In compliance with the Open Government Act, Senate President Francisco M. Borja issued a notice on June 16, 2016 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 First Day, Sixth Special Session, on June 21, 2016, at 10:18 a.m., in the Senate Chamber, Capitol Hill Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Francisco M. Borja, President of the Senate, presided.

A moment of silence was observed.

The Clerk called the roll and eight (8) members were present and one (1) member was absent.

President Francisco M. Borja: Let the record reflect that Senator Paul is hereby excused for today’s Special Session and with eight members present, we do have the necessary quorum to proceed with our Special Session today and our Order of Business. First on the agenda is the Public Comment. The floor is now open for any member from the general public or anybody in the gallery who wishes to make any comment on the agenda today. If none, we are moving on to line item C, Reading and Approval of the Journal.

The Chair recognizes Floor Leader Steve K. Mesngon.

PUBLIC COMMENT

NONE
READING AND APPROVAL OF THE JOURNAL

1. SJ 19-21 - 4\textsuperscript{th} D, 2\textsuperscript{nd} Regular - 11/03/15
2. SJ 19-22 - 5\textsuperscript{th} D, 2\textsuperscript{nd} Regular - 11/13/15
3. SJ 19-23 - 6\textsuperscript{th} D, 2\textsuperscript{nd} Regular - 12/11/15
4. SJ 19-24 - 1\textsuperscript{st} D, 3\textsuperscript{rd} Special - 12/23/15
5. SJ 19-25 - 1\textsuperscript{st} D, 3\textsuperscript{rd} Regular - 01/04/16
6. SJ 19-26 - 1\textsuperscript{st} D, 1\textsuperscript{st} Special - 01/22/16
7. SJ 19-27 - 2\textsuperscript{nd} D, 3\textsuperscript{rd} Regular - 01/27/16
8. SJ 19-28 - 3\textsuperscript{rd} D, 3\textsuperscript{rd} Regular - 02/10/16

Floor Leader Steve K. Mesngon: Thank you Mr. President. Mr. President, we have one to eight Senate Journal for today’s agenda. Mr. President, I would just like to state out the Senate Journal one through eight. Its Senate Journal No. 19-21, that is on the Fourth Day, Second Regular Session on November 3\textsuperscript{rd}, 2015; Senate Journal No. 19-22, Fifth Day, Second Regular on November 13, 2015; Senate Journal No. 19-23, Sixth Day, Second Regular on December 11, 2015, Senate Journal No. 19-24, First Day, Third Special Session on December 23, 2015; Senate Journal No. 19-25, First Day, Third Regular Session, January 4\textsuperscript{th}, 2016; Senate Journal No. 19-26, First Day, First Special Session on January 22, 2016; Senate Journal No. 19-27, Second Day, Third Regular Session, January 27, 2016; and the last one Mr. President is the Senate Journal No. 19-28 that appeared on our Calendar, the Third Day, Third Regular Session on February 10, 2016.

President Francisco M. Borja: Is that a motion for the approval of Journals?

Floor Leader Steve K. Mesngon: Yes, Mr. President and I move for the adoption of all these first through the eight Senate Journal that I just stated, so move.

President Francisco M. Borja: Okay, the motion is for the approval of Senate Journal No. 19-21 all the way to 19-28, all in favor of the motion of the approval say, “aye”.

Several members voiced, “aye”.

President Francisco M. Borja: All opposed, say, “nay”.

The motion was carried by voice vote.

President Francisco M. Borja: Motion carried. Senate Journal No. 19-21 through 19-28 is hereby approved. Under line item D, Messages from the Governor.
MESSAGES FROM THE GOVERNOR

1. **Gov. Msg. No. 19-223**: April 03, 2016 – Vetoed S.L.B. No. 19-07 - To establish an Irrigation District in the First Senatorial District for the use of water strictly for irrigation and agricultural purposes and not for residential uses; and for other purposes.


3. **Gov. Msg. No. 19-225**: April 28, 2016 – Vetoed S.B. No. 19-37, SD1 – To amend certain sections of the Pure Food and Drug Control to include lime (afok, bweesch); and for other purposes.

4. **Gov. Msg. No. 19-226**: April 28, 2016 – Vetoed H.B. No. 19-58, SD1 – To strengthen provisions regarding all firearms by establishing minimum mandatory sentences and allowing longer sentences, and by increasing the time-served component necessary for parole eligibility.


6. **Gov. Msg. No. 19-228**: April 28, 2016 – Signed into law H.B. No. 19-89, HS1 – To ban the importation of used tires; and for other purposes, became PUBLIC LAW NO. 19-44.

7. **Gov. Msg. No. 19-229**: May 02, 2016 – H.L.B. No. 19-54, D1 – To appropriate $265,600.00 from the local license fees collected for pachinko slot machines and poker machines in the Second Senatorial District; and for other purposes, became TINIAN LOCAL LAW 19-11 on May 01, 2016 without the Governor’s signature.


9. **Gov. Msg. No. 19-231**: May 12, 2016 – Certification for annual salary in excess of $50,000 to Mr. Joseph M. Hallahan, Assistant Attorney General to received $52,000 per annum.

10. **Gov. Msg. No. 19-232**: May 12, 2016 – Certification for annual salary in excess of $50,000 to Mr. Chester M. Hinds, Assistant Attorney General to received $60,000 per annum.
11. **Gov. Msg. No. 19-233**: May 12, 2016 – Certification for annual salary in excess of $50,000 to Ms. Emily S. Cohen, Assistant Attorney General to received $54,000 per annum.


13. **Gov. Msg. No. 19-235**: May 16, 2016 – Signed into law H.B. No. 19-49, SD1 – To repeal and re-enact 3 CMC §5454 to improve boating safety in the CNMI; and for other purposes, became **PUBLIC LAW NO. 19-45**.

14. **Gov. Msg. No. 19-236**: May 13, 2016 – Signed into local law H.L.B. No. 19-58, D1 - To appropriate $220,000.00 from the unobligated funds under Saipan Local Law No. 19-11 (for Fiscal Year 2016) from revenues to be collected pursuant to Saipan Local Law 11-2 as amended; and for other purposes, became **SAIPAN LOCAL LAW NO. 19-13**.

15. **Gov. Msg. No. 19-237**: May 24, 2016 – Signed into local law H.L.B. No. 19-47 - To re-name the Beach Road Pathway, the “Governor Froilan C. Tenorio Beach Road Pathway; and for other purposes, became **SAIPAN LOCAL LAW NO. 19-14**.

16. **Gov. Msg. No. 19-238**: May 24, 2016 – Signed into local law H.L.B. No. 19-31, S1, D2 - To appropriate the associated interest collected for the Third Senatorial District of One Hundred Seventy-Six Thousand Five Hundred and Seventeen Dollars ($176,517.00) in bond funds for road paving projects in Kagman III, Phase I, and Phase III, became **SAIPAN LOCAL LAW NO. 19-15**.

17. **Gov. Msg. No. 19-239**: May 25, 2016 – Certification for annual salary in excess of $50,000 to Mr. Jonathan R. Glass, Jr., AAG to receive $54,000.00 per annum.


19. **Gov. Msg. No. 19-241**: May 24, 2016 – Signed portions into local law H.L.B. No. 19-51, D2 – To appropriate $20,000.00 from local license fees collected for poker and pachinko slot machines in the First Senatorial District; and for other purposes, became **ROTA LOCAL LAW NO. 19-09**.

20. **Gov. Msg. No. 19-242**: May 30, 2016 – Vetoed S.B. No. 19-60 – To amend 2 CMC § 3551(b) to change the expenditure authority of the solid waste sub-accounts for the First and Second Senatorial Districts to the mayor of each respective municipality; and for other purposes.
21. **Gov. Msg. No. 19-243**: May 30, 2016 – Signed into law H.B. No. 19-115 – To amend 4 CMC § 1402(c) (7) thru (13) to remove an unnecessary provision and to grant the Secretary of Finance the authority to classify new products for taxation purposes; and for other purposes, became **PUBLIC LAW NO. 19-46**.

22. **Gov. Msg. No. 19-244**: May 31, 2016 – Withdrawing nomination of Mr. Robert H. Hunter to fill the position as the Secretary of the Department of Community and Cultural Affairs.

23. **Gov. Msg. No. 19-245**: June 01, 2016 – Re-submitting the appointment of Mr. Robert H. Hunter to fill the position as the Secretary of the Department of Community and Cultural Affairs.

