

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



Senate  
FIRST REGULAR SESSION - 2017

SJ 20-02

First Day

Wednesday, February 15, 2017

In compliance with the Open Government Act, Senate President, Arnold I. Palacios, issued a session call on February 08, 2017, 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 1<sup>st</sup> Day, First Regular Session, on February 15, 2017, at 1:15 p.m., in the Senate Chamber, Capitol Hill Saipan, Commonwealth of the Northern Mariana Islands.

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

A moment of silent prayer was observed.

**President Palacios:** Clerk, please call the roll.

The Senate Clerk called the roll, all nine (9) members are present.

**President Palacios:** With all nine (9) members present, we've established a quorum to conduct our session this afternoon. We move on to Agenda Item B, Public Comment.

**PUBLIC COMMENT**

**President Palacios:** The floor is now open for any member in the gallery for any comments on the agenda items on today's Calendar. Please state your name and the organization you are representing.

**Ms. Mafnas:** *Hafa Adai*, Senators. My name is Ginny Mafnas, currently the Deputy Corporate Director of the Northern Marianas Housing Corporation. I am here to publicly support the confirmation of Mr. Frank Lee Borja, an item on the agenda today. Because of work obligation at the time of this hearing I wasn't able to testify. As we are all aware a board member that is appointed to the CDA board also becomes the member of the Northern Marianas Housing Corporation. I do know Mr. Borja thru mutual friends and family. We are very eager at NMHC to have Mr. Borja on board. Since, I am confident that he is able to offer fresh perhaps innovative ideas

to the table, and would be able to contribute significantly when crafting policies and procedures to keep the housing program oppressed and further improve them in the future. With him on board, along other members, we definitely have a balance on a unique board composition at NMCH. Half of them with young members who add creative ideas to the mix and also may have a different perspective on most issues with a greater level of adoptability and flexibility. Then, we also have the other half of the members with fast experience and a wealth of knowledge in public and private sector with relation to housing and community planning of which all are equally valuable to the board. So, thank you, and we at NMHC look forward to his confirmation and we are sure that he will represent Tinian very well.

**President Palacios:** Thank you for those comments, Ms. Mafnas. The floor is still open for any public comment. There being none, we move to the next Agenda Item, but before we go to Agenda Item C, if there's no objection from the members, we will be presenting a resolution this afternoon for the CNMI Teacher of the Year. If there's no objection, I would like to do that presentation now before we move on and call on Senator Quitugua to read the resolution that is to be presented. Senator Quitugua?

**Senator Quitugua:** Thank you, Mr. President. Mr. President, on behalf of the members of the Senate, I am reading Senate Resolution No. 19-56, introduced by all the members of the 19<sup>th</sup> Legislature, Resolution No. 19-56, is "to recognize and acknowledge Mr. Gerard Van Gils for an astonishing achievement earning the 2017 CNMI Public School System Teacher of the Year and to express a heartfelt appreciation for his commitment and devotion to giving students a great educational experience." Because of the lengthiness of this resolution Mr. President, I will read only a phrase amongst so many things that Mr. Van Gils has done for our students, especially Kagman High School. His most profound achievement and contribution to the students and to PSS was his initiation of two programs at Kagman High School: "Mentor for a Meal" and "The Million Dollar Scholars". This resolution is adopted on December 06, 2016 and certified by the President of the Senate and attested by the Senate Legal Secretary. On behalf of all the Senate members, congratulations Mr. Van Gils.

**President Palacios:** Thank you, Senator Quitugua. If there's no objection, the Chair would like to have a short recess to do the presentation at this time.

The Senate recessed at 1:20 p.m.

### **RECESS**

The Senate reconvened at 1:30 p.m.

**President Palacios:** We are back to our session. We are now on Agenda Item C, Reading and Approval of the Journal.

### **READING AND APPROVAL OF THE JOURNAL**

**President Palacios**: Floor Leader?

**Floor Leader Borja**: Thank you, Mr. President. I move for the approval of Senate Journal 20-01.

The motion has been seconded.

**President Palacios**: Motion has been made for the approval of Senate Journal No. 20-01 and has been seconded. Discussion? Ready? Those in favor of the motion, please say “Aye”, opposed say “Nay.”

All members voiced “Aye”.

**President Palacios**: Motion carries. Senate Journal 20-01 is hereby adopted. We are on Agenda Item D, Messages from the Governor. Clerk?

### **MESSAGES FROM THE GOVERNOR**

The Clerk voiced Governors Messages Nos. 20-01 to 20-22.

**President Palacios**: Are there any comments or statements on Governor’s Messages? Recognize, Senator Santos.

**Senator Santos**: Thank you, Mr. President. This is in reference to Governor’s Message No. 20-18. I would just want to thank the Honorable Lt. Governor for appointing Dr. Larry B. Hocog, to serve as a member to the Commonwealth Healthcare Corporation, Board of Trustees, representing the First Senatorial District. Although, Dr. Hocog, has not appeared for the advice and consent of the Senate, I am confident that he can serve our First Senatorial District well as a Board of Trustee to CHCC. Thank you, Mr. President.

**President Palacios**: Thank you, Senator Santos. Any further comments or statements? The Chair recognized, Senator Paul Mangloña.

