



# HOUSE OF REPRESENTATIVES

TWENTIETH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SPECIAL SESSION, 2017

## LEGISLATIVE JOURNAL

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2<sup>nd</sup> Day, Fifth Special Session

Thursday, July 6, 2017

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*The House of Representatives of the Twentieth Northern Marianas Commonwealth Legislature convened its Second Day, Fifth Special Session on Thursday, July 6, 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 eighteen members were present; Representative Edwin K. Propst was in at 1:45 p.m. and Representative Joseph P. Deleon Guerrero was absent and excused.*

*The Chair recognized the Floor Leader.*

*The Floor Leader made a motion to suspend Rule V, Section 8.*

#### **RULE V. DECORUM AND DEBATE.**

##### **Section 8. Dress Code.**

All members and officers appearing on the Floor of the House shall be suitably attired. Members shall wear business shirt and tie, and on Fridays may wear formal island wear.

*[Note: Rule V, Section 8, amended by H. RES. 19-19, HSI]*

*The motion was seconded.*

*There was no discussion and the motion to suspend Rule V, Section 8 was carried by voice vote. There were several "nay" votes. Motion was carried by a majority of "aye" votes.*

*The Chair wanted the record to reflect that Representative Edwin K. Propst was present. He then recognized the Floor Leader.*

*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.*

*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	absent ( <i>excused</i> )
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 19 members present voted “yes.”

Speaker Rafael S. Demapan: *Si Yu’us Ma’ase*, Clerk. With all 19 members voting in the affirmative, motion to suspend rule hereby carries. Moving down to our Order of Business, which is the Public Comments before we proceed, let me just remind our audience that pursuant to the Open Government Act and the Official Rules of the House of Representatives, public notice and agenda was posted 72 hours in advance. Oral testimony may be presented during the meeting pertaining to any items that are on the day’s agenda, otherwise may submit their comments in writing to the Speaker of the House on or before the meeting date. For the record, please state your name to whom you speak on behalf be it an agency or department, representing a private entity or yourself as a private citizen. The public is given five-minutes to present their comments. The Speaker will remind the public of their remaining time. *Si Yu’us Ma’ase* and anyone who is ready to make a comment you may proceed to the podium. Before you begin former Representative Quitugua, let me take the time to appreciate the presence of our former Governor Juan Babauta. Welcome Governor. You may proceed.

## PUBLIC COMMENTS

The following individuals made comments pertaining to the following:

H. J. R. NO. 20-6: To support the Petition for Certiorari and the appeal of the Ninth Circuit decision in *Davis v. CNMI Election Commission et al*, and support the notion that the term “NMD” as used by CNMI Constitution Article XII and Article XVIII is a political as opposed to a racial term.

H. B. NO. 20-43, HD1: 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. See [S. C. R. NO. 20-10, S1]

H. B. NO. 20-2, HD1: A Bill for an Act to increase the excise tax on the importation of Areca Nut (Betel Nut) into the Commonwealth of the Northern Mariana Islands; and for other purposes. See [S. C. R. NO. 20-38]

Mr. Daniel O. Quitugua, Northern Marianas Decent Corporation, Acting Chairperson  
 Ms. Larissa Larson, Department of Finance, Secretary  
 Mr. Robert Hunter, Department of Community and Cultural Affairs, Secretary  
 Ms. Grace S. Vaiagae  
 Ms. Kaitlyn Neises, Commonwealth Health Care Corporation, Special Assistant for Policy, Sustainability and Development  
 Ms. Taya, Commonwealth Health Care Corporation  
 Mr. Pedro Deleon Guerrero  
 Mr. Juan I. Tenorio

*The Chair directed the members to item III, Adoption of Journals and recognized the Clerk.*

## ADOPTION OF JOURNALS

*The Clerk announced the following House Journal:*

*First Day, Fifth Special Session Journal – June 27, 2017*

*The Chair recognized the Floor Leader for the motion to adopt.*

*The Floor Leader made a motion to adopt the First Day, Fifth Special Session Journal – June 27, 2017.*

*The motion was seconded.*

*There was no discussion and the motion to adopt the First Day, Fifth Special Session Journal – June 27, 2017 was carried by voice vote. There was no nay vote.*

*The Chair directed the members to item IV, Introduction of Bills and recognized Representative Joseph Lee Pan T. Guerrero for the first introduction.*

## 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. 20-93**

To amend 1 CMC §8250(e) by including the Marianas Visitors Authority (MVA) to be exempted from the salary limitations imposed by the Compensation Adjustment Act as amended.

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

*The Chair referred House Bill 20-93 to the Committee on Commerce and Tourism 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. 20-94**

To improve the statutory language for the Marianas Visitors Authority.

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

*The Chair referred House Bill 20-94 to the Committee on Commerce and Tourism 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. 20-95**

To establish the Office of Probation Supervision and to clarify the powers and responsibilities of the office and its divisions; and for other purposes.

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

*The Chair referred House Bill 20-95 to the Committee on Judiciary and Governmental Operations 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. 20-96**

To amend 1 CMC §2264 to ensure that the Board of Education members receive compensation for committee meetings, which are vital to the development of policy and the functioning of the Public School System.

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

*The Chair referred House Bill 20-96 to the Committee on Education and directed the members to House Local Bills and recognized Representative John Paul P. Sablan for the first introduction.*

***House Local Bills:***

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

**H. L. B. NO. 20-29**

To amend the Saipan Official Zoning Map Sheets 05 of 29 to rezone certain lots from “Rural” zoning districts to “Tourist Resort” zoning districts.

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

*Representative Edwin P. Aldan officially introduced the following House Local Bill:*

**H. L. B. NO. 20-30**

To amend the Revised Tinian Casino Gaming Control Act of 1989 to provide for internet gaming; to amend casino license fee and tax rate; and for other purposes.

**REP. EDWIN P. ALDAN** of Tinian, Precinct 6 (*for himself*)

*The Chair directed the members to House Legislative Initiatives and recognized Representative Alice S. Igitol.*

***House Legislative Initiatives:***

*Representative Alice S. Igitol officially introduced the following House Legislative Initiative and welcomed the members to coauthor the initiative:*

**H. L. I. NO. 20-1**

To amend Article XI, Section 6(d), “Marianas Public Land Trust,” of the Commonwealth of the Northern Mariana Islands Constitution.

**REP. ALICE S. IGITOL** of Saipan, Precinct 4 (*for herself*, Representatives Francisco C. Aguon, Blas Jonathan “BJ” T. Attao, Donald C. Barcinas, Janet U. Maratita, and Gregorio M. Sablan Jr.)

*The Chair referred House Legislative Initiative 20-1 to the Committee on Natural Resources and directed the members to item V, Introduction of Resolutions and recognized Representative Angel A. Demapan.*

**INTRODUCTION OF RESOLUTIONS**

***House Resolutions:***

*Representative Angel A. Demapan officially introduced the following House Resolution and request that the resolution be introduced by Committee of the Whole:*

**H. RES. NO. 20-11**

To recognize and acknowledge the Employer Support of the Guard and Reserve and the Guam-CNMI Committee and their volunteer members for their exceptional service and

commitment to our service men and women by recognizing the week of August 14th through August 18th, 2017, as “Employer Support of the Guard and Reserve Week”.

**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, Lorenzo I. Deleon Guerrero, 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 for the resolution to be introduced by the Committee of the Whole. The Chair placed House Resolution 20-11 on the Resolution Calendar for action.*

*The Chair recognized Representative Jose I. Itibus for the next introduction.*

*Representative Jose I. Itibus officially introduced the following House Resolution request that the resolution be introduced by Committee of the Whole:*

**H. RES. NO. 20-12**

To urge the United States Embassy to permit the reentry of the individuals identified herein because they have been granted a 240-day extension to stay in the CNMI during the processing of their CW permit by the United States Citizenship and Immigration Services.

**REP. JOSE I. ITIBUS** of Saipan, Precinct 3 (*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, Angel A. Demapan, Rafael S. Demapan, Alice S. Igitol, 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 for the resolution to be introduced by the Committee of the Whole. The Chair referred House Resolution 20-12 to the Committee on Federal and Foreign Affairs.*

*The Chair directed the members to House Joint Resolutions and recognized Representative Angel A. Demapan.*

***House Joint Resolutions:***

*Representative Angel A. Demapan officially introduced the following House Joint Resolution and request that the resolution be introduced by the Committee of the Whole and placed on the Resolution Calendar for action:*

**H. J. R. NO. 20-6**

To support the Petition for Certiorari and the appeal of the Ninth Circuit decision in *Davis v. CNMI Election Commission et al*, and support the notion that the term “NMD” as used by CNMI Constitution Article XII and Article XVIII is a political as opposed to a racial term.

**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, Lorenzo I. Deleon Guerrero, 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 for the resolution to be introduced by the Committee of the Whole and placed on the Resolution Calendar for action.*

*The Chair directed the members to House Commemorative Resolutions and recognized Representative Glenn L. Maratita.*

### ***House Commemorative Resolutions:***

*Representative Angel A. Demapan officially introduced the following House Commemorative Resolution and request that the resolution be introduced by the Committee of the Whole:*

#### **C. RES. NO. 20-8**

To convey our sincere condolences and sympathy to the bereaved family of the late Honorable Gardner Delos Santos Barcinas on his untimely passing and pay tribute to his unwavering service to the people of the Commonwealth of the Northern Mariana Islands, most especially to the island of Rota.

