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



Senate  
SECOND REGULAR SESSION – 2017

SJ 20-19

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Fifth Day

Wednesday, September 20, 2017

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In compliance with the Open Government Act, Senate President, Arnold I. Palacios, issued a session call on September 14, 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).

**President Palacios:** Before I call this session into order, I like to once again, extend my appreciation to the community of Rota, and especially to the Mayor and his staff, for allowing us to use their facilities to conduct today's session.

The Senate of the Twentieth Northern Marianas Commonwealth Legislature convened its Fifth, Second Regular Session, on September 20, 2017, at 10:00 a.m. in Rota Mayor's Conference Room, Rota, Commonwealth of the Northern Mariana Islands.

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

A moment of silent prayer was observed.

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

**President Palacios:** With eight members present we've established a quorum to conduct today's session. Have the record reflect that, Senator Borja, is excused from today's session. Recognized, Senator Paul Mangloña.

**Senator Mangloña:** Now, that we've established a quorum, I noticed in today's Governor's Message that he signed into law Senate Local Bill No. 20-02, "To establish "I Tano'-Mami" as the official Anthem for the Municipality of Rota." I am going to move for a short recess so that we can have our people in the gallery so we can sing "I tano'-Mami" and welcome the members of the Senate to introduce officially the Anthem that the Governor just signed, if there is no objection.

There was no objection raised.

**President Palacios:** There being none. As the Presiding Officer, I ask, Senator Paul Mangloña, to go ahead and lead the singing of this. The Senate will take a short recess.

**Senator Mangloña**: Mr. President, I have a sore throat this morning. Can I ask the Vice President and our students, and the people in the gallery to join us all in singing “I tano’-Mami”?

**President Palacios**: Senator Terry Santos, you are the author of this Local Bill, the Chair will exercise his prerogative and ask that you lead the group for that beautiful song. Short recess.

The Senate recessed at 10:05 a.m.

### RECESS

The Senate reconvened at 10:10 a.m.

**President Palacios**: We are back to our session. We are now under agenda Item B, Public Comment.

### PUBLIC COMMENT

**President Palacios**: The members now invite any member of the public to submit or make any comment or statement on any of the agenda items appearing on today’s Order of Business. The floor or the podium is open. There being none, we move to agenda Item C, and before I do that, if there is no objection, the Floor Leader is absent for today’s session, so the Chair will appoint, Senator Quitugua, to act as the Floor Leader for today’s session. Is there any objection to that?

There was no objection raised.

**President Palacios**: We will be entertaining some other legislations particularly some House Bills that are not in the Calendar. So, I would like at this time to recognized the Floor Leader to make the necessary motions for the suspension of Rules for the placements of these legislations. Floor Leader?

**Acting Floor Leader Quitugua**: *Si Yu’us ma’ase, Mr. President.* Mr. President, notwithstanding the Senate Rules to suspend Rule 3, and other pertinent Rules to place on today’s agenda on Item P, Bill Calendar, on Final Reading the following bills: House Bill No. 20-34, “Handgun Prohibition Act”; House Bill No. 20-63, “A prerequisite for regulation of firearms”; and House Bill No. 20-66, “To require test firing of all fire arms as prerequisite for registration of a fire arm,” so move.

The motion has been seconded.

**President Palacios**: Motion has been made to suspend Senate Rules and for placement of House Bill Nos. 20-34, 20-63 and 20-66, on today’s Order of Business, discussion? Those in favor of that motion please say, “Aye.” Opposed say, “Nay.”

All members voiced, “Aye.”

**President Palacios**: Motion carries. Those three bills will now appear on today’s Bill Calendar for First and Final Reading. We are down to agenda Item C, Reading and Approval of Journal.

**READING AND APPROVAL OF JOURNAL**

**President Palacios:** Floor Leader Pro-Tem?

**Acting Floor Leader Quitugua:** *Si Yu'us ma'ase, Mr. President.* For the adoption of Senate Journal 20-14, Third Day, Second Regular Session and Senate Journal 20-15, First Special, Second Regular Session, so move.

The motion has been seconded.

**President Palacios:** Motion offered by the Floor Leader Pro-Tem, for the adoption of Senate Journals 20-14 and 20-15 its been seconded, discussion? Ready? Those in favor of the adoption motion please say, "Aye." Opposed say, "Nay."

All members voiced, "Aye."

**President Palacios:** Motion carries. These two journals are hereby adopted by the Senate. We move on to agenda Item D, Messages from the Governor. Clerk?

**MESSAGES FROM THE GOVERNOR**

The Clerk voiced Governors Messages Nos. 20-118 to 20-124.