24. **Gov. Msg. No. 19-246**: June 02, 2016 – Signed into law H.B. No. 19-68, SD1 – To amend the Youth Affairs Act of 2001 as codified as 1 CMC § 20105 and 20108 through 20112; and for other purposes,” became **PUBLIC LAW NO. 19-47**.

25. **Gov. Msg. No. 19-247**: June 06, 2016 – Signed into local law S.L.B. No. 19-10, S1 – To amend the Revised Tinian Casino Gaming Control Act of 1989, codified under Title 10, Division 2, Chapter 6 of the Commonwealth Code, to provide clear enumeration of terms, to authorize the Tinian Casino Gaming Control Commission to collect plenary and conditional license fees and investigative fees prior to operations; and for other purposes, became **TINIAN LOCAL LAW NO. 19-12**.

26. **Gov. Msg. No. 19-248**: (Received on 06/10/16) June 02, 2016 – Vetoed H.B. No. 19-99, HD4, SD1 - To assess a Health Impact Tax on Sugar-sweetened Beverages, Sugar-sweetened Concentrate, for the prevention and control of Non-Communicable diseases in the Commonwealth; to create a Special Healthcare Impact Account; provide funding for the Division of Customs, CNMI Medical Referral Program, PSS health education and drug-free program, and the general fund; and for other purposes. *[Deadline 08/10/16]*

27. **Gov. Msg. No. 19-249**: June 13, 2016 – Signed into law S.B. No. 19-49, HD1 – To amend 1 CMC § 8250 to exempt the managers of the CPA from the salary limitations imposed by the Compensation Adjustment Act; and for other purposes, became **PUBLIC LAW NO. 19-48**.

28. **Gov. Msg. No. 19-250**: June 13, 2016 – Signed into law H.B. No. 19-90, HD1 – To amend 1 CMC § 2891 and 2892 and to add a new § 2893 (The CNMI Office of Grants Management); and for other purposes, became **PUBLIC LAW NO. 19-49**.

29. **Gov. Msg. No. 19-251**: June 13, 2016 – Vetoed H.B. No. 19-123, HS1 – To repeal and reenact 4 CMC Division 2, Chapter 2, eliminating the different types of concessions created by PL 4-60 and empowering the Commonwealth Ports Authority
to grant concessions for Commonwealth Ports and to determine the scope of the concessions that it grants, and for other purposes.

30. **Gov. Msg. No. 19-252**: June 14, 2016 – Certification for annual salary in excess of $50,000 to Mr. Martin N. De Los Angeles, AAG to receive $56,000.00 per annum.

**President Francisco M. Borja**: Any member wants to comment or discuss any of the Governor’s Messages? No discussion or comments? If none, – I recognize Senator Jude.

**Senator Jude U. Hofschneider**: I just want to reflect on Governor’s Message No. 19-247 reporting on Senate Local Bill No. 19-10 subsequently signed into law by Acting Governor Hocog in regards to Tinian Local Law No. 19-12. I wanted to express appreciation to the Governor and the Acting Governor for disposing of this favorably as this is a much needed legislation for the Tinian Delegation to amend some of the provisions of the Casino Gaming Act to reflect the necessary change to remain competitive in today’s casino industry. So this is the monumental piece of legislation simply because of its content and what it’s asking for. So I want to again thank the Governor and the Acting Governor for favorably approving this or approving this favorably.

**President Francisco M. Borja**: Any other member wants to comment on any of the Governor’s Communications? If none, we are moving to line item E, Communications from the Judiciary.

**COMMUNICATIONS FROM THE JUDICIARY**


**President Francisco M. Borja**: Any comment on the Judiciary Communication? Communications from the Heads of Executive Departments?

**COMMUNICATIONS FROM HEADS OF EXECUTIVE DEPARTMENTS**


President Francisco M. Borja: Any member has any concern or comment on the Executive Departments Communications? Line item G, Communications from the House.

COMMUNICATIONS FROM THE HOUSE

1. **Hse. Comm. No. 19-192**: May 12, 2016 – Returning *without amendments* S.B. No. 19-11 – To establish a solid waste transfer station in the southern part of Saipan and Kagman; and for other purposes.

2. **Hse. Comm. No. 19-193**: May 12, 2016 – Returning *with amendments* S.B. No. 19-61, HD1 - To amend 3 CMC § 2824, 4 CMC § 7103, 4 CMC § 7301(d), 4 CMC § 7105, 4 CMC § 7112(b) and 4 CMC § 7615(j) to assess the total costs of healthcare in the CNMI by establishing a claims and clinical data warehouse at CHCC and to improve accountability for how health insurance premiums are spent by requiring health insurance insurers and health care providers to submit reports on claims and clinical data to the insurance commissioner; and for other purposes.

3. **Hse. Comm. No. 19-194**: May 12, 2016 – Returning *with amendments* S.B. No. 19-68, SD1, HD1 – To amend 4 CMC § 51403 by adding a new subsection (f) to implement a ten-day waiting period for the payment of copper wire to deter copper wire theft; and for other purposes.

4. **Hse. Comm. No. 19-195**: May 12, 2016 - Returning *with amendments* S.B. No. 19-42, SS1, HD1 - To amend 1 CMC § 2806 prohibiting the Department of Public Lands from leasing any lands of the Commonwealth for any military live-fire or bombing activity; to require any proposed public land lease for any other military activity to be ratified by the CNMI people of Northern Marianas Descent at a general or special election and for other purposes.

5. **Hse. Comm. No. 19-196** – May 12, 2016 – *Accepted Senate amendments* to H.B. No. 19-99, HD4, SD1 - To assess a Health Impact Tax on Sugar-sweetened Beverages, Sugar-sweetened Concentrate, for the prevention and control of Non-Communicable diseases in the Commonwealth; to create a Special Healthcare Impact Account; provide funding for the Division of Customs, CNMI Medical Referral Program, PSS health education and drug-free program, and the general fund; and for other purposes.

6. **Hse. Comm. No. 19-197** – May 12, 2016 – Transmitted for Senate action H.B. No. 19-45, HD1, - To amend 4 CMC § 50131 (c), § 50144 (b)-(d), and § 50145 to increase fines, fees, and penalties regarding illegal sales of tobacco; and for other purposes.

7. **Hse. Comm. No. 19-198** – May 12, 2016 – Transmitted for Senate action H.B. No. 19-55, HD1, - To prohibit cruelty and theft of animals; to provide penalties for such acts; and for other purposes.
8. **Hse. Comm. No. 19-199** – May 12, 2016 – Transmitted for Senate action H.B. No. 19-122, HD1, - To establish a provision to provide an immediate designation of existing public lands for homestead lots within the CNMI; and for other purposes.

9. **Hse. Comm. No. 19-200** – May 12, 2016 – Transmitted for Senate action H.B. No. 19-124, - To provide legislative oversight over public land leases by limiting the Department of Public Lands’ scope of authority relative to parcel size.

10. **Hse. Comm. No. 19-201** – May 12, 2016 – Transmitted for Senate action H.B. No. 19-134 – To amend 3 CMC § 1506 (a) and (b) Administrative Librarian: Duties and Qualifications and to provide a global amendment in Title 3, Chapter 5; and for other purposes.

11. **Hse. Comm. No. 19-202** – May 12, 2016 – Transmitted for Senate action H.B. No. 19-139, HD1 – To amend Title 1 Division 8 Part 2 Chapter 4 (Public Employment/Employee Compensation of the Commonwealth Code. To exempt the Commonwealth Development Authority (CDA) and the Commonwealth Ports Authority (CPA) from the salary limitations imposed by the Compensation Adjustment Act.

12. **Hse. Comm. No. 19-203** – May 12, 2016 – Transmitted for Senate action H.B. No. 19-141, HD1 – To amend 4 CMC §5559(b) and 6 CMC §3110(b) with respect to the I.D. Card requirements; and for other purposes.

13. **Hse. Comm. No. 19-204** – May 12, 2016 – Accepted Senate amendments to H.B. No. 19-68, SD1 – To amend the Youth Affairs Act of 2001 as codified as 1 CMC § 20105 and 20108 through 20112; and for other purposes.


