



HOUSE OF REPRESENTATIVES

TWENTIETH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SECOND REGULAR SESSION, 2017

LEGISLATIVE JOURNAL

12th Day, Second Regular Session

Monday, December 11, 2017

The House of Representatives of the Twentieth Northern Marianas Commonwealth Legislature convened its Twelfth Day, First Regular Session on Monday, December 11, 2017, at 2:17 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 nineteen members were present; Representative Joseph P. Deleon Guerrero was absent and excused.

Speaker Rafael S. Demapan: Before we move down to item II, we will go on recess and present a House Resolution to CHCC volunteers for their continued services to the hospital and of course to the Commonwealth. Short recess.

The House recessed at 2:19 p.m.

RECESS

The House reconvened at 2:29 p.m.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, members. Back from our recess. Prior to our recess we were on item I, which was the roll call. Before we move forward let me recognize the Floor Leader for the proper motion.

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

RULE IX. BILLS, RESOLUTIONS AND AMENDMENTS

Section 4. Format of Bills and Resolutions

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

The motion was seconded.

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

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

Representative Francisco C. Aguon	yes
Representative Edwin P. Aldan	absent (<i>during voting</i>)
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, 18 members present voted “yes.”

Speaker Rafael S. Demapan: Thank you, Clerk. With 18 members voting in the affirmative, motion to suspend rules is hereby adopted. Floor Leader.

The Floor Leader made a motion to suspend Rule V, Section 9.

RULE V. DECORUM AND DEBATE.

Section 9. Interruptions.

No member may engage in private conversations when the Speaker or another member is speaking. When the Speaker is putting a question or addressing the House, no member may leave the Chamber nor walk between a member who is speaking and the Speaker.

The motion was seconded.

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

Speaker Rafael S. Demapan: Now moving down to item II, Public Comments. Anyone who wishes to comment on any of the item in our Order of Business you may proceed to the podium.

PUBLIC COMMENTS

The following individuals made comments:

Mr. Tim Thornburgh

Mr. Juan Inos

The Chair directed the members to item IV, Introduction of Bills.

ADOPTION OF JOURNALS

None

INTRODUCTION OF BILLS

House Bills:

Speaker Rafael S. Demapan officially introduced the following House Bill and request that the bill be placed on the Bill Calendar for action:

H. B. NO. 20-145

To appropriate \$22,000,000.00 set aside in the Casino GRT Account for the payment of the 25% of the Settlement Class Members full benefits and payment of a Bonus for all retirees.

REP. RAFAEL S. DEMAPAN of Saipan, Precinct 2 (*for himself*, Representatives Francisco C. Aguon, Blas Jonathan “BJ” T. Attao, Donald C. Barcinas, Francisco S. Dela Cruz, and Gregorio M. Sablan, Jr.)

The Floor Leader made a motion to suspend Rule IX, Section 8 and to place House Bill 20-145 on the Bill Calendar for action.

RULE IX. BILLS, RESOLUTIONS AND AMENDMENTS

Section 8. Referral of Bills and Resolutions

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

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

The motion was seconded.

There was no discussion and the motion to suspend Rule IX, Section 8 and to place House Bill 20-145 on the Bill Calendar for action was carried by voice vote. There was no nay vote.

House Local Bills:

Representative Lorenzo I. Deleon Guerrero officially introduced the following House Local Bill and welcomed the members to coauthor the bill:

H. L. B. No. 20-50

To re-appropriate Thirteen Thousand (\$13,000.00) allotted under Saipan Local Law 20-02, specifically under Section 2(d); and for other purposes.

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

House Legislative Initiatives: None

The Chair directed the members to item V and recognized the Floor Leader.

INTRODUCTION OF RESOLUTIONS

House Resolutions:

Representative Glenn L. Maratita officially introduced the following House Resolution and requests that the resolution be introduced by the Committee of the Whole:

H. RES. NO. 20-18

Congratulating Ms. Antenille Mendiola Santos on being selected as the 2018 CNMI Teacher of the Year and commending her for dedication and devotion to providing her students with a quality education.