**REP. GLENN L. MARATITA** of Rota, Precinct 7 (*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, Angel A. Demapan, Rafael S. Demapan, Joseph Lee Pan T. Guerrero, Alice S. Igitol, Jose I. Itibus, 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 for the resolution to be introduced by the Committee of the Whole. The Chair placed House Commemorative Resolution 20-8 on the Resolution Calendar for action.*

### ***House Concurrent Resolutions: None***

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

## **MESSAGES FROM THE GOVERNOR**

*The Clerk announced the following Messages from the Governor:*

GOV. COMM. 20-41: (6/26/17) Informing the House that he signed into law, H. L. B. NO. 20-4, S1, D1, (Re-appropriate unused funds under Business Unit No. 1605 (S.L.L. No. 19-6).). Became **Saipan Local Law 20-3** [*For info*]

GOV. COMM. 20-42: (6/26/17) Informing the House that he signed into law, H. L. B. NO. 20-16, (Re-appropriate \$10,759.92 under S.L.L. No. 19-8; and \$190,000 under S.L.L. No. 19-23; and for other purposes.). Became **Saipan Local Law 20-4** [*For info*]

GOV. COMM. 20-43: (6/30/17) Informing the House that he signed into law, H. L. B. NO. 20-5, (To amend the Saipan Official Zoning Map Sheets 03 and 05 of 29.). Became **Saipan Local Law 20-5** [*For info*]

GOV. COMM. 20-44: (6/30/17) Informing the House that he signed into law, 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.). Became **Saipan Local Law 20-6** [*For info*]

*There was no discussion; the Chair directed the members to item VII, Senate Communications and recognized the Floor Leader.*

### SENATE COMMUNICATIONS

*The Floor Leader made a motion to accept the following Senate Communication so they may become property of the House.*

SEN. COMM. 20-25 (7/3/17) Returning H. C. R. 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.), which was adopted by the Senate, without amendments, on June 30, 2017. [*For info*]

*The motion to accept Senate Communication 20-25 was seconded and carried by voice vote. There was no nay vote.*

*The Chair directed the members to item VIII, House Communications and recognized the Clerk.*

### HOUSE COMMUNICATIONS

*The Clerk announced the following House Communications:*

HSE. COMM. 20-49: (6/28/17) From the Speaker appointing Conference Committee Members to **H. B. NO. 20-15, HD1, SD2**, entitled, “To amend 4 CMC §2308 by adding new subsection covering Northern Marianas College, Northern Marianas Trades Institute, payment of land claim settlements, and other money judgments and settlements against the CNMI government, retirees death benefits, the First Senatorial District, the Second Senatorial District, the Third Senatorial District and establishing a special account.” [*For info*]

HSE. COMM. 20-50: (6/29/17) From Representative Joseph P. Deleon Guerrero informing the Speaker that he will be out of the Commonwealth on official business beginning Sunday, July 2, 2017 to Thursday, July 6, 2017 and request to be excused from any meetings and sessions during his absence. [*For info*]

*There was no discussion; the Chair directed the members to item IX, Communications from the Judicial Branch.*

**COMMUNICATIONS FROM THE JUDICIAL BRANCH**

*There was no discussion; the Chair directed the members to item XV, Resolution Calendar and recognized the Floor Leader.*

JUD. BR. COMM. 20-1: (6/26/17) From Associate Justice John A. Manglona, CNMI Supreme Court re: *CNMI Government-USDA Rural Development Loan for Justice System projects and the Retirement of Settlement Fund-Judiciary Building Loan.* [For info]

**COMMUNICATIONS FROM DEPARTMENTS & AGENCIES**

None

**MISCELLANEOUS COMMUNICATIONS**

None

**REPORTS OF STANDING COMMITTEES**

None

**REPORTS OF SPECIAL AND CONFERENCE COMMITTEES**

None

**UNFINISHED BUSINESS**

None

**RESOLUTION CALENDAR**

*The Floor Leader made a motion to adopt House Joint Resolution 20-6.*

**H. J. R. NO. 20-6**

A House Joint Resolution to support the Petition for Certiorari and the appeal of the Ninth Circuit decision in *Davis v. CNMI Election Commission et al*, and support the notion that the term “NMD” as used by CNMI Constitution Article XII and Article XVIII is a political as opposed to a racial term.

*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 for the adoption of House Joint Resolution 20-6 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	absent ( <i>excused</i> )
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 19 members present voted “yes.”

Speaker Rafael S. Demapan: *Si Yu’us Ma’ase* Clerk. With all 19 members voting in the affirmative, House Joint Resolution 20-6, hereby passes the House. Floor Leader.

Floor Leader Glenn L. Maratita: Mr. Speaker, before we proceed may I request a very short recess?

Speaker Rafael S. Demapan: Short recess.

*The House recessed at 2:44 p.m.*

**RECESS**

*The House reconvened at 3:09 p.m.*

Speaker Rafael S. Demapan: Thank you, members. Back from our recess. Prior to our recess we were on House Resolution Calendar. I believe we just adopted the House Joint Resolution 20-6. Before we continue, without any objection can I ask the members if I can or perhaps withdraw the House Resolution 20-12 from the committee and place it on the Resolution Calendar to be entertained on our next session. Any objection to that?

**H. RES. NO. 20-12**

A House Resolution to urge the United States Embassy to permit the reentry of the individuals identified herein because they have been granted a 240-day extension to stay in the CNMI during the processing of their CW permit by the United States Citizenship and Immigration Services.

*Several members voiced “no objection”.*

Speaker Rafael S. Demapan: Without any objection, House Resolution 20-12 is placed on the Resolution Calendar. Floor Leader.

*The Floor Leader made a motion to adopt House Resolution 20-11.*

**H. RES. NO. 20-11**

A House Resolution to recognize and acknowledge the Employer Support of the Guard and Reserve and the Guam-CNMI Committee and their volunteer members for their exceptional service and commitment to our service men and women by recognizing the week of August 14th through August 18th, 2017, as “Employer Support of the Guard and Reserve Week”

*The motion was seconded.*

*There was no discussion and the motion to adopt House Resolution 20-11 was carried by voice vote. There was no nay vote.*

*The Chair recognized the Floor Leader.*

*The Floor Leader made a motion to adopt House Commemorative Resolution 20-8.*

**C. RES. NO. 20-8**

A House Commemorative Resolution to convey our sincere condolences and sympathy to the bereaved family of the late Honorable Gardner Delos Santos Barcinas on his untimely passing and pay tribute to his unwavering service to the people of the Commonwealth of the Northern Mariana Islands, most especially to the island of Rota.

*The motion was seconded.*

*There was no discussion and the motion to adopt House Resolution 20-11 was carried by voice vote. There was no nay vote.*

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

**BILL CALENDAR**

*The Floor Leader made a motion to pass the following on First and Final Reading:*

**H. B. NO. 20-92**

A Bill for an Act to amend section 302(f)(9), to authorize reprogramming to fund the Early Head Start and Head Start centers; and for other purposes.

*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 for the passage of House Bill 20-92 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	absent ( <i>excused</i> )
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 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 20-92 hereby passes the House. Floor Leader.

*The Floor Leader made a motion to pass the following on First and Final Reading:*

**H. B. NO. 20-16**

A Bill for an Act to amend 7 CMC 3101(a) to mandate when a jury is impanel to hear all felonies and misdemeanors charges; and for other purposes. See [S. C. R. NO. 20-24]

*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 for the passage of House Bill 20-16 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	absent ( <i>excused</i> )
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 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 20-16 hereby passes the House. Floor Leader.

*The Floor Leader made a motion to pass the following on First and Final Reading:*

**H. B. No. 20-14**

A Bill for an Act to improve the justice system’s response to domestic violence, and for other purposes. See [S. C. R. NO. 20-31]

*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 for the passage of House Bill 20-14 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	absent ( <i>excused</i> )
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 19 members present voted “yes.”

Speaker Rafael S. Demapan: Thank you, Clerk. Again, with a vote of 19 in the affirmative, House Bill 20-14 passes the House. Floor Leader.

*The Floor Leader made a motion to pass the following on First and Final Reading:*

**H. B. NO. 20-7, HD1**

A Bill for an Act to amend 9 CMC §2107 to provide an extended time period before the vehicle registration late fee would apply; and for other purposes. See [S. C. R. NO. 20-32]

*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 for the passage of House Bill 20-7, House Draft 1 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	absent ( <i>excused</i> )
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 19 members present voted “yes.”

Speaker Rafael S. Demapan: Thank you, Clerk. With all 19 members voting in the affirmative, House Bill 20-7, HD1 passes the House. Floor Leader.

*The Floor Leader made a motion to pass the following on First and Final Reading:*

**H. B. No. 20-12**

A Bill for an Act to reform drug sentencing laws to effectuate the rehabilitation and treatment principles of evidence-based sentencing. See [S. C. R. NO. 20-33]

*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 for the passage of House Bill 20-12 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	absent ( <i>excused</i> )
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	no
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, 17 members present voted “yes” and 2 members voted “no.”

Speaker Rafael S. Demapan: *Si Yu’us Ma’ase*, Clerk. With all 17 members voting in the affirmative, House Bill 20-12 passes the House. Floor Leader.

*The Floor Leader made a motion to pass the following on First and Final Reading:*

**H. B. No. 20-53**

A Bill for an Act 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. See [S. C. R. NO. 20-35]

*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 for the passage of House Bill 20-53 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	absent ( <i>excused</i> )
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 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 20-53 passes the House. Floor Leader.

*The Floor Leader made a motion to pass the following on First and Final Reading:*

**H. B. No. 20-66**

A Bill for an Act to amend 1 CMC §8602(b), Law Enforcement Mandatory Drug Testing to eliminate the condition that testing is subject to the availability of funds. See [**S. C. R. NO. 20-37**]

*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 for the passage of House Bill 20-66 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	absent ( <i>excused</i> )
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 19 members present voted “yes.”

Speaker Rafael S. Demapan: Thank you, Clerk. With all 19 members voting in the affirmative, House Bill 20-66 passes the House. Floor Leader.

*The Floor Leader made a motion to pass the following on First and Final Reading:*

**H. B. NO. 20-77, HD1**

A Bill for an Act to establish a separate statute and penalty for individuals committing the act of vandalism; and for other purposes. See [S. C. R. NO. 20-40]

*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 for the passage of House Bill 20-77, House Draft 1 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	absent ( <i>excused</i> )
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 19 members present voted “yes.”

Speaker Rafael S. Demapan: Thank you again, Clerk. With all 19 members voting in the affirmative, House Bill 20-77, HD1 passes the House. Floor Leader.

*The Floor Leader made a motion to pass the following on First and Final Reading:*

**H. B. NO. 20-68, HD1**

A Bill for an Act to enact provisions that will fund non-immigrant worker registration and work identification operations for the Department of Labor; and for other purposes. See [S. C. R. NO. 20-39]

*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 for the passage of House Bill 20-68, House Draft 1 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	absent ( <i>excused</i> )
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 19 members present voted “yes.”

Speaker Rafael S. Demapan: Thank you, Clerk. With all 19 members voting in the affirmative, House Bill 20-68, HD1 passes the House. Floor Leader.

*The Floor Leader made a motion to pass the following on First and Final Reading:*

**H. B. NO. 20-2, HD1**

A Bill for an Act to increase the excise tax on the importation of Areca Nut (Betel Nut) into the Commonwealth of the Northern Mariana Islands; and for other purposes. See [S. C. R. NO. 20-38]

*The motion was seconded.*

Speaker Rafael S. Demapan: Thank you, Floor Leader. Again, your motion has been seconded, discussion on that motion? Recognize Representative John Paul.

Representative John Paul P. Sablan: Thank you, Mr. Speaker. If I can offer a floor amendment with the help of ELMO. Legal Counsel?

Speaker Rafael S. Demapan: Can we have a quick short recess.

*The House recessed at 3:27 p.m.*

**RECESS**

*The House reconvened at 3:32 p.m.*

Speaker Rafael S. Demapan: Thank you, members. Back from our recess. Prior to our recess, Chairman John Paul has the floor.