19. **Hse. Comm. No. 19-210**: June 07, 2016 – Recalled from the Governor H.B. No. 19-99, HD4, SD1 - To assess a Health Impact Tax on Sugar-sweetened Beverages, Sugar-sweetened Concentrate, for the prevention and control of Non-Communicable
diseases in the Commonwealth; to create a Special Healthcare Impact Account; provide funding for the Division of Customs, CNMI Medical Referral Program, PSS health education and drug-free program, and the general fund; and for other purposes.

20. Hse. Comm. No. 19-211: June 08, 2016 – Accepted Senate amendments to H.B. No. 19-26, SD1 – To amend certain sections of PL 6-37, The Commonwealth Litter Control Act of 1989, codified as amended at 2 CMC §§ 3411-3416; and for other purposes.


22. Hse. Comm. No. 19-213: June 08, 2016 – Transmitting for Senate action House Concurrent Resolution No. 19-2 – To approve revenues and resources of the CNMI, as identified pursuant to Article III, Section 9(a) of the Constitution, as amended, and 1 CMC, Division 7, for FY 2017, beginning October 1, 2016, and ending on September 30, 2017.

23. Hse. Comm. No. 19-214: June 08, 2016 – Transmitting for Senate action H.J.R. No. 19-8 – To authorize the CNMI, through its Governor, to submit to the U.S. Dept. of Housing and Urban Development, the Action Plan for the CDBG Application No. B-16-ST69-0001; the HOME Investment Partnership Grant Application No. M-16ST69-0203; and, the Emergency Solutions Grant Application No. E-16-DC69-0001; to receive the funds requested therein, and to assume all responsibilities that may be imposed by the U.S. Dept. of Housing and Urban Community Development Block Grant, HOME Investment Partnership Program, and the Emergency Solutions Grant Program.

President Francisco M. Borja: Any member wants to make any comment on the House Communications?

The Chair recognizes Vice President Arnold I. Palacios.

Vice President Arnold I. Palacios: Thank you Mr. President. Mr. President, I would like to raise some issues with House Communication No. 19-195, relative to Senate Bill No. 19-42, SS1, HD1 which the House passed with amendments. I would like to, at this point, raise my concern on the House action by amending the Senate Bill. There’s a provision in one of the amendments that is relative to the ratification of any land leases, any additional land leases by the Commonwealth Government and it proposes that any such leases shall be ratified by the people of Northern Marianas Decent. I am not sure if members have copies of the House Draft. Specifically, I am referring to page 3, line 15 or line 16 - line 15 through line 16 and I raise this issue to go on record that there is a potential for this provision being challenged in court as constitutional. In fact, there is a case right now, I believe in the US appeals, Ninth Circuit Court of Appeals that is the Davis case relative to this. So I wanted to raise the issue that there is a possibility of this provision of the bill if it becomes law be stricken down by the case depending on the court’s decision. So let me just for the record ask
our Legal Counsel if there is no objection to give us some clarity on this provision and what it may or may not imply, Mr. President.

**President Francisco M. Borja:** Thank you.

The Chair recognizes Legal Counsel Jose Bermudes.

**Legal Counsel Jose Bermudes:** Okay, I am not sure if the answer is going to bring out clarity but you are correct. Based on the outcome of the Ninth Circuit case, the change from the addition by the House that says NMD shall be ratified by the NMD’s only maybe a problem depending on the outcome of the case. If the court overturns the District Court’s case that is NMD’s shall vote with respect to NMD ancestral lands, then this amendment will be fine, but if it affirms the District Court’s case, this will be wrote unconstitutional but if that is the case, I think there are still options. Either the bill will be amended or the under Section 3 of the bill, the Severability clause, they can sever out the provision that is unconstitutional and the remainder of the act can stay intact.

**Vice President Arnold I. Palacios:** Thank you for that clarification. So in essence, if the court does affirm the appeal, then it’s going to be problematic, but you are saying that the Severability clause would still protect the rest of the intent of this legislation?

**Legal Counsel Jose Bermudes:** Yes and that means the entire voters of the CNMI will make that decision.

**Vice President Arnold I. Palacios:** Thank you.

**President Francisco M. Borja:** Any other member wants to comment of the House Communication?

The Chair recognizes Senator Sixto K. Igisomar.

**Senator Sixto K. Igisomar:** Thank you Mr. President and my comment is reflecting on item 2, which is House Communication No. 19-193 and that is the returning with amendments Senate Bill No. 19-61, HD1, to amend 3 CMC. This one has to do with establishing a claims and clinical data warehouse at CHCC and if I may, Mr. President, my recommendation for the members that the House bedded the bill thoroughly through the private industry and the public insurance carriers and I believe the proposed bill as amended by the House satisfies still the intent of the author of the bill and if there is no – I am not sure, if I may, Mr. President, proper process but coming from me being the author that the bill is proper as amended and if we can continue on with it to be calendared. Thank you Mr. President.

**President Francisco M. Borja:** Thank you Senator Sixto. Any other member? Any more comments on House Communication? If none, - I recognize Senator Jude.

**Senator Jude U. Hofschneider:** Mr. President, on House Communication No. 19-214 that is on page 8, item no. 23, reporting or transmitting for our action, House Joint Resolution No. 19-08 and essentially this is one of the components of us or NMHC continuing to get the Community
Development Block Grants. So if we can act on this particular Joint Resolution today or as soon as we can possibly on the following session. I do know that this is one of the components of us getting the annual distribution every – so I ask the indulgence of the members to consider this, - adopting this communication.

**President Francisco M. Borja:** Thank you Senator Jude.

The Chair recognizes Vice President Arnold I. Palacios.

**Vice President Arnold I. Palacios:** Thank you. I also would like to take this into consideration. Having said that, I would also like to request, I am not sure whether my office has a copy of the proposal and what the proposed grants are specifically going to target this fiscal year, but perhaps we can get to that when we do discuss the Joint Resolution, but I would like to have a discussion on the specifics of the proposal. Thank you.

**President Francisco M. Borja:** Thank you Vice President. The floor is still open for any member to come in on House Communication. If none, we are proceeding to line item H on the Communications from the Senate, Clerk.

**COMMUNICATIONS FROM THE SENATE**


4. **Sen. Comm. No. 19-104:** Man’Amko S.R. No. 19-01 Recognizing and honoring their teachings, guidance, contributions, and services in the CNMI.

5. **Sen. Comm. No. 19-105:** Man’Amko S.R. 19-02 requesting the Governor to expedite investigation regarding abuse of employers.

6. **Sen. Comm. No. 19-106:** May 17, 2016 – San Vicente 5th Grade Class visit to the Legislature on May 27, 2016 at 9 a.m.


**President Francisco M. Borja**: Any member wants to comment on any of the Senate Communications? Okay, Communications from the Washington Delegate.

**COMMUNICATIONS FROM THE WASHINGTON DELEGATE**

**NONE**

**President Francisco M. Borja**: Under J, Unfinished Business.

**UNFINISHED BUSINESS**

**NONE**

**President Francisco M. Borja**: Moving on to line item K, Pre-filed Bills, Initiatives, Local Bills and Resolutions.

The Chair recognizes Floor Leader Steve K. Mesngon.

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

1. **Senate Bill No. 19-97**: To amend certain sections of the Pure Food and Drug Control to include lime (afok, bweesch); and for other purposes. *(SEN. TERESITA A. SANTOS – 05/06/16)*
2. **Senate Bill No. 19-98**: To amend 4 CMC § 50143 to establish immunity for minors assisting in tobacco control undercover investigations; and for other purposes. (SEN. SIXTO K. IGISOMAR – 05/27/16)

3. **Senate Resolution No. 19-41**: To recognize and commend Mr. Lance Vincent Q. Deleon Guerrero of Mount Carmel High School on winning the 32nd Annual Attorney General’s Cup Speech Competition through his remarkable speech. (SEN. JUSTO S. QUITUGUA AND COMMITTEE OF THE WHOLE – 05/31/16)

4. **Senate Resolution No. 19-42**: To recognize and acknowledge Mr. Mikhail T. Alcantara of Saipan Southern High School on placing Second Place in the 32nd Annual Attorney General’s Cup Speech Competition. (SEN. JUSTO S. QUITUGUA AND COMMITTEE OF THE WHOLE – 05/31/16)

5. **Senate Resolution No. 19-43**: To recognize and acknowledge Ms. Ann Margaret Norcio of Marianas High School on being awarded Third Place in the 32nd Annual Attorney General’s Cup Speech Competition. (SEN. JUSTO S. QUITUGUA AND COMMITTEE OF THE WHOLE – 05/31/16)