**President Palacios:** Thank you. Any members would like to make any comments on any of these communications from the Governor? Senator Santos, recognized.

**Senator Santos:** Thank you, Mr. President. On behalf of the people and the leaders of Rota, I would like to extend a gratitude to honorable Governor for signing Senate Local Bill No. 20-02, D1, into law. This Local Law, is historical for the island of Rota because "I Tano'-Mami" which was written and composed by Oscar Mendiola, actually recorded by his brother, our former Mayor of Rota, Melcher Mendiola, is now officially declared as the Anthem of the municipality of Rota and that this Anthem shall be sang after the United States and Commonwealth Anthem, at the beginning of all governments ceremonies which the municipality of Rota, I understand, have begun implementing and in line with that also, Mr. President, I would like to thank you, and again, this Senate Local Bill is just so timely because the Senators are here to conduct its session on our beautiful island of Rota. I would like to thank you, Mr. President, for giving us the opportunity as moved by Senator Mangloña, to sing our local Anthem before we begin our session. With that again, Mr. President and members, I thank for singing along this Anthem led by our Vice President. Thank you.

**President Palacios:** Thank you. Any other comment on the Governor's Messages? There is none, I would just like to point to Governors Messages Numbers 3 and 5, relative to appointments of two individuals: one MVA Board of Director and one for the appointment of the Secretary of Labor. I

ask that the Committee communicate with the Legislative Liaison, Governor's Office to ensure that all documents necessary for the bedding of these appointments be submitted to the Senate in a timely manner. Any other comments on the Governor's Messages? Senator Hofschneider?

**Senator Hofschneider:** Thank you, Mr. President and good morning to the wonderful people of Rota and also to the members. This relates to the discussion for the past couple of meetings and session, Mr. President, reference to Settlement Trust, I see Governor's Message No. 20-123, recently signed the appropriation to comply with the 17% requirement of the Settlement Trust in the amount of \$7,129,041.76. The reason why I raised this up, Mr. President, simply because it was one of the issues that were raised numerous times by members and I also would like to notify and inform everyone that the Committee on Fiscal Affairs, intends to call the Administrator or for that matter the Trustee and the Department of Finance to have a meeting with the members to kind of enlighten really what is the most updated and the most recent obligation of the CNMI Government, Understandably so, \$7.1 million represents a accumulative amount in between Fiscal Year 2014 and 2015, I do know that 2016, is about roughly \$11.1 million and 2017 is forthcoming. On this month, September 27 at 9:30 AM, there is a Status Conference meeting between the Settlement Trust and the Administration, the Secretary of for that matter to have a discussion on the matter as far as the Settlement Trust's issues. I am encouraging the members of the Senate of course with your direction, Mr. President, to participate during the hearing and to least observe the discussions during that day at 9 30 AM at the Horiguchi Building, the U.S. District Court. Thank you, Mr. President.

**President Palacios:** Thank you. In line with that specific issue, I've also requested that the Trustee enlighten since this is going to be on Saipan on the 27, I ask the Administrator, Ms. Pangelinan, to request for a meeting with the Trustee either after the hearing or a day after or a day before, whatever is convenient, so that full members of the Senate too, will be appropriately and transparently advise of the ongoing issues. I understand also that the Governor had met with the Trustee enlighten on Guam in refining these things out in the paper. Through our effort we requested specific issues from specific information from Trustee enlighten and she have indicated that there was sort of an agreement with the Governor, and the Executive Branch and her, on how to proceed with the payment of the \$11 million outstanding as a result of the completed audit of the Commonwealth for 2016, and as you indicated there's an \$11 million outstanding that needs to be address. It is something that needs to get done it will be done. I'm hoping that the House initiate this in a very short order as soon as possible so that we can take action on such legislation to appropriate funds to at address this issue with our Settlement Fund for our retirees. Senator Quitugua, recognized.

**Acting Floor Leader Quitugua:** *Si Yu'us ma'ase, Mr. President.* In line with that court hearing, I recommend that you request the presence of our legal counsels, may be one in the Senate and one in the House, so they can get a firsthand information on the discussions because this is a long term obligations and they will be the ones dealing with drafting of the appropriations for these obligations on an annual basis. Thank you.

**President Palacios:** Thank you. With that, let me just request that, members of the Senate please take note of this particular date and time, and venue for this status conference, I believe with the Trustee and the Secretive of Finance, in front of the Federal Court. It is at 9:00 AM, Horiguchi

Building, District Court, on September 27, and I will officially ask our legal counsels to join members of the Senate of this hearing, and I can only suggest the same to the Speaker. Senator Santos?

