

THE SENATE • TWENTIETH LEGISLATURE • COMMONWEALTH OF THE NORTHERN MARIANA
ISLANDS



Senate
THIRD REGULAR SESSION – 2018

SJ 20-28

 Third Day

 Thursday, February 22, 2018

In compliance with the Open Government Act, Senate President, Arnold I. Palacios, issued a session call on February 16, 2018 that the Senate of the Twentieth 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, the Senate and the House of Representatives, posted on the Commonwealth Legislature's website at www.cnmileg.gov.mp.

The Senate of the Twentieth Northern Marianas Commonwealth Legislature convened its Third Day, Third Regular Session, on February 22, 2018, at 10:34 a.m. in the Senate Chamber, Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Arnold I. Palacios, President of the Senate, presided.

A moment of silent prayer was observed.

The Clerk called the roll, eight members are "present" and one "absent."

President Palacios: With eight members present we've established a quorum to convene today's session. Senator Paul Mangloña, requested to be excused for today's session. Clerk, please have the record reflect that. With that, we move on to agenda Item B, Public Comment.

PUBLIC COMMENT

President Palacios: The Chair now invites any member of the public present here this morning to make comments, statements or share their perspective on any of the legislation's or any of the agenda items appearing in today's calendar. Please state your name, the organization that you're representing and the particular issue that you wish to speak on.

Ms. Ana S. Teregeyo: Thank you, Mr. President. *Buenas dias para todos hamyo man-onorabli na membron i san hilo' na Guma Kongresu. Malago-yo lökkue para baihu Saluda hamyu todos guine na ogga'an.* As a public testimony I am submitting my written testimony on Senate Bill No. 20-87.

President Palacios: Ms. Teregeyo, please for the record, state your name.

Ms. Ana S. Teregyo: I'm sorry. My name is Ana Sablan Teregyo, a CNMI Retiree, a Widow, a Grand and Great grandmother, and a former member of the CNMI Legislature, House of Representatives, for eight (8) years representing Election Precinct 1. My subject for the present public comment rest on Senate Bill No. 20-87, "To amend 4 CMC §2313(b) to increase the number of casino commissioners to seven and make 1 CMC §2901 applicability to the CNMI Casino Commission; and for other purposes." I am here this morning to offer my utmost support to the Senate Gaming Committee on its amendment to Senate Bill No. 20-87, and the applicability of statutory requirements in Title 1(a), Chapter 1, Section (g) which states...unless otherwise provided by Law, every Board or Commission shall have at least one (1) female member, at least one (1) member who is of Carolinian Descent, at least one (1) member from each Senatorial District (Saipan and Northern Islands, Rota; Tinian and Aguiguan). Mr. President and members, the CNMI Casino is a new industry on Saipan and every effort must be taken to control the existence of criminal activities common to gambling in a small island community. Since CNMI CASINO COMMISSION was created by a statute as a Regulatory Agency, it is critically imperative that the CNMI CASINO Commission shall have a broad base representation of leadership that shall include a female representative as a new industry with many challenges. On the other side, we all should be mindful that not only there are criminal activities, but also there are economic benefits to the islands and its people. I sincerely hope that the Presiding Officers of the Twentieth Commonwealth Legislature shall review current statutes to ensure that they meet the statutory requirement as provided by law regarding inclusion of a female and a Carolinian Descent as members on any Board or Commission for consistency purposes. In addition, I humbly ask you, Mr. President, and members of the Senate to wholeheartedly support the amendment as presented by Chairman and his committee on Gaming. Thank you and *si Yu'us ma'ase*.

President Palacios: Thank you, Ms. Teregyo. Can we have your written testimony for the record? Thank you. We will be taking up that particular legislation that you are referring to today. Any other members of the public present wish to speak?

Mr. John Tagabuel: Good morning, Mr. President. My name is John Tagabuel. I am the Executive Assistant for the Carolinian Affairs. I was here during the last hearing that we had regarding Senate Bill No. 20-87, and I am still here I am still in support of that bill. I just want to reiterate that we are the minority of the minority here on our islands in the CNMI. And, we got to really think about the decision that we're making for the future. Just like everybody else that were sitting here the last time they came up to testify they had the reasons, but I'm here because the reason is the Refaluwasch and Chamorro's are indigenous people of this island. And, for us to have other people to make our decision is going to be a great impact on our community so I am here and I'm strongly supporting that a Carolinian woman and a Chamorro be on the Board. I'm also going to reiterate that the excuses of funding, the excuses of other people coming to our island and being part of this island is just really an excuse for us to make other decisions and override people from having decision to make. Our people are here and whatever decision we make now is going to impact our future. Our children are going to be sitting where? Of course, they are going to be out there trying to struggle to make their own live. And now, that we're sitting here talking about a position on this Commission, I strongly urge that we look back to the loss and rescind the exemption that was put on the Commission Board not to have the Carolinian just because there is no Carolinian in Tinian, there is no Carolinian in Rota. We have to really think about it. This is about our people and for us to move forward let us move forward as one. Thank you very much.

