In compliance with the Open Government Act, Senate President Victor B. Hocog issued a notice on November 10, 2015 announcing that the Senate of the Nineteenth Northern Marianas Commonwealth Legislature will convene this open and public session. The notice, the official session call, and the session agenda was filed in the Office of the Senate Clerk; released to the media; and posted at the Entrance Halls of the Office of the Governor, House of Representatives, and the Senate, and on the Commonwealth Legislature’s website at www.cnmileg.gov.mp.

The Senate of the Nineteenth Northern Marianas Commonwealth Legislature convened its Fifth Day, Second Regular Session, on November 13, 2015, at 1:30 p.m., in the Tinian Court House, Tinian, Commonwealth of the Northern Mariana Islands.

The Honorable Victor B. Hocog, President of the Senate, presided.

A moment of silence was observed.

The Clerk called the roll and all nine (9) members were present.

President Victor B. Hocog: With all nine (9) members present, we hereby constitute a quorum to conduct our Order of Business for today’s session, but before we do that, I must apologize and I have to call a short recess so I can put my tie on. I forgot and I don’t want to be penalized by the members. Short recess.

The Senate recessed at 1:31 p.m.

And

The Senate reconvened at 1:32 p.m.
PUBLIC COMMENT

NONE

President Victor B. Hocog: We are back from our recess. We are now on item B, under Public Comments and I would like to ask anyone from the gallery who would like to step forward and make any statement under our Order of Business. If none, let the record show, Madam Clerk, that there is no one that would like to come up and make any statement under the item B on Public Comments.

The Chair recognizes Floor Leader Arnold I. Palacios.

READING AND APPROVAL OF THE JOURNAL

1. SJ 19-10 - 5th Special – 06/18/15
2. SJ 19-11 - 6th Special – 07/23/15
3. SJ 19-12 - Emergency Session – 08/12/15
4. SJ 19-13 - 1st Special during 2nd Regular – 08/17/15
5. SJ 19-14 - 2nd Emergency Session – 09/04/15

Floor Leader Arnold I. Palacios: Thank you Mr. President. We are on agenda item C, Reading and Approval of the Journals. Mr. President, we have six journals, Senate Journal No. 19-10, 11, 12, 13, 14 and 15 on today’s Order of Business and I move to adopt Senate Journal No. 19-10 through 19-15, so move.

The motion was seconded by Senator Steve K. Mesngon.

President Victor B. Hocog: There’s a motion on the floor to adopt Senate Journal No. 19-10 all the way down to Senate Journal No. 19-15. It has been seconded. Discussion on any of the journals?

Several members voiced, “ready”.

President Victor B. Hocog: Ready? Okay, if no discussion, Floor Leader, lets move to item B of our agenda. Sorry. Okay, those in favor of the motion to adopt our Senate Journal No. 19-10 all the way to 19-15, say, “aye”.

Several members voiced, “aye”.
President Victor B. Hocog: All opposed, say, “nay”.

The motion was carried by voice vote.

President Victor B. Hocog: Motion carried. Senate Journal No. 19-10 to 19-15 is hereby adopted.

The Chair recognizes Floor Leader Arnold I. Palacios.

MESSAGES FROM THE GOVERNOR


2. Gov. Msg. No. 19-138: October 28, 2015 – Signed into local law H.L.B. No. 19-23 – To rename Gapet Lane, Dancing Place and Manha Lane to “Tan Marikitan Pan Lane,” “Joeten-Daidai Place” and Nan Iching Lane” respectfully, to pay tribute to their contributions to the CNMI,” became SAIPAN LOCAL LAW NO. 19-9.


4. Gov. Msg. No. 19-140: October 28, 2015 – Signed into law H.B. No. 19-47, HD1 - To amend Title 4, Division 5, Chapter 5, by amending Section 5553 and 5602 to deter the sale and/or resale of products purchased or obtained from the Army and Air Force Exchange Service (“AAFES”) and to authorize the Commonwealth Department of Commerce, Division of Alcohol Beverage and Tobacco Control, to enforce this Act; and for other purposes, became PUBLIC LAW NO. 19-15.


6. Gov. Msg. No. 19-142: November 03, 2015 – Signed into law, H.B. No. 19-101, HD1 –To appropriate Nine Hundred Seventy Thousand dollars ($970,000.00) from the Cancer Fund Special Account, earmarked under 4 CMC §1402(g)(2), to support the programs of the Commonwealth Healthcare Corporation, Medical Referral Services; and for other purposes, became PUBLIC LAW NO. 19-16.

8. **Gov. Msg. No. 19-144:** November 06, 2015 – Signed into law, H.B. No. 19-40, HD2 – To amend 9 CMC Section 8210 (a) (1) and (2) entitled, “Penalties for Violations of 9 CMC §§8203 and 8204” and amend Section 2107 Registration: Expiration and Renewal, and for other purposes,” became **PUBLIC LAW NO. 19-18**.

9. **Gov. Msg. No. 19-145:** November 09, 2015 – H.B. No. 19-83, HD2 – To vest the Department of Finance specifically the Division of Customs with all the fines collected at the ports of entry of the Commonwealth of the Northern Mariana and for other purposes,” became **PUBLIC LAW NO. 19-19** without the Acting Governor’s signature on November 7, 2015.

**Floor Leader Arnold I. Palacios:** Thank you Mr. President. Mr. President, we are on agenda item D, Messages from the Governor. We have nine messages, particularly mostly advising the Legislature of the signing of legislations into bills – legislations into law.

**President Victor B. Hocog:** Are there any comments from the members on the Governor’s Message? If none, let us move on to our next item.

**COMMUNICATIONS FROM THE JUDICIARY**


**Floor Leader Arnold I. Palacios:** Thank you Mr. President. We are on agenda item P, Communications from our Judiciary. We have one communication relative to the Quarterly Expenditure Report from the Judiciary.

**President Victor B. Hocog:** Chairman of the Fiscal, do you have anything to make mention on the quarterly expenditure report?

**Senator Jude U. Hofschneider:** Nothing at this time, Mr. President.

**President Victor B. Hocog:** Thank you. Okay, Floor, continue please

**COMMUNICATIONS FROM HEADS OF EXECUTIVE DEPARTMENTS**


**Floor Leader Arnold I. Palacios**: Agenda item E, Communications from the Judiciary, I mean agenda item F, Communications from Heads of Executive Departments. Mr. President, we have two communications.

**President Victor B. Hocog**: Is there any member that would like to make comments on the Communications from the Executive Departments?

The Chair recognizes Floor Leader Arnold I. Palacios.

**Floor Leader Arnold I. Palacios**: Thank you. Mr. President, I know that this communication comes from the Director of the Division of Procurement and Supply relative to some of the issues of payroll of some of the personnel at Procurement and Supply basically submitting a very disturbing grievances in terms of payroll for personnel within the division during the aftermath of the typhoon. I did try to get in touch with the Secretary to make inquiries, but you know, I kind of stayed away from it because I believe that it is certainly a departmental issue. At the same time express our concern, my concern to the Secretary about hopefully her resolving the issues without given too far [inaudible].

**President Victor B. Hocog**: Thank you, Floor Leader. Is there any other members that would like to make comments on that particular communication?

The Chair recognizes Senator Sixto K. Igisomar.

**Senator Sixto K. Igisomar**: Thank you Mr. President. [inaudible] our Floor Leader on this matter. I mean, I am not sure how would – at least, I should respond, but this, I believe, is a very serious matter and issue as well considering the fact that Procurement is underneath Finance and this form of communication actually is on our desk or in front of us with respect to their plea. I understand that Typhoon Soudelor may have caused the outage on the power and maybe the flooding of Procurement where the five employees are not at their particular job site or detoured elsewhere but I believe that, you know, if it something that is coming from the Director himself, Mr. Herman Sablan, then I am sure that they could of iron this out before it actually got to this level and I really hope that they can fix it. Otherwise, you know, there are things that I am actually exploring, Mr. President, on your behalf of the Senate to have an efficiency in our government for an electronic time card keeping for employees so that there is no falsification of hours by employees in the entire CNMI Government, but somehow this kind of communication [inaudible]discouraging opportunities for [inaudible] and I hope they can fix it up because of course we understand that there is no power and there’s a manual entry and I believe that if the time keeper of Mr. Herman Sablan said they are due, then they are due. So I am just a little bit obtuse as to why such an issue is elevated [inaudible] that we can find some revenue. Thank you, Mr. President.
President Victor B. Hocog: Well, thank you. Thank you Senator Igisomar. I have also looked into this matter and I have discussed this issue with the Secretary of Finance and she also has her story on the side. I guess because of this department’s communication that reached our attention for assistance, I would like to ask and assign this communication directly to our Fiscal Chair to look into this matter and see if communication can be made with the Secretary of Finance to resolve these matters on hand. I believe there are about four employees from the Procurement that has yet to be paid. So with their concern, I would like to find out from the Secretary the reason for withholding such payment for these particular employees. I would like to ask the Chair of Fiscal to look into this seriously and find out the cost of the none payment of their payroll.

Senator Jude U. Hofschneider: Duly noted, Mr. President. When you were asking for a comment, I was going to volunteer to say my take on this, but I am anticipating actually that you are going to be requesting this so I should have that to you as soon as I get a feedback from the Secretary.

President Victor B. Hocog: Thank you lai Chair and it is good to meet with the team when a member can already read what is forthcoming. It makes my job a lot easier.

Senator Jude U. Hofschneider: This is the first time I saw this Mr. President.

President Victor B. Hocog: Oh yeah?

Senator Jude U. Hofschneider: Just today.

President Victor B. Hocog: This has reached my attention since October 13, but I thought it was resolved, but since it was submitted to us officially, then I guess it is proper that we look into it and try and assist them.


The Chair recognizes Floor Leader Arnold I. Palacios.

COMMUNICATIONS FROM THE HOUSE

1. Hse. Comm. No. 19-86: October 29, 2015 – Returning without amendments S.B. No. 19-56 - To amend 4 CMC § 50204 to exempt developer infrastructure taxes from qualifying certificate tax abatement or rebate for the Third Senatorial District; and for other purposes.

2. Hse. Comm. No. 19-87: October 29, 2015 – Returning without amendments S.B. No. 19-58 - To amend 4 CMC § 2111(a) to include a member of HANMI on the Board of Directors of the Marianas Visitors Authority; and for other purposes.

3. Hse. Comm. No. 19-88: October 29, 2015 – Accepted the Senate amendments to H.B. No. 19-37, HD2, SD1 – To transfer the Administration of the Government’s
Group Health and Life Insurance Programs to the Department of Finance, and to amend 1 CMC § 8364; and for other purposes.