**Senator Mangloña**: I just want to comment on Governors Message No. 20-09, this is a vetoed message actually coming from the Governor informing us that House Bill No. 19-132, HD1, has been vetoed. I am somewhat concern Mr. President, that such a very critical and important legislation for the Commonwealth which, I, myself, have introduced over the years, maybe three times. A bill to license all contractors in the CNMI and finally we have both houses agreeing and has been vetoed. I understand that the Governor vetoed this because for some legal concerns. One of which is for example, the requirement for three years of the board members and also the requirement to penalize newspapers or broadcasters if they accept advertisements for contractors who are not licensed. I just believe that sometimes too many lawyers didn’t help us. This is one piece of legislation that I wish it could have been signed with a message to the Legislature that we

should correct or amend these two concerns, but sometimes like I say, too many lawyers are just in the way of our work. It is very critical that you know, everywhere that you go in the U.S. they have a Licensing Board for contractors. It is about time that we do it here in the CNMI to ensure that construction activities here are done by people that are licensed, that are qualified and knows the practice of construction. This is to protect the public safety, health, and general welfare. I believed this was introduced by Congressman Tebuteb, he is no longer a member in the House of Representatives, so it is my intention to re-introduce this bill here in the Senate. I ask the support of the members when this bill gets to the Committee. I know that Senate has always passed this because as I mentioned, I introduced this bill three times in the past, but somehow, we couldn't get an agreement with the House of Representatives on the detailed provision. I intend to re-introduce this with of course taking into consideration the vetoed message by the Governor. Along this line, there's also another legislation or issue that again, like the Contractors Licensing Board, all the other jurisdictions in the U.S. also have in their code and that is the Real Estate Licensing legislation. I know that the good Senator Sixto Igisomar, has been working on that, and I ask him also likewise, to see if he can get that legislation formally introduce. I am happy to work with him on that legislation and that is something also that we badly need here in the Commonwealth, to license our Real Estate Brokers and agents. That's again, in every jurisdiction under the U.S. is in place. I just want to ask the good Senator if he can finally introduce that legislation so that the Senate can initiate that Real Estate Licensing measure. Thank you, Mr. President.

**President Palacios:** Thank you, Senator Mangloña. Any other comments, statements? Senator Mesngon?

**Senator Mesngon:** Thank you. *Si Yu'us ma'ase, Mr. President. Governors Message No. 20-18, 20-19, yan otimo 20-21, yahu-ha baihu na'i si Yu'us ma'ase i Gobietno, ni ma'nominate lokkue si, Dr. Larry B. Hocog, parehu-ha yan si, Mr. William Cing, para este i Commonwealth Healthcare Corporation, Board of Trustees, representing i First yan i Second Senatorial Districts. Ma'apunta para siha-hu nirihe para i ospitat, parehu-ha i hafa masangan gi ti'atmanman-ha. Hu'atan lokkue si, Mr. Hocog yan si Mr. Cing, na hungan guaha ekspirensian-niha gi bandan ospitat, ya ti duda-yu na iNayek-ña i Gobietno yan i Segundo na Gobietno, dinanchi para-hu apunta este dos na individual. Pues, thank you, talo, para i Gobietno yan i Segundo Gobietno. Lokkue, baihu na'i si Yu'us ma'ase i Gobietno, niha fitma i akto ya humuyong esta Public Law No 19-86. Guiya este in'amamanda pago division i Custom gi K-9. Buente entingo este na akto ni hagas-ha niman'mumumu-hit lokkue pot bandan este i binenu siha na klasen kosas tadki drugs para unina kada entrada gi batkonaire pat i sagan boti. Ya' gi enao pago, un'na'i maas fuetsa-ña i division Custom, i K-9, para-hu cho'gue maas nina'i fuetsan-ña para-hu ayuda yan hu sodda' este siha na bineno, i hafa ta susedi pago niman'mumumu i eskatibo este i legkña "War on Drugs" man parehu-hit todo. Gi hilo enao, ni nana'i maas un si Yu'us ma'ase na'i guma-ha este nifen-ña para division i Custom. Talo ha, si Yu'us ma'ase, Mr. President.*

**President Palacios:** Thank you, Senator Mesngon. Any other comment? Let me just briefly comment on Governors Messages 20-18 and 20-19. We received those nominations and I will be submitting the documents transmitted to the Senate to the Committee on EAGI so that the Committee can take action on these two nominations. In regards to Governors Message 20-09 on the issues raised by Senator Mangloña. Let me say that in my Acting Governor capacity, I affixed and

vetoed that legislation upon the recommendation by the Attorney General in hopes that the Legislature will take the recommendations and re-introduce. The Chair recognizes and appreciates the comments by Senator Mangloña and asked the members for their support of this particular legislation and certainly the Senators are looking forward in entertaining and acting on the legislation as revised and recommended by the Office of the Attorney General. Senator Mangloña?

**Senator Mangloña:** Mr. President, I am sorry I didn't realize that actually you're the Acting Governor, but that's why I blamed the attorneys. [Laughter] Thank you.

**President Palacios:** I believe there was some valid concerns that would have been easy fix, but that certainly gives you the chance as an engineer to take a look at that and see what we can do to address that particular concern and even to the extent that you can feel free to improve on that legislation. Thank you.

