



# HOUSE OF REPRESENTATIVES

TWENTY-SECOND NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SECOND REGULAR SESSION, 2021

## LEGISLATIVE JOURNAL

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5<sup>th</sup> Day, Second Regular Session

Friday, October 29, 2021

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*The House of Representatives of the Twenty-Second Northern Marianas Commonwealth Legislature convened its Fifth Day, Second Regular Session on Friday, October 29, 2021 at 10:15 a.m., in the House Chamber on Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.*

*The Honorable Edmund Joseph S. Villagomez, Speaker of the House, presided.*

*A moment of silence was observed.*

### ROLL CALL

*The Clerk called the roll and nineteen members were present; Representative Christina Marie E. Sablan was absent and excused.*

### PUBLIC COMMENTS

*There were no comments on the day's agenda; the Chair recognized the Floor Leader.*

*The Floor Leader made a motion to suspend Rule III, Section 6.*

### **RULE III. SESSIONS AND MEETINGS.**

#### **Section 6. Notice of Sessions.**

Not less than 72 hours prior to convening a Regular or Special Session, the Speaker or a majority of the members of the House, shall file a written public notice of the date, time, and place of a session with the Clerk and post the same at the executive branch administration building and the Legislature's web site. When possible, notices under this section shall be given to at least one newspaper of general circulation. Notices shall contain an agenda of items to be considered at the session. Final disposition shall not be taken on any other matter at such session. Once filed as part of this notice, and agenda may only be changed by adding items thereto by the recorded vote of the majority of the members of the House.

*The motion was seconded.*

*There was no discussion; the Chair recognized the Clerk for a roll call vote.*

*The Clerk called the roll on motion to suspend Rule III, Section 6 with the following results:*

Representative Roy Christopher A. Ada	yes
Representative Blas Jonathan “BJ” T. Attao	yes
Representative Celina R. Babauta	yes
Representative Sheila Therese J. Babauta	yes
Representative Joel C. Camacho	yes
Representative Vicente C. Camacho	yes
Representative Angel A. Demapan	yes
Representative Joseph A. Flores	yes
Representative Joseph Leepan T. Guerrero	yes
Representative Richard T. Lizama	yes
Representative Corina L. Magofna	yes
Representative Donald M. Manglona	yes
Representative Edwin K. Propst	yes
Representative Christina Marie E. Sablan	absent ( <i>excused</i> )
Representative John Paul P. Sablan	yes
Representative Patrick H. San Nicolas	yes
Representative Leila Haveia F. C. Staffler	yes
Representative Denita K. Yangetmai	yes
Representative Ralph N. Yumul	yes
Speaker Edmund Joseph S. Villagomez	yes

House Clerk Linda B. Muña: Mr. Speaker, all 19 members present voted “yes.”

Speaker Edmund Joseph S. Villagomez: Thank you, Clerk. With all 19 voting “yes,” the pertinent rules are hereby suspended. We no move down to item III and I recognize the Clerk.

### **ADOPTION OF JOURNALS**

*The Clerk announced the following House Journals:*

*Third Day, Second Regular Session Journal – September 23, 2021*

*Fourth Day, Second Regular Session Journal – October 1, 2021*

*The Chair recognized the Floor Leader.*

*The Floor Leader made a motion to adopt the following House Journal:*

*Third Day, Second Regular Session Journal – September 23, 2021*

*The motion was seconded.*

*There was no discussion and the motion to adopt Third Day, Second Regular Session Journal – September 23, 2021 was carried by voice vote. There was no “nay” vote.*

*The Chair recognized the Floor Leader.*

*The Floor Leader made a motion to adopt the following House Journal:*

*Fourth Day, Second Regular Session Journal – October 1, 2021*

*The motion was seconded.*

*There was no discussion and the motion to adopt the Fourth Day, Second Regular Session – October 1, 2021 was carried by voice vote. There was no “nay” vote.*

*The Chair directed the members to item IV, Introduction of Bills.*

## **INTRODUCTION OF BILLS**

### ***House Bills:***

*The following bills were officially introduced by the author of each bill and referred to its appropriate committee by the Chair.*

#### **H. B. NO. 22-82**

To adopt the village delimitation and name master map for Saipan as the sole village delimitation and name master map of Saipan and to provide for the Office of the Mayor of Saipan to be the primary custodian for maintaining and preserving the master map and for the Department of Commerce – Central Statistics Division to be the secondary custodian; and for other purposes.

**REP. EDMUND S. VILLAGOMEZ** of Saipan, Precinct 3, *(for himself)*  
**(REFERRED TO THE COMMITTEES ON NATURAL RESOURCES AND COMMERCE AND TOURISM)**

#### **H. B. NO. 22-83**

To enact a whistleblower protection provision for respective employees reporting on prohibited personnel practices; and for other purposes.

**REP. LEILA H.F.C. STAFFLER** of Saipan, Precinct 5 *(for herself,*  
Representatives Celina R. Babauta, Sheila J. Babauta, Vicente C. Camacho, Richard T. Lizama, Corina L. Magofna, Donald M. Manglona, Edwin K. Propst, Christina M.E. Sablan, Edmund S. Villagomez, Denita Kaipat Yangetmai, and Ralph N. Yumul)  
**(REFERRED TO THE COMMITTEE ON JUDICIARY AND GOVERNMENTAL OPERATIONS)**

#### **H. B. NO. 22-84**

To repeal and reenact 2 CMC §4323 and 2 CMC §4324(c) to mandate the Department of Public Lands (DPL) to review all past and pending claims and to grant such title to qualified persons; and for other purposes.

**REP. RALPH N. YUMUL** of Saipan, Precinct 3 *(for himself,* (Representatives Blas Jonathan “BJ” T. Attao, John Paul P. Sablan, and Edmund S. Villagomez)  
**(REFERRED TO THE COMMITTEE ON NATURAL RESOURCES)**

*The Chair directed the members to House Local Bills.*

### ***House Local Bills:***

*The following bills were officially introduced by the author of each bill:*

#### **H. L. B. NO. 22-26**

To authorize, establish, and regulate casino gambling within the Third Senatorial District.

**REP. RALPH N. YUMUL** of Saipan, Precinct 3 *(for himself)*

**H. L. B. NO. 22-27**

To appropriate \$4 Million US Dollars from the fees collected pursuant to Public Law 20-10; and for other purposes.

**REP. BLAS JONATHAN “BJ” T. ATTAO** of Saipan, Precinct 3 (*for himself*)

*House Legislative Initiatives: None*

*The Chair directed the members to item V, Introduction of Resolutions and recognized Representative Angel A. Demapan.*

## INTRODUCTION OF RESOLUTIONS

*House Resolutions:*

*Representative Angel A. Demapan officially introduced the following resolution and request that the resolution be introduced as a Committee of the Whole:*

**H. RES. NO. 22-12**

To honor and commend the CNMI Wildland Fire Crew 36 for their courageous actions and sacrifices in fighting the California wildfires.