5. **Hse. Comm. No. 19-90:** October 29, 2015 – Returning without amendments S.B. No. 19-52 - To amend 9 CMC Section 2116 by adding new subsections (g) and (h); and for other purposes.

6. **Hse. Comm. No. 19-91:** October 29, 2015 – Transmitting for Senate action H.B. No. 19-65 – To prohibit the sale of Areca Nut (Betel Nut) to any person who is under the age of 18 (minors); and for other purposes.

7. **Hse. Comm. No. 19-92:** October 29, 2015 – Transmitting for Senate action H.B. No. 19-89, HS1 – To ban the importation of used tires; and for other purposes.

8. **Hse. Comm. No. 19-93:** November 10, 2015 – Returning with amendments S.B. No. 19-36, SS1, HD1 – To encourage investment and tourism on Tinian and Rota by extending eligibility for qualifying certificates under the Investment Incentive Act of 2000 to casinos on those islands; and for other purposes.

**Floor Leader Arnold I. Palacios:** Mr. President, we are on agenda item G, Communications from the House. We have eight communications all of which are communications relating to House actions on eight pieces of legislations, some Senate Bills, some House Bills. So with that Mr. President, on House Communication No.4 or House Communication No. 19-89, relative to House Bill No. 19-23, I assign this legislation jointly to the Committee on JGL and Fiscal Affairs; House Communication No. 19-91, relative to House Bill No. 19-65, this legislation is assigned to the Committee on Health and Welfare; House Communication No. 19-92, relative to House Bill No. 19-89, HS1, is assigned to the Committee on JGL. Also Mr. President, we note the Communication No. 19-93 relative to Senate Bill No. 19-36, HS1, HD1 which the House acted on with amendments, I like to know that this legislation, this bill, House Bill No. 19-36, SS1, HD1 is on the Bill Calendar.

**President Victor B. Hocog:** So noted. Any other member who would like to make any comments from this House Communications?

The Chair recognizes Senator Justo S. Quitugua.

**Senator Justo S. Quitugua:** Thank you Mr. President. Mr. President, just to acknowledge the House for acting on Senate Bill No. 19-56 reference to House Communication No. 19-86 and thank especially those House members that voted in favor of this Senate legislation and also at the same token, I extend and acknowledgment an appreciation to the House members for accepting the Senate amendments on House Bill No. 19-37, HD2, SD1 relative to House Communication No. 19-88. Thank you Mr. President.
President Victor B. Hocog: Thank you Senator JQ. Any other member who would like to make any comments before we move on to other items on our agenda?

Senator Teresita A. Santos: Ready.

President Victor B. Hocog: Floor Leader, you may proceed.

COMMUNICATIONS FROM THE SENATE


AMENDED TO INCLUDE:


Floor Leader Arnold I. Palacios: Mr. President, we are on agenda item H, Communications from the Senate. We have four communications from members of the Senate.

President Victor B. Hocog: Any members who would like to make any comments from their own [inaudible] that we have on hand?

The Chair recognizes Floor Leader Arnold I. Palacios.

Floor Leader Arnold I. Palacios: I want to thank Senator [inaudible] for attending the Close Up Summit that was held earlier this month or last month. I was not able to attend this. I am very keen to some of the information. I know that some of this information is [inaudible] in our Senate Communication but [inaudible] few minutes if the good Senator can elaborate on the summit itself. [inaudible].

The Chair recognizes Senator Justo S. Quitugua.
**Senator Justo S. Quitugua:** Thank you Mr. President. Mr. President, I was supposed to make the comments when it gets to Senate Bill No. 19-55 under discussion, but since the Floor Leader requested more information, I will be happy to do it at this time. The Close Up Summit was a group of our high school students. Senator Igisomar and myself went down to Fiesta and we were kind of late because we had another meeting at the House. However, we were able to be there when they were presenting their work to the House members. The students selected from a variety of topics and they selected five topics that are more of importance to them and work on these topics. They did their research and came up with their findings. And if you noticed on the Close Up write up from the students, under the findings, or the statement, there’s a recommendation for the Legislature on what they think the Legislature should do to effectuate the topic on page 2 and page 3 of the Close Up report. This is where the students came up with the topic on the shortage of teachers in the Public School System and they also mentioned specifically Senate Bill No. 19-55 and their legislative proposal is requesting the Legislature to pass Senate Bill No. 19-55 because they are experiencing hardships as a result of the lack of teachers and the overcrowdedness in the classrooms. There are other issues, Mr. President, on this report that the committee should really take a closer look at and it looks like the report touches every committee in the Senate. The respective committee can take a look at this and see what the respective committee can do to address the student’s findings and proposal to the Legislature. Thank you, Mr. President.

**President Victor B. Hocog:** Thank you Senator JQ. I would like to ask the Floor Leader to look into issues of concern made by this report and see if we can assign some issues to the respective committee for any input or any solutions that can address the concerns of the students and perhaps Senator JQ is correct that it addresses each committee of concern, so probably it’s good Floor Leader that you look into that and provide the respective committee members with the issues on hand to come up with some sort of recommendation to assist this recommendation in meeting their needs. Thank you. I will recognize the Floor Leader, Senator JQ before I recognize you. Go ahead Floor Leader.

**Floor Leader Arnold I. Palacios:** I will certainly be happy to do that for the members.

**President Victor B. Hocog:** Okay, thank you.

The Chair recognizes Senator Justo S. Quitugua.

**Senator Justo S. Quitugua:** Thank you Mr. President. Mr. President, since we have two staff from PSS and they are in the finance area, I would like to also bring to their attention the Close Up student’s concerns regarding the lack of transparency of PSS in reference to their finances. What the students are saying is that PSS should be more transparent in terms of the money allocated to the Public School System.

**President Victor B. Hocog:** I guess we will be discussing House Bill No. 19-59 and maybe that should be at the right time to get some feedback from PSS {inaudible} with us and before I move to our next Order of Business. Let me just recognize our Chairman of the Municipal Council, Mr. Ray Cing and other members that just walked in to attend the Senate Session. Welcome. Floor Leader, you may continue.
**Floor Leader Arnold I. Palacios:** Mr. President, we just *inaudible* on agenda item H.

**President Victor B. Hocog:** Okay, also maybe I would like to ask the Chair, Senator Hofschneider, to provide us a little highlight of the Tinian *inaudible*. I know that you have a communication on this, but maybe it will be in the best interest for the members of the public and other members here to understand the communication that you submitted in as Senate Communication No. 19-60. Thank you Senator Hofschneider. You may proceed please.

**Senator Jude U. Hofschneider:** *inaudible* Mr. President, but before I *inaudible*. Thank you.

Anyway, Mr. President, the origin of this position letter and communication to the Pacific Regional Director stem from the efforts or the attempt to re-enlist the Tinian Monarch back into the endangered species list which was – there was an issue that actually was stemmed back from years ago. At one point in time, this particular type of bird was endangered of extinction. So therefore, the local Fish and Wildlife was in full support of the Federal Fish and Wildlife’s effort to protect this. So with that, they were successful and about ten to fifteen years thereafter, they found out that there was an exponential increase of the population, despite all any developments over the years in the CNMI, big or small, the bird population has increased exponentially so they listed. Meaning it was never taken out of the endangered species list. Another effort was being commuted to or proposed to re-enlist it back and we feel, Mr. President, the letter actually is asking basically the Regional Director to take a stand back and allow the local Fish and Wildlife efforts because over the last five years, or the last couple of years, they have been working towards expanding the habitat of such bird as indicated in this letter and again, this came from information derived from my meeting with the Department or the Division of Fish and Wildlife a couple of weeks ago upon learning about these efforts by the Federal Fish and Wildlife. So this is just a very front or how do you say this, maybe a proactive approach as to asking the Fish and Wildlife Federal Agency to allow the program being enforced and administered by the local Fish and Wildlife to allow about their efforts they have been doing over the last couple of years to let their efforts come to fruition before they jump in and try to take over what is already being done to increase the population of such bird. One being, probably one of the revelation that I got from the Department of Fish and Wildlife is that they have actually translocated some forty-nine Monarchs to the island of *inaudible* so they are moving the birds to the island of *inaudible* and the subsequent years or the next couple of years they plan on bringing it over to Agrihan and Pagan. So as indicated, Mr. President, as evidence, we are doing our job here. The Fish and Wildlife in this case is doing the efforts to expand the habitat. At the same time, there was no need, absolutely no need for the federal authorities to actually jump the gun and take over what has already been doing and maybe our good Floor Leader here being the former Director of the Division of Fish and Wildlife and the extensive knowledge that he has, he can probably chime in and help me out on this as far as this efforts concern. So I hope that I explained a little bit of that *inaudible*.

**President Victor B. Hocog:** Thank you Senator Hofschneider and if I may allow the Floor Leader to just brief the members on what percentage of increase population that have grown around here prior to dispatching some of these *inaudible* Monarchs to other areas.

**Floor Leader Arnold I. Palacios:** Thank you Mr. President. In 2001 and I believe 2007, there’s a lot of efforts to convince the US Fish and Wildlife service that the Tinian Monarch warrants enlisting on the endangered species list. At the time that they decided to be listed was when the military, the
Department of Defense, made a very clear statement to [inaudible] by the Mayor of Tinian regarding what the Department of Defense’s plans were in regards to two-thirds of the latitude and at that time, the Department of Defense came out very clearly and said we don’t have any immediate plans. So the population had increased at the time and therefore when we requested Fish and Wildlife service to consider the [inaudible] the Monarchs so that other development activities could occur on the Second Senatorial District without the onerous requirements of going through all the permitting process that would entail if this species was still listed. That is the danger so we petition for them to be listed and they went ahead and did that because at the time we believed that the military had no intention. Be that as it may, the Department of Lands and Natural Resources through other non-government organizations such as the Association of American Zoos who are used to propagating and translocating species that have been listed [inaudible] or endangered species list came in to help. So we have been translocating what our now called the experimental population to some of these islands to see how they take off on different habitats in the Northern Islands. So the division and the department have translocated different species of birds to Sarigan and Agrihan. Fast forward to today, one of the reasons why, from my understanding, because I had the opportunity to talk to some of the folks from the regional office in Hawaii who were here in Saipan, two days ago and they were here yesterday. In fact, talking to the Mayor for a courtesy visit yesterday about this particular issue and they have not put out the proposals yet. They have not put out an [inaudible] action item. What they have and what we are referring to is a petition, a petition by a third party non-government organization called The Center of Biological Diversity. This organization has petitioned, officially petitioned, the US Fish and Wildlife service to re-list the Tinian Monarch back to the endangered species because of now what they justify is a potential and highly likely military activities that are going to be happening on Tinian, two-thirds of Tinian and this issue in on the table. I certainly appreciate and discussed this with Senator Hofschneider and I. I think that it is important and we as representatives of these communities explain our positions because the enlisting of this will have a far reaching implications for any large developments [inaudible] or other big developments [inaudible] every time you are going to have this. If you look at further ahead, if the military does in fact and it’s highly likely that they will have these activities here on two-thirds of Tinian, they are in the position to mitigate because they have a lot of funding’s, they have a lot of resources to mitigate to an acceptable level of what is called take. The consequence of that, the [inaudible] the people of Tinian will now have to deal with the population with the one-third. Is this community ready to handle that and what type of policy can US Fish and Wildlife service set up so that those issues are taken into consideration. Thank you.