President Palacios: Thank you, Mr. Tagabuel. Any other member of the public? With that, before we move on to agenda Item C, without objection, we will now present the Senate Resolution offered and adopted in honor of Mrs. Concepcion Olopai Igisomar. The members have given me the honor to read the heading of the resolution then after that I will invite the family members to join us for presentation of the Plaque. Senate Resolution No. 20-22, “A Senate Resolution to express heartfelt condolences to the bereaved family of the Late Concepcion Olopai Igisomar on her untimely passing and to memorialize her selfless services to the Commonwealth of the Northern Mariana Islands throughout her life.” The Resolution is Certified by Arnold I. Palacios, Senate President and Attested by Justo S. Quitugua, Senate Legislative Secretary adopted on the 2nd Day of February 2018. With that, the Chair now call for a short recess so we can present the resolution to the family of the late Mrs. Igisomar.

The Senate recessed at 10:45 a.m.

RECESS

The Senate reconvened at 11:01 a.m.

President Palacios: We are back to our session. We left off on agenda Item C, Approval of Journals. Floor Leader?

ADOPTION OF JOURNALS

Floor Leader Borja: Thank you, Mr. President. For the adoption of Senate Journal 20-25 so move.

The motion has been seconded.

President Palacios: Motion offered by the Floor Leader is for the adoption of Senate Journal 20-25, has been seconded, discussion? Ready? Those in favor of the adoption motion please say, “Aye.” Opposed say, “Nay.”

All members voiced, “Aye.”

President Palacios: Motion carries. Senate Journal 20-25 is hereby adopted. We move on to Messages from the Governor. Clerk?

MESSAGES FROM THE GOVERNOR

The Clerk voiced Governor’s Messages Nos. 20-231 to 20-238.

President Palacios: Thank you. Any member wishing to make comments on some or any of the communications from the Governor? Senator Cruz, recognized.

Senator Cruz: Thank you. Since some of the messages from the Governor the nomination and re-appointment of nominees, I would like to inform the Governor's representative here to advise the appointees to expedite the submission of required documents to the Senate so that the Senate can schedule a public hearing. Thank you, Mr. President.

President Palacios: Thank you. I know that that is an on-going concern and sometimes the committee does not receive the full documents as required. And certainly, I would like as much as possible be given the opportunity and the time to review the required documents of these nominees. So, we asked that the representative from the Governor's office present here today to please encourage these nominees to submit all required documents on a timely matter to the committee. Thank you for that comment Senator Cruz. Any other comment from the members on any of the communications from the Governor? There being none. We move to agenda Item E, Communications from the Judiciary, none. Communications from Heads of Executive Department. Clerk?

COMMUNICATIONS FROM THE JUDICIARY

None

COMMUNICATIONS FROM HEADS OF EXECUTIVE DEPARTMENT

The Clerk voiced Department Message No. 20-75.

President Palacios: Any member wishing to make any comment on that particular communication? There being none. We move on to agenda Item G, Communications from the House.

COMMUNICATIONS FROM THE HOUSE

The Clerk voiced House Communications Nos. 20-172 to 20-174.

President Palacios: Any member wish to make any comments on these communications? Please note that House Communication No. 20-172 relative to Political Status Commission the organizational meeting is set for March 1st, I encourage members to see if their schedule permits to try to make efforts to attend this organizational meeting. Any other comments? We move to agenda Item H, Communications from the Senate. Clerk?

COMMUNICATIONS FROM THE SENATE

The Clerk voiced Senate Communications Nos. 20-153 to 20-158.

President Palacios: Comments or questions on these communications? We have none. We move to agenda Item I, Communications from the Washington Delegate, none. Unfinished Business, none. We go to agenda Item K, Pre-filed Bills, Initiatives, Local Bills and Resolutions.

COMMUNICATIONS FROM THE WASHINGTON DELEGATE

None

UNFINISHED BUSINESS

None

PRE-FILED BILLS, INITIATIVES, LOCAL BILLS AND RESOLUTIONS

President Palacios: Floor Leader?

Floor Leader Borja: Thank you, Mr. President. There is one pre-filed Senate Bill and one Senate Resolution and at this time, I would like to ask the authors to officially introduce their bills and resolutions. Thank you, Mr. President.

President Palacios: The Chair now recognized, Senator Sixto Igisomar.

Senator Igisomar: Thank you very much, Mr. President. This is to officially introduce Senate Bill No. 20-95, "To amend 4 CMC § 5611 to exempt businesses engaged in residential home rentals from purchasing one general business license for each property or location of residential home rental in the Commonwealth; and for other purposes." So, this is a bill to authorize these local businesses with home rentals but does not include the apartments bed and breakfast hotels or motels, so introduced. Thank you, Mr. President.

President Palacios: Thank you. Senator Quitugua?