6. **Senate Joint Resolution No. 19-08**: Commending the Pacific Circle Consortium, an independent, non-profit corporation for their forty years of educational research and development, assistance, support and significant contribution on ideas, resources, information, materials and personnel among the Pacific countries and institutions. (SEN. JUSTO S. QUITUGUA AND COMMITTEE OF THE WHOLE – 06/07/16)

7. **Senate Bill No. 19-99**: To establish regulations for the use of Unmanned Aerial Vehicles or Drones; and for other purposes. (SEN. SIXTO K. IGISOMAR – 06/07/16)

8. **Senate Bill No. 19-100**: To amend 9 CMC § 2107, to provide for a Planned Non Operation Certification in lieu of registration; and for other purposes. (SEN. FRANCISCO Q. CRUZ – 06/15/16)

9. **Senate Bill No. 19-101**: To waive the Northern Marianas College tuition for a veteran with 30 percent or greater service-connected disability; and for other purposes. (SEN. FRANCISCO Q. CRUZ, SEN. FRANCISCO M. BORJA AND SEN. JUDE U. HOF SCHNEIDER – 06/15/16)

**Floor Leader Steve K. Mesngon**: Thank you Mr. President. Mr. President, we have one, two, three, four, five, six, seven, eight, nine Pre-filed Bills and Resolutions, Mr. President. If any member would like to read out their pre-filed bills, this is the opportunity for them to consider it on the floor, so move, if any member would like to introduce their pre-filed bills. Thank you Mr. President.
President Francisco M. Borja: Thank you Floor Leader. Any member wants to read out their pre-filed bills? If not, we are on – Senator Cruz?

Senator Francisco Q. Cruz: Thank you. Mr. President, I would like to introduce Senate Bill No. 19-100, to amend 9 CMC § 2107, to provide for a Planned Non Operation Certification in lieu of registration; and for other purposes. Thank you.

President Francisco M. Borja: And that is a pre-filed bill. Any other member under the Pre-filed Bills wants to read out their pre-filed bills?

The Chair recognizes Senator Sixto K. Igisomar.

Senator Sixto K. Igisomar: Thank you Mr. President. Okay, I will go ahead. Mr. President and members, I have two bills. Dos guini na bill. Unu Senate Bill No. 19-98, this is a bill to establish immunity for minors who are assisting ABTC to go out and investigate compliance and apparently there is a flaw in the statute and the kids are not able to participate. So this bill will authorize minors to do so and the other bill is Senate Bill No. 19-100 and this is to - sorry, Senate Bill No. 19-99 and this is basically a drone act. This bill intends to make sure that when enforcement officers are using drones to do investigations that they first get a permit from the court to be allowed that they can actually investigate and that if you accidentally pop up in their camera that they must smear it out unless you give them permission to. Thank you Mr. President.

President Francisco M. Borja: Thank you Senator Sixto. I believe when that bill comes to the floor, we need further discussion on that because you know, it should not only apply to law enforcement. It should apply to everyone that wishes to own a drone so thank you for that bill. Any other member?

The Chair recognizes Senator Justo S. Quitugua.

Senator Justo S. Quitugua: Si Yu’us Ma´ase Mr. President. Mr. President for Senate Resolution Numbers 19-41 to 19-43 and Senate Joint Resolution No. 19-08, if there is no objection from the members, I request that these resolutions be placed under Resolution Calendar on today’s Order of Business for adoptions.

President Francisco M. Borja: Any objection? Okay, Floor Leader, on the Resolution Calendar, we request that you make the appropriate motion for its placement and adoption. Any other member wants to – Senator Cruz?

Senator Francisco Q. Cruz: Thank you Mr. President and I would like also to introduce another bill, 19-101, to waive the Northern Marianas College tuition for a veteran with a 30 percent or greater service-connected disability; and for other purposes. Thank you.

President Francisco M. Borja: Thank you Senator Cruz. Any other member wants to read out the pre-filed bills? If none, we are moving down to the Introduction of Bills, Initiatives, Local Bills, and Resolutions. Anybody wants to introduce any bills at this time?
The Chair recognizes Senator Sixto K. Igisomar.

**Senator Sixto K. Igisomar:** I apologize, Mr. President. Mine is a resolution. Should I wait for the bills or should I just….

INTRODUCTION OF BILLS, INITIATIVES, LOCAL BILLS AND RESOLUTIONS

1. **Senate Resolution No. 19-48:** Requesting the Commonwealth Utilities Corporation and the Department of Public Works to submit physical development plans regarding infrastructure projects in the Third Senatorial District, and further requesting the Department of Finance to provide a detailed accounting of the developer infrastructure taxes collected and deposited into the Third Senatorial District Account as mandated by Public Law 8-23.

**President Francisco M. Borja:** Yeah, if there are no members who want to introduce on the floor the bill today, we can proceed to the Introduction of Resolution.

The Chair recognizes Senator Sixto K. Igisomar.

**Senator Sixto K. Igisomar:** Thank you Mr. President. I am introducing Senate Resolution No. 19-48 and I do invite everybody to join the authorship or as the Committee of the Whole or allow members to join in. This is requesting the Commonwealth Utilities Corporation and the Department of Public Works to submit a fiscal development plan regarding infrastructure projects in the third senatorial districts and further requesting the Department of Finance to provide details accounting of the developers infrastructure taxes collected and to deposit it into the third senatorial district’s account as mandated by Public Law No. 8-23. Thank you Mr. President.

**President Francisco M. Borja:** Any other member? If none, proceeding to the Reports of Standing Committee, Floor Leader. Before that, I recognize Senator Jude.

REPORTS OF STANDING COMMITTEES

1. **Standing Committee Report No. 19-85:** From the Committee on Fiscal Affairs reporting on S.B. NO. 19-75, SD1 - To amend 4 CMC § 1503 to authorize the third senatorial district to establish additional fees for electronic gaming machines licensed pursuant to Public Law 18-30; and for other purposes.

2. **Standing Committee Report No. 19-90:** From the Committee on Education and Youth Affairs reporting on S.B. No. 19-81, SS1 – To amend 3 CMC §10101(e), to authorize the Scholarship Office to use the voter registration information of parents,
and amend 3 CMC §10105(g), to authorize higher education financial assistance for eligible recipients enrolled at a trade institute or accredited institution of higher education and high school students with dual or early enrollment at NMC; and for other purposes.

Senator Jude U. Hofschneider: Thank you Mr. President. May I request for a short recess before we entertain the Committee Report?

President Francisco M. Borja: Okay, short recess.

The Senate recessed at 10:40 a.m.

And

The Senate reconvened at 11:04 a.m.

President Francisco M. Borja: Okay, we are back from recess and at this time I would like to recognize the presence of our former Lt. Governor and Speaker, Diego Benavente. Thank you for your presence here this morning. We are back to line item M, Reports of Standing Committee Report, Floor Leader.

Floor Leader Steve K. Mesngon: Thank you Mr. President. Mr. President we have two Standing Committee Reports for today’s agenda, Standing Committee Report No. 19-85 and Standing Committee Report No. 19-90 and the first one, Mr. President, I would like to make a motion for the adoption of these two Standing Committee. The first one Standing Committee Report No. 19-85 from the Committee on Fiscal Affairs reporting on Senate Bill No. 19-75, SD1, so move, Mr. President.

The motion was seconded by Senator Jude U. Hofschneider.

President Francisco M. Borja: Okay, there’s a motion on the floor for the adoption of Standing Committee Report No. 19-85 and it has been seconded. Any discussion?

Several members voiced, “ready”.

President Francisco M. Borja: Those in favor of the motion to adopt Standing Committee Report No. 19-85, say, “aye”.

Several members voiced, “aye”.

President Francisco M. Borja: All opposed, say, “nay”.

The motion was carried by voice vote.
President Francisco M. Borja: Standing Committee Report No. 19-85 is hereby adopted.

The Chair recognizes Floor Leader Steve K. Mesngon.

Floor Leader Steve K. Mesngon: Mr. President, the last one is Standing Committee Report No. 19-90 from the Committee on Education and Youth Affairs reporting in Senate Bill No. 19-81, SS1, so move for the adoption, Mr. President.

Several members voiced, “second”.

President Francisco M. Borja: Okay, the motion for the adoption of Standing Committee Report No. 19-90 and it has been seconded. Any discussion?

