP. JOSEPH LEE PAN T. GUERRERO of Saipan, Precinct 1 (*for himself*)

The Chair referred House Bill 20-55 to the Committee on Ways and Means and recognized Representative Angel A. Demapan for the next introduction.

Representative Angel A. Demapan officially introduced the following House Bill and made a request to place the bill on the Bill Calendar:

H. B. NO. 20-56

To amend 1 CMC, Chapter 4, Article 2 to add a new §431. “Governor Eloy S. Inos Peace Park”; and for other purposes.

REP. ANGEL A. DEMAPAN of Saipan, Precinct 1 (*for himself*, Representatives Francisco C. Aguon, Edwin P. Aldan, Blas Jonathan “BJ” T. Attao, Donald C. Barcinas, Ivan A. Blanco, Francisco S. Dela Cruz, Joseph P. Deleon Guerrero, Rafael S. Demapan, Joseph Lee Pan T. Guerrero, Alice S. Igitol, Jose I. Itibus, Janet U. Maratita, Gregorio M. Sablan, Jr., John Paul P. Sablan, and Edmund S. Villagomez)

Several members voiced “no objection”.

Speaker Rafael S. Demapan: Thank you, Chairman. With no objection let me refer this House Bill 20-56 to the Bill Calendar. I appreciate your patience let me recognize the Floor Leader to effectuate the motion.

Floor Leader Glenn L. Maratita: Thank you, Mr. Speaker. On that note, Mr. Speaker I move that we suspend Rule IX, Section 8, which is the referral of bills and resolutions so that we may properly place the bill before us 20-56 on our Bill Calendar. So move.

RULE IX. BILLS, RESOLUTIONS AND AMENDMENTS

Section 8. Referral of Bills and Resolutions

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

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

The motion was seconded.

There were no discussion and the motion to suspend Rule IX, Section 8 was carried by voice vote. There was no nay vote.

The Chair recognized Representative Ivan A. Blanco for the next introduction.

Representative Ivan A. Blanco officially introduced the following House Bill:

H. B. NO. 20-57

To authorize the Department of Labor to enforce the criminal penalties and provisions of the Immigration and Nationality Act Section 274 relating to assisting the illegal entry of certain aliens into the CNMI.

REP. IVAN A. BLANCO of Saipan, Precinct 3 (*for himself*, Representatives Blas Jonathan “BJ” T. Attao, Donald C. Barcinas, Janet U. Maratita, and Edmund S. Villagomez)

The Chair referred House Bill 20-57 to the Committee on Judiciary and Governmental Operations and recognized Representative Blas Jonathan “BJ” T. Attao for the next introduction.

Representative Blas Jonathan “BJ” T. Attao officially introduced the following House Bill and welcomed the members to coauthor the bill:

H. B. NO. 20-58

To establish a Loss Recovery Division within the Department of Finance; and for other purposes.

REP. BLAS JONATHAN “BJ” T. ATTAO of Saipan, Precinct 3 (*for himself*, Representatives Francisco C. Aguon, Donald C. Barcinas, Ivan A. Blanco, Lorenzo I. Deleon Guerrero, Joseph Lee Pan T. Guerrero, Jose I. Itibus, Edwin K. Propst, Vinson F. Sablan, and Edmund S. Villagomez)

The Chair referred House Bill 20-58 to the Committee on Judiciary and Governmental Operations and recognized Representative Blas Jonathan “BJ” T. Attao for the next introduction.

Representative Blas Jonathan “BJ” T. Attao officially introduced the following House Bill and welcomed the members to coauthor the bill:

H. B. NO. 20-59

To amend 9 CMC §4101 to require all vehicle headlights to project rays of white color and to require the headlights to be in compliance with the Federal Motor Vehicle Safety Standards of the National Highway Traffic Safety Administration; and for other purposes.

REP. BLAS JONATHAN “BJ” T. ATTAO of Saipan, Precinct 3 (*for himself*, Representatives Francisco C. Aguon, Donald C. Barcinas, Ivan A. Blanco, Lorenzo I. Deleon Guerrero, Joseph Lee Pan T. Guerrero, Jose I. Itibus, Edwin K. Propst, Vinson F. Sablan, and Edmund S. Villagomez)

The Chair referred House Bill 20-59 to the Committee on Judiciary and Governmental Operations and recognized Representative Donald C. Barcinas for the next introduction.

Representative Donald C. Barcinas officially introduced the following House Bill:

H. B. NO. 20-60

To amend 9 CMC §5815 (c) and (d) of the Motor Vehicle Rental Safety and to add new subsections; and for other purposes.

REP. DONALD C. BARCINAS of Saipan, Precinct 3 (*for himself*, Representatives Francisco C. Aguon, Blas Jonathan “BJ” T. Attao, Francisco S. Dela Cruz, Lorenzo I. Deleon Guerrero, Joseph Lee Pan T. Guerrero, Alice S. Igitol, Jose I. Itibus, Janet U. Maratita, and Gregorio M. Sablan Jr.)

The Chair referred House Bill 20-60 to the Committee on Judiciary and Governmental Operations and recognized Representative Janet U. Maratita for the next introduction.

Representative Janet U. Maratita officially introduced the following House Bill and made a request to place the bill on the Bill Calendar:

H. B. NO. 20-61

To establish a Real Estate Code in the Commonwealth to regulate the industry.

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

Speaker Rafael S. Demapan: Thank you. Are you requesting that we place this on today’s calendar?

Vice Speaker Janet U. Maratita: Yes.

Speaker Rafael S. Demapan: Let me ask the Floor Leader to effectuate a motion.

Floor Leader Glenn L. Maratita: Thank you. On that note, Mr. Speaker again I make a motion that we suspend Rule IX, Section 8, which is the referral of bills and resolution. So move.

RULE IX. BILLS, RESOLUTIONS AND AMENDMENTS

Section 8. Referral of Bills and Resolutions

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

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

The motion was seconded.

Speaker Rafael S. Demapan: Your motion has been seconded. Discussion on that motion? Can we have a short recess.

The House recessed at 2:14 p.m.

RECESS

The House reconvened at 2:24 p.m.

Speaker Rafael S. Demapan: Thank you, members. Back from our recess. Prior to our recess, Floor Leader still has the floor. You may proceed Floor Leader.

Floor Leader Glenn L. Maratita: Thank you, Mr. Speaker. At this time, if there is no objection from the members I would like to recall my last motion.

Several members voiced “no objection”.

Speaker Rafael S. Demapan: Thank you, Floor Leader. Before I recognize that just for the benefit of the members, I did discuss this with the author so without any objection House Bill 20-61 is referred back to the committee and that committee will be on JGO. I also ask the respective Chairs on any bills to please expedite the committee work on any legislation. Let me now recognize Chairman Lee Pan Guerrero.

Representative Joseph Lee Pan Guerrero officially introduced the following House Bill and welcomed the members to coauthor the bill:

H. B. NO. 20-62

To require tourists to obtain health insurance before visiting the Commonwealth; and for other purposes.

REP. JOSEPH LEE PAN T. GUERRERO of Saipan, Precinct 1 (*for himself*)

The Chair referred House Bill 20-62 to the Committee on Health and recognized Representative Glenn L. Maratita for the next introduction.

Representative Glenn L. Maratita officially introduced the following House Bill and welcomed the members to coauthor the bill:

H. B. NO. 20-63

To require test firing of all firearms as a requirement for registration of a firearm.

REP. GLENN L. MARATITA of Rota, Precinct 7 (*for himself*)

The Chair referred House Bill 20-63 to the Committee on Judiciary and Governmental Operations and recognized Representative Angel A. Demapan for the next introduction.

Representative Angel A. Demapan officially introduced the following House Bill and welcomed the members to coauthor the bill:

H. B. NO. 20-64

To provide for the conservation of fisheries in the Commonwealth of the Northern Mariana Islands, and for other purposes, known as the Northern Mariana Islands Fisheries Act of 2017; and for other purposes.

REP. ANGEL A. DEMAPAN of Saipan, Precinct 1 (*for himself*)

The Chair referred House Bill 20-64 to the Committee on Natural Resources and recognized Representative Angel A. Demapan for the next introduction.

Representative Angel A. Demapan officially introduced the following House Bill and welcomed the members to coauthor the bill:

H. B. NO. 20-65

To establish laws to regulate bioprospecting activities within the Commonwealth of the Northern Mariana Islands in order to ensure prior, informed consent and equitable sharing of benefits.

REP. ANGEL A. DEMAPAN of Saipan, Precinct 1 (*for himself*, and Representative John Paul P. Sablan)

The Chair referred House Bill 20-65 to the Committee on Natural Resources and recognized Representative Glenn L. Maratita for the next introduction.

Representative Glenn L. Maratita officially introduced the following House Bill and welcomed the members to coauthor the bill:

H. B. NO. 20-66

To amend 1 CMC §8602(b), Law Enforcement Mandatory Drug Testing to eliminate the condition that testing is subject to the availability of funds.

REP. GLENN L. MARATITA of Rota, Precinct 7 (*for himself*)

The Chair referred House Bill 20-66 to the Committee on Judiciary and Governmental Operations and recognized Representative Glenn L. Maratita for the next introduction.

Representative Glenn L. Maratita officially introduced the following House Bill and welcomed the members to coauthor the bill:

H. B. NO. 20-67

To amend 1 CMC § 1402 for the purpose of the conservation and protection of the precious resource of sweet potato “Kamuti”; and for other purposes.

REP. GLENN L. MARATITA of Rota, Precinct 7 (*for himself*)

The Chair referred House Bill 20-67 to the Committee on Natural Resources and recognized Representative Blas Jonathan “BJ” T. Attao for the next introduction.

Representative Blas Jonathan “BJ” T. Attao officially introduced the following House Bill and welcomed the members to coauthor the bill:

H. B. NO. 20-68

To enact provisions that will fund non-immigrant worker registration and work identification operations for the Department of Labor; and for other purposes.

REP. BLAS JONATHAN “BJ” T. ATTAO of Saipan, Precinct 3 (*for himself*)

The Chair referred House Bill 20-68 to the Committee on Judiciary and Governmental Operations and recognized Representative John Paul P. Sablan.

Representative John Paul P. Sablan: Mr. Speaker under House Bill?

Speaker Rafael S. Demapan: Yes.

Representative John Paul P. Sablan: I do not have any House Bill to be introduced here, but a House Local Bill Mr. Speaker.

The Chair directed the members to House Local Bills and recognized Representative Glenn L. Maratita.

House Local Bills:

Representative Glenn L. Maratita officially introduced the following House Local Bill:

H. L. B. NO. 20-11

To appropriate up to \$94,966.00 of the Earned Bond Interest Income collected for the First Senatorial District that has been identified by the Commonwealth Development Authority as available for appropriations; and for other purposes.