**President Palacios:** Any more comments on the Governors communications? Senator Hofschneider recognized.

**Senator Hofschneider:** Thank you, Mr. President. I know that the word of operations you let all your members first, but I hope I'm not out of order here, I just want to express appreciation also to Governor Torres and Lt. Governor Victor Hocog, for approving Senate Bill No. 19-22. The intent of this particular bill is sort of having a plan for infrastructures on Tinian in the future. I know, that DPL is constitutionally mandated to provide land use plan, one of their duties, is to provide land use plan throughout the CNMI. We're kind a like taking the bull by the horn, because when we established land use plan, we come up with legislation such as like this. I know, that it requires a lot of work, definitely, but it doesn't hurt to plan ahead to establish certain access roads that are autonomously needed on my Senatorial District of Tinian. So, Governor Torres, thanks for your approval. Thank you.

**President Palacios:** Senator Cruz?

**Senator Cruz:** Thank you. I was just thinking to ask, if we can go straight to entertain the Committee Report, because we are going through the lengthy Governors Messages.

**President Palacios:** I was just thinking about that. Before we do that, let me recognize, Senator Igisomar, on this Agenda Item, Communications from the Governor.

**Senator Igisomar:** Thank you very much, Mr. President. Also, an apology to the members. I don't intent to take up too much time, but in reference to the communication that we are discussing, which is 20-18, one of them, 20-18 and 20-19, on the nomination of Dr. Larry B. Hocog and Mr. William M. Cing. I just wanted to elaborate further that of course these two were the result of communication No. 20-04, which is the result of Public Law No. 19-78, establishing the Commonwealth Health Center. And, as we all know, the Governor signed the bill with reservation for concerns he had with respect to some issues that were contained on that bill when it was transmitted to him. I just wanted to state, Mr. President, generally, that we are actively through your

leadership actively engaging the hospital to work on an amendment bill that hopefully we are able to receive or finalize it by this week, if not, early next week. Which will put together what we inform the hospital staff when they were here fighting or arguing against our passing that. We assured them, that we will take care of them. So in this bill, we will make sure we have clarification definition on organizational body versus the board. Also, to try and clarify the autonomy level of the CEO, to make sure that any CEO will be able to make decisions on a life-threatening situations and not having to wait for the board of directors to come together. I think one of the most important concern was to make sure that the governing board members does not encroached on micro managing and that they should understand their positions. With this, I do understand, that the Honorable Governor, nominated two members already and I'm sure that he should be sending over the others to represent Senatorial District Three, Saipan. I'm hoping that the EAGI, would hopefully, review all these at once so that at least on our part we can really have a very good dialog on what we expect them to do and that we don't end up having a different dialog with different appointee different time. I just hope, and I'm sure, that our Governor is working on it, so waiting for that, but mainly, hoping that we can have one interview examination. *Mr. President, si Yu'us ma'ase.*

**President Palacios:** Thank you, Senator Igisomar. Yes, I fully agree with the importance of Governors Message No. 20-04. I recall that we all made that commitment towards improving the legislation. I'm hoping that you and other members will work together towards finalizing the legislation for passage and deliberation in the Senate as soon as practicable. Thank you. Senator Hofschneider, for the one you asked.

**Senator Hofschneider:** Thank you, Mr. President. I forgot to deliver on the agenda but also for the purpose of expressing support, I'm going ahead and say on the record that the appointment of both appointees, I want to point out the extensive knowledge also and experience as an Administrator and several positions that is held by this gentleman that is appointed from Tinian, Mr. Cing. We appreciated that he actually accepted and consider his nomination as such knowing fully the argental and responsibilities that he is going to take upon once he gets confirm and swear-in. But at the same time, also he is no stranger to managing this particular agency as he is very proactive in developing the facility on Tinian at the time he was there. I have full confidence in his ability once we get in motion that he will best serve and represent our island as the Board of Trustees for CHCC. Thank you, Mr. President.

**President Palacios:** Thank you. The Committee on EAGI will take up the matter as soon as possible. With that, if there is no objection the Chair would recommend that we move to Agenda Item M, Reports of Standing Committee.

There being no objection raised.

## **REPORTS OF STANDING COMMITTEES**

**President Palacios:** We are now under Agenda Item M, Reports of Standing Committee. Floor Leader?

**Floor Leader Borja:** Thank you, Mr. President. I move for the adoption of Standing Committee Report No. 20-01, from the Committee on Executive Appointments & Governmental Investigations, reporting on the appointment of Mr. Frank Lee SN. Borja, to serve as a member of the CDA, Board of Directors, to represent Tinian. So move, Mr. President.

The motion has been seconded.

**President Palacios:** Motion has been made for the adoption of Standing Committee Report No. 20-01, the motion has been seconded. Discussion? I recognized, Senator Cruz, Chairman of EAGI.