Representative John Paul P. Sablan: Thank you, Mr. Speaker. At this time, if I can get the attention of the members to page 4 of House Bill 20-2 on line 15, the provision to read as follows “Areca Nut, \$3.00 (three dollars) per pound of Areca Nut.” then we add a period and strikeout the rest of the provisions “and shall be revisited every two years and be allowed to be amended by Customs regulations for increases only.” So offered.

*The motion was seconded.*

Speaker Rafael S. Demapan: The floor amendment has been seconded. Discussion on the floor amendment?

*Several members voiced “ready”.*

*There was no discussion and the motion to adopt the floor amendment offered by Representative John Paul P. Sablan was carried by a majority of “aye” votes. One member voiced “nay.”*

Speaker Rafael S. Demapan: Floor Leader back to the main motion.

Floor Leader Glenn L. Maratita: Thank you, Mr. Speaker. Before I offer the motion for passage first I would like to offer a motion that we suspend Rule IX, Section 9 (c), so move.

#### **RULE IX. BILLS, RESOLUTIONS AND AMENDMENTS**

##### **Section 9. First Reading of Bills and Resolutions**

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

*The motion was seconded.*

*There was no discussion and the motion to suspend Rule IX, Section 9 (c) was carried by a majority of “aye” votes. There were several “nay” votes.*

Speaker Rafael S. Demapan: Floor Leader back to the main motion.

*The Floor Leader made a motion to pass the following on First and Final Reading:*

#### **H. B. NO. 20-2, HD2**

A Bill for an Act to increase the excise tax on the importation of Areca Nut (Betel Nut) into the Commonwealth of the Northern Mariana Islands; and for other purposes.

*The motion was seconded.*

Speaker Rafael S. Demapan: Thank you, Floor Leader. The motion has been seconded discussion on that motion? Chairman Lee you are recognized.

Representative Joseph Lee Pan T. Guerrero: I know I have echoed my concern with this bill and I will continue to echo the same sentiment Mr. Speaker. We are only saying that imported nuts from Yap is to be taxed, but local nut are not to be taxed. It just deceives the purpose that if we are really concerned about the Areca Nut as being the major cause of this mouth cancer, I think we should reconsider and include too that betel-nut on island should be taxed as well. With that Mr. Speaker, I am ready to vote. Thank you.

Speaker Rafael S. Demapan: Thank you, Chairman. Any other member wanted to comment? Recognize Chairman Blanco.

Representative Ivan A. Blanco: Thank you, Mr. Speaker. I echo Representative Lee Pan's comments. I think we can improve this bill by adding the tax not only on ports, but also on locally grown and sold betel-nuts we are really going to cure cancer pockets. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Chairman. Are you just making a comment or are you suggesting we should provide a floor amendment?

Representative Ivan A. Blanco: Is that possible?

Speaker Rafael S. Demapan: It is possible.

Representative Ivan A. Blanco: Then by all means let us stick with the intent of the bill and have it across the board.

Speaker Rafael S. Demapan: Before we – let me ask the Legal Counsel. Counsel, I know you raised up your hand. You wanted to – Counsel John you wanted to speak?

Legal Counsel John Cool: The way our tax code is structured we need to be – the tax we are talking about although we refer to it as an import excise tax it is technically called an excise tax. It is a 1402 excise tax and the tax does not cover just the importation of items it covers items that are manufactured here and sold. Original sections and imposed as the tax this is the general section in 1402 (a) – the first sale used, manufactured, leased of goods commodity resources or merchandise in the Commonwealth for business purposes or for personal use – excuse me the values identified in subsection (c) there is imposed an excise tax as follows. So the tax is actually imposed upon the first sale use manufactured lease or use of the original item for business for instance in the Commonwealth. So as written it is actually broaden up to cover locally for this betel-nut.

Speaker Rafael S. Demapan: Thank you, Counsel for that clarification. Chairman, you still have the floor.

Representative Ivan A. Blanco: Thank you, Mr. Speaker. So Counsel you are saying this bill also taxes locally grown and sold betel-nuts not only imported? Is that correct?

Legal Counsel John Cool: Correct the taxes imposed upon the first use for sale in the Commonwealth.

Speaker Rafael S. Demapan: Chairman?

Representative Ivan A. Blanco: I withdraw my motion Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Chairman. Now recognize Chairman Dela Cruz.

Representative Francisco S. Dela Cruz: Thank you, Mr. Speaker. To clarify with the Counsel, the title itself proposes to increase the excise tax on the importation of this particular betel-nut into the Commonwealth of the Northern Mariana Islands. Now my question is at which point do we tax this as excise. The only points I can think of is the point of entry which could be the seaport or the airport. And how do we import something into our own islands that are already on island. How do we do that?

Speaker Rafael S. Demapan: Counsel, you may respond. Counsel while you are looking at that let me recognize Chairman Angel.

Representative Angel A. Demapan: Counsel, 1402 (a) is the excise tax, the general provision for excise tax correct?

Legal Counsel John Cool: Correct.

Representative Angel A. Demapan: So now you have a contradiction between Section 4 and the title?

Legal Counsel John Cool: That is correct.

Representative Angel A. Demapan: So at this point right now what is the remedy to address the way it appears with Section 4 amendment is that any further amendment from either Representative Lee Pan or Representative Blanco are not needed, but now you have the contradiction of the title. So clarification please.

Legal Counsel John Cool: Stated in two places now is in the title or the title refers to importation and also page 4 and 5 to the reference of importation should be – so it should increase the excise tax and eliminate the importation of Areca Nut.

Speaker Rafael S. Demapan: Chairman.

Representative Angel A. Demapan: Further clarification Counsel because even if we fix the title the findings are still there and if should this bill go forward to become law, I think it is still open for challenge based on the legislative intent because in the findings and purpose remain the legislative intent for this particular legislation will point directly importation.

Speaker Rafael S. Demapan: Counsel, do you need more time. While you are looking at that let me recognize Representative Vinson Sablan.

Representative Vinson Edward F. Sablan: Thank you, Mr. Speaker. Since we see a congregation with the title and the code, I say we just move on and if we are going to entertain any taxation on local betel-nut then we do it on separate legislation.

Speaker Rafael S. Demapan: Noted. Chairman J.P., I see you raised your hand.

Representative John Paul P. Sablan: Thank you, Mr. Speaker. The Counsel can correct me if I am wrong, but Chairman Angel Demapan is right on 4 CMC 1402 is excise tax. So what this Section 4 amendment does was to create a harmonizing code in the taxation system because right now the existing tax code does not have the list of Areca Nut. It is classified as unclassified commodities. So, what this does is create a harmonizing code for a specific classification, which is Areca Nut.

Speaker Rafael S. Demapan: Thank you, Chairman. Counsel are you ready to respond to Representative Angel?

Legal Counsel John Cool: From what I was looking at trying to review the finding because it is very long did seem to have for the record was hard to the importation. On page 4, line 2 for importation and also in the title. So, I think to eliminate the reference on the importation of both on the title and on line 2, page 4.

Speaker Rafael S. Demapan: Let us have a short recess.

*The House recessed at 3:46 p.m.*

*RECESS*

*The House reconvened at 4:00 p.m.*

Speaker Rafael S. Demapan: Thank you, members. Back from our recess. Prior to that I believe there is a motion for passage. Further discussion?

*Several members voiced “ready”.*

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

*The Clerk called the roll on the motion for the passage of House Bill 20-2, 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	no
Representative Ivan A. Blanco	no
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	absent ( <i>excused</i> )
Representative Lorenzo I. Deleon Guerrero	yes
Representative Angel A. Demapan	yes
Speaker Rafael S. Demapan	yes

Representative Joseph Lee Pan T. Guerrero	no
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 16 members present voted “yes” and 3 members voted “no.”

Speaker Rafael S. Demapan: *Si Yu’us Ma’ase*, Clerk.

Representative Angel A. Demapan: Point of clarification.

Speaker Rafael S. Demapan: Recognize Chairman.

Representative Angel A. Demapan: Mr. Speaker just a point of clarification on the final bill number was it HD2 or 3?

House Clerk Linda B. Muña: House Bill 20-2, HD2.

Representative Angel A. Demapan: Thank you.

Speaker Rafael S. Demapan: Thank you Clerk and Chairman. With 16 members voting in the affirmative and 3 voting “no,” House Bill 20-2, HD1, HD2 passes the House. Floor Leader.

*The Floor Leader made a motion to pass the following on First and Final Reading:*

**S. B. NO. 20-14, HD1**

A Bill for an Act to amend 6 CMC §2253, to limit the number of shooting gallery and shooting range; and for other purposes. See [S. C. R. NO. 20-26]

*The motion was seconded.*

Speaker Rafael S. Demapan: The motion has been seconded, discussion?

*Several members voiced “ready”.*

Speaker Rafael S. Demapan: Before we proceed, can I just ask the Legal Counsel the constitutionality on this bill?

Legal Counsel John Cool: We had an opinion from the Attorney General earlier that the limitation on the number of shooting galleries or shooting ranges infringed upon Saipan.

Speaker Rafael S. Demapan: What is that infringement Counsel?

Legal Counsel John Cool: The right to keep in bear arms. This is a restricted the use of the firearms which is done in committee purpose to possess a firearm and cannot use it but that has counterarguments that shooting ranges are not the only places to use firearms.

Speaker Rafael S. Demapan: Counsel, do we have the position paper from the AG?

Legal Counsel John Cool: I have seen it in the committee hearing.

Speaker Rafael S. Demapan: Chairman recognized.

Representative Angel A. Demapan: Actually Mr. Speaker, I have a follow-up question to your previous question as I am going through the committee report and I do not see that document or communication from the AG. So just wondering where our Legal Counsel came across that communication.

Speaker Rafael S. Demapan: While the Legal Counsel continue to look into that let me recognize Representative Deleon Guerrero.

Representative Lorenzo I. Deleon Guerrero: Thank you, Mr. Speaker. I just wanted to say I am ready for the question.

Speaker Rafael S. Demapan: Ready for the question. Further discussion?

*Several members voiced “ready”.*

Speaker Rafael S. Demapan: You do not have it with you Counsel?

Legal Counsel John Cool: I believe it was submitted. This is a recycled bill and it was – the opinion that was given was I believe in the 19<sup>th</sup> Legislature.

Speaker Rafael S. Demapan: Further discussion?

*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 Senate Bill 20-14, House Draft 1 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	absent ( <i>excused</i> )
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.	abstain
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” and 1 member abstained.

Speaker Rafael S. Demapan: *Si Yu’us Ma’ase*, Clerk. With a vote of 18 voting in the affirmative, Senate Bill 20-14, HD1 carries. Floor Leader for the last bill.