**REP. ANGEL A. DEMAPAN** of Saipan, Precinct 1 (*for himself*,  
(Representatives Blas Jonathan “BJ” T. Attao, Joel C. Camacho, Joseph A. Flores, Joseph Leepan T. Guerrero, and John Paul P. Sablan)

*There were no objections; the Chair placed House Resolution 22-12 on the Resolution Calendar.*

*House Joint Resolutions: None*

*House Commemorative Resolutions: None*

*House Concurrent Resolutions: None*

*The Chair directed the members to item VI, Messages from the Governor and recognized the Clerk.*

## MESSAGES FROM THE GOVERNOR

*The Clerk announced the following Messages from the Governor:*

GOV. COMM. 22-78: (received 10/1/2021) **Executive Order 2021-20—RENEWING AUTHORITY—Order authorizing the Secretary of Finance to reprogram or transfer funds from accounts of any department, agency, office, board, commission, corporation, instrumentality or other entity of all branches of the Commonwealth Government in order to meet the threat of COVID-19.**

GOV. COMM. 22-79: (received 10/1/2021) **Executive Order 2021-21**—Creating the Commonwealth of the Northern Mariana Islands (CNMI) Universal Garbage Collection Taskforce.

GOV. COMM. 22-80: (received 10/1/2021) Informing the House that he signed into law and line item vetoed in parts, H. B. No. 22-74, HD3, SD1, CCS1 (FY 2022 Budget Act). Became **Public Law 22-08, Item Vetoed [Deadline 11/30/2021]**

GOV. COMM. 22-81: (9/30/2021) Certifying and granting approval for Ms. Glenna Sakisat Palacios, Special Assistant for Military Affairs, at the Office of the Governor to receive an annual salary of \$75,000. [*For info*]

GOV. COMM. 22-82: (10/4/2021) Expressing support for S. B. No. 22-5, entitled, “*To establish a Behavioral Health Professional Scholarship; and for other purposes.*” [*For info – Note the bill is currently in the House Committee on Education*]

GOV. COMM. 22-83: (10/4/2021) Certification of funds of the Sixth-Year Casino License Fee available for appropriation. [*For info*]

GOV. COMM. 22-84: (10/6/2021) Informing the House that he signed into law, H. L. B. No. 22-21, D1 (*To appropriate \$1,000,000 of the Casino License Fees collected for the Second Senatorial District pursuant to Public Law 20-10; and for other purposes.*). Became **Tinian Local Law 22- 06** [*For info*]

GOV. COMM. 22-85: (10/8/2021) Certifying and granting approval for Ms. Virginia Villagomez, Special Assistant for Management and Budget, at the Office of the Governor to receive an annual salary of \$70,000. [*For info*]

GOV. COMM. 22-86: (10/25/2021) Informing the House that he signed into law, H. B. No. 22-28, HD1, (*To rename the structure for the Center for Living Independently in the CNMI to “The Lydia D. Igitol Center for Living Independently in the CNMI”; and for other purposes.*). Became **Public Law 22-09** [*For info*]

GOV. COMM. 22-87: (10/25/2021) Informing the House that he signed into law, H. B. No. 22-12, (*To amend 4 CMC § 51420 (b) to authorize the Secretary of Commerce to establish and promulgate reasonable registration and permitting fees through adopted regulations; and for other purposes.*). Became **Public Law 22-10** [*For info*]

GOV. COMM. 22-88: (10/25/2021) Informing the House that he signed into law, H. B. No. 22-31, HS1, (*To authorize the Department of Public Lands to issue encroachment permits and charge fees for the use of the public lands located within 150 feet of the high watermark.*). Became **Public Law 22-11** [*For info*]

*Under discussion; the Chair recognized Representative Leila Haveia F.C. Staffler.*

Representative Leila Haveia F.C. Staffler: Thank you, Speaker. I would like to just comment on Governor’s Communication 22-82 regarding his support for the Senate Bill 22-5 to establish a Behavioral Health Professional Scholarship. I just wanted to put on record that we have gone over this in our committee. There were additional concerns and questions about the timeline for returning students who once they graduate, what would be appropriate with respect to addressing one of the scholarship issues. We are still receiving comments from the different entities we have requested from, but I do plan to hold an education meeting on November 19<sup>th</sup> and it is already on

the calendar and we will continue to address this. I really urge and hope the agencies who are out there that we requested these comments from, if they could please make sure that we get them in time so that they will be considered during our deliberations. Thank you.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative Staffler. I now recognize Representative Leepan.

Representative Joseph Leepan T. Guerrero: Thank you, Mr. Speaker. This is regarding Governor's Communication 22-88, I want to thank the committees, both houses for their diligent work to pass this. Now DPL can collect those money that we're losing with these issues that we're having with encroachment and I have to give kudos to the Chair for Natural Resources of the House for working with DPL on this and with that thank you, Mr. Speaker.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative Leepan Guerrero. I now recognize Representative Patrick San Nicolas.

Representative Patrick H. San Nicolas: Thank you, Mr. Speaker. On the Governor's Communication 22-4, I would like to thank the Governor for signing House Local Bill 22-21, D1 to appropriate \$1 Million of the casino license fee collected for the 2<sup>nd</sup> senatorial districts to Public Law 20-10; and for the purposes into law – so Tinian local law. So, I would like to thank you.

Speaker Edmund Joseph S. Villagomez: You're welcome. Anybody else under Governor's Communications? Recognize Chairman Donald Manglona.

Representative Donald M. Manglona: Thank you, Mr. Speaker. Before we move any further, can I request for recess?

Speaker Edmund Joseph S. Villagomez: Short recess.

*The House recessed at 10:27 a.m.*

*RECESS*

*The House reconvened at 10:44 a.m.*

Speaker Edmund Joseph S. Villagomez: Before we went on recess, Representative Donald Manglona had the floor. So, I recognized Chairman Manglona.

Representative Donald M. Manglona: Thank you, Mr. Speaker. Mr. Speaker and colleagues, yesterday the committee discussed the Governor's Communication 22-80 and that is informing the House that he signed into law and line item vetoed in parts House Bill 22-74, HD3, SD1, CCS1, which is a fiscal year 2022 budget act. This was received October 1<sup>st</sup>, which means we have until November 30<sup>th</sup> to take any necessary actions. And so, with that colleagues and members, we found that it is crucial that we continue to support programs and ensure that the monies that we had appropriated are protected so as to not disrupt the operations of the agencies, as well as to ensure that the departments and agencies are properly funded to carry out the services it provides to our community. Now, according to Article II, Section 7 (c) a bill or an

item section or part of a bill vetoed by the Governor may be reconsidered by the legislature. The legislature shall have 60 days from the receipt of the Governor's veto message in the House of origin of the vetoed bill, item, section, or part of a bill to reconsider the veto legislation. The committee had identified three provisions in which we would like to override. Just to give you a brief background into those provisions, I'd like to turn your attention to Section 601. Now this section prohibits the payment of utilities of personal residences of the Governor, Lieutenant Governor and presiding officers or the legislature. Now, if you follow the JGO hearings, the committee has published utility records, which indicates excessive use of water and power. And now, while the Governor and Lieutenant Governor are entitled to government housing, paying the utilities of their personal residences in lieu of providing them housing still goes against the statute and just because past administrations have done it, that doesn't mean we shall continue this trend. And so, for those reasons the committee has chosen this as one of the vetoed items that we would like to override. Another provision that we the Governor had line item veto is Section 704 (c) and this is the feasibility study of the gaming industry by OPD. Now, the community through its budget deliberations colleagues, I've worked closely with OPD to come up with language that is in this provision while the Governor states that this should be left to the Commonwealth Casino Commission, we felt that they may not have the capacity to conduct the study and therefore OPD was best suited to perform this study, but just to elaborate a little more on this, I'd like to refer to Representative Ed Propst, the Chair for the Gaming Committee.