**Senator Cruz:** Thank you, Mr. President. Mr. President, your Committee on Executive Appointment and Government Investigations is ready to present Senate Standing Committee Report No. 20-01, the appointment of Mr. Frank Lee SN. Borja. Mr. President, your Standing Committee on Executive Appointment and Government Investigations, to which was referred the appointment of Mr. Frank Lee SN. Borja, to serve as a member of the Commonwealth Development Authority, Board of Directors, is appointed by Governor Ralph Deleon Guerrero Torres, on November 29, 2016. Pursuant to 4 CMC, Subsection 10301, it is the intent of your Committee on Executive Appointment and Government Investigations, to assure the appointment of Mr. Frank Lee SN. Borja, is in conformance with pursuant to 4 CMC, Subsection 10301. Mr. Borja has submitted all required documents in conformance with Rule 8, Section 5(a) and (b) of the Senate Rules. However, your committee has examined all pertinent documents submitted relating to Mr. Frank Lee SN. Borja's overall credentials. In addition, your committee took into account all written and oral testimonies presented during the Public Hearing. And, after much deliberation and based on the overall assessment of Mr. Borja's credentials, experiences, testimonies, and other relevant issues considered your committee is convinced that Mr. Frank Lee SN. Borja, possess the qualification and leadership skills necessary to serve as a member of the Commonwealth Development Authority, Board of Directors, representing the Second Senatorial District. In same issue, your Committee on Executive Appointments and Government Investigations, recommends that the full Senate gives the advised and consent to confirm his appointment to serve as a member of the Commonwealth Development Authority, Board of Directors. Again, I ask the full members of this body to support Senate Standing Committee Report No. 20-01. Thank you, Mr. President.

**President Palacios:** Just correction please, it's Standing Committee Report No. 20-01. Further discussion on the motion? Senator Quitugua recognized.

**Senator Quitugua:** *Si Yu'us ma'ase, Mr. President.* Mr. President, just for the record relative to Standing Committee Report No. 20-01, my signature is absent on this report due to conflicting schedules and wasn't able to be present during the Confirmation Hearing. However, I am fully in support of the nominee indicated on the Standing Committee Report. Thank you.

**President Palacios:** Thank you. Any further discussions on the motion, are we ready for the question on the Standing Committee Report? Clerk, please call roll.

CLERK called the roll:

|                              |               |
|------------------------------|---------------|
| Senator Francisco M. Borja   | Conflict      |
| 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 Teresita A. Santos   | Yes           |
| Senator Justo S. Quitugua    | Yes           |
| Senator Arnold I. Palacios   | Yes           |

**CLERK:** Mr. President, eight members voting “yes” one “abstain.”

**President Palacios:** With eight members voting “yes” and one “abstention”, the Senate hereby confirms the nominee of the Commonwealth Development Authority, Board of Directors, Mr. Frank Lee SN. Borja, “Congratulations.” We take a short recess to take photos with the appointee. Short recess.

The Senate recess at 1:55 p.m.

### **RECESS**

The Senate reconvened at 2:05 p.m.

**President Palacios:** We are back to our preliminary session. We will now go back to agenda order and we’re under Agenda Item E.

### **COMMUNICATONS FROM THE JUDICIARY**

**President Palacios:** Clerk?

**CLERK:** We have none, Mr. President.

**President Palacios:** Agenda Item F.

### **COMMUNICATIONS FROM HEADS OF EXECUTIVE DEPARTMENT**

The Clerk voiced Department Comm. Nos. 20-01 to 20-03.

**President Palacios:** Thank you. Communication number one, F (1), I would like to ask the Chairman of Fiscal Affairs to take a note on this, this is the budget provision, F (2), Special



Assistance for Substance Abuse and Rehabilitation, Senator Igisomar, could you please coordinate this meeting, or briefing and visits to this facility and please report back to the Chair. Please, note that we will be jointly meeting with the Homeland Security regarding First Net, on April 12, 2017, I know that is still quite a way out, but please take note and schedule your calendar for this meeting accordingly. We are down to Agenda Item G.

### **COMMUNICATIONS FROM THE HOUSE**

**President Palacios:** Clerk?

**CLERK:** We have none under House Communications, Mr. President.

**President Palacios:** Agenda Item H.

### **COMMUNICATIONS FROM THE SENATE**

The Clerk voiced Senate Communications Nos. 20-01 to 20-24

**President Palacios:** Is there any comments, discussions on any of the Communications. We go to Agenda Item I, none. Agenda Item J, none. We go to Agenda Item K, Pre-filed Bills, Initiatives, Local Bills and Resolutions.

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

**President Palacios:** Floor Leader?

**Floor Leader Borja:** Thank you, Mr. President. We do have fifteen Pre-Filed Bills and one Senate Joint Resolution, starting from Senate Bill Nos. 20-01 all the way to 20-15, and I have assigned all these pre-filed bills to the appropriate and respective Committee Chairs. Thank you, Mr. President.

**President Palacios:** Thank you, Floor Leader. The Chair would ask the Committee Chairman to extend possible to please expedite these legislations, as you know the Senate have passed some of these legislations in the Nineteenth Legislature and unfortunately was not acted on by the House. So to the extent that we can expedite and move forward with some of these legislations, I think members would certainly be appreciative of the efforts that each Committee put forth to get some of these legislations out to the Senate for deliberation and action. Introductions of Bills, Initiatives, Local Bills and Resolutions.

