



# HOUSE OF REPRESENTATIVES

TWENTIETH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SPECIAL SESSION, 2017

## LEGISLATIVE JOURNAL

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1<sup>st</sup> Day, Second Special Session

Friday, April 21, 2017

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*The House of Representatives of the Twentieth Northern Marianas Commonwealth Legislature convened its First Day, Second Special Session on Friday, April 21, 2017, at 10:47 a.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 eighteen members were present; Representatives Jose I. Itibus and Glenn L. Maratita were absent and excused.*

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Clerk. Let the reflect that Chairman Joe Itibus is excused and our Floor Leader. I did receive communication from the Floor Leader that he was not able to make it this morning due to flight situation. So with that eighteen members present, we may proceed with today's session. Let me now recognize – if there is no objection at this time I would hereby designate Representative Angel Demapan to serve as Floor Leader Pro Tem in the absence of Floor Leader Glenn Maratita. Are there any objections?

*Several members voiced "no objection".*

Speaker Rafael S. Demapan: So with that for our Floor Leader Pro Tem Chairman Angel Demapan, I now recognize you for the next motion.

*Floor Leader Pro Tem Angel A. Demapan offered 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.*

*There was no discussion, the Chair recognized the Clerk for a roll call vote.*

*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	absent ( <i>excused</i> )
Representative Glenn L. Maratita	absent ( <i>excused</i> )
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 18 members present voted “yes.”

Speaker Rafael S. Demapan: *Si Yu’us Ma’ase*, Clerk. With all 18 members present and voting in the affirmative to move to suspend Rule IX, Section 4 (d) so that the House can amend its agenda is hereby adopted. Now we will go ahead and go down to number II on our item, which is the Public Comment. Anyone who wishes to comment on any of the item on today’s Order of Business you may proceed to the podium. Appears to be none. We will go ahead and move down to item III, which is the Adoption of Journals, none. We will go down to item IV, which is the Introduction of Bills. Now recognize Madame Chair Alice Igitol.

## **PUBLIC COMMENTS**

None

## **ADOPTION OF JOURNALS**

None

## INTRODUCTION OF BILLS

### *House Bills:*

*Representative Alice S. Igitol officially introduced the following House Bill and welcomed the members to coauthor the bill:*

#### **H. B. NO. 20-69**

To amend 2 CMC §§ 1631, 1634, 1636, 1637, and 1644 to authorize the Division of Fish and Wildlife to regulate marine sports and activities within the waters of conservation areas and sanctuaries, and to impose and collect conservation areas management fees by regulation and for other purposes.

**REP. ALICE S. IGITOL** of Saipan, Precinct 4 (*for herself*, Representatives Francisco C. Aguon, Edwin P. Aldan, Donald C. Barcinas, Ivan A. Blanco, Joseph Lee Pan T. Guerrero, Glenn L. Maratita, Janet U. Maratita, John Paul P. Sablan, and Vinson F. Sablan)

*The Chair referred House Bill 20-69 to the Committee on Natural Resources and recognized Representative Lorenzo I. Deleon Guerrero for the next introduction.*

*Representative Lorenzo I. Deleon Guerrero officially introduced the following House Bill:*

#### **H. B. NO. 20-70**

To clarify sections 20139 and 20140 relating to the CNMI Veterans Cemetery.

**REP. LORENZO I. DELEON GUERRERO** of Saipan, Precinct 5 (*for himself*)

*The Chair referred House Bill 20-70 to the Committee on Federal Foreign Affairs 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. 20-71**

To make the Department of Lands and Natural Resources responsible for collecting the Managaha Fee and removing the Department of Public Lands as recipient of the Managaha Fees; and for other purposes.

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

*The Chair referred House Bill 20-71 to the Committee on Natural Resources 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. 20-72**

To strengthen the compliance and enforcement provisions of 3 CMC § 4525 with regards to local standards.

**REP. FRANCISCO C. AGUON** of Saipan, Precinct 5 (*for himself*)

*The Chair referred House Bill 20-72 to the Committee on Judiciary and Governmental Operations and recognized Representative Vinson F. Sablan for the next introduction.*

*Representative Vinson F. Sablan officially introduced the following House Bill and welcomed the members to coauthor the bill:*

**H. B. NO. 20-73**

To amend Title 2, Division 4, Chapter 1 of the Commonwealth Code by inserting new sections to restrict the rezoning of public lands until the completion of the comprehensive land use plans.