Speaker Edmund Joseph S. Villagomez: Recognize Representative Propst.

Representative Edwin K. Propst: Thank you, Mr. Speaker and thank you, Chairman Manglona. I appreciate this time to discuss this Section 704 (c). I want to – if we can, if we can pull up – just so that we are fully aware of what we're discussing. OPD section, sorry, let me pull this out one second. If we can Title 1, Division 2, Section 20174, Office of Planning and Development and the powers. Can we pull that up on the screen for everybody to see please. So, if you look at this with regard to OPD and its powers in the execution of its responsibilities under this article, the office is authorized upon perform these following functions. And one second, is it downloading? Thank you, John. Thank you, John. You're the man. Okay. So, if you look at this letter (c) states under studies it says “studies” to conduct or cause to be conducted investigations, studies, surveys, research, and analysis relating to physical human, social, and economic development of the CNMI and to publish the results thereof. So, absolutely within the powers of OPD, they certainly do have this and it only makes sense. I feel that it's very clear in its powers. I also want to state a few other reasons and if you will allow me. First and foremost, we need an independent professional and impartial study of the market feasibility and regulatory structure for the gaming industry, for the CNMI. You know, my dear colleagues, Mr. Speaker we're in this mess, we're in right now with respect to IPI because the gaming industry started off wrong from the very beginning and virtually every respect, including the way the Saipan Casino Act was written, the selection of IPI without proper due diligence, the ever-changing terms of the license agreement. How many changes have did we have in that? And of course, the lax enforcement of our laws. We have an opportunity right now to learn from history and finally do this right. Once IPS license is finally revoked and this study is a critical first step in the right direction. I like to add that the Office of Planning and Development is the most appropriate agency to contract with a qualified firm to conduct a study. OPD is in the process of finalizing a comprehensive economic development plan for the Commonwealth and that plan currently is silent on the future of the CNMI's gaming industry. They agree that a consideration of the future of gaming should be part of this planning process. And it is important to note that NBA's own ten-year tourism recovery

strategy also says absolutely zero, *esóór*, nothing, will not nothing about the future of gaming in our tourism plan. OPD is already mandated by law to conduct such research and development studies to help guide the CNMI's planning process and to assist policy makers, we, policy makers in our decision making. OPD is more than capable of creating the scope of work and RFP and contract with a qualified firm and has already begun reviewing similar gaming feasibility studies in other jurisdictions and serving the market of potential reputable vendors. We did consider the Commonwealth Casino Commission as a possible agency to conduct this study, but after deliberation, we decided to go with OPD for the above mentioned and previous mentioned reasons and because the CC is currently already entangled with IPI in a legal battle over the suspension and revocation of the license has lost more than half of its professional staff and may have a conflict in terms of its ability to be impartial, to be fair and impartial. Now, whether the gaming industry is even viable in light of the impacts of the global pandemic on tourism generally and gaming specifically, that's to be determined. And if the answer is yes, it is in fact viable. Then what size industry makes sense for the CNMI and how should it be structured legally and from what regulatory standpoint? So, these are just some points that we must consider. I also want to say that in my discussions, in my meetings, as Gaming Chairman, along with our Vice Chairwoman Tina Sablan who's not with us, but is listening, along with our Gaming Committee members, we have been told several times at how busy the Executive Director is right now in trying to revoke this license. How busy is he? There were documents that we had asked for, for part of our review and auditing of the Casino Gaming that we couldn't get because of how busy they were, especially in their efforts to revoke the license. So again, these are just some reasons why I express and I ask for your support in overriding Section 704 (c). Thank you, Chairman Donald and thank you Speaker and thank you colleagues for allowing me this time to speak on this matter. Thank you.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative Propst. Back to you Representative Manglona.

Representative Donald M. Manglona: Thank you, Speaker and thank you, Chairman Propst for providing your input as a Chairman for Gaming. Colleagues, the third line-item veto that we would like to override is Section 802 (d) and this is the ARPA expenditure plan. Now this particular provision, which both houses worked on and agreed to requires joint legislative approval for any actions that will be taken on Volume IV of the American Rescue Plan Act. When looking at the Governor's veto message, he only pointed out one concern and that was that it would delay efficient processes already in place, but he goes on to mention that the spending plan was approved by US Treasury and that they have already made significant changes between the April and July submission. Now, this is all the more reason to ensure that the spending plan to US Treasury is being followed and that these changes, which we agreed upon by adopting the Governor's Volume IV proposal is being followed and does not deviate from that spending plan and that the allocations we have made in the general fund, which relied heavily on the funds, the departments and agencies will be receiving through ARPA And so colleagues you know, it is my hope that we can consider these arguments and that we you know, look back at the work that the committee has done as well as the conference committee with the Senate to come up with a product that both houses can agree to. So with that, Mr. Speaker and colleagues at this time, I would like to start off with my first motion to override Section 601 of the Public Law 22-08 under the Governor's veto message.

Representative Angel A. Demapan: Privilege Mr. Speaker.



Speaker Edmund Joseph S. Villagomez: I recognize your privilege Representative Demapan.

Representative Angel A. Demapan: At this time, Mr. Speaker the minority requests, a short recess.

Speaker Edmund Joseph S. Villagomez: Noted. Short recess.

*The House recessed at 10:56 a.m.*

*RECESS*

*The House reconvened at 11:25 a.m.*

Speaker Edmund Joseph S. Villagomez: We'll rise back to session. Before we went on recess Representative Demapan had the floor under privilege. Representative Demapan, would you like to proceed or do you yield?

Representative Angel A. Demapan: I yield, Mr. Speaker. Thank you.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative Demapan. Back to you Chairman Manglona.

Representative Donald M. Manglona: Thank you, Mr. Speaker. I believe I made a motion to – I'm not sure. I think it was seconded?

Speaker Edmund Joseph S. Villagomez: No it wasn't seconded.

Representative Donald M. Manglona: Okay, then I'll just restate the motion.

Speaker Edmund Joseph S. Villagomez: Okay.

Representative Donald M. Manglona: Thank you, Mr. Speaker and colleagues at this time, I would like to make a motion to override Section 601 of the Governor's Communication 22-80 regarding the fiscal year 2022 Budget Act to override the line-item veto on Section 601.

*The motion was seconded.*

Speaker Edmund Joseph S. Villagomez: A motion has been made by Representative Donald Manglona to override Section 601 of Public Law 22-08. To override the veto. Thank you for that clarification. Section 601 of Public Law 22-08 and has been seconded. Discussion? Recognize Representative Leila Staffler.

