

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



Senate
THIRD REGULAR SESSION – 2018

SJ 20-31

Fifth Day

Thursday, March 22, 2018

In compliance with the Open Government Act, Senate President, Arnold I. Palacios, issued a session call on March 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 Fifth Day, Third Regular Session, on March 22, 2018, at 10:15 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.

President Palacios: I now ask that we stand for a moment of silent prayer. And, I further ask that we remember former Senator Ramon Santos Deleon Guerrero in our prayers.

A moment of silent prayer was observed.

The Clerk called the roll, all nine members are “present.”

President Palacios: With nine members present we’ve established a quorum to conduct today’s session. Before we proceed, I would like to take this opportunity to welcome members and the family of Ms. Rebuenog. We are here to receive a memorial and a resolution from the Senate. Also, I like to welcome and recognize the personnel from our Department of Corrections there here. I also like to recognize some individuals; Ms. Ogumoro, Mrs. Hocog and Mrs. Frances Sablan, members of the Commonwealth Women's Association. As we all know, this month we are celebrating Women’s Month. Not just that, but I think these individuals have definitely moved the women's issues to the forefront of our communities in the last three or four years, we welcome you to the Senate. I believe Senator Santos will be presenting also a resolution in recognition of March, Women’s Month. With that, the Chair now recognized, Senator Borja.

Floor Leader Borja: Thank you, Mr. President. Before we proceed to the Public Comment, I would like to move that we suspend all pertinent Rules to include one Senate Bill under the Bill Calendar, that is a motion.

The motion has been seconded.

President Palacios: A motion is being offered to suspend Rules so that we can include additional Senate Bill on the Bill Calendar that motion has been seconded, 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: Thank you, Mr. President. I now move to place Senate Bill No. 20-73 on today’s Bill Calendar for action.

President Palacios: Motion offered is for the placement of Senate Bill No. 20-73 on the Bill Calendar, do I hear a second?

The motion has been seconded.

President Palacios: Motion has been seconded, discussion? Ready? Those in favor of the placement motion offered please say, “Aye.” Opposed say, “Nay.”

All members voiced, “Aye.”

President Palacios: Motion carries. Floor Leader?

Floor Leader Borja: No further. We can proceed to the next Order of Business.

President Palacios: We are down to agenda Item B, Public Comments.

PUBLIC COMMENTS

President Palacios: The Chair now invite member of the public who are present this morning to provide comment or any statement relative to any agenda item appearing on today’s Order of Business. No Public Comments? There being none. Recognized, Senator Quitugua? Brief recess.

The Senate recessed at 10:21 a.m.

RECESS

The Senate reconvened at 10:22 a.m.

President Palacios: We are back to our session. Relative to the placement of Senate Bill No. 20-73, the Chair rather than the affirmative votes of the voice votes, I would like to ask the Clerk to call a roll call.

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	Yes
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 nine members voting “yes.”

President Palacios: With nine members voting “yes” on the placement of Senate Bill No. 20-73 is hereby placed on today's Calendar. Floor Leader?

Floor Leader Borja: Thank you, Mr. President. If there's no objection from the members, I would like to make a request that we immediately move to line Item K on our agenda under Pre-Filed Bills and Resolutions and then immediately after that we go back to the Resolution Calendar, then after that we go back to the presentation of the Resolution.

There was no objection raised.

President Palacios: We move to agenda Item K, Pre-Filed Bills, Local Bill, Initiatives and Resolutions. The Chair recognizes Senator Quitugua.

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

Senator Quitugua: *Si Yu'us ma'ase, Mr. President.* Mr. President, officially introducing Senate Resolution No. 20-28, “To express heartfelt condolences to the bereaved family of the late Frances Faibar Rebueng on her untimely passing and to memorialize her selfless service to the Commonwealth of the Northern Mariana Islands.” Further, Mr. President, if there is no objection from the members, I request that this resolution be introduced as a Committee of the Whole. Thank you, Mr. President.

There being no objection raised.

President Palacios: There is no objection. The Clerk will take note of that and this resolution is being introduced by the Committee of the Whole. Senator Quitugua, are we going to read the resolution?

Senator Quitugua: Mr. President, after the adoption on Item O.

RESOLUTION CALENDAR

President Palacios: Ok. So, there is no objection in placing the resolution on today's Resolution Calendar, Floor Leader, do we need to place that on the Resolution Calendar?

Floor Leader Borja: Mr. President, it is already on the calendar we just need to make a motion for its adoption.

President Palacios: Alright. Floor Leader, recognized.

Floor Leader Borja: Thank you, Mr. President. For the adoption of Senate Resolution No. 20-28, so move.

The motion has been seconded.

President Palacios: Motion offered by the Floor Leader is for the adoption of Senate Resolution No. 20-28, the motion has been seconded, discussion? Ready? Those in favor of the motion to adopt Senate Resolution No. 20-28 please say, "Aye." Opposed say, "Nay."

All members voiced, "Aye."

President Palacios: Motion carries. Senator Quitugua?

Senator Quitugua: Mr. President, the Floor Leader can lead us back to the presentation of Senate Resolution No. 20-28.

President Palacios: The Chair can do that. We now go back to agenda Item B where we put the presentation of the two resolutions or one resolution only. The Chair recognizes, Senator Quitugua.

PUBLIC COMMENTS

Senator Quitugua: *Si Yu'us ma'ase, Mr. President.* Mr. President, the presentation of Senate Resolution No. 20-26 is re-scheduled, the recipient of such resolution cannot make it today due to her medical appointment. However, we will proceed with the presentation of Senate Resolution No. 20-28 and before I read the resolution, I would like to recognize the staff from the Women's Affairs Office, thank you for witnessing the presentation today. A Senate Resolution No. 20-28, "To express heartfelt condolences to the bereaved family of the late Frances Faibar Rebuenog on her untimely passing and to memorialize her selfless service to the Commonwealth of the Northern Mariana Islands. **WHEREAS**, the Senate of the Twentieth Northern Marianas Commonwealth Legislature pauses to memorialize and recognize a law enforcement officer who swore under oath to devote her life to serve and protect the people of the Commonwealth; and **WHEREAS**, the late Frances Faibar Rebuenog, was born to life on June 10, 1969 to proud parents Bonifacio I. Wabol and †Juana R. Teregeyo and

was called to eternal rest on February 15, 2018; and **WHEREAS**, upon the unexpected passing of her mother at such a young age, the late Frances Faibar Rebuenog was raised by her beloved grandparents, †Pedro S. and †Carmen F. Rebuenog, who provided a solid foundation for growth in a loving and stable environment, while instilling the importance of respect, hard work, and family; and **WHEREAS**, the most memorable moments of the late Frances Faibar Rebuenog will forever live in the hearts of her loving husband, David Masga Deleon Guerrero, and their three wonderful children, together with their families, namely: Rachel and Jason Simina (Frantina Carmen and Maria Divine), Crystal R. Deleon Guerrero, and Dave R. Deleon Guerrero, Jr.; and **WHEREAS**, born and raised on the beautiful island of Saipan, the late Frances Faibar Rebuenog graduated from Marianas High School in 1987 and began her employment as an Overseas Operator at the Micronesian Telecommunications Company from May 1990-December 1991; and **WHEREAS**, the late Frances Faibar Rebuenog made a switch in career to law enforcement as a Dispatcher I under the Department of Public Safety (DPS) from May 1992-January 1993; and **WHEREAS**, it was then that the late Frances Faibar Rebuenog discovered her true calling to serve and protect her community, which motivated her to join the 12th Cycle Police Academy from January-August 1993 as Police Cadet I, completing her Basic Law Enforcement Police Academy Program (NMC-DPS), DPS Chemical/Pepper Mace Certification, DPS Officer Survival I and II, and the Guam Police Department Course of Instruction in U.S. Department of Transportation, National Highway and Transportation Safety Administration Emergency Vehicle Operator Course; and **WHEREAS**, the late Frances Faibar Rebuenog further completed a course in Tactical Raids School as she continued to serve her duties as Police Cadet I until July 1994 obtaining necessary skills and exposure necessary in serving the public in her community; and”