**REP. VINSON F. SABLAN** of Saipan, Precinct 4 (*for himself*)

*The Chair referred House Bill 20-73 to the Committee on Natural Resources and recognized Representative Lorenzo I. Deleon Guerrero for the next introduction.*

*Representative Lorenzo I. Deleon Guerrero officially introduced the following House Bill:*

**H. B. NO. 20-74**

To amend Title 4 Section 5523 of the Commonwealth's Alcoholic Beverage Control, to provide an exception to licensure requirements for alcoholic beverages produced for home or personal consumption; and for other purposes.

**REP. LORENZO I. DELEON GUERRERO** of Saipan, Precinct 5 (*for himself*)

*The Chair referred House Bill 20-74 to the Committee on Commerce and Tourism and recognized Representative Angel A. Demapan for the next introduction.*

*Representative Angel A. Demapan officially introduced the following House Bill:*

**H. B. NO. 20-75**

To establish the Drug Court Revolving Fund and to authorize the Commonwealth Superior Court's Drug Court to impose fees on Drug Court participants; and for other purposes.

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

*The Chair referred House Bill 20-75 to the Committee on Ways and Means and Social and Human Services and recognized Representative Ivan A. Blanco.*

Representative Ivan A. Blanco: Thank you, Mr. Speaker. We have an unnumbered bill introduced? H. B. 20-72 it was referred to JGO. May I respectfully request that Chairman for Welfare jointly join the JGO to work on this bill? Thank you.

Speaker Rafael S. Demapan: Thank you, Chairman Blanco. Well noted. So that will be jointly referred to JGO and Health – correction Social and Human Services. That will take care of all bills. Moving along item b, House Local Bills appears to be none. House Legislative Initiative,

none. We will go ahead and go down to item V, Introduction of Resolution. We do have one unnumbered resolution. I now recognize the Vice Speaker.

*House Legislative Initiatives: None*

**INTRODUCTION OF RESOLUTIONS**

*House Resolutions:*

*Representative Janet U. Maratita officially introduced the following House Resolution and request that the resolution be introduced as Committee of the Whole:*

**H. RES. NO. 20-7**

In recognition and profound appreciation of Bridge Capital, LLC. And its principals John K. Baldwin and Shawn Scott for their numerous contributions and donations to various charities and causes in the Commonwealth of the Northern Mariana Islands from 2006 to present.

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

*There was no objection on the floor; House Resolution 20-7 was introduced as Committee of the Whole.*

*The Chair recognized Representative Donald C. Barcinas.*

Representative Donald C. Barcinas: Thank you, Mr. Speaker. I have an unnumbered House Local Bill and I would like to refer back to the item on House Local Bill and introduce this bill.

*Several members voiced “no objection”.*

Speaker Rafael S. Demapan: *Si Yu’us Ma’ase*, Chairman. Without any objection we will go back to item IV, which is the House Local Bills. Is that correct Chairman Barcinas?

Representative Donald C. Barcinas: Yes. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: You do have the floor.

**INTRODUCTION OF BILLS**

*House Local Bills:*

*Representative Donald C. Barcinas officially introduced the following House Local Bill and welcomed the members to coauthor the bill:*

**H. L. B. 20-13**

To amend the height and landscaping requirements in Article 5 of the Saipan Zoning Law of 2013 for the Beach Road, Garapan East, Garapan Core, Industrial, Mixed Commercial, Public Resources, Rural and Village Commercial Zoning Districts.

**REP. DONALD C. BARCINAS** of Saipan, Precinct 3 (*for himself*)

*The Chair directed the members to item V, Introduction of Resolutions and recognized Representative Joseph P. Deleon Guerrero.*

## **INTRODUCTION OF RESOLUTIONS**

*House Joint Resolutions: None*

*House Commemorative Resolutions:*

*Representative Joseph P. Deleon Guerrero officially introduced the following House Commemorative Resolution and request that the resolution be introduced as Committee of the Whole and placed on the Resolution Calendar for action:*

### **C. RES. NO. 20-4**

To convey our sincere condolences and sympathy of the House of Representatives of the Twentieth Northern Marianas Commonwealth Legislature to the bereaved family of the late Richard B. Seman on the occasion of his untimely passing and paying tribute to his services to the people of the Commonwealth of the Northern Mariana Islands.