*The Floor Leader made a motion to pass the following on First and Final Reading:*

**H. B. NO. 20-43, HD1**

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. See [S. C. R. NO. 20-10, S1]

*The motion was seconded.*

Speaker Rafael S. Demapan: Thank you, Floor Leader. Motion again has been seconded. Discussion on that motion?

*Several members voiced “ready”.*

Speaker Rafael S. Demapan: Recognize Chairman Blanco.

Representative Ivan A. Blanco: Thank you, Mr. Speaker. Last week, June 30th, the Attorney General pre-empted the Governor and the Northern Mariana Descendants via the Election Office’s appeal of the Davis Article 12 voting rights case by issuing a letter to the US Supreme court denouncing the Governor and the Election Office’s authority. Essentially, this letter – everybody has a copy of it – stated that the Governor and the Election Office elected to appeal the case and that the Attorney General refused to abide by his clients, the Governor and the Election Office wishes and therefore, they do not have the authority to appeal said case. Mr. Speaker and honorable colleagues, if this latest action by the AG is not tantamount to ethics violations, then I do not know what is. The AG acted counter to his clients’ intentions by trying to hurt their appeal to the US Supreme Court. In the past year or so, the Governor and this body elected to appeal the Radich gun law case. Again, the AG refused to file the appeal against the wishes of his clients. This past Monday, I read an article from Guam stating Governor Calvo had instructed the Guam Attorney General, who is an elected official, to appeal a similar case, the Davis case which denied voting rights to non-Chamorros. The Guam AG is poised to follow the wishes of his client, the Governor, to appeal said case. The AG’s refusal to appeal the Davis

Article 12 voting rights case to the US Supreme Court, which struck down a part of our Constitution, which the AG swore to uphold has forced the Governor to pursue the appeal with outside counsel. We need to make clear that the Governor has the right to do this, if necessary, so that there is no doubt or confusion in moments of crisis. After all, if the AG is not going to defend our Constitution and laws, then someone else has to do it. We cannot just let them go undefended simply because the current AG may personally disagree with them. The laws are enacted by this Legislature and the Constitution is enacted by the people themselves. If the AG can let them be struck down without defending them, and if he can as he claims even refuse to allow someone else to defend them, then he will have acquired an unreviewable and unquestioned veto power, not only over the Governor, but over this Legislature and even over the people. That is a degree of power that no one should have in a democratic constitutional government. Furthermore, on matters like this, we cannot just wait to elect a new AG because by the time the decision will already be final and it will be too late to appeal it. The Constitutional amendment voted on by more than 9,000 people clearly defined the AG's role to be and I quote, "The Chief Legal Advisor to the Governor, the executive departments, public and autonomous agencies and shall be responsible for providing legal advice to the Governor, executive departments, public and autonomous agencies representing the CNMI Government in all legal matters and prosecuting violations of Commonwealth laws." The Deputy AG in her testimony stated that this bill goes against the will of the 9,000 who voted for an independent AG that is a wrong misleading and extremely subjective statement. The 9,000 who voted for an elected AG did so, so that the office should be independent of the Governor's office as opposed to the past AG's. However, the 9,000 people did not vote for the elected AG to interject himself into matters of policy, go against the wishes of his clients, overstep his boundaries, and basically create a 4<sup>th</sup> branch of government. By all means, the AG should prosecute violations of Commonwealth law. This bill does not stop that nor is it its intent. The Deputy AG further stated that this bill challenges the authority of the AG. So, what is wrong with that? Isn't that why we have a constitution that ensures checks and balances? The AG is the Commonwealth's constitutionally elected lawyer. This bill simply guarantees he acts as a lawyer ought to act – in his client's best interests and according to his client's wishes and directions. Mr. Speaker and honorable colleagues, the notion that this bill will weaken the AG's power to prosecute is subjective and hypothetical. The argument that this bill is being pushed by private attorneys because it is lucrative again is subjective and hypothetical. Did we forget that 4 major department heads submitted written and verbal comments in support of this bill? Mr. Speaker and honorable colleagues, it is our constitutional duty to question officials across the board, no matter, if elected or appointed. This bill supports that. Mr. Speaker and honorable colleagues, you have my highest assurance that by authoring this bill, I continue to uphold the sanctity of my oath to uphold and defend our own Constitution. Let us continue to do that, let us pass this bill. Mr. Speaker and honorable colleagues, in light of this recent issue with our NMD's and our AG's refusal to appeal on their behalf, I hereby request to introduce additional language to the bill and I request for your support. Sergeant-at-Arms if you may? Thank you very much. I am offering a floor amendment additional to the bill, thank you.

Speaker Rafael S. Demapan: You may proceed by officially introducing your floor amendment.

*Representative Ivan A. Blanco offered the following floor amendment:*

**Floor Amendment**

**To:** House Bill No. 20-43, HD1

**Offered by:** Representative Ivan A. Blanco

1. Page 5

Line 8

- **Insert a new subsection (k) to read as follows:**

“The failure or refusal of the Attorney General to abide by the direction of the Commonwealth Government in any representation shall be deemed as termination of authority to the Commonwealth Government to engage outside counsel for purposes of such representation.”

Consistent with the intent of the forgoing amendment(s), I hereby also move to allow the Legal Counsel together with the House Clerk to make further non-substantive technical amendments that are strictly necessary to effectuate the intent of this floor amendment prior to transmittal.

Date: July 6, 2017

/s/ Rep. Ivan A. Blanco

Reviewed for Legal Sufficiency by:

/s/ Legal Counsel Joseph Tajeron

*The motion was seconded.*

Speaker Rafael S. Demapan: The floor amendment has been seconded. Discussion on the floor amendment? Recognize Chairman Frank Dela Cruz.

Representative Francisco S. Dela Cruz: Thank you, Mr. Speaker. As my good colleague eloquently stated why he came up with the legislation and the floor amendment itself really is the icing on the cake. It basically subjects the AG’s office, according to the amendment for the failure or refusal of this office to go along as directed by the CNMI government. And if they do not go along this shall be deemed as termination of the AG’s representation and therefore, any government entity whether it is a department or agency can look for private legal counsel. My good colleague came up with this piece of letter from the AG to Mr. Scott Harris, the Clerk of Court for the US Supreme Court. It appears that the letter in itself states that this petition has already been filed by Attorney Joseph E. Horey of the firm O’Connor Berman Dotts and Baner. Based on the CNMI Constitution, Article III, Section 11, it states that the Attorney General shall represent any government entities. Now the question here is why didn’t the Attorney General step in and represent the Governor or CEC, the Commonwealth Elections Commission. Why? To bring forth this appeal. Was the Attorney General asked seeking representation by the Administration? Where they asked? I do not know. Chairman, do you know if the AG’s were asked to represent the Administration? I do not believe so because I do not see any document that says otherwise. Recently, the Committee on Ways and Means had a budget hearing with DPL and the question came up. The question is why are you paying the Attorney General for fees?

And I was quite surprised by DPL's answer that there is an MOA, a Memorandum of Agreement between DPL and the former AG back in 2012. Who signed that MOA from the AG's office none other than the former AG himself, Mr. Buckingham. And so, we are questioning ourselves, why is he doing this? The thing is we do not really know because we do not really have answers. Maybe if we had questioned the Attorney General, "why are you doing this?" maybe we would have gotten an answer. Maybe if we had asked the Attorney General, "how come you are not representing the NMD's and the Governor's Office and the Commonwealth Elections Commission?" then maybe we would have had an answer, but nobody questioned it and so we do not have an answer. We are thinking "they do not like the NMD's, they do not like the Governor" that is why Mr. Horey stepped in. In fact, I believe that Mr. Horey have already been doing this with the group and they figure that "well we can circumvent this, we could care less about the AG's opinion we are going through with this" and that is what they did, they brought it up to the Supreme Court based on this particular letter from the AG's office, but did we know whether the AG's office was actually asked to represent? I do not know. Looking at everyone here they do not appear to know. Mr. Speaker, I will yield, I know that other members and I will add more during the deliberation during the main question. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Chairman. Again, be mindful on our rules, if you need additional – we will provide you with that additional time, but let us also try to afford other members to chime in on – put their thought together. Recognize Madame Chair Igitol.

Representative Alice S. Igitol: Thank you, Mr. Speaker. After careful review of H. B. 20-43 and all the pertaining comments referencing the bill, I find it odd that the Attorney General proceed its office does not binding to representing the Commonwealth government in all legal matters. This is very evident when the AG has long been representing providing legal advice to the Department of Finance and then turn 360 degrees and file lawsuit against the Secretary regarding elected officials' salary. I strongly agree with the conclusion of the opinion that was provided by the O'Connor Berman Dotts and Baner Law Office that the AG has a client to serve and that client is the Commonwealth government. Therefore, I strongly feel that it is the obligation of Congress to make sure that the Attorney General Office upheld its constitutional fiduciary responsibilities in fully representing the Commonwealth government in all legal matters. I, therefore, urge all members of this legislative body to vote in support of the passage of House Bill 20-43. *Si Yu'us Ma'ase*, thank you Mr. Speaker.

Speaker Rafael S. Demapan: Thank you. Further discussion on the floor amendment? Recognize Chairman Angel.

Representative Angel A. Demapan: Thank you, Mr. Speaker. Moments ago, this body unanimously supported and adopted House Joint Resolution 20-6 taking a stand with our fellow Northern Marianas Descents that we need to appeal the Davis case. Several months ago, Representative Vinny Sablan called for the appeal of the second amendment case to which did not materialize as well. Mr. Speaker and members, our support – our unanimous support today for House Joint Resolution 20-6 is now synonymous with the floor amendment being offered by Representative Blanco. This June 30 communication that has been distributed to the members today is extremely troubling because we have parties from our government who want to file an appeal on behalf of our people and the barrier to fighting that appeal is the refusal for legal representation from whose ought to be the Chief Legal Officer of the Commonwealth. Our

colleague Representative Dela Cruz asked, “do we know if the AG was asked to represent?” Representative Dela Cruz, I have the answer. The answer is yes and I verified this with the Governor. The Governor said he asked for representation and was declined that is why the petitioners, the Governor, the CEC and the Chairwoman of the CEC asked the AG to allow Mr. Horey to represent the petitioners that is why in the last sentence of paragraph 2 of this June 30 letter the AG responds, “In this case, I expressly declined to authorize Mr. Horey to file a petition for writ of certiorari in a letter to Governor DLG. Torres.” So, what we have here are petitioners, namely the Governor, our own Election Commission, Chairwoman of the Commission on behalf of Northern Marianas Descents asking for clarity of our Constitutional rights by way of an appeal to the United States Supreme Court. And the first step in that process was to seek representation from the Chief Legal Officer of our government to which that request was denied. The second step in that process was for the petitioners to ask to be allowed to be represented by outside counsel. In the very same fashion the Secretary of Finance was allowed to be represented by outside counsel to which again, the petitioners were denied. So, the AG in this case clearly is not standing as a barrier to this appeal because of policy issue. The AG clearly does not want to participate in the appeal of this case, but it is not his decision to make alone. He is the Chief Legal Officer to give the legal advice to the government to his clients who are making this appeal on behalf of each one of us. This chamber, this body, the very people that we represent are depending on this and to simply make one individual decision that I am not going to grant representation because I do not like this idea it is very troubling. And I bring this up because before this June 30 letter, I did not have a position on this AG bill. Today, I have a decision to support House Bill 20-43 because enough is enough. We pointed to the elected AG constitutional change to avoid corruption. So be it that is what we choice to do. The people chose for an elected AG to avoid corruption, but not to empower the elected AG to corrupt our chances at justice and that is what is happening today. My rights, your rights as Northern Marianas Descents hang in the balance because our Chief Legal Officer refuses to represent what we rightfully deserve. So, Mr. Speaker, on the basis of our unanimous support on House Joint Resolution 20-6, I humbly implore the members, our colleagues to support House Bill 20-43. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Chairman. Further discussion? Chairman Lee Pan recognized.