Senator Igisomar: “**WHEREAS**, the late Frances Faibar Rebuenog was promoted and served as Police Officer I from July 1994-May 2005 during which time acquiring completion of Training Explosives Recognition and Bomb Threat Management under the Bureau of Alcohol and Tobacco and Firearms in November 1996; NMC Vocational, Technical and Continuing Education Unit completion of Leadership and Management Training for Women in Government in August 1997; National Institute of Corrections Academy- Completion of Training for Basic Correctional Operations in September 1998; Certified CPR Provider, completed national skills examinations in accordance with American Heart Association in March 2001; and completed the Training on Effects of Alcohol and Substance Abuse in March 2005; and **WHEREAS**, the late Frances Faibar Rebuenog was provided the rare opportunity of obtaining skills and experiences of the duties of a correction officer during her employment under CNMI Department of Public Safety at a time that the department oversaw the operations of the correctional facility until it’s establishment as the Department of Corrections in 2004; and **WHEREAS**, the late Frances Faibar Rebuenog transitioned her law enforcement career from police officer to Corrections Officer II from May 2005-November 2007 under the CNMI Department of Corrections; and **WHEREAS**, the late Frances Faibar Rebuenog’s dedication to her career awarded her the honor of serving as Correction Sergeant from November 2007-October 2012 with a training in Nonviolent Crisis Intervention completed in August 2010 and in August 2011 completed the additional training under the FEMA Center for Domestic Preparedness, with the responsibility to serve in times of crisis of Emergency Management Institutes ICS-300 Intermediate ICS for Expanding Incidents; and **WHEREAS**, given her profound knowledge, acquired skills in ensuring the safety and wellbeing of others, the late Frances Faibar Rebuenog elevated through the ranks and earned the prestigious honor to serve as Corrections Lieutenant with the additional titles of Safety and Security Officer and Charlie Shift Corrections Commander, which she proudly served such duties from October 2012 up

until her untimely passing; and **WHEREAS**, the late Frances Faibar Rebuenog remained committed in improving and furthering her work skills when she participated and completed the Workforce L.I.F.E (Lead Into Future Experiences) Computer Literacy Planning under the Northern Marianas College in December 2014; and **WHEREAS**, the late Frances Faibar Rebuenog's devotion to her career in law enforcement awarded her the recognition for the DPS-DOC Certificate of Appreciation for Untiring Service in May 1997 and ten years later, in May 2017, was given the Service Award in Appreciation for over 20 years of Outstanding Dedication and Service; and **WHEREAS**, the late Frances Faibar Rebuenog will forever be remembered as a nurturing mother who encouraged others to always perform their best despite the challenges that come their way, a trusting and compassionate friend, and an honorable, respected, humble, and self-determined woman who impacted the lives of all those who crossed paths with her during her lifetime;"

President Palacios: “**NOW, THEREFORE, BE IT RESOLVED**, by the Senate of the Twentieth Northern Marianas Commonwealth Legislature that the Senate hereby pays tribute to the life and memory of the late Frances Faibar Rebuenog and expresses heartfelt condolences to her bereaved family for their loss and to memorialize her selfless service to the Commonwealth of the Northern Mariana Islands; and **BE IT FURTHER RESOLVED** that the President of the Senate shall certify, and the Senate Legislative Secretary shall attest to the adoption of this resolution and thereafter the Senate Clerk shall transmit a certified copy to the bereaved family of the late Frances Faibar Rebuenog; Vicente S. Attao, Commissioner of the Department of Corrections; the Honorable Rafael S. Demapan, Speaker of the House of Representatives; the Honorable Ralph DLG. Torres, Governor of the Commonwealth of the Northern Mariana Islands; and the Honorable Gregorio Kilili Camacho Sablan, CNMI Delegate to the United States Congress, 115th United States Congress.” This resolution has just been adopted by the Senate and I would like to now call upon the families and the members of the Correction personnel to join us up here for the presentation of the plaque. Before we do that, Senator Quitugua.

Senator Quitugua: *Si Yu'us ma'ase, Mr. President.* Mr. President, just to note that the Commissioner of Correction, Mr. Attao, is here. And, also the Correction Cadets are here also. If you look through the glass window and the door you will see the cadets standing in formation. Also the husband, Mr. David Masga Deleon Guerrero is present and his daughter also who is a Correction Officer, she is here and the rest of the Correction Officers and families, we appreciate your presence this morning; and to all who came to witness this resolution presentation for our one of the very dedicated and committed Law Enforcer; and this resolution is very fitting to be presented today, because today we are celebrating March and has been proclaimed as Women's Month. Thank you, Mr. President.

President Palacios: In that regards, I would also like to invite the Women's Affairs office and the officers of the Commonwealth Women's Association to join us in this presentation. I know that there is a lot of folks that are here so I would like to ask that we first invite the family and the members of the Corrections personnel to the podium. With that, let us take a short recess.

The Senate recessed at 10:40 a.m.

RECESS

The Senate reconvened at 10:59 a.m.

President Palacios: We are back to our session. As we discussed earlier, let us move to agenda Item M, Reports of Standing Committees. I now recognized the Floor Leader.

REPORTS OF STANDING COMMITTEES

Floor Leader Borja: Thank you, Mr. President. We do have two Standing Committee Reports on our agenda and I will start off with No. 2, Standing Committee Report No. 20-78 from the Committee on Executive Appointments and Government Investigations reporting on the appointment of Ms. Tianna Hofschneider to serve as a member of the Scholarship Board of Directors to represent the Second Senatorial District, so move.

The motion has been seconded.

President Palacios: The motion is for the adoption of Standing Committee Report No. 20-78 relative to the appointment of Ms. Tianna Hofschneider, that motion has been seconded, discussion? Senator Cruz, Chairman of EAGI Committee, recognized.

Senator Cruz: Thank you, Mr. President. Mr. President, your Committee on Executive Appointments and Government Investigations is ready to present the Senate Standing Committee Report No. 20-78, this is the appointment of Ms. Tianna Lynn Hofschneider, Mr. President, your Committee on Executive Appointments and Government Investigations to which was referred the appointment of Ms. Tianna Lynn Hofschneider to serve as a member of the Scholarship Board of Directors to represent the island of Tinian begs leave to report as follows: Pursuant to Public Law 18-40, Ms. Tianna Lynn Hofschneider was nominated by Governor Ralph DLG. Torres on January 10, 2018 to serve as a member of the Scholarship Board of Directors. The Committee on Executive Appointments and Government Investigations recommends that the Senate give its advice and consent to the appointment of Ms. Tianna Lynn Hofschneider to serve as a member of the Scholarship Board of Directors. Your committee has examined all pertinent documents submitted relating to Ms. Tianna Lynn Hofschneider's overall credentials. In addition, your committee took into account all written and oral testimonies presented during the public hearing. After much deliberation and base on the overall assessment of Ms. Tianna Lynn Hofschneider's credentials, experiences, testimonies and other relevant issues considered, your committee is convinced that Ms. Tianna Lynn Hofschneider possesses the qualification and leadership skills necessary to serve as a member of the Scholarship Board of Directors. Your Committee concludes that the appointment of Ms. Tianna Lynn Hofschneider meets all the necessary requirement pursuant to Public Law 18-40. Furthermore, Ms. Tianna Lynn Hofschneider has submitted all required documents in conformance with Rule 8, Section 5 of the Senate Rules. Again, I ask the full body of the Senate to support Senate Standing Committee Report No. 20-78. Thank you, Mr. President.

President Palacios: Thank you, Mr. Chairman. Any further discussion? Senator Hofschneider, recognized.

Senator Hofschneider: Thank you, Mr. President and good morning. Before I proceed with my comments, I would like to recognize the parents of Tianna who made their way over to witness this confirmation on her appointment, Mr. John King and Annie King. Also, Ms. Esther Hofschneider Bar and of course Ms. Tianna is here. I wanted to say that the hearing on Tinian that was conducted by the EAGI committee the presentation by Tianna was outstanding. I believe that she is more than ready to further extend her services to other sectors of the public service and in this case it is the Scholarship Board, she was also a recipient of such and I thank her for allowing herself additional responsibility. As you know, Mr. President, she is a Teacher in Tinian Junior/High School and she handles a very substantive extracurricular activity other than being a classroom teacher. So, I want to thank her personally for accepting it. I want to just go ahead Tianna and apologize that I spoke to Rose, she is actually out sick today and she's not able to do it, but I was asking her if she is going to be here. Tianna, I look forward to working with you. As I mentioned during the hearing, budget season is coming up and Rose is going to be reporting to you guys as far as the submission and the programs to carry forth our mission as CNMI Scholarship Office. Thank you, Mr. President. And, I am ready to move ahead.