President Victor B. Hocog: Thank you Floor Leader. I just have one concern, Floor Leader, this Tinian Monarch, are they territorial?

Floor Leader Arnold I. Palacios: I don’t know. [inaudible] They are basically endemic to Tinian. They only occur on Tinian. That is why they are called the Tinian Monarch. This species of bird occur here. Fortunately, what we’ve had in the program is that we have had translocation to [inaudible] and hopefully that population will take whole.

President Victor B. Hocog: Yeah, I am concerned with the issue particularly that Tinian is beginning to rise on major development and the impact of that if not answered it will impeach the development and the growth on the island and that is why I ask if this species is territorial and if it is, then I know that if they are disturbed in the area that they will leave the place temporarily but
definitely they will come back and *rehabitat* at their turf and is it only one place on the island that this species can survive and not the whole island of Tinian?

**Floor Leader Arnold I. Palacios:** From what we gather over the years, Mr. President, is that the Tinian Monarch tried a secondary habitat. A lot of the native habitat prior to war in fact were destroyed but they have adapted to the existing monogamous habitat of the *tangantangang* [inaudible]. So that is why they are thriving today, but I think what happened, what the issue today that we are looking at is that the third party non-government organization has petitioned and so Fish and Wildlife certainly by law has to look at that petition.

**President Victor B. Hocog:** Okay, thank you.

The Chair recognizes Senator Jude U. Hofschneider.

**Senator Jude U. Hofschneider:** Thank you Mr. President. It may seem like perhaps maybe I kind of jump the gun but part too often Mr. President, there are some outside source and some non-profit NGO’s that are actually speaking for us that never really been here, set foot on our islands, and then they are making a petition for us without our — or you know, *ti priparao hit nai*. So therefore, I feel *na* it’s important that at least make them know that we have some concerns with such a position that they have in this case a petition to consider. I don’t think it’s too early to do so. I think it’s a good indication to forewarn them that we created a bunch of executive departments, one being your copartners by way of Division of Fish and Wildlife under the Department of Lands and Natural Resources and they are doing a satisfactory effort in jobs to try and mitigate what we have here that needs the attention. So I appreciate the support, Mr. President and members, regarding this position and I also- you mentioned that the Chairman of the Council is here. I am sure that Chairman Cing – I hope that he is in the same position as he just indicated for the Mayor and the rest of the delegation. I am interested to see where this is going to go from here.

**President Victor B. Hocog:** Okay, thank you Senator Hofschneider. I am a little bit – in terms of this issue, for being one of the first to experience these issues regarding the Marianas Crow and that is why I asked the Chair or the Floor Leader being the former Secretary of DLNR and Chief of Fish and Wildlife that I ask or I am concerned with the statement that I made whether it’s a territorial species or not because I went across from working on the SNM project on Rota where the Marianas Crow became the highlight of obstruction, you know, to the development. I found out that yes, in any development definitely if you are to disturb the area that these species will move around for a while, but I found out, you know, that we saw that they returned back to their place of habitat. My concern here is that I am glad that you are doing this earlier than not, you know. We don’t want to see a development start and then to be halted back because of this issue, but I know that we were given mitigation to work on during the construction of the Rota Resort. The construction shall be ceased for the next hundred days if and so there is eggs identified around the area where the development is ongoing. So that leaves a substantial delay of accomplishment from the development and at that time, you are not allowed to come a hundred feet until the eggs are hatched and the young bird will begin to fly and then you can come back but that is just *inaudible* Marianas Crow will return back to their habitat areas. So I am asking whether this Tinian Monarch, if we disturbed their area during the construction, will they return back after the construction is settled because if not, then it’s going to impose a lot of concern from the federal side, but I am happy that our local enforcement
are up to date and up to par in ensuring that they are monitored and by identifying the substantial growth, it shows that the local authorities [inaudible] without any intrusion from the federal side for more complexity in terms of moving forward on the islands development.

The Chair recognizes Senator Jude U. Hofschneider.

**Senator Jude U. Hofschneider:** Mr. President, [inaudible] to interrupt the discussion, but just to reference some of the numbers. In 2008 there is fifty-six thousand [inaudible] five years later, it’s ninety thousand, six hundred, and thirty four. So there is about a thirty-four thousand increase. A little bit over thirty thousand increase in population just within that five year span is an indication of a growth [inaudible].

**President Victor B. Hocog:** [inaudible]

**Senator Jude U. Hofschneider:** And maybe in the future, it may not be called Tinian Monarch anymore because if they are able to be translocated and build their population in Guguan it can be called Northern Marianas Monarch.

**President Victor B. Hocog:** So Floor Leader, this species have been listed already for now?

**Floor Leader Arnold I. Palacios:** Yeah, it was listed [inaudible] and because of the increase in the population to a level that [inaudible] warrants the [inaudible].

**President Victor B. Hocog:** Alright.

**Senator Jude U. Hofschneider:** Thank you Pres.

**President Victor B. Hocog:** Any other?

The Chair recognizes Senator Steve K. Mesngon.

**Senator Steve K. Mesngon:** Thank you Mr. President. It is good lai that we bring this issue again up. That [inaudible] give a highlight. I was having some committee, you know, last night down on Rota. They came in from Guam and they brought up also this same issue that we had that twenty-three species earlier that I was really not pleased [inaudible] from Rota, but I don’t know if this comprehensive plan that they are doing also on Tinian was a collaboration also with Rota, they were having and I want to ask the Fish and Wildlife Division here on Saipan if they are aware that they are having public hearings also on Rota in regards to the earlier twenty-three species that was proposed for Rota and they brought up that issue last night during the conversation. We were having a conversation and I wasn’t really familiar that they – some of the committee members were saying that they passed it. I said, I don’t think so. Those are proposed and probably those are public hearings that they are doing and I am not sure if Senator Jude is referring the same thing that they are doing a petition on this issue also collaborate with what the twenty-three species that area also involving Rota issue and I am very concern on this and it is good that Senator Jude, you know, air this thing out on Tinian Monarchs and Rota issue also is a very big concern for us. I think if we stand together and all the members here, we have to protect also all the interest of our islands
because if this intrusion, like what the President was saying, this federal people come in here and try to [inaudible] protection with all these species, we won’t be able to, you know, develop any future investment if for the CNMI and I am very, very proactive, Mr. President, on this kind of issue and members because Rota itself is a very, you know, depressed island and that is why I am really, really concerned about this federal issues coming in to our small island and I applaud the Division of DLNR, you know, in [inaudible] all the committee on what is going on in these kinds of issues. I urge Secretary Seman to [inaudible] look at Rota as well as Saipan and Tinian and the rest of the Northern Islands because I am a little bit concern about these issue that they are bringing this development of species and they are worried, the committee on Rota is getting worried about this and I would like to jointly with the members – I applaud Senator Jude that [inaudible] unless also if they are having another petition for Saipan and the rest of the Northern Islands as Rota and Tinian is also being targeted on these kinds of issues and I am very, very optimistic and I am still proposing all those from the beginning when those members of the feds came up to our chamber. I am still on that positon that I am not pleased on what their way through with this. It will likely kill our investment prospects and proposal for any future development on the island. So, Mr. President, I would just like to air that out and I want to see that the Fish and Wildlife locally be giving up the information regarding these kinds of issues. Thank you Mr. President.

**President Victor B. Hocog:** Thank you Senator Mesngon. I am very confident and I am pretty sure that our able Floor Leader is on top of that issue too in helping both islands on the issue on trying to put other endangered or listed prospect to be made as an endangered species or protection for other plants as well and like you said, I agree that prior to all these we need to have a good public hearing conducted on the respective municipalities so people can hear their concerns as well.

The Chair recognizes Senator Sixto K. Igisomar.

**Senator Sixto K. Igisomar:** Si Yu’us Ma’ase Mr. President. Before I [inaudible] giya este i chuchurika na paluma?

**Senator Jude U. Hofsneider:** Yes, hunggan. Unu na species is the chuchurika lao giya este similar este yan ayu i fan tail. Ayu en a’a’bak an ti lachi yu. Ayu i fan tail lao este ti fan na tunas ha.

**Senator Sixto K. Igisomar:** Okay, Mr. President, magahet dinanche si Floor Leader na man gaige ayu siha i taotao Fish and Wildlife gi nigap. Mu ásodda’ ha ham gi nigap ya hu faised siha na kuestióna, parehu ha na kuestióna hu faised annai giye yu California gi bandan ayu i coral reef pot este i climate change. The question I asked was when and what time, certain time period will a species be considered to be endemic or to be from a particular region. En oppeña ilékña na that is a very, very loaded question. Meaning to say, having that question he can’t just answer. Lao generally speaking para bai atan ha, Mr. President, este gi halom google. Este na paluma is considered to be a bird that is transferred through the old time when there were ships traveling into our [inaudible]. Ya ilékña na gi magahet ginen South Sahara Africa, Madagascar, Indian Ocean pues ti atman malak Japan, New Guinea, Australia pues hu manao para i Pacific Islands yan guatu giya Micronesia, Malaysia, Polynesia yan Hawaiii. Pues para guahu na komu este na paluma ginen Madagascar pues tumainamu na ginen este na paluma na tisiña para ta pacha? Ayu gue na para guahu para i Fish and Wildlife nai, kao magahet un na este na banda na gaige este na paluma sa komu ginen
Madagascar pues guaha este na paluma gi Madagascar. Ayu guatu ni ma tutuhon iyon ñiha protection. Si Yu’us Ma’ase, Mr. President.