**Senator Santos:** Thank you, Mr. President. If I'm still in order, I would like to revert back to Governors Message No. 20-118, this signing into Local Law, Senate Local Bill No. 20-02, D1, I would be remised not to recognize, Mr. Ike Mendiola, who is out here in the gallery for being instrumental also in the drafting of this local legislation into law. Thank you, Mr. President.

**President Palacios:** Thank you. Are we ready to move on to the next agenda Item? There being no maters on agenda Item E, we move to agenda Item F, Communications from Heads of the Executive Department. Clerk?

### **COMMUNICATIONS FROM THE JUDICIARY**

None

### **COMMUNICATIONS FROM HEAD OF EXECUTIVE DEPARTMENT**

The Clerk voiced Department Communications Nos. 20-39 to 20-41.

**President Palacios:** Are there any comments or statements on these three communications? Senator Mangloña, recognized.

**Senator Mangloña:** I just like to make a very short comment, they were here on the island of Rota the other night, conducting public hearing. I believe, they were in Tinian last night, and Saipan would be having a hearing forthcoming, I guess next week, later. My point is, DPL have a website, that contains that last nine years planned which was conducted in 1989, so that is almost thirty years ago. I just encourage the members to look at the last studied or master plan for land use and maybe we can make comments as a Senate body or as individually to better improve the end result of the comprehensive public land use. Thank you.

**President Palacios:** Thank you. I believe that we need to engage in the formulations and even the review of this the importance of undertaking an initiative that is required by statute. I would ask the legal counsel maybe to draft a short letter to the Department of Public Lands and their consultant, FSSM, the contractor to see if we can schedule a short meeting of the Senate, and also I will be requesting the Chairman of the Resources Economic Development Program to head the Senate's efforts in reviewing this document and the process for the land use plan that is being done. In fact, there is an outstanding court order, I believe that was handed by the Superior Court, and this is an outstanding issue that needs to be taken up. I am glad that Public Land had begun the process. Thank you for reminding us, Senator Paul Mangloña.

**Senator Hofschneider:** Mr. President?

**President Palacios:** Senator Hofschneider?

**Senator Hofschneider:** Just a little touch on that and I certainly appreciate Senator Mangloña bringing this up. Unfortunately, some of us are not able to join the Public Hearing last night on Tinian, but I have a brief run in on this particular group that is conducting this of very important obligation of Department of Public Lands. Everyone is correct, we more so than ever, the CNMI needs the land use plan. I am going to take-off from the island of Tinian and everyone knows that there's been a major interest by the Department of Defense from then and up to date. I think that every time a developer whether it is economic development or a resort development for this case to the military. They would probably be appreciative if the CNMI or the Senatorial District have their adopted land use plan so that they can plan their plans based on our land use plan. In this case, *guaha na biahi*, they are trying to make the plan for us and I think it should be the other way around. It is timely, for the longest time we've been awaiting, I know that there was one as what Senator Mangloña was saying, there was one 1990's or early 80's or late 80's but there was one attempt to make but it just kind of washed out and then nobody really, kind of took the bull by the horn. I certainly couldn't emphasize the need to tackle and get in front of this particular matter. Thank you, Mr. President, for calling a meeting with these guys so that we can also understand the magnitude and the level of action plan or their responsibilities as far as the scope of work based on the executed scope of work that's in them and the Department, of Public Land. *Si Yu'us ma'ase*.

**Senator Mangloña:** Mr. President?

**President Palacios:** Go ahead.

**Senator Mangloña:** Than you, Mr. President. I am very happy that you've asked the legal counsel to set up a meeting with the Senate or the Legislature because one of the comments that I raised up was that, at times, they come up with a land use plan to designate a particular area. For example, for public parks or for whatever public purpose, but then, agencies within our government comes up and just ask for designation of the same place for something else or Public Land themselves would land exchange properties so it defeats the whole purpose of having a land use planning. That is where the Legislature comes in and maybe comes up with a law or something that says, "to deviate from this land use plan they need to come before the Legislature." We need to enact some kind of legislation giving force and effect to the land use planning. I think that is a good move and I appreciate that. Thank you, Mr. President.

**President Palacios:** I think that is the full intent because, like you said, thirty years ago almost thirty year ago we paid, we paid dearly for a plan that was never effectuated into law. I'm not even sure whether Public Land itself adopted the land use plan that he paid for. So, we need to put this in order and I ask the members of the Senate and the delegations to have encouraged members of this community and community on Tinian, and I certainly will encourage the communities on Saipan to engage in this land use plan because it has to really come from the community, what it is exactly we want or what is the vision for our community going forward. We've been doing all this planning for the past 30 years, and it is obvious that we can no longer afford to do that. We see that on Saipan where there's a pocket of overdevelopment and a pocket of underutilized properties and lands on Saipan. Those are the challenges that we have to face and address. With that, we move on to our next agenda Item, Communication from the House. Clerk?