Senator Quitugua: *Si Yu'us ma'ase, Mr. President.* Mr. President, officially introducing Senate Resolution No. 20-24, "Conveying heartfelt condolences to the bereaved family of the Late Honorable Jose Santos Rios and to memorialize his outstanding contributions and public service to the Commonwealth of the Northern Marianas." And, if there is no objection from the members present today, I would like to have this introduced as a Committee of the Whole. Thank you, Mr. President.

There was no objection raised.

President Palacios: There being no objection. Clerk, please take note of this issue and have the record reflect that this is offered as a Committee of the Whole. Senator Hofschneider, recognized.

Senator Hofschneider: Mr. President, I'll yield for now until the next item.

President Palacios: Senator Santos?

Senator Santos: I'll wait until Item L, Introductions of Bills, etc. Thank you, Mr. President.

INTRODUCTION OF BILLS, INITIATIVES, LOCAL BILLS AND RESOLUTIONS

President Palacios: Well, we just seamlessly transition into that I now call Senator Hofschneider, again.

Senator Hofschneider: Thank you, Mr. President. Formally, introduce an unnumbered Senate Local Bill entitled, “To designate all real property on the island of Tinian in which the Commonwealth Ports Authority holds title or interest as commercial property; and for other purposes.” And, since this is a Local Bill it is going to lay in our sessions for at least three appearances. Thank you.

President Palacios: Thank you. Is that an unnumbered bill?

Senator Hofschneider: Yes, Mr. President. This local bill is jointly introduced and sponsored by both Senate Floor Leader Francisco M. Borja and Senator Francisco Q. Cruz. *Si Yu’us ma’ase.*

President Palacios: Thank you, so noted. Senator Santos, recognized.

Senator Santos: Thank you, Mr. President. If there's no objection from the members, I would like to introduce Senate Resolution No. 20-25, “A Senate Resolution Celebrating February 28, 2018 as CNMI Women’s proclamation signing and to commemorate and honor all women in the Commonwealth for their remarkable achievements and contributions.” And, Mr. President, if our good Floor Leader can suspend pertinent Rules so that we can place this on today’s Resolution Calendar for adoption, I appreciated that. Thank you, Mr. President.

President Palacios: Thank you. Senator Santos, do you have any objection if we offer this resolution as a Committee of the Whole?

Senator Santos: I have no objection and I thought I raised that earlier, Mr. President. Thank you.

President Palacios: Thank you. Clerk, please have that reflected. Any more unnumbered legislations? We move on to agenda Item M, Reports of Standing Committees. Floor Leader?

REPORT OF STANDING COMMITTEES

Floor Leader Borja: We do have two Standing Committee Reports appearing on our Calendar. Let me start off with Standing Committee Report No. 20-75 from the Committee on Resources, Economic Development and Programs reporting on House Bill No. 20-83, “To amend 4 CMC §§ 2172-2173, to enable the MVA to strengthen qualifications for tour guides and tour operators, and to add a new Section 2174; and for other purposes,” I move for its adoption.

The motion has been seconded.

President Palacios: Motion offered by the Floor Leader is for the adoption of Standing Committee Report No. 20-75 has been seconded, discussion? Ready? Those in favor of the motion offered to adopt Standing Committee Report No. 20-75 please say, “Aye.” Opposed say, “Nay.”

All members voiced, “Aye.”

President Palacios: Motion carries. Standing Committee Report No. 20-75 is hereby adopted. Floor Leader?

Floor Leader Borja: For the adoption of Standing Committee Report No. 20-76 from the Committee on Gaming reporting on Senate Bill No. 20-87, “To amend 4 CMC § 2313(b) to increase the number of casino commissioners to seven and make 1 CMC § 2901 applicable to the commission; and for other purposes,” so move.

The motion has been seconded.

President Palacios: Motion offered is for the adoption of Standing Committee Report No. 20-76 that motion has been seconded, discussion on the motion? No discussion. Ready for question? Those in favor of that motion please say, “Aye. Opposed say, “Nay.”

All members voiced, “Aye.”

President Palacios: Motion carries. Standing Committee Report No. 20-76 is hereby adopted. There being no other committee reports appearing on the calendar, we move to agenda Item N, none. Now, we move to Resolution Calendar, agenda Item O. I recognize the Floor Leader.

REPORTS OF SPECIAL/CONFERENCE COMMITTEE REPORTS

None

RESOLUTION CALENDAR

Floor Leader Borja: Thank you, Mr. President. I move for the suspension of all pertinent Rules so that we can include Senate Resolution No. 20-25 on today’s Resolution Calendar.

The motion has been seconded.

President Palacios: Motion offered by the Floor Leader is for the suspension of pertinent Rules so that we can place Senate Resolution No. 20-25 on the Resolution Calendar, discussion? Ready? Those in favor of the suspension motion offered please say, “Aye.” Opposed say, “Nay.”