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

There was no objection for House Resolution 20-18 to be introduced by the Committee of the Whole. The Chair placed the resolution on the Resolution Calendar for action.

Speaker Rafael S. Demapan: Recognize Representative Deleon Guerrero.

Representative Lorenzo I. Deleon Guerrero: Mr. Speaker, I would like to go back to my House Local Bill for record there's a typo and I want to treat it as a technical error. Okay, so on the first page line 10, this should be a local law 18-30. So, I asked the members for their indulgence to consider this as a technical error. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Representative Deleon Guerrero. Clerk noted? *Si Yu'us Ma'ase.*

House Joint Resolutions: None

House Commemorative Resolutions: None

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. 20-133: (12/6/17) Certifying and granting approval for Ms. Heather Zona, Assistant Public Defender, to receive an annual salary of \$62,000. [*For info*]

GOV. COMM. 20-134: (12/6/17) Certifying and granting approval for Mr. Douglas Hartig, Chief Public Defender, to receive an annual salary of \$80,000. [*For info*]

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

SENATE COMMUNICATIONS

None

HOUSE COMMUNICATIONS

The Clerk announced the following House Communications:

HSE. COMM. 20-80: (12/6/17) From the Speaker informing all Members that he will be out of the Commonwealth on December 7, 2017 and designates Floor Leader Glenn L. Maratita as Acting Speaker. [*For info*]

There was no discussion, the Chair directed the members to item X, Communications from the Department and Agencies and recognized the Clerk.

COMMUNICATIONS FROM THE JUDICIAL BRANCH

None

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

The Clerk announced the following Communications from the Department and Agencies:

DEPT./AGCY. COMM. 20-8: From the Secretary of Finance officially informing the Speaker of payment (prior year 2016) of retirees. [*For info*]

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

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 the following House Resolution:

H. RES. NO. 20-17

A House Resolution to encourage the Honorable Ralph DLG. Torres to render his support, along with the House of Representatives of the Twentieth Northern Marianas Commonwealth Legislature, for the re-nomination of the Honorable Frances Tydingco-Gatewood to serve as Chief Judge of the U.S. District Court of Guam and to recognize her for her distinguished career.

The motion was seconded.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Floor Leader. Your motion has been seconded, discussion on that motion? Recognize the author of the resolution.

Representative Alice S. Igitol: Thank you, Mr. Speaker and honorable members of this House. Long before I intended to write this resolution on behalf of the honorable Judge Francis Tydingco-Gatewood re-nomination to the bench of chief justice I consider some of the possible concerns positive and negative that may arrive on the issue. Mr. Speaker and members, please allow me to share issues that I have considered. One, is there anyone in the CNMI who is qualified to be appointed trustee? Yes. There are many qualified people in the CNMI who can be an appointed trustee, but here is my conclusion. We are responsible in creating the current dilemma of the settlement fund. We are two political influence on many if not all. Two, does the retirees are seriously protected under the management of the retirement board trustee? No. That was why it has to be brought to the attention of the court for the retirees to be protected by court order. Three, is the honorable Judge Francis Tydingco-Gatewood correct by appointing a non

CNMI individual to be trustee? I strongly believe she did. First and foremost, she has to make sure that political on matters regarding the settlement funds does not happen and the retirees pension are well protected as we are now experiencing. An example of this is Public Law 20-10, the payment of the 25% versus the retirement bonus. Lastly, appointing a CNMI or non CNMI trustee for the settlement fund it will cost money. So, money should not be an issue on this matter. For my considerations above, I respectfully ask the members indulgence to positively consider my resolution. Thank you for your consideration and support. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Representative Alice Igitol. Further discussion? Ready?

There was no further discussion and the motion to adopt House Resolution 20-17 was carried by voice vote. There was no nay vote.

The Chair recognized the Floor Leader.

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

H. RES. NO. 20-18

Congratulating Ms. Antenille Mendiola Santos on being selected as the 2018 CNMI Teacher of the Year and commending her for dedication and devotion to providing her students with a quality education.