**COMMUNICATIONS FROM THE HOUSE**

The Clerk voiced House Communications Nos. 20-92 to 20-106.

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

**Senator Santos**: Thank you, Mr. President. This is in reference to House Communication No. 20-95, I support the intent of this legislation I believe it's noble. However, Mr. President, because I have been receiving numerous calls so I ask that this bill undergo public hearing with the First Senatorial District to hear the sentiment of our people of Rota, through public hearing that perhaps the bill maybe amendment to include other agricultural products for conservational protection. I just hope on the other hand though, that this legislation will not provide a window of opportunity for the United States Fish and Wildlife Service down the years to enlist *Kamuti* in their endangered species and plant listing. Thank you, Mr. President.

**President Palacios**: Thank you, for the further items. I hope that you will engage with the Committee on REDP. Most likely, the Committee would be the one taking up this piece of legislation. Further comments? Three being none, we move to agenda Item H, Communications from the Senate.

**COMMUNICATIONS FROM THE SENATE**

The Clerk voiced Senate Communications Nos. 20-112 to 20-116.

**President Palacios**: Any comments on any of the Senate Communications? There being none. There's no item on Communications from the Congressional Delegate and there's none under Unfinished Business, so we're now under Pre-Filed Bills, Initiatives, Local Bills and Resolution.

**COMMUNICATIONS FROM THE WASHINGTON DELEGATE**

None

**UNFINISHED BUSINESS**

None

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

**President Palacios**: Senator Mesngon?

**Senator Mesngon**: Thank you, Mr. President. I have a pre-filed resolution I would like to introduce, Senate Commemorative Resolution No. 20-04, "To express heartfelt condolences to the bereaved family of the Late Honorable Ricardo Songao Atalig and to memorialize his longstanding public

service to the people of Rota and the Commonwealth of the Northern Mariana Islands,” so move, Mr. President.

**President Palacios:** Thank you. That was just for introduction, Senator Mesngon. I believe those are on the Resolution Calendar so we will be adopting that when we get to the agenda Item. I will call on Senator Santos to introduce her resolution.

**Senator Santos:** Thank you, Mr. President. If there is no objection from the members, I would like to introduce this resolution by the Committee of the Whole.

There was no objection raised.

**President Palacios:** There being no objection.

**Senator Santos:** Officially introducing Senate Resolution No. 20-13, “To recognize and acknowledge Juanet Apatang Camacho for her longstanding contributions and service to the Commonwealth of the Northern Mariana Islands.” Thank you, Mr. President.

**President Palacios:** Thank you. Any other Bills, Resolutions to be introduce this morning?

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

**President Palacios:** I have two bills to introduce, Senate Bill No. 20-71, “A Bill for an Act to establish a Nursing School Professional Scholarship; and for other purposes.” And, Senate Bill No. 20-72, “A Bill for an Act to amend 8 CMC §1421(a); and for other purposes,” relative to legal guardianships in the Commonwealth. Senator Mesngon, recognized.

**Senator Mesngon:** I would like to officially introduce Senate Bill No. 20-73, which “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.” Thank you, Mr. President.

**President Palacios:** Thank you. Any more introduction of legislations this morning? There being none. We are ready to go to agenda Item M, but Floor Leader Pro-Tem, requested for a very short recess.

### **REPORTS OF STANDING COMMITTEES**

The Senate recessed at 10:40 a.m.

### **RECESS**

The Senate reconvened at 10:45 a.m.

**President Palacios:** We are back to our session. We left off on agenda Item M. Floor Leader, are there going to be changes on these Standing Committee Reports?

**Acting Floor Leader Quitugua:** Thank you, Mr. President. Mr. President, on Item M (1) and also Item M (2), it is recommended that we put these two Standing Committee Reports on the Calendar and we will not act on them today. On Item 1, I would like to give NMC more time to submit their comments relative to Senate Bill No. 20-21, SS1. Mr. President, a motion for the adoption of Standing Committee Report No. 20-41, relative to Senate Bill No. 20-44, so move.

The motion has been seconded.

**President Palacios:** There's a motion on the floor for the adoption of Standing Committee Report No. 20-41, reporting and Senate Bill No. 20-44, that motion has been seconded, discussion? Ready? Those in favor of the adoption motion offered on the floor please say, "Aye." Opposed say, "Nay."

All member voiced, "Aye."