REP. GLENN L. MARATITA of Rota, Precinct 7 (*for himself*)

The Chair recognized Representative John Paul P. Sablan for the next introduction.

Representative John Paul P. Sablan officially introduced the following House Local Bill:

H. L. B. NO. 20-12

To amend Section 1210(b) of the Saipan Zoning Law of 2013 as amended by Saipan Local Law 18-05 by extending the effective date of for relocation of all nonconforming adult gambling machine businesses.

REP. JOHN PAUL P. SABLAN of Saipan, Precinct 2 (*for himself*)

The Chair directed the members to item V, Introduction of Resolutions and recognized Representative Gregorio M. Sablan, Jr.

House Legislative Initiatives: None

INTRODUCTION OF RESOLUTIONS

House Resolutions: None

House Joint Resolutions: None

House Commemorative Resolutions:

Representative Gregorio M. Sablan, Jr. officially introduced the following House Commemorative Resolution:

C. RES. NO. 20-3

To recognize and acknowledge Japan Consul Toshio Matsumura from the Consular Office of Japan in the CNMI for his outstanding contributions in helping to establish a strong relationship between Japan and the CNMI.

REP. GREGORIO M. SABLAN JR. of Saipan, Precinct 1 (*for himself, Representatives Francisco C. Aguon, Blas Jonathan “BJ” T. Attao, Donald C. Barcinas, Francisco S. Dela Cruz, Lorenzo I. Deleon Guerrero, Angel A. Demapan, Alice S. Igitol, Jose I. Itibus, Janet U. Maratita, John Paul P. Sablan, Vinson F. Sablan, and Edmund S. Villagomez*)

The Chair placed House Commemorative Resolution 20-3 on the Resolution Calendar.

Several members voiced “no objection”.

The Chair directed the members to item VI, Messages from the Governor and recognized the Clerk.

House Concurrent Resolutions: None

MESSAGES FROM THE GOVERNOR

The Clerk announced the following Messages from the Governor:

GOV. COMM. 20-21: (2/23/17) Informing the House that he signed into law, H. L. B. NO. 20-2, S1, (Re-appropriating \$799,558 allotted to the Second Senatorial District pursuant to 4 CMC §2307 (b)). Became **Tinian Local Law 20-1** [*For info*]

GOV. COMM. 20-22: (3/9/17) Informing the House that he signed into law, S.B. NO. 20-16, SD1, (To amend 2 CMC §§ 2112 and 2122 by adding new definitions providing a grant of power to the Commonwealth Ports Authority in the Commonwealth Ports Authority Act and to amend 1 CMC § 2806(g) to define industrial port use and port related operations to lease public lands for legitimate public purpose related to their agency’s mandate; and for other purposes.). Became **Public Law 20-1** [*For info*]

Speaker Rafael S. Demapan: *Si Yu’us Ma’ase*, Clerk. Any comment or discussion on Messages of the Governor. None. Relative to Governor’s Communication 20-3 submitting the proposed budget for fiscal year 2018 this communication will be referred to the Ways and Means to prepare the Concurrent Resolution establishing the level of appropriation for fiscal year 2018 that will be referred to Ways and Means. Moving along we will go down to item VII, Senate Communication. Let me recognize the Floor Leader.

SENATE COMMUNICATIONS

The Floor Leader made a motion to accept Senate Communications 20-7 to 20-11 so that they may become property of the House.

SEN. COMM. 20-7: (2/27/17) Transmitting a certified copy of Senate Resolution No. 20-2, entitled, “To express heartfelt condolences to the bereaved family of the Late Honorable Mayor Jerome K. Aldan on his untimely passing and to memorialize his

unforgettable contributions to the CNMI and the Northern Islands as we mourn our beloved brother and leader.”, which was adopted by the Senate on February 23, 2017. [*For info*]

SEN. COMM. 20-8: (3/3/17) Transmitting a certified copy of Senate Joint Resolution No. 20-1, entitled, “A Senate Joint Resolution authorizing the Marianas Visitor’s Authority to set a new compensation and wage salary scale for its employees pursuant to 4 CMC § 2124(g).”, which was adopted by the Senate on February 23, 2017 and by the House of Representative on February 28, 2017, Twentieth Northern Marianas Commonwealth Legislature. [*For info*]

SEN. COMM. 20-9: (3/15/17) Transmitting a certified copy of Senate Joint Resolution No. 20-2, entitled, “A Senate Joint Resolution to call for a Joint Session of the Legislature to receive the State of the Commonwealth Address.”, which was adopted by the Senate on February 15, 2017 and by the House of Representative on February 28, 2017, Twentieth Northern Marianas Commonwealth Legislature. [*For info*]

SEN. COMM. 20-10: (3/23/17) Transmitting for House action S. B. NO. 20-3, SS1, entitled, “To amend 1 CMC §§ 2261(b) AND 2262(a), to limit the public high school student representative to the Board of Education to one year and rotated appointment by public school; and for other purposes.”, which was passed by the Senate on March 22, 2017. [*For action*]

SEN. COMM. 20-11: (3/30/17) Transmitting for House action S. B. NO. 20-2, SD3, entitled, “To establish the Office of Planning and Development; and for other purposes.”, which was passed by the Senate on March 29, 2017. [*For action*]

The motion was seconded.

There was no discussion and the motion to accept Senate Communications 20-7 through 20-11 so they may become property of the House was carried by voice vote. There was no nay vote.

The Chair referred Senate Communication 20-10 (S. B. 20-3, SS1) to the Committee on Education; Senate Communication 20-11 (S. B. 20-2, SD3) to the Committee on Judiciary and Governmental Operations.

Representative Angel A. Demapan: Privilege Mr. Speaker.

Speaker Rafael S. Demapan: Recognize Chairman.

Representative Angel A. Demapan: Thank you, Mr. Speaker. I just want to urge the cooperation of the committee in charge of reviewing Senate Bill 20-2, SD3 regarding the establishment of the Office of Planning and Development. There has been a lot of discussion about the critical juncture we are at this point in the Commonwealth’s economic growth and the need for an Office of Planning and Development is greater more today than ever. I would like to request the committee in charge with reviewing this legislation that they act expeditiously so we can get this bill moving in the process and hopefully enact it into law so that we can have a true and concrete evaluation of our development, our progress and the need to strike a balance between the amount

of development being proposed and just how much our infrastructure and our community's needs can be assisting. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Mr. Chairman. Anymore comment? None.

HOUSE COMMUNICATIONS

Speaker Rafael S. Demapan: We will go ahead and go down to item VIII, which is the House Communications we do have two. Moving along appears to be none on item IX, X and XI. We will go ahead and move down to item XII, which is the Reports of Standing Committees.

HSE. COMM. 20-24: From Representative Angel A. Demapan, WM Chair, submitting amended composition to the Ways and Means Committee adding one additional Member. [*For info*]

HSE. COMM. 20-25: From Representative Jose I. Itibus informing the Speaker that he will be off-island on official business beginning April 5, 2017 to April 8, 2017 and requests that he may be excused from all scheduled meetings or sessions during his absence.

COMMUNICATIONS FROM THE JUDICIAL BRANCH

None

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

None

MISCELLANEOUS COMMUNICATIONS

None

REPORTS OF STANDING COMMITTEES

Speaker Rafael S. Demapan: Before I recognize the Floor Leader, let me ask relative to Standing Committee Report 20-5 – I do understand that this legislature both houses did pass similar bill and was signed into law. So I will ask the Floor Leader to effectuate a motion that we refer this standing committee report back to the committee and relative to Standing Committee Report 20-10, because of the additional information that this body received I ask the Floor Leader to also effectuate a motion that we send this back to the committee for further review. So with that let me now recognize the Floor Leader for the first motion on Standing Committee Report.

The Floor Leader made a motion to recommit the following Standing Committee Report:

S. C. R. NO. 20-5: Reporting on H. B. No. 20-23, entitled: “To define industrial port use, port related operations and to amend 1 CMC §2806 (g), Public Lands: Fundamental Policies; and to allow government agencies on the islands of Tinian and Rota to lease

public lands, conveyed to them by Public Lands, for legitimate public purpose related to their agency's mandate." *Your Committee on Natural Resources recommends that the House pass the bill in the form of H. B. NO. 20-23, HDI.*

The motion was seconded.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Floor Leader. Your motion has been seconded. Discussion on that motion? Recognize Chairman Edwin Aldan.

Representative Edwin P. Aldan: Thank you, Mr. Speaker. I believe what you mentioned before is clear and also under the Messages from the Governor it is also there in regards to that particular legislation that was passed from the Senate to the House it is now Public Law 20-01. Both bills were the same. So I support the move on the Floor Leader to send back the committee report that was introduced by me. Thank you, Mr. Speaker.

There was no further discussion and the motion to recommit Standing Committee Report 20-5 was carried by voice vote. There was no nay vote.

The Chair recognized the Floor Leader for the next motion.

The Floor Leader made a motion to recommit the following Standing Committee Report:

S. C. R. NO. 20-10: Reporting on H. B. No. 20-43, entitled: "A Bill for an Act to clarify and define the Attorney General's duties and responsibilities in the promulgation of rules and regulations, in reviewing contracts and in representing the commonwealth government or its executive departments; and for other purposes." *Your Committee on Judiciary and Governmental Operations recommends that the House pass the bill in the form of H. B. NO. 20-43, HDI.*

The motion was seconded.

There was no discussion and the motion to recommit Standing Committee Report 20-10 was carried by voice vote. There was no nay vote.

The Chair recognized the Floor Leader for the next motion.

The Floor Leader made a motion to adopt the following Standing Committee Report:

S. C. R. NO. 20-6: Reporting on H. B. No. 20-9, entitled: "A Bill for an Act to require all scuba dive shop operators to impose a \$10.00 surcharge per tank usage to purchase, install, operate, and maintain decompression chambers in the CNMI; and for other purposes." *Your Committee on Commerce and Tourism recommends the House pass H. B. No. 20-9 in its current form.*

The motion was seconded.

There was no discussion and the motion to adopt Standing Committee Report 20-6 was carried by voice vote. There was no nay vote.

The Chair recognized the Floor Leader for the next motion.

The Floor Leader made a motion to adopt the following Standing Committee Report:

S. C. R. NO. 20-7: Reporting on H. B. No. 20-4, entitled: “To remove the limitation on the amount of funds from the MVA Trust Fund that may be distributed to the Municipalities of Tinian and Rota.” *Your Committee on Commerce and Tourism recommends that the House pass the bill in the form of H. B. NO. 20-4, HDI.*

The motion was seconded.

The Chair recognized the Vice Speaker.