President Palacios: Thank you. Any further comments, discussion? Senator Santos, recognized.

Senator Santos: Thank you, Mr. President. Under discussion, it is an overwhelming day for Women of the Commonwealth and we are just now about to confirm one of our I would say, dedicated and committed Women of the Commonwealth. For the record, I was not present during the public hearing for this particular nominee Ms. Tianna Hofschneider. However, after reading her resume and her other pertinent documents that was submitted to the committee, I have full confidence that Ms. Hofschneider can serve our Commonwealth well once she is confirm to be one of the members to the CNMI Scholarship Board. Thank you, Mr. President.

President Palacios: Thank you. Further discussion? Ready? There being no further discussion. Clerk, please call the roll for the confirmation of Ms. Hofschneider.

CLERK called the roll:

Senator Francisco M. Borja	Yes
Senator Francisco Q. Cruz	Yes
Senator Jude U. Hofschneider	Hunggan (Yes)
Senator Sixto K. Igisomar	Hunggan (Yes)
Senator Paul A. Mangloña	Yes
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 nine members voting “yes.”

President Palacios: With all nine members voting “yes” Standing Committee Report No. 20-78 on the confirmation of Ms. Tianna Hofschneider to serve as a member of the Scholarship Board of Directors representing the Second Senatorial District hereby passes the Senate. Congratulations! The Chair would like to ask her to join us up here for a short photo. Short recess.

The Senate recessed at 11:07 a.m.

RECESS

The Senate reconvened at 11:18 a.m.

Senator Quitugua stepped-out at 11:29 a.m.

President Palacios: We are back to our session. I would like to go back to agenda Item C and continue the agenda in sequence now. Agenda Item C, Approval of Journal. Floor Leader?

ADOPTION OF JOURNAL

Floor Leader Borja: Thank you, Mr. President. I do have one for adoption Senate Journal 20-27, so move.

The motion has been seconded.

President Palacios: The motion offered is for the adoption of Senate Journal 20-27, discussion? Senator Hofschneider?

Senator Hofschneider: Mr. President, I want to ask the Senate Journal Clerk to make the corrections on page 13 on my line and I will give the Sergeant-At-Arms so that she can make the corrections.

President Palacios: Senator Hofschneider, do you have the correction?

Senator Hofschneider: Yes, I do.

President Palacios: It is not substantive, isn't it?

Senator Hofschneider: Just a word.

President Palacios: So, if there is no objection we will allow the Journal Clerk to make the editing to the journal.

Senator Hofschneider: No objection. Than you.

There being no objection raised.

President Palacios: No objection. So, the motion still stands. The motion is to adopt Senate Journal 20-27 that motion has been seconded, further discussion? Ready? Those in favor of the adoption motion offered please say, "Aye." Opposed say, "Nay."

All members voiced, "Aye."

President Palacios: Motion carries. We are down to Messages from the Governor. Clerk?

MESSAGES FROM THE GOVERNOR

The Clerk voiced Governors Messages Nos. 20-249 to 20-264.

President Palacios: Are there any comments on any of the Governor's Messages? Senator Quitugua, recognized.

Senator Quitugua: *Si Yu'us ma'ase, Mr. President.* If there is no objection from the members I requests that Governor's Messages No. 20-260, which is item no. 2 on our agenda, be remain on the Calendar.

There was no objection raised.

President Palacios: There is no objection on the floor so Governor's Message No. 20-260 will remain on the Calendar for our next session also. Clerk, please take note. Senator Mesngon?

Senator Mesngon: Thank you, Mr. President. On Governor's Message No. 20-51 which relate to Rota Local Law No. 20- 08, Mr. President, it was signed into law this appropriation for the delegation that act on House Local Bill No 20-55, S1, but in some provision in that bill, the Governor did his authority of disappointing line item for this particular local law which reflects two portions of that local law, Mr. President. I feel very very disappointed at the Governor not allowing to certify or approve the whole vetoed in relates for our municipality itself. I did send a letter in regards to Rota Local Law 20-08, on the vetoed messages. There are two provisions cite that the Governor really vetoed, one item there was for the Rota Delegation funding of the \$70,880.00 and it says that the vetoed was or I will take my words back, Mr. President, that portion of this, I was so concerned from previous appropriation of the delegation for such amount, but the language is totally identical to such other appropriation. I am just so concern that the Governor vetoed this item and there's also local law from other delegation, Tinian Delegation or Saipan, SNIL Delegation, which did the same appropriation and language's and I am very very disappointed of not knowingly, why this vetoed for this such funding was not been giving to the delegation of the municipality? Mr. President, actually, the whole intention of this delegation appropriation is we always find it hard that some of our governmental operations such as our medical referral patients or medical referral issue here in Saipan, that the Municipality of Rota, the Mayor's Office did not specifically, assisting our new patients here and our patients come up and knocking on our door saying that they need assistance and that is the whole reason of this Rota Delegation. I applied to have the members if such issue comes arise we can support also from that direction of assisting our medical patients. I am not sure what happened to the

Governor that he vetoed this provision that it will support our community especially for our people of Rota. I will give you one good example also that some of our students from our school in different areas also having different kind of activities and they come to the Legislature, they come knocking to the delegation asking for support and that is all the reason why that we are asking if we can have a small amount to support also in different areas. But however, the Governor uses his authority to line-item vetoed this portion of our request, but I'm very disappointed of this situation. I would just like to ask, Mr. President, the Governor if there is any language that barrier to make it more explicit to please acknowledge us and let us know how can we appropriate the language to do this not to vetoed this kind of situation? *Eskuelan* San Francisco the other area and Grace Christian, I understand that it is a private entity, however, public purpose that is the other issue that he vetoed for our children, that's the whole thing. *Para famaguon-ta ya ta nisisita este, guaha na area tiha* veto *i Governor para este na espisiat klasin in ayuda para este eskuela-ta. Pago mampos yo ti magof nu este para huna suha este para i famaguon-ta para i taotao-ta i man malangu ya tihu li'i hafa i rason ya yahu baihu faisin, Mr. President, i Governor,* Mr. President, I would like to ask the Governor, please give us a call let us know what is the appropriate language so we can clarify and justify how can we go about this not vetoing any specific issues of appropriation for delegation or for other entity that will support our children, our community? So, we can jive together, *tafan hita mona* we can make our legal counsel be the same as what other municipality do on their appropriation. I cited some issues that are identical issues, we got identical languages from other appropriation even from other municipality are the same. However, I still couldn't understand why the Governor vetoed this appropriation that request for this particular bill. But hopefully, in the future, Mr. President, I urge the Governor to communicate with the Delegation if he have concern of languages or concern of anything to please let us know. Because this thing is going to boil down back to our community and the request that we are requesting is going back to the community for our children, *para famaguon-ta, para i man malangu-ta.* However, I don't see that they are going to see it that way, I was hoping everything will be okay. Unfortunately, I just want to clarify to ask the Governor, if there is any issue in the future appropriation that we are doing to please give us the specific language that will not veto any provision, especially, to appropriate something for our community. *Ya enao ha,* Mr. President, I gave you a copy of my letter to the Governor citing some provisions. This is a first time concern for me and I just want to raise this issue just to let the members know because it affects also for the other municipality and to be parallel of what we can have on the same language so in the future we will not have this kind of situation. But Rota now, had a situation and issue and I am raising this so we can all have notice and be notified that you know we have to be very specific on languages. I hope the Governor can respond to these areas and citing that this provision he line-item vetoed that I am questioning. Okay, Mr. President and for that, I apologize for taking so long, but I just like to air out my concern on this issue for the vetoed he just signed couple of weeks ago. Thank you, Mr. President.

President Palacios: Mr. Vice President, you need not apologize to the Chair, you have a right to speak freely in our forum. Clerk, for our next session put this as an official Communication from our Rota Delegation so it is officially with us. Mr. Vice President, let me recommend that you request without objection if we could leave this – would you like to leave this on the next agenda?

Senator Mesngon: If there is no objection from the members.

President Palacios: Are there any objection to just leaving this communication on the agenda until next session?

There was no objection raised.

President Palacios: There is no objection. Clerk, please take note that we will have this communication in addition to the official letter from the Rota Delegation Chair to the Governor particularly on this issue. Any further comments on the Governor's Messages? Senator Mangloña, recognized.