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

**Acting Floor Leader Quitugua:** On Item M (4), a motion for the adoption of Standing Committee Report No. 20-42, relative to Senate Bill No. 20-46, so move.

The motion has been seconded.

**President Palacios:** Motion offered for the adoption of Standing Committee Report No. 20-42, reporting on Senate Bill No. 20-46, its been seconded, discussions on that motion? Ready? Those in favor of the adoption motion for Standing Committee Report No. 20-42, please say, "Aye." Opposed say, "Nay."

All members voiced, "Aye."

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

**Acting Floor Leader Quitugua:** Mr. President, on Item M (5), a motion for the adoption of Standing Committee Report No. 20-43, relative to Senate Bill No. 20-40, so move.

The motion has been seconded.

**President Palacios:** Motion is for the adoption of Standing Committee Report No. 20-43, reporting on Senate Bill No. 20-40, the motion has been seconded, discussion on that motion? Ready? Those in favor of the adoption motion offered please say, "Aye." Opposed say, "Nay."

All members voiced, "Aye."

**President Palacios**: Motion carries. Standing Committee Report No. 20-43, is hereby adopted. Floor Leader?

**Acting Floor Leader Quitugua**: Mr. President, on Item O.

**President Palacios**: We are moving down now to the Resolution Calendar.

## **REPORTS OF SPECIAL/CONFERENCE COMMITTEES**

None

## **RESOLUTION CALENDAR**

**President Palacios**: Floor Leader, recognized.

**Acting Floor Leader Quitugua**: Mr. President, a motion for the adoption of Senate Commemorative Resolution No. 20-04, so move.

The motion has been seconded.

**President Palacios**: Motion is for the adoption of Senate Commemorative Resolution No. 20-04, its been second, discussion? Ready? Those in favor of the adoption motion offered please say, "Aye." Oppose say, "Nay."

All members voiced, "Aye."

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

**Acting Floor Leader Quitugua**: A motion for the adoption of Senate Resolution No. 20-13, so move.

The motion has been seconded.

**President Palacios**: Motion is for the adoption of Senate Resolution No. 20-13, the motion has been seconded, discussion? Ready? Those in favor of that motion please say, "Aye." Opposed say, "Nay."

All members voiced, "Aye."

**President Palacios**: Motion carries. Is that all the resolution for today? Okay, we move to agenda Item P, our Bill Calendar for Final Reading of some of the legislations. I now recognized, Floor Leader.

## **BILL CALENDAR**

**Acting Floor Leader Quitugua:** *Si Yu'us ma'ase, Mr. President.* Mr. President, on Final Reading, Senate Bill No. 20-21, SS1, will remain on the Calendar and Senate Bill No. 20-43, SD1, will also remain on the Calendar. A motion for Senate Bill No. 20-44 for the passage, so move.

The motion has been seconded.

**President Palacios:** Motion offered is for the passage of Senate Bill No. 20-44, it's been seconded, discussion? Read? Clerk, please call the roll.

**CLERK** called the roll:

Senator Francisco M. Borja	Excused
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 eight (8) members voting “yes.”

**President Palacios:** With all eight members voting “yes” for the passage of Senate Bill No. 20-44, is hereby passes by the Senate. Floor Leader?

**Acting Floor Leader Quitugua:** Mr. President, for the passage of Senate Bill No. 20-46, SD1, so move.

The motion has been seconded.

**President Palacios:** Motion offered for the passage of Senate Bill No. 20-46, Senate Draft 1, has been seconded, discussion? Ready? Clerk?

**CLERK** called the roll:

Senator Francisco M. Borja	Excused
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 eight (8) members voting “yes.”

**President Palacios:** With eight members voting “yes” Senate Bill No. 20-46, Senate Draft 1, hereby passes the Senate. Floor Leader?

**Acting Floor Leader Quitugua:** Mr. President, Senate Bill No. 20-53 will remain on the Calendar. A motion for Senate Bill No. 20-40, SD1, for passage, so move.

The motion has been seconded.

**President Palacios:** Passage motion offered has been seconded for the passage of Senate Bill No. 20-40, SD1, discussion on that motion? Ready? Clerk?

**CLERK** called the roll:

Senator Francisco M. Borja	Excused
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 eight (8) members voting “yes.”

**President Palacios:** With eight members voting “yes” Senate Bill No. 20-40, SD1, hereby passes the Senate. Floor Leader?

**Acting Floor Leader Quitugua:** Mr. President, House Bill No. 20-10, will remain on the Calendar. A motion for the passage of House Bill No. 20-34, so move.

The motion has been seconded.

**President Palacios:** Motion offered is for the passage of House Bill No. 20-34, motion has been seconded, discussion? Senator Hofschneider, recognized.