**REP. JOSEPH P. DELEON GUERRERO** 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, Lorenzo I. Deleon Guerrero, Angel A. Demapan, Rafael S. Demapan, Joseph Lee Pan 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)

*There was no objection on the floor; House Commemorative Resolution 20-4 was introduced as Committee of the Whole and placed on the Resolution Calendar for action.*

*The Chair recognized Representative Angel A. Demapan for the next introduction.*

*House Concurrent Resolutions:*

*Representative Angel A. Demapan officially introduced the following House Concurrent Resolution:*

### **H. CON. RES. NO. 20-1**

To approve revenues and resources of the Commonwealth of the Northern Mariana Islands, as identified pursuant to Article III, Section 9(a) of the Constitution, as amended, and 1 CMC, Division 7, for Fiscal Year 2018, beginning October 1, 2017, and ending on September 30, 2018.

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

Speaker Rafael S. Demapan: *Si Yu’us Ma’ase*, Floor Leader Pro Tem. House Concurrent Resolution 20-1 will be referred to your committee. I also ask you as Chairman and the rest of your members to please expedite the committee work on this concurrent resolution. Recognize Representative Attao.

Representative Blas Jonathan “BJ” T. Attao: Thank you, Mr. Speaker. I understand that the concurrent resolution just introduced – I was hoping that you would just – to be placed for calendar on the next session instead of sending it to committee just because it is just for informational purposes and it is just setting the setting the ceiling for the expenditures of the Commonwealth. I just do not see any issues regarding the concurrent resolution. It is just the cut and paste of the Governor’s communication and setting the ceiling schedule for expenditures for 2018. So with that being said I would just keep it for calendar for the next session for action. Thank you.

Speaker Rafael S. Demapan: *Si Yu’us Ma’ase*, Representative Attao. Let me allow the Chairman or the mover of the House Concurrent Resolution to respond to that.

Floor Leader Pro Tem Angel A. Demapan: Thank you, Mr. Speaker. In response to colleague Attao, I would like to ask for the concurrent resolution to be referred to the committee for two reasons. Our preliminary review with the fiscal analyst, we have already discovered just a couple of calculation errors in the numbers. The total numbers may remain the same, however there are just some errors on the other numbers that are listed in the Governor’s proposal so we would like to make those corrections in committee. Second, we would also like to – while the concurrent resolution is the property of the committee we would like to engage with the Secretary of Finance and the Special Assistant for Management and Budget in our resources hearing that we are trying to schedule for late next week, but primarily because the numbers will not match up in the end if we leave this on the calendar and that is the reason why we want to send it to committee so we can fix it there. Thank you.

Speaker Rafael S. Demapan: *Si Yu’us Ma’ase*, Chairman and thank you for that clarification. Again, I ask the Chairman and the members to please expedite the work on the committee on this house concurrent. Moving along we will go ahead and go down to item VI, which is the Messages from the Governor. Clerk.

## MESSAGES FROM THE GOVERNOR

*The Clerk announced the following Governor’s Communications:*

GOV. COMM. 20-24: (3/23/17) Informing the House that he signed into law, H. L. B. NO. 20-7, D1, (Appropriate \$15,000 from local license fees collected for poker and pachinko slot machines in the First Senatorial District, and to appropriate the \$30,000 line-item vetoed in Rota Local Law, and to amend Section 2 (g) of Rota Local Law 16-6; and for other purposes.). Became **Rota Local Law 20-1** [*For info*]

GOV. COMM. 20-25: (4/7/17) Informing the House that he signed into law, H. L. B. NO. 20-9, D1, (Appropriate \$160,000 from the local license fees collected for poker and pachinko slot machines in the Second Senatorial District; and for other purposes.). Became **Tinian Local Law 20-2** [*For info*]

*There was no discussion, the Chair directed the members to item VIII and recognized the Clerk.*

## **SENATE COMMUNICATIONS**

None

## **HOUSE COMMUNICATIONS**

*The Clerk announced the following House Communications:*

HSE. COMM. 20-27: (4/5/17) From the Speaker informing all Members that he will be out of the Commonwealth on April 7, 2017 and will return on April 15, 2017 and designates Vice Speaker Janet U. Maratita as Acting Speaker.

HSE. COMM. 20-28: (4/18/17) From Representative Jose I. Itibus informing the Speaker that he will be out of the Commonwealth on April 19, 2017 and will return May 3, 2017 and requests to be excused from all meetings and sessions during his absence.