Representative Joseph Lee Pan T. Guerrero: Thank you, Mr. Speaker. In light of our colleague Representative Dela Cruz’s comment Mr. Speaker, you have been saying that we never convey a community with the AG in respect to the charging of this agency. Here we have a document that he went ahead and filed, he did not respect the first branch of government more along he did not respect the second branch of government. What about the third branch of government? Did he share this letter with anyone? I do not think so. He just made it his own decision that I am just going to do this on behalf of the Attorney General’s Office, not the people entirely. Another fiasco is the second amendment with this handgun. He was here, numerous time. The invention that the AG is not looking into appealing the case. Why? Why not. Now here he is saying that “I need to protect the integrity of an elected Attorney General”? Who appointed him to be above the Governor? Even infringed in the policy making of this body. We have two counsels. We ask our counsels for legal sufficiency and he is telling our counsels that they are misinterpreting the law. I did not know that you need multiple counsels to approve of such policy. He is trying to tell us that whatever policy you guys have in place, I need to see it firsthand and I will make the correction. No. He has to be mindful, we are the first branch of government and he should listen

to this branch of government. There is no first branch of government. He is not even adhering to the plea of the community. Mr. Speaker, we can go on and on and debate here, but he has to respect the decision that we are about to make today. He has to understand that we need to put him in place because we are all the same. We are all equal. There is no one above the law and with that Mr. Speaker, I support House Bill 20-43. Thank you.

Speaker Rafael S. Demapan: Thank you. Thank you, members. Again, let me remind the members that we are entertaining the floor amendment and once we dispose of that amendment and gets to the main motion, I ask the members if there is any further discussion you may do so again. Ready for the floor amendment?

*Several members voiced “ready”.*

Representative Francisco S. Dela Cruz: Mr. Speaker.

Speaker Rafael S. Demapan: Recognized.

Representative Francisco S. Dela Cruz: Can we have a roll call vote on this?

Speaker Rafael S. Demapan: As soon as we are done with this we will see whether we have more “ayes” or “nays” so it all depends on the process.

*There was no further discussion and the motion to adopt the floor amendment offered by Representative Ivan A. Blanco was carried by voice vote. There were several nay votes.*

Speaker Rafael S. Demapan: Obviously the “nays” have it. Clerk for the roll call.

*The Clerk called the roll on the motion for the adoption of the floor amendment offered by Representative Ivan A. Blanco with the following results:*

Representative Francisco C. Aguon	yes
Representative Edwin P. Aldan	yes
Representative Blas Jonathan “BJ” T. Attao	no
Representative Donald C. Barcinas	no
Representative Ivan A. Blanco	yes
Representative Francisco S. Dela Cruz	no
Representative Joseph P. Deleon Guerrero	absent ( <i>absent</i> )
Representative Lorenzo I. Deleon Guerrero	absent ( <i>during voting</i> )
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	no
Representative Glenn L. Maratita	yes
Representative Janet U. Maratita	yes
Representative Edwin K. Propst	no
Representative Gregorio M. Sablan, Jr.	absent ( <i>during voting</i> )
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	no
Representative Edmund Joseph S. Villagomez	no

House Clerk Linda B. Muña: Mr. Speaker, 10 members voted “yes” and 7 members voted “no.”

Speaker Rafael S. Demapan: Thank you, Clerk. Before I recognize that I would like to ask the two members to be present and vote on that piece of amendment. Short recess, the Sergeant-at-Arms went to call the two members.

*The House recessed at 4:37 p.m.*

**RECESS**

*The House reconvened at 4:44 p.m.*

Speaker Rafael S. Demapan: Thank you, members. Back from our recess. Prior to our recess, we were on roll call on the floor amendment. I now recognize the Clerk for the two other members.

*The Clerk called the roll for those who were absent during voting on the motion for the adoption of the floor amendment offered by Representative Ivan A. Blanco with the following results:*

Representative Francisco C. Aguon	yes
Representative Edwin P. Aldan	yes
Representative Blas Jonathan “BJ” T. Attao	no
Representative Donald C. Barcinas	no
Representative Ivan A. Blanco	yes
Representative Francisco S. Dela Cruz	no
Representative Joseph P. Deleon Guerrero	absent ( <i>absent</i> )
Representative Lorenzo I. Deleon Guerrero	no
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	no
Representative Glenn L. Maratita	yes
Representative Janet U. Maratita	yes
Representative Edwin K. Propst	no
Representative Gregorio M. Sablan, Jr.	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	no
Representative Edmund Joseph S. Villagomez	no

House Clerk Linda B. Muña: Mr. Speaker, 11 members voted “yes” and 8 members voted “no.”

Speaker Rafael S. Demapan: *Si Yu’us Ma’ase*, Clerk. With 11 members voting in the affirmative and 8 “no,” the floor amendment provided by the mover Chairman Blanco is hereby carried. Floor Leader for the main motion.

Floor Leader Glenn L. Maratita: Thank you, Mr. Speaker. Before I offer the motion for the passage on House Bill 20-43, HD2. First, I would like to offer a motion that suspends Rule IX, Section 9 (c) and that is the First Reading of Bills and Resolutions. So move.

#### **RULE IX. BILLS, RESOLUTIONS AND AMENDMENTS**

**Section 9. First Reading of Bills and Resolutions**

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

*The motion was seconded.*

*There was no discussion and the motion to suspend Rule IX, Section 9 (c) was carried by voice vote. There was no nay vote.*

Speaker Rafael S. Demapan: Floor Leader.

*The Floor Leader made a motion to pass the following on First and Final Reading:*

**H. B. NO. 20-43, HD2**

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.

*The motion was seconded.*

Speaker Rafael S. Demapan: Thank you, Floor Leader. Again, your motion has been seconded. Discussion on that motion? Recognize the Vice Speaker.

Vice Speaker Janet U. Maratita: Thank you, Mr. Speaker. I am poised to withdraw my support on House Bill 20-43, HD1 as I am one of the cosponsor. However, Mr. Speaker and before I make my final decision whether to support or not to support House Bill 20-43, HD1 as amended, I would like to for the purpose of the viewing public to understand House Bill 20-43. I wanted to ask the Legal Counsel for the record to clarify or to inform the public as well as this body is this House Bill 20-43, HD1 consistent with the Constitution and as amended by the constitution amendment, I believe number 16.

Speaker Rafael S. Demapan: Counsel, you may respond to that.

Legal Counsel John Cool: First of all, they have the Constitution itself. We have the analysis of the Constitution. It is an expression on what the electorate voted upon and what their intentions were. This amendment are consistent with the analysis of the Constitution to the extent of the analysis of the Constitution. What is the intent of the people who adopted the Constitution.

Vice Speaker Janet U. Maratita: Is that a yes, Counsel?

Legal Counsel John Cool: Yes.

Speaker Rafael S. Demapan: Thank you, Counsel. Recognize the Vice Speaker.

Vice Speaker Janet U. Maratita: Counsel, what is the ramification should we pass this bill? What will it do to the Office of the Attorney General? Meaning, are we diminishing?

Speaker Rafael S. Demapan: Recognize Counsel.

Legal Counsel John Cool: No, we are not diminishing. What we are doing is making sure that the rights of the government and the people are protected and the ability to make legal representation in the Attorney General's office.

Vice Speaker Janet U. Maratita: Thank you, Mr. Speaker. Thank you, Counsel. I yield for now.

Speaker Rafael S. Demapan: Thank you, Vice. Now recognize Representative Edwin Propst.

Representative Edwin K. Propst: Thank you, Mr. Speaker. I have several points to bring up and I do not know if I should bring it all up at once. Let me try to understand a few things and talk about a few things. First and foremost, I want to clarify that there is a big difference between a Chief Legal Officer and a Chief Legal Advisor, first and foremost, but I find it just almost unbelievable. Unbelievable. The biggest problem here hearing from public comments and from my colleagues is the problem has not been with the Office of the Attorney General, the problem that you have all brought up is the Attorney General himself. You understand where I am going with this? It is the Attorney General himself. You have brought – you do not like his decisions and everything. My dear colleagues, you know there was a reason why 81% of the people voted for an elected Attorney General and you know what that reason was so they did not have a rubber stamp for the Attorney General serving as a lapdog by the pleasure of the Governor. Let us look back in the past, how we got to an elected Attorney General and why 8 out of 10, 81% of people wanted an elected Attorney General. Why? What propelled such an amazing, incredible number like that? Let us think about that impeachment about a lot of people do not want to talk about because we always want to move forward. I can tell you right now where I stood and I can say right here, I probably stood with some very good people in this room. Some of my colleagues that I am very honored to serve with Vice Speaker, I remember standing with you and in fact I have so much respect for you for what you did. You took a huge stand and a huge gamble and you did it because you believed in helping our people, saving our people. The same can be said about some of my other colleagues in here. Chairman Frank Dela Cruz who also served. I was very proud that there is a few people willing to stand up, but that few stood up and more and more joined in a resistance and what were we up against? A very corrupt contract. A \$190 Million Dollar power plant contract that would have devastated not just us, but our children and we fought to the nail and the former Governor faced impeachment and resigned. That is why we are here. That is how an elected Attorney General was supported by 81% of people so we do not have understanding and that is all the more reason why we need one. The interesting thing here is that after the impending impeachment, the resignation of the Governor, we did not hear anything from the House of Representatives or the Senate to try to diminish or weaken the power of the Governor. Not at all. No bills came forward to try and diminish the power of the Governor because there was a problem with the Governor and not the problem with the Office of the Governor. We are rushing this thing through because we do not like what the Chief Legal Officer has to say about certain things. It goes beyond that. There are a lot of things that we have not even looked into. Chairman of Ways and Means, Angel Demapan and his committee, right now we have a lot of budget sessions that we have departments coming up and guess what the general thing is everybody wants more money. Who doesn't? Every department wants more, but there are so many cost, so many things, but have we even looked at the cost of what it would cost to have legal counsels for every department and agency? Has anybody done the cost analysis of how