**Senator Hofschneider:** I yield, Mr. President.

**President Palacios:** Ready for the question? Clerk, please call the roll?

**CLERK** called the roll:

Senator Francisco M. Borja	Excused
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 eight (8) members voting “yes.”

**President Palacios:** Thank you. With eight members voting “yes” House Bill No. 20-34, hereby passes the Senate. Floor Leader, next bill?

**Acting Floor Leader Quitugua:** Mr. President, a passage motion for House Bill No. 20-63, so move.

The motion has been seconded.

**President Palacios:** Passage motion offered on the floor for the passage of House Bill No. 20-63, its been seconded, discussion? Ready? Clerk, please call the roll.

**CLERK** called the roll:

Senator Francisco M. Borja	Excused
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 eight (8) members voting “yes.”

**President Palacios:** With eight members voting “yes” House Bill No. 20-63, hereby passes the Senate. Floor Leader?

**Acting Floor Leader Quitugua:** Mr. President, the last bill on today’s Calendar for Final Reading, a motion for the passage of House Bill No. 20-66, so move.

The motion has been seconded.

**President Palacios:** Passage motion offered for the passage of House Bill No. 20-66, its been seconded, discussion on that motion? Ready? Clerk?

**CLERK** called the roll:

Senator Francisco M. Borja	Excused
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 eight (8) members voting “yes.”

**President Palacios:** With eight members voting “yes” House Bill No. 20-66, hereby passes the Senate. Floor Leader, is that it?

**Acting Floor Leader Quitugua:** Yes.

**President Palacios:** Thank you.

**Senator Mangloña:** Mr. President?

**President Palacios:** Senator Mangloña?

**Senator Mangloña:** Yes. I don’t know if this is the proper time to bring this up, but I appreciate the members voting off on House Bill No. 20-10. Should I discuss now or under Miscellaneous on 20-10?

**President Palacios:** I think you’re in order, go ahead.

**Senator Mangloña:** I just want to ask the Chair, if this can be discussed in the Fiscal Affairs Committee so that we can discuss this at length. I just have some concerns, for example, even if we establish a special account for the Retirement Fund, I am afraid that if we don’t have language that requires the Department of Finance to immediately transfer the funding from the collection to the Special Account and from the Special Account to the Settlement Fund. I think we need to further strengthen the language so that there is no ambiguity as to when they are going to transfer the money. Also, I believe, if I am not mistaken, Mr. Attorney, I don’t know whether that includes the other earmark of fund, it mentioned about the tourism fund, but there’s another bar tax that is supposed to be included in this because that is already a book. So, basically that is the concern. And then again, I just want to raise up that if it is really the intent for the Legislature to exclude PSS then at least we know that that is what we are voting on. I don’t know whether there is way that the legal counsel can

re-language that to accomplish helping the Retirement Fund and at the same time keeping it in the computation for PSS. If there is no way, then there's no way. We have to vote our conscious on this and I respect everyone's vote, at least to be clear on what we are voting on and the potential impact. For that reason, I respectfully ask, if the Fiscal Affairs Committee, before the next session can discuss this in detail further? That is all. Thank you.

**Senator Hofschneider:** Mr. President, may I?

**President Palacios:** Thank you. I think that is one of the reason we put a hold on this and I hope the Committee can further look at it, and all these Settlement Fund issues surfacing in the last month, I think, this is something that we need to take a look at it and the impact. Nevertheless, I think being the government because of this Settlement Agreement that was executed. I think what we needed to do was to help guarantee that the Finance Department set this aside and have and have a very strong assurance that funds are set aside for the next payment of the Settlement Agreement, I think that is what the intent. But, nevertheless, I think Fiscal Affairs Committee should take further deliberation on this particular legislation and if it needs to be amended, I think we should do that. Senator Hofschneider?

**Senator Hofschneider:** Thank you, Mr. President. Actually, that's the very reason why we requested to withhold action on it for several reasons, one is from Senator Mangloña and of course you, Senate President, you raised. Also, we would like to address this particular legislation after the hearing so that we can make sure that we flush out all the details that the members may have questions for this. Because if there's one thing that I know that we often hear, the Settlement Trustees issue often is where is the funding coming from? So by establishing a specific funding stream by way of this particular legislation or others, it is going to give assurance to the trusty of the Settlement Trust that the Legislature and the government have actually take this matter very seriously as per the concern raised. Point taken, Mr. President and Senator Mangloña, if I am not out of order, and if we would like to just hold it or withdraw this from calendar and put it back into the Committee so that we can address all the potential concerns that are being raised before us.