Vice Speaker Janet U. Maratita: Mr. Speaker, if I may, may I ask the Chairman on Committee of Commerce and Tourism is there any problem with the existing bill that we are amending this to remove the limitations of amount. I notice the MVA Director did not support this legislation. Are we taking comments from department agencies that are giving comments or concerns regarding a particular bill? Like I said I just noticed that the Chairwoman of MVA does not support this bill.

Speaker Rafael S. Demapan: Thank you, Vice Speaker. Let me recognize the Chairman on Tourism to respond to that.

Representative Joseph Lee Pan T. Guerrero: Thank you, Mr. Speaker. I did noted that the Chairwoman did not support the intent of this bill because they do not want to give anymore money to the First and Second Senatorial District to improve the enhancement of tourism. Somehow it is about due time that the First and Second Senatorial District should be considered into developing. The Third Senatorial District is beyond that already and if we do not encourage investors to look at the First and Second Senatorial District, they will not have adequate funding that MVA has been providing. So opening it up it gives the First and Second Senatorial District to improve the islands as a destination. We should be mindful that Tinian and Rota has always been neglected. The small amount that MVA is providing as limited impact in that aspect for the development and I hope that that would open up more opportunity for Tinian and Rota. I hope I kind of explained that thoroughly Madame Vice.

Speaker Rafael S. Demapan: Thank you, Chairman. Vice Speaker you wanted to respond?

Vice Speaker Janet U. Maratita: I still believe that Saipan being the capital, I think we still need to – there is more tourist sites that needs to be attend to and perhaps that is why they are not giving you know because not enough funds. I think \$400,000 for each senatorial district inclusive of the island of Rota and Tinian. Nothing against Rota and Tinian, but I guess Saipan is the capital. We need to infuse more funds into the capital, which is Saipan. And there are a lot of issues here that is affecting our tourists alike and so as residents. We need to infuse funds to the island of Saipan since Saipan is the capital and this is where the tourist comes first before they go to the other islands. In the villages of San Antonio, I think MVA should attend to those nuisance, those trashes, Obyan Beach, and Ladder Beach needs to be fixed by whoever MVA. I think these funds are rightly be spent – Banzai cliff, Suicide Cliff we need to infuse more funds to these

tourist sites. It is just a concern and I believe that MVA is doing their share of supporting the islands of Rota and Tinian. I do not see why we are amending such Public Law. Thank you.

Speaker Rafael S. Demapan: Thank you, Vice Speaker for your concern. Let me recognize Representative BJ Attao.

Representative Blas Jonathan “BJ” T. Attao: Thank you, Mr. Speaker. Thank you Vice Speaker for those concerns and they are very valid concerns. Those were actually brought up during the committee meeting. Just in the First and Second Senatorial Districts issues with the tourism a lot of these funds are actually being used to fix their own tourist sites. Right now in the past let us say five-years they have only received close to maybe Three Hundred sum Thousand Dollars in its entirety that is why the next Standing Committee Report, which is 20-8 dealing with the hotel occupancy tax is one of the request of MVA to strengthen our collections in the hotel occupancy tax that is why the anticipated Fourteen Million Dollars over the past four to seven-years has actually been a smaller number because a lot of these bed and breakfast that have popped up especially here in the Third Senatorial District. So the next standing committee report will take care of that and the collections would actually go up which will at least give assistance to the First and Second Senatorial District in their promotions rather than just using their funds in improving their tourist sites they can actually use the funds in the charter flights that was supposed to be the intent of these monies. So with having both legislations acted on in the committee level we took all the considerations and the pros and cons in Standing Committee Report 20-7 and also in Standing Committee Report 20-8 so that we have the flexibility to assist the First and Second Senatorial District and to also make sure that MVA’s anticipated annual collections on their hotel occupancy tax will be if not at the level of Fourteen Million Dollars possibly more and with that Vice Speaker, I hope that helps with your question. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Representative Attao for that clarification. Let me recognize the Floor Leader.

Floor Leader Glenn L. Maratita: Thank you, Mr. Speaker and thank you Representative Attao for pointing that out that is very clear. Now as far as the MVA Chairwoman Pierce concern with the bill, I am kind of getting a mixed signal here because board member Jerry Tan came out publicly I think a few weeks ago or even a month ago or two months ago about how it is that it is about time that we look into Rota and Tinian as well and let them be a part as far as the tourism development, the industry is concerned. So the bill in itself actually does nothing, but just try to recognize the potential increase in our tourism industry. To me and the people of Rota the district and of course with Tinian it is only fair that we recognize that and put a little to improve the tourism industry in our district. We have a lot of dilapidated buildings over there and as far as I am concern I have been – or the people’s concern we have been getting with the Mayor and local funds were used to enhance to provide our resources so we can better these sites. With the increase that we are looking at that would pretty much help. I thank the members for pointing out the concerns as far as the First and Second Senatorial District. Thank you.

Speaker Rafael S. Demapan: *Si Yu’us Ma’ase*, Floor Leader for that information. Any other member. Recognize Chairman Edwin Aldan. You wanted to speak Chairman?

Representative Edwin P. Aldan: Thank you, Mr. Speaker. Mr. Speaker and member, one of the main issues that MVA brought up in their letter was more so to the accountability of the funds that was being distributed in the First and Second Senatorial District. Under this bill that the Floor Leader introduced, the reporting on Section 2 under page 3 it says, “(b) Reporting. The Municipalities of Tinian and Rota shall submit a detailed annual report of the funds utilized under...” these particular funds. Those are the issues that MVA strongly insist on the committee to make sure that it is in this particular bill. For HAMNI, HAMNI is in support of this bill. Like they say – these funds are very critical to the municipality both the First and Second Municipality. We have events that these funds were being used to source out so that tourist can come down affordably for them in regards to airline and to hotels. I urge your consideration to consider and place it on calendar and move on from there. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Chairman.

Vice Speaker Janet U. Maratita: Thank you, Speaker. For the record I am not the least to say that I do not support the needs of you know beautification for Rota and Tinian. My concern only is that why can't we just look for other funds or resources to assist Rota and Tinian. Is this the only way to amend this and to include Rota and Tinian. I am sure there are other resources that we can tap into. Again, I would like to point that out Mr. Speaker that this is nothing against the island of Rota or Tinian for that matter. My parents originally from both such islands, but I still believe that we can look for other resources other than to opening up these Pandora box. Thank you again. Again, I support the beautification and I acknowledge recent statements from Mr. Jerry Tan regarding the need to attend to Rota and Tinian being a tourist destination, however; as I stated we can look into other sources to assist Rota and Tinian. Thank you.

Speaker Rafael S. Demapan: Thank you, Vice Speaker. Let me recognize Representative Deleon Guerrero.

Representative Lorenzo I. Deleon Guerrero: Thank you, Mr. Speaker. In regards to the bill, I take note that the HANMI, The Hotel Association of the Northern Marianas Islands Chairwoman Madame Gloria Cavanagh also made comments in regards to the bill up to the point that she makes recommendation that to make the reporting back from the enactment of Public Law 18-1, I believe that was during the 18th Legislature and I do not see that incorporated in the bill as recommended by the Chairwoman of HANMI Association. She wanted to account for all the funds utilized what particular projects way back starting the enactment of Public Law 18-1. I just wanted to ask if the members realized that she made a recommendation whether the committee decided to omit her recommendation or what not. Thank you.

Speaker Rafael S. Demapan: Thank you, Representative Deleon Guerrero. I am sure the committee took note on that from Gloria. Again any member when we get to the Bill Calendar any member can make recommendations, amend, improve. So with that let me now recognize Chairman Frank Dela Cruz.

Representative Francisco S. Dela Cruz: Thank you, Mr. Speaker. I believe that the reporting requirement has been taken into consideration by the committee. That can be found on page two, beginning line 3. The question that I have with regards to this reporting requirement is that it appears from the language from the language that the report should be going to the Governor and

the Legislature and the Marianas Visitors Authority, but it also adds and provides that the Marianas Visitors Authority shall also report all funds utilized for tourism enhancement for the municipality of Tinian and Rota, but it stops short of who the recipient for the report is going to go to from the Marianas Visitors Authority. I do not know whether the committee has looked at this particular reporting language and again the question is who will MVA report to on the Tinian and Rota and other tourism because I do not see it in this report. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Chairman Frank. Before I allow the Chairman to respond to that let me recognize first Representative Vinny Sablan.

Representative Vinson F. Sablan: Thank you, Mr. Speaker and it will be quick. During the deliberations in committee for this bill many considerations were brought up those of the Vice Speaker's as well, but what we have to keep in mind is that MVA has just launched a rebranding of our tourism marketing system and it rebrands our islands as the Marianas, which includes Saipan, Tinian and Rota. So it is about high time that these necessary funds to make improvements on their tour destination are intact. There are other fund sources we may tap, but with the significant amount from the hotel occupancy tax that is coming in each fiscal year this should be able to provide for that. I do not think it will be a great burden of the entire funding that comes in from the tax, but since MVA and the rest of us here in the Marianas is rebranding our destination marketing program to the Marianas. I think it is due time and we have got to stand up and provide necessary funding to these senatorial districts. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Representative Sablan. Let me recognize Representative Joseph Deleon Guerrero.

Representative Joseph P. Deleon Guerrero: Thank you, Mr. Speaker. Speaker, I was going to hold off making any comments since we are still under the Standing Committee Report. I do have comments on the bill and I was going to wait till we get to the Bill Calendar to state those comments, but Representative Dela Cruz raised the issue so let me – so it is still fresh in the members minds. Let me just raise the issue Mr. Speaker.

Representative Francisco S. Dela Cruz: Just a point of clarification, Mr. Speaker.

Speaker Rafael S. Demapan: State your point Chairman.

Representative Francisco S. Dela Cruz: The clarification is based on the committee report on I believe page 2 and inserted portion. So I am not discussing the legislation at this time. I am discussing the Standing Committee Report as it is reporting on that particular provision. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Chairman. So clarified. You may continue Chairman Deleon Guerrero.