All members voiced, “Aye.”

President Palacios: Motion carries. Floor Leader?

Floor Leader Borja: I now move for the placement of Senate Resolution No. 20-25 on today's Calendar.

The motion has been seconded.

President Palacios: Motion offered is for the placement of Senate Resolution No. 20-25, discussion? Ready? Those in favor of the motion offered by the Floor Leader please say, "Aye." Oppose say, "Nay."

All members voiced, "Aye."

President Palacios: Motion carries. Senate Resolution No. 20-25 is hereby placed on the Resolution Calendar. Floor Leader?

Floor Leader Borja: For the adoption of Senate Resolution No. 20-24, so move.

The motion has been seconded.

President Palacios: Motion has been made to adopt Senate Resolution No. 20-24 has been seconded, discussion? Senator Quitugua, recognized.

Senator Quitugua: *Si Yu'us ma'ase, Mr. President.* Mr. President, if there's no objection from the members there's a minor technical amendment that needs to be corrected on this resolution. If we can adopt it as is and if the members don't object, I will make the technical amendments corrected after the adoption.

President Palacios: Any objection to that request?

There was no objection raised.

President Palacios: Legal counsel, can we do that? -- Okay. The legal counsel said we can do that. Senator Quitugua, please work with the legal counsel and the clerk. We are back to the motion for the adoption of Senate Resolution No. 20-24. Ready for the question? Those in favor of the adoption motion offered please say, "Aye." Opposed say, "Nay."

All members voiced, "Aye."

President Palacios: Senate Resolution No. 20-24 is hereby adopted. Floor Leader?

Floor Leader Borja: For the adoption of Senate Resolution No. 20-25, so move.

The motion has been seconded.

President Palacios: Motion offered is for the adoption of Senate Resolution No. 20-25, it has been seconded, any discussion? Ready? Those in favor of the motion to adopt Senate Resolution No. 20-25 please say, “Aye.” Opposed say, “Nay.”

All members voiced, “Aye.”

President Palacios: Motion carries. There being no more resolution for us to take up. We are down to agenda Item P, Bill Calendar.

BILL CALENDAR

President Palacios: Floor Leader, in our leadership meeting we basically put these things in order is there any other changes? I recognize the Floor Leader to make the passage motion for these bills.

Floor Leader Borja: Thank you, Mr. President. We do have seven bills appearing on our Calendar for Final Reading. However, with the conscientious of the members we will be deferring action on House Bill No. 20-93, HD1, SD1. Before we pass House Bill No. 20-29, HD1, we will have a short recess so that we can discuss the concern from the Chairman of Fiscal Affairs. At this time, I move for the passage of House Bill No. 20-83, SS1, “To amend 4 CMC §§ 2172-2173, to enable the MVA to strengthen qualifications for tour guides and tour operators, and to add a new Section 2174; and for other purposes,” so move.

The motion has been seconded.

President Palacios: Passage motion offered on House Bill No. 20-83 in the form of Senate Substitute 1, that motion has been seconded, discussion? Senator Hofschneider?

Senator Hofschneider: Thank you, Mr. President. The committee during their committee meetings discuss this particular legislation made some clarification in the terms being used as this particular bill almost mimics the authority of another agency with respect to the same clients. So, on the bill before us the ones that are being underlined are the changes contained herein. Primarily, to further give authority to the Marianas Visitors Authority in reference to the purpose of this legislation for the certification of such entities that are currently undergoing the qualification criteria. So, this is a very critical piece of legislation and I appreciate the members unanimous support. Thank you.

President Palacios: Thank you. Any other statements or comments relative to the passage motion on House Bill No. 20-83, SS1? No comments. Clerk?

CLERK called the roll:

Senator Francisco M. Borja	Yes
Senator Francisco Q. Cruz	Yes
Senator Jude U. Hofschneider	Hunggan (Yes)
Senator Sixto K. Igisomar	Aweer (Yes)

Senator Paul A. Mangloña	Excused
Senator Steve K. Mesngon	Hunggan (Yes)
Senator Justo S. Quitugua	Hunggan (Yes)
Senator Teresita A. Santos	Yes
President Arnold I. Palacios	Yes

CLERK: Mr. President, all eight (8) members voting “yes.”

President Palacios: With all members voting “yes” House Bill No. 20-83, in the form of Senate Substitute 1, hereby passes the Senate. Floor Leader?

Floor Leader Borja: For passage on Final Reading Senate Bill No. 20-83, “To empower and define the authority of Community Supervision Officers and Compliance Officers in treatment courts; and for other purposes,” so move.

The motion has been seconded.

President Palacios: Motion is for the passage of Senate Bill No. 20-83 and it has been seconded, discussion? Ready? Clerk?