**President Palacios:** Thank you. I think we can hold it on the calendar and all agreed that your Committee on Fiscal Affairs will provided the necessary information that the members can fully come to terms relative to this legislation. If there is no objection, I think we just leave it on the floor and all agreed that until such time the Fiscal Affairs Committee give such a proposal for movement of this legislation for deliberation and disposition, then we will hold on to this and just leave it on the Calendar. That does not preclude the Fiscal Affairs Committee to continue working on the particular issue.

**Senator Hofschneider:** So dully noted, Mr. President. I think it is appropriate, if I may?

**President Palacios:** Yes.

**Senator Hofschneider:** I ask the legal counsel to take not of this, look at 20-99 and the effects of this particular intent of the legislation. And also, it is good that Senator Quitugua and the President mentioned that all the legal counsels will be invited to the Status Conference on the 27<sup>th</sup>, and all those

we can put together as a form of a Committee Report and discuss with the members on the necessary amendments to this bill. Thank you.

**President Palacios**: Thank you. There being no other legislation to dispose of this morning, we move to agenda Item Q, Petitions, Memorials and Miscellaneous Communications. Clerk?

### PETITIONS, MEMORIALS AND MISCELLANEOUS COMMUNICAITONS

The Clerk voiced Miscellaneous Communications Nos. 20-176 to 20-181.

**President Palacios**: Any comments? We move to Miscellaneous Business.

### MISCELLANEOUS BUSINESS

**Senator Hofschneider**: Mr. President?

**President Palacios**: Recognized, Senator Hofschneider.

**Senator Hofschneider**: Thank you, Mr. President. Maybe for the purpose of discussion only, but this is something that is crucial that we bring to the administration and the rest of the leadership. It is very concerning that we see that Delta Airline is a legacy airline that is been servicing the region is actually pulling out of our neighboring island of Guam. As we all know, Delta Airline is the only U.S. legacy airline that is servicing CNMI Saipan for this matter and there's no other. I am not sure if I am in order, Mr. President, or jumping on this, but I think it is timely that we escalate communication with the Governor and MVA for this matter and CPA to see if there is any indication relates to this particular matter. I don't know what is the inside information is other than probably the lack of the load factor from Japan to Guam and the competition is not feasible for them to continue the flight. I am talking about the CNMI itself, Delta Airline has been servicing our partners in the CNMI building our capacity for the Japanese tourist, as well as the residents of the CNMI and that is the only conduit of air transportation or the U.S. freight ship from Saipan to the U.S. and there is no other. I am thinking it is the Transportation Committee we can probably or the independent agency can probably take this up rather soon. Thank you, Mr. President.

**President Palacios**: The Transportation Committee, will engage MVA and CPA, and you just notice and advise. I know that MVA indicated in their last summit that this is one of the areas that they really need to give support to avoid Delta Airline from cutting back on the route from Japan to Saipan.

**Senator Mangloña**: Mr. President?

**President Palacios**: Senator Mangloña?

**Senator Mangloña**: As a follow-up, I strongly recommend also if the Transportation Committee can actually bring in CPA, MVA. Today's paper, I believe our Board member from Rota who is in charge

of Transportation and CPA mentioned about landing fees, as well as, specifically charges and in every conversation I have with Star Marianas owner, Bob Christian, it always comes to these fees and his concerns. We're trying to encourage to have more flights to Rota, as you know, that is always an issue here and he always comes back to those issues. I ask if the Transportation Committee can call these people in and let's brain storm point out on how to better address at least the interisland, and of course the international flights? That has been a concern. One of the issue for example, a very simple issue, I believe, but it takes five years to address this, Freedom Air has been – I grew up for several years now and CPA cannot even give Star Marianas the former counter here at the Rota International Airport to Star Marianas. It's kind of very difficult for them to make that decision. As you know, if passenger is boarding to depart Rota, they have to go to the arrival area, where as they could have just gone in through that area onto the air craft. So, these are issues that we need to bring up with CPA and I think it is very timing to bring them in and have this discussion.

**President Palacios:** There is a meeting, in fact, it was supposed to be today or yesterday, with CPA they requested a meeting with the Senate relative to this new proposed schedules on rates, and I think that because we were here yesterday and we needed to reschedule that. Clerk, do you know when the rescheduled meeting with CPA? Is it been moved to tomorrow? So, tomorrow at 12:30 PM, CPA will be giving us a briefing on their schedules and rates. The Committee on Transportation, please take note of all these concerns and put it as talking points and discussion matters to be raised with the Commonwealth Ports Authority. Yes, go ahead Chairman Igisomar.