Senator Mangloña: Thank you, Mr. President. I just wanted to comment on Governor's Messages Nos. 20-254 and 20-255 this is on the declaration of A State of Significant Emergency. I believe both No. 1 and No. 2, pretty much are similar I guess the Governor see the need to further expound on the emergency. But my question is actually to the EAGI Committee, how far are we as far as coming close to getting full CUC Board? I am just curious because this became necessary because of the lack of a quorum, I understand. Mr. Chairman, how many more members do we need to have a quorum?

President Palacios: Would you like to respond to that?

Senator Cruz: Are you asking me how many more members?

Senator Mangloña: I guess the former members were terminated and now the Governor is in the process of finding more nominees. I guess the point is that since the abolishment of the former board composition we still have not yet gotten a full board. I just have a concern because there are many issues in particular the need for additional generating capacity at CUC. And, as you know, this is task to the Board of Directors CUC to look for solutions and to address many critical issues at CUC. I am just kind of like getting concern because there is going to be other emergencies that will come around if we do not finally get a CUC Board of Director emplace. So, maybe to communicate with the Governor so we can work trying to finally get them organized. One of the issue that I have and the reason I am brining this up is that, I have issue on the water electric charge that's been an issue for several years. It is something that our people in the community are trying to raise to our attention to focus on the computation of this water electric charges. Because as you know, if you look at the billings, the consumer billings this is sometimes three times the water usage and so now they are raising the concern about why can't we get an up-to-date every quarterly or every six months on the computation of this water electric charges? I believe one of the factor is that the sewage cost is being factored in here and the water consumers are being made to pay for the cost to upgrade our sewer system. At the same time, the way that they compute this water electric charges raised a lot of questions, Mr. President, and I think that we need to address this as it is an issue that was raised several years back. But it seems like, first, the CUC Board had many issues, but then they agreed to move forward on some recommendations. But then the PUTC committee which is another issue that we should consider trying to have them also emplace the new Board of Directors so that they can have a quorum. It was PUTC committee that was objecting to such a new recommendation so in order to go pass this and resolve this, we need to see CUC organize and PUTC committee organize. So, I guess just a recommendation to PUTC committee and to EAGI committee to may be work with the

administration so that we can get nominees and we can confirm the nominees as soon as practical so that we can get emplace CUC and PUTC committee. *Enao-ha, si Yu'us ma'ase, Mr. President.*

President Palacios: Thank you. Let me just cut the chase here, with that, I would like to ask first the Chairman of PUTC committee, to see if you can formally communicate with the administration on the pending appointments of a complete Board for CUC as well as CPUC and the EAGI committee would probably work along with you. But I think perhaps the committee on PUTC would take the first lead on this particular issue. Senator Cruz, would you like to add more to this particular issue?

Senator Cruz: Thank you, Mr. President. In regards to Senator Mangloña's concern, I believe there is a quorum already in regards to CUC Board of Directors, we have confirmed four of them and there are only five.

President Palacios: Well, let's see what the Chairman on PUTC committee can come up with. Can you please follow through with this emergency declaration see whether the issue of the lack of quorum or full placement of the full board will continue to be an issue? Senator Igisomar, recognized.

Senator Igisomar: Thank you, Mr. President. I believe Senator Paul Mangloña is indirectly bringing the board in as necessity, but we've discussed this declaration of emergency since the Nineteenth Legislature, the Twentieth Legislature and the overall is really the need for CUC to move forward considering the lack of resources and the old power plant I, and the need for energy to the people of the CNMI. As the EAGI committee Chairman stated, there is a quorum already and there is a Chairman already for CUC Board. As far as CPUC, that one we've communicated with the Governor, we can do another follow-up with our honorable Governor Ralph Torres. And, I believe that he's working on his nominations and his challenged is trying to find the appropriate people to put into the CPUC board with proper qualifications, but the challenge is CUC and that's is why this declaration is out it's a lot more than just the board. It really is just dealing with the energy and EPA to make sure they comply with the action plans that put together and the lack of funding for these projects to move forward. So, it is a lot more than that and I believe that is why the Governor is putting this as an emergency to try and assist CUC moving forward without being bugged down by some procurement regulations or other federal law. Thank you. In respect to Senator Paul Mangloña, he does have a bill that is in PUTC committee with respect to the energy charge. We discussed in our last meeting and we will be calling in CUC to have a little bit more dialogue on it on Senator Paul Mangloña's bill to see how we can either improve it or pass to the committee so that we can vote on it. Thank you, Mr. President.

President Palacios: Thank you. In that regards, we can put a finality on this. I would like to ask that we take a look at the emergency declaration factors and justifications for it and see whether this body can help resolve some of those issues that have been raised which is attributing to the need for an emergency declaration, okay, Mr. Chairman? Thank you. Any further discussion on the Governor's Messages? Ready? We now move to agenda Item E, Communications from the Judiciary. Clerk?

COMMUNICATIONS FROM THE JUDICIARY

The Clerk voiced Judiciary Communication No. 20-16.

President Palacios: Any comments? Senator Mangloña, recognized.

Senator Mangloña: Thank you, Mr. President. I just want to inform the members that there's an emergency situation at the Judicial Branch and I only know this because my daughter works there. She was telling me that they shut down the operation for couple of days already and they are looking for alternate places to conduct hearings. But I guess the point is that this is a serious issue because for example, the Commonwealth Recorder shut down that means a lot of business transactions will be affected and not to mention the court hearings, the payments that they have to do for bail hearings and all that. Just so the members are aware. Thank you.

President Palacios: Thank you. We move down to agenda Item F, Clerk?

COMMUNICATIONS FROM THE HEADS OF EXECUTIVE DEPARTMENT

The Clerk voiced Department Messages Nos. 20-77 and 20-78.

President Palacios: Thank you. Senator Hofschneider, recognized.

Senator Hofschneider: Thank you, Mr. President. On Department Message No. 20-78, I want to commend the Department of Commerce for this very good piece of information. I know that this is a preliminary, but there's a lot of very good information and very good statistics contain herein in all our efforts to try and answer to some of the questions being raised about the employment and the workforce needs in the CNMI. With respect, also to the very significant bill piece of legislation that is now before the U.S. Congress the CW. So, I am anxious to see the final product and I believe this data would help our cause in terms of trying to place our people into the workforce. However, these numbers are very very significant I can't over emphasis the need for these kind of reports. And, to further comment, I wish maybe in the next couple of weeks, we should call in the Department of Commerce, the Department of Labor to allow us to further discuss this and to maybe ask some of the pointed questions as some of these rates are probably questionable if not or maybe they're just most preliminary as what the report is saying. But nevertheless, I would like to raise this up, Mr. President, to the members that this is something that we should all have taken a look almost every month or every week for that matter so that we can be able to track our human workforce needs hereto forth.

President Palacios: Thank you. Any further comment? In that regards, I would like to ask the committee on JGL to take a look at this report and perhaps bring in the Department of Commerce and the Department of Labor, it doesn't really make sense just to have the numbers and to articulate the number we need to see where we're falling in which employment category, which professional category or which categories we need to focus on? So, those are the things that we need to number, these numbers don't really say much unless we bring in our Department of Labor. Vice President?

Senator Mesngon: Noted, Mr. President.

President Palacios: We move down to Communications from the House.

COMMUNICATIONS FROM THE HOUSE

The Clerk voiced House Communications Nos. 20-191 to 20-193.

President Palacios: Thank you. Any comments? Ready? Communications from the Senate. Clerk?

COMMUNICATIONS FROM THE SENATE

The Clerk voiced Senate Communications Nos. 20-165 to 20-171.

President Palacios: Ready? Just for your information, I guess my comments will be included in the next communication and that is the communication from the Washington Delegate. Clerk?

COMMUNICATIONS FROM THE WASHINGTON DELEGATE

The Clerk voiced Washington Delegation Communication No. 20-06.

President Palacios: For purposes of this particular communication, I received a cc copy of the letter from Congressman Sablan on this particular. I saw the time is in between our session so I immediately forward the letter that was provided to the Senate by Congressman Sablan. I ask the Chairman on PUTC committee to immediately take a look at the particular issue that is being raised by the letter from Congressman Sablan and see whether we can get more information from the Department of Public Works. So, I believe the Chairman on PUTC committee could speak for the efforts of the Committee or his effort to get additional information as to really, what is going on? Because it is something that we can help with perhaps get additional funding and provide the necessary assistance to the effort being made by our Congressman. With that, I recognize Senator Sixto Igisomar.