HSE. COMM. 20-29: (4/20/17) From Representative Janet U. Maratita informing the Speaker that she will be out off-island on April 24, 2017 and will return April 27, 2017 on official business and requests to be excused from all meetings and sessions during her absence.

HSE. COMM. 20-30: (4/20/17) From Representative Alice S. Igitol informing the Speaker that she will be out off-island on April 22, 2017 and will return April 27, 2017 on official representation and requests to be excused from all meetings and sessions during her absence.

HSE. COMM. 20-31: (4/20/17) From Representative Francisco C. Aguon informing the Speaker that he will be out off-island on April 22, 2017 and will return April 26, 2017 on official matter and requests to be excused from all meetings and sessions during his absence.

*There was no discussion, the Chair directed the members to item XII, Reports of Standing Committees and recognized the Floor Leader Pro Tem.*

## **COMMUNICATIONS FROM THE JUDICIAL BRANCH**

None

## **COMMUNICATIONS FROM DEPARTMENTS & AGENCIES**

None

## **MISCELLANEOUS COMMUNICATIONS**

None



## REPORTS OF STANDING COMMITTEES

Floor Leader Pro Tem Angel A. Demapan: Mr. Speaker, I would like to yield to the Chairman of the Committee on Commerce and Tourism for a statement on the first committee report.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Floor Leader Pro Tem. Recognize Chairman Lee.

Representative Joseph Lee Pan T. Guerrero: Thank you, Mr. Speaker. If there is no objection from the members, Mr. Speaker, I would like to make a motion to recall Standing Committee Report 20-11 back to the Committee of Commerce and Tourism.

**S. C. R. NO. 20-11**: Reporting on H. B. No. 20-18, entitled: "To amend 6 CMC §2256 (a) (10), the hours of operation for shooting galleries and shooting ranges; and for other purposes." *Your Committee on Commerce and Tourism recommends that the House pass the bill in the form of H. B. NO. 20-18, HD1.*

*The motion was seconded.*

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

Vice Speaker Janet U. Maratita: Mr. Speaker may we ask the Chairman as to why the referral back to the committee?

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Vice Speaker. Recognize the mover of the motion.

Representative Joseph Lee Pan T. Guerrero: Thank you, Mr. Chairman. In light of the concerns of the members regarding the hours Mr. Chairman, we would like to consult the residential area respectively with the shooting hours for the gallery – I am sorry for the shooting range and that is one of the issues that we want to bring it back to committee. I hope that would address the concern of the Vice Speaker.

Speaker Rafael S. Demapan: Thank you, Chairman. Vice Speaker. You yield. Further discussion?

*There was no further discussion and the motion to recommit Standing Committee Report 20-11 to the Committee on Commerce and Tourism was carried by voice vote. There was no nay vote.*

*The Chair recognized the Floor Leader Pro Tem for the next motion.*

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

**S. C. R. NO. 20-13**: Reporting on H. B. No. 20-40, entitled: "A Bill for an Act 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.” *Your Committee on Commerce and Tourism recommends the House pass H. B. No. 20-40 in its current form.*

*The motion was seconded.*

*There was no discussion and the motion to adopt Standing Committee Report 20-13 was carried by voice vote. There was no nay vote.*

*The Chair recognized the Floor Leader Pro Tem for the next motion.*

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

**S. C. R. NO. 20-12:** Reporting on H. B. No. 20-26, entitled: “A Bill for an Act to amend 6 CMC §2143 by adding a new subsection (c) to establish a penalty for businesses who engage in drug-related activities; and for other purposes.” *Your Committee on Commerce and Tourism recommends the House pass H. B. No. 20-26 in its current form.*

*The motion was seconded.*

*There was no discussion and the motion to adopt Standing Committee Report 20-12 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 Pro Tem.*

## **REPORTS OF SPECIAL AND CONFERENCE COMMITTEES**

None

## **UNFINISHED BUSINESS**

None

## **RESOLUTION CALENDAR**

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

### **C. RES. NO. 20-4**

To convey our sincere condolences and sympathy of the House of Representatives of the Twentieth Northern Marianas Commonwealth Legislature to the bereaved family of the late Richard B. Seman on the occasion of his untimely passing and paying tribute to his services to the people of the Commonwealth of the Northern Mariana Islands.