Representative Leila Haveia F.C. Staffler: Thank you, Speaker and thank you colleagues for allowing me to state one of the reasons why we would like to override this veto, the current statute Title 1, Division 8 from 8221 to 8223; pretty much authorizes the Governor, Lieutenant Governor, Senate President and Speaker to obtain government houses for private residents. In Section 2223. It states that the Personnel Office shall designate houses for permanent residents for the four positions, which we all know to be at least for the Governor and Lieutenant

Governor, the houses that exist here on Capitol Hill. I think it's 1335 for the Lieutenant Governor's house and I don't know the number of the Governor's house, but it is the one that is behind the Homeland Security area. We know these houses has been designated for years and years. They were last used, I believe in – what Administration in the nineties and so they have been existent. Those have been the designated houses that we all as a community know to be the official housing. Within the statute it does not say anywhere that the utility bills shall be paid in lieu of government housing not being available. In fact, I would go so far as to say that the Department of Finance practice of authorizing utility payments for not just one as the JGO hearings have shown us, but several residences of the Governor alone and none of these charges have been authorized by law and should cease immediately and that is one of the main reasons that we proposed to override that veto. Thank you.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative Staffler. Floor is still open. Recognize Representative Sheila Babauta.

Representative Sheila Therese J. Babauta: Thank you, Mr. Speaker. Colleagues, I think it's important for us and for the viewing public to read into the record what language is being vetoed. And so, for members of the viewing public Section 601, “utilities” is what we are discussing right now because it has been line item vetoed by the Governor. And it reads, “The amount appropriated for the payment of utilities shall not be reprogrammed nor shall other appropriations be reprogrammed for the payment of utilities, except for the purpose of covering increased utility costs due to rate increases, notwithstanding any provision of law to the contrary funds that are appropriated by this act or any subsequent amendments shall not be used or reprogram to pay for the utilities of any elected officials, including but not limited to any utility expenses incurred at a private or official residence for purposes of this section, utilities does not include the expenses of elected officials incurred by reason of traveling or working on official business, outside the respective home senatorial district.” So members that's the exact language that is being line item vetoed by our Governor. We did feel as a body that this language was important to include in our budget law because of, well, everything that Rep. Leila just stated for the record and I think it would be irresponsible of us not to acknowledge the abuse of public funds when it comes to paying for utilities that the JGO Committee has uncovered under Chairwoman Celina Babauta's leadership. And so, because the Governor's reason for line item vetoing this language was, you know, basically because it's been done in the past and the housing units on Capitol Hill are not in living condition. We believe that is not reason enough to continue this kind of abuse and so members, I do ask for your support, I support overriding this veto. I think this language is important to include in our budget bill. We can model responsible governance, we can model accountability, and we can also, you know, modeling learning from what was uncovered in the JGO Committee. And so with that, Mr. Speaker, I do support override of this line item veto, Section 601 under “utilities.” Thank you, Mr. Speaker.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative Sheila Babauta. I now recognize Representative Ed Propst.

Representative Edwin K. Propst: Thank you, Mr. Speaker. Thank you, colleagues, for allowing me to comment on this. I just wanted to ask Mr. Speaker, it says here this is authorized for the Governor and Lieutenant Governor and the Presiding Officers of the Legislature, which you are as our Speaker one of those Presiding Officers, Mr. Speaker may ask you, and I apologize if I put you on the spot, but have you taken advantages? Are you paying for your own utilities?

Speaker Edmund Joseph S. Villagomez: Yes.

Representative Edwin K. Propst: Okay. Thank you, Mr. Speaker. And I want to thank you for that because if I'm – correct me if I'm wrong, but I believe all of us have the same salaries. Is that correct? And you are our Speaker yet you make the same as we do. So, with that said, essentially my dear colleagues, our salaries are one-fourth of what our Governor makes. He makes \$120,000.00. We make barely over \$30,000.00 and I know many of you when we discuss our power bills are struggling. I'm one of them. I'm religiously in the evenings, early mornings going around and turning off things and everything because we got four kids and they tend to leave things on and it freaks me out. We try to keep our power bill at \$400.00, but with the increasing rates, it's difficult. So there is that struggle, but we have seen, and we can't turn a blind eye to that. This is not you know that the Governor's getting these types of bills. We have seen some bills that are as high as \$16,000.00 in one month, \$7,000.00, \$9,000.00, \$13,000.00. These are quite high. I also wanted to comment that we do know from our documents that the Governor also has run a commercial piggery. Now I'm sure the previous Governors, I don't know, you could correct me on this, but I don't think they had a private business on their own private property and it seems unfair that our constituents, our rate payers, our taxpayers would have to continue to pay for that. We do know that the piggery has existed since November of 2015 at least and in February of 2016, they had at least 140 pigs and two of the three septic tanks were overflowing because, I guess there was too many pigs or whatever into the stream. This was one of the concerns about it, but nonetheless, it is a commercial piggery and it has operated for those many years. We were in dire straits right now. Not only do we always hear that we need to think of revenue generating bills. It's like all the weight is on us as if we're going to somehow come up with all the ideas to this, which is really difficult in this COVID era, but we do realize that we also have to make some cuts. Colleagues, I don't know how much more we could cut our salaries. I think if we did anymore how would we even be able to support our own families. We we have made tremendous sacrifices. I believe it is not asking too much if the Governor and Lieutenant Governor also do the same. So, I appeal to you in considering this override and I thank you again, my dear colleagues for allowing me to speak on this. Thank you.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative Propst. Floor is still open. I recognize Representative Richard Lizama.

Representative Richard T. Lizama: Thank you, Speaker and my colleagues. I just want to point out, because I like what Rep. Propst was saying. I've been in the military for 22 years and I've never seen anyone given utility allowances. There's no such thing. When you look at this government with the ability to have, what do you call it? High amount of utility usage. Then let's talk about limitation. Shall we come up with allowances limited to a certain amount? We don't have that. So, the best thing for us to do now is to protect and we need to override this bill. Just keep in mind. Thousands and thousands of dollars every month that's not just the residential usage. Think about it. Average, there's no such unlimited usage of power or electricity. So, with this, we'd like to override it and I hope that you guys support it. Thank you.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative Lizama. The floor is still open. Recognize Representative Corina Magofna. Rep. Magofna hold on real quick. Representative Magofna, I apologize. We're having technical difficulties. We'll take a short recess.

*The House recessed at 11:38 a.m.*

*RECESS*

*The House reconvened at 11:38 a.m.*

Representative Corina L. Magofna: Languages aside, I would like to appeal to my fellow colleagues from a different angle and we all understand that that has been, you know, perhaps that was the business practice of paying the utilities in lieu of the housing and so just because it was done that way in the past, it doesn't necessarily mean that it's the right thing. Right? As our law states, there's actually nothing on there that says that, that practice is allowed. And so, we have to find a better way to go about if that's what we would like to give to our Governor and the other officials, that's fine, but let's make it reasonable. Okay for our people. So, I would like to respectfully ask our colleagues, I would like to ask you guys, what does your conscience say? What does your principal say about this practice? You know? And I hope that we would come to a compromise, resolution about this and just for the time being, I asked that you support this override with regards to the payment of the Governor's utilities. Thank you.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative Magofna. Any other member? Floor is still open. We ready?