### **INTRODUCTIONS OF BILS, INITIATIVES, LOCAL BILS & RESOLUTIONS**

**President Palacios:** The Chair recognized, Senator Hofschneider.

**Senator Hofschneider:** Thank you, Mr. President and Good Afternoon, everyone. I have a legislation here for introduction, Senate Bill No. 20-16, entitled, “to amend 2 CMC §§ 2112 and 2122 by adding new definitions providing a grant of power to the Commonwealth Ports Authority in the Commonwealth Ports Authority Act and to amend 1 CMC § 2806(g) to define industrial port use and port related operations to lease public lands for legitimate public purpose related to their agency’s mandate; and for other purposes.” Mr. President, this is jointly introduced by me, Senator Frank Borja and Senator Frank Cruz, and if any of the other members would to jointly co-author this bill you’re welcome to do so. And, Mr. President, if I may, respectfully requesting once assign to the appropriate committee that we act as quickly as possible on the disposition of such bill, not because it’s my bill, but because the significance of what we are trying to do, we are trying to accomplish reference to some concerns of definition by certain permitting agencies here, may or may not be prohibiting the progression of projects in the CNMI. Mr. President, I ask that we take that into consideration. Thank you so much.

**President Palacios:** Thank you. The Floor Leader will take note of that and immediately assign that legislation for action.

**Floor Leader Borja:** So noted, Mr. President.

**President Palacios:** Senator Mangloña?

**Senator Mangloña:** Thank you, Mr. President. I would like to formally introduced Senate Bill No.-20-17, this is on excise tax exemption for passenger vehicles for disabled persons; Senate Bill No. 20-18, to require all employers to pay CNMI prevailing wages; Senate Bill No. 20-19, to authorize a video surveillance tax credit; and Senate Bill No. 20-20, to allow the courts of the Commonwealth to depart from applicable mandatory minimum sentences under specific conditions. Thank you, Mr. President.

**President Palacios:** Thank you. The Floor Leader will take note and assigned those to the appropriate committees. Anymore? Senator Quitugua recognized.

**Senator Quitugua:** *Si Yu’us ma’ase, Mr. President.* Mr. President, introducing Senate Bill No. 20-21, “to establish a Northern Marianas Technical Institute by adding a new Chapter 11 to Title 3, Division 1 of the Commonwealth Code; To repeal Public Law 14-54 and Public Law 15-5; and for other purposes.”

**President Palacios:** Thank you. Anymore bills and resolutions? I have an unnumbered Joint Resolution, “to call for a Joint Session of the Legislature to receive the Governor’s State of the Commonwealth Address.” I ask the Clerk to please number this and perhaps the Floor Leader can effectuate putting this on the Resolution Calendar so we can act expeditiously on it today.

**Senator Santos**: Mr. President, if there is no objection, perhaps that resolution can be introduced as whole?

**President Palacios**: Absolutely.

**Senator Santos**: Thank you.

**President Palacios**: Clerk, please take note of that resolution to be introduced as a Committee of the whole. We will take one-minute recess.

The Senate recessed at 2:15 p.m.

### RECESS

The Senate reconvened at 2:17 p.m.

**President Palacios**: We are back to our session. We left off on Introductions of Bills, Initiatives, Local Bills and Resolutions, are there anymore legislations? Recognized, Senator Cruz.

**Senator Cruz**: Thank you. Mr. President, can we go back to line item k?

**President Palacios**: If there's no objection, Senator Cruz is requesting we go back to Agenda Item K. There's no objection, go ahead.

There being no objection raised.

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

**Senator Cruz**: Thank you. I just want to comment little bit on my bill that I'm re-introducing on this Twentieth Legislature, Senate Bill No. 20-12, this is "to amend 2 CMC §§ 4308 and 4345(e), to authorize the Department of Public Land to waive requirement that the homesteader must construct a home on the homestead upon a showing that the construction permit cannot be obtained because of the lack of power, water, or waste water infrastructure; and for other purpose." Mr. President and members of the Senate, this bill has travel so much miles unfortunately it was not pass on the Nineteenth Legislature, so it leaves me no choice but to re-introduce again and start all over again, so I'm asking for your cooperation on the next session for this bill to be in Calendar for action. Also a new bill, Senate Bill No. 20-13, "to waive the Northern Marianas College tuition for a Veteran with 30 percent or greater service-connected disability; and for other purposes." And the other one is Senate Bill No. 20-14, this is another bill also travel a long miles and never reach the destination so I'm asking again for your support on this bill, "to amend 6 CMC § 2253, to limit the number of shooting gallery and shooting range; amend Section 2256(a)(10), shooting gallery and shooting range operation time; and for other purposes." On all these three bills, I ask if anyone would like to co-

author the bill feel free please to sponsor the bill maybe perhaps with all those signatures might be pass this time and reach the final destination to the Governor for his approval. Thank you.

**President Palacios:** Thank you, Senator Cruz. Anymore? We are now on Agenda Item N, Reports of Special/Conference Committee, there being none. We are down to Resolution Calendar.

### **RESOLUTION CALENDAR**

**President Palacios:** I recognize the Floor Leader for the suspension of Rules.

**Floor Leader:** Thank you, Mr. President. I move that we suspend all pertinent Rules of the Senate in order to place Senate Joint Resolution No. 20-02, in reference to call for a joint session of the Legislature to receive the Governor's State of the Commonwealth Address.