President Victor B. Hocog: Okay, bonito enao na statement Senator Igisomar. Chule ha fan este ya un google hafa este i chuchurika nai. i na’aña chuchurika yan i otro ayu ilékña si Senator Jude ayu i paluman a’abak. Tulaika fan ayu i na’aña i paluman a’abak ya un atan ayu ta’lo ayu ma a’agang ko’ko’randi ya ilékña na enao na enao na palabra mas dinanche i ko’ko’randi sa atan ha i hinaoña enao na paluma. Ginen manu, tumaimanu gumof taimanu na matto. Pues kumeke’ilékña na ko’ko’randi enao na gag. Ahe ti ena’abak sa ha a’dancheha ma magi lao bula hinaoña ya enao na ta a’agang paluman ko’ko’randi.

The Chair recognizes Senator Francisco Q. Cruz.

Senator Francisco Q. Cruz: Thank you Mr. President. Mr. President, I heard that members testimonies in regards to the Tinian Monarch. [inaudible] believe also that less activity going on in Tinian or in the CNMI less budget for the federal staff. So I truly believe lokkue na they are trying to impose like what Senator Mesngon said, that we met some Federal Fish and Wildlife up in Saipan and they are trying to impose additional species, like plants and animals for the endangered and [inaudible] and the Floor Leader is right, because of this military activity, but I think it is not fair for the community of the Commonwealth especially here on Tinian that whenever the feds need something or they have an interest to leave an endangered species on their own interest, but the interest of Tinian, we lack infrastructure here. We are still growing and we are trying to [inaudible] potential investors coming and with this idea to impose the same that they [inaudible] to also drive away potential investors [inaudible]. So, I [inaudible] believe we should stand together as one to support one another in this kind of [inaudible]. I thank all the members about the testimonies or making comments to help one another to take our islands economic development. Thank you, Mr. President.

President Victor B. Hocog: Thank you Senator Cruz. Like I said nai the Nineteenth Senate actually just [inaudible] our able Floor Leader who has been there and understands the spectrum of operations in what is good and what is not so good. What is bad and what is very bad for the economic development and we are blessed that we have him with us to guard us and direct our attention as to what are legitimate issues and what are just the speculations that as what you are trying to imply that they are reducing the federal budget for all these people and they are trying to find some justification for them to stay on board and that is how all these speculations are coming around. Imagine Senator and the public that what you call this in Chamorro ayu i dulalas, ababang dulalas ayu para hu ma na endangered yan tisiña ma pacha. Ya i apacha kinakanu ni paluma. Ahe ti hita kumakanu nai. Yanggen man gaige buente China siña ta alok na ayu gue na ma na endangered sa kontodu ayu ma fa sesena nai. Lao este gue siha ayu ilé’léku nu ti man gof prisisu este siha magahet para hu mana fan halom tat komu ayu ilé’lékña si Senator Mesngon Rota is going to be hit with seventeen, Floor Leader, possible endangered species to be include plants and some of these plants are considered herbal that our ancestors have been using for years in treating illness to different cause or sickness of our people and even with this, they are trying to incorporate that into the endangered species and I agree that we should strongly come up and urge them to conduct a public hearing so that we can basically and clearly understand what are these potential species that they are trying to make it on the protective endangered species list. It will be very disrespectful for the
federal to do that to our ancestors making medication from our natural herbal leaves and we cannot harvest that to treat the patient. It is very uncalled for. So with that, I hope that when the time comes and we heard earlier the concern of Senator Jude [inaudible] I hope that we can come up with another joint letter for a resolution to air those concerns [inaudible]. Thank you again for those concerns.

The Chair recognizes Floor Leader Arnold I. Palacios.

**Floor Leader Arnold I. Palacios:** Thank you Mr. President. Mr. President, before we part from this [inaudible] I believe Senator Igisomar will like to request….

**Senator Sixto K. Igisomar:** Thank you Floor Leader. I was wondering if we can add to our communication, Senate Communication No. 19-63 [inaudible].

**Floor Leader Arnold I. Palacios:** Let me – Mr. President, can I ask for a one minute recess.

**President Victor B. Hocog:** Short recess.

The Senate recessed at 2:29 p.m.

And

The Senate reconvened at 2:30 p.m.

**President Victor B. Hocog:** We are back to our plenary session. Floor Leader, you have the floor.

**Floor Leader Arnold I. Palacios:** Thank you Mr. President. Mr. President, Senator Igisomar has a very, I believe, a very important communication that he has submitted. Unfortunately, he is not able to submit it before the seventy-two hours for our calendar, but with that, Mr. President, if there is no objection, I move to suspend pertinent rules so that we can place Senate Communication No. 19-63 on today’s Order of Business for discussion purposes, so move.

Several members voiced, “second”.

**President Victor B. Hocog:** Okay, there’s a motion on the floor and it has been seconed to consider - the rule has been a motion to suspend or to amend or to suspend the rules to include Senate Communication No. 19-63 to be in the Order of our Business under item H. Those in favor of the motion say, “aye”.

Several members voiced, “aye”.

**President Victor B. Hocog:** All opposed, say, “nay”.

The motion was carried by voice vote.
President Victor B. Hocog: Motion carried. Senate Communication No. 19-63 is hereby included in today’s agenda for possible discussion.

Floor Leader Arnold I. Palacios: Mr. President.

The Chair recognizes Floor Leader Arnold I. Palacios.

Floor Leader Arnold I. Palacios: With that Mr. President, we shall give the floor to Senator Igisomar to give us a briefing.

President Victor B. Hocog: Thank you Floor Leader. Senator Igisomar, you may have the floor.

Senator Sixto K. Igisomar: Thank you Mr. President and I just wanted to state that I am very happy and glad and totally appreciate the body for allowing Senate Communication No. 19-63 to be on the floor and discussed considering the significance with respect to the fact that we have most of the PUTC members of our body of the Senate and that this letter left the committee yesterday and at the same time, this letter has been at the request of the committee since June of this year and the reason why we never left is the fact that the fiber optic cable of the IT&E crashed and the letter that was recommended for investigation by the committee was further amended to include the crash of the fiber optic cable and thereafter, immediately, we have Typhoon Soudelor and we amended the letter again to add Typhoon Soudelor items and so the letter has expanded. So this is the first of approximately the four letters that will be leaving the committee, Mr. President. This letter, of course, has been geared toward network outage to IT&E requesting information from IT&E at the same time, requesting for some sort of respect from IT&E to treat the committee and give the committee a responsive response. Something that is responsive with respect by the request of the committee or rates that the committee requested from IT&E. On Monday there will be two further letters that will leave the committee. They are ready but they are strategically being released. There will be two letters. One will be on infrastructure and one will be on the affordable access for the people of the CNMI and the fourth letter, if nothing further is or no further response comes from IT&E will be the letter to the Inspector General. Now, Mr. President, really the impetus to release this letter occurred because what transpired in the House last Friday on Rota when the House rejected the Senate Joint Resolution No. 19-03 which was authored by the Floor Leader requesting for some sort of communication or a liaison or somebody to exist between the Governor and all the telecommunication activities that is happening in our CNMI. When that was rejected, it gave the imputes to the committee to immediately release this lever because I just don’t understand and I hope that this is the right timing and I know that our Floor Leader will be introducing his resolution, but I don’t understand why there is no sense of comprehension of how significant the damage and the sufferings of the fiber optic cable is to the CNMI. It actually already hit national attention. It is significance to national security. There are even new proposed rules in the CFR because of that cable severance. The FCC is actually reviewing of all the [inaudible] fiber optic cable that are [inaudible] for the United States and owned by the United States. They are reviewing a proposal whereby the owners, the private owners of such cables should actually inform FCC if there is ever such a severance, but never such a rule existed before, but because of IT&E, this is the first time a rule is being proposed. So in essence, to me, it’s of great significance. So outside of the [inaudible] profits, meaning outside of the design to Docomo or Guam Telephone Company or [inaudible] for
regulation fees, FCC whether FCC should do it or not do it or should be concerned on how the private companies feel with respect to laying cables. We the CNMI must fight when we see inadequacy and inconsistency with allowable transparency regarding our local incumbent, local exchange provider. That statement, and I know it’s all written on this letter, Mr. President, it may be self-explanatory, but generally speaking, I feel very insulted when I heard that there was a transaction or a vote on Rota and that the Joint Resolution by the Senate was rejected. So I believe that they might not be seeing the problem and the issue and there are current negotiations ongoing on who is supposed to get the cable. There are current ongoing negotiations with respect to the hospital, NMC and PSS. Although there is no commitment, there are discussions ongoing which means there are discussions that has yet to reach the national level, national [inaudible] as to CNMI level, then it means that truly they must be [inaudible] and I believe that was all the Floor Leader was asking is that we need a champion to coordinate, collaborate, all the transactions, communications that is going on our cable. Si Yu’us Ma’ase, Mr. President.

**President Victor B. Hocog:** Thank you Senator Igisomar and I would assume that the resolution that you will be claiming that is being rejected by the – the Joint Resolution being rejected by the House, some of these issues are incorporated in the resolution?

**Senator Sixto K. Igisomar:** [inaudible].

**President Victor B. Hocog:** Thank you. Any other member who would like to make any comments on Senate Communication No. 19-63? If none, then we will work on the – Floor, I believe he will be reintroducing the resolution and maybe we can expound more on this issue and to send signal of an utmost significant and importance to the executive branch without the blessing of the House of Representative thereof.

The Chair recognizes Floor Leader Arnold I. Palacios.

**Floor Leader Arnold I. Palacios:** Short recess Senator Igisomar.....

**President Victor B. Hocog:** Short recess.

The Senate recessed at 2:35 p.m.

And

The Senate reconvened at 2:45 p.m.

**President Victor B. Hocog:** We are back to our plenary session. Prior to recess, we are still under the Senate Communication, item H. Floor Leader, you may begin.

**Floor Leader Arnold I. Palacios:** Thank you Mr. President. Mr. President, I believe we have discussed at length a couple of the concerns at least. With that, I believe we move to agenda item M, Reports of Standing Committee.
President Victor B. Hocog: Prior to that, Mr. Floor Leader, we have two resolutions here probably that needs to be introduced or are we just going to act on that on item N or under item O?

Floor Leader Arnold I. Palacios: Thank you for that.

President Victor B. Hocog: Thank you.