Representative Joseph P. Deleon Guerrero: Thank you, Mr. Speaker. Since my good colleague raised the issue on the comments as stated in the standing committee report regarding the reporting requirement. First let me state that the original intent of the bill I support and that is on page one. I believe the reporting requirement was included by the committee this is (b) and let

me further clarify another concern similar to what Representative Dela Cruz raised and that is that the reporting requirement does three things. First, it requires that the municipalities report to the Governor, the Legislature and MVA. Second it requires MVA to report how those funds are used again in their annual report. Third it adds another provision which the last sentence there states that “furthermore any funds utilized under 4CMC 2159 (a) by the municipalities for tourism enhancement shall be reimbursable to the respective municipality that incurred the cost associated with tourism enhancement or other related activities that should have been paid for by MVA.” So one point one and two, first, MVA already reports to the Governor and to this body in their annual report how their funds are expended. So if anything maybe if the intent of the committee was require that the municipalities report on those expenditures then it should report to MVA because MVA will then submit a report to the Governor and to this body. And so it will not be redundant unless that is what the committee wants. The other issue here is that I am unclear what this last sentence means because it basically states that any funds from this account. MVA basically for those that do not know the history behind this funding the original language is not more than two-percent or Four Hundred Thousand whichever is greater that amount which they get from their hotel occupancy tax is remitted to the First and Second Senatorial District for use – for a very specific use and that is to support their charter activities for those two islands. Here it is saying that the funds utilized under those funds shall be reimbursable to the respective municipality that incurred cost associated with tourist and enhancement or other activities that should have been paid for by MVA. Those funds are from MVA and so it is unclear to me. The money that they get let us say it is \$400,000 is to be used for destination enhancement for charter activities. So they use the \$400,000, but then they say that any cost associated for tourism enhancement shall be reimbursed back to them so that part is not clear. The amendment is very specific that that \$400,000 that you get is going to be used for this purpose so I do not get what the committee is trying to do here that the islands would be reimbursed unless they use funds outside of 4CMC 2159 (a) and if that is the case it is understandable, but as currently written it seems it is not clear. That is why I said we will maybe discuss it now and maybe during the Bill Calendar we can work on it. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Chairman. Let me recognize the author, the Floor Leader.

Floor Leader Glenn L. Maratita: Thank you, Chairman. You actually point out – that is a very good point. If we look at the bill in itself, I agree because it is written it is embedded in the bill. It is for the implementation of charter flights, tourism incentive and promotional programs. What we are trying to explain or what we are trying to include in the bill under Section (b) with your concern is the municipality having to repair, designate tourism sites such as pavilions, restrooms and other related things that usually is there before the sites. So in many cases the municipalities do not get anything back from MVA because of the mere fact that the language is very clear in the bill that is for charter flights and promotional programs. I do not believe having to repair those sites is part of the promotional programs. I understand it is the burden of the municipality to upkeep and maintain those facilities. Again, with the situation right now especially in Rota many of the members that are here during the 19th then MVA Managing Director Perry Tenorio did provide us copy as far as how many of these sites are actually in dire need of repair. As a matter of fact I vividly remember that it was fourteen sites alone in Rota that needs immediate attention as far as repairs because of safety reasons and the municipality rather than shutting down these sites came up with an alternate source of funding and even having to draw down

from different agencies within the municipality so that we upkeep the sites and allow our guest, our visitors to continue utilizing the areas that the sites that they enjoy the most and many of them are actually return guest. Again our intent is not to really poke – give MVA a black eye in terms of these things, but we are in hopes of having to see them help assist the municipality – recover from what they use to upgrade the facilities. I hope that answers your question Chair.

Speaker Rafael S. Demapan: Recognize Chairman Deleon Guerrero.

Representative Joseph P. Deleon Guerrero: Thank you, Mr. Speaker. I understand the intent. All I am saying is that the way it is worded right now is not what you are trying to accomplish. Right now it is saying that the money from MVA or any – let me explain it by saying perhaps how it should be worded that any funds utilized under the mayor’s account for tourist enhancement, tourist destination improvement and so forth – tourist related activities shall be reimbursed back to them through these funds, but that is not how it is worded. It is saying that we use these – any funds utilized under the \$400,000 by the municipality shall be reimbursable. That is – it is not – we will work on it. I understand the intent Mr. Speaker and Floor Leader; I am just saying that maybe when we get to the Bill Calendar we will work on the language. Thank you.

Speaker Rafael S. Demapan: Thank you, Chairman. For the last time, before we take action on the committee report. Let me recognize Chairman Edwin Aldan.

Representative Edwin P. Aldan: Mr. Speaker, I yield until we get to the Bill Calendar that is the proper place to discuss. Thank you.

Speaker Rafael S. Demapan: *Si Yu’us Ma’ase*, Chairman. I do understand although there are so many concerns raised, I am sure that when we get to the Bill Calendar those concerns could be addressed by improving the bill. So with that any further?

Several members voiced “ready”.

There was no further discussion and the motion to adopt Standing Committee Report 20-7 was carried by voice vote. There was no nay vote.

The Chair recognized the Floor Leader.

The Floor Leader made a motion to adopt the following Standing Committee Report:

S. C. R. NO. 20-8: Reporting on H. B. No. 20-22, entitled: “A Bill for an Act to amend 1 CMC Section 1502 clarifying the activities subject to the Occupancy Tax.” *Your Committee on Commerce and Tourism recommends the House pass **H. B. No. 20-22** in its current form.*

The motion was seconded.

There was no discussion and the motion to adopt Standing Committee Report 20-8 was carried by voice vote. There was no nay vote.

The Chair recognized the Floor Leader.

The Floor Leader made a motion to adopt the following Standing Committee Report:

S. C. R. NO. 20-9: Reporting on H. B. No. 20-33, entitled: “A Bill for an Act to amend 2 CMC § 4435(f) and to repeal 2 CMC § 4435(h) to expand the use of lease agreement payments to supplement housing assistance; and for other purposes.” *Your Committee on Judiciary and Governmental Operations recommends the House pass H. B. No. 20-33 in its current form.*

The motion was seconded.

There was no discussion and the motion to adopt Standing Committee Report 20-9 was carried by voice vote. There was no nay vote.

The Chair directed the members to item XV, Resolution Calendar and recognized the Floor Leader.

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

None

UNFINISHED BUSINESS

None

RESOLUTION CALENDAR

The Floor Leader made a motion to adopt the following House Commemorative Resolution:

C. RES. NO. 20-2

A House Commemorative Resolution to congratulate and honor all the women in the Commonwealth of the Northern Mariana Islands as we celebrate their contributions and achievements during the month of March 2017 as CNMI Women’s Month and March 8, 2017 as International Women’s Day.

The motion was seconded.

There was no discussion and the motion to adopt House Commemorative Resolution 20-2 was carried by voice vote. There was no nay vote.

The Chair recognized the Floor Leader.

The Floor Leader made a motion to adopt the following House Commemorative Resolution:

C. RES. NO. 20-3

To recognize and acknowledge Japan Consul Toshio Matsumura from the Consular Office of Japan in the CNMI for his outstanding contributions in helping to establish a strong relationship between Japan and the CNMI.

REP. GREGORIO M. SABLAN JR. of Saipan, Precinct 1 (*for himself, Representatives Francisco C. Aguon, Blas Jonathan “BJ” T. Attao, Donald C. Barcinas, Francisco S. Dela Cruz, Lorenzo I. Deleon Guerrero, Angel A. Demapan, Alice S. Igitol, Jose I. Itibus, Janet U. Maratita, John Paul P. Sablan, Vinson F. Sablan, and Edmund S. Villagomez*)

The motion was seconded.

There was no discussion and the motion to adopt House Commemorative Resolution 20-3 was carried by voice vote. There was no nay vote.

The Chair directed the members to item XV, Bill Calendar and recognized the Floor Leader.

BILL CALENDAR

Floor Leader Glenn L. Maratita: Mr. Speaker, before we proceed further on our Bill Calendar may I respectfully request a short recess?

Speaker Rafael S. Demapan: Short recess.

The House recessed at 3:15 p.m.

RECESS

The House reconvened at 3:34 p.m.

Speaker Rafael S. Demapan: Thank you, members. Back from our recess. Prior to our recess the Floor Leader still has the floor. Let me ask you Floor if you can effectuate first the motion on House Bill 20-56.

The Floor Leader made a motion to pass House Bill 20-56 on First and Final Reading.

H. B. NO. 20-56

To amend 1 CMC, Chapter 4, Article 2 to add a new §431. “Governor Eloy S. Inos Peace Park”; and for other purposes.

REP. ANGEL A. DEMAPAN of Saipan, Precinct 1 (*for himself, Representatives Francisco C. Aguon, Edwin P. Aldan, Blas Jonathan “BJ” T. Attao, Donald C. Barcinas, Ivan A. Blanco, Francisco S. Dela Cruz, Joseph P. Deleon Guerrero, Rafael S. Demapan, Joseph Lee Pan T. Guerrero, Alice S. Igitol, Jose I. Itibus, Janet U. Maratita, Gregorio M. Sablan, Jr., John Paul P. Sablan, and Edmund S. Villagomez*)

The motion was seconded with no discussion. The Chair recognized the Clerk to call the roll.

The Clerk called the roll on the motion to pass House Bill 20-56 on First and Final Reading with the following results:

Representative Francisco C. Aguon	yes
Representative Edwin P. Aldan	yes
Representative Blas Jonathan “BJ” T. Attao	yes
Representative Donald C. Barcinas	yes
Representative Ivan A. Blanco	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Angel A. Demapan	yes
Speaker Rafael S. Demapan	yes
Representative Joseph Lee Pan T. Guerrero	yes
Representative Alice S. Igitol	yes
Representative Jose I. Itibus	yes
Representative Glenn L. Maratita	yes
Representative Janet U. Maratita	yes
Representative Edwin K. Propst	yes
Representative Gregorio M. Sablan, Jr.	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	yes
Representative Edmund Joseph S. Villagomez	yes

House Clerk Linda B. Muña: Mr. Speaker, all 20 members voted “yes.”

Speaker Rafael S. Demapan: *Si Yu’us Ma’ase*, Clerk. With all 20 members voting in the affirmative, House Bill 20-56 passes the House. Floor Leader.

Floor Leader Glenn L. Maratita: Thank you, Mr. Speaker. I would like to offer a motion that we suspend Rule IX, Section 9; so we may pass on First and Final Reading House Bill 20-4, HD1 “To remove the limitation on the amount of funds from the MVA Trust Fund that may be distributed to the Municipalities of Tinian and Rota.” So move.

RULE IX. BILLS, RESOLUTIONS AND AMENDMENTS

Section 9. First Reading of Bills and Resolutions

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

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

(c) First Reading of a resolution shall be the only and final reading, and upon its passage, the Clerk shall dispose of it pursuant to Section 14 of this Rule.

The motion was seconded.

Speaker Rafael S. Demapan: Motion has been seconded. Discussion on that motion? Recognize Chairman Joseph Deleon Guerrero.

Representative Joseph P. Deleon Guerrero: Thank you, Mr. Speaker. If there is no objection from the members, I do not have a written floor amendment, but I would like to seek the assistance of our Legal Counsel to maybe use ELMO to –

Speaker Rafael S. Demapan: Chair sorry to interject. Let me restate the motion by the Floor Leader and before we get to that this is for the suspension of Rule IX, Section 9. This is for any improvement or floor amendments on any bills then after this motion we will get to that for any floor amendment. So the motion is to suspend Rule IX, Section 9 and it has been seconded.