The motion has been seconded.

**President Palacios:** Motion is to suspend Rules so that we can deliberate and entertain Senate Joint Resolution No. 20-02 it's been made and seconded. Discussion? Ready? Those in favor of the suspension motion please say, "Aye", opposed say "Nay".

All members voiced "Aye."

**President Palacios:** Motion carries. Floor Leader?

**Floor Leader Borja:** Thank you, Mr. President. I move for the adoption of Senate Joint Resolution No. 20-02.

**President Palacios:** Motion is for the adopt Senate Joint Resolution No. 20-02, do I hear a second?

The motion has been seconded.

**President Palacios:** Motion is being seconded. Discussion? Ready? Those in favor of adopting Senate Joint Resolution No. 20-02, please say, "Aye", opposed say "Nay".

All members voiced "Aye".

**President Palacios:** Motion carries, Senate Joint Resolution No. 20-02, is hereby adopted by the Senate. Bill Calendar.

### **BILL CALENDAR**

**President Palacios:** Floor Leader?

**Floor Leader Borja:** We have none, Mr. President, on Calendar.

**President Palacios:** We are down to Agenda Item Q, Petitions, Memorials and Miscellaneous Communications.

### **PETITIONS, MEMORIALS AND MISCELLANEOUS COMMUNICATIONS**

The Clerk voiced Miscellaneous Communications Nos. 20-01 to 20-15.

**President Palacios:** Any member wants to comment or discuss any of the Miscellaneous Communications appearing in our Order of Business? Senator Hofschneider?

**Senator Hofschneider:** If they haven't done so, just maybe look at the 2015 Annual Report submitted by MPLT and kind a get familiarized and I plan on actually just calling them in, Mr. President, for some clarifications on certain sections here, as I haven't really had a chance to review it page by page, but since this is one of our trust, land trust, I think it's important that we try and get a full grasp of their performance base on their reports. I'll be notifying the members and there may be other questions that the members may have with respect to their activities, so I'll be notifying the members if that date comes around.

**President Palacios:** Thank you, I appreciate that I was going to call the attention of the Committee. Also, with the Committee on Fiscal Affairs please take a look at OPA's Report on CNMI's Agencies Implementation of Audit recommendation, implementation, or lack thereof, please report back and see what we can do. As well as other reports here that are reference to expenditures of funds appropriated by the Legislature, so Committee on Fiscal Affairs, please take a look at those and see if there are any actions necessary by this body. Senator Igisomar?

**Senator Igisomar:** Thank you, Mr. President. Similarly, since our Senator Jude U. Hofschneider brought up to the issue of MPLT, just a heads up, I just received a letter from CHCC requesting the Legislature to assist them with the Three Million Dollars payment back to MPLT, that letter is in my office now. I will share that letter with the Clerk so she can file it and hopefully we can also read that so that when our Chair calls for a meeting we can discuss that issue as well with respect to emergency the funding to CHCC and repayment of the Three Million Dollars extension that they requested. This will expire I believe March, it was negotiated around March, April last year, 2016 and the mandate expiration is this year March, so it will be an interesting discussion as well, Mr. President, just to keep you informed.

**President Palacios:** Thank you. Senator Igisomar, I guess if you are talking about March, is just around the corner so we appreciate if you share that information with the Senate Chair on Fiscal Affairs Committee so we may be able to sit down with House Ways and Means Committee also. As you know, if we're going to address that particular issue it has to originate from the House but since

you're having discussion with CHCC, I think it would be appropriate to sit down with the House, and I certainly appreciate the update.

**Senator Igisomar:** Yes, Mr. President, my apology. That just came in on my desk today, which means it arrived yesterday. I thought it's a bouquet of flowers but it's a bouquet of help.

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

**Senator Quitugua:** *Si Yu'us ma'ase, Mr. President.* Mr. President, there are few items under this agenda that perhaps merit the examination of the Fiscal Affairs Committee and I recommend that these items be voluntarily picked-up by the Chair of Fiscal Affairs Committee to examine the report. Thank you.

**President Palacios:** Thank you. I believe the Chairman will be looking at those particular communications. On Miscellaneous Communications Nos. 20-12 and 20-15, Chairman Quitugua of Education Committee, could you please take a look at those and see if we can one, communicate with Latte Training Academy and see if we can coordinate a time to meet with the members of the Senate, time and date. And on communication 20-15, NMTI's request for three mini buses for Saipan, and see what we can do to assist in that matter. Okay, thank you. Senate Igisomar?

**Senator Igisomar:** Thank you, Mr. President, an apology.

**President Palacios:** Don't talk, you don't need to apologize.

**Senator Igisomar:** Thank you, Mr. President. In line with that I just wanted to state that I've taken the liberty as your Chairman for Health and Welfare, with respect to the welfare aspect and to make sure that we do not take for granted anything that is coming from other side of this Legislature, I've been sending out letters to organizations, non-profit organizations or programs for them to justify their existence with respect to submitting to me which will be submitted to our Clerk to be filed as public records, whether they are legally organized and also the facts that some of them are actually receiving funds and sometime when we receive this request appropriation coming from the House, we do not see the records to show that they are legally organized. So, I have taken that liberty and those letters will be filed with the Clerk as an outgoing and incoming on your behalf under your leadership, Mr. President. *Si Yu'us ma'ase.*

**President Palacios:** Thank you. We're down to Agenda Item R, Miscellaneous Business.

## MISCELLANEOUS BUSINESS

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

**Senator Quitugua:** *Si Yu'us ma'ase, Mr. President.* Mr. President, I noticed during the Nineteenth Legislature that about ninety-nine percent of the bills that did not receive comments from the

Attorney General's Office were vetoed, so I strongly recommend that the respective Committee Chairs request comments from the Attorney General's Office before we actually pass such legislation.

**President Palacios:** Thank you. Committee Chairs – Senator Santos?

**Senator Santos:** Thank you, Mr. President. I have actually two, and I just like to put on record that on behalf of the people and the leaders of Rota, I would like to extend our sincerest gratitude to, Mr. Richard Liam, of Saipan, for donating eight boxes of resource materials to our “Antonio Camacho Atalig Memorial Public Library” and that the shipping of this resource materials is currently being worked out between Joeten-Kiyu Public Library and the Municipality of Rota. Similarly, I would also like to “Congratulate” all our 2017 Mock Trial Participants from schools all over which mock trial competition is set to begin tomorrow, in one of the varieties column, Saipan Tribune, our Rota children are scheduled to compete on Thursday, which is tomorrow and Friday morning and afternoon. And for that, everyone is invited to attend. Thank you, Mr. President.

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

**Senator Igisomar:** Thank you, Mr. President. I actually have two items, I only have one but since Senator JQ mentioned something, I wanted to add that as the first priority to respond not to debate the issue, but since he brought up the issue, I truly hope though, and I can quote one of our Senators saying, “too many lawyers is in the weight of our work.” And that was just Senator Paul Mangloña earlier, saying that there's just too many lawyers affecting our policy decision as Senator JQ was saying, recommending that we do ask the Attorney General for his input. I truly hope though, that the AG's input is based on legal sufficiency and not into deciding a yes and no, on policy decision makings that we try implement for the betterment of our CNMI. I've heard a lot of our constituents, including our departments whereby the Assistant Attorney Generals are somehow impeding on policy decisions, or execution of policies that we've enacted into law, because the AAG's under the Attorney General are saying “no” when it's not a question of legal sufficiency, but “no” to certain implementation of rules and regulations that is supposed to have implemented the laws that are passed by this August body, so that is number one. Yes, I will take the advice of our Senator, and yes, I hope that the Attorney General only reviews for legal sufficiency and not to let us know whether it is a right policy or wrong policy. The second item I want to add, Mr. President, is I was trying to raise my hand but you were not able to catch me on time, is to go back and make a comment on Section F of our communication. I just wanted to inform the body that the message number 20-01, I am happy to see that our OMB Office is stating that there's actually about, if I am not mistaken in my interpretation of the documentation that our Special Assistant of OMB submitted, there's about forty-four FTE that are vacant, which means vacant as in positions the Governor can still use although they're not funded. Message No. 20-02, there's another message I received from the Special Assistant for Abuse and Rehabilitation, but it has yet to be transmitted to our Clerk for filing, but she is requesting for approximately twelve FTE's or twelve individuals to help her in the Rehabilitation Center, that she's requesting us to visit. I've informed her that it'll be best if she communicated with the Governor to see if the Governor can give her the positions and she can fund them if she's duly authorized by the approximately one to two million dollars with given

her to tackle the substance abuse program, to implement the program. So I just wanted to add that in that it is forthcoming to the members, Mr. President. *Si Yu'us ma'ase.*

**President Palacios:** Thank you. Any other miscellaneous comment? Senator Mangloña?

**Senator Mangloña:** *Si Yu'us ma'ase, Mr. President.* I just want to comment on the issue of our 902 Report presented to the President, then President Obama, by our 902 group. I just feel that the Committee on Federal Relations should actually take a proactive approach in coming up with ideas and the kind of approach that we need to take to get our new President, President Trump, on board on this issue, I understand you are a member also, Mr. President, of that 902 Consultation Talks. I actually have a Joint Resolution finalize in its draft form ready for introduction on the next session. Basically, is asking the new President to accept the report and only then I believe we can actually get the support of the Congress which I believe is needed so I just feel like this is an area that we cannot leave alone and that actually the best lobbyist are the members of the Legislature and the Governor. We know President Trump has accorded so many times about draining the swamp, I believe that is the term there “draining the swamp”, he doesn't like lobbyist, I believe the Governor and the members of the 902 team actually are the best people to start going over to Washington and communicating the issues that are very critical to us, we are just trying to get back on the track, the issue of the visa waiver, the CW, and the other issues that were facing in regards to immigration can only be address by our leaders and the more we stay away from lobbyist I believe the better and that we can convey our message better to President Trump and the members of Congress. Even without introduction, I would like to share that draft resolution to the Chairman and hopefully the intent we can carry it out and convey also to our Governor. *Si Yu'us ma'ase.*

**President Palacios:** Thank you. Yes, I would recommend that you elaborate with the Chairman of Federal Relations that has originally been Senator Borja, a recent change in that Chairmanship is now Senator Hofschneider. I certainly would like to see a Joint Resolution by the next session. It is not to say that a Joint Resolution cannot be pre-filed, the sooner it is finalize and pre-filed the sooner we can act on it. I certainly appreciate that thought and effort.