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

The motion was seconded.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Floor Leader. Motion has been seconded, discussion on that motion? Recognize the Floor Leader.

Floor Leader Glenn L. Maratita: Thank you, Mr. Speaker. Perhaps we can treat this as technical as well. “Ms. Antenille Mendiola Santos” put a language that states “Mrs. Antenille Mendiola Santos” and the subsequent Ms. on the whereas. Also Mr. Speaker, on line 6, page 1 the name “Antonio” needs to reflect “Antonino” as that is the real name of the biological father of Antenille. That’s the only amendment Mr. Speaker.

Several members voiced “no objection”.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Floor Leader. Any objection considering it technical? Without any objection consider I technical. Thank you. Further discussion? Ready?

There was no further discussion and the motion to adopt House Resolution 20-18 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 suspend Rule VII, Section 9.

RULE VII. COMMITTEES GENERALLY

Section 9. Committee Reports; Other documents

- (a) Standing or Special Committees shall submit a written report to the Speaker within 60 days from the date the matter was referred to the committee, unless a shorter or longer time is ordered by the Speaker pursuant to a decision by the House Leadership. Subcommittees shall submit reports on matters referred to them as prescribed by the Standing Committee Chair. Standing, special and conference committees shall submit their reports in writing and provide an electronic copy to the Clerk who shall number the reports consecutively in the order received, cause such reports to be reviewed for legal sufficiency, reproduced, and furnished each member of the House at least twenty-four hours prior to the session at which it is to be considered. A committee report shall state findings of facts and conclusions based thereon together with a specific recommendation as to the manner in which the bill, resolution, or other matter referred to the committee should be disposed of by the House. A report recommending a bill or resolution for passage shall clearly state the purpose of the bill. A report on a bill or resolution shall show clearly any proposed amendments and the Clerk shall place such a bill or resolution on the appropriate calendar.
- (b) A report shall be considered adopted by a committee when the Chairperson and a majority of the members of the committee have signed the report concurring therein. A member or members not concurring in the report of the majority may so indicate by submitting a minority report which shall be attached to the committee report or by signing with "I do not concur".
- (c) When a committee recommends that a bill or resolution be formally filed (indefinitely postponed), the recommendation is reported to the House floor as a committee report to be confirmed by majority vote. Adoption of the committee report by the members has the effect of officially filing the bill.
- (d) When, by majority vote, the House adopts a committee report recommending favorable action on a bill or resolution, the bill or resolution as reported by the committee shall be placed on the appropriate calendar for House floor action.
- (e) All documents, testimonies, or other evidence submitted to any standing or special committee or subcommittee in connection with any matter referred to the committee or subcommittee shall be the property of the House. The Chair of any committee or subcommittee shall deliver all such documents, testimonies, or other evidence to the House Clerk upon expiration of the term of the House. Such documents, testimonies or other evidence may be attached to committee reports as supporting documents.

The motion was seconded.

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

The Chair recognized the Floor Leader.

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

H. B. NO. 20-145

To appropriate \$22,000,000.00 set aside in the Casino GRT Account for the payment of the 25% of the Settlement Class Members full benefits and payment of a Bonus for all retirees.

REP. RAFAEL S. DEMAPAN of Saipan, Precinct 2 (*for himself*, Representatives Francisco C. Aguon, Blas Jonathan “BJ” T. Attao, Donald C. Barcinas, Francisco S. Dela Cruz, and Gregorio M. Sablan, Jr.)

The motion was seconded.

The Clerk called the roll on the motion for the passage of House Bill 20-145 on First and Final Reading with the following results:

Representative Francisco C. Aguon	yes
Representative Edwin P. Aldan	absent (<i>during voting</i>)
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 18 members present voted “yes.”

Speaker Rafael S. Demapan: *Si Yu’us Ma’ase*, Clerk. Again, with all 18 members voting in the affirmative, House Bill 20-145 hereby passes the House. Members as discussed earlier that is the only bill that will be entertained today. Moving down to item XVII, Miscellaneous, recognize Chairman Angel.