*Several members voiced "ready."*

Speaker Edmund Joseph S. Villagomez: Anybody see where the Floor Leader went? I'll call for a quick recess.

*The House recessed at 11:40 a.m.*

*RECESS*

*The House reconvened at 11:40 a.m.*

Speaker Edmund Joseph S. Villagomez: All right, members we're back to session. Before we went on recess the floor was still open for discussion and if there's no other member, I'd like to recognize the Clerk to call the roll. And the number is 14 for this override of this line-item veto to pass. So Clerk.

*The Clerk called the roll on motion to override the Governor's line-item veto on Section 601, lines 3 to 10 on page 16 with the following results:*

Representative Roy Christopher A. Ada	no
Representative Blas Jonathan "BJ" T. Attao	no
Representative Celina R. Babauta	yes
Representative Sheila Therese J. Babauta	yes
Representative Joel C. Camacho	no
Representative Vicente C. Camacho	yes
Representative Angel A. Demapan	no
Representative Joseph A. Flores	no
Representative Joseph Leepan T. Guerrero	no
Representative Richard T. Lizama	yes
Representative Corina L. Magofna	yes

Representative Donald M. Manglona	yes
Representative Edwin K. Propst	yes
Representative Christina Marie E. Sablan	absent ( <i>excused</i> )
Representative John Paul P. Sablan	no
Representative Patrick H. San Nicolas	no
Representative Leila Haveia F. C. Staffler	yes
Representative Denita K. Yangetmai	yes
Representative Ralph N. Yumul	yes
Speaker Edmund Joseph S. Villagomez	yes

House Clerk Linda B. Muña: Mr. Speaker, 11 members voted “yes,” 8 members voted “no” and 1 member is absent.

Speaker Edmund Joseph S. Villagomez: Thank you, Clerk. With 11 voting “yes” and 8 voting “no” and 1 member is absent, the override for this line-item veto is unsuccessful, it does not pass. I now recognize Representative Donald Manglona.

*Due to technical difficulties, the Chair called for a short recess.*

*The House recessed at 11:43 a.m.*

**RECESS**

*The House reconvened at 11:44 a.m.*

Speaker Edmund Joseph S. Villagomez: Members we’ll rise back to session and before we went on recess Chairman Donald Manglona had the floor. I now recognize Chairman Manglona.

Representative Donald M. Manglona: Thank you again, Mr. Speaker. At this time, I move to override the Governor's line-item veto on Section 704 (c) and this would be the \$50,000.00 that was set aside for the feasibility study and the casino gaming industry.

*The motion was seconded.*

Speaker Edmund Joseph S. Villagomez: Again, thank you, Representative Manglona. A motion has been made to override the line item veto Section 704 (c) of Public Law 22-8 and has been seconded. Discussion on the floor. Recognize Representative Sheila Babauta.

Representative Sheila Therese J. Babauta: Thank you, Mr. Speaker. Again, I think it's important for the viewing public and for us to really go through the language that was vetoed. And so, I would like to read into the record that “Section 704 (c) does state of the funds appropriated to the Office of Planning and Development, Operations, Business Unit 1022, \$50,000.00 shall be used to fund a market feasibility study and the casino gaming industry in the Commonwealth not later than 180 days after the enactment of this act, the Executive Director of the Office of Planning and Development shall make public and submit to the legislature a report on the market potential and appropriate legal and regulatory structure necessary for a well-managed casino gaming industry that is suitable for the Commonwealth’s long-term development goals. No fewer than three markets scenarios shall be presented in the final report. The Executive Director shall contracts with a qualified professional firm to conduct the study, which shall include, but not be limited to an assessment of the current and potential size of the gaming market. A review of the

current legal and regulatory framework, including taxes and fees, licensed structure and recommendations for reform and community engagement and stakeholder consultations to assess public sentiment toward the industry, evaluate social and economic impacts and propose mitigation options that may be considered to address negative impacts.” Colleagues, I completely support overriding this veto as stated earlier by Representative Ed Propst, who is the Chairman of the Gaming Committee, OPD does have the authority to conduct these studies, which is the main reason the Governor used to veto this language. And so, if OPD does have the authority \$50,000 to conduct a study, I think is a small amount to pay to find this information that would be helpful to our community and decision-makers can we afford not to, I think this study should already be available to us and if it was, we wouldn't be in the situation we are right now. And so, with that, Mr. Speaker, colleagues, I support overriding this veto and I encourage you to support it as well. Thank you, Mr. Speaker.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative Sheila Babauta. The floor is still open. Recognized Representative John Paul Sablan.

Representative John Paul P. Sablan: Thank you, Mr. Speaker. And as we all know the Office of Planning and Development has the powers to conduct a feasibility studies for any programs or industries that we have here in the Commonwealth, but I think it's only prudent that we allow the Chairman of Ways and Means to kind of enlighten the viewing public and also this august body how did we came about with the \$50,000.00? I know that this provision is a product of the conferee committee, but did we get any communication from OPD that a \$50,000.00 would be suffice to conduct a feasibility study on gaming? And if not, and if there's no communication, how do we came about with this amount? We don't want to be just throwing amounts here and there and if it's not going to really serve the purpose of conducting a feasibility study for whatever purpose this august body wishes to have. So, I think it's only prudent that our Chairman and our mover of this override gives this august body and the viewer public an explanation. Thank you.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative John Paul Sablan. Chairman Manglona care to – recognize Chairman Manglona.

Representative Donald M. Manglona: Thank you, Mr. Speaker. And thank you, Rep. JP for bringing this up. It wasn't actually the product of the conference committee, but it was in the initial bill that was introduced in the House this \$50,000 and as I stated earlier, the language came about – a discussion Rep. Tina Sablan had with OPD, and that they have mentioned to her that they have the capability to conduct this study. I believe the amount that was proposed was within the – I guess would be sufficient to conduct this study. And you know, as stated, you know, whether if they need additional funding, then that's something that we can consider. There were several items on the bill that were vetoed in regards to funding, such as money that was set aside for Micronesian Legal Services, these are monies that we can reappropriate if this override become successful, then that's additional funds that we can provide OPD to fully fund this study should they need the additional funds, but that is some – it's a baseline amount that we set for all feasibility study to include the studies that we have proposed for the Department of Corrections and DPS, which I mean and Hopwood which were all approved in the budget. So, that's an amount we've set the standard for all feasibility studies and the others have been approved. It was just this portion, which the Governor had – his reasonings were just that it should be for the Commonwealth Casino Commission, but as the Chairman for Gaming had mentioned earlier that

part of the statute that created OPD listed the duties of the agency and so we again, felt that it should belong to OPD. I hope that answered your question, Rep. Sablan.

Speaker Edmund Joseph S. Villagomez: Recognize Representative John Paul Sablan.