Senator Igisomar: Thank you very much, Mr. President. Yes, indeed, the letter from our honorable Congressman Gregorio Kilili Camacho Sablan was written on March 9th and received cc copy by you on March 12th, and through me as Chairman and our Vice Chairman Justo S. Quitugua, because we were not able to call the entire committee together to comply with Open Government Act, Senator Quitugua and I, went ahead and met with DPW and transmitted a report to your office on March 21st. And, also, just to put some back story that we've been communicating with DPW, TST, Federal Highway, and they have been submitting their report and we were quite surprise as well to see a message coming from Congressman Kilili, which he is trying to raise an issue and we thought everything was okay. Anyhow, Mr. President, if you don't mind, I make sure that I wrote some stuff down so I do not deviate unnecessarily, but I would like to thank the honorable Gregorio Kilili Camacho Sablan, our Washington Delegate, through his letter we should request for his assistance or take this opportunity to elevate in Congress the efforts of our DPW, TSD and our hard working staff

in our Federal Highway section of TSD. Because he did ask us to let him know if we need help, we should inform him through a response either from the Governor or from the Senate, request for higher annual allocation to territories not for us to have an increase beyond 10%, but higher allocation to all territories. This way, the CNMI or the 10% of \$3.8 million allocated to CNMI under Title 3 may increase and giving us more opportunity. Currently, all territories shared the annual allocation. No. 2, we should request him for incentive and penalty be implemented for any state complying or deviating from the 2% goal of the National Inactive Report. Just to state, Mr. President, the CNMI currently is at 0.1%, 0.1% on that list that is a very very good record for our TSD to have maintain 0.1%. In comparison, American Samoa is in the red at 22.8% in activity report. Guam is in the red at 14.4%. These numbers are not talking about draw down rate, these numbers are talking about inactivity you may have drawn the funds down, but you haven't done anything with it. So, that is why we hope he can through his presence in Congress work for some form of incentives for the CNMI since we are exemplar at 0.1%. In addition, as our honorable Congressman request for special funds to provide additional support to help speed up our projects that are listed under our four years plan with the Federal Highway in our TSD Office at DPW. Currently, we have no funding for Beach Road Route 33, that is going to need a lot of money. Route 36, Kingfisher to Calabera Cave that funding also we are going to have shortfall. So, this issue that we're discussing is let at five million dollars that fund there is a reason for it to be there. Anyhow, No. 3, the article today although informative can be disturbing. I was a bid late early this morning, Mr. President, coming up for such, I have to revisit again or to use the Federal Highway office to follow-up on data previously received as per your request for the committee to look into. What I encountered was an office with hardworking employees feeling defeated an injured by the article this morning. I assured them that I will assist them with the clarification under hardworking. For more details, as I don't want to take too much time, we should visit our TSD and Federal Highway Office to get more information or review our PUTC Committee Report to you, Mr. President. Currently, Mr. President, I am working on a resolution to actually recognized our CNMI TSD Federal Highway Team for their hard-work and for maintaining an exemplary inactive percent rate of point one percent and being responsible and accountable on all Federal Fund Expenditure. Mr. President and members of this body, there's more to this matter than meets the eye. And, I truly thanked, Congressman Kilili for allowing to give us the opportunity to inform him of the true picture and the facts that is going on in our TSD Federal Highway. With respect to the definition of throw down rate and whether obligated or unobligated? There are regulations emplace for Federal Highway and our team because they only received \$3.9 million, Mr. President. They have ten million, six million annually of projects listed in the CNMI, Saipan, Tinian and Rota, but all they get is \$3.9 million. So, they have to do their best to try and work with what they have. Now, that \$5 million accumulation is therefore a very good reason and as a matter fact promoted the Federal Highway agency to our office. They're very happy that we actually have such a cushion of funds so that in case of emergency, in case of catastrophe, we have funds that we can tap into to actually use. So, Mr. President, I highly encourage everybody to really look at our inactive report and see that our CNMI people TSD Highway is actually doing a lot better than any other territory and they are in line with a few states in the United States that actually reach 0% or 0.1%. And, according to our office here in TSD, on the next reporting they should be at 0.0% in activity. Thank you, Mr. President. I hope that helps some clarity to the people so they know that, yes, our Congressman is concern. I believe that the reports that we furnished or acquired from TSD will help support TSD's cost for more funding for the CNMI and that we should really encourage our Congressman. We should be very happy and be very proud that our TSD Office is actually moving the funds and that there is no

inactivity and that they're actually concern, accountable and responsible to make sure we have some reserve funds in case of emergency. Thank you very much, Mr. President. And, that is allowable and tolerable in the Federal Highway, USA. Thank you.

President Palacios: Before, I recognize Senator Mangloña, I want to acknowledge and thank you, Senator Igisomar, for taking the effort to call in TSD and the Federal Highway Office of the Department of Public Works to help clarify some of the issues and not just to clarify the issue, but to see what it is that this body can do to assist in efficient and effective utilization of highway funds. What is it that we're lacking? What is it that we need to do to improve the performance rates? Obviously, there's a bit more like you said, we found out that there are some other issues that are not spelled out in the letter itself, but be that as it may, I also drafted a letter to our Congressmen and I submitted to the Clerk and is now numbered as Senate Communications No. 20-174, which will be in our agenda item in our next session, and also, the report submitted by Senator Igisomar to my request to try to communicate with TSD and Department of Public Works on this particular matter. So, these two communications are available to you and we will further talk to TSD even to Congressman's office to see what we can do to assist. There is no question that we support this effort and those of Congressman from Samoa to get additional funding for the two territories or increase the allocation for the two territories. That is something that we can all support. I believe the new ones is surrounding the particular issues is to be clarified and further worked on. With that, Senator Mangloña, recognized.

Senator Mangloña: I don't want to prolong this discussion, but let me also commend the Chairman on PUTC committee for his pound effort to get on top of this issue. I want to request from the Chairman that even though I am not a member of PUTC committee, I would appreciate if on their next meeting to invite me so I can join the meeting, I want to be on top of this issue. I commend our Chairman and the Department of Public Works officials for moving expeditiously on many of our projects. However, the way I look at this issue, I guess it is a communication issue maybe, but reading the letter from Brandy Hendrickson, who is the Acting Administrator, U.S. Department of Transportation, Federal Highway Administration, it appears that they have formula and even if we do a great job, if we do not work under their formula they are giving us a grade and based on our grade it will not provide us for more funding. And, how do they provide us for more funding? I really don't understand too, because, if you have ten percent (10%) for American Samoa and the Northern Marianas it's always going to be ten percent (10%), unless you have a bigger pie, but I guess their response is that the formula can be adjusted based on the performance so that the issue then is to understand what the Acting Administrator is saying on their interpretation of the formula and I guess to encourage the Department of Public Works to understand that and let's work along that formula. I raised this up, I take this time to raise this up, Mr. President, because we had a meeting with CIP Office two weeks ago and the same thing is happening with our 702 Funding. My understanding is that there is also a formula and the formula is based on our performance as far as how fast or how soon we complete the CIP projects? And, if we do a 100% A+ job we will get about eleven million dollars (\$11,000,000.00) every year from the 702 Funding that was the figure we had few years ago when they first started this formula. Unfortunately, now, we are getting eight million dollars (\$8,000,000.00) a year because the other territories that are getting from this 702 Funding are doing an exceptional job and that you're getting the bulk of this funding so that we are actually losing out three million dollars (\$3,000,000.00) a year. So, not only should we look at the Federal Highway Funding we should look at the way the 702 Funding are being used. And again, I commend the 702

people that are doing our projects, but the question remains that who is interpreting the performance and their criteria? Our office locally should understand how they are grading us.? How they are rating our performance? And so, we have to work within their system so that ultimately in the next few years we can get up to eleven million dollars (\$11,000,000.00) rate level. But the fact of the matter is, now, we are getting only eight million dollars (\$8,000,000.00) we are losing out three million dollars (\$3,000,000.00) a year. So, I hope that PUTC committee also can look at that issue as far as the 702 Funding and how they are comparing our performances so that we can get the most 702 Funding from this Federal Highway Funding. *Si Yu'us ma'ase*.