No action taken for the following legislation:

H. B. NO. 20-71, HS1

A Bill for an Act to make the Department of Lands and Natural Resources responsible for collecting the Managaha Fee and removing the Department of Public Lands as recipient of the Managaha Fees; and for other purposes. *See* [S. C. R. NO. 20-47]

H. B. No. 20-113, HD1

A Bill for an Act to establish a criminal provision for pedestrians crossing a road, highway, or crosswalk while using a mobile electronic device; and for other purposes. *See* [S. C. R. NO. 20-78]

H. B. No. 20-35, HD1

A Bill for an Act to repeal and reenact 1 CMC §§ 8245-8248 to increase compensation for appointed officials and increase the salary ceiling; and for other purposes. *See* [S. C. R. NO. 20-83]

H. B. No. 20-36, HD1

A Bill for an Act to amend 1 CMC § 8357, to reestablish the special annuity for the Governor and Lieutenant Governor; and for other purposes. *See* [S. C. R. NO. 20-84]

H. B. No. 20-19

A Bill for an Act to amend 6 CMC §3156 (b) by requiring a hotel or resort attached to a golf course to have a minimum of eighteen (18) holes in order to be eligible to conduct electronic gaming activities as defined in 6 CMC §3156(a)(6). *See* [S. C. R. NO. 20-92]

MISCELLANEOUS BUSINESS

Representative Angel A. Demapan: Thank you, Mr. Speaker. I just want to – if I am not out of order, I would like to take this opportunity to respond to concerns raised by Mr. Thornburgh on behalf of PSS. I understand that when Governor's Communication 20-13 that it was a very big cause for concern for the Public School System because the amount was extremely short of what was anticipated. I would just like to inform Mr. Thornburgh and PSS that the Committee on Ways and Means is already reviewing this Governor's Communication 20-13. At the same time, I am having a bill drafted to make appropriations pursuant to this communication of which we intend to identify at least the \$12 Million Dollars that Mr. Thornburgh has alluded to in his comments this morning. I am confident that we're getting there. We're very close as of today and the number of the dollar figure that we were able to move around so far. I think we're up at a little over \$9 Million Dollars right now on our way to the \$12 Million Dollar mark. So, I would like to inform Mr. Thornburgh who provided comments today and PSS that we are doing our due diligence in terms of ensuring that the funding request that was communicated to the committee by the board chair a few months ago is being considered and we're actively working to get to that number and that we have not forgotten that commitment to the Public School System. Thank you very much Mr. Speaker.

Speaker Rafael S. Demapan: *Si Yu'us Ma'ase*, Chairman. Very appreciative on that note. Again, this is just a so to speak a companion bill. I think we have two other bills that has to do with BGRT on casino tax. Anyhow, the Committee on Ways and Means will continue and would also like to ensure that they are working on it as soon as possible rather than later. Further discussion? Ready? Going down to item XVIII, Announcement. Let me now recognize the Floor Leader for the adjournment.

ANNOUNCEMENTS

None

ADJOURNMENT

Floor Leader Glenn L. Maratita: On that note, Mr. Speaker, I move 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 2:52 p.m.

Respectfully submitted,

Venetia S. Rosario
House Journal Clerk

APPEARANCE OF LOCAL BILLS

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

SECOND LEGISLATIVE DAY: NONE

THIRD LEGISLATIVE DAY: NONE

Appearance of Measures introduced on the House Floor during the House Session on November 29, 20 17: None

House information on deadlines for override:

GOV. COMM. 20-123: (11/2/17) Informing the House that he vetoed H. B. No. 20-63, HS1, (To require test firing of all firearms as a prerequisite for registration of a firearm.). [**Deadline: 1/1/18**]

GOV. COMM. 20-127: (11/22/17) Informing the House that he vetoed H. B. No. 20-8, HS1, SD1, (To restrict the use of cellular/mobile telephones while driving vehicles; and for other purposes.). [**Deadline: 1/21/18**]