Representative John Paul P. Sablan: Thank you, Mr. Speaker and thank you, Chairman Donald for the explanation. I just wanted to state for the record that according to your statement that there was no communication from OPD with regards to the amount, but that you have spoken to Rep. Tina and she has spoken with OPD and that's where we came about with that. I just want that to state that for the record. Thank you.

Speaker Edmund Joseph S. Villagomez: Thank you. Representative John Paul Sablan. I recognized Representative Ed Propst then Representative Celina.

Representative Edwin K. Propst: Thank you. If I may add to Rep. John Paul Sablan's question if it's okay. I was told from a Rep. Tina Sablan that there were, of course, as previously mentioned that there were contractors who had done this type of work. And the actual estimates that came back from different ones was between \$45,000.00 to \$55,000.00. Those were the estimates. And I think that's why the \$50,000 was brought in. So, I think that that is a pretty close figure and I'm pretty sure that they could work within that amount. Thank you, colleagues.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative Propst. Recognize Representatives Celina Babauta.

Representative Celina R. Babauta: Thank you, Mr. Speaker. I just want to add that OPD helped draft the language for this, so they are familiar and they are capable of doing these kinds of studies. They also reached out to other vendors and contractors who have done this work for other governments, such as the government of Laos Vietnam and that was the estimate that OPD according to the outreach they did to vendors and contractors that they came up with, it's anywhere between \$40,000 to \$50,000. In fact, most of the estimates that came in were well below \$50,000.00 and the cap would be at like at \$45,000.00. So, this amount is within reason to conduct this study. Thank you, Mr. Speaker.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative Celina Babauta. The floor is still open. Recognize Representative Ed Propst.

Representative Edwin K. Propst: I do want to also mention that OPD is actually under the Office of the Governor. Is that correct? Yes. Thank you. And I am surprised, there's a little bit of irony, here we are really lobbying for OPD to conduct this study and I would think it'd be the opposite, but it's not, it's a little bit strange, but I think that's because we have full faith in OPD. I know often we have our differences when it comes to partisan politics, but this is not one of them. This is something that we feel that they're they have qualified people at OPD and also that we have trust and faith that they will be able to find the right contractor for this type of work. I just wanted to add that. Thank you.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative Propst. Floor is still open, recognized Representative Leila Staffler.

Representative Leila Haveia F.C. Staffler: And just to clarify although Rep. Sablan is not here, she does have back and forth emails with OPD, and she spoke with the Director a few times over the phone, and they are the ones who sent her feasibility studies and scopes of work. So, OPD is fully aware and supports this language and this provision and so for those reasons, we ask for your support to help our community make a data-driven decision by looking at what is the actual numbers, so that we can really look at how to help our economy. I mean, that's one of our tasks all the time that's being sent down to us. This would be one of our ways to do that in a responsible and fiscally prudent way and so for that, please, we ask for your help to override this veto. Thank you.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative Leila Staffler. Recognize Representative Celina Babauta.

Representative Celina R. Babauta: Thank you, Mr. Speaker. I just want to add you know, this is something also I hope that those who are considering voting in the negative to consider that this is only for this fiscal year, it doesn't go beyond the fiscal year. So, I hope you take that into consideration when you vote. Thank you, Mr. Speaker and I'm ready to vote.

Speaker Edmund Joseph S. Villagomez: Thank you. I now recognize Representative John Paul Sablan.

Representative John Paul P. Sablan: Thank you, Mr. Speaker and I'm happy that a lot of our colleagues are chiming in, and I'm happy that a Rep. Staffler had mentioned that Tina had communication through emails. I just wish that moving forward emails such as this when we'd make decisions on override that it'd be shared with the rest of our colleagues so we can make that hardball decision. I understand that this is only for this fiscal year that's exactly my point. If it's only for this fiscal year, we might as well make the right amount so that we serve the purpose of what we're trying to do. Thank you.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative John Paul Sablan. Floor is still open. Recognize the Floor Leader.

Floor Leader Ralph N. Yumul: I'd like to know if anyone knows if this is going to be for the island of Saipan or does this include the island of Tinian and Rota, well because they have gaming in their islands. Does OPD including it everywhere?

Speaker Edmund Joseph S. Villagomez: I'd like to recognize the Chairman of Ways and Means.

Representative Donald M. Manglona: Yeah, it's the overall casino industry, feasibility study on the gaming industry in the Commonwealth. So, this would be a Commonwealth wide study.

Speaker Edmund Joseph S. Villagomez: Thank you, Chairman Manglona. Recognize Representative Sheila Babauta.

Representative Sheila Therese J. Babauta: Thank you, Mr. Speaker. I think since this feasibility study is going to include Saipan, Tinian, Rota, and you know, thank you Rep JP for bringing up your concern about \$50,000.00 whether that is enough or not, but given the facts that were shared on quotes that were provided and estimates of \$45,000.00 to \$55,000.00 this type of



work has already been done in countries, way bigger than ours. And so, you know, the data that's going to be used for this feasibility study. I think \$50,000.00 is appropriate. If not, I think we can cross that bridge when we get there. The point is we need to get started so that we don't see another Tinian Dynasty happen, so we don't see another IPI happen. I'm sure that we all get questions in the community as to what's going to happen to that building in Garapan and how it is such an eyesore. So, this feasibility study will really give us a bird's eye picture and include helpful information to guide us on our next steps. And so again, colleagues, \$50,000.00 is really a small price to pay for this kind of guidance. I see this as an investment in our economy, in our community, and I see this as, you know, the right action to take at this time. So again, I'm ready to vote. I support overriding this veto. Thank you, Mr. Speaker.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative Sheila Babauta. The floor is still open. Ready? All right, clerk, please call the roll. Recognized Vice Speaker Attao.

Vice Speaker Blas Jonathan “BJ” T. Attao: Thank you, Speaker and thank you colleagues. Sorry I know there are technical difficulties on this end, but I think it's important what Rep. Yumul brought up regarding the senatorial districts. So, we understand that the feasibility study is part of OPD responsibilities when it was created. And right now, the feasibility study would be based on what we currently have as in IPI, but we got to make sure that we state for the record that this feasibility studies also going to take care of the senatorial districts. As we all know that there's a bill that's been introduced already in the Senate to remove the salaries of the Rota Gaming Commission and we don't have a commission in the third senatorial district, but Tinian does also have a commission. So, I believe that this visibility study should at least for the record in today's session should also include the senatorial districts because it separates the CNMI and the senatorial districts. So for the record, I wanted to state that, that we would also include the senatorial districts. Again, Rep. Yumul had just introduced a legislation to consider localizing the casino within the third senatorial districts. With that, I yield Mr. Speaker and I'm ready to vote.

Speaker Edmund Joseph S. Villagomez: Thank you, Vice Speaker Attao. Before I move forward again, anybody on the floor? ready? Okay, Clerk, please call the roll.