There were no further discussion and the motion to suspend Rule IX, Section 9 was carried by voice vote. There was no nay vote.

Speaker Rafael S. Demapan: Floor Leader.

The Floor Leader made a motion to pass House Bill 20-4 on First and Final Reading.

The motion was seconded.

H. B. NO. 20-4, HD1

To remove the limitation on the amount of funds from the MVA Trust Fund that may be distributed to the Municipalities of Tinian and Rota. [S. C. R. NO. 20-7]

The motion was seconded.

Speaker Rafael S. Demapan: Thank you, Floor Leader. The motion has been seconded. Discussion on the motion? Recognize Chairman Joseph Deleon Guerrero.

Representative Joseph P. Deleon Guerrero: Thank you, Mr. Speaker. Legal Counsel, can you please put up page 2, specifically subsection (b) Reporting. Thank you, Legal Counsel. The first amendment with the indulgence of the members. I wanted to strikeout that language. The reporting requirement starting on line 6, which says that or starting on line 5, “provided, however, that the MVA shall report all funds utilized for tourism enhancement for the Municipalities of Tinian and Rota and other tourism related activities.” If we can strike that out because as the members know they do provide an annual report of their projects of their expenditures to this body to the Governor already. So it is already being done annually. We do not need a law to tell them to do something they are already doing. So I wanted to strike that out starting on line 5 with the word “provided” and ending on line 8 with the word “activities” as the first amendment it is a strikeout. Thank you, Legal Counsel. The second amendment right after that sentence which starts with the word “furthermore” after the word “any” strikeout “funds

utilized under 4 CMC §2159(a)” strike that out. So it should end and insert after the word “any” insert the word “expenditures” so “furthermore” – I am sorry “any” will stay. So it would read “Any expenditures”, John? Let me read it first and then we can do it just so people can hear it. That sentence or that provision would be amended to state. “Furthermore, any expenditures by the municipalities for tourism enhancement outside of the funds under 4CMC §2959(a) shall be reimbursable to the respective municipality that incurred costs associated with tourism enhancement or other related activities that should have been paid for by the MVA.” So if the municipality expends its own funds that they do qualify for reimbursement from these funds. And it happens, MVA sometimes recommends that you know you need to put a guard rail over here and do this ABC, but then the cost for doing those improvements is more than what they get from MVA under this funding. What we are saying now and I believe it is the intent of the author, the mover that if the municipality expends its own funds that they should be allowed to be reimbursed from these funds from §2159(a). So that is what the amendment will do. Right now as it is written, if MVA gives you \$400,000.00 and you use the \$400,000.00 MVA will reimburse you another \$400,000.00 that is getting – I do not know if that is the intent, but that is not something I would support. If they use their own funds outside of MVA’s funds then yes they should be entitled to get some compensation – to get reimbursed for it because it is in line with the intent of this funding in the first place. So it would read, Legal Counsel starting on line 8, “Furthermore, any expenditures by the municipalities for tourism enhancement outside of the funds under 4CMC §2159(a) shall be reimbursable to the respective municipality that incurred the cost associated with tourism enhancement or other related activities that should have been paid by the MVA.” So move.

The motion was seconded.

Speaker Rafael S. Demapan: Thank you. The floor amendment provided by Chairman Deleon Guerrero has been seconded. Discussion? Let me recognize Chairman Angel Demapan.

Representative Angel A. Demapan: Thank you, Mr. Speaker. I understand where the mover of the floor amendment is coming from with regards to clarifying the double reimbursement if you may that is in the original language. However my question is to the mover because I still have a concern now with the amended language. It is clear that after expending the funds or if the municipality expends funds outside of the funds provided by the trust fund that they can be reimbursed. What I am missing here is who controls what the municipality decides to spend money on in terms of tourism enhancement projects. Can the municipalities spend on whatever it believes is needed and then simply turn to MVA and ask for reimbursement or is there a mechanism that says MVA recommends what the tourism enhancement project is. As it is written now in the amended language we are essential in handing the municipalities a blank check and they decide how much they spend, where they spend and they can file for reimbursement. So I am a little bit concerned with the new amended language, but I appreciate the clarification of the original language that provided for what could have been a double reimbursement. So I guess my question to the mover is how do we control the municipalities expenditure.

Speaker Rafael S. Demapan: Thank you, Chairman. For the response recognize the mover.

Representative Joseph P. Deleon Guerrero: Thank you, Mr. Chairman and I thank my colleague for that. As it is written here it says “with tourism enhancement and other related activities” that should be clear, but he is correct and that what if it is the municipality that determines especially the other related activities what it means. There could be disagreements. So to respond to that what if we make an amendment here my colleague on line 11, where it goes on to say “with tourism enhancements or other related activities in consultation with the MVA” or “as approved by the MVA” would that suffice? Thank you.

Speaker Rafael S. Demapan: Thank you mover. Let me go ahead and recognize you Angel then I will recognize Chairman Frank. You may.

Representative Angel A. Demapan: Thank you, Mr. Speaker. In response, I could be talking about this right here, but we are on the record. Thank you for that response. And in response to that yes, I believe that as long as the language is there to provide that mechanism and I would like to prefer that we go with the language “as approved” only because in recent times we have redefined consultations in so many different ways. I think “as approved” would be much more secure so I would go with the language “as approved”. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you. I asked that you prepare perhaps a subsidiary, but before you do that let me recognize Chairman Frank Dela Cruz.

Representative Francisco S. Dela Cruz: Thank you, Mr. Speaker. Although, I do not have any issues with the amendment itself. I am curious to find out if there is such a definition for tourism enhancement or is there such a definition for destination enhancement. Inserting language such as “other related activities” this is to me it is a bit broad and that it could be any type of tourist related – the pavilions for example if the municipality decides you know our people went there they have to clean it up we have to pay them this – we had to have activities for this and we had to have port a potty’s so is that a related cost that should be derived from the MVA funds. Again let me just say that this has become very broad in nature and still I do not have any real definition for destination enhancement and tourism enhancement. If that is the true nature of this particular legislation then I believe that must confine it to this particular activities, which has to do with tourism and not just because we want to clear a certain beach a certain park for tourism. The memorials to me it is broad and maybe the Legal Counsel can elaborate on what is this definition because it is too broad and we may be asking for something that is going to bite us later on because the cost incurred by any municipality even the Saipan Municipality the Third Senatorial District and I understand Congressman JP is also going to include the Third Senatorial District as per the request of Mayor Apatang, but we must be mindful that these funds should be confined to what the intention is. The intention is for our tourist to be attracted to see these areas as being up kept and clean. Again, Mr. Speaker I must say that without having a definition to zone in on we may be just giving away the whole farm. So that has to be clarified. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Mr. Chairman. Why don’t we do this. Why don’t we have a short recess make sure that we word it right so that we make sure that we do not leave any ambiguity as to whether the definition of enhancement or other type of definition in regards to tourism. Short recess.

The House recessed at 3:54 p.m.

RECESS

The House reconvened at 4:13 p.m.

Speaker Rafael S. Demapan: Thank you, members. Back from our recess. Prior to our recess, Representative – Chairman Dela Cruz got through with his comment. Let me now recognize Chairman Joseph Deleon Guerrero.

Representative Joseph P. Deleon Guerrero: Thank you, Mr. Speaker. Thank you members for your patience. During our break we had the Legal Counsel kind of cleaned it up and put it into written form and so if there is no objection can I ask just the Legal Counsel to read it out. First maybe what we will do is I will withdraw my motion and offer the motion after he reads it. Any objection?

Several members voiced “no objection”.

Representative Joseph P. Deleon Guerrero: Thank you, members. At this time, with your indulgence I would like to withdraw my earlier motion and ask the Legal Counsel to read out the cleaner version for a floor amendment.

Legal Counsel John Cool: The first amendment is on page 1, line 12 and it begins on that line “charter flight tourism incentives, promotional programs and tourism enhancement activities.” On page 2, subsection (b) –

Speaker Rafael S. Demapan: Thank you, Counsel. So Chairman –

Legal Counsel John Cool: What line are we at on page 2 where it starts of “furthermore”. Line 8? Line 8 where it starts “furthermore” it will read “Furthermore, any expenditures by the municipalities with the approval of Marianas Visitors Authority for tourism enhancement activities outside of the funds covered by 4CMC 2159(a) shall be reimbursable to the respective municipalities that are cost associated with tourism enhancement or other related activities that should have been paid for by Marianas Visitors Authority.”

Representative Joseph P. Deleon Guerrero: So move.

Speaker Rafael S. Demapan: Did I hear a second on that motion?

The motion was seconded.

Speaker Rafael S. Demapan: Thank you, members. The motion by Chairman Deleon Guerrero has been seconded. Discussion on that motion?

Several members voiced “ready”.

There was no discussion and the floor amendment offered by Representative Joseph P. Deleon Guerrero was carried by voice vote. There was no nay vote.

Speaker Rafael S. Demapan: The floor amendment by Chairman Deleon Guerrero has been adopted. Further discussion? Recognize John Paul Sablan.

Representative John Paul P. Sablan: Thank you, Mr. Speaker. I would like to offer also a floor amendment simply adding Saipan. I believe the Legal Counsel – yes it is in the ELMO. So on page 1, amend the title as follows “To remove the limitation on the amount funds from the MVA Trust Fund that may be distributed to the Municipalities” strikeout “of Tinian and Rota.” On page 1, line 2 is amended to read as follows “from the MVA Trust Fund for tourism promotion in the Municipalities of Saipan.” After the word “of” include “Saipan.” On page 1, line 4 is amended to read as follows, “available for tourism promotion in the Municipalities” after the word “of” to include the word “Saipan.” Further down page 1, line 7 is amended to read as follows “§2159. Municipalities” and after the word “of” again to insert the word “Saipan.” On page 1, line 11 is amended to read as follows, “remitted to the Municipalities” after the word “of” include the word “Saipan.” Page 2, line 3 is amended to read as follows under “(b) Reporting. The Municipalities” after the word “of” include the word “Saipan.” Last, on page 2, line 7 is amended to read as follows “utilize for tourism enhancement for the Municipalities” after the word “of” again include the word “Saipan.” Consistent with the intent of the forgoing amendments, I hereby also move to allow the Legal Counsel together with the Clerk to make further non-substantive technical amendments that are strictly necessary to effectuate the intent of this floor amendment prior to transmittal. So offered thank you.

The motion was seconded.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, John Paul Sablan. Your floor amendment has been seconded. Discussion on that amendment? Recognize Chairman Dela Cruz.

Representative Francisco S. Dela Cruz: Thank you, Mr. Speaker. Just to clarify from the Legal Counsel. Is the Northern Islands a part of the Saipan municipality?

Speaker Rafael S. Demapan: Counsel you may.

