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



Senate  
THIRD REGULAR SESSION – 2018

SJ 20-30

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Fourth Day

Thursday, March 8, 2018

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In compliance with the Open Government Act, Senate President, Arnold I. Palacios, issued a session call on March 5, 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](http://www.cnmileg.gov.mp).

The Senate of the Twentieth Northern Marianas Commonwealth Legislature convened its Fourth Day, Third Regular Session, on March 8, 2018, at 10:05 a.m. in Tinian Court House, Tinian, Commonwealth of the Northern Mariana Islands.

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

**President Palacios:** Again, I ask the members who are present here this morning to please remember Bishop Tomas Camacho in your prayers.

A moment of silent prayer was observed.

The Clerk called the roll, six (6) members are "present" and three (3) "absent."

**President Palacios:** With six members present we've established a quorum to convene today's session. Please have the record reflect that Senator Hofschneider, Senator Igisomar and Senator Mesngon are excused for today's session. Floor Leader?

**Floor Leader Borja:** Thank you, Mr. President. Before we proceed, I would like to recognize in the audience a former Chairman of Tinian Municipal Council, Ton Borja and Commissioner Patrick San Nicolas, thank you for joining us this morning. Thank you.

**President Palacios:** Before we proceed further for the record, Senator Igisomar is excused from last session.

**Clerk:** Yes, we got it.

**President Palacios:** Thank you for that. We move on to agenda Item B, Public Comment.

**PUBLIC COMMENT**

**President Palacios**: The floor is now open for the members of the public to give comments or statements from any of the agenda items appearing in today's calendar. There being none. We move to agenda Item C, Reading and Approval of Journal. Floor Leader?

**READING AND APPROVAL OF JOURNAL**

**Floor Leader Borja**: Thank you, Mr. President. We have one on the calendar for approval, Senate Journal 20-26 so move for its approval.

The motion has been seconded.

**President Palacios**: Motion has been made and seconded for the approval of Senate Journal 20-26, discussion? Ready? Those in favor of the adoption motion please say, "Aye." Opposed say, "Nay."

All members present voted, "Aye."

**President Palacios**: Motion carries. Messages from the Governor. Clerk?

**MESSAGES FROM THE GOVERNOR**

The Clerk voiced Governor's Messages Nos. 20-242 to 20-248.

**President Palacios**: Thank you. Any member wants to comment? Senator Santos, recognized.

**Senator Santos**: Thank you, Mr. President. This is in reference to Governor's Message No. 20-246. I would like to commend the administration for expeditiously signing this bill into law the benefits are enormous to those clients who will be benefiting from the Respite Services Program. Thank you, Mr. President.

**President Palacios**: Thank you. Any other comments on any of the communications from the Governor? There being none. We move to agenda Item E, Communications from the Judiciary.

**COMMUNICATIONS FROM THE JUDICIARY**

The Clerk voiced Judiciary Communication No. 20-15.

**President Palacios**: Thank you. Let me just make a brief comment on that. I took the liberty of drafting a joint resolution in regards to the communications and recommendations and proposal of the Judicial Rules that Chief Justice had submitted to the Senate and the House, and that being Senate

Joint Resolution 20-05 which I will be introducing this morning and it will be on the Calendar. Any other comments? There being none. Communications from the Executive Department.

### COMMUNICATIONS FROM HEAD AND EXECUTIVE DEPARTMENT

The Clerk voiced Department Messages No. 20-76.

**President Palacios:** Thank you. Any comment? Senator Borja, do you have any status on this issue or we are still going back and forth with DPL and the House Committee?

**Floor Leader Borja:** No, Mr. President. The latest, we don't have problem in the Senate, it is the House that we are waiting for their final disposition and after that is resolve than I think the Presiding Officers should be calling the joint session, but we are still not aware.

**President Palacios:** Thank you. Just as the Chairman stated the Senate is ready. So, I am just awaiting the feedback from the Speaker so we can call a joint session on this matter. Hopefully, in a very short order in the immediate future we will be calling for a joint session. Communications from the House agenda Item G.