**REP. JOSEPH P. DELEON GUERRERO** 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, Lorenzo I. Deleon Guerrero, Angel A. Demapan, Rafael S. Demapan, Joseph Lee Pan 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)

*The motion was seconded.*

*There was no discussion and the motion to adopt House Commemorative Resolution 20-4 was carried by voice vote. There was no nay vote.*

Speaker Rafael S. Demapan: Recognize the Chairman.

Representative Joseph P. Deleon Guerrero: I am not sure if I did not catch the House Concurrent Resolution that was introduced by the Floor Leader. Was it referred to committee? Alright, I yield. Thank you.

*The Chair directed the members to item XVI, Bill Calendar and recognized the Floor Leader Pro Tem.*

## **BILL CALENDAR**

*The Floor Leader Pro Tem made a motion to pass House Bill 20-26 on Final Reading.*

### **H. B. No. 20-26**

A Bill for an Act to amend 6 CMC §2143 by adding a new subsection (c) to establish a penalty for businesses who engage in drug-related activities; and for other purposes. [S.

### **C. R. NO. 20-12]**

*The motion was seconded.*

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

*Several members voiced "ready".*

Speaker Rafael S. Demapan: Clerk.

*The Clerk called the roll on the motion for the passage of House Bill 20-26 on 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	absent ( <i>excused</i> )
Representative Glenn L. Maratita	absent ( <i>excused</i> )
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 18 members present voted “yes.”

Speaker Rafael S. Demapan: *Si Yu’us Ma’ase*, Clerk. With all 18 members voting in the affirmative, House Bill 20-6 passes the House. Floor Leader.

Floor Leader Pro Tem Angel A. Demapan: Thank you, Mr. Speaker. For the record, just a clarification on the bill number.

Speaker Rafael S. Demapan: Again, I make that correction – clarification that is House Bill 20-26. Floor Leader.

*The Floor Leader Pro Tem made a motion to pass House Bill 20-40 on Final Reading.*

**H. B. No. 20-40**

A Bill for an Act 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. [S. C. R. NO. 20-13]

*The motion was seconded.*

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

*Several members voiced “ready”.*

Speaker Rafael S. Demapan: Clerk.

*The Clerk called the roll on the motion for the passage of House Bill 20-40 on 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	absent ( <i>excused</i> )
Representative Glenn L. Maratita	absent ( <i>excused</i> )
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 18 members present voted “yes.”

Speaker Rafael S. Demapan: *Si Yu’us Ma’ase*, Clerk. With all 18 members present and voting in the affirmative, House Bill 20-40 hereby passes the House. *Si Yu’us Ma’ase*, members. I guess that took care of the bills in the Bill Calendar. We will go ahead and go down to item XVII, Miscellaneous Business. Recognize Representative Propst.

### **MISCELLANEOUS BUSINESS**

Representative Edwin K. Propst: Thank you, Mr. Speaker. I would like to give a short speech. I will do my best to keep it very short. Mr. Speaker and my dear Colleagues, Often times, we are criticized for what is wrong with our Legislature. This morning, I want to focus on what is right with our Legislature. A few weeks ago, I received a phone call from a confidential informant giving me some details about a highly questionable emergency purchase of a generator. The next day, I proceeded to a scheduled CUC Board meeting on March 29<sup>th</sup> 2017 at 10 am as both a representative and as a rate payer for CUC and I spoke during the CUC Board’s public comments in hopes of getting some answers to some pressing concerns about this emergency purchase of a 10 megawatt generator. Instead of getting answers, I was attacked and admonished for not attending meetings regularly. And as expected, none of my questions were answered by the board. Shortly after I sat down after being lambasted by two CUC Board members, I, along with my chief of staff and the media and OPA employees and others who were present, were kicked out of the CUC Board meeting so that the Board and management and legal counsel could go in to executive session and discuss the financing terms of a generator, a 10 megawatt generator. Calling for an executive session to discuss financing a generator is highly improper, unethical, and goes against the Open Government Act, but this seems to be the norm with this CUC Board as they are currently being sued for violating the Open Government Act and the Government Ethics Act. While the media was running stories about the multiple red flags, conflicts of interest, and what appeared to be collusion and fraud committed by some members of the CUC Board and General Pacific Services (GPSM), some of our leaders were already working on planning and preparing oversight hearings. At this time, I want to thank and recognize PUC Chairman Frank Dela Cruz and PUC Committee members, as well as the Senate’s PUTC Chairman, Sixto Igisomar and his PUTC members, for holding oversight hearings on this fraudulent generator purchase. To my colleagues in the House and Senate, *un dánkolo na si Yu’us ma’ase, ghillisow, salamat po*, thank you for doing what is right, instead of turning a blind eye to corruption. While CUC ratepayers are grateful to you for doing what is right, I humbly ask that you do not stop just yet. For the sake of our CUC ratepayers, *pot fabot*, do not allow this CUC Board to go back to the drawing board to concoct yet another get rich quick scheme. Do not allow this CUC Board to continue to violate the Government Ethics Act and the Open Government Act. Do not allow this CUC Board to continue to abuse their power and authority. There is more than enough evidence we have right now that proves beyond reason that certain members of this CUC Board must be