Legal Counsel John Cool: No because we are talking here just about the individual municipalities and not senatorial districts.

Representative Francisco S. Dela Cruz: So the answer is yes that the Northern Islands is inclusive of the municipality of Saipan or where is it included?

Legal Counsel John Cool: It is a municipality of Saipan and the Northern Islands.

Representative Francisco S. Dela Cruz: I am just – you know I do not see the Northern Islands, we do not know when time will come when we would see any tourism activities. So I wanted to see whether there is a room to ensure that the Northern Islands are inclusive of this legislation.

Legal Counsel John Cool: I might have to qualify that again because we do have a Mayor of the Northern Islands.

Representative Francisco S. Dela Cruz: Exactly and that is why I asked that.

Legal Counsel John Cool: The mayor of a municipality – senatorial district Third Senatorial District include Saipan and Northern Islands.

Representative Francisco S. Dela Cruz: Right, but so we only have municipalities and not Senatorial Districts.

Legal Counsel John Cool: Right. So just the municipality of Saipan would not include the municipality of the Northern Islands.

Representative Francisco S. Dela Cruz: Right. So I think we should consider adding the Northern Islands as well. You know we do not want to leave our brothers and sisters from the Northern Islands you know without the opportunity to avail of such a funds if the need arises for the Northern Islands. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Chairman. Are you going to introduce a subsidiary?

Representative Francisco S. Dela Cruz: Yes, actually Mr. Speaker. I am asking the Legal Counsel to maybe prepare and include the Northern Islands to this legislation.

Speaker Rafael S. Demapan: Thank you. Let us have a short recess so we can reword this one.

The House recessed at 4:23 p.m.

RECESS

The House reconvened at 4:34 p.m.

Speaker Rafael S. Demapan: Thank you, members. Back from our recess. Let me go ahead and continue JP with the discussion.

Representative John Paul P. Sablan: Thank you, Mr. Speaker. At this time, I withdraw my floor amendment motion that was offered before we got into recess until tomorrow.

Several members voiced “no objection”.

Speaker Rafael S. Demapan: So with that JP’s floor amendment has been withdrawn and we will have a recess until tomorrow at 10:30 a.m. thank you.

The House stood recess at 4:35 p.m. and will reconvene on Tuesday, April 4, 2017, at 10:30 a.m.

RECESS

The House of Representative of the Twentieth Northern Marianas Commonwealth Legislature reconvened its First Day, First Special Session on Tuesday, April 4, 2017 at 10:48 a.m.

Speaker Rafael S. Demapan: We are now back from our recess yesterday, but before we begin can I ask the members for a moment of silence. This morning our former representative Richard Seman passed away. So a moment of silence on his behalf.

A moment of silence was observed.

Speaker Rafael S. Demapan: Thank you. Prior to our recess yesterday we were on the Bill Calendar. Relative to House Bill 20-4, I believe the Floor Leader still has the floor. Can I ask the Floor Leader to restate the motion from yesterday.

Floor Leader Glenn L. Maratita: Thank you, Mr. Speaker. And that is to move for passage on First and Final Reading House Bill 20-4.

Speaker Rafael S. Demapan: Recognize Chairman John Paul Sablan.

Representative John Paul P. Sablan: Mr. Speaker, just because the Floor Leader had mentioned First and Final Reading it is my understanding that because of the amendments that were done yesterday, I believe that this bill would stay on the calendar until it is second reading before we even make a final vote on it. That is just to clarify with the Legal Counsel.

Speaker Rafael S. Demapan: Thank you, Chairman. Yesterday we did suspend the rule and maybe the Floor Leader can elaborate on that or perhaps the Counsel so therefore we can go ahead and pass the legislation. Counsel, can you chime in.

Legal Counsel Joseph Taijeron: Mr. Speaker, my information that the previous Legal Counsel was present and the Clerk assures me that there was a suspension of the rule so Floor Leader's motion was in order.

Representative John Paul P. Sablan: So clarified.

Speaker Rafael S. Demapan: Thank you, Counsel. Floor Leader, can I ask you again to restate the motion?

Floor Leader Glenn L. Maratita: Motion was for the passage on First and Final Reading House Bill 20-4, HD2. So move.

Speaker Rafael S. Demapan: Thank you, Floor Leader. As we all know this bill was amended yesterday. So as amended further discussion on that bill? Ready? Recognize Chairman Dela Cruz.

Representative Francisco S. Dela Cruz: My understanding was that the Chair for SNILD was to also introduce a certain amendment. I just wondered whether he has withdrawn on presenting that or introducing the amendment?

Speaker Rafael S. Demapan: Thank you, Chairman. Recognize Chairman Sablan.

Representative John Paul P. Sablan: Thank you, Mr. Speaker. In response to our good colleague Dela Cruz. I did withdraw my floor amendment yesterday's session before we went on to recess. Today, I am not in the position to offer the floor amendment, but if our good colleague wish to nothing stops him from doing it. Thank you.

Speaker Rafael S. Demapan: Thank you, Chairman. Further discussion on the main bill? Clerk.

The Clerk called the roll on the motion for the passage of House Bill 20-4, House Draft 2 on First and Final Reading with the following results:

Representative Francisco C. Aguon	yes
Representative Edwin P. Aldan	yes
Representative Blas Jonathan "BJ" T. Attao	yes
Representative Donald C. Barcinas	yes
Representative Ivan A. Blanco	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Angel A. Demapan	absent (<i>excused</i>)
Speaker Rafael S. Demapan	yes
Representative Joseph Lee Pan T. Guerrero	yes
Representative Alice S. Igitol	yes
Representative Jose I. Itibus	yes
Representative Glenn L. Maratita	yes
Representative Janet U. Maratita	yes
Representative Edwin K. Propst	yes
Representative Gregorio M. Sablan, Jr.	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	yes
Representative Edmund Joseph S. Villagomez	no

House Clerk Linda B. Muña: Mr. Speaker, 18 members voted "yes," 1 member voted "no" and 1 member is absent.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Clerk. With 18 members voting in the affirmative, House Bill 20-4, HD1 as amended hereby passes the House.

Floor Leader Glenn L. Maratita: Thank you, Mr. Speaker. Before we continue on our Bill Calendar may I respectfully request that we go back to item VIII, so we can include House Communication 20-26. This is a memo from Representative Angel Demapan's off-island notice. Thank you.

Several members voiced "no objection".

HOUSE COMMUNICATIONS

Speaker Rafael S. Demapan: Thank you, Floor Leader. Without any objections, we are now on item VIII, accepting the communication from our Chairman notifying the members that he will be off-island. You may proceed Floor Leader.

HSE. COMM. 20-26: From Representative Angel A. Demapan informing the Speaker that he will be off-island beginning April 4, 2017 to April 20, 2017 and requests that he may be excused from any and all official functions during his absence.

BILL CALENDAR

The Floor Leader made a motion to pass House Bill 20-9 on First and Final Reading.

H. B. NO. 20-9

A Bill for an Act to require all scuba dive shop operators to impose a \$10.00 surcharge per tank usage to purchase, install, operate, and maintain decompression chambers in the CNMI; and for other purposes. [S. C. R. NO. 20-6]

The motion was seconded.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Floor Leader. A motion has been seconded. Discussion on that motion?

Several members voiced "ready".

Speaker Rafael S. Demapan: Clerk for the roll call.

The Clerk called the roll on the motion for the passage of House Bill 20-9 on First and Final Reading with the following results:

Representative Francisco C. Aguon	yes
Representative Edwin P. Aldan	yes
Representative Blas Jonathan "BJ" T. Attao	yes
Representative Donald C. Barcinas	yes
Representative Ivan A. Blanco	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Angel A. Demapan	absent (<i>excused</i>)
Speaker Rafael S. Demapan	yes
Representative Joseph Lee Pan T. Guerrero	yes
Representative Alice S. Igitol	yes
Representative Jose I. Itibus	yes
Representative Glenn L. Maratita	yes
Representative Janet U. Maratita	yes
Representative Edwin K. Propst	yes
Representative Gregorio M. Sablan, Jr.	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	yes
Representative Edmund Joseph S. Villagomez	yes

House Clerk Linda B. Muña: Mr. Speaker, all 19 members present voted "yes."

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Clerk. With all 19 voting in the affirmative, House Bill 20-9, hereby passes the House. Floor Leader.

The Floor Leader made a motion to pass House Bill 20-22 on First and Final Reading.

H. B. NO. 20-22

A Bill for an Act to amend 1 CMC Section 1502 clarifying the activities subject to the Occupancy Tax. [S. C. R. NO. 20-8]

The motion was seconded.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Mr. Floor Leader. Again your motion has been seconded. Discussion on that motion? Recognize Representative Lorenzo Deleon Guerrero.

Representative Lorenzo I. Deleon Guerrero: Thank you, Mr. Speaker. I just wanted to ask members from the committee if comments were solicited from the Department of Finance. I take it that Tax and Revenue are the right entity to enforce these taxes. I do not see Department of Finance being noted on the committee report. Simple answer yes or no if they did solicit to the Department of Finance. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Representative. Can I recognize the Chairman.

Representative Joseph Lee Pan T. Guerrero: In respect to colleague Deleon Guerrero. Mr. Speaker, we did request the Secretary of Finance for a comment, but nothing was provided to date. The cost analysis was done by our fiscal analysis as provided by MVA the data of AIRBNB, apparently the CNMI is losing roughly \$35 Million Dollars in revenue in respect to AIRBNB. So called breakfast and bed. Apparently this was not included in the proposed bill that was enacted. We just wanted to include this as part of the – to clarify section 1502 of the activity such as the hotel occupancy tax. Mr. Speaker, thank you.

Speaker Rafael S. Demapan: Thank you, Chairman. You still have the floor Representative Deleon Guerrero.

Representative Lorenzo I. Deleon Guerrero: Thank you, Mr. Speaker. I thank Chairman Guerrero. I yield for now Mr. Speaker.

Speaker Rafael S. Demapan: Recognize Representative Vinny Sablan.

Representative Vinson F. Sablan: Thank you, Mr. Speaker. Just for the record just to urge the regulatory agencies, Finance, DPL and Zoning to look into how these industry or businesses are registering or applying for their business license if they are using bed and breakfast or accessory apartments and to keep a close eye on the allowances in regards to the Zoning Law of 2013. So just to – because what is happening is we are seeing an increase of these industry – lodging industry and it is appearing that they are present throughout the islands in all three senatorial districts just for the agencies to keep tabs on where these rooms are and if they are allowed by the zoning law. That is it Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Representative Sablan for that information. Further discussion. Recognize Representative John Paul Sablan.

Representative John Paul P. Sablan: Thank you, Mr. Speaker. I just wanted to ask the committee. What would be the agency to regulate this and enforce this bed and breakfast.