President Palacios: Thank you. Those are good points. Again, the communications from my office in response to my letter from Congressman Sablan to the Governor, I want to thank him for the courtesy copy provided to the Senate. The respond letter has been passed out to you as well as Senator Igisomar's report on his meetings with TSD. Absolutely, I agree with the issue also with 702 because that is CIP. One of the issue is, perhaps, the human resources availability also at TSD, they are task with the needing professional staff, engineers, architects, so we need to take a look at that also as a contributing factors. Perhaps, in our next budget go around that is something that we can form the questions around and inquiries. But you know, NEPA is an issue already that is fairly recent. NEPA (National Environmental Protection Act) risen in all Federal Funding's that could also be a factor in the delay of a lot of projects, not just in the Commonwealth, but as well as other insular areas and territories, but I don't want to be labored the issues. I hope we can take a look at those issues not just with PUTC committee, but also during the appropriations and budget hearings as we bring in other agencies. Senator Hofschneider, recognized.

Senator Hofschneider: *Si Yu'us ma'ase, Mr. President.* I just want to ask the PUTC committee Chairman, are you anticipating another go around with DPW as far as this matter per say or?

Senator Igisomar: Thank you very much, Mr. Chairman for bringing that question up. As a matter of fact, in the report that was given to our President, as per his request, I think April 2, the Representative from Hawaii Federal Highway will be on island and they're discussing the usage authorization to use the five million dollars (\$5,000,000.00). So, that will be the day in the afternoon of April 2nd. In the morning of April 2nd, I believe he will be with the Governor and then in the afternoon would be the Legislature. That would be a meeting that we can have an opportunity than I can reschedule that later on for follow-ups.

Senator Hofschneider: Mr. President, if I am not out of order, I am exchanging with Senator Igisomar the reason that I am not part of your committee, but I wish to be informed so that I want to sit in also on the matter.

Senator Igisomar: Yes, I believe as he stated. Thank you for that. I will make sure but the report is ready with the President and it is there.

President Palacios: It is going to be for the whole Senate.

Senator Hofschneider: And, Mr. President, furthermore, as for the other authorization from the federal funds, I think with the recent enactment and becoming law the office of the Commonwealth

Development Authority, I was told not in writing, but I was told by, I believe that time OMB or CIP Administrator, that the agency from here and now will start assuming the progression and the movement of all these infrastructure projects and other projects in the CNMI. So, I want clarification on that matter. Perhaps, we can call in the administrator as well to see where he stands in the meets of all these developments. Because, I too, as anybody else in here, there are some very important projects that are qualified under the TTIP which is aka Federal Highway Funds. And, just hearing the exchange, the letter and the statistics that you provide, Mr. Chairman, you know, it draws up a lot of question as to how the state government, which is really us, how much do we request the number that we need or we just write with the Administrator from Hawaii as to the funds that we need to do all the projects here?

Senator Igisomar: Chairman, if I may? Thank you for continuing the discussion. For your information, we missed to attached important documents that we received from DPW to answer some of the questions you have. We have CFR definitions and we also have the four-year plan listing and my staff will be giving that to Ms. Doris, so that she can attached to the record so we can have a copy. But of course, we'll make sure as the President is saying at the meeting, would be to all the Senators as a whole and this is for all of us so we can all be informed.

President Palacios: Recognized.

Senator Hofschneider: Again, Mr. President, because all these things could be one of the major contributor as to why we probably going to get into an emergency situation and we have to fund all the funds from one project because of and emergency situation. Maybe some of these things can be avoided if we really have a pointed direction as far as which project is next. But I will reserve my comment until the meeting, Mr. President. I am ready to go ahead. Thank you.

President Palacios: Thank you. I think this is a very good series of discussion that we are having. But let me ask the Committee Chair, perhaps, he needs to take a look at this particular issue and the 702 Funding and perhaps put together a plan going forward. Set a series of meetings and please invite and include all members of the Senate to all these meetings.

Senator Igisomar: Mr. President, clarification.

President Palacios: Recognized.

Senator Igisomar: Clarification, Mr. President. I understand that as a PUTC committee, of course, my committee is set on these items as to what I should handle and I am always very happy when you send task over my way. I am so gullible because I love the knowledge and information on all the agencies. But for clarification, are you requesting that I take care of this planning agency to take care of all these items for you?

President Palacios: Let us start with two items; the Highway Funds and 702 Funds because those are infrastructures most of which are falling under PUTC committee. But don't limit ourselves with the members of PUTC committee even if some members are not part of the committee please open the door and invite them so that they can also participate in some of these meetings with the agencies.

Senator Igisomar: Thank you, Mr. President.

President Palacios: Thank you. That was a long discussion on one communication. We go down to Pre-Filed Bills, Initiatives, Local Bills and Resolutions.

PRE-FILED BILLS, INITIATIVES, LOCAL BILLS AND RESOLUTIONS

President Palacios: I believe we have address this. Do we have local bill that needs to be introduced? Senator Santos?

Senator Santos: Thank you, Mr. President. I thought that we will never come down here. Now, that we're here I would like the officially introduce Senate Local Bill No. 20-6, "To name the Rota Health Center, Division of Public Health building the *Lucia C. Barcinas, Crificensia F. Birch, Rita C. Flawau, Carmen Suzuki and Estufenia Atalig Public Health Building*; and for other purposes." I would like to invite my colleagues from the First Senatorial District Legislative Delegation if they don't have any objection in co-sponsoring this local legislation. In line with that, after the third appearance of this local bill, I would like to recommend that our good Chairman from Rota Legislative Delegation conducts public hearing on the proposed Senate Bill to the people of the First Senatorial District. And by doing so, our people of Rota would be provided the opportunity to comment in support/not support or provide comments to improve the said legislation. Thank you, Mr. President.

President Palacios: Thank you. We move down to agenda Item L, Introduction of bills, unnumbered or not on the Calendar. Are there any unnumbered bills or bills that are not on agenda, Item K? There being none. We move down to agenda Item M, Reports of Standing Committees. Floor Leader?

INTRODUCTION OF BILLS, INITIATIVES, LOCAL BILLS AND RESOLUTIONS

None

REPORTS OF STANDING COMMITTEES

Floor Leader Borja: Thank you, Mr. President. We still have one remaining Standing Committee Report. For the adoption of Standing Committee Report No. 20-77 from the Committee on Executive Appointments and Government Investigations reporting on the re-appointment of Mr. Ignacio L. Perez to serve on the Commonwealth Development Authority Board of Directors to represent the Second Senatorial District, so move.

The motion has been seconded.

President Palacios: Motion offered is to adopt Standing Committee Report No. 20-77 from the Committee on EAGI relative to the re-appointment of Mr. Ignacio L. Perez for CDA Board of Directors, the motion has been seconded, discussion? The Chair recognized Senator Cruz.

Senator Cruz: Thank you, Mr. President. Again, Mr. President, your Committee on Executive Appointments and Government Investigations is ready to present Senate Standing Committee Report No. 20-77, and this is the re-appointment of Mr. Ignacio L. Perez, Mr. President, your Committee on Executive Appointments and Government Investigations to which was referred the re-appointment of Mr. Ignacio L. Perez to serve as a member of Commonwealth Development Authority Board of Directors begs to leave as follows: Pursuant to 4 CMC § 10301, Mr. Ignacio L. Perez was re-nominated by Governor Ralph DLG. Torres on February 02, 2018 to serve as a member of the Commonwealth Development Authority Board of Directors to represent the island of Tinian. Your Committee on Executive Appointments and Government Investigations recommends that the Senate give its advice and consent to the re-appointment of Mr. Ignacio L. Perez to serve as a member of the Commonwealth Development Authority Board of Directors. Your committee has examined all pertinent documents submitted relating to Mr. Ignacio L. Perez's overall credentials. In addition, your committee took into account all written and oral testimonies presented during the public hearing. After much deliberation and base on the overall assessment of Mr. Ignacio L. Perez's credentials, experiences, testimonies and other relevant issues considered, your committee is convinced that Mr. Ignacio L. Perez possesses the qualification and leadership skills necessary to serve as a member of the Commonwealth Development Authority Board of Directors to represent the island of Tinian. Your Committee concludes that the re-appointment of Mr. Ignacio L. Perez meets all the necessary requirement pursuant to 4 CMC §10301. Furthermore, Mr. Ignacio L. Perez has submitted all required documents in conformance with Rule 8, Section 5 of the Senate Rules. Again, I ask the full body of the Senate to support Standing Committee Report No. 20-77. Thank you, Mr. President.