fired, since it is obvious they do not want to resign. PUC Chairman Dela Cruz and Senate PUTC Chairman Igisomar, I humbly ask that you continue looking in to this fraudulent GPSM RFQ and everything surrounding it, including the key players involved, Mr. Robert Toelkes and Amellia Toelkes. I ask that you look in to those who are connected and associated with Mr. and Mrs. Toelkes. We have already found out through CUC's legal counsel Jim Sirok during our House PUC hearing with CUC that Guam Senator Jim Espaldon was the chief negotiator for the GPSM RFQ. We have also uncovered, thanks to you, that Senator Espaldon's chief of staff, Philip Roberto, is the stepson of CUC Chairwoman Adelina Roberto. We have also found out that Philip Roberto used to work for Robert Toelkes at the now bankrupt International Bridge Corporation. Thanks to you, we now also know that CUC Board member Albert Taitano is the agent for GPSM and that his son is employed by GPSM. Chairmen, please continue to find out more. We have heard that other Board members also have worked or have received gratuities from Robert and Amellia Toelkes. We have only scratched the surface. There is still much work to be done, and we must do all we can to protect our CUC employees and rate payers. As to the CUC Board member who blasted us in yesterday's local papers calling the legislators saying that we failed to come to CUC Board meetings that me and my colleagues were backstabbers and that we should be blamed if we experience any blackouts in the future, please allow me to say this Mr. Joe Torres, with all due respect, please know that it is not the legislatures duty, the House nor the Senate, as legislators to regularly attend your CUC Board meetings, just as it is not CUC Board members' duty to attend regular House or Senate sessions. The only time we should appear is when requested or when something goes wrong, and this time, something definitely was wrong, just as something was definitely wrong in the past when this CUC board tried to purchase a \$160 million dollar reverse osmosis system, which made absolutely no sense at all. Mr. Torres, while you blame us for not attending your board meetings, please know that we could easily blame you for failing to attend two highly important and critical oversight hearings conducted by the House and Senate in which your appearance was requested and necessary. Be fortunate that our chairmen chose not to subpoena you. In closing, thank you again, honorable colleagues in the House and Senate. I am privileged to work with you and ask that we continue to work together in putting the best interests of our people first. Thank you for this privilege speech Mr. Speaker.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Representative Propst. Let me recognize Madame Chair Alice Igitol.

Representative Alice S. Igitol: Thank you, Mr. Speaker. Thank you Representative Ed for your statement because I have something here for you, but I want to thank you that you said what you are suppose to say and not – you know it hurts me to when you mention about us here, but I strongly suggest that we all work collaboratively as elected officials to do the common good for our people instead of trashing each other. Thank you. Thank you, Ed and thank you Mr. Speaker.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Madame Chair. Any other members who want to – recognize the Chairman on PUC.

Representative Francisco S. Dela Cruz: Thank you, Mr. Speaker. First of all, I want to thank Congressman Propst for the kind words given to not just myself, but to the committee on Public Utilities and Communications. I want to assure the viewing public and the members that at this time we are preparing recommendations. This is a letter, somewhat of a report based on the meetings, the oversight meeting that we had a few weeks ago that is in its final stages at this