Speaker Rafael S. Demapan: Recognize Chairman.

Representative Joseph Lee Pan T. Guerrero: Thank you, Mr. Speaker. It should be the finance enforcement division to regulate this. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Chairman.

Representative John Paul P. Sablan: Thank you, Mr. Speaker. So clarified.

Speaker Rafael S. Demapan: Ready?

Several members voiced “ready”.

Speaker Rafael S. Demapan: Clerk for the roll call.

The Clerk called the roll on the motion for the passage of House Bill 20-22 on First and Final Reading with the following results:

Representative Francisco C. Aguon	yes
Representative Edwin P. Aldan	yes
Representative Blas Jonathan “BJ” T. Attao	yes
Representative Donald C. Barcinas	yes
Representative Ivan A. Blanco	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Angel A. Demapan	absent (<i>excused</i>)
Speaker Rafael S. Demapan	yes
Representative Joseph Lee Pan T. Guerrero	yes
Representative Alice S. Igitol	yes
Representative Jose I. Itibus	yes
Representative Glenn L. Maratita	yes
Representative Janet U. Maratita	yes
Representative Edwin K. Propst	yes
Representative Gregorio M. Sablan, Jr.	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	yes
Representative Edmund Joseph S. Villagomez	yes

House Clerk Linda B. Muña: Mr. Speaker, all 19 members present voted “yes.”

Speaker Rafael S. Demapan: *Si Yu’us Ma’ase*, Clerk. With all 19 members voting in the affirmative, House Bill 20-22, hereby passes the House. Floor Leader for the last bill?

The Floor Leader made a motion to pass House Bill 20-33 on First and Final Reading.

H. B. No. 20-33

A Bill for an Act to amend 2 CMC § 4435(f) and to repeal 2 CMC § 4435(h) to expand the use of lease agreement payments to supplement housing assistance; and for other purposes. [S. C. R. NO. 20-9]

The motion was seconded.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Floor Leader. Again your motion has been seconded. Discussion on that motion?

Several members voiced “ready”.

Speaker Rafael S. Demapan: Clerk for the roll call.

The Clerk called the roll on the motion for the passage of House Bill 20-33 on First and Final Reading with the following results:

Representative Francisco C. Aguon	yes
Representative Edwin P. Aldan	yes
Representative Blas Jonathan “BJ” T. Attao	yes
Representative Donald C. Barcinas	yes
Representative Ivan A. Blanco	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Angel A. Demapan	absent (<i>excused</i>)
Speaker Rafael S. Demapan	yes
Representative Joseph Lee Pan T. Guerrero	yes
Representative Alice S. Igitol	yes
Representative Jose I. Itibus	yes
Representative Glenn L. Maratita	yes
Representative Janet U. Maratita	yes
Representative Edwin K. Propst	yes
Representative Gregorio M. Sablan, Jr.	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	yes
Representative Edmund Joseph S. Villagomez	yes

House Clerk Linda B. Muña: Mr. Speaker, all 19 members present voted “yes.”

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Clerk. With all 19 members voting in the affirmative, House Bill 20-33 passes the House. Thank you members. I guess that took care of our Bill Calendar for today. We will go ahead and move down to item XVII, which is the Miscellaneous Business. Anyone? Recognize Chairman Blanco.

MISCELLANEOUS BUSINESS

Representative Ivan A. Blanco: I just wanted to wish our Legal Counsel a happy birthday.

Speaker Rafael S. Demapan: Thank you, Chairman.

Representative Ivan A. Blanco: I am sorry Joe Taijeron.

Speaker Rafael S. Demapan: Counsel, national holiday on your behalf.

Legal Counsel Joseph Tajjeron: Thank you very much. I will draft up the legislation.

Speaker Rafael S. Demapan: Thank you. Also let me take the time to appreciate and acknowledge the work of the bureau for our last SOCA. The director guided by the director and the team it was a great ceremonial, so on behalf of the legislature director and your team and of course everyone that got involve in the preparation thank you so much. Recognize the Floor Leader.

Floor Leader Glenn L. Maratita: Because of the untimely passing of our good friend and former Representative Richard Seman. On behalf of the – to our viewing public and of course the members and the staff of the bureau we would like to extend our sincere condolences to the family. On that note Mr. Speaker, I respectfully request that this body prepare a resolution on behalf of the deceased. Thank you.

Speaker Rafael S. Demapan: Thank you, Floor Leader and so noted. Anyone who has that information, please generate that resolution. Going down to our Order of Business XVIII, which is the Announcement. Recognize the Vice Speaker, I apologize.

Vice Speaker Janet U. Maratita: Thank you, Mr. Speaker. Mr. Speaker and fellow members with an aura of respect Mr. Speaker this is in reference to House Bill 20-31, which was prefiled on January 27, 2017. House Bill 20-31 was reviewed for legal sufficiency by both House Legal Counsels. Mr. Speaker, subject bill was placed at last week's Ways and Means committee; however, I was informed that the committee decided to table subject bill due to some constitutionality question and/or issue raised by the same Legal Counsel who reviewed such House Bill for legal sufficiency. Mr. Speaker, if such bill is unconstitutional, I respectfully request that both House Legal Counsel provide me a written legal opinion of each section in question of its constitutionality versus Public Law – House Bill 19-168, which I believe because Public Law – I am not sure what public law is that Mr. Speaker, but this all pertaining to the casino bill. I request that both Legal Counsel provide a written legal opinion as to why House Bill 20-31 is unconstitutional for the sake of our public and at least for all of us here. Last legislature, I believe it is almost the same bill that was introduced by Representative Edmund Villagomez and it was also reviewed for legal sufficiency by our own Legal Counsel and to date we continue to say that you know – one of the Legal Counsel continue to say that it is unconstitutional. Mr. Speaker, once and for all if this is unconstitutional I would appreciate if a Legal Counsel can provide a written opinion so that we can tell our public that amending such casino bill is unconstitutional and then we will rest at that. We continue to jump up and down with this constitutional issue. Again, either I lack reading comprehension, lack understanding of the constitutionality of the bill or what, but I really do not appreciate looking stupid out there where we know that – I really do not mind being called stupid or incompetent at my own doing, but not when I rely on a professional legal opinion. So Mr. Speaker, I would ask that a written opinion be provided to this body once and for all so we can rest this bill accordingly. Thank you.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Vice Speaker. I believe the house bill in question this body under the Ways and Means conducted a public hearing last week. The committee members were really hoping that you would come on that meeting so that you can perhaps

enlighten the members on the public as to the concern that you just raised. I also believe that there was a legal opinion issued by our Legal Counsel relative to that issue. So that concern has been raised, answered on that day. To my understanding that bill is still within the Ways and Means for further review, but at that point as of last week at that point it was hold until further review. Recognize Minority Leader.

Representative Edmund S. Villagomez: Of course not to debate, but I just want to just add that I did made the move to table for further discussion because to my understanding that both our Legal Counsels that both sign on the bill have different opinions and only one was present. The reason why I move to table is to have both just like you are asking for us to have both Legal Counsels present so that we can get a clear understanding as to the constitutionality. Thank you.

Speaker Rafael S. Demapan: Thank you. And also let me to go further Vice Speaker. I surely also hope that any member who introduce bills to please communicate with the respective chairs so that better communication and perhaps better understanding as to what is going on for that measure. So I thought I point that out so that we rectify and address any differences on such bill. Recognize Chairman Guerrero.

Representative Joseph P. Deleon Guerrero: It is really – I know this matter is un-debatable. What everybody has said so far the bill is still with the committee. There was a motion to table action on the bill until such time some clarification on the legal opinion is made that is true, everything that was said is true. Only one thing, Mr. Speaker, I am sorry but nobody made any remarks or insinuation about the mover or the author being stupid. That is not – I do not know where that came from, but it is still active the bill is still active and the committee will act on it and probably get the other written opinion. There was a written legal opinion, but there is no derogatory discussion during the discussion on the bill. Thank you.

Speaker Rafael S. Demapan: Thank you, Chairman Deleon Guerrero for that clarification. Counsel, you wanted to? Recognize the Counsel.

Legal Counsel Joseph Taijeron: Thank you, Mr. Speaker. I just want to say for the record that my signature appears on 20-31 for legal sufficiency along with my colleague Mr. Cool and my legal position has not changed one bit. I signed it for legal sufficiency, if I did it in error, I still don't see the mistake. I stand by its legal sufficiency today just as I signed it on January 27. So the Vice Speaker and I are on the same page. Mr. Cool and the Vice Speaker may not be on the same page, but my signature is not put there with carelessness or recklessness. Sometimes I am rushed, sometimes I am not. I was not rushed here, I had a long time to think about this bill before I signed it. As the Minority Leader noted, he had a very similar bill in the previous legislature and I signed that one as well. So my legal opinion has not changed one bit. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Counsel. Representative Vinny Sablan.

Representative Vinson F. Sablan: Thank you, Speaker. Just so we are on the topic, I echo the Vice Speaker of determining what the unconstitutionality of the issue is. You know there is changes to the contract that has been brought up like being allowed to operate after April 1st over the live training facility. There was no unconstitutionality on that if we are basing ourselves on the contract. Just in general, I feel that this body should look into all the recent dealings of the

investor. The recent two weeks, three weeks there has been a lot of things unfolding. The death in construction site, you know to mention a few. The illegal work or labor documents that have not been filed from the subcontractors. A lot of subcontracts that have been killed that have been signed. These things we should really look into it and maybe have a Q&A with even the subcontractor or if the investor plays a role there then bring the subcontractors in and let us see who is responsible for these things. We try to work with the investors and the development only to see a lot of our laws being broken and a lot of changes being done to the agreement. You know we should kind of address these things and come back once and for all and see who is responsible. All we ask, we welcome them to be here, but all we ask is that they walk a straight line and we get to the bottom of all these issues. I am just talking in the past three weeks to a month, all the things I have been unfolding on the news so we can get to the bottom of that and see who is responsible. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Representative Sablan so noted. Any other? If none, we will go down to item XVIII, which is the Announcement. Any Announcement? None. Let me now recognize the Floor Leader.

ANNOUNCEMENTS

None

ADJOURNMENT

Floor Leader Glenn L. Maratita: At this time, Mr. Speaker I make a motion that we adjourn subject to your call.

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

The House adjourned at 11:17 p.m.

Respectfully submitted,

Venetia S. Rosario
House Journal Clerk

APPEARANCE OF LOCAL BILLS

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

SECOND LEGISLATIVE DAY:

H. L. B. NO. 20-10: To amend the Saipan Official Zoning Map Sheet 20 of 29, rezoning several lots from “Village Residential” to “Village Commercial” Zoning District. Introduced by REP. JOHN PAUL P. SABLAN of Saipan, Precinct 2 (*for himself*) on February 28, 2017.