Several members voiced, “ready”.

President Francisco M. Borja: For the adoption of Standing Committee Report No. 19-90, all in favor of the motion say, “aye”.

Several members voiced, “aye”.

President Francisco M. Borja: All opposed, say, “nay”.

The motion was carried by voice vote.

President Francisco M. Borja: Motion carried. Standing Committee Report No. 19-90 is hereby adopted. Anything further Floor Leader?

Floor Leader Steve K. Mesngon: That is the last one, Mr. President, for now for today’s agenda. Thank you.

President Francisco M. Borja: So moving down to line item N, Reports of Special Conference Committee, none?

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

NONE

President Francisco M. Borja: Under Resolution Calendar, I recognize the Floor.
RESOLUTION CALENDAR

1. Senate Resolution No. 19-41: To recognize and commend Mr. Lance Vincent Q. Deleon Guerrero of Mount Carmel High School on winning the 32nd Annual Attorney General’s Cup Speech Competition through his remarkable speech.

2. Senate Resolution No. 19-42: To recognize and acknowledge Mr. Mikhail T. Alcantara of Saipan Southern High School on placing Second Place in the 32nd Annual Attorney General’s Cup Speech Competition.

3. Senate Resolution No. 19-43: To recognize and acknowledge Ms. Ann Margaret Norcio of Marianas High School on being awarded Third Place in the 32nd Annual Attorney General’s Cup Speech Competition.

4. Senate Joint Resolution No. 19-08: Commending the Pacific Circle Consortium, an independent, non-profit corporation for their forty years of educational research and development, assistance, support and significant contribution on ideas, resources, information, materials and personnel among the Pacific countries and institutions.

Floor Leader Steve K. Mesngon: Thank you Mr. President. Mr. President, as stated earlier, there’s a couple of resolutions to be entertained today. It was stated from our Chairman, Senator JQ and before I do that, Mr. President. I would like to move for the suspension of the pertinent rules to place Senate Resolution No. 19-41, Senate Resolution No. 19-42, Senate Resolution No. 19-43 and Senate Joint Resolution No. 19-08 on today’s calendar for action.

President Francisco M. Borja: Can you repeat the Joint Resolution?

Floor Leader Steve K. Mesngon: The Senate Joint Resolution, Mr. President, is Senate Joint Resolution No. 19-08 and I want to place it on the Resolution Calendar for today’s action, so moved.

President Francisco M. Borja: Okay, there’s a motion for the suspension of the pertinent rules in order to place Senate Resolution No. 19-41, 42, 43 and Senate Joint Resolution No. 19-08 in today’s Resolution Calendar and it has been seconded. Any discussion? If none, Clerk, for the suspension of the rules, can you take the roll?

The Clerk called the roll on the motion to suspend Senate Rule 8, Sections 6, 7 and 8.

Senator Francisco Q. Cruz: yes
Senator Jude U. Hofschneider: yes
Senator Sixto K. Igisomar: yes
Senator Paul A. Manglona: absent
Senator Steve K. Mesngon: yes
Senator Arnold I. Palacios: yes
Senator Justo S. Quitugua               yes
Senator Teresita A. Santos               yes
President Francisco M. Borja               yes

**President Francisco M. Borja:** With all eight members voting yes, the motion to suspend the rules is hereby passed. Floor, you still have…..

**Floor Leader Steve K. Mesngon:** Yeah, thank you. I am sorry for that, Mr. President. Mr. President, now I would like to move for the adoption of this certain resolution and the first one is Senate Resolution No. 19-41, to recognize and commend Mr. Lance Vincent Q. Deleon Guerrero of Mount Carmel High School on winning the 32\textsuperscript{nd} Annual Attorney General’s Cup Speech Competition through his remarkable speech, so move.

The motion was seconded by Senator Jude U. Hofschneider.

**President Francisco M. Borja:** Okay, there’s a motion for the adoption of Senate Resolution No. 19-41 and it has been seconded. Any discussion? If none, all in favor of the motion to adopt Senate Resolution No. 19-41, say, “aye”.

Several members voiced, “aye”.

**President Francisco M. Borja:** All opposed, say, “nay”.

The motion was carried by voice vote.

**President Francisco M. Borja:** Motion carried. Senate Resolution No. 19-41 is hereby adopted.

**Floor Leader Steve K. Mesngon:** Thank you Mr. President. The other one Mr. President is Senate Resolution No. 19-42, is to recognize and acknowledge Mr. Mikhail T. Alcantara of Saipan Southern High School on placing Second Place in the 32\textsuperscript{nd} Annual Attorney General’s Cup Speech Competition.

The motion was seconded by Senator Jude U. Hofschneider.

**President Francisco M. Borja:** There’s a motion and it was seconded for the adoption of Senate Resolution No. 19-42. Any discussion? All in favor of the motion for the adoption of Senate Resolution No. 19-42, say, “aye”.

Several members voiced, “aye”.

**President Francisco M. Borja:** All opposed, say, “nay”.

The motion was carried by voice vote.

**President Francisco M. Borja:** Motion carried. Senate Resolution No. 19-42 is hereby adopted.
The Chair recognizes Floor Leader Steve K. Mesngon.

**Floor Leader Steve K. Mesngon**: Yes, Mr. President. The other Senate Resolution No. 19-43 is to recognize and acknowledge Ms. Ann Margaret Norcio of Marianas High School on being awarded Third Place in the 32\(^{nd}\) Annual Attorney General’s Cup Speech Competition, so move.

**President Francisco M. Borja**: A motion for the adoption of Senate Resolution No. 19-43 and it has been seconded. Any discussion?

Several members voiced, “ready”.

**President Francisco M. Borja**: All in favor of the motion to adopt Senate Resolution No.19-43, say, “aye”.

Several members voiced, “aye”.

**President Francisco M. Borja**: All opposed, say, “nay”.

The motion was carried by voice vote.

**President Francisco M. Borja**: Motion carried. Senate Resolution No. 19-43 is hereby adopted.

**Floor Leader Steve K. Mesngon**: Thank you Mr. President and the last one on the resolution is the Senate Joint Resolution No. 19-08, commending the Pacific Circle Consortium, an independent, non-profit corporation for their forty years of educational research and development, assistance, support and significant contribution on ideas, resources, information, materials and personnel among the Pacific countries and institutions, so move.

**President Francisco M. Borja**: Motion is for the adoption of Senate Joint Resolution No. 19-08 and it has been seconded. Any discussion?

Several members voiced, “ready”.

**President Francisco M. Borja**: For the adoption of Senate Joint Resolution No. 19-09, all in favor say, “aye”.

Several members voiced, “aye”.

**President Francisco M. Borja**: All opposed, say, “nay”.

The motion was carried by voice vote.

**President Francisco M. Borja**: Motion carried. Senate Joint Resolution No. 19-08 is hereby adopted. Any further? Any more resolutions, Floor?
Floor Leader Steve K. Mesngon: That is the last one, Mr. President.

President Francisco M. Borja: Okay, so we are moving down to the next Order of Business under line item P, Bill Calendar.

Floor Leader Steve K. Mesngon: Mr. President, can I request for a short recess?

President Francisco M. Borja: Short recess.

The Senate recessed at 11:13 a.m.

And

The Senate reconvened at 11:15 a.m.

President Francisco M. Borja: We are back to our plenary session. Floor, you still have the floor.

Floor Leader Steve K. Mesngon: Are we on the Bill Calendar now, Mr. President?

President Francisco M. Borja: Yes, we are on the Bill Calendar.