President Palacios: Thank you. Further discussion? Ready? Clerk, for the adoption of Standing Committee Report No. 20-77, 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	Hunggan (Yes)
Senator Paul A. Mangloña	Yes
Senator Steve K. Mesngon	Hunggan (Yes)
Senator Justo S. Quitugua	Absent
Senator Teresita A. Santos	Yes
President Arnold I. Palacios	Yes

CLERK: Mr. President, eight members voting “yes” and one “absent.”

President Palacios: With eight members voting “yes” Standing Committee Report No. 20-77 for the confirmation of Mr. Ignacio L. Perez to the Commonwealth Development Authority Board of Directors hereby passes the Senate. Anymore Standing Committee Report? None. We are down to agenda Item P, Bill Calendar.

BILL CALENDAR

President Palacios: Would you like to take a couple minute recess? Short recess.

The Senate recessed at 12:20 p.m.

RECESS

The Senate reconvened at 12:30 p.m.

President Palacios: We are back to our session. We left off on the Bill Calendar. I call the Floor Leader to take over the floor. Floor Leader?

Floor Leader Borja: Thank you, Mr. President. We do have eight bills appearing on the Calendar for Final Reading. However, during the leadership meeting yesterday, the consensus of the members is to defer action on House Bill No. 20-40, SD1, but will remain on the Calendar. So, let me start off with the first one, for the passage on Final Reading Senate Bill No. 20-92, “To amend 2 CMC § 2123 relative to the terms of CPA board members to comply with Article III, Section 21 of the NMI Constitution; and for other purposes,” so move.

The motion has been seconded.

President Palacios: Motion is for the passage of Senate Bill No. 20-92 its been seconded, discussion on the passage motion? 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	Yes
Senator Paul A. Mangloña	Yes
Senator Steve K. Mesngon	Hunggan (Yes)
Senator Justo S. Quitugua	Absent
Senator Teresita A. Santos	Yes
President Arnold I. Palacios	Yes

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

President Palacios: With eight members voting “yes” Senate Bill No. 20-92 hereby passes the Senate. Floor Leader?

Floor Leader Borja: For the passage on Final Reading Senate Bill No. 20-26, “To require all contractors to be licensed in the Commonwealth of the Northern Mariana Islands,” so move.

The motion has been seconded.

President Palacios: Motion offered is for the passage of Senate Bill No. 20-26 that motion 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	Yes
Senator Paul A. Mangloña	Yes
Senator Steve K. Mesngon	Hunggan (Yes)
Senator Justo S. Quitugua	Absent
Senator Teresita A. Santos	Yes
President Arnold I. Palacios	Yes

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

President Palacios: With eight members voting “yes” Senate Bill No. 20-26 hereby passes the Senate. Floor Leader?

Floor Leader Borja: For the passage on Final Reading Senate Bill No. 20-55, “To regulate motor vehicle rental companies; and for the purposes,” so move.

The motion has been seconded.

President Palacios: Motion is for the passage of Senate Bill No. 20-55 that motion has been seconded, discussion? Senator Igisomar?

Senator Igisomar: Thank you very much, Mr. President. As we are all up against time, I’ll just make it really quick. Of course, I ask a favorable response from one of the colleagues and Senators, this bill with respect to vehicle rental for companies, this will truly answer all the issues we’re having with respect to people that are coming to our CNMI, most especially, foreigners without driver’s license to operate rental vehicles and giving the Department of Commerce an authorization to proceed with regulations. Thank you very much, Mr. President.

President Palacios: Thank you. Further discussion? 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	Yes
Senator Steve K. Mesngon	Hunggan (Yes)
Senator Justo S. Quitugua	Absent
Senator Teresita A. Santos	Yes
President Arnold I. Palacios	Yes

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

President Palacios: With eight members voting “yes” Senate Bill No. 20-55 hereby passes the Senate. Floor Leader?

Floor Leader Borja: For the passage on Final Reading Senate Bill No. 20-56, “To amend 1 CMC §§ 8201 and 8205(a) to add new definitions and to establish minimum liability coverage for rental car companies; and for other purposes,” so move.

The motion has been seconded.

President Palacios: Passage motion offered has been seconded. Motion is for the passage of Senate Bill No. 20-56, discussion? Senator Sixto Igisomar, is this your bill?

Senator Igisomar: Yes, Sir.

President Palacios: Do you want to comment?

Senator Igisomar: Ok then, Mr. President, thank you. This bill actually increases the liability limits for our car rentals or rental companies at the same time provides clarity on definition of what a rental company is or what a rental or u-drive motor vehicle is? Because currently, in our statute, I believe most especially the auto tariff for insurance companies there's no mentioning of rent a car in the rates the only wording that they use is u-drive and that must be a definition from a long long time ago. So, this is providing those clarity, Mr. President. Thank you very much.

President Palacios: Thank you. Further comments, discussion? 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	Yes
Senator Paul A. Mangloña	Yes
Senator Steve K. Mesngon	Hunggan (Yes)
Senator Justo S. Quitugua	Absent
Senator Teresita A. Santos	Yes
President Arnold I. Palacios	Yes

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

President Palacios: With eight members voting “yes” Senate Bill No. 20-56 hereby passes the Senate. Floor Leader?

Floor Leader Borja: For the passage on Final Reading Senate Bill No. 20-60, “To regulate off-road vehicles including ATVs, SxS, and UTVs; and for other purposes,” so move.

The motion has been seconded.

President Palacios: Motion offered is for the passage of Senate Bill No. 20-60, that motion has been seconded, discussion?

Senator Hofschneider: Mr. President?

President Palacios: Senator Hofschneider?

Senator Hofschneider: Thank you, Mr. President. I commend Senator Quitugua, but unfortunately, he is not here to clarify. Because you know, as we regulate these things there are also some brand new vehicles like Tacoma’s and all that that are actually being altered in terms of being driven on the road, are those qualify under this bill?

Senator Igisomar: Mr. President, may I?

President Palacios: Senator Igisomar?

Senator Igisomar: May I just ask for clarification? I believe we have a version of this bill which my committee approved. It is actually, Senate Bill No. 20-60, SD1, just to clarify the motion by our Floor Leader. Or do I make a motion to add this version or do I answer to Senator Hofschneider first, Mr. President? Or do we get a recess?

President Palacios: We take a short recess.

The Senate recessed at 12:38 p.m.

RECESS

The Senate reconvened at 12:38 p.m.

President Palacios: We are back to our session. I believe there is a Committee Report on this legislation and I would like to ask the Floor Leader to withdraw the passage motion so that the Committee Report could be put on the Calendar and adopt it on our next session. Floor Leader?

Floor Leader Borja: Thank you, Mr. President. I now withdraw my motion for the passage of Senate Bill No. 20-60 until next session.

The motion has been seconded.

President Palacios: Motion is to withdraw the passage motion offered and that motion has been seconded, discussion? Clerk, please take note and place the Committee Report relative to this legislation for the next session. Ready for the question? Those in favor of the withdrawal motion offered please say, “Aye.” Opposed say, “Nay.”

All members voiced, “Aye.”

President Palacios: Motion carries. Floor Leader?

Floor Leader Borja: For the passage on Final Reading Senate Bill No. 20-61, “To establish the Hunting Act of 2017 for the Commonwealth; and for other purposes,” so move.

The motion has been seconded.

President Palacios: Passage motion offered for the passage of Senate Bill No. 20-61, its been seconded, discussion? Senator Igisomar?

Senator Igisomar: Thank you, Mr. President. I just wanted to of courser put my support and that I believe our vote on this bill is fitting. Considering, I believe Marianas Variety printed an article today with respect to the availability of funds from Interior as a result of the Hunting Act in the United States which created funds for Natural Resources and Fish and Wildlife. So, I believe it is a fitting bill. Thank you very much, Mr. President.

President Palacios: Thank you. I wanted to further that discussion but I am not going to labor the issue, I support that legislation. Any further discussion? Ready for the question? Clerk, please call the roll for the passage of Senate Bill No. 20-61.

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

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

President Palacios: With eight members voting “yes” Senate Bill No. 20-61 hereby passes the Senate. Floor Leader?