THIRD LEGISLATIVE DAY:

H. L. B. NO. 20-5: To amend the Saipan Official Zoning Map Sheets 03 and 05 of 29. Introduced by REP. JOHN PAUL P. SABLAN of Saipan, Precinct 2 (*for himself*) on January 31, 2017.

*Appearance of Measures introduced on the House Floor during the House Session
 February 28, 2017:*

H. B. NO. 20-38: To transfer the licensing and regulatory functions of the Department of Finance in respect to poker, pachinko and electronic gaming machines to the Commonwealth Casino Commission. Introduced by REP. JOSEPH P. DELEON GUERRERO of Saipan, Precinct 1 (*for himself*, Representatives Francisco C. Aguon, Edwin P. Aldan, Ivan A. Blanco, Angel A. Demapan, Alice S. Igitol, and John Paul P. Sablan) on February 28, 2017; subsequently referred to the Committee on Gaming.

H. B. NO. 20-39: To amend Section 4 and Section 5 of Public Law 19-83 to remove the salary increases for elected officials. Introduced by REP. EDWIN K. PROPST of Saipan, Precinct 1 (*for himself*, and Representative Edmund S. Villagomez) on February 28, 2017; subsequently referred to the Committee on Judiciary and Governmental Operations.

H. B. NO. 20-40: To amend 4 CMC § 51420 (b) to authorize the Secretary of Commerce to establish and promulgate reasonable registration and permitting fees through adopted regulations; and for other purposes. Introduced by REP. IVAN A. BLANCO of Saipan, Precinct 3 (*for himself*) on February 28, 2017; subsequently referred to the Committee on Commerce and Tourism.

H. B. NO. 20-41: To establish requirements for vehicle rental businesses; and for other purposes. Introduced by REP. ANGEL A. DEMAPAN of Saipan, Precinct 1 (*for himself*, Representatives Francisco C. Aguon, Edwin P. Aldan, Glenn L. Maratita, Gregorio M. Sablan Jr., and John Paul P. Sablan) on February 28, 2017; subsequently referred to the Committee on Judiciary and Governmental Operations.

H. B. NO. 20-42: To amend 4 CMC, § 1302 (a), Tax on Agriculture Producers and Fishing to include Artists registered with the Commonwealth Council for Arts and Culture. Introduced by REP. ANGEL A. DEMAPAN of Saipan, Precinct 1 (*for himself*, Representatives Francisco C. Aguon, Edwin P. Aldan, Donald C. Barcinas, Ivan A. Blanco, Joseph P. Deleon Guerrero, Joseph Lee Pan T. Guerrero, and John Paul P. Sablan) on February 28, 2017; subsequently referred to the Committee on Ways and Means.

H. B. NO. 20-43: To clarify and define the Attorney General's duties and responsibilities in the promulgation of rules and regulations, in reviewing contracts and in representing the Commonwealth government or its executive departments; and for other purposes. Introduced by REP. IVAN A. BLANCO of Saipan, Precinct 3 (*for himself*, Representatives Francisco C. Aguon, Edwin P. Aldan, Donald C. Barcinas, Joseph P. Deleon Guerrero, Angel A. Demapan, Rafael S. Demapan, Joseph Lee Pan T. Guerrero, Alice S. Igitol, Jose I. Itibus, Janet U. Maratita, John Paul P. Sablan, and Gregorio M. Sablan Jr.) on February 28, 2017; subsequently referred to the Committee on Judiciary and Governmental Operations.

H. B. NO. 20-44: To amend 8 CMC §1202(a) to establish separate marriage license fees for residents and non-residents; and for other purposes. Introduced by REP. JOSEPH LEE PAN T. GUERRERO of Saipan, Precinct 1 (*for himself*) on February 28, 2017; subsequently referred to the Committee on Judiciary and Governmental Operations.

H. B. NO. 20-45: To establish two new public highways, Route 324 in the village of Laulau and Route 325 in the village of Kanat Tabla on the Island of Saipan; and for other purposes. Introduced by REP. LORENZO I. DELEON GUERRERO of Saipan, Precinct 5 (*for himself*, Representatives Francisco C. Aguon, Donald C. Barcinas, Edwin K. Propst, and Edmund S. Villagomez) on February 28, 2017; subsequently referred to the Committee on Transportation.

H. B. NO. 20-46: To authorize the Division of Parks and Recreation in consultation with the Division of Fish and Wildlife to charge a Grotto user fee; and for other purposes. Introduced by REP. JOSEPH LEE PAN T.

GUERRERO of Saipan, Precinct 1 (*for himself*) on February 28, 2017; subsequently referred to the Committee on Ways and Means.

H. B. NO. 20-47: To vest the Office of the Governor with the management and disposition of the former Far East Broadcasting Center property in Marpi as the site for the government's substance abuse rehabilitation treatment centers; and for other purposes. Introduced by REP. ANGEL A. DEMAPAN of Saipan, Precinct 1 (*for himself*, Representatives Edwin P. Aldan, Ivan A. Blanco, Joseph Lee Pan T. Guerrero, Jose I. Itibus, Gregorio M. Sablan Jr., and John Paul P. Sablan) on February 28, 2017; subsequently referred to the Committee on Natural Resources.

[Added] H. B. NO. 20-48: To amend 4 CMC § 5565 to prohibit any person under the age of 18 years of age to serve any alcoholic beverages at any on-sale establishment; and for other purposes. Introduced by REP. EDWIN P. ALDAN of Tinian, Precinct 6 (*for himself*) on February 28, 2017; subsequently referred to the Committee on Commerce and Tourism.

H. L. B. NO. 20-6: To amend Title 10, Division 3, Chapter 1, Article 3 of the Commonwealth Code by adding a new §3135 by enabling a prohibition provision for gross laden weight vehicles between 6:00 AM to 9:00 PM from the Beach Road and Micro Beach Road Intersection to the Beach Road and Chalan Monsignor Guerrero Road Intersection. Introduced by REP. JOSEPH LEE PAN T. GUERRERO of Saipan, Precinct 1 (*for himself*) on February 28, 2017.

H. L. B. NO. 20-7: To appropriate \$15,000.00 from local license fees collected for poker and pachinko slot machines in the First Senatorial District; and for other purposes. Introduced by REP. GLENN L. MARATITA of Rota, Precinct 7 (*for himself*) on February 28, 2017.

H. L. B. NO. 20-8: To appropriate funds specifically allotted to the Second Senatorial District under Public Law No. 18-30 as amended; and for other purposes. Introduced by Prefiled by: REP. EDWIN P. ALDAN of Tinian, Precinct 6 (*for himself*) on February 28, 2017.

H. L. B. NO. 20-9: To appropriate \$160,000.00 from the local license fees collected for pachinko slot machines and poker machines in the Second Senatorial District; and for other purposes. Introduced by REP. EDWIN P. ALDAN of Tinian, Precinct 6 (*for himself*) on February 28, 2017.

[Added] H. L. B. NO. 20-10: To amend the Saipan Official Zoning Map Sheet 20 of 29, rezoning several lots from "Village Residential" to "Village Commercial" Zoning District. Introduced by REP. JOHN PAUL P. SABLAN of Saipan, Precinct 2 (*for himself*) on February 28, 2017.

H. RES. NO. 20-6: To respectfully request the Secretary of the Department of Public Lands to preserve and designate Lot No. 034 A 01, approximately 48,000 sq. m. of public land, in Marpi, Saipan for the future site of Saipan's Off-Road and Motorsports Park. Introduced by REP. VINSON F. SABLAN of Saipan, Precinct 4, (*for himself*, and Representative Edmund S. Villagomez) on February 28, 2017; subsequently referred to the Committee on Natural Resources.

H. J. R. NO. 20-3: Respectfully requesting the Secretary of the Department of Public Works to include Lau Lau Bay Road under the Territorial Transportation Improvement Plan (TTIP) and for other purposes. Introduced by REP. FRANCISCO C. AGUON of Saipan, Precinct 5 (*for himself*, and Representative Blas Jonathan "BJ" T. Attao) on February 28, 2017; subsequently referred to the Committee on Transportation.

H. J. R. NO. 20-4: To respectfully urge the Honorable Ralph DLG. Torres, Governor of the Commonwealth of the Northern Mariana Islands, to create a Commonwealth of the Northern Mariana Islands (CNMI) Anti-Money Laundering and other Financial Crimes Enforcement Task Force to prevent any violations relevant to money laundering and related crimes in the Commonwealth. Introduced by REP. IVAN A. BLANCO of Saipan, Precinct 3 (*for himself*, Representatives Francisco C. Aguon, Angel A. Demapan, and Gregorio M. Sablan Jr.) on February 28, 2017; subsequently referred to the Committee on Judiciary and Governmental Operations.

C. RES. NO. 20-1: To extend our sincere condolences and sympathies to the family of the late Honorable Mayor Francisco Jerome Kaipat Aldan and to acknowledge his service and countless contributions to the people of the Commonwealth of the Northern Mariana Islands. Introduced by REP. ANGEL A. DEMAPAN of Saipan, Precinct 1

(*for himself*, Representatives Francisco C. Aguon, Edwin P. Aldan, Blas Jonathan “BJ” T. Attao, Donald C. Barcinas, Ivan A. Blanco, Francisco S. Dela Cruz, Joseph P. Deleon Guerrero, Lorenzo I. Deleon Guerrero, Rafael S. Demapan, Joseph Leepan T. Guerrero, Alice S. Igitol, Jose I. Itibus, Glenn L. Maratita, Janet U. Maratita, Edwin K. Propst, Gregorio M. Sablan Jr., John Paul P. Sablan, Vinson F. Sablan, and Edmund S. Villagomez) on February 28, 2017; subsequently placed on the Resolution Calendar.

[Added] C. RES. NO. 20-2: To congratulate and honor all the women in the Commonwealth of the Northern Mariana Islands as we celebrate their contributions and achievements during the month of March 2017 as CNMI Women’s Month and March 8, 2017 as International Women’s Day. Introduced by REP. JANET U. MARATITA of Saipan, Precinct 1 (*for herself*, Representatives Francisco C. Aguon, Edwin P. Aldan, Blas Jonathan “BJ” T. Attao, Donald C. Barcinas, Ivan A. Blanco, Francisco S. Dela Cruz, Joseph P. Deleon Guerrero, Lorenzo I. Deleon Guerrero, Angel A. Demapan, Rafael S. Demapan, Joseph Leepan T. Guerrero, Alice S. Igitol, Jose I. Itibus, Glenn L. Maratita, Edwin K. Propst, Gregorio M. Sablan Jr., John Paul P. Sablan, Vinson F. Sablan, and Edmund S. Villagomez) on February 28, 2017; subsequently placed on the Resolution Calendar.

House information on deadlines for override: None