*The Clerk called the roll on motion to override the Governor's line-item veto on Section 704 (c), lines 8 to 21 on page 21 with the following results:*

Representative Roy Christopher A. Ada	absent ( <i>during voting</i> )
Representative Blas Jonathan “BJ” T. Attao	yes
Representative Celina R. Babauta	yes
Representative Sheila Therese J. Babauta	yes
Representative Joel C. Camacho	yes
Representative Vicente C. Camacho	yes
Representative Angel A. Demapan	no
Representative Joseph A. Flores	yes
Representative Joseph Leepan T. Guerrero	no
Representative Richard T. Lizama	yes
Representative Corina L. Magofna	yes
Representative Donald M. Manglona	yes
Representative Edwin K. Propst	yes
Representative Christina Marie E. Sablan	absent ( <i>excused</i> )
Representative John Paul P. Sablan	yes
Representative Patrick H. San Nicolas	no
Representative Leila Haveia F. C. Staffler	yes
Representative Denita K. Yangetmai	yes

Representative Ralph N. Yumul	yes
Speaker Edmund Joseph S. Villagomez	yes

House Clerk Linda B. Muña: Mr. Speaker, 15 members voted “yes,” 3 members voted “no” and 2 members are absent.

Speaker Edmund Joseph S. Villagomez: Thank you, Clerk. With 15 members voting “yes,” Section 704 (c), the override for this line-item veto hereby passes the House. I now recognize Representative Donald Manglona.

Representative Donald M. Manglona: Thank you, Mr. Speaker and thank you colleagues. The next provision I would like to override is a Section 802 (d). And so, I hereby move to override Section 802 (d) of Public Law 22-08.

*The motion was seconded.*

Speaker Edmund Joseph S. Villagomez: A motion has been made by Representative Donald Manglona to override the line item veto under Section 802 (d) of Public Law 22-08 and has been seconded. Discussion on the floor. Recognize Representative Sheila Babauta.

Representative Sheila Therese J. Babauta: Thank you, Mr. Speaker. Colleagues and the viewing public, again, I believe it's very important that we read into the record and really inform our audience, what we're talking about. And so, for the record, 804 (d) does cover the American Rescue Plan Act and the language is as follows absent legislative consent in the form of a House Joint Resolution. The Governor shall make no changes to the allocations of outside source funds and the American Rescue Plan Act (ARPA) spending plan as reflected in Schedule B and as set forth in volume four of the Governor's annual budget submission of April 2021 and amended in July 2021 that may directly or indirectly affect the appropriations made herein. Provided however, the expenditure authorities of all branches, municipalities, departments, agencies, instrumentalities, and offices to which ARPA funds are allocated may reprogram ARPA funds allocated for personnel expenses to non-personnel expenses in accordance with the CNMI Planning and Budgeting Act set forth in Title 1, Section 7402 of the Commonwealth Code. In the event of any discrepancies or conflicts between Schedule A and Schedule B, Schedule A shall govern with respect to general fund slash non-federal appropriations. So colleagues and the viewing public, that is the language that we are debating right now that is up for discussion and I support overriding this line item veto because we used the Governor's ARPA spending plan to direct how we funded these agencies and organizations, municipalities, the branches. We use the ARPA funding spending plan to guide how we allocated local funds. And if changes were to be made from the ARPA spending plan, how would we know if agencies are appropriately funded? I know that in the Governor's veto description, he does say that it would delay efficient processes already in place and I believe that if we were to approve any changes in the ARPA spending plan through the form of a house joint resolution, this body and the Senate would act accordingly. I do have faith that the bodies would be able to pass a house joint resolution swiftly, if it were to impact our government employees and the services that we provide to our people, colleagues, if we do not override this language, I believe that there really is no power of the purse in the House of Representatives. We use the spending plan to guide how we funded local agencies. Now, if \$4 Million was given to DPS and that were moved to another agency, then that would mean we would ultimately be underfunding a department without even knowing that our government employees are suffering from the lack of resources. So with that reason, I am ready to vote. I

support overriding this line-item veto and I encourage you colleagues to do the same. Thank you, Mr. Speaker.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative Sheila about the floor is still open. Recognized Representative Leila Staffler.

Representative Leila Haveia F.C. Staffler: Thank you, Mr. Speaker. And thank you colleagues for indulging. I just want to reiterate what colleague Babauta was saying in that, one of the main reasons, again, that we put this provision in was to protect the departments overall because all of the major decisions that we made with the local spending was determined on what ARPA funding was also given to them in particular to throw out the scholarship office. I know that was a main concern among, you know, our colleagues that they would be possibly underfunded, but one of the reasons why we chose to move the funds around was that the ARPA funding that was given to them originally actually was more than what they asked for during the budget requests and to protect them with this or to have this provision will protect their office and every other one that is relying on the ARPA funding to ensure that they have the enough funds for operations and so to protect all agencies and the workers that are doing the good work for the people we ask that you support this budget override. Thank you.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative Staffler. Floor is still open. We're ready? Recognize Representative Celina Babauta.

Representative Celina R. Babauta: Thank you, Mr. Speaker and colleagues. I just wanted to say that this provision simply protects government agencies in carrying out their priorities to improve their departments and their services to the general public. By now agencies have received word, of course, that there's ARPA funding available to help them and they've already probably laid out their spending priorities based on the promises of the Governor with respect to how much ARPA funds they will be distributed – that will be distributed to the departments. And this is why the House of Representatives, all of us included need to start acting like a separate branch of the government. I've said this before, the House of Representatives *raison d'être* is to control the government's purse, their existence. And one of their main duties is to do so. And, you know, look at it from this point of view, the Governor submitted his proposal and in this proposal is included these ARPA funds on Volume IV, and we are simply protecting that. We're not changing anything. We're simply protecting his promises to the departments to improve the services, to hire the personnel they need to be more efficient in our government. So why now did he veto this administrative provision? What does that tell us? Representative Joel Camacho, you have stated in the past that you have great concern for the Scholarship Office and we agree. So, we spoke with the Administrator Ms. Sablan-Camacho, and she has assured us the Ways and Means Committee that she was content with what she has, because most of her funding came from ARPA funds and in fact there will be an increase to the students who are eligible to receive. This provision, simply protects that. So, I hope we gain your support on that. *Lokkue eyi i \$10 Million ni para i MRI ni ma nisisita guini gi ospitát-ta nai, hafa na garentia guaha ni para hu ma chule ayu na salape ta'lo nai ya pao ma sietbe gi otro banda.* I have also received information from the mayor of sideband that he was assured \$4 Million Dollars *lao disdi pa'go ti ha resi'sibe eyu na salape ginen i ARPA ya prisisu eyu para i distritu guini giya Saipan* and additionally, an argument to support this override is that the Governor continually renews the reprogramming authority of the Secretary of Finance. This administrative provision protects the departments from that and as recently as October 26, just two days ago, *munge memo i gobietno*

*na guiya solu siña ma preba hayi nuebo pao fan ma hire under ARPA funds. That restricts the departments significantly sa tenga man ma gotde kanai niha ni para pao fan hire taotao ni siha mismo tumungo I departamento nai siha tumungo hayi pao ma hire sa guiya siha man mu handle enao na departamento and I hope we can work on this and overwrite this sa prisisu este na provision para i departamento yan para i pupbliku. Thank you, Mr. Speaker and I'm ready to vote.*

Speaker Edmund Joseph S. Villagomez: Thank you. Representative Celina. Any further? Recognize Vice Speaker Attao.