COMMUNICATIONS FROM THE WASHINGTON DELEGATE

NONE

UNFINISHED BUSINESS

NONE

PRE-FILED BILLS, INITIATIVES, LOCAL BILLS, AND RESOLUTIONS

NONE

INTRODUCTION OF BILLS, INITIATIVES, LOCAL BILLS AND RESOLUTIONS

1. S.R. No. 19 -22 - Respectfully requesting the Marianas Visitors Authority to collaborate with the Department of Public Works to subsidize a tourist destination enhancement project at the Paseo De Marianas area which involves re-routing the vehicular routing system of the entire block or area of Paseo De Marianas, designating certain streets as one-way streets, and adding new parking stalls in order to reduce traffic congestion, ensure traffic safety, and increase public parking spaces in the Paseo De Marianas area. (SEN. JUSTO S. QUITUGUA – 11/13/15)

2. S.R. No. 19-23 - Respectfully urging the Governor to appoint a Special Assistant for Public Utilities & Communications to develop a comprehensive policy and plan on the development and expansion of public utilities and communications infrastructure and services including broadband internet in the Commonwealth. (SEN. ARNOLD I. PALACIOS – 11/13/15)
**Floor Leader Arnold I. Palacios:** Introduction of Bills, Initiatives, Local Bills and Resolutions. Are there any members [inaudible].

The Chair recognizes Senator Justo S. Quitugua.

**Senator Justo S. Quitugua:** Thank you Mr. President. Mr. President, I am officially introducing Senate Resolution No. 19-22.

**President Victor B. Hocog:** Okay. Thank you. Any other member who would like to introduce, Floor Leader?

**Floor Leader Arnold I. Palacios:** Mr. President, I am introducing Senate Resolution No. 19-22. This is a Senate Resolution. This Senate Resolution basically is the same resolution that Senate Joint Resolution No. 19-03 that the House has rejected. If I may, Mr. President, I would like to [inaudible] and articulate a little bit.

**President Victor B. Hocog:** Do you want to articulate that when we come to the adoption of the resolution? This is just the introduction.

**Floor Leader Arnold I. Palacios:** This is the introduction. We are not going to…

**President Victor B. Hocog:** Are we placing this on today’s calendar?

**Floor Leader Arnold I. Palacios:** No, we are not [inaudible] next session.

**President Victor B. Hocog:** Why? You don’t want it today? You want to revive?

**Floor Leader Arnold I. Palacios:** Well, we will do it on Saipan when the House members …..

**President Victor B. Hocog:** It is your call Chair. You are the author of the resolution so it’s your call, but your team is ready to act and ready to roll if you would like. Do you want to put this on the calendar? We don’t have to adopt it, but expound the resolution if that is what you want and we will have the resolution remain on the calendar.

**Floor Leader Arnold I. Palacios:** Let me restate my introduction. It’s Senate Resolution No. 19-23. If there is no objection, I would like to move that we suspend the rules and just put this on the Resolution Calendar for discussion purposes Mr. President, so move.

Several members voiced, “second”.

**President Victor B. Hocog:** Okay. There’s a motion to amend or to suspend the rules to place Senate Resolution No. 19-23 under the Resolution Calendar for discussion purposes only at that point. Floor Leader, how about Senate Resolution No. 19-22, has it already been introduced, or 23?
**Floor Leader Arnold I. Palacios:** It has already been introduced. Senator Quitugua would rather that we wait until the next session.

**President Victor B. Hocog:** Okay, thank you. Alright, okay, Floor Leader, move on.

**Floor Leader Arnold I. Palacios:** We still have to ask the question for suspension and placement.

**President Victor B. Hocog:** I thought there’s already a motion on the floor to place that for discussion only, but I have not called for any [inaudible].

Several members voiced, “second”.

**President Victor B. Hocog:** Okay, those in favor to place Senate Resolution No. 19-22 on today’s order or 23 under the Resolution Calendar for discussion purposes only, those in favor of the motion say, “aye”.

Several members voiced, “aye”.

**President Victor B. Hocog:** All opposed, say, “nay”.

The motion was carried by voice vote.

**President Victor B. Hocog:** Motion carried. We are now on item M. No bills to be introduced? None? Okay Floor Leader.

### REPORTS OF STANDING COMMITTEES

1. **Standing Committee Report No. 19-52:** From the Committee on Judiciary, Government and Law reporting on S.B. No. 19-55, SD1 - To repeal and reenact 3 CMC § 4972(b)(1).and (b)(3), to allow the Public School System to hire non-resident workers as classroom teachers for STEM (science, technology, engineering, math), special education and related services, and also to allow the Northern Marianas College to hire nonresident instructors; and for other purposes. (ADOPTED)

2. **Standing Committee Report No. 19-53:** From the Committee on Fiscal Affairs reporting on H.B. No. 19-59, HD1 - To authorize the Commonwealth of the Northern Marianas Islands Public School to enter into a loan agreement for a sum not to exceed $3,000,000.00 for the purposes of building additional classrooms, Early Head Start Centers, and to pave roads and parking lots at its facilities in Rota and Tinian; and for other purposes. (ADOPTED with amendments AMENDMENTS)

**Floor Leader Arnold I. Palacios:** Thank you Mr. President. Mr. President, we are on agenda item N, Reports of Standing Committee. We have one or two Standing Committee on today’s
Order of Business, Standing Committee Report No. 19-52 relative to Senate Bill No. 19-55, Senate Draft One. I move for the adoption of this Standing Committee Report.

Several members voiced, “second”.

President Victor B. Hocog: Discussion? I guess it’s a right time to – there was a recommendation by the Fiscal Chair to call the two PSS to rise, the members to rise into the Committee of the Whole and since we are dealing with the Committee Report is that correct Floor Leader?

Floor Leader Arnold I. Palacios: The next one.

President Victor B. Hocog: Oh, okay. So for the adoption then of the Standing Committee Report No. 19-52, discussion.

Several members voiced, “ready”.

President Victor B. Hocog: Those in favor of the motion to adopt Standing Committee Report No. 19-52, say, “aye”.

Several members voiced, “aye”.

President Victor B. Hocog: All opposed, say, “nay”.

The motion was carried by voice vote.

President Victor B. Hocog: Standing Committee Report No. 19-52 is hereby adopted by the full members.

The Chair recognizes Floor Leader Arnold I. Palacios.

Floor Leader Arnold I. Palacios: Mr. President, I move for the adoption of Standing Committee Report No. 19-53 relative to House Bill No. 19-59, House Draft One, so move.

Several members voiced, “second”.

President Victor B. Hocog: Okay, there’s a motion on the floor for the adoption of Standing Committee Report No. 19-59, HD1.

Several members voiced, “second”.

President Victor B. Hocog: Discussion?

Senator Jude U. Hofschneider: Mr. President.

The Chair recognizes Senator Jude U. Hofschneider.
**Senator Jude U. Hofschneider**: Mr. President, if there is no objection and if I am in order, may I request on behalf of the Fiscal Affairs Committee to resolve into the Committee and allow the representative from the Public School System to do a brief presentation on the intent of House Bill No. 19-59, HD1 and that would also allow the members and you, Mr. President, some, you know, opportunity to ask questions prior to adopting this Committee Report.

**Senator Teresita A. Santos**: No objection.

**President Victor B. Hocog**: Okay, there’s no objection to rise into the Committee of the Whole. So we will then call the two PSS personnel to come up and present your or highlight the committee with respect to your concern. At this time, I would like to ask the Floor Leader to be the lead Chair on the Committee of the Whole. So those in favor of the motion to rise into the Committee of the Whole, say, “aye”.

Several members voiced, “aye”.

**President Victor B. Hocog**: All opposed, say, “nay”.

The motion was carried by voice vote.

**President Victor B. Hocog**: Motion carried.

*The Senate resolved into the Committee of the Whole at 2:55 p.m.*

*and reconvened its plenary session at 3:25 p.m.*

**President Victor B. Hocog**: We are back to our plenary session.

The Chair recognizes Senator Jude U. Hofschneider.

**Senator Jude U. Hofschneider**: Thank you, Mr. President and I believe the standing question remains, the adoption.

**President Victor B. Hocog**: Yes. We are still under discussion.

**Senator Jude U. Hofschneider**: Thank you. Mr. President, if that is the case, if I am in order, may I offer a floor amendment of the report and replace page 2, replace the second paragraph for an amendment and the intent of this floor amendment, Mr. President, is just to include the discussion from the committee during the meetings to insure that the legislative intent in support of this bill is at least at the minimum embedded in the Committee Report that we are about to adopt. So if I may, would you like me to read in verbatim?

**President Victor B. Hocog**: Well, I guess you should direct us, navigate us, to which amendment that you want us to replace or insert in the Committee Report, Senator Hofschneider.
Senator Jude U. Hofschneider: On page 2, on the Committee Report, on the second paragraph where it says, “Your Committee discussed the possibility..”

President Victor B. Hocog: Okay.

Senator Jude U. Hofschneider: So, I would like to request that we delete it in its entirety and replace it with this particular amendment and let me read it out for the record. Your Committee and I will give the Clerk to embed into the final disposition of the……

President Victor B. Hocog: Please go ahead and read your floor amendment.

Senator Jude U. Hofschneider: Your Committee made mention that if PSS [inaudible] were to ever experience a shortfall of funding in the future, which may hamper the ability to fully complete the project, recommended increasing the loan threshold from three million to five million dollars. However, PSS informed your committee that the three million as passed by the House should be considered by the Senate because changing the amount of the [inaudible] and the legislative process. Furthermore, your Committee requested PSS to highly consider the inclusion of the repairs of the Tinian Elementary School perimeter fence as it is currently in really bad condition. The new proposed road leading to and from the Head Start Center must also be provided with a safety barrier of at least four feet chain link fence on both sides of the road and the barrier fence must be connected to the perimeter fence line. In addition, your Committee highly recommends that any unused allocated funds for Rota and Tinian School shall remain in the respective Senatorial District for other projects that may be needed. Again, Mr. President, this is the amendment to the Committee Report.

Senator Teresita A. Santos: Second.

President Victor B. Hocog: So Chairman Hofschneider, on the second paragraph you are deleting the entirety of that paragraph and replacing with that floor amendment?

Senator Jude U. Hofschneider: That is correct.

President Victor B. Hocog: The whole second paragraph on page 2?

Senator Jude U. Hofschneider: Page2, the whole second paragraph.

President Victor B. Hocog: Discussion on the floor amendment?

The Chair recognizes Senator Sixto K. Igisomar.

Senator Sixto K. Igisomar: Senator Jude, para bai na klaru ha enao na amendment na un na halom, kulang ha mention na para un ame’menda para un hatsa gi five lao kao ha mensiona gi halom enao na paragraph na este ta hatsa gi five pat ahe?

Senator Teresita A. Santos: This is just the Committee Report.

Senator Sixto K. Igisomar: Hunggan nai lao i Committee Report ha tatti’iyi i …
Senator Teresita A. Santos: [inaudible] to the bill.

Senator Sixto K. Igisomar: To the bill right?

Senator Jude U. Hofschneider: That is a very good question Senator Sixto. We may reword this to say that we have already made the threshold, the law ….