BILL CALENDAR

FIRST READING

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<thead>
<tr>
<th>LEG. NO.</th>
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### FINAL READING

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<thead>
<tr>
<th>LEG. NO.</th>
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<tbody>
<tr>
<td>S.B. No. 19-75, SD1</td>
<td>To amend 4 CMC § 1503 to authorize the third senatorial district to establish additional fees for electronic gaming machines licensed pursuant to Public Law 18-30; and for other purposes</td>
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<td>(See SCR 19-85)</td>
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<td>S.B. No. 19-45, SD1, HD2</td>
<td>To establish an Advisory Commission on the compensation of the Governor, Lt. Governor, the Mayors, Legislators, and Justices, and Judges; and for other purposes</td>
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<td>(HC 19-161)</td>
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<td>PASSED</td>
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<td>S.B. No. 19-50, SD1, HD1</td>
<td>To amend 1 CMC § 2807 to require all public land leases to include a condition that lessees must connect to and use the CUC power grid subject to CUC’s evaluation and determination regarding the proposed development’s power requirements; and for other purposes</td>
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<td>(HC 19-162)</td>
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<td>PASSED</td>
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<td>S.B. No. 19-70, HD1</td>
<td>To amend 6 CMC § 2301(a) to penalize the importation of banned pesticides; and for other purposes</td>
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<td>(HC 19-163)</td>
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<td>PASSED</td>
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<td>H.B. No. 19-25</td>
<td>To Amend Title 9, Division 2, Chapter 2, Article 1, to provide for Real ID Identification Cards and Driver’s Licenses; and for other purposes</td>
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<td>(HC 19-166)</td>
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<tr>
<td>S.B. No. 19-81, SS1</td>
<td>To amend 3 CMC §10101(e), to authorize the Scholarship Office to use the voter registration information of parents, and amend 3 CMC §10105(g), to authorize higher education financial assistance for eligible recipients enrolled at a trade institute or accredited institution of higher education and high school students with dual or early enrollment at NMC; and for other purposes</td>
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<td>(See SComm.Report 19-90)</td>
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**Floor Leader Steve K. Mesngon:** Okay, thank you Mr. President and there is one, two, three, four on our Bill Calendar for today’s action Mr. President and the first one, I move for the passage of Senate Bill No. 19-75, SD1, to amend 4 CMC § 1503 to authorize the third senatorial district to
establish additional fees for electronic gaming machines licensed pursuant to Public Law 18-30; and for other purposes, so move, Mr. President.

President Francisco M. Borja: Okay, there’s a motion for the passage on Final Reading, Senate Bill No. 19-75, SD1 and it has been seconded. Under discussion, any member?

Several members voiced, “ready”.

President Francisco M. Borja: Ready? Voting for the passage of Senate Bill No. 19-75, SD1 on Final Reading, Clerk, can you take the roll?

The Clerk called the roll on the motion to pass Senate Bill No. 19-75, SD1.

- Senator Francisco Q. Cruz: yes
- Senator Jude U. Hofschneider: yes
- Senator Sixto K. Igisomar: yes
- Senator Paul A. Manglona: absent
- Senator Steve K. Mesngon: yes
- Senator Arnold I. Palacios: yes
- Senator Justo S. Quitugua: yes
- Senator Teresita A. Santos: yes
- President Francisco M. Borja: yes

President Francisco M. Borja: With all eight members voting yes, Senate Bill No. 19-75, SD1 hereby passes the Senate on Final Reading.

Floor Leader Steve K. Mesngon: Thank you Mr. President. The second one on our Bill Calendar is Senate Bill No. 19-45, SD1, HD2, to establish an Advisory Commission on the compensation of the Governor, Lt. Governor, the Mayors, Legislators, and Justices, and Judges; and for other purposes, so move.

Several members voiced, “second”.

President Francisco M. Borja: There is a motion for the passage of Senate Bill No. 19-45, SD1, HD2 on Final Reading and it has been seconded. Any discussion?

Several members voiced, “ready”.

President Francisco M. Borja: Okay, for the passage of Senate Bill No. 19-45, SD1, HD2, Clerk, can you take the roll?
The Clerk called the roll on the motion to pass **Senate Bill No. 19-45, SD1, HD2**.

<table>
<thead>
<tr>
<th>Senator</th>
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<tr>
<td>Francisco Q. Cruz</td>
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<td>Sixto K. Igisomar</td>
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<td>Paul A. Manglona</td>
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<td>Steve K. Mesngon</td>
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<td>Arnold I. Palacios</td>
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<td>Justo S. Quitugua</td>
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<td>Teresita A. Santos</td>
<td>yes</td>
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<tr>
<td>Francisco M. Borja</td>
<td>yes</td>
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</table>

**President Francisco M. Borja**: With all eight members present voting yes, Senate Bill No. 19-45, SD1, HD2 hereby passes the Senate on Final Reading.

The Chair recognizes Floor Leader Steve K. Mesngon.

**Floor Leader Steve K. Mesngon**: Yes, thank you Mr. President. I would like to move for the passage of Senate Bill No. 19-50, SD1, HD1, to amend 1 CMC § 2807 to require all public land leases to include a condition that lessees must connect to and use the CUC power grid subject to CUC’s evaluation and determination regarding the proposed development’s power requirements; and for other purposes, so move, Mr. President.

**President Francisco M. Borja**: The motion is for the passage of Senate Bill No. 19-50, SD1, HD1 and it has been seconded. Any discussion?

The Chair recognizes Senator Jude U. Hofschneider.

**Senator Jude U. Hofschneider**: Thank you Mr. President. On Senate Bill 19-50 SD1, HD1, would this bill if becomes law mandates every development on public land to connect to CUC grid? If so, I guess this will then make it a law for developers to hook up to the grid. Currently, every major siting permit requires developers to hook to the grid provided that the load is sufficient. I’m in support of the intent of the bill provided so that it is applied accordingly amongst all the developments in the CNMI. Thank you Mr. President.

**President Francisco M. Borja**: Any further discussion?

The Chair recognizes Vice President Arnold I. Palacios.

**Vice President Arnold I. Palacios**: Just for historical purposes, one of the reasons is why a lot of our major business, commercial businesses, practically all the large hotels and even Duty Free, these are big infrastructure businesses in the Commonwealth that are not hooked up the grid or in fact have had to construct their own power system was because certain times over the pass twenty to thirty years, our CUC was not able to provide some of the most basic infrastructure i.e. water and power. So a lot of these major businesses have their own power plant system and that went with a lot of
investments so I think there is a provision in the bill. I will support the bill, but there is a provision that does take those into consideration in case CUC cannot—which in very recent days looks like they may not be able to provide the necessary infrastructure such as power and even water to these developments and new developments that are going to be coming down on line. So that is something that I believe CUC should seriously take note of in planning its infrastructure. Thank you.

**President Francisco M. Borja:** Thank you Vice. Any further under discussion?

The Chair recognizes Senator Sixto K. Igisomar.

**Senator Sixto K. Igisomar:** Thank you, Senate President. *Lokkue* I just wanted to add that the – just additional information and thanks to the senators for their support. Traditional power generation for utility in all states normally mandates and requires that everybody hooks up to the utility so that there is a pool sharing of cost most especially to make sure that the indigent and those that are poor are able to afford power by mandating that everybody hooks up and so somehow along the way, I understand that there were deficiencies in CUC in the past but just the fact that a huge volume of power consumption is not being consumed by the companies or the investors that are actually sitting on our public lands. It is a great loss of revenue for CUC so CUC in a way was prevented indirectly to not be able to take care of the infrastructure. Similarly based on the audited financial statement of CUC back in 2014, they are in real need of infrastructure development upgrade to patch the loss of power, loss of water through all these other means of either improper metering or leakage but they are having a hard time because their revenue collections is less than their expense. So yes, as our Vice President mentioned, there is a provision in here to make sure that such a business on our public lands, that CUC will have the opportunity to decline if we do not have the capacity, but I am hoping that through this mechanism we will be able to put together policies so that everybody who is in public lands can start hooking up and start giving CUC the revenue they need. Thank you Mr. President.

**President Francisco M. Borja:** Thank you Senator Igisomar. Any other member wants to – under discussion? If none, back to the main motion, for the passage of Senate Bill No. 19-50, SD1, HD1, Clerk, take the roll.

The Clerk called the roll on the motion to pass **Senate Bill No. 19-50, SD1, HD1.**

- Senator Francisco Q. Cruz  yes
- Senator Jude U. Hofschneider  yes
- Senator Sixto K. Igisomar  yes
- Senator Paul A. Manglona  absent
- Senator Steve K. Mesngon  yes
- Senator Arnold I. Palacios  yes
- Senator Justo S. Quitugua  yes
- Senator Teresita A. Santos  yes
- President Francisco M. Borja  yes
President Francisco M. Borja: With all eight members voting yes, Senate Bill No. 19-50, SD1, HD1 hereby passes the Senate on Final Reading.

The Chair recognizes Floor Leader Steve K. Mesngon.

Floor Leader Steve K. Mesngon: Thank you Mr. President. Mr. President, now I would like to move for the passage of Senate Bill No. 19-70, HD1, to amend 6 CMC § 2301(a) to penalize the importation of banned pesticides; and for other purposes, so move.