CLERK called the roll:

Senator Francisco M. Borja	Yes
Senator Francisco Q. Cruz	Yes
Senator Jude U. Hofschneider	Hunggan (Yes)
Senator Sixto K. Igisomar	Aweer (Yes)
Senator Paul A. Mangloña	Excused
Senator Steve K. Mesngon	Hunggan (Yes)
Senator Justo S. Quitugua	Hunggan (Yes)
Senator Teresita A. Santos	Yes
President Arnold I. Palacios	Yes

CLERK: Mr. President, all eight (8) members voting “yes.”

President Palacios: With eight members voting “yes” Senate Bill No. 20-83 hereby passes the Senate. Floor Leader?

Floor Leader Borja: For the passage on Final Reading Senate Bill No. 20-87, SS1, “To repeal and reenact 4 CMC § 2313(c)(6) to make 1 CMC § 2901 applicable to the Commonwealth Casino Commission; and for other purposes,” so move.

The motion has been seconded.

President Palacios: Motion offered is for the passage of Senate Bill No. 20-87, SS1, discussion? Senator Cruz?

Senator Cruz: Thank you, Mr. President. I just want to be clear on this bill that I never oppose a female or a Carolinian to be part of this Commission. All I am saying in the last meeting was, if it is going to be selected or approved a Carolinian they should be pick from the island of Saipan since they have three Commissions. Because it is very difficult to pick a Carolinian from the island of Tinian and the Commission member is expiring. I believe this year and if that is vacant, I am just saying, that it is very difficult to select or pick a Carolinian from the island of Tinian, I am not sure whether Rota have the same issue, but we have issues for Tinian. Again, I never oppose a Carolinian to be a member of this Commission. It is fair that every Board and Commission we should have a Carolinian in the Board just to be perfectly clear on that. I never oppose any Carolinian in any Board or Commission. Thank you, Mr. President.

President Palacios: Thank you, Senator Cruz. Senator Santos?

Senator Santos: Thank you, Mr. President. First, I applaud the author for repealing and reenacting 4 CMC § 2313(c)(6) to make 1 CMC § 2901 applicable to the Commonwealth Casino Commission. Earlier, we heard testimonies both from women and also Carolinian supporting this particular legislation and so by having this legislation emplace to be borred tap-out what states that be consistent with the CNMI Boards and Commissions to include at least a woman and a Carolinian representative to the Commonwealth Casino Commission. Thank you, Mr. President.

President Palacios: Thank you. Senator Igisomar?

Senator Igisomar: Thank you very much, Mr. President. I feel I just want to add my thoughts too as well. I know I apologized to the Chairman as I missed his committee meeting, but considering the comments that was heard or I heard that came out of that committee meeting, I believe and I think that it is very important. And, I hope the House is able to jump on this bill as soon as it gets to them that we put this bill in placed considering that there were oppositions from people that found ways to state that we don't need, for example, aside from Refaluwasch a woman in there and I think, oh, we don't need to increase it because of that. I am more now supporting this to make sure and hoping that we all work together as a leadership to get this sign into law. Thank you, Mr. President.

President Palacios: Thank you. Senator Quitugua, recognized.

Senator Quitugua: Thank you, Mr. President. Just to reiterate our statute, 1 CMC § 2901 requires that all boards and commissions other than advisory boards shall include a Carolinian and a Woman. Thank you.

President Palacios: Thank you. Any more comments or thoughts? Ready? Clerk, please call the roll.

CLERK called the roll:

Senator Francisco M. Borja	Yes
Senator Francisco Q. Cruz	Yes

Senator Jude U. Hofschneider	Hunggan (Yes)
Senator Sixto K. Igisomar	Aweer (Yes)
Senator Paul A. Mangloña	Excused
Senator Steve K. Mesngon	Hunggan (Yes)
Senator Justo S. Quitugua	Hunggan (Yes)
Senator Teresita A. Santos	Yes
President Arnold I. Palacios	Yes

CLERK: Mr. President, all eight (8) members voting “yes.”

President Palacios: With eight members voting “yes” Senate Bill No. 20-87, in the form of SS1, hereby passes the Senate. Floor Leader, next bill.

Floor Leader Borja: For the passage on Final Reading House Bill No. 20-128, “To amend 8 CMC §1202(a) to establish separate marriage license fees for residents and non-residents; and for other purposes,” so move.

The motion has been seconded.

President Palacios: Motion is for the passage of House Bill No. 20-128 it has been seconded, discussion? Ready? Clerk?

CLERK called the roll:

Senator Francisco M. Borja	Yes
Senator Francisco Q. Cruz	Yes
Senator Jude U. Hofschneider	Hunggan (Yes)
Senator Sixto K. Igisomar	Aweer (Yes)
Senator Paul A. Mangloña	Excused
Senator Steve K. Mesngon	Hunggan (Yes)
Senator Justo S. Quitugua	Hunggan (Yes)
Senator Teresita A. Santos	Yes
President Arnold I. Palacios	Yes

CLERK: Mr. President, all eight (8) members voting “yes.”

President Palacios: With all eight members voting “yes” House Bill No. 20-128 hereby passes the Senate. Floor Leader, next bill.