much that is going to cost because lawyers don't come cheap colleagues. What is the minimum per hour that they are going to charge? Two-Hundred Dollar? Three-Hundred Dollars? Are you willing to pay that? I will tell you, you want to talk about priorities? We have a landfill that is – we are in an emergency situation right now because cell one is full. We have so many issues that need funding. CHC always needs funding they have a shortage of nurses, we need to pay them more. What is another thing? You can list a hundred things, but our priority somehow is this because we simply disagree with the Attorney General? If you feel that there are ethical violations by this Attorney General then bring them up and file them that is the way we do it, but to penalize the Office of the Attorney General because you don't agree with the Attorney General is that fair to our constituents? The Attorney General is not the fourth branch of government because we have gone against him many times that included when we wanted to increase our salaries. Who are we trying to kid? Everybody is talking about Article 12. Of course, we understand that we want to protect Article 12, but I do not hear anybody in this House or the Senate or the Administration talking about how we are losing so much public lands to foreign interest, foreign entities. You want to be consistent then be consistent that is why we are here. You want to talk about fighting for our indigenous people that is fine, but have we heard their cries when they are losing all their apartments because all their apartments are being bought up by Best Sunshine and everything else? Come on. Let us have some consistency here. There are a lot of things at stake here, but I am not going to penalize the Office of the Attorney General because I disagree with him. We need to unify, we can have resolutions as Chairman Angel pushed for one we can do a lot of things, but to diminish and weaken the power of the Office of the Attorney General by the way who will no longer oversee contracts. Guess what that does? We just said that it does not diminish or weaken the Office of the Attorney General or his powers, do you remember the \$160 Million Dollar reverse osmosis system that was proposed an unsolicited bid by Robert Toelkes that was being pushed through. So, if we had gone through with that and the Attorney General we don't give him the power to sign off on that their own attorney can sign off on it this opens the floodgates for corruption. Also, let us think about private attorneys. Why are all the private attorneys supporting us because they benefit from it. They stand the benefit the most out of all of us because you know why it is simply because even if they are not doing a good job or doing their job they still get paid, they still get their salary and it will be up to the Attorney General to file a lawsuit, which is more litigation which cost the CNMI more money than could have gone to more people. So, I urge you to be cautious in pushing forth diminishing the power of the Attorney General. Thank you. I know I went over my five-minutes, I will continue later on. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Representative Propst. Again, let me remind the members of the five-minute rule. Any other members wanted to – recognize Chairman Barcinas.

Representative Donald C. Barcinas: Thank you, Mr. Speaker. We have been mentioning this from the very beginning, but I believe that the people that voted for an elected AG has spoken. We have recommended before that the best way to deal with this was to introduce a legislative initiative on its own to get rid of the elected AG and nobody is doing it. So that is my belief, I think we should let the people make those changes not in this body. Thank you.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Representative Barcinas. Any other member? Recognize again for the second time Chairman Dela Cruz.

Representative Francisco S. Dela Cruz: Thank you, Mr. Speaker. You know as the saying goes, “Rome wasn’t built in a day.” So, we have this elected Attorney General in its infancy in our government. This is the first time that we have ever gotten to have an elected AG and this was brought upon by ratifying House Legislative Initiative 17-2. And so, the composition right now as it stands, he is the elected Attorney General and the state that it is in right now is not very popular to a lot and the decisions the AG has made. In fact, I myself question some of the decisions that were made. But do I think that the office should be crippled and handicapped through this legislation? Or is it the person that is in there as Representative Propst has pointed out. Let us be mindful that come next year we will get a chance to vote again as to who will be the elected Attorney General, but I think given this legislation and if it does pass and become law then we will think that the office should be rendered useless. Useless. I believe that if somebody wanted to cripple it they might as well abolish it. Over 80% of the voters ratifying to have an elected Attorney General this is over 9,000 voters that showed up and said, “we have had enough of an appointed Attorney General” because it appeared that whoever was the Administration and appointed their own Attorney General they become somewhat in cahoots and they tweak the laws and the Constitution just so they can try to have it their way. Now let me take you over to the south over in Guam. I recall that back then when they had their first elected Attorney General, we were pretty much in the same state as where we are today here in the CNMI. Governor Felix Camacho and AG Moylan, they are all like cats and dogs. Nothing progressed, but now they have another elected Attorney General Elizabeth Barrett-Anderson and I believe it has been smooth sailing and that is how it should be here also, I believe. About a month ago, we had some private legal attorneys coming in to comment on House Bill 20-43, one of the gentlemen Mr. Juan Carlos Benitez is fully in support of this legislation. I remember Mr. Benitez because back in 2014 there was a legislation, a local legislation to have a crematorium in Chalan Kanoa and Mr. Benitez came and testified that it is bad to have a crematorium here on Saipan because he did scientific studies and crematoriums emits toxins, mercury – I am trying to think Mr. Benitez is from Guam. He is a corporate lawyer for Docomo and others, but he came in and testified that it was bad for the community, bad for the people and I thought again and I said he lives in Guam. And Guam has a crematorium it is the Ada Funeral Home and right behind the Ada Funeral Home is a community, a village if you will, residences, apartments right behind it, but he did not see that it was bad for Guam it was bad for Saipan. And then his latest news is to come here and support this legislation and I think again –

Speaker Rafael S. Demapan: Chairman.

Representative Francisco S. Dela Cruz: I am wrapping up Mr. Speaker thank you. And so the Attorney General in Guam basically has the same duties and responsibilities as our Attorney General here in the CNMI, but he is not going to the Guam legislature and saying, “we need to change the duties and responsibilities of the Guam Attorney General’s Office.” Why is he not doing this? He is coming here to tell us what is good and what is bad for us here. Next year we are going to vote for another elected Attorney General. We will make a change if we do not like the person that is in the office, but I believe that you do not burn down your house because a mouse ran into it, you are going to figure out where that mouse is and get rid of it, set a trap but you do not burn it down just because a mouse is in your house and you want to get rid of it. We have a chance to elect another Attorney General next year. Like I said this is in its infancy. We need to give it a chance because we saw what happened with appointed ones. Representative Propst pointed it out. The \$190 Million Dollar plant and I saw that with my own two eyes

because they are all meeting over at the Hyatt every Sunday trying to concoct this deal for you and me.

Speaker Rafael S. Demapan: Chairman.

Representative Francisco S. Dela Cruz: I will yield for now Mr. Speaker.

Speaker Rafael S. Demapan: Any other member? Recognize Chairman Angel.

Representative Angel A. Demapan: Thank you, Mr. Speaker. I just want to offer some points of clarification before we go for a vote. In my review of this legislation, House Bill 20-43 gives the government an option only if and when the AG refuses to provide legal representation. It does not give the government an option to choose legal representation outside if the AG is willing to provide the representation. 20-43 does not abolish the constitutional provision making the AG an elected official. We will continue to elect the AG. 20-43 in my opinion is not being rushed. It was introduced in February and underwent the process of being imbedded by the Committee on Judiciary and Governmental Operations. I understand our colleague Propst concern about the landfill and in response to that concern, I have introduced House Local Bill 20-20 to appropriate \$2 Million Dollars so that we can begin the construction of that new cell. The AG's office what we have discovered in our recent budget hearings is charging departments and agencies fees for legal representation so where is the cost savings there. He is charging government agencies just as they would pay for outside representation. These are attested to by the department heads that have appeared before the Committee on Ways and Means. So where is the savings? Is it even legal? What is the general fund appropriation for the AG's office for if he is going to charge for legal representation. We have funded in the general fund every assistant AG's salary so what are legal fees being collected for? Where do these charges go? Where do these collected funds go? Our colleague Dela Cruz is right, we have a chance to elect another Attorney General next year, but what good is that when we surrender our rights as Northern Marianas Descents because nobody took a stand to appeal the Davis case. The underline factor we face now is who will represent the government every time the AG says, "no." If he says "no" for a corruptible reason completely understood, but if he says "no" for no corruptible reason, for policy differences, personal differences in the case of the Davis appeal; where do we go? Who will stand up for our people in cases such as the Davis appeal? Where is the justice there? Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Chairman. Before, I recognize previous speakers, any other member wanted to chime in for the first time? None. Recognize again Representative Propst.

Representative Edwin K. Propst: Thank you, Mr. Speaker. I would like to respond to my colleague Chairman Demapan. He brought up where is the savings with regards to the AG attempting to and I say attempting to charge the department. For the record, can we see how many departments actually paid into the AG and what were his actual fees? And I ask that because the fees that he would charge would be a tiny amount, a fraction, a minutia of what a private attorney would cost. Do you know what a private attorney costs nowadays? Has anybody hired a private attorney? What is the minimum that they charge? Two-Hundred Dollars an hour? Depending, some Five-Hundred, depending but we do know if we look – you would just have to Google it into the history of flagrant of the use in the past of attorneys for different departments

and agencies where they have charged excessively, hugely. One attorney for one department or one agency had \$500,000.00 charge in one year. That is one. So how many millions would it cost? So cost is also a factor that is one point. I do thank you Chairman for the \$2 Million Dollars for the landfill, but \$2 Million Dollars that is being spent and appropriated is \$2 Million we are spending that could have gone somewhere else. We are robbing Pete to pay Paul, which the history of governments not just here but around the world. So those are the concerns. You don't throw the baby out with the bath water that is an old saying and it rings through in this situation with this bill. I do know that Chairman Ivan Blanco has good intentions and he may have talked about it that is all of us we get frustrated an upset with this Attorney General when we disagree with him, but let us not kid ourselves when we have ignored his advice and the advice of his office and have seated forward. We have done it different time. So, I yield for now. Thank you.

Speaker Rafael S. Demapan: Thank you, Representative Propst. Recognize again Chairman Dela Cruz.