President Francisco M. Borja: There’s a motion for the passage on Final Reading, Senate Bill No. 19-70, HD1 and it has been seconded. Any discussion? Okay, for the passage of Senate Bill No. 19-70, HD1, Clerk, can you take the roll?

The Clerk called the roll on the motion to pass Senate Bill No. 19-70, HD1.

- Senator Francisco Q. Cruz: yes
- Senator Jude U. Hofschneider: yes
- Senator Sixto K. Igisomar: yes
- Senator Paul A. Manglona: absent
- Senator Steve K. Mesngon: yes
- Senator Arnold I. Palacios: yes
- Senator Justo S. Quitugua: yes
- Senator Teresita A. Santos: yes
- President Francisco M. Borja: yes

President Francisco M. Borja: With all eight members voting yes, Senate Bill No. 19-70, SD1 hereby passes the Senate on Final Reading.

The Chair recognizes Floor Leader Steve K. Mesngon.

Floor Leader Steve K. Mesngon: Thank you Mr. President. Mr. President, I would like to ask the indulgence of the members if we can skip House Bill No. 19-25 and entertain it on Friday due to some documentation that is not in place and we will go down for the last one on Senate Bill No. 19-81 and move for the passage, Senate Bill No. 19-81, SS1, to amend 3 CMC §10101(e), to authorize the Scholarship Office to use the voter registration information of parents, and amend 3 CMC §10105(g), to authorize higher education financial assistance for eligible recipients enrolled at a trade institute or accredited institution of higher education and high school students with dual or early enrollment at NMC; and for other purposes, so move.

President Francisco M. Borja: Thank you. Before we entertain the motion, any objection on the deferment of the recommendation of the floor? If none, for the passage of Senate Bill No. 19-81, SS1 under Final Reading, motion has been seconded. Any discussion?

Several members voiced, “ready”.

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**President Francisco M. Borja:** We are now voting for the passage of Senate Bill No. 19-81, SS1 on Final Reading. Clerk, take the roll.

The Clerk called the roll on the motion to pass *Senate Bill No. 19-81, SS1*.

- Senator Francisco Q. Cruz: yes
- Senator Jude U. Hofschneider: yes
- Senator Sixto K. Igisomar: yes
- Senator Paul A. Manglona: absent
- Senator Steve K. Mesngon: yes
- Senator Arnold I. Palacios: yes
- Senator Justo S. Quitugua: yes
- Senator Teresita A. Santos: yes
- President Francisco M. Borja: yes

**President Francisco M. Borja:** With all eight members present voting yes, Senate Bill No. 19-81, SS1 hereby passes the Senate on Final Reading. Any further bills?

**Floor Leader Steve K. Mesngon:** That is the last one, Mr. President, on our Bill Calendar for today. Thank you.

**President Francisco M. Borja:** Thank you Floor. Moving down to line item Q, Petition, Memorials and Miscellaneous Communication.

**PETITIONS, MEMORIALS AND MISCELLANEOUS COMMUNICATIONS**

1. **Misc. Comm. No. 19-145:** April 25, 2016 – Certified copy of YC Bill No. 15-01, S1 – To create additional scholarship funds to be funded by increasing the alcoholic beverage container tax by $0.0025 provided under 4 CMC § 1405 (b); and for other purposes.

2. **Misc. Comm. No. 19-146:** April 25, 2016 - Certified copy of YC Bill No. 15-02–To amend 1 CMC § 3411 (c) and (d) and § 3416 (a) of the Commonwealth Littering Control Act of 1989; and for other purposes.

3. **Misc. Comm. No. 19-147:** April 25, 2016 - Certified copy of YC Res. No. 15-06–To Include CNMI YC as a non-voting member of House and Senate Standing Committees.

Note: MC 19-149 and 150 was added in the April 29, 2016 Senate session.


President Francisco M. Borja: Any member wants to comment on any of the Miscellaneous Communication? If none, under Miscellaneous Business, the floor is open.

MISCELLANEOUS BUSINESS

The Chair recognizes Vice President Arnold I. Palacios.

Vice President Arnold I. Palacios: Thank you Mr. President. I wanted to comment on Governor’s Messages No. 19-34 if that is okay. This is the Governor’s Message for the Declaration of State of Emergency for CUC and this is basically a renewal of the same Declaration of Emergency specifically to address the – to enable CUC to hire foreign nationals that are necessary to ensure that
delivery of uninterrupted power services to the people of the Commonwealth. This is a very significant Declaration of Emergency because it basically relieves, provides relief of legislative prohibition on hiring foreign nationals in CUC and therefore it allows CUC to work outside the confines of that law. What is disheartening is in yesterday’s paper, we learn that these foreign nationals who are supposed to be part of this Declaration of State of Significant Emergency, their CW permits have been denied so while the Governor and this body gave the CUC a waiver of the legal requirements. Unfortunately, CUC somehow within that organization dropped the ball and so we are basically in essence are lacking the essential services or essential expertise that these CW workers are supposed to provide to the power plant and the electrical system. I want to make note that somehow, despite all these efforts and even a Declaration of Emergency by the Governor, somehow is not taken seriously. I am not sure how CUC is going to address this particular issue, but I hope they do because if you read the contents of this Declaration of Emergency it is very significant. We are basically waiving the requirements of laws so that we can address this issue, but somehow the management or the management that is responsible in CUC failed to live up to their responsibilities to ensure that the power system continues to run. I hope that we don’t really- this does not resolve in a catastrophe in the power plant. Thank you.

**President Francisco M. Borja:** Thank you Vice.

The Chair recognizes Senator Sixto K. Igisomar.

**Senator Sixto K. Igisomar:** Thank you very much, Mr. President. Si Yu´us Ma´ase and just to echo or add on to our Vice’s concern, for the members’ information the meeting for CUC for tomorrow afternoon or morning has been postponed. That meeting is moved to next week Wednesday at 9:30 a.m. so that we can raise the question to CUC to hopefully respond to them, but if I may add some comment on my personal observation and also as a legislator, Mr. President, with respect to CUC, apparently based on information which CUC can confirm next Wednesday is somehow ti hu tungo’ tumaimano na ayu siha na division ni man mane’neha ni taotao hiyung, guaha iyo-ña foreign workers lao ti ma tulai’laika. Lao ayu siha na division papa CUC ni i taotao Marianas siha managers kana todu esta man ma phase huyong i taotao hiyung ya puru ha locals man halom. Pues ti hu tungo’, ti hu komprende tumaimanu na este na banda gi power plant gi fino´ña ayu i papet pagu na sen siña hayi siña ha cho’gue na che’cho. Hafa na para hu ma aligao i foreigners. Pues i guess somewhere along the line and I apologize for mixing the dialect, English and Chamorro lao somewhere along the line, somebody is not doing their work at CUC and it’s very true. We had three former Directors prior to the Acting Director and I must personally and as a Chairman for PUTC, applaud the current Acting Director Gary Camacho for bringing out all these issues that somehow it goes around in the media and its played in the media but no one has really ever taken these issues seriously but now, to come to notice that we have foreigners that were not renewed or USCIS failed to renew, those people should have been phased out a long time ago and in my conversation with Acting Director, hopefully he will be able to phase these people out at the same time and we do have currently active training going on at NMTI for our locals, our qualified US citizens to be able to work at CUC. So that is ongoing. However, with these foreigners, it is unfortunate that USCIS turned them down and that is why about a month ago, CUC went into litigation in trying to fight USCIS to bring these people back. However, at the same time, for our information in our PUTC meeting tomorrow, there is a bill indeed as mentioned by our Vice that here we are trying to give CUC the opportunity to hire highly skilled workers that we can’t find here
on our island. We have that bill that would hopefully answer that for CUC but with respect to issues and concerns of CUC, I encourage ourselves on next week Wednesday to bring up the questions that we can ask why is it that CUC for a long time under the direction of, I would say, a federal agency with requiring all these Directors to come on board. What have they done? What have they accomplished? But now with our current Acting Director all these issues are surfacing, surfacing and as if it was his fault, as if it was his doing and from our observation it is not. It is because of the prior leadership within the administration of CUC that I hope they come to light and so that we can have a good engagement with CUC and if I may, as I have mentioned earlier, Mr. President, CUC indeed is broke and it’s not because people are not paying, it’s the private, we reviewed with our financial analyst and if I may continue, Mr. President, ti un mind no? Just to give a little bit more light.