Floor Leader Borja: For the passage on Final Reading House Bill No. 20-53, “To establish and clearly defined the authority of the Department of Public Works to promulgate rules and regulations within the Rights of Way (ROW); and for other purposes,” so move.

The motion has been seconded.

President Palacios: Passage motion offered by the Floor Leader has been seconded, discussion? Ready? For the passage of House Bill No. 20-53, Clerk, please call the roll.

CLERK called the roll:

Senator Francisco M. Borja	Yes
Senator Francisco Q. Cruz	Yes
Senator Jude U. Hofschneider	Hunggan (Yes)
Senator Sixto K. Igisomar	Aweer (Yes)
Senator Paul A. Mangloña	Excused
Senator Steve K. Mesngon	Hunggan (Yes)
Senator Justo S. Quitugua	Hunggan (Yes)
Senator Teresita A. Santos	Yes
President Arnold I. Palacios	Yes

CLERK: Mr. President, all eight (8) members voting “yes.”

President Palacios: With eight members voting “yes” House Bill No. 20-53 hereby passes the Senate. Can we take a short recess? Two-minutes.

The Senate recessed at 11:30 a.m.

RECESS

The Senate reconvened at 11:47

President Palacios: We are back to our session and we left off on the Bill Calendar. Floor Leader, recognized.

Floor Leader Borja: Thank you, Mr. President. For the passage on Final Reading House Bill No. 20-29, HD1, “To appropriate nine hundred thirty-one thousand, three hundred forty dollars (\$931,340.00) from the Cancer Fund Special Account, earmarked under 4 CMC §1402(g)(2), to support and expand cancer awareness, detection and prevention programs,” so move.

The motion has been seconded.

President Palacios: Passage motion offered by the Floor Leader is for the passage of House Bill No. 20-29, House Draft 1, that motion has been seconded, discussion? Senator Hofschneider, recognized.

Senator Hofschneider: Under discussion, Mr. President, I wish to offer an Amendment to House Bill No. 20-29.

President Palacios: Please proceed.

Senator Hofschneider: Formally, I would like to offer an Amendment to House Bill No. 20-29, HD1, in which I will pass copies of it so each members can have consistent information as I go through, Mr. President, if I may request to have copies. And, if I may, Mr. President, the main subject is to utilize this appropriation bill to include payment of a portion or Tinian's portion of the telecommunication improvement, work improvement that has taken place last year and half or so. I will not be tapping on to the cancer fund, but I will be adding on to this appropriation to address that particular portion.

President Palacios: Please proceed with the amendment.

Senator Hofschneider: With that, on the Title, "To appropriate nine hundred thirty-one thousand, three hundred forty dollars (\$931,340.00) from the Cancer Fund Special Account, earmarked under 4 CMC §1402(g)(2), to support and expand cancer awareness, detection and prevention programs and to appropriate four hundred eighty-five thousand dollars (\$485,000.00) from the Second Senatorial District's Solid Waste Revolving account for the payment to Docomo Pacific, Inc." And on page 5 of the bill under "**Section 3. Appropriation.** Notwithstanding any laws to the contrary, four hundred eighty-five thousand dollars (\$485,000.00) from the Second Senatorial District's Solid Waste Management Revolving Fund shall be used to pay Docomo Pacific, Inc. as the CNMI Government's cost share for the installation and operation of a new fiber network on Tinian as referenced in the Memorandum of Understanding between the Government of the CNMI and Docomo Pacific, Inc. dated March 10, 2016."

President Palacios: Thank you. Do I hear a second to that Amendment motion offered?

The motion has been seconded.

President Palacios: That motion is seconded by Senator Cruz, discussion on that motion? Ready? Are we clear? Senator Hofschneider, could you please make sure that we provide a copy to the clerk and the legal counsel?

Senator Hofschneider: Duly noted.

President Palacios: Any discussion? Senator Igisomar?

Senator Igisomar: Thank you, Mr. President. Considering that I don't have the written Amendment and I will agree with just one question on the mover *na ayu un na halom gi este na* Amendment it's only reflecting that new edition which is only the Solid Waste on Tinian, right? There is nothing without it is only that?

Senator Hofschneider: Mr. President, maybe this is the appropriate time for short break. The answer is "yes."

Senator Igisomar: I am good than that is all I wanted to ask and confirm.

President Palacios: Thank you. Senator made perfectly clear in the beginning before he offered the actual Amendment, but obviously, the amendment is that there's another appropriation with a totally

different source of funding and for a totally different purpose, but it will be a part of House Bill No. 20-29.

Senator Hofschneider: Mr. President?

President Palacios: Yes.

Senator Hofschneider: If I may respectfully request to please take a break so that we can give copies to the members?

President Palacios: Okay. I will concede to that and we will have two-minutes recess.

The Senate recessed at 11:52 a.m.