Representative Francisco S. Dela Cruz: Thank you, Mr. Speaker. I wanted to maybe inquire and ask Chairman Demapan for a more compelling evidence of the charges that are being made by the AG's office. Just recently DPL came out saying there is an – but I have yet to see any solid evidence from departments transferring funds from their department to the Attorney General's office. I have yet to see that. All it is, is talk and I somewhat said we can talk all day until we turn purple, but we don't see evidence. Now let me ask because this body had the authority to subpoena these types of documents, I would have asked that the Chair for JGO, being the Chair for Judicial and Governmental Operations be on top of these allegations and call them in and say, "Why are you doing this? Why are you charging these agencies and departments?" and call in these departments and agencies and say, "Show me where in your books does it say that you paid the AG's office?", but I don't see it. So, I believe if it is anyone to be blamed it's this legislature. This is who should be blamed because we are not doing our jobs to get to the bottom of these issues. We are just as at fault here. So, the only remedy we can think of is "you know I do not like the decisions that the AG is making." Sometimes, I wonder whether everything really has to do with our increase in salary, the seventy-grand that we are waiting for. Is this why we are doing this because the AG's office is blocking it? Nobody can shed proof of evidence with regards to these charges. All we can say is they are doing it. And we haven't seen anything that they are. Again, we are trying to burn down the house because of a mouse that is in there. This is what we are trying to do. You know this new office is now a fabric of our government. After all the corruption has gone, we have this office now to look out for corrupt activities, but I feel that we are just going back. We might as well just have an appointed Attorney General because we would be paying the same amount. Why should we be paying the Attorney General's office if department and agencies wishes to have their own private Legal Counsel? Why should we be paying for two? I know the economy is great right now, but you know we have to be frugal with our financial funds.

Speaker Rafael S. Demapan: Chairman, can I ask you to summarize?

Representative Francisco S. Dela Cruz: I will yield.

Speaker Rafael S. Demapan: Thank you, Chairman. Before, I recognize again Chairman Angel let me first Lee Pan.

Representative Joseph Lee Pan T. Guerrero: Thank you, Mr. Speaker. *Maila' ya bai kuentos vernacular sa para i mañelu-ta ni man ékungok guenao huyong espesiatmente man'amko nai eyi ti man kue'kuentos fino' English ya sigi hit gi fino English.*

Speaker Rafael S. Demapan: *Konsigi* Chairman.

Representative Joseph Lee Pan T. Guerrero: *Hunggan magahet este man ga'chong-hu siha na maila' ya ta – hafa yanggen eyi ta'lo po fan falagu parehu ha lokkue na hinasso? Ta nangga? Esta hagas kumasón i gima' desde tutuhon-ña. Esta i fire truck empty i tanke-ña ni po puno' i guafi. Yanggen ile'lék-ña si member Dela Cruz na pot suetdo este, ahi. Maolekña magahet ni eyi iyo-ña yo ma bira tatte gi ocho mit ya kontodu guiya hu fama'desi, kontodu i justice hu fama'desi kontodu i judge hu fama'desi yo ma apasi tatte i gobietno ya ta chule' ayu na salape' ya ta pega gi dump. Ta pega gi dump sa eyugue' ginaga'gao. Guiya bumaba i satdinas. Ha kiayin maisa gue' kontodu guiya ha kontradisi i constitution ni mastrapase gue' annai judge gue'. Ti pot ti ya-hu i taotao – ti pot ti ya-hu i taotao. Mr. Speaker, gaige ha guini i sekretarian Finance an pot enao para ta question kuantu man ma apasi guiya i kahera. Guiya i kahera. Maila ya ta faisen kuantu esta man ma apasi. Sa kalang eyi mohón muñeka hit sigi hit man daggao unu esta este. Esta pa'go kalang man annok na i pumalu ni man ma bota ni para hu na lai este man sen baba ki otro. Ahi, man diba'bate hit guini ya naturát este lao maila ya ta laknos i minagahet. Mr. Speaker, ocho mit ha di magahet po fan ma apasi lao ahi sa sigi ha man ma amenda i lai, ma amenda lao ti a'atan i constitution pa'go ni humalom i elected AG ilék-ña unconstitutional ha gacha' maisa gue. Kalang eyi ókkudo. Annai ha pega i hangang ni para po hu go'te i cha'ka inakka'. Yanggen ta sa'sangan enao nai na pot este i suetdo ahi. Pare ke-yo ni suetdo. Hunggan miembro yo' gue lao an este ha i suetdon i gobietno ya para ta sigi man asiste i komunidadá guini gi sanhiyong esta tostos. Guaha guini esta mu a'atok. Esta yo' matto Precinct 5, 4, 5, 3, 2, 1 ya ti siña man ma sotda i kongresu ni po fan man asiste. Esta kara'. Man kara'. Este mu li'e' siha halom esta man ma disatende. Pa'go pot este na momento ni para ta sangani i AG este gue un tattiyi baba. Munga enao sa eyi un aka. Hayi tumungo na i former Governor enao gue ha dispapacha esta annok ha. I presente gobietno-ta kao guaha ha dispapacha? Ti ta tungo esta hanok ha. Eyi ni ta gacha. Pago ni man gando hit poni ta gacha hao. Na para enao yanggen para ta sigi ha sumangan hafa i rason. Ta tungo hafa i rason. Lao maila ya ta na klaru sa ti kinenprendek-hu annai ma pasa ni taotao este na initiative taya gi ilék-ña na kontodu i operational budget para ta na'i i suetdo-ña ha. Pues maila ya ta na'i i suetdo-ña ya guiya hu aligao hafa ni po fondu iyo-ña operation. Este ta na klaru nai Mr. Speaker, kontodu guiya in afekta ni eyi i suetdo. Maila ya ta bira tatte gi orihinát ya guiya finéne'na yan i pumalu siha hu fan ma apasi halom ma apasi i gobietno. Sa man disidi suetdo ni ti ma allow ni i constitution. Ti ma allow. Pues pot enao ha Mr. Speaker. Si Yu'us Ma'ase.*

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Chairman. We should be wrapping up the debate. I will allow maybe one or two and then we will get to the main motion. Recognize for the second and last time Chairman Angel.

Representative Angel A. Demapan: Thank you, Mr. Speaker. Although I am not the main mover of this bill, I keep coming back for comments because there are points of clarification that need to be placed in order here that are under the purview of the Committee of Ways and Means. Colleague Dela Cruz raised issues about the fees and saying, “why haven’t we done anything about it” and saying “we have failed in our duty” but I do want to point out that the revelations of

the fees being charged surfaced only in the budget hearings these past two weeks so how have we failed. And in every budget hearing that these revelations surfaced we requested that department head to submit supporting documents in the coming week to the Committee on Ways and Means so that we can consider everything when we deliberate in the budget bill. We have even asked the Secretary of Finance to look into all the departments and agencies being charged. So we have not failed colleague Dela Cruz and you have been in all those budget hearings. The problem here is these are revelations that are troubling because we appropriate the funds of each and every government attorney. Those salaries are paid to them to do the work of legal representation so what are these departments and agencies being charged for in addition? Their salaries have been set by law, by statute, by appropriation. Be it \$7.00 or \$70,000.00, so far the highest amount we have is \$70,000.00 charged to the Department of Public Land. There are other agencies and departments who have not submitted their documents so we don't know what the highest number is but if it can climb up to \$70,000.00 the equivalent of a salary of an assistant AG then what are we appropriating personnel funding for? Just like \$2 Million Dollars that could have gone anywhere else that is \$70,000.00 in tax payer funds that could have gone anywhere else if we were going to collect payments from departments and agencies. The work of Ways and Means is happening now this is the budget season and we are looking into these issues. This is just two weeks of revelations not two-years. So to insinuate a failure of this body is completely wrong and misguided. We are doing our work each and every one of us in here no matter what side we are on. We are doing our work and that work is happening today. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Chairman. Ready?

*Several members voiced "ready".*

Speaker Rafael S. Demapan: Again, before I ask the Clerk – Chairman you want to –

Representative Francisco S. Dela Cruz: Real quickly *lai* Mr. Speaker, I know Chairman Demapan stated that I being a member also for the Ways and Means know what is going on. What he has failed to point out is whether these documents of charges by the AG's office are within the Ways and Means Committee and if they are I have not been privy to having such documents. The only revelation that I have heard so far that was coming from DPL was that there was an MOA from the former Attorney General Mr. Buckingham himself back in 2012 that gives the authority to the AG's office to charge for fees. Now I do not know whether Chairman Demapan based on DPL's revelation clearly states where these funds are coming from. Are they coming from our local fund sources? Or are they coming from the federal government? I have yet to find out and I have yet to know whether the committee is in receipt of this document, the so-called MOA that Mr. Buckingham had signed off on. I have yet to see from all the departments and agencies that have sat before this committee whether there is any evidence that the AG is collecting funds from them. Again, let me restate this is all talk. There is no evidence to support these talks. Provide me these information and I can say, "Yes, why is this happening? Why is this AG doing this?" but because we don't have that how am I going to question that? I would yield. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you. I guess that wraps up the debate. Again, members I caution each member on their vote on this. We both heard both sides, both good points and each side also made their case. I am sure with the information that has been provided this afternoon I

am sure the members should have a better understanding in making sure that based on their conscience they think what is right. So, I ask that you make sure that you vote with a good conscience.

Representative Edwin K. Propst: Mr. Speaker, if I may. Just a point of clarification.

Speaker Rafael S. Demapan: Recognized.

Representative Edwin K. Propst: Thank you, Mr. Speaker. I believe Vice asked earlier, correct me if I am wrong, if this bill goes forward will it hamper or diminish the cause of the AG. Is that your question Vice Speaker.

Vice Speaker Janet U. Maratita: Yes.

Representative Edwin K. Propst: Okay. I just wanted to ask our Legal Counsel. So for this bill on page 4, line 4 (g) “to review only when requested as to form in legal capacity all proposed contracts, bonds or other evidence contractual obligations of the Commonwealth its departments, agencies and instrumentalities including public corporations.” Legal Counsel John, so this says only when requested. Only if they request. Does this not diminish his powers as an AG? Just out of curiosity.

Speaker Rafael S. Demapan: Recognize Counsel.

Legal Counsel John Cool: The way it worked when I was in the Attorney General’s office is that we were requested to review contracts, documents, bonds, whatever for a form of legal sufficiency – legal capacity because one of the purposes of signing off on the contract the legal capacity or the person signing the contract has the legal authority to sign that contract. So even though the current statute does not say “upon the request of the departments” that service of reviewing the contract was not done until we were requested to do so it doesn’t really change the procedure.

Representative Edwin K. Propst: I’m sorry, but it says here “only when requested” so currently right now.

Legal Counsel John Cool: Currently it is only when requested.

Representative Edwin K. Propst: Only when requested. So this is –

Legal Counsel John Cool: Otherwise, the Attorney General’s office would not know of the contract.

Representative Edwin K. Propst: Okay so the Attorney General does not have to approve of contracts currently? If that is the case then why do we have “only when requested” if that is the case and it’s underlined. So this was inserted was it not?

Legal Counsel John Cool: Well it was inserted, but the procedure under the current wording without that language is that the Attorney General will review the contract or document for legal sufficiency and capacity when requested.

Representative Edwin K. Propst: I beg to differ it.

Legal Counsel John Cool: Otherwise the Attorney General doesn't go around snooping into the business of agencies looking at memos to determine whether or not there's a document.