Floor Leader: For the passage on Final Reading Senate Bill No. 20-73, “To amend 4 CMC §§ 4103 and 4201, to place the Office of Registrar of Corporation under the Department of Commerce, provide the Registrar investigation power and authority to approve foreign corporations charter; and for other purposes,” so move.

The motion has been seconded.

President Palacios: Passage motion offered by the Floor Leaders is for the passage of Senate Bill No. 20-73 has been seconded, discussion? Senator Mesngon?

Senator Mesngon: Just a short note. Actually, this small amendment is just to clarify that we will be giving the authority to the Department of Commerce due to the lengthily that they’ve been doing the incorporated registered certificate so it is appropriate that instead of the Governor approving it should go to the Department of Commerce. Just a small amendment on that. Thank you, Mr. President.

President Palacios: Thank you for the clarification. Further 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	Hunggan (Yes)
Senator Sixto K. Igisomar	Yes
Senator Paul A. Mangloña	Yes
Senator Steve K. Mesngon	Hunggan (Yes)
Senator Justo S. Quitugua	Absent
Senator Teresita A. Santos	Yes
President Arnold I. Palacios	Yes

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

President Palacios: With eight members voting “yes” Senate Bill No. 20-73 hereby passes the Senate. Floor Leader?

Floor Leader Borja: No further on the Bill Calendar.

President Palacios: We move to agenda Item Q, Petitions, Memorials and Miscellaneous Communications.

PETITIONS, MEMORIALS AND MISCELLANEOUS COMMUNICATIONS

The Clerk voiced Miscellaneous Communications Nos. 20-265 to 20-274.

President Palacios: Any comments or discussion? Senator Santos?

Senator Santos: Thank you, Mr. President. This is in reference to Miscellaneous Communication No. 20-274, I would like to thank CHCC for their prompt submission of their fiscal year 2019 budget requesting in the amount of about seventy-three million nine hundred seventy-one thousand six hundred sixty-five dollars (\$73,971,665.00). I would like the record to show that CHCC has been provided appropriation of close to about \$20,000,000.00; \$9.7 million from the Casino Gross Revenue Tax and about \$10.4 million from other funding sources. And so, with this said, I would like the record to show that the Legislature has done its due diligent in allocating funding to CHCC contrary to what CHCC has been reporting out in the newspaper. Thank you, Mr. President.

President Palacios: Thank you. I hope those quick report the fiscal analyst of our Legislative Bureau helped the members because he did provide more accurate pictures of the funding that has been provided. Obviously, CHCC has been only referring to the general fund budget process, but as we all see from that report that in the last eighteen months the Commonwealth has appropriated close to \$160,000,000.00 of the BGRT from the Casino of which a substantial amount appropriated to PSS and CHCC. That particular figure Senator Santos is referring to is contained in the brief report that the LB staff particularly the fiscal analyst's office is very informative. We have also requested that they further do some research on a lot of the earmarking funds. As you all know, a lot of the earmarking have gone to PSS and also CHCC without the need for further appropriation and it's a continuing appropriation. For example, the Master Settlement Fund, the Tobacco Control Funds, what not, so, hopefully, our fiscal analyst can generate those reports so we can get much clearer picture of what has been reported and what has been painted? We would like to await your report, Chairman of Fiscal Affairs committee and Health and Welfare committee will take a closer look at some resources that has been appropriated and provided to our Healthcare Corporation. Senator Igisomar?

Senator Igisomar: Thank you very much, Mr. President. I just like to make additional comment on that same communication, I understand there are introverts, there are analytical, there are extraverts and they are expressive like myself, but mainly, I like in sense defense CHCC, the Legislature or the government wants CHCC to have a rolls Royce, yet, the amount of money they're getting is just for a pinto and the hospital wants a corolla. So, it's really just bringing the issues forward that it is not necessarily for me that we're not giving them enough money, but I think what they're trying to allude to is that they require lot more resources to satisfy our community need and the demand for community and that even though we've given them gazillions of dollars, if I may exaggerate, it's only paying for a pinto vehicle. And, they are just saying, please continue to help us so I can provide a simple corolla for our people. Thank you very much, Mr. President.

President Palacios: Further to that, let us make sure that when we provide the funding for a corolla they don't take the funds and go buy a pinto and used the funds somewhere else. We need to begin to take a closer look at how we can provide the resources that they need and what will be the priorities? It is also important to note that approximately \$15,000,000.00 of general fund and other resources the Casino BGRT and local delegation funding have been provided to Medical Referral in the amount of

\$15,000.00, this is part of the Health Care System that we have. So, we need to take a closer look and perhaps come up with certain policies and minimize one and improved the other so at the end of the day it is something that we really have to take a look at holistically and see whether we can improve how we do things with our Commonwealth Health Center. And, that is not to say that, we should be adversarial that is just to say that we need to begin the discussions and through honest deliberations between the agencies and both Chambers of the Legislature. Any other?

Senator Hofschneider: Mr. President?

President Palacios: Senator Hofschneider?

Senator Hofschneider: Thank you, Mr. President. I thank you for saying that we are not trying to be adversarial on the matter, but I think hereto forth, we need to start asking CHCC if they have any plan for an infrastructural development of the hospital and to submit to the appropriate committee. Just the other day, we were meeting with CEA discussing about bond and floating of a bond and those are very good information. I think we should encourage CHCC to come up with a comprehensive plan as far as the infrastructure needs so that we can assist them if we cross that bridge in terms of funneling money for them to build an appropriate infrastructure and updated infrastructure to service our community. We can give them millions of dollars, but if they don't really have a pointed plan as far as their business concept, as far as their ten-years plan, we are going to be back here every year to discuss that. We never give them, but in actuality, we give them almost \$15,000,000.00 last year and this year. Thank you, Mr. President.

President Palacios: Thank you. And, thank you for supporting the bill that establish the Office of Planning so that we can take a look at all these issues and hopefully, that office with two diligent begin to function appropriately, we can. We can expect more tourists and more population growth with a 60-beds hospital. We need to start addressing those infrastructures. With that, Miscellaneous Business. Senator Igisomar, briefly.

MISCELLANEOUS BUSINESS

Senator Igisomar: Thank you very much, Mr. President. This is just miscellaneous business announcement for me, just to state with respect to Senate Bill No. 20-62, that is the regulation of cannabis in the CNMI or the Marijuana bill, as everyone is calling it. I believe we should be able in working with our committee Chair for JGL on a committee report and we hope to entertain if highly favorable from our Chairman, by next two weeks or the next session of the Senate to introduce, to vote on the Cannabis Act. And, secondly, Mr. President, I just like to state that Senate Bill 2325 which is the Murkowski bill, I believe there were markups in the Senate and I'm hoping that the body or the group that is working on this bill would take the opportunity to review the bill and see if we can gather more comments from the public and businesses currently as they have had more time to review the bill and to contributed or provide some proposals to our Governor and his team on markup proposals. So, we can better enhance this bill if it does pass the Senate, United States Congress Senate Bill 2325, we can at least go into the House and make some markups or amendments to respond to some issues, like clarification on actual wage level paid, which is in the bill, employment verification, foreign labor

certifications and also H2B exemptions to consider extending to the CNMI by 2019. And, I do know, Mr. President, that when we all support this bill we were running out of time and now that Senator Murkowski helped us on it, I'm hoping that we can have a little bit more input from the community most especially businesses. As you know, I have been communicating with personnel, Mr. Tony Muña Senior, and he has a lot of the good comments on the bill and I hope that he can be invited to participate with the CNMI Delegation on this particular matter. Thank you very much, Mr. President.

President Palacios: Thank you. Thank you for reminding us about your Cannabis Act. Let me be very clear, I have a two-pages bill that I have drafted, but I haven't introduce giving a chance to the bill, because if it doesn't move I was about to completely introduce another bill that would most likely pass in two days.

Senator Igisomar: Mr. President, thank you for your support.

President Palacios: Thank you. Just a small item, as we all know, Senator Murkowski would be visiting us next week. The office of the Governor has provided a draft agenda that has yet to be finalized, but as it becomes firm, I will be informing and advising the members of the Senate. We are trying to get audience with the Senator, with Legislatures and I will certainly advice you on any of those plans. Ready? Floor Leader?

ADJOURNMENT

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

The motion has been seconded.

President Palacios: With that, the Floor Leader has made a motion to adjourn subject to the call and 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 12:59 p.m.

Respectfully Submitted by:

/s/Frances Joan P. Kaipat
Senate Journal Clerk