Vice Speaker Blas Jonathan “BJ” T. Attao: My apologies, Speak. Just a quick question, I guess, to the Chairman of Ways and Means or members of the Ways and Means Committee have the committee received or requested from the Department of Finance or OMB of any reprogramming of funds that had transpired in the last three months or in this current month that we're facing right now?

Speaker Edmund Joseph S. Villagomez: Recognize Chairman Manglona.

Representative Donald M. Manglona: Vice Speaker, we have not received any reports, but from the last quarter, I believe they have until next month to submit their quarterly report.

Vice Speaker Blas Jonathan “BJ” T. Attao: Okay. Thank you, Chairman. Thank you, Speak. How about anything that's come to the Committee of Ways and Means regarding specific employees within the government that were furloughed and brought back prior to the ARPA funds that are being funded under a different account today in this fiscal year.

Representative Donald M. Manglona: Vice Speaker, we have not received any communication from the Administration or Secretary of Finance from my understanding to my office. We have not received anything within the past month.

Vice Speaker Blas Jonathan “BJ” T. Attao: Okay. Yeah. Because I mean, Chair sorry, is it okay?

Speaker Edmund Joseph S. Villagomez: Yeah, you have the floor.

Vice Speaker Blas Jonathan “BJ” T. Attao: Chair Celina Babauta, brought up a point regarding the reprogramming authority that's been given to the Secretary of Finance and also regarding the general funds as Dave did from last fiscal year, so the Governor's kind of extending that on a monthly basis or as needed. And those are reflective of the general fund. And we all know that the 30%, although the Administration to have reprogramming authority within the executive branch. So, I think, you know, I don't know if we can say it's premature right now to determine what's been reprogrammed. I understand the intent of the override and I respect that, but one of the things that we need to understand first is are we trying to – or are we trying to comingle the general fund with the ARPA funds? I understand that the ARPA spending PLAN was utilized in, in coming up with a budget that was going to be proposed to the body for adoption and we did that and I believe that some of the line-item veto that the Governor presented, I think it's also cognizant for us to look at least the first quarter before we move on. We can always amend the budget. We can always add other languages to the budget henceforward, but you know, whether we override this today or not or even if the Senate is going to act on the override, if we do

override it today. So I just wanted to put that out a Speaker and a Chair. Thank you for answering the question. I think it'd be important to have those information at the very least before we act on this override, because we can still do amendments to the budget if we don't happen to overwrite today. Thank you, Mr. Speaker and members.

Speaker Edmund Joseph S. Villagomez: Thank you, Mr. Vice Speaker. Representative Manglona you have anything to add? Recognize.

Representative Donald M. Manglona: Thank you, Speaker and thank you Vice for your comment. I understand your reasoning behind this, but you know, this was one of the contentions that we discussed in the conference committee to ensure that, you know, these agencies are properly funded, whether it may be premature to determine that you know, that could easily be rectified as you stated by amending the budget bill, but at this time in order to keep the true intention of how this provision came about we feel that, you know, whether it, it pass it, whether the override passage here in the house or not and if it does, whether it passes the Senate or not we can still come back and amend the budget bill. But in the meantime, you know, like as I've stated, the original intention was to ensure that none of these funds are moved around. The compromise was we accepted the Governor's version, his spending plan to us as well as to the US Treasury. As I've stated earlier one of the Governor's message indicated that they spent a lot of time making changes to the Volume IV between the April and July submission. So, I believe that's more than enough time for the government to really lay out how he would like to spend these monies. In addition, members and colleagues, there's already reporting set in place. OPA is monitoring all these funds. This isn't just another way to safeguard all the monies that have been allocated for the different agencies. I'd hate to hear that you know, a month from now, we find out that CHCC is short by \$5 Million because they use that money to fund something else that wasn't approved or that you know, the Medical Referral patients aren't receiving their stipends, the MRI machine as a Chairman Babauta has stated hasn't been purchased or no bids have gone out for that. So all of this, the committee to continue to consideration and have worked with the Senate you know and that's why I'd have to assume that that's one of the main reasons why the conference committee went as smoothly as it did, because we worked together with the Senate to ensure that the language we wanted in this bill was adopted. With the Senate version, they added another section to this provision, but we agreed to take that out and that was what came out as a product of the conference committee. And so, with that members and colleagues, you know, when we look towards the next budget hearings next year some of these money these ARPA monies won't be available. So, when we make our decisions next year as well while still being in a current fiscal year, these are some of the challenges that we're going to face and to determine whether these ARPA funds were really used for their intended purposes and how can we allocate funding for these agencies come fiscal year 2023. And so, you know, thank you for your time colleagues. I really hope that you consider the proposals that we've presented to you guys and, you know whether this gets approved here or not come next month when we do get a report and I present to you guys w any reallocation or reappropriation that we can also consider possibly amending this public law further. So again, thank you, Mr. Speaker again, thank you, Vice for your comments.

Speaker Edmund Joseph S. Villagomez: Thank you, Chairman Manglona. Any further? Ready? Okay. Clerk. We'll try this again. Call the roll.

*The Clerk called the roll on motion to override the Governor's line-item veto on Section 802 (d), lines 8 to 19 on page 32 with the following results:*

Representative Roy Christopher A. Ada	no
Representative Blas Jonathan “BJ” T. Attao	no
Representative Celina R. Babauta	yes
Representative Sheila Therese J. Babauta	yes
Representative Ivan A. Blanco	yes
Representative Joel C. Camacho	no
Representative Vicente C. Camacho	yes
Representative Angel A. Demapan	no
Representative Joseph A. Flores	no
Representative Joseph Leepan T. Guerrero	no
Representative Richard T. Lizama	yes
Representative Donald M. Manglona	yes
Representative Edwin K. Propst	yes
Representative Christina Marie E. Sablan	absent ( <i>excused</i> )
Representative John Paul P. Sablan	no
Representative Patrick H. San Nicolas	no
Representative Leila Haveia F. C. Staffler	yes
Representative Denita K. Yangetmai	yes
Representative Ralph N. Yumul	yes
Speaker Edmund Joseph S. Villagomez	yes

House Clerk Linda B. Muña: Mr. Speaker, 11 members voted “yes,” 8 members voted “no” and 1 member is absent.

Speaker Edmund Joseph S. Villagomez: Thank you, Clerk. With 11 voting “yes,” 8 voting “no” and 1 absent; the override of their line-item veto does not pass the House. Thank you, members. Alright, we're still under Messages from the Governor. The floor is still open for discussion on any of the communications. Ready?

*There was no further discussion; the Chair directed the members to item VII, Senate Communications and recognized the Clerk.*

## **SENATE COMMUNICATIONS**

*The Clerk announced the following Senate Communications:*

SEN. COMM. 22-56: (10/6/2021) Transmitting a certified copy of Senate Resolution No. 22-11, entitled, “*To recognize and commend Command Sergeant Major Dolores Pangