

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



Senate
SECOND SPECIAL SESSION - 2017

SJ 20-08

First Day

Thursday, May 18, 2017

In compliance with the Open Government Act, Senate President, Arnold I. Palacios, issued a session call on May 15, 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.

The Senate of the Twentieth Northern Marianas Commonwealth Legislature convened its 1st Day, Second Special Session, on May 18, 2017, at 2:00 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, eight (8) members are present.

President Palacios: With eight (8) members present, we've established a quorum to conduct today's session. Please have the record reflect that Senator Cruz is excused for today's session.

PUBLIC COMMENT

President Palacios: Please have the record reflect that there is no public comment at this time.

READING AND APPROVAL OF THE JOURNAL

None

MESSAGES FROM THE GOVERNOR

The Clerk voiced Governors Messages Nos. 20-43 to 20-45.

President Palacios: Thank you. Any comments or statements? Just for the record, the Chair has transmitted the three nominations for the CHCC Board of Trustee to the Chair on EAGI Committee for disposition. We are down to Agenda Item E, Communications from the Judiciary. Clerk?

COMMUNICATONS FROM THE JUDICIARY

The Clerk voiced Judiciary Communication No. 20-05.

President Palacios: Thank you. Any comment? Those that wants to avail this training please take note of this letter. We are on Agenda Item F, Communications from the Heads of Executive Department. Clerk?

COMMUNICATIONS FROM HEADS OF EXECUTIVE DEPARTMENT

The Clerk voiced Department Communications Nos. 20-13 and 20-14.

President Palacios: Thank you. Any comment? Senator Igisomar?

Senator Igisomar: No comment, Mr. President, for now. Thank you.

President Palacios: Please take note of the two communications, Department Communication No. 20-13, basically an invitation on the presentation of findings of this research vessel. Department Communication No. 20-14, again, we've discussed this briefly in our Leadership Meeting and I'll ask the Chairs of Fiscal Affairs and REDP to look at this and perhaps have a joint letter to DPL providing clarifications. Agenda Item G, Communications from the House. Clerk?

COMMUNICATIONS FROM THE HOUSE

The Clerk voiced House Communications Nos. 20-24 to 20-31

President Palacios: Thank you. Are there any comments or statements on House Communications? None. We move down to Communications from the Senate. Clerk?

COMMUNICATIONS FROM THE SENATE

The Clerk voiced Senate Communications Nos. 20-57 to 20-62.

President Palacios: Thank you. Senator Santos recognized.

Senator Santos: Thank you, Mr. President. This is in reference to Senate Communications Nos. 20-57 and 20-61, with the appointment of Ms. Leticia Reyes, Mr. Dave Rosario and Ms. Lauri Ogumoro, by the Honorable Governor Torres and Lt. Governor Hocog. These appointments completed the composition or the slate of CHCC Board of Trustees. With this, Mr. President, I have confidence that our good Honorable Chairman for Standing Committee on EAGI, will execute the necessary EAGI process for these comments. Thank you, Mr. President. Oh, if I may, Mr. President?

President Palacios: Proceed.

Senator Santos: Thank you. This is in reference to Senate Communication No. 20-58. I just now noticed, Mr. President that the draft report on Senate Standing Committee on Health and Welfare; House Standing Committee on Health; and House Standing Committee on Human and Social Services has been attached to the memo that was issued, which stated that there is going to be a Joint Meeting tomorrow, which this report, Mr. President is incomplete. It is just a draft report that the members involved in the trip to Guam has not yet fully reviewed and neither the participating members have sign-off on this report. So at this juncture, I would like to move to recall this report, so move, Mr. President.

President Palacios: Any objection in withdrawing the report on Senate Communication No. 20-58?

There being no objection raised.

President Palacios: There being none. Clerk, please have the record reflect that Senate Communication No. 20-58 is being recalled. The Chair and the members of the Senate look forward to the finalize report from the Committee. Thank you.

Senator Santos: Thank you, Mr. President. So noted.

President Palacios: Thank you. Any comments on any of the six Senate Communications? We move on to Agenda Item I, there being none; J, Unfinished Business, none. 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 three pre-filed bills. Senate Bill No. 20-40, "To amend 9 CMC § 2116 to provide for the identification of Disabled Veterans on the vehicle license plate." Authored by Senator Francisco Q. Cruz; Senate Bill No. 20-41, "To repeal and reenact Title 8, Division 1, Chapter 5, Articles 1 through 3, and Title 8, Section 1580 of the Commonwealth Code; to establish the Uniform Interstate Family Support Act; and for other purposes." Authored by no other than our good President, Arnold I. Palacios; and Senate Bill No.

20-42, “To amend 4 CMC § 2308 to clarify that the casino gross revenue tax funds are separate from the general fund; and for other purposes.” Also authored by President Arnold I. Palacios.

President Palacios: Thank you. Any comments or statements? On Senate Bill No. 20-41, this is an amendment to the existing UIFS Act. If members recall, this was from the Attorney General’s Office to bring this statute up-to-date with the rest of the nations. I met with the Attorney General and his staff along with our Senate Legal Counsel Villagomez, and I’ve asked Counsel Villagomez to be the one to staff this so whichever Committee this will be assign to, to please note that Senate Counsel Villagomez will be assisting the Committee on this matter. Further comments or statements? Ready? Introductions of Bills, Initiatives, Local Bills and Resolutions.

INTRODUCTIONS OF BILS, INITIATIVES, LOCAL BILS & RESOLUTIONS

President Palacios: Are there any un-numbered or pre-filed legislations to be introduced at this time? Senator Santos do you have one?

Senator Santos: Not today, Mr. President. Thank you.

President Palacios: We move down to Agenda Item M, Reports of Standing Committee.

REPORTS OF STANDING COMMITTEES

President Palacios: Floor Leader?

Floor Leader Borja: Thank you, Mr. President. We do have one, Standing Committee Report No. 20-14, reporting on House Bill No. 20-15, House Draft 1, “To amend 4 CMC §2308 by adding new subsection covering Department of Public Safety, Department of Fire and Emergency Medical Services, Northern Marianas College, Northern Marianas Trades Institute, CNMI Drug Court, and establishing a special account.” At this time, I move for its adoption.

The motion has been seconded.

President Palacios: Thank you. There is an adoption motion offered by the Floor Leader to adopt Standing Committee Report No. 20-14, it has been seconded. Discussion on the adoption motion? Senator Hofschneider?

Senator Hofschneider: Thank you, Mr. President. Just a brief summary of the Committee Report we are about to take action on. Your Committee actually met numerous time on the matter and had come up with an understanding to adopt the Committee Report with some amendments to the bill which I will share later during the session. Every aspect of the discussion reference to the Committee Findings on Item B is pretty much noted. I would like to thank the Committee’s participation on the discussion this is a very significant piece of legislation that we have to take action. We are ready for the question.

President Palacios: Thank you. Any further discussion? Ready for the question? Those in favor of the motion to adopt Standing Committee Report No. 20-14, say, “Aye.” Opposed say, “Nay.”

All members voiced Aye.”

President Palacios: Motion carries. Standing Committee Report No. 20-14 is hereby adopted by the Senate. Move on to Agenda Item N, there being none. Resolution Calendar.

REPORTS OF SPECIAL/CONFERENCE COMMITTEES

None

RESOLUTION CALENDAR

President Palacios: Senator Hofschneider?

Senator Hofschneider: Thank you, Mr. President. As indicated in the Order of Business for today’s Special Session, there are two items actually before us to entertain. One which is House Concurrent Resolution No. 20-01, House Substitute 1, that is the resources for Budget 2018. We met with the Secretary of Finance and the Special Assistant to Management and Budget about a week ago. Although, we were satisfied with the response given to the Committee there are some other items within the Concurrent Resolution that the Committee would like to have more detailed information that is still pending, Mr. President, from the Secretary of Finance. I have reached out to her by way of email and I have yet to get a response. I recommend that we have this remain on Calendar for action but until we get that information’s we are requesting then we can act on this. Thank you.

President Palacios: Thank you. Is there any objection to just leave this Resolution on Calendar until such time that we get all the information from the Department of Finance and OMB?

There being no objection raised.

Senator Santos: Mr. President if I may?

President Palacios: Go ahead Senator Santos.

Senator Santos: I have no objection provided that we adopt this Concurrent Resolution before the deadline. Thank you.

President Palacios: Absolutely, that will be done. We will leave House Concurrent Resolution No. 20-01, House Substitute 1, on the Resolution Calendar. We are down to Bill Calendar.

BILL CALENDAR

President Palacios: Floor Leader?

Floor Leader Borja: Thank you, Mr. President. We do have one on the Calendar for Final Reading. I move for the passage of House Bill No. 20-15, House Draft 1, "To amend 4 CMC §2308 by adding new subsection covering Department of Public Safety, Department of Fire and Emergency Medical Services, Northern Marianas College, Northern Marianas Trades Institute, CNMI Drug Court, and establishing a special account."

The motion has been seconded.

President Palacios: Motion is for the passage on Final Reading House Bill No. 20-15, House Draft 1, it has been seconded. Discussion on the passage motion? Senator Hofschneider?

Senator Hofschneider: Mr. President, I have an Amendment to offer on House Bill No. 20-15, House Draft 1. It is before every member you guys have that before you, but before I made the proper citation on my statement, I would like to request for a short recess.

There being no objection raised.

President Palacios: There being no objection. Short recess.

The Senate recessed at 2:18 p.m.

RECESS

The Senate reconvened at 2:20 p.m.

President Palacios: We are back to our session. We left off with Senator Hofschneider holding the floor. Senator Hofschneider?

Senator Hofschneider: Thank you, Mr. President. I move to Amend House Bill No. 20-15, House Draft 1, in the form of Senate Draft 1.

The motion has been seconded.

President Palacios: The motion has been seconded. Discussion on the Amendment motion offered by Senator Hofschneider? Ready?

Senator Igisomar: Mr. President, can I make a Subsidiary motion to Senate Draft 1?

President Palacios: Yes.

Senator Igisomar: I would like to offer a Subsidiary motion I believe everybody have copies. To amend Item 1, “For the Fuel Adjustment Charge (FAC)” to include the language “of including residential customers that rent apartments and for CUC to immediately use the funds within thirty days of the act inclusive of Public Law No. 9-75.” I am just summarizing, Mr. President, the Amendment that is before the members. That is a motion.

The motion has been seconded.

President Palacios: There is a Subsidiary motion on the floor offered by Senator Igisomar, everybody has a copy and it is on record. Further discussion on the Subsidiary motion? This defines what the FAC supposed to pay for basically, it is for residential. Discussion?

Senator Mangloña: Under discussion, I just want to clarify, Mr. President, when you say, “residential customers,” I don’t know whether CUC, now, is authorized to come up with regulations in the implementation of FAC. Because a lot of these apartments as we’ve mentioned in the last session are being used as bed and breakfast facilities. I wonder if they will be availing of this subsidy also. In here it is clear that residential customers that rent apartments would be qualified but I guess since they are operating as a business and sometimes it appears like it might be residential consumers. I hope CUC in granting this subsidy is cognizant of that, that is why I want to point out. Thank you.

President Palacios: Thank you. That is a good point to put on record. Further discussion? Ready for the motion to adopt the Subsidiary Amendment offered by Senator Igisomar? Those in favor of the motion say, “Aye.” Opposed say, “Nay.”

All members voiced “Aye.”

President Palacios: Motion carries. We are back to the Amendment motion offered by Senator Hofschneider in the form of Senate Draft 2. Ready for the question on House Bill No. 20-15, House Draft 1, Senate Draft 2? Those in favor of the motion please say, “Aye.” Opposed say, “Nay.”

All members voiced “Aye.”

President Palacios: Motion carries. We are back to the main motion for the passage of House Bill No. 20-15, House Draft 1, Senate Draft 2. Clerk, please call the roll.

CLERK called the roll:

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

Senator Justo S. Quitugua	Yes
Senator Teresita A. Santos	Yes
President Arnold I. Palacios	Yes

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

President Palacios: With eight voting “yes”, House Bill No. 20-15, House Draft 1, Senate Draft 2, hereby passes the Senate. There being no other legislation on the Bill Calendar. We are down to Agenda Item Q, Petitions, Memorials and Miscellaneous Communications. Clerk?

PETITIONS, MEMORIALS AND MISCELLANEOUS COMMUNICATIONS

The Clerk voiced Miscellaneous Communications Nos. 20-86 to 20-94.

President Palacios: Thank you. Any comment? We are down to Miscellaneous Business.

MISCELLANEOUS BUSINESS

President Palacios: Recognized Senator Santos.

Senator Santos: Thank you, Mr. President. As we all know next week is the Graduation Week, so for this reason I would like to convey our Congratulations to all our Promotional and Graduating Students from Public School System, NMC and Private Schools. May God Bless our Students on their next endeavor. Thank you, Mr. President.

President Palacios: Thank you, Senator Santos. Let the record reflect that that is the sentiments of the members of the Senate. Announcements.

ANNOUNCEMENTS

President Palacios: Senator Igisomar?

Senator Igisomar: Thank you very much, Mr. President. This is to inform all members and the public that we will be holding a Joint Public Hearing between the Senate PUTC and Senate Health and Welfare with respect to the CHCC Bill with the Senate Amendment for CHCC. Also on the CUC Restructure, Senate Bill, and on the Cellular Mobile Phone Texting. The proposed dates will be on June 2nd on Tinian at the Tinian Court House; on Rota, July 12, at the Mayor’s Office; and on Saipan, July 14. This will be a Joint Public Hearing by the Health and Welfare and PUTC Committees, so if everybody can mark your Calendar. We will be sending out detailed Agenda later on. Thank you very much, Mr. President.

President Palacios: Thank you. We look forward to the detailed Agenda. Any other Announcements? Just a quick Reminder. Saturday, I believe is the Commencement Exercise for Northern Marianas College and I believed all the members have been advised on that officially, so please take note. If you have the time to grace your presence, please do so. As well as the graduations from our schools in the Commonwealth. Senator Santos recognized.

Senator Santos: Thank you, Mr. President. I too, would like to make an announcement that the Joint Senate and House Committees on Health and Welfare, Health Human Services which was scheduled to be conducted tomorrow has been slated to May 31, at ten o'clock, here in the Senate Chamber. With this, I highly encourage the members to please take note of this on your Calendar. Thank you, Mr. President.

President Palacios: Thank you. Senator Quitugua?

Senator Quitugua: Thank you, Mr. President. Just a quick note for the members on Education and Youth Affairs Committee, that there will be a Meeting on May 31, at 1:30 p.m., to discuss and finalize the disposition of Senate Bill No. 20-08. Thank you.

President Palacios: Thank you. Any more announcements? There being none.

ADJOURNMENT

President Palacios: Floor Leader?

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

The motion has been seconded.

President Palacios: The motion has been made and seconded to adjourn subject to the call. Those in favor of the 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 2:30 p.m.

Respectfully Submitted by:

/s/Frances Joan P. Kaipat
Senate Journal Clerk