**Senator Igisomar:** Thank you, Mr. President. I hope, yes, the meeting was postponed, because of us being here, but there's one for tomorrow and I hope, the members can be there to stand there as just saying, and I hope that we go ahead and allow that we make our comments based on their rates and right after towards the end, we'll have all the members ask whatever question they want to ask relative to PUTC or to the airlines and CPA. Thank you, Mr. President.

**President Palacios:** Thank you. Thank you, Senator Mangloña, for bringing up those issues, really, those particular issues because just like Tinian, Rota even Saipan we do depend on our members to advocates for their Senatorial Districts that they represent. These are really critical times, in fact, this is one of the reasons why Senator Borja was not able to attend today's session because he was not able to secure seat to attend today's session. Proceed, Senator Mangloña.

**Senator Mangloña:** Maybe some of us will not be able to make it as exactly for the seats tomorrow. Is this meeting open to the public? I am just curious.

**Senator Igisomar:** Actually, Senator Mangloña, CPAs is going out holding public hearings on their increased fee regulation. *Ma'fiasen i Legislature kao siña-ha lökkue u'guaha joint session para i Legislature Presentation? Hu'sangani siha,* I will not accept a joint session, I believe the Senate have a lot of issues and would rather have a session with the Senate only.

**Senator Mangloña:** No, because I was wondering if I can ask, for example, the owner of Star Marianas to join in on that meeting even if I cannot be there, but asking if he can join in, but I guess you're saying it's only for the members.

**Senator Igisomar:** It's only for the members.

**Senator Mangloña:** Thank you.

**President Palacios:** Senator Mangloña, maybe we can ask Mr. Christian to be present.

**Senator Mangloña:** I'll talk to Bob, but it's only the committee meeting, right.

**President Palacios:** No, we're going to have it in –

**Senator Igisomar:** Mr. President, it's for the Senate, Senators.

**President Palacios:** So, whole Senate membership, we are going to have it in the Chamber. We'll allow for people to attend it. Perhaps, they cannot officially make any comments. I apologize, Senator Santos, on Miscellaneous Business.

**Senator Santos:** Yes, Mr. President. Again, as usual, I want to thank you and the members, our legal counsels, our LB staff, Joan and Doris, our Sergeant-At-Arms for your presence again on Rota for our Senate Session. Our people are always interested in listing too and knowing the actions on legislations. Rota, is your home too, and we look forward to seeing you during our annual of the San Francisco De Borja Fiesta slated during the weekend of October 6<sup>th</sup> through the 8<sup>th</sup>. Your time, Mr. President, permits as well as all the members and the LB staff. Thank you, Mr. President.

**President Palacios:** Thank you for those kind words. Senator Mesngon, recognized.

**Senator Mesngon:** Thank you, Mr. President. Just to remind the members that since we tackle the budget and it is out of our hands already, in our last session, I mentioned that I will be setting up a Committee meeting for the JGL, and one the reference is Senate Bill No. 20-62, which is the marijuana bill. I am going to set out a meeting and we're going to have a public hearing. The reason why is that we have to pass it before October because it is an Initiative Bill so it has to go to the Election Commission to meet the deadline. The author is pushing that issue to meet the deadline. I will be setting up a committee meeting once we settle up in Saipan. We are going to start scheduling for a public hearing as well. Thank you, Mr. President.

**President Palacios:** Are there any others? Some of the members will be flying out shortly. Announcements.

## ANNOUNCEMENTS

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

**Acting Floor Leader Quitugua:** A friendly reminder on the invitation of the Casino Commission, they're having their regular meeting tomorrow at 10:00 a.m., at Joeten/Kiyu Public Library. On 9/22

at 10:30 a.m., a site tour requested by the members of the Gaming Committee and parking is available. Thank you.

**President Palacios**: Thank you. Any other announcements? Before, we entertain the adjournment motion, I like to, again, thank the Mayor and the people of Rota, for hosting us. I would like to also thank the young gentleman here for recording the proceedings of the Senate session, and being with us throughout the whole sessions. We certainly appreciate the Channel 5, given access to community on the proceedings of the Senate. With that, the Chair will now entertain a motion for adjournment.

### **ADJOURNMENT**

**Acting Floor Leader Quitugua**: *Si Yu'us ma'ase, Mr. President.* Mr. President, I move to adjourn our Fifth Day, Second Regular Session subject to the call of the Chair.

The motion has been seconded.

**President Palacios**: Motion is for the adjournment of Senate Session this morning subject to the call. Discussion? There being no discussion? Ready? 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 11:20 a.m.

Respectfully Submitted by:

/s/Frances Joan P. Kaipat  
Senate Journal Clerk