time. That report would send recommendations to you Mr. Speaker and to the Governor himself. Recently, I had spoken to the Governor on this particular issue. I think more importantly while we continue to work on this report we must also have some space to think about the issue at hand and it may be an impending emergency. So, I have done research on this particular issue and I have informed the Governor that based on this research the Commonwealth Utilities Corporation already has a 10 megawatt that can be brought in and this 10 megawatt is five, six miles away from us. And this 10 megawatt is a combination of a 20 megawatt system that is on Tinian. Basically, the breakdown of these plants is that there are four 2.5 megawatts and there are two 5.0 megawatt plants in Tinian for a total of 20 megawatts. So I looked at the demand for Tinian and it appears that the demand is only somewhere between 2 and 3 megawatts, which leaves ample space to – if in case we are really in an emergency. Those two 5 megawatt plants can be brought over here within a matter of weeks to supplement what is needed here. To supplement this emergency. These two 5 megawatts are wartsila engines something that we in the committee are also looking into. So the Governor has taken this under advisement, but if there is really a need – an urgent need then we have the necessary plants to bring in and let me just say that with regards to the funds available that can still procure additional plants for the island of Saipan maybe another 10 megawatts provided that the RFP is done in a prudent legal and ethical manner. So as we sit here today, I wanted to inform each member and the viewing public that we have enough generating capacity next door to bring to Saipan. I know that there will be a lot of discussions on this, but the fact remains it is there. And it is the property of CUC a private company presently maintains. I believe at one time it was Telesource and now it is Pernix. So with that I wish to allay that we have the plants available in case it comes to a real emergency. With that thank you again Congressman Propst. Thank you, members.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Chairman. Recognize Chairman Edwin Aldan.

Representative Edwin P. Aldan: Thank you, Mr. Speaker. First of all, I would like to commend the Chairman for the public hearing that was held in regards to the 10 megawatt and CUC staff. To shed light on what you brought up to this body. The idea of brining power from Tinian is not new. I have said it back in the 15<sup>th</sup> Legislature and 16<sup>th</sup> when Saipan was deeply in a lot of brownouts. CUC is aware of such power available in Tinian. The idea of running lines underwater cable to Saipan is not that pretty expensive. The study would take more longer than what we have funding to fund the project. It was also thought at one point at time that power from Tinian should take care of the Southern side of Saipan and the rest would be accommodating. Probably the only issue that I do not agree with the Chairman is yanking out those power plants and bringing them here. We would gladly assist and cooperate with CUC in having those available for Saipan, but running through underground. You know those were not really CUC, those were purchased under CIP – Tinian CIP it was a built upper transfer concept. Tinian is more than willing to help out, no doubt about that and thank you Mr. Speaker.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Chairman. Recognize Chairman John Paul you wanted to? Appears to be – we are done on item XVII, we will go ahead and go down to item XVIII Announcement. Recognize Chairman Lee Pan Guerrero.

## ANNOUNCEMENTS

Representative Joseph Lee Pan T. Guerrero: Thank you, Mr. Speaker. As the Chairman for Commerce and Tourism, we recently opened the 36<sup>th</sup> Annual Flame Tree Festival and I highly encourage members to venture down there and show face because we have visitors from our respective neighboring islands to include in the FSM – the State of FSM, Palau, Marshall so let us be mindful to show our face down there. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Chairman. Recognize Chairman Joseph Deleon Guerrero.

Representative Joseph P. Deleon Guerrero: Thank you, Mr. Speaker. Similarly, I announced last two weeks ago that the Saipan Fishing Association is inviting members to the Mahi Derby that was postponed and it will be happening this weekend. So I would also like to take this opportunity on behalf of the Saipan Fishermen's Association to invite members and the local public to come down to the Marina and support our fishermen. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Chairman. Recognize Chairman Edwin Aldan.

Representative Edwin P. Aldan: Likewise Mr. Speaker, I would like to announce to the members and to the general public that on behalf of the parishioner of San Jose Tinian we are also celebrating our fiesta beginning next week Thursday all the way to Sunday and we invite the general public to please come down and support our fiesta. Thank you.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*. Recognize Chairman John Paul Sablan.

Representative John Paul P. Sablan: Thank you, Mr. Speaker. I just wanted to announce on behalf of the coordinators of this year's 2017 Law Enforcement Goodwill Tournament. They have asked me to extend their sincere appreciation to all the members who have donated water or rented tent for the three day event. Thank you very much.

Speaker Rafael S. Demapan: Thank you. That is it? Alright, so we will go ahead and go down to our next Order of Business. Recognize the Floor Leader.

## ADJOURNMENT

Floor Leader Pro Tem Angel A. Demapan: Thank you, Mr. Speaker. At this time, I offer a motion to adjourn subject to your call.