**Senator Hofschneider:** Just to add on, Mr. President.

**President Palacios:** Senator Hofschneider?

**Senator Hofschneider:** I certainly appreciate Senator Mangloña's comment earlier. If I understand it correctly the U.S. Congress or the House had actually cleared that submission through right so now it is before the Senate in the U.S. Congress, the 902 Report.

**President Palacios:** I believe it was transmitted to the House.

**Senator Hofschneider:** So it was transmitted to the Floor.

**President Palacios:** What I'm aware off is that was transmitted to President Obama, first, but I am not sure if he did anything beyond that to send it to Congress for recommendations.



**Senator Hofscneider:** In that same subject, Mr. President, I should have actually an adoption of the Joint Resolution by the twenty-second since we do have some distinguished members of the U.S. Congress that will be paying us a visit here which would be timely for us to at least show our expressions, our positions on certain items that are before us that are federally mandate significantly making impact here in the CNMI.

**President Palacios:** I would recommend that you collaborate with Senator Mangloña, to get that Joint Resolution done and pre-filed. Senator Mangloña, you were raising your hand, recognized.

**Senator Mangloña:** I believe the legislation that maybe the good Chairman is referring to is the one introduced by Congressman Gregorio Sablan “Kilili”, basically also covering the same subject matter as far as CW is concern. That is the bill that was passed in the last Congress as well as in this Congress in the House so it’s with the Senate, but I believe that is the portion on the CW. Thank you.

**President Palacios:** Thank you. We are on Agenda Item S, Announcements.

#### ANNOUNCEMENTS

**President Palacios:** Announcements? No announcements? Senator Hofschneider, you have the floor.

**Senator Hofschneider:** Mr. President, I just take this opportunity as the Chairman of the Tinian Legislative Delegation, to inform everyone that the Pika Festival is happening this weekend, I am inviting everybody that can make it, I know we have challenges with rooms but we do have rooms, you just have to call MVA for coordination, don’t call me for rooms you call MVA. But do come down and experience the annual festivities and get the best hot pepper in the universe on Tinian. Please come when you can everyone is invited.

**President Palacios:** Any other announcements? I would like to remind the members I guess some of those correspondences have been forwarded regarding the Congressional Delegation that is feasting us. The Chair has been invited by the Governor to join them on the twenty-second of February in the evening for a meeting. Also perhaps, the Vice President could elaborate on the meeting with the General Counsel for Taiwan regarding Taiwan Adventist Hospital. Vice President?

**Senator Mesngon:** Yes, thank you, Mr. President. In lure with same messages there have been communications between Taiwan Consulate in Guam, there’s couple of Delegates will arriving here in the CNMI to visit the Governor, I guess, and the House and the Senate Legislature side. With that, I guess it is going to be sometimes – maybe I refer this to Senator Sixto Igisomar since actually this meeting is being coincided from Senator Santos on the last trip that we went to Taiwan and have discussed in regards to medical referral program. With this, I refer this over to Senator Sixto Igisomar to give us more details on the date and time on the schedule, if that is okay, Mr. President.

**President Palacios:** The Chair will send out a memo reminding the members of this event. Senator Igisomar, recognized.

**Senator Igisomar:** Thank you, Mr. President. Just quickly, I think back in November 2016, our former Chairwoman of Health and Welfare and Secretary of the Senate, Senator Teresita Santos along with our Vice President now, they went to Taiwan via an invitation to visit the hospitals and clinics in Taiwan, and while they're there they met this group, Taiwan Adventist Hospital. As the Chair of Health and Welfare, they send over communication to me, requesting to meet the Senate, and meet the Governor, and visit the clinics, and with that, the meeting with the Senate would be on February, twenty-second, that's a Wednesday around three o'clock. I believe that will be round the Senate Session that day if you proceed with your Senate Session, Mr. President that is around one o'clock on Wednesday, and after that, there will be a meeting later the next day they are also inviting the group. I believe it will be depended then on the meeting on twenty-second. One of the key item that they're after is, as a result of that meeting apparently there is an MOU currently in existence with Taiwan's Adventist Hospital with other Micronesians jurisdictions like, Palau or other areas, and the Southern Micronesian area and they are sharing that same MOU and I've transmitted the MOU over and I've send that over to the Governor, and the Medical Referral Program to look at it, review it and it is in their hands whether there should be some form of partnership and as the travel was between the former Chairwoman, Senator Santos and our Vice President, I am sure they can assist us on that day when we meet these people on February 22, on Wednesday.

**President Palacios:** Like I said, if those details are forwarded to my office I will be sending out a reminder memo.

**Senator Igisomar:** Thank you, Mr. President.

**President Palacios:** Thank you. There being no more announcements, 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:** The motion is to adjourn subject to the call has been seconded. Those in favor of the motion please say, "Aye", opposed say "Nay".

All members voiced "Aye".

**President Palacios:** Motion carries. This session is adjourned subject to the call.

Respectfully Submitted by:

**/s/Frances Joan P. Kaipat**  
Senate Journal Clerk