President Francisco M. Borja: You have the floor.

Senator Sixto K. Igisomar: Mr. President, based on my analysis, I mean actually his analysis si Demapan, the accounts receivable collection in 2014 in the audited financial statement, for every dollar that CUC bills, they only collect 38 cents, but if we look at it and analyze it on their notes, the residential and the commercials pay their bills. They pay, so for every billing that CUC bills residential and commercials, they collect back about 85 cents. Which means it’s really good, but on the government side, they collect back about 30 cents. So the biggest problem, and I know we keep forcing CUC and telling them hafa na ti un cho’cho’gue i che’cho’mu. Hafa na ti un cho’cho’gue este but at the end of the day, the revenue collection is less than the total expense. Even no matter what we do, but I am not saying that is their excuse. Lao man impottante para ta atan who is the Director of CUC and how are they managing it and why is it a very good question. Now, why is it that CUC is bankrupt supposedly yet somewhere along the line, people underneath the Director are going out authorizing a purchase of half a million dollars for fleet of cars. So enao gue siha nai, Mr. President, ya there is a bill that is currently being worked on and it’s not done, but it’s a matter of giving CPUC the full authority and right within a parameter to oversee CUC not just for i bandan rate increase, but to look into CUC and audit CUC on operations and management because no matter how we try to slice up komu là’lache i san halom, hafa ayu i na’aña i kantan trokun gueku? Right? If it’s hollow in the inside because of mismanagement and inefficiency, no matter how we try to bake it and make it look nice, it’s ugly on the inside. So that is why I hope that we finish this bill by next month that we can give CPUC so that they can do proper oversight. Na dinanche but it’s not just for CUC and I know that my statement might be digressing, but it’s really on any utility power generation or water generation, any utility. If it has to be privatized, let’s privatize it. Komu ti siña este gi bandan i government sa bula i politics yan bulan involvement then let’s find a way na para hu easy para hu efficient para i taotao Marianas and thank you Vice and thank you for bringing up this issue with CUC for the members because it is a very important aspect and Mr. President I will continue to do my work with your committee to make sure we come up with good policies to help CUC move forward and efficiently. Si Yu’us Ma’ase, Mr. President.

President Francisco M. Borja: Thank you Senator Sixto.

The Chair recognizes Senator Justo S. Quitugua.
**Senator Justo S. Quitugua:** Si Yu´us Ma´a Approximate, Mr. President. Mr. President, komu guaha problema ma apunta magi gi leyeslatura. Todu problema gi huyong gi dipattementu pat problema ni haafe`feka i komunidat ti ilékña CUC, ilékña i leyeslatura. Guaha unu na bill ni para hu address este i emergency nai kada mes ma laknos. Esta Mr. President, o`otson yu mu li´e este gi iyo-ta Order of Business kada mes ya an hun atan i number siete gi este i Declaration of Emergency pot i CUC, pahema tres gi mina tres na sentensia, hita ha ta´lo man ma blame. Ilékña guini, “the Legislature is urged to address this matter by way of amending the local law to allow CUC to continue employing the services of foreign workers for such technical positions difficult to fill and to provide for a reasonable transition. Guaha esta i legislatura ma cho´gue ya i author si Senator Igisomar lao ma recalled. Gi mismo tiempo lokkue hu taitai gi gasea gi alacha ya ilékña i Attorney General na i federát ha take over immigration pues ti bumi este na bill i ta recalled. Pues hafa pagu para ta cho´gue kao para ta continua ayu na legislation ni ha mente´teni si Senator Sixto? Or sinó ta continua este ta´lo kada mes i Emergency Declaration. Pues magof yu Mr. President, sa i Chairman, as Senator Igisomar ilékña na para ta fan a´le yan i taotao CUC sa bula lokkue comments yan complains yan issues man mafatto ginen i komunidat nai tay siña hu answer CUC. Hopefully si Chairman Igisomar una fanmanhula fan enao i taotao CUC ya humasangan i magahet ya hu ma hungok nui publiku hafa siha i problema ya lokkue hafa gi magahet siña ta cho´gue sa hita ha man ma sosukni kada guaha problema. Si Yu´us Ma´a Approximate Mr. President.

**President Francisco M. Borja:** Thank you Senator Quitugua.

The Chair recognizes Vice President Arnold I. Palacios.

**Vice President Arnold I. Palacios:** I didn’t mean to entice, I mean generate a controversial – but yeah, it does appear that the Declaration of a State of Emergency for CUC is almost useless because it really boils down to whether or not USCIS does approve the permits for these workers, but it is very interesting and I do look forward to engaging with CUC at the earliest possible time scheduled by the Chairman of PUTC. Thank you.

**President Francisco M. Borja:** Thank you Vice. Any other?

The Chair recognizes Floor Leader Steve K. Mesngon.

**ANNOUNCEMENT**

**Floor Leader Steve K. Mesngon:** Thank you Mr. President. Just one thing under the Announcement also. I sent out a letter to Star Marianas and the members who wish to join me Wednesday at 10:30, just probably at the president’s conference room. This is in regards to the fare rates that was imposed just recently where Star Marianas – it’s really affecting Rota drastically and we just want to have some clarification from the management of Star Marianas. So they did call that they are going to come and explain the letter that I wrote to them trying to give us and expound more information in regards to the airfare. Whoever wants to join me on that day, you guys are more than welcome to please come in. It’s going to be at 10:30 at the president’s conference room, Wednesday. Thank you Mr. President.
**President Francisco M. Borja:** Thank you Floor. I think the Floor moved up to the Announcements so we are under announcement.

The Chair recognizes Senator Sixto K. Igisomar.

**Senator Sixto K. Igisomar:** Si Yu’us Ma’ase Mr. President ya bai na klaru ha lakkue na agupa gi 9:30 i PUTC Committee ya enao gue na hu faisën iyo-ta Floor kao siña an makpo i PUTC sa kulang related este na issue gi bandan i ticket siha nai na hu halom i Star Marianas right after our meeting and then we can continue with them. Thank you.

The Chair recognizes Senator Jude U. Hofschneider.

**Senator Jude U. Hofschneider:** Thank you Mr. President. I just want to remind the members that we do have a hearing with the Secretary of Finance on Thursday at 9:30 am in the chamber primarily to discuss the Concurrent Resolution for adoption or before we adopt and so the other important information that the committee members have, Mr. President. So I just want to remind everyone 9:30 Thursday. Thank you.

**President Francisco M. Borja:** Any other under Announcements? If none, the Chair wants to also remind all the members that Thursday, the 23\(^{rd}\) at 1:00 pm we have a scheduled meeting with the military concerning the divert - so I ask for your presence so that you can raise any concern and listen to the progress on this very important issue. So I just ask the members to please be present on the 23\(^{rd}\) at 1:00 p.m. If none, no more under Announcement? Also don’t forget Friday we are going to have again a session on Friday at 10:00 am. Under Adjournment, Floor.

**ADJOURNMENT**

**Floor Leader Steve K. Mesngon:** Thank you Mr. President. As well stated, Mr. President, for today’s good business agenda, Mr. President, thank you and before us, I now move for the adjournment subject to the call, so move, Mr. President.

**President Francisco M. Borja:** Okay, there’s a motion to adjourn and it has been seconded. Discussion?

Several members voiced, “ready”.

**President Francisco M. Borja:** All in favor of the adjournment say, “aye”.

Several members voiced, “aye”.

**President Francisco M. Borja:** All opposed, say, “nay”.
The motion was carried by voice vote.

President Francisco M. Borja: Motion carried. This session is hereby adjourned. Thank you.

The Senate adjourned at 11:49 a.m. subject to the call of the Chair.

Respectfully Submitted,

/s/ Geraldine T. Cruz
Senate Journal Clerk

APPEARANCE OF SENATE LOCAL BILLS

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<th>LEG. NO.</th>
<th>TITLE</th>
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<tr>
<td>SLB 19-12</td>
<td>To amend 10 CMC Sections 11102(a) and 11105; and for other purposes.</td>
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<td>2nd Appearance</td>
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<tr>
<td>SLB 19-13</td>
<td>To amend 10 CMC § 1304(a)(3)(ii) and to amend Title 10, Division 1, Chapter 3, Article 1 of the Commonwealth Code by adding new subsections; and for other purposes. [Naming of public buildings/streets]</td>
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<td>1st Appearance</td>
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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.