RECESS

The Senate reconvened at 11:57 a.m.

President Palacios: We are back to our session. Senator Hofschneider's Amendment has been passed out. Any other discussion on the Amendment motion offered by Senator Hofschneider? Senator Igisomar, you had the floor before we went on recess, you're all good? Okay. Any other comments, discussion on the Amendment motion offered by Senator Hofschneider? There being none. Those in favor of the Amendment motion offered by Senator Hofschneider please say, "Aye." Opposed say, "Nay."

All members voiced, "Aye."

President Palacios: Motion carries. House Bill No. 20-29, House Draft 1, now becomes Senate Draft 1. We are back to the main motion for the passage of House Bill No. 20-29, HD1, SD1, further discussion? Senator Santos?

Senator Santos: Thank you, Mr. President. At this time, I would like to offer an oral Floor Amendment on page 3, line 7, to read "inter-island medical referral air transportation services for the First Senatorial District," so move, Mr. President.

President Palacios: Is everybody clear with that oral amendment offered? That motion has been seconded, discussion? Senator Igisomar?

Senator Igisomar: Thank you, Mr. President. I just want to ask the author, again, based on the new document what line again and if she may repeat the motion?

Senator Santos: Okay, Mr. President. If I may again, this is offering and oral floor amendment on page 3, line 7 to read "inter-island medical referral air transportation services for the First Senatorial District," so move. The Amendment here, Mr. President is just inserting word "inter-island medical referral air transportation" and the word "services" is already there. Thank you.

President Palacios: Senator Igisomar, you still have the floor.

Senator Igisomar: Thank you, Mr. President. Senator Santos, *dispensa*, I am looking at line 7, and you said to insert that word but I don't see any as to where is my question? *Mano gi halom* line 7 *ni para baihu* enter?

President Palacios: Senator Santos, recognized.

Senator Santos: Okay. Let us go to the original bill, House Bill No. 20-29, HD1, let us go to page 3, line 7, we are no looking at Senator Jude Hofschneider's amendment, we are going to the original bill, okay, page 3, line 7, before the word "services" I am amending "inter-island medical referral air transportation." That is the floor amendment.

Senator Igisomar: Mr. President, may I?

President Palacios: Hold on I understand where you are going. Short recess.

The Senate recessed at 12:01 p.m.

RECESS

The Senate reconvened at 12:04 p.m.

President Palacios: We are back to our session. We left off on some questions on the Amendment offered the Chair now recognized, Senator Santos.

Senator Santos: Thank you, Mr. President. This is offering a Floor Amendment relative to House Bill No. 20-29, HD1, SD1, page 4, line 3, to read "inter-island medical referral patients air transportation services in the First Senatorial District," so move, Mr. President. Thank you.

The motion has been seconded.

President Palacios: The motion has been seconded. Let us be clear, so, the original motion has been re-stated now to the Amendment on page 4?

Senator Santos: That is correct, Mr. President.

President Palacios: So, we are clear. Everybody is clear on that? Any further comments? Ready? Those in favor of the motion offered by Senator Santos please say, "Aye." Opposed say, "Nay."

All members voiced, "Aye."

President Palacios: Motion carries. We are back to the main motion on House Bill No. 20-29, House Draft 1, Senate Draft 2, further discussion? No discussion. The Chair is going to call for a vote on Senate Draft 2. Senator Quitugua, do you have any you were looking at me?

Senator Quitugua: Mr. President, I have an amendment to make but in the interest of time, I will reserve my amendment and wait for another appropriation from the House to make this a rider. Thank you.

President Palacios: Thank you. Any other comments, amendments to be offered? There being none. Clerk, please call the roll for the passage of House Bill No. 20-29, House Draft 1, Senate Draft 2.

CLERK called the roll:

Senator Francisco M. Borja	Yes
Senator Francisco Q. Cruz	Yes
Senator Jude U. Hofschneider	Hunggan (Yes)
Senator Sixto K. Igisomar	Aweer (Yes)
Senator Paul A. Mangloña	Excused
Senator Steve K. Mesngon	Hunggan (Yes)
Senator Justo S. Quitugua	Hunggan (Yes)
Senator Teresita A. Santos	Yes
President Arnold I. Palacios	Yes

CLERK: Mr. President, all eight (8) members voting “yes.”

President Palacios: With eight members voting “yes” House Bill No. 20-29, House Draft 1, Senate Draft 2, hereby passes the Senate. Floor leader?

Floor Leader Borja: That is it, Mr. President, on the Bill Calendar for today.

President Palacios: Thank you. We are down to agenda Item Q, Petitions Memorials and Miscellaneous Communications. Clerk?

PETITIONS, MEMORIALS AND MISCELLANEOUS COMMUNICATIONS

The Clerk voiced Miscellaneous Communications Nos. 20-243 to 20-253.

President Palacios: Thank you. Are there any comments on any of these communications? Ready? There being no comment or statement on agenda Item Q, we are down to Miscellaneous Business.