### COMMUNICATIONS FROM THE HOUSE

The Clerk voiced House Communications Nos. 20-184 to 20-190.

**President Palacios:** Any comments or statements on those communications? Senator Mangloña, recognized.

**Senator Mangloña:** Thank you, Mr. President. I just want to respectfully ask the members and especially the Fiscal Affairs Committee, if they can call a committee meeting or a public hearing before taking action on two bills which I see transmitted to the Senate, namely; House Bill No. 20-35 and House Bill No. 20-36. This is on the compensation for appointed officials and ceiling increase as well as for establishing special annuity for the Governor and the Lieutenant Governor. I just respectfully ask the committee to either conduct a public hearing, call for a discussion in the committee on said legislation and I think it will be incumbent upon us to make our best judgement on these two legislations with open discussion, I respectfully ask that. Thank you, Mr. President.

**President Palacios:** Thank you. I keep forgetting, Senator Mangloña, you are on the Fiscal Affairs Committee, right?

**Senator Mangloña:** Yes.

**President Palacios:** Alright. Just a brief recess.

The Senate recessed at 10:13 a.m.

RECESS

The Senate reconvened at 10:14 a.m.

**President Palacios:** We are back to our session. Any other comments? Senator Santos, recognized.

**Senator Santos:** Thank you, Mr. President. Again, for instructing our legal counsel to draft a letter to the Fiscal Affairs Committee for a public hearing relative to House Communications Nos. 20-187 and 20-188, I too, Mr. President, would like to echo the same concern as Senator Paul Mangloña, that is, I have been receiving calls from constituent’s from the First Senatorial District that they would like for these two specific bills to be heard that our people deserves their opinions and their voices to be heard relative to these bills. Thank you, Mr. President.

**President Palacios:** Thank you. Senator Quitugua, recognized.

**Senator Quitugua:** *Si Yu’us ma’ase, Mr. President.* Mr. President on No. 6, House Communication No. 20-189 relative to House Bill No. 20-141, I would like to request, Mr. President, due to the urgency of this legislation and in accordance to Rule 6, Section 2, the Floor Leader will make the proper motion to place this bill on today’s Calendar for passage; and at the same juncture the roll call will be call on the placement of this legislation on the calendar. Thank you.

There was no objection raised.

**President Palacios:** Before I do that, is there any comments or statements on the floor on any of these seven House Communications? With that, I would ask the Floor Leader for the appropriate motion to place House Bill No. 20-141 on today’s Bill Calendar. Floor Leader, recognized.

**Floor Leader Borja:** Thank you, Mr. President. I move to accept House Communication No. 20-189 at the same time place it on today’s Bill Calendar for action.

The motion has been seconded.

**President Palacios:** The motion is to accept House Bill No. 20-141 and also to place it on today’s Bill Calendar, the motion has been seconded, discussion? Ready? Clerk, please call the roll.

CLERK called the roll:

Senator Francisco M. Borja	Yes
Senator Francisco Q. Cruz	Yes
Senator Jude U. Hofschneider	Excused
Senator Sixto K. Igisomar	Excused
Senator Paul A. Mangloña	Yes
Senator Steve K. Mesngon	Excused
Senator Justo S. Quitugua	Hunggan (Yes)

Senator Teresita A. Santos	Yes
President Arnold I. Palacios	Yes

**CLERK:** Mr. President, all six members voting “yes.”

**President Palacios:** With all six voting “yes” House Bill No. 20-141 is hereby placed on the Bill Calendar in today’s Order of Business. We move on to agenda Item H, Communications from the Senate. Clerk?

### COMMUNICATIONS FROM THE SENATE

The Clerk voiced Senate Communications Nos. 20-1161 to 20-164.

**President Palacios:** Any statements or comments from the members on those four communications? Senator Quitugua, recognized.

**Senator Quitugua:** *Si Yu’us ma’ase, Mr. President.* Just for an update on Senate Communication No. 20-161 appearing as No. 1, the Conferees from the Senate and the House to address House Bill No. 20-102, HD1, SS1, is scheduled for the 15<sup>th</sup> of this month. Thank you, Mr. President.