President Victor B. Hocog: Short recess.

The Senate recessed at 3:29 p.m.

And

The Senate reconvened at 3:45 p.m.

President Victor B. Hocog: We are back to our plenary session after recess. Prior to recess, we were discussing Standing Committee Report No. 19-53 reference to House Bill No. 19-59, HD1. I believe the Floor Leader, I mean the Chairman of Fiscal Affairs has a floor amendment to offer and we are still under discussion.

Senator Jude U. Hofschneider: Mr. President.

President Victor B. Hocog: Go ahead Chairman Hofschneider.

Senator Jude U. Hofschneider: Thank you Mr. President, and before I proceed, I would like to express an apology to the members for the little bit of a setback, but again, the request is to replace the second paragraph on page 2 and to read, “Your Committee discussed the possibility that PSS may experience a shortfall of funding in the future which may hamper their ability to fully complete the project and recommended increasing the loan threshold from three million dollars up to five million. This will ensure that PSS will have the flexibility to extend [inaudible] five million as necessary [inaudible] or to include other important PSS projects and renovations. Furthermore, your Committee requested to PSS to highly consider the inclusion of the following. One, the repairs of Tinian Elementary School perimeter fence as it is currently in a really bad condition and two, the paving of the new entrance/exit road leading to and from the Tinian Head Start Center and an installation of a four foot chain link fence along the Head Start Road to serve as a safety barrier for the public. In addition, your Committee highly recommends that any unused funds allocated to Rota and Tinian School shall remain in the respective senatorial district for other projects that may be needed,” so moved.

President Victor B. Hocog: Okay, that is the amendment that Senator Hofschneider offered and it has been moved for adoption. Further discussion?

Several members voiced, “ready”.
President Victor B. Hocog: Ready? Those in favor of the floor amendment offered by Senator Hofschneider reference to House Bill No. 19-59, SD, say, “aye”.

Several members voiced, “aye”.

President Victor B. Hocog: All opposed, say, “nay”.

The motion was carried by voice vote.

President Victor B. Hocog: Motion carried.

Floor Leader Arnold I. Palacios: Back to the main motion.

President Victor B. Hocog: So, back to the main motion, Floor Leader.

Floor Leader Arnold I. Palacios: Mr. President, I believe we are back to the main motion to adopt Standing Committee Report.

President Victor B. Hocog: No, we are back to the bill…

Floor Leader Arnold I. Palacios: Adoption. To adopt as amended.

President Victor B. Hocog: [inaudible]. Short recess.

The Senate recessed at 4:15 p.m.

And

The Senate reconvened at 4:16 p.m.

President Victor B. Hocog: [inaudible] our session. You are still on the floor, Senator Hofschneider.

Senator Jude U. Hofschneider: That is the standing motion, Mr. President, is to adopt the amendment on the Committee Report.

Floor Leader Arnold I. Palacios: Standing Committee Report No. 19-52 as amended. So we are on the main motion to adopt the Committee Report.

President Victor B. Hocog: So the main motion is to adopt the Standing Committee Report reference to House Bill No. 19-59, HD1 as amended. Is that the correct motion?

Several members voiced, “yes”.

President Victor B. Hocog: Discussion?

Several members voiced, “ready”.

President Victor B. Hocog: Those in favor of the motion to adopt House Bill No. 19-59, HD1 as amended, say, “aye”.

Several members voiced, “aye”.

President Victor B. Hocog: All opposed, say, “nay”.

The motion was carried by voice vote.

President Victor B. Hocog: Motion carried. Okay, let me go back then and make the correct Standing Committee Report. We are adopting again Standing Committee Report No. 19-53 as amended. Okay?

Floor Leader Arnold I. Palacios: Yes.

President Victor B. Hocog: So that is what we are adopting. Okay. Now, those in favor of the motion to adopt Standing Committee Report No. 19-53 as amended, say, “aye”.

Several members voiced, “aye”.

President Victor B. Hocog: All opposed, say, “nay”.

The motion was carried by voice vote.

President Victor B. Hocog: Motion carried.

The Chair recognizes Floor Leader Arnold I. Palacios.

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

NONE

RESOLUTION CALENDAR
1. **S.R. No. 19-21** – Requesting DPL to conduct an assessment of public and private land leases and permits to ensure that businesses and individuals are not illegally encroaching into adjacent public lands.

2. **S.R. No. 19-23**

3. **S.R. No. 19-22 – For next session**

**Floor Leader Arnold I. Palacios:** Thank you Mr. President. Mr. President, I move for the adoption of Senate – we are on the Resolution Calendar, Mr. President. I move for the adoption of Senate Resolution No. 19-21.

Several members voiced, “second”.

**President Victor B. Hocog:** There’s a motion on the floor to adopt Senate Resolution No. 19-21. Okay, those in favor of the motion say, “aye”.

Several members voiced, “aye”.

**President Victor B. Hocog:** All opposed, say, “nay”.

The motion was carried by voice vote.

**President Victor B. Hocog:** Motion carried. Senate Resolution No. 19-21 is hereby adopted.

The Chair recognizes Floor Leader Arnold I. Palacios.

**Floor Leader Arnold I. Palacios:** Thank you Mr. President. Mr. President, we are on Senate Resolution No. 19-23 for discussion purposes and if there is no objection, Mr. President, I would like to take at least five minutes just to explain this action.

**President Victor B. Hocog:** Three minutes, Floor Leader.

The Chair recognizes Floor Leader Arnold I. Palacios.

**Floor Leader Arnold I. Palacios:** Mr. President, Senate Resolution No. 19-23 is a product of Senate Joint Resolution No. 19-03. Most of us, if not all of us, know that Senate Joint Resolution No. 19-03 which was adopted by the Senate has been rejected by the House of Representatives in their session on Rota last Friday. Both resolutions in a nut shell, Mr. President, basically and simply, urges the Governor to consider the appointment of the Special Assistant for Public Utilities and Communications and to develop a comprehensive communications or telecommunications policy advance for the development of our utilities in the Commonwealth. That is as simple as it got. Senate Resolution No. 19-23 is an effort by the Senate to simply set aside what the House did in their
session on Rota and expressed this directly to the Governor. Both resolutions are exactly the same. If we recall in July, the Commonwealth underwent an emergency situation with the severing of the fiber optic cable. That caused the Commonwealth tens of millions of revenue which has not been quantified today. Nobody is quantifying that. We do need a body within the executive branch or within this government. Maybe we should consider having an independent office to oversee the telecommunications system of the Commonwealth. Telecommunication system anywhere in the world in the Twenty First Century today is one of the most critical infrastructures than any community in the United States or in the world should have. I vividly recalled the staff and personnel of Homeland Security, Homeland Security climbing on a tree next to the Homeland Security Office trying to do this with the antenna so that Homeland Security can have communication with the outside world. Basically, we were left in the dark for practically three weeks. I am not sure if your Committee on Public Utilities and Telecommunication has had any information regarding this incident. Is it my believe that the Chairman has not had any communication whatsoever, whether it’s from IT&E, the key provider of our fiber optic telecommunication and communications to the outside world or any telecommunication company who has had any report submitted to the Governor’s Office. If they have submitted one, then certainly the Senate has not received that before. The people of the Commonwealth deserve the basic, the most basic infrastructure link to the world. What was twenty years ago as a state of the art communication systems has now deteriorated to a third world, probably worse than the third world system. As a member of the Public Utilities Telecommunications Committee, I am fully aware that your Committee, Mr. President, is working very hard, have been working very hard even prior to the July 8 severing of the fiber optic. We have been trying our very best to address some of the major issues that have been pegging our telecommunication systems. We have requested for information from the key providers. Unfortunately, some of those basic [inaudible] information that should be out there have not been received by the committee. It is for that and the nature of this infrastructure and it is for that reason why the full members of the Senate, Mr. President, endorse Senate Joint Resolution No. 19-03. I am not privy, however, nor do I have any idea what was the mindset nor what was the justification for the House leadership members to reject such a simple straight forward request to the Governor. Is there something that the Senate members don’t know? We create directors of many affairs types of office, Youth Affairs, Indigenous Affairs, Political Affairs, Legislative Affairs, all kinds of affairs office, special assistance, but yet one of the most critical office that we are seeking to request the Governor to consider establishing what was rejected by the House and so with that, Mr. President, that is the [inaudible] of that legislation in the form of a Senate Resolution. Thank you.

President Victor B. Hocog: Thank you Floor Leader. I now recognize Senator Igisomar. Two minutes.

Senator Sixto K. Igisomar: Thank you Mr. President. Two minutes. As I stated before I try to keep quiet lao ti hu sungon. Ti siña hao sungon ya bai na kádada ha. July the fiber optic was severed and then IT&E, the provider stated that we had a microwave and that is all they needed to do was realign the microwave. That is not true. If you read further into our letters, it is not true. The microwave was not to be realigned. Possibly it was never connected to begin with and the microwave was totally damaged and that everything else that we are hearing is really not true. There is really no transparency. So yes the urgency of what the Floor Leader is stating is very true. In August, when Soudelor came, Soudelor came and in a funny way it reminded us of how messed up
our telecommunication is and it is kind of funny but how does it remind us? If you look all over the telephone poles on Saipan, you will see Soudelor’s microwave. There were many tin roofs on the telephone post. It was showing us that we need to go back and look at this microwave dilemma. Then we went to Rota. Rota’s telephone there were people that were coming in and giving us a lot of information to the committee, but we were not able to necessarily release them due to a lot of confidentiality. Rota lost communication for three to four hours that day we had a Senate Session. No one knew. Imagine that. The United States FCC will never allow the three to four hours severedance of telephone land line communication whereby the people no longer have access to 911. That is very serious, Mr. President. That is why, I don’t know, who do we go to? CPUC? We are the legislators. We set policies and if CPUC is not even able to see and understand or if some member of our legislators are not even convinced that we have a problem, then we truly have a problem and I hope the Senate body can continue to show the world that the CNMI that our vision is not just something we picked out of somewhere that we truly understand where we are heading and I hope that this goes forward and that our government truly picks somebody and not just somebody from a wringing dink position to take a look at this thing. Or maybe it is somebody with expertise. Right now in the CNMI, maybe I can say that the most highly expert person in the CNMI right now is [inaudible] can truly be our Floor Leader when it comes to telecommunication. Why? Because I believe he has read a lot more than anybody. They should do research as to why this resolution is coming down. Not just taking them and trying to decipher over an overnight barbeque golf game or beer when it’s right or wrong. So I do understand, Mr. President. This is a very serious, serious resolution and I hope they take us seriously. Si Yu’us Ma’a’se.