MISCELLANEOUS BUSINESS

President Palacios: Senator Hofschneider, recognized.

Senator Hofschneider: Thank you, Mr. President. For scheduling purposes are we still on for March 8 scheduled session that is a regular session, right?

President Palacios: So far we are.

Senator Hofschneider: Thank you, Mr. President. The reason I asked I am trying to convene a Fiscal Affairs meeting. Thank you, that is it.

President Palacios: Thank you, Senator Hofschneider. Senator Igisomar, recognized.

Senator Igisomar: Thank you very much, Mr. President. If I may, I apologized. I have three items I would like to just state and also possibly go back to House Communications. But first, I'd like to thank you all for the presentation of the resolution for the late Mrs. Connie Olopai Igisomar for all her contributions as a Woman and as a Refaluwasch which is very fitting to the bills that were on the floor today with respect to making sure that we have Women and Refaluwasch descendants participating in the court. I want to elaborate on that because I believe we need to be strong as policymakers not to try and be sude away from people screaming discrimination and everything else underneath the United States Constitution, but I believe this is our culture, our custom and our tradition. So, thank you for that, Mr. President. Secondly, Mr. President, I know we went through the communications, House Communication No 20-172, I just like to applaud our Speaker for his memo on the Second Marianas Political Status Commission. It's an organizational meeting at which is scheduled for Thursday, March 1, 2018 for the Second Marianas Political Status Commission to organize. I applaud the Speaker for sending out this memo. Also, I believe it's highly very important and feeding considering we're having a lot of federal issues with the CNMI and U.S. Congress and I hope that we're able to clarify our position. And thirdly, Mr. President, this has to do with House Communication No. 20-173, and I believe it's with one of the land lease agreement with DPL that was sent to the Legislature for us to approve. I'm hoping that our Chairman on the Senate side can take a look into this communication 20-173 which is coming from the House Chair on Natural Resources questioning one of the applicants and I believe Mr. President, there were three applicants that were sent to the Legislature by DPL. I believe we had a joint committee meeting and we went over all our reasons and discussions with respect to the pros and cons and there were lot of sensitive issues we've discussed and some rules and regulations that may not be answering the members. However, I am just concern and I hope your committee on Natural Resources can look into this letter because I believe that somewhere along the way, I can't help but feel that we played zaiken-po on these land leases. I mean, we had similar concerns across the board on all three but why did we approved two and janken-pon, your hit, now, you're it, now, you must answer all these questions. That is just frustrating for me, Mr. President, and I am for transparency, I am for fairness *lao* we have to treat everybody the same. I don't agree with having someone else to be OK and then the janken-pon I believe Japanese, but in English I believe it is rocks, scissors and papers, right? Somehow, as a member of the Natural Resources Committee on the Senate side, I feel that maybe my comments and concerns were not answered but yet know something's coming out as a problem when they were the issues that the joint committee somehow approved. But unfortunately, we're now questioning one applicant. I am sorry, I know I am going all over, Mr. President, but I hope I am making sense.

President Palacios: Thank you. There is relevance's to your queries. This is an issue that the Chair will have a brief discussion with the Chairman on Senate Committee on REDP. This is a joint issue it is not just a House issue. When we look at extensions or approval of public land leases when it comes to the Legislature it is supposed to be a joint. So, I am kind of perplexed, but perhaps a short discussion with the Speaker and myself would be appropriate to see how we are going to handle this. Senator Igisomar?

Senator Igisomar: Thank you, Mr. President. I just want to make sure that I am not misunderstood in my statement. What I'm saying, is that there were three applicants we treated for transparency and equitably all three review, but how is it that we approved all three but one was not approved?

President Palacios: We approved two.

Senator Igisomar: We approved two and one was not. So, to me it was sounding like as if, and I am saying this because it is affecting me as representing the people, I feel like the people are saying, "ooh, *gaña-mo*, you really prefer those two *lao enao uno*, are you playing favoritism?" You know, *kao ma' apasi-hao na un pasa este ya este ahe?* That is how I am feeling. Thank you.

President Palacios: We've got the picture that you are trying to pay in the efforts, but like I said, the Chair of REDP and I will be discussing this particular communication. With that, any other miscellaneous?

ANNOUNCEMENTS

President Palacios: Any announcements? Ok. The Chair will now entertain a motion to adjourn. Floor Leader?

ADJOURNMENT

Floor Leader Borja: Thank you, Mr. President. I move to adjourn subject to the call of the Chair.

The motion has been seconded.

President Palacios: Motion is for the adjournment of our session subject to the call of the Chair. Those in favor of that motion please say, "Aye." Opposed say, "Nay."

All members voiced, "Aye."

President Palacios: Motion carries. The Senate stands adjourned subject to the call.

The Senate adjourned at 12:15 p.m.

Respectfully Submitted by:

/s/Frances Joan P. Kaipat
Senate Journal Clerk