**President Palacios:** Thank you. Any other comments? If none, we move to agenda Item I, Communications from the Washington Delegate.

### COMMUNICATIONS FROM THE WASHINGTON DELEGATE<sup>4</sup>

The Clerk voiced Washington Delegate Communication No. 20-05.

**President Palacios:** Thank you. Any comments? There being none. There being no item under agenda Item J, Unfinished Business. We move on to agenda Item K, Pre-filed Bills, Initiatives, Local Bills and Resolutions. Floor Leader?

### UNFINISHED BUSINESS

None

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

**Floor Leader Borja:** Yes, Mr. President, we do have three appearing on our agenda, two Senate Resolutions and one Senate Bill. At this time, the floor is open for the author to officially introduce their resolutions or bills. Thank you.

**President Palacios:** Thank you. Senator Quitugua?

**Senator Quitugua:** *Si Yu'us ma'ase, Mr. President.* Mr. President, officially introducing a pre-filed Senate Resolution No. 20-26, and if there is no objection from the members, Mr. President, I request that this resolution be authored by the Committee of the Whole with the members present on today's session. Thank you.

There being no objection raised.

**President Palacios:** No objection, Clerk, please take note of that. I have two resolutions. Senate Joint Resolution No. 20-05, "Approving the Northern Mariana Islands Proposed Rules for *in Forma Pauperis* of the Judiciary of the Commonwealth of the Northern Mariana Islands," which I referred to earlier and if there is no objection, I would like to ask that we introduce this resolution by the Committee of the Whole.

There was no objection raised.

**President Palacios:** At that same time, Senate Resolution No. 20-27, "A Senate Resolution to mourn the loss of the late Bishop Emeritus Tomas Aguon Camacho of the Diocese of Chalan Kanoa on his untimely passing, to express sincere condolences to his bereaved family and to pay tribute for his profound contributions and dedication to the people of the Commonwealth of the Northern Mariana Islands," and I would like to offer that by the Committee of the Whole.

There was no objection raised.

**President Palacios:** Clerk, please take note. Senator Santos, recognized.

**Senator Santos:** Thank you, Mr. President. Referencing to Senate Resolution No. 20-27, may we know when the presentation of this resolution would be conducted or perform? Since, some of the members of the Rota Delegation will be going down to Rota next week because we do also have funeral services for one of our constituents. Thank you, Mr. President.

**President Palacios:** Thank you. We will look into that schedule. I know that his funeral is next week Tuesday, but we have to clear that with Bishop Ryan and Dioceses, the folks that are making the arrangement for the funeral to see whether we are participated or not. Then, probably we have to do it in one of our sessions. But members will be advised on this.

**Senator Santos:** Thank you, Mr. President. No further.

## INTRODUCTION OF BILLS, INITIATIVES, LOCAL BILLS AND RESOLUTIONS

**President Palacios:** I recognize you, Senator Santos, to introduce your bill.

**Senator Santos:** Yes, Mr. President, and that is on Item L, but I know there is Senate Bill No. 20-96, if any of the Tinian Delegation wishes to introduce that if not I can go ahead and introduce Senate Bill No. 20-96.

**President Palacios:** Thank you for that. Senator Borja, recognized.

**Floor Leader Borja:** Thank you, Mr. President. The main author of Senate Bill No. 20-96 is absent today and have asked me to officially introduce Senate Bill No. 20-96, “To amend 4 CMC § 2313(b) to change the composition and terms of the casino commissioners; to amend 4 CMC § 2313(i)(3) to increase the quorum requirement; and for other purposes.” Thank you.

**President Palacios:** Thank you. Senator Santos, recognized.

**Senator Santos:** Thank you, Mr. President. This is to officially introduce Senate Bill No. 20-97, “Authorizing the Commonwealth to join the Interstate Medical Licensure Compact in order to establish an expedited pathway to licensure for qualified physicians wanting to practice in the CNMI; providing for the form of this Compact; and for other purposes.” This particular legislation is close to or equivalent to passing it to the citizens of the Commonwealth. Thank you, Mr. President.