President Victor B. Hocog: Any other member?

The Chair recognizes Senator Justo S. Quitugua.

Senator Justo S. Quitugua: Thank you Mr. President. Mr. President, I am so happy that this Resolution No. 19-23 is brought back to life because a few years ago, the internet system is a luxury but now it is a necessity. It’s a way of life and it’s a way of doing business and it’s a way of doing education, health, government. So, Mr. President, it’s a [inaudible] if the CNMI is going to move forward and advance its economic, advance its education, advance its healthcare system, advance its government. Mr. President, I am wholeheartedly supporting this resolution and in addition, Mr. President, I would really recommend to the Chairman of PUTC and the committee to start drafting legislations that will create the guidelines, the requirements that [inaudible] of this office and we will move this forward and we will establish it because this is a very important issue in the CNMI and the Senate should not close its ears and eyes and with that, Mr. President, thank you very much.

President Victor B. Hocog: Thank you Senator Quitugua.

The Chair recognizes Senator Steve K. Mesngon.

Senator Steve K. Mesngon: Thank you Mr. President. Malago yu na minagahet na yanggen siña pagu este ta pasa na resolution lao I respectfully ta na’i i author of this bill lao dinanche magahet. Impottante Mr. President na ta atan enao sa chukka an man gaige hit guini nai ma susedi enao, Luta lokkue nu eksperensia este na dänkolo problemata yan Tinian. Umbes Tinian lao ta li’e ha magi ti siña hit man a’kuentusi ya ta susedi enao i duranten enao gue impottante na ta siguru na guaha sa
President Victor B. Hocog: Thank you Senator Mesngon. Chair, do you have anything to say?

Senator Jude U. Hofschneider: Guahu ilé’léku, Mr. President nu para discussion este lao [inaudible] ta nangga esta ki para ta – para fa sa guaha esta asunto lokke guini ma experience duranten este na era lao iléku na bai reserve esta ki i propriu na [inaudible].

President Victor B. Hocog: Okay, gi guahu no, ya-ha na ta sieteb hafa este i fino ŋiha i tres nai iyo-ta colleagues ginen Saipan na ma gong siente i dänkolo na disechu gi duranten este siha ya este na resolution ti ma cho’gue pot chinaklihe’ pat ti guinaiya na ma cho’gue pot nisisidât ya annai maolek i intension nai para hu tinektuk nai i dos na guma i intension para hi na guaha klarifakasion este siha i setbisiu na ta padesesi yan i [inaudible] kabalas i sigún i ta apá’pasi siha. Una matto este na hinaso gi unu gi ma ga’chongta para hu cho’gue resolusión nai para hu ma estableshi unu na kuetpo para hu hinagan ya hu [inaudible] yan i hafa siha ma ma suse’sedi pot este na asunto. Gi san papa na guru ha deskuidu enao na enatan, ha disguída siha ayu siha ni man man bo’bota na munga siha gi sinenti sa sigún buente guaha dineka na munga ma supotta sa i Mr. X yan si Mr. G guaha esta ma cho’cho’gue. Ti obligasió i un kuetpun guma para hu sinagani nu i unu miembro gi halom i eksakatibu pot anai guaha intension para hu ma cho’gue i kabalas i dinanche. Ya gi hilo i eksplikasiona i Floor Leader, si Senator JQ yan si Senator Igisomar, yanggen i [inaudible] ta nisisita iléku na bai faiSen i Floor Leader na ti bai sedi para hu opus yu este na section ya ti bai faiSen gue para hu famatinas mosiôn ni para ta adopta este pagu na ha’ani ani kosa ni sina nu aganta gi komitithi ni bandan i aotoridat i pубbliku yan transpottasió nai rekomenasión na ha pega si Senator Quitugua na hu ma atan hafa na leigislation para hu tinektuk i resolution para hu guaha mas nifiña nai para hu guinadiya este siha na disetchu nia gaige na ha inde’deka guini na resolusión. Ya malagu yu pagu na nu esta i konsetbe i konsiensiya hu na para bi sotta este sa resolusión para hu kanna gue esta i otro na session i Senate lao malago yu na bai faiSen i Floor Leader ya hu na efekitbu i mosiôn para ta adopta este i Senate Resolution 19-21 pot i dänkolo na signifikasió ha [inaudible] gi situasióna ni man gaige hit gi bandan i kominakasión ya i tenen na hale’ na yan ramasaña este hu tinitiyi ni i rekomenasión si Senator Quitugua nai i Chairman yan i komitithi PUTC hu ma estudayi i este na resolution ya un transforma gi mona gi bandan otganiyasión ni para hu na guaha li’e para hu guinadiya na en akan este rampi i kominakasión siha. Pues Floor Leader, ai Senator.

Senator Teresita A. Santos: Thank you, Mr. President. If that would be the intension of the author of the resolution, if there is no objection by the members, Mr. President, I would like for the author again [inaudible] may not be in order to introduce this as a whole.

The Chair recognizes Floor Leader Arnold I. Palacios.

Floor Leader Arnold I. Palacios: Thank you. This is the Committee of the Whole. I just introduced it, but I believe that every member had signed the resolution.
President Victor B. Hocog: So, I guess, Mr. Floor Leader, I [inaudible] our colleagues from Saipan as well as from Rota and Tinian. I guess to await for the delay in the passage of this resolution, I would like to ask you to effectuate a motion so that we can pass and act on this Senate Resolution as introduced today for action. Thank you.

Floor Leader Arnold I. Palacios: I will then, since we are in order in placing this [inaudible] still are in order to adopt it. Am I correct, Legal Counsel?

Legal Counsel Antonette Villagomez: Yes, I believe our agenda was...

President Victor B. Hocog: We did include this and we amended the agenda.

Floor Leader Arnold I. Palacios: Thank you. With that, Mr. President, I move to adopt Senate Resolution No. 19-23 which has been offered by the Committee of the Whole of the Senate. Thank you, so moved.

Several members voiced, “second”.

President Victor B. Hocog: Okay, there’s a motion to adopt Senate Resolution No. 19-23. Discussion?

Several members voiced, “ready”.

President Victor B. Hocog: Those in favor of the motion to adopt Senate Resolution No. 19-23, say, “aye”.

Several members voiced, “aye”.

President Victor B. Hocog: All opposed, say, “nay”.

The motion was carried by voice vote.

President Victor B. Hocog: Motion carried. Senate Resolution No. 19-23 is hereby adopted. Next.

BILL CALENDAR

FIRST READING

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<tr>
<th>LEG. NO.</th>
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**FINAL READING**

<table>
<thead>
<tr>
<th>LEG. NO.</th>
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<tbody>
<tr>
<td>H.B. No. 19-59, HD1 SD1</td>
<td>To authorize the Commonwealth of the Northern Mariana Islands Public School to enter into a loan agreement for a sum not to exceed $3,000,000.00 for the purposes of building additional classrooms, Early Head Start Centers, and to pave roads and parking lots at its facilities in Rota and Tinian; and for other purposes</td>
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<tr>
<td>PASSED</td>
<td>(See S.Comm.Report 19-53) RECESS: 4:15 p.m. RET.: 4:16 p.m.</td>
</tr>
<tr>
<td>S.B. No. 19-55, SD1</td>
<td>To repeal and reenact 3 CMC § 4972(b)(1) and (b)(3), to allow the Public School System to hire non-resident workers as classroom teachers for STEM (science, technology, engineering, math), special education and related services, and also to allow the Northern Marianas College to hire nonresident instructors; and for other purposes</td>
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<tr>
<td>(See S.Comm. Report 19-52)</td>
<td>PASSED</td>
</tr>
<tr>
<td>S.B. NO. 19-36, SS1, HD1</td>
<td>To encourage investment and tourism on Tinian and Rota by extending eligibility for qualifying certificates under the Investment Incentive Act of 2000 to casinos on those islands; and for other purposes</td>
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<td>PASSED</td>
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**Floor Leader Arnold I. Palacios:** Thank you. Mr. President, we are on agenda item P, our Bill Calendar and we have three legislation.

**President Victor B. Hocog:** [inaudible].

**Senator Justo S. Quitugua:** I communicated to the Floor Leader earlier that I would like to leave it for our next session so all the members can have the opportunity to read it.

**President Victor B. Hocog:** So granted. The author of the resolution so Floor Leader, we are now in order to go under the Bill Calendar.
Floor Leader Arnold I. Palacios: Thank you Mr. President. Mr. President, we are on the Bill Calendar. I move for the passage of House Bill No. 19-59, House Draft One.

Several members voiced, “second”.

President Victor B. Hocog: Okay, there’s a motion on the floor to pass on its Final Reading, House Bill No. 19-59, HD1. Discussion.

The Chair recognizes Senator Jude U. Hofschneider.

Senator Jude U. Hofschneider: Thank you Mr. President and I have an amendment to the said bill and my motion is to pass House Bill No. 19-59, HD1 in the form of Senate Draft One.

The motion was seconded by Senator Teresita A. Santos.

President Victor B. Hocog: Let me call for a short recess.

The Senate recessed at 4:15 p.m.

And

The Senate reconvened at 4:16 p.m.

President Victor B. Hocog: We are back to our plenary session. Before we were on recess, Senator Hofschneider had the floor that he wishes to offer an amendment to the bill. You may proceed please.

Senator Jude U. Hofschneider: Mr. President, the motion is for the passage of 19-59, House Draft One, Senate Draft One.

The motion was seconded by Senator Teresita A. Santos.

President Victor B. Hocog: Okay, discussion on the amendment.

Several members voiced, “ready”.

President Victor B. Hocog: Okay and the amendment is….

Senator Jude U. Hofschneider: Mr. President, recognize.

The Chair recognizes Senator Jude U. Hofschneider.
**Senator Jude U. Hofschneider:** The amendment is the authorization to loan up to five million dollars instead of the original three million dollars and again, Mr. President, this is made possible from conferring with the PSS personnel who are here today.

**President Victor B. Hocog:** Okay, thank you. I just want to make that very crystal clear. Okay, there is a motion for the passage of House Bill No. 19-59, HD1, SD1 on its Final Reading.

The motion was seconded by Senator Teresita A. Santos.

**President Victor B. Hocog:** Discussion.

Several members voiced, “ready”.

**President Victor B. Hocog:** Clerk, please call the roll.

The Clerk called the roll on the motion to pass **House Bill No. 19-59, HD1, SD1**.

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<thead>
<tr>
<th>Senator Francisco M. Borja</th>
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<tr>
<td>Senator Francisco Q. Cruz</td>
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<td>Senator Teresita A. Santos</td>
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<td>President Victor B. Hocog</td>
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**President Victor B. Hocog:** With all nine voting yes, reference to House Bill No. 19-59, HD1, SD1 hereby passes the Senate unanimously.