Representative Edwin K. Propst: Counsel it says all "proposed contracts" here right after "only when requested" "all proposed contracts." I believe this does diminish it and it says it right here otherwise it would have been deleted. Thank you.

Speaker Rafael S. Demapan: Thank you, Propst. Again, it is up to ourselves. So, Clerk for the roll call.

Representative Francisco S. Dela Cruz: Mr. Speaker privilege, I actually apologize.

Speaker Rafael S. Demapan: State your privilege.

Representative Francisco S. Dela Cruz: Thank you. I meant to ask the Legal Counsel. You know CUC is poised right now to put out an RFP for the RFQ a month ago. I guess now if this was put into law then the Attorney General would have no power to review the RFP, which makes it more concerning now more than ever because any private Legal Counsel can come in and we don't know where they are coming from whether they are connected to these private companies selling generators or not. We don't know and that is very scary to me and recently the fiasco of the \$11 Million Dollars RFQ kind of woke people up and were almost like saying we want to go back there again. We want to try it again. So, I understand Mr. Speaker it's a policy call and I hope the members can understand this is a very big issue that we face before us and hopefully your judgments are clear to what we are trying to accomplish. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you. For the last time, let me recognize Representative Deleon Guerrero.

Representative Lorenzo I. Deleon Guerrero: Thank you, Mr. Speaker. I apologize, but I wanted to chime in with regards to what Representative Dela Cruz with what he had mentioned with a draft RFP to purchase a generator for CUC. From my understanding, the AG didn't review the proposed draft contract or RFP rather. The AG diligently reviewed the proposed RFP and he returned the RFP because there were errors. He noted some errors and he wanted CUC to correct the errors before he approves it. So basically, what I am saying is we need an AG to be more vigilant in reviewing contracts, bonds or anything. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Representative Deleon Guerrero. Clerk for the roll call.

*The Clerk called the roll on the motion for the passage of House Bill 20-43, 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	no
Representative Donald C. Barcinas	no
Representative Ivan A. Blanco	yes
Representative Francisco S. Dela Cruz	no
Representative Joseph P. Deleon Guerrero	absent ( <i>excused</i> )
Representative Lorenzo I. Deleon Guerrero	no
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	no
Representative Glenn L. Maratita	yes
Representative Janet U. Maratita	yes
Representative Edwin K. Propst	no
Representative Gregorio M. Sablan, Jr.	yes
Representative John Paul P. Sablan	yes
Representative Vinson F. Sablan	no
Representative Edmund Joseph S. Villagomez	no

House Clerk Linda B. Muña: Mr. Speaker, 11 members voted “yes” and 8 members voted “no.”

Speaker Rafael S. Demapan: *Si Yu’us Ma’ase*, Clerk. With 11 members voting in the affirmative and 8 “no,” House Bill 20-43, HD1, HD2 passes the House. I guess that took care of the Bill Calendar. We will go ahead and go down to item XVII, Miscellaneous Business. XVIII, Announcement? Recognize Chairman Blanco.

### MISCELLANEOUS BUSINESS

None

### ANNOUNCEMENTS

Representative Ivan A. Blanco: Thank you, Mr. Speaker. Before we close, I would like to express my appreciation and respect for all the comments that were provided on this bill. Thank you very much this has been a very professional conduct. Thank you very much to each and every one of you.

Speaker Rafael S. Demapan: Thank you. Further? None. Floor Leader for the Adjournment.

### ADJOURNMENT

Floor Leader Glenn L. Maratita: For the adjournment, 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 5:42 p.m.*

Respectfully submitted,

Venetia S. Rosario  
House Journal Clerk

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### 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. 20-18: To amend the Saipan Official Zoning Map Sheet 06 of 29, rezoning lots 141 E 02 and 141 E 05 from “Village Residential” to “Tourist Resort” Zoning District. Introduced by REP. ALICE S. IGITOL of Saipan, Precinct 4 (*for herself*, Representatives Francisco C. Aguon, Blas Jonathan “BJ” T. Attao, Donald C. Barcinas, Francisco S. Dela Cruz, Joseph P. Deleon Guerrero, Lorenzo I. Deleon Guerrero, Angel A. Demapan, Joseph Lee Pan T. Guerrero, Jose I. Itibus, Janet U. Maratita, and John Paul P. Sablan) on June 27, 2017.

H. L. B. NO. 20-27: To amend 10 CMC §3132 Gross Laden Weight Fee and §3136 Saipan Village and Secondary Road Fund; and for other purposes. Introduced by REP. LORENZO I. DELEON GUERRERO of Saipan, Precinct 5 (*for himself*) on June 27, 2017.

**THIRD LEGISLATIVE DAY:**

H. L. B. NO. 20-21: To increase the poker and pachinko machine license fee. Introduced by REP. JOSEPH P. DELEON GUERRERO of Saipan, Precinct 1 (*for himself*, Representatives Ivan A. Blanco, Angel A. Demapan, and Joseph Lee Pan T. Guerrero) on June 6, 2017

H. L. B. NO. 20-22: To name the unnamed coral surfaced roads that turn off from Isa Drive in the As-Mahettog and Capitol Hill area, just north of the Vestcor Village. Introduced by REP. DONALD C. BARCINAS of Saipan, Precinct 3 (*for himself*) on June 6, 2017.

H. L. B. NO. 20-23: To amend the Saipan Zoning Law of 2013, 10 CMC §3511, by amending the Saipan Official Zoning Map Sheet 19 of 29. Introduced by REP. JOSE I. ITIBUS of Saipan, Precinct 3 (*for himself*, Representatives Francisco C. Aguon, Blas Jonathan “BJ” T. Attao, Donald C. Barcinas, Ivan A. Blanco, Joseph P. Deleon Guerrero, Lorenzo I. Deleon Guerrero, Rafael S. Demapan, Joseph Lee Pan T. Guerrero, Edwin K. Propst, Gregorio M. Sablan Jr., John Paul P. Sablan, and Edmund S. Villagomez) on June 6, 2017.

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*Appearance of Measures introduced on the House Floor during the House Session on June 27, 2017:*

H. B. NO. 20-89: To repeal and reenact 4 CMC § 2307 to provide for an additional funding source to the Saipan Higher Educational Financial Assistance (SHEFA); and for other purposes. Introduced by REP. IVAN A. BLANCO of Saipan, Precinct 3 (*for himself*) on June 27, 2016; subsequently referred to the Committee on Gaming.

H. B. NO. 20-90: To restrict the removal of ancient human remains or other culturally significant artifacts from the CNMI. Introduced by REP. ALICE S. IGITOL of Saipan, Precinct 4 (*for herself*, Representatives Francisco C. Aguon, Blas Jonathan “BJ” T. Attao, Angel A. Demapan, Janet U. Maratita, Gregorio M. Sablan Jr., and John Paul P. Sablan) on June 27, 2017; subsequently referred to the Committee on Natural Resources.

H. B. NO. 20-91: To exempt the residents of our neighboring island of Guam from the operator’s license requirements by amending Title 9, Subsection 2203 Operator’s License: Exemption from License. Introduced by

REP. IVAN A. BLANCO of Saipan, Precinct 3 (*for himself*) on June 27, 2017; subsequently referred to the Committee on Judiciary and Governmental Operations.

[Added 6/27/17] H. B. NO. 20-92: To amend section 302(f)(9), to authorize reprogramming to fund the Early Head Start and Head Start centers; and for other purposes. Introduced by REP. ANGEL A. DEMAPAN of Saipan, Precinct 1 (*for himself*) on June 27, 2017; Representative Angel A. Demapan request that the House place the measure on the Bill Calendar for House action in the next scheduled session; there being no objections; the Chair requested a motion by the Floor Leader to place on calendar; the motion was made seconded; no discussion was made on the floor; thereby the motion was carried by voice vote.

H. L. B. NO. 20-18: To amend the Saipan Official Zoning Map Sheet 06 of 29, rezoning lots 141 E 02 and 141 E 05 from “Village Residential” to “Tourist Resort” Zoning District. Introduced by REP. ALICE S. IGITOL of Saipan, Precinct 4 (*for herself*, Representatives Francisco C. Aguon, Blas Jonathan “BJ” T. Attao, Donald C. Barcinas, Francisco S. Dela Cruz, Joseph P. Deleon Guerrero, Lorenzo I. Deleon Guerrero, Angel A. Demapan, Joseph Lee Pan T. Guerrero, Jose I. Itibus, Janet U. Maratita, and John Paul P. Sablan) on June 27, 2017.

H. L. B. NO. 20-25: To appropriate additional funds realized, specifically allotted to the Third Senatorial District under Public Law No. 18-30 as amended, for the CNMI Drug Court; and for other purposes. Introduced by REP. JOHN PAUL P. SABLAN of Saipan, Precinct 2 (*for himself*, Representatives Francisco C. Aguon, and Blas Jonathan “BJ” T. Attao) on June 27, 2017.

H. L. B. NO. 20-26: To appropriate funds specifically allotted to the First Senatorial District under Public Law No. 18-30 in the amount of Thirty Thousand, Seven Hundred Forty-Nine Dollars (\$30,749.00 USD); and for other purposes. Introduced by REP. GLENN L. MARATITA of Rota, Precinct 7 (*for himself*) on June 27, 2017.

H. L. B. NO. 20-27: To amend 10 CMC §3132 Gross Laden Weight Fee and §3136 Saipan Village and Secondary Road Fund; and for other purposes. Introduced by REP. LORENZO I. DELEON GUERRERO of Saipan, Precinct 5 (*for himself*) on June 27, 2017.

[Added 6/27/17] H. L. B. NO. 20-28: To appropriate the amount of Sixty-nine Thousand Nine-hundred Eighteen Dollars (\$69,918.00 USD) 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 June 27, 2017.

H. RES. NO. 20-9: To respectfully encourage the Governor of the Commonwealth of the Northern Mariana Islands to recognize and support the need to change the time period of authorized stay under the Guam-CNMI Visa Waiver Program and respectfully encourage the Governor to petition the consideration and approval of the U.S. Department of Homeland Security. Introduced by REP. IVAN A. BLANCO of Saipan, Precinct 3 (*for himself*, Representative Donald C. Barcinas) on June 27, 2017; subsequently referred to the Committee on Federal and Foreign Affairs.

[ADDED 6/27/17] H. RES. NO. 20-10: To support the Commonwealth Healthcare Corporation’s application to the 340B Drug Pricing Program under the Office of Pharmacy Affairs. Introduced by REP. ANGEL A. DEMAPAN of Saipan, Precinct 1 (*for himself*, Representatives Francisco C. Aguon, 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 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, and Vinson F. Sablan) on June 27, 2017; subsequently referred to the Committee on Health.

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*House information on deadlines for override: None*