**President Palacios:** Thank you. Any other bills or resolutions to be introduce this morning? There being none. We don’t have any appearing on M and N, we are on Resolution Calendar. Floor Leader?

#### REPORTS OF STANDING COMMITTEES

None

#### REPORTS OF SPECIAL/CONFERENCE COMMITTEE

None

#### RESOLUTION CALENDAR

**Floor Leader Borja:** Thank you, Mr. President. For the adoption of House Joint Resolution No. 20-01, so move.

The motion has been seconded.

**President Palacios:** Motion is for the adoption of House Joint Resolution No. 20-01, the motion 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. Floor Leader?

**Floor Leader Borja:** For the adoption of Senate Joint Resolution No. 20-05, so move.

The motion has been seconded.

**President Palacios:** Motion has been made to adopt Senate Joint Resolution No. 20-05, that motion 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 Joint Resolution No. 20-05, is hereby adopted. Floor Leader?

**Floor Leader Borja:** For the adoption of Senate Resolution No. 20-26, so move.

The motion has been seconded.

**President Palacios:** Motion is to adopt Senate Resolution No. 20-26, it’s been seconded, discussion? Ready? Those in favor of the adoption motion offered please say, “Aye.” Opposed say, “Nay.”

All members voiced, “Aye.”

**President Palacios:** Motion carries. Senate Resolution No. 20-26, is hereby adopted. Let us take a short recess.

The Senate recessed at 10:26 a.m.

### RECESS

The Senate reconvened at 10:27 a.m.

**President Palacios:** We are back to our session. The Chair recognizes the Floor Leader.

**Floor Leader Borja:** Thank you, Mr. President. In order for us to take action on Senate Resolution No. 20-27, I need the consensus of the members to suspend all pertinent Rules so that we can entertain this in today’s Resolution Calendar.

The motion has been seconded.

**President Palacios:** Motion is being offered to suspend pertinent Rules to place Senate Resolution No. 20-27 on today’s Resolution Calendar, that motion has been seconded, discussion? Ready? Those in favor of the motion offered please say, “Aye.” Opposed say, “Nay.”

All members voiced, “Aye.”

**President Palacios:** Motion carries. Senate Resolution No. 20-27 is hereby placed on today’s Resolution Calendar. Floor Leader?

**Floor Leader Borja:** For the adoption of Senate Resolution No. 20-27, so move.



The motion has been seconded.

**President Palacios:** Motion offered is for the adoption of Senate Resolution No. 20-27, the motion has been seconded, discussion? Ready? Those in favor of the adoption motion on Senate Resolution No. 20-27 please say, “Aye.” Opposed say, “Nay.”

All members voiced, “Aye.”

**President Palacios:** Motion carries. Senate Resolution No. 20-27 is hereby adopted. We are down to Bill Calendar. Could we take a three-minute recess? Short recess.

### BILL CALENDAR

The Senate recessed at 10:29 a.m.

### RECESS

The Senate reconvened at 10:38 a.m.

**President Palacios:** We are back to our session. We left off on agenda Item P, Bill Calendar. First bill appearing on today’s calendar, I recognize the Floor Leader.

**Floor Leader Borja:** Thank you, Mr. President. We do have three bills on our calendar, however, we will be deferring action on House Bill No. 20-19, HD1, until further instruction. So, let me begin by making a motion for the passage on Final Reading House Bill No. 20-42, “To amend 4 CMC § 1302(a), Tax on Agriculture Producers and Fishing to include Artists registered with the Commonwealth Council for Arts and Culture,” so move.

The motion has been seconded.

**President Palacios:** The motion offered is for the passage of House Bill No. 20-42, that motion has been seconded, discussion? Ready? Clerk, please call the roll.

**CLERK** called the roll:

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

President Arnold I. Palacios

Yes

**CLERK:** Mr. President, all six members voting “yes.”

**President Palacios:** With all six members voting “yes” the Senate hereby passes House Bill No. 20-42. Floor Leader?

**Floor Leader Borja:** For the passage on Final Reading House Bill No. 20-141, “To give the Department of Finance the authority to pay the obligated 25% retiree death benefit payments due to the survivors of CNMI deceased retirees,” so move.