The Chair recognizes Floor Leader Arnold I. Palacios.

**Floor Leader Arnold I. Palacios:** Mr. President, I move for the passage of Senate Bill No. 19-55, Senate Draft One on its Final Reading, so move.

Several members voiced, “second”.

**President Victor B. Hocog:** Discussion?

Several members voiced, “ready”.

**President Victor B. Hocog:** Clerk, please call the roll.
The Clerk called the roll on the motion to pass Senate Bill No. 19-55, SD1.

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<td>President Victor B. Hocog</td>
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</table>

**President Victor B. Hocog:** With all nine members voting yes, Senate Bill No. 19-55, SD1 passes the Senate unanimously. Next, Floor Leader.

**Floor Leader Arnold I. Palacios:** Mr. President, I move for the passage of Senate Bill No. 19-36, Senate Substitute One, House Draft One on Final Reading.

The motion was seconded by Senator Teresita A. Santos.

**President Victor B. Hocog:** There’s a motion on the floor for the passage on its Final Reading, Senate Bill No. 19-36, SS1, HD1. Discussion?

Several members voiced, “ready”.

The Chair recognizes Senator Jude U. Hofschneider.

**Senator Jude U. Hofschneider:** Mr. President, just to brief, just for the record, Mayor JP San Nicolas has actually submitted a comment in support of this particular bill. So I just wanted to go on record to [inaudible].

**President Victor B. Hocog:** Thank you Senator Hofschneider. Any other discussion?

Several members voiced, “ready”.

**President Victor B. Hocog:** Ready? Madam Clerk, please call the roll.

The Clerk called the roll on the motion to pass Senate Bill No. 19-36, SS1, HD1.

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<td>Arnold I. Palacios</td>
<td>yes</td>
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</table>
President Victor B. Hocog: With nine members voting yes with reference to Senate Bill No. 19-36, SS1 on the form of HD1 hereby passes the Senate unanimously.

The Chair recognizes Floor Leader Arnold I. Palacios.

PETITIONS, MEMORIALS AND MISCELLANEOUS COMMUNICATIONS

1. Misc. Comm. No. 19-100: October 07, 2015 – Office of the Attorney General comment on H.B. No. 19-16, HD2 - To amend Public Law 18-73 which created a new Department of Fire and Emergency Medical Services within the Executive Branch to remove certain arrest powers from the Department and modify provisions of the FLSA and civil service regulations.


Floor Leader Arnold I. Palacios: Mr. President, we are now on agenda item Q, Petitions, Memorial and Miscellaneous Communications and we have nine Miscellaneous Communications in today’s Order of Business.

President Victor B. Hocog: Is there anyone of the members that would like to make comments under the Petitions, Memorials and Miscellaneous Business Communication? If none, Floor Leader, the next item.

MISCELLANEOUS BUSINESS

NONE

Floor Leader Arnold I. Palacios: Thank you Mr. President. Mr. President, we are on agenda item R, Miscellaneous Business.

President Victor B. Hocog: Under Miscellaneous Business, anyone?

The Chair recognizes Senator Steve K. Mesngon.

Senator Steve K. Mesngon: Yes, thank you Mr. President. Just a note that I want to bring up to the members, especially, Mr. President, I just had a – from my committee JGL, the Public Defender’s Office – let’s put it this way probably, is in a crises or displaced. I am not sure if you guys the members know that the Public Defender’s Office along with my Vice Chairman Sixto we had a situation on the Public Defender. They are displaced. They are originally from the courthouse. Unfortunately, from the previous disaster from Typhoon Soudelor, they were displaced due to temporarily now they are being housed at the MVA. However, the concern here that is being raised up is the committee that the outreach programs for the communities is not really functioning due to the lack of facility. So I just want to bring this up to the member’s attention. I am not sure if the executive branch as the sole authority or the judicial branch has to look at this office but it has come to the JGL’s attention under the committee. I just want to bring this up to the whole committee in regards to their situation and probably if my Vice also or the members of JGL Mr. Sixto to elaborate more of what transpired and how the communication between Mr. Public Defender [inaudible] I would like to recognize also and expound more to this issue.

President Victor B. Hocog: Okay, Senator Igisomar, Senator Mesngon yield to you so please finish [inaudible].

Senator Sixto K. Igisomar: Thank you Mr. President, Thank you Mr. Chairman. Mr. President and members, the question that the Chairman and I were discussing with respect to this issue is sometimes we are not sure anymore what the Senate is supposed to do. As members, are we supposed to also function as the executive? Based on this discussion amongst members and the counsel, who is really responsible for the Public Defender’s Office? Ya ti hu tungo’ or we are not
sure why or how and why such an office is not being taken care of. We understand that Soudelor affected their building. They were left out, but to date they are housed in a small cubical somewhere else in the MVA along beach road and the message that our Chairman is talking about came all the way from the United States, somebody who visited the CNMI for only twenty-four hours and I guess he is also a counsel. He is in the Air Force a Jag and he saw the problem and I believe he is also a classmate of our Counsel Antonette Villagomez but he saw the problem and the fact that he believed that due to the fact that there is no office, there is no place for confidentiality for people to have trust in the office. How can the Public Defender’s Office truly do its job to represent the people that it’s trying to defend from these prosecutors that may be dressed up in nice offices attacking our defender. So that is something wrong. I am not sure, Mr. President, kao is that our jurisdiction because I was just talking to the Chairman whose jurisdiction is that and is it the executive? I mean I believe it’s the executive, but the Public Defender himself did approach us and pleaded for assistance [inaudible] is how do we assist this, Mr. President.

**President Victor B. Hocog:** Thank you Senator Igisomar.

The Chair recognizes Senator Justo S. Quitugua.

**Senator Justo S. Quitugua:** Thank you Mr. President. Este gue, Mr. President, mu na gof bonito este leyeslatura ya i taiquinu na situation ma na’i atoridatña i lat yan i Constitution na i komittiha hu fan guaha oversight hearing ya ta ke tungo’ manu este siña na problema yan genen manu yan hafa i planuña i atministrasion ni para hu satba este na problema sa esta matto guatu go JGO pues esta tisiña ta huchom i mata ta yan talanga ta ya ayu pagu hita ta espiha enpenu ni para ta ke tungo’ manu sa dánkoloña i problema sa man inafekta i taotaota yanggen magahet na taiguena o dánkoloña. So iyo-ku recommendation i JGO hu agan an oversight hearing ya ta ke tungo’ manu mas problema ni hafa taimanu ni siña ma [inaudible] sa hu satba este na problema. Si Yu’us Ma’ase, Mr. President.

**President Victor B. Hocog:** Thank you Senator JQ. I guess before I say anything I recognize Senator Palacios, Floor Leader [inaudible].

**Floor Leader Arnold I. Palacios:** This basically is along the same line that Senator Quitugua went ahead beyond what I was going to recommend and that is to write a strong letter to the Special Assistance for the Administration who is basically responsible for making sure that those offices under the Governor’s Office or those entities under the Governor’s Office are housed accordingly and, you know, it is a big concern because the functions of the Public Defender’s Office serves the general community as a whole and it is very, very, important. It is almost a right to be represented. It is a right. [inaudible] constitutional right to be represented in court and if you cannot afford an attorney or a counsel of your own, the court will appoint one. It is usually the Public Defender’s Office that gets the brunt of these cases. So it is very important. I yield and leave it to the committee if they want to basically do an oversight call in the Special Assistants for Administration or somebody responsible in the Governor’s Office for his office. I think we should do that. Thank you.

**President Victor B. Hocog:** Thank you Floor Leader. I guess to go back and answer Senator Igisomar whose responsibility with respect to the Public Defender. As you may all know that the appointment comes before us for confirmation so when that happens, we can conclude or it’s safe to
conclude that is the responsibility of the executive branch. So I will say that, Floor Leader, is it in order and I would like to assign the JGO Committee either to conduct an oversight or call a meeting with the Public Defender Chief and the SAA who is responsible to ensure housing the Public Defender’s Office and from there we can look into what is really going on with his office. We all know that if our constituent cannot afford an attorney that the court always appoints a Public Defender and I am very glad that they are representing our public very well and many times the Attorney General’s Office lost their case. So I guess we need to look into that Chair and I ask you to please schedule a meeting with the Chief Public Defender and the SAA Chief.

**Senator Steve K. Mesngon:** Well noted, Mr. President.

**President Victor B. Hocog:** Do that quickly because we cannot allow that to continue to have an office in a cubical space where there is also confidentiality required between the client and the attorney. So I would like to ask you to please follow up that recommendation. Anyone else? We are still under Miscellaneous. If none, Floor Leader.

**ANNOUNCEMENT**

**Floor Leader Arnold I. Palacios:** Mr. President, we are on agenda item S, Announcements.

**President Victor B. Hocog:** Any announcements? None?

The Chair recognizes Senator Sixto K. Igisomar.

**Senator Sixto K. Igisomar:** Mr. President, [inaudible] on the last discussion, but I failed due to the speed of how the urgency of the resolution. The announcement is related to the resolution that we passed for the Special Assistant for the Telecommunication. That there are a lot of things happening very quickly and one of the best options for the CNMI for the laying of the telecommunication cable is that Saipan, Tinian and Rota actually get a cable connected to them if there is going to be a negotiation. A cable going to Saipan only is not an option because otherwise it will be very expensive for the CNMI to try and reconnect to Tinian and Rota for the redundancies so that is why that resolution is so urgent because we cannot afford to leave Tinian and Rota out of any [inaudible].

**ADJOURNMENT**

**President Victor B. Hocog:** Thank you Senator Igisomar for that concern. We are still under Announcement. If none, Floor Leader,

**Floor Leader Arnold I. Palacios:** With that, Mr. President, we are on agenda item P, Adjournment. I move to adjourn this session subject to the call.
Several members voiced, “second”.

President Victor B. Hocog: Okay, there’s a motion to adjourn subject to the call of the Chair. Those in favor of the motion say, “aye”.

Several members voiced, “aye”.

President Victor B. Hocog: All opposed, say, “nay”.

The motion was carried by voice vote.

President Victor B. Hocog: Motion carried. Thank you very much gentlemen and gentle lady and the staff.

The Senate adjourned at 4:35 p.m. subject to the call of the Chair.

Respectfully Submitted,

/s/ Geraldine T. Cruz
Senate Journal Clerk

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The Senate may consider, debate, and/or act upon any item contained in this Order of Business at the time and place described herein.