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

*The House adjourned at 11:35 a.m.*



Respectfully submitted,

Venetia S. Rosario  
House Journal Clerk

### APPEARANCE OF LOCAL BILLS

**FIRST LEGISLATIVE DAY:** 1<sup>st</sup> Legislative appearance of a local bill is on the day it is introduced.

**SECOND LEGISLATIVE DAY:**

H. L. B. NO. 20-12: To amend Section 1210(b) of the Saipan Zoning Law of 2013 as amended by Saipan Local Law 18-5 by extending the effective date of for the relocation of all nonconforming adult gambling machine businesses. Introduced by REP. JOHN PAUL P. SABLAN of Saipan, Precinct 2 (*for himself*, Representatives Francisco C. Aguon, Blas Jonathan “BJ” T. Attao, Donald C. Barcinas, Ivan A. Blanco, Francisco S. Dela Cruz, Joseph Lee Pan T. Guerrero, Alice S. Igitol, Jose I. Itibus, and Gregorio M. Sablan Jr.) on April 3, 2017.

**THIRD LEGISLATIVE DAY:**

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. 20-10: 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.

*Appearance of Measures introduced on the House Floor during the House Session  
April 3, 2017 and April 4, 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. 20-49: 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. Introduced by REP. JOSEPH LEE PAN T. GUERRERO of Saipan, Precinct 1 (*for himself*) on April 3, 2017; and subsequently referred to the Committee on Judiciary and Governmental Operations.

H. B. NO. 20-50: To amend the Commonwealth Code to provide for adequate regulation of the casino industry; and for other purposes. Introduced by REP. EDWIN K. PROPST of Saipan, Precinct 1 (*for himself*, Representatives Blas Jonathan “BJ” T. Attao, Vinson F. Sablan, and Edmund S. Villagomez) on April 3, 2017; and subsequently referred to the Committee on Gaming.

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. Introduced by REP. EDWIN K. PROPST of Saipan, Precinct 1 (*for himself*, Representatives Blas Jonathan “BJ” T. Attao, and Edmund S. Villagomez) on April 3, 2017; and subsequently referred to the Committee on Judiciary and Governmental Operations.

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. Introduced by 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) on April 3, 2017; and subsequently referred to the Committee on Commerce and Tourism.

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. Introduced by 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) on April 3, 2017; and subsequently referred to the Committee on Judiciary and Governmental Operations.

H. B. NO. 20-54: To amend 4 CMC § 4263 to provide a reasonable and current fee structure for business related filings. Introduced by 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) on April 3, 2017; and subsequently referred to the Committee on Ways and Means.

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. Introduced by REP. JOSEPH LEE PAN T. GUERRERO of Saipan, Precinct 1 (*for himself*) on April 3, 2017; and subsequently referred to the Committee on Ways and Means.

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. 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, 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) on April 3, 2017; and subsequently referred to the Committee on Natural Resources.

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. Introduced by 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) on April 3, 2017; and subsequently referred to the Committee on Judiciary and Governmental Operations.

H. B. NO. 20-58: To establish a Loss Recovery Division within the Department of Finance; and for other purposes. Introduced by 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) on April 3, 2017; and subsequently referred to the Committee on Judiciary and Governmental Operations.

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. Introduced by 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) on April 3, 2017; and subsequently referred to the Committee on Judiciary and Governmental Operations.

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. Introduced by 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.) on April 3, 2017; and was subsequently referred to the Committee on Judiciary and Governmental Operations.

H. B. NO. 20-61: To establish a Real Estate Code in the Commonwealth to regulate the industry. Introduced by REP. JANET U. MARATITA of Saipan, Precinct 1 (*for herself*) on April 3, 2017; and was subsequently referred to the Committee on Judiciary and Governmental Operations.

H. B. NO. 20-62: To require tourists to obtain health insurance before visiting the Commonwealth; and for other purposes. Introduced by REP. JOSEPH LEE PAN T. GUERRERO of Saipan, Precinct 1 (*for himself*) on April 3, 2017; and was subsequently referred to the Committee on Health.

H. B. NO. 20-63: To require test firing of all firearms as a requirement for registration of a firearm. Introduced by REP. GLENN L. MARATITA of Rota, Precinct 7 (*for himself*) on April 3, 2017; and was subsequently referred to the Committee on Judiciary and Governmental Operations.