The motion has been seconded.

**President Palacios:** Motion offered is for the passage on Final Reading House Bill No. 20-141, it has been seconded, discussion? Senator Quitugua, recognized.

**Senator Quitugua:** *Si Yu’us ma’ase, Mr. President.* Mr. President, just a minor amendment on this bill, on page 3, to insert “**Section 3. Retroactive Application.** The provisions of this Act shall apply to all retirees, alive or deceased, that were members of the Northern Mariana Islands Settlement Fund on or before August 6, 2013.” And all the members have received a copy of the written amendment. Mr. President, this section is very important to be included in the bill because since the effective date of the settlement fund the retirees who have passed on were never provided their 25% on the one-time death benefits due to the absence of such legislation. Therefore, this section if made applicable will provide the necessary \$250.00 that will equal to the \$1,000.00 death benefit. Thank you, Mr. President.

**President Palacios:** Thank you. Do I hear a second to the Floor Amendment motion?

**Senator Santos:** Second.

**President Palacios:** The Floor Amendment offered by Senator Quitugua has been seconded, discussion on the amendment? Ready? Those in favor of the amendment motion offered by Senator Quitugua please say, “Aye.” Opposed say, “Nay.”

All members voiced, “Aye.”

**President Palacios:** The Amendment is hereby adopted. We are now back to the main motion on House Bill No. 20-141, Senate Draft 1, discussion? Ready? Clerk, please call the roll.

**CLERK** called the roll:

Senator Francisco M. Borja

Yes

Senator Francisco Q. Cruz

Yes

Senator Jude U. Hofschneider

Excused

Senator Sixto K. Igisomar

Excused

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

**CLERK:** Mr. President, all six members voting “yes.”

**President Palacios:** With all six members voting “yes” House Bill No. 20-141, Senate Draft 1, hereby passes the Senate. Floor Leader?

**Floor Leader Borja:** That is all we have on the Calendar, Mr. President.

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

### PETITIONS, MEMORIALS AND MISCELLANEOUS COMMUNICATIONS

The Clerk voiced Miscellaneous Communications Nos. 20-258 to 20-264.

**President Palacios:** Are there any member wants to make any comments or statements on any of these communications under agenda Item Q? There being none. Let me just ask the member to be mindful that we are approaching the April 1 deadline for submissions of budget proposal for 2019 and we have several autonomous agencies or other branches, the judiciary has submitted their budget proposals. I know the Fiscal Affairs Committee would begin to take up but I think it will be appropriate and reasonable for each members to be mindful of this submission the Senate President and the Clerk have been able to provide copies of this to every member. We have two appearing on today’s calendar the Commonwealth Casino Commission and the Commonwealth Development Authority Budge Submission. We move on to agenda Item R, Miscellaneous Business, there being none. We move on to Announcements.

### MISCELLANEOUS BUSINESS

None

### ANNOUNCEMENTS

**President Palacios:** I would like to say that the plan funeral for Bishop Camacho is this coming Tuesday. I personally ask if all members of the Senate could be present at the time. Hopefully, we will get a finalize schedule and work with the Clerk to advise every member of the schedules. Hopefully, we can all join the funeral mass. Any other announcements from the members?

**Senator Quitugua:** *Mr. President, hafa i yota attire para i misa?*

**President Palacios:** If we are going to have a formal attire probably a white shirt, but we will let you know. But the important thing is that for each of us to make it to the funeral mass. There being no more announcements. The Chair will now entertain a motion for adjournment.

### ADJOURNMENT

**Floor Leader Borja:** Mr. President?

**President Palacios:** Floor Leader?

**Floor Leader Borja:** I move to adjourn subject to the call of the Chair.

The motion has been seconded.

**President Palacios:** Motion offered by the Floor Leader is to adjourn subject to the call, that motion has been seconded. 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 10:47 a.m.

Respectfully Submitted by:

/s/Frances Joan P. Kaipat  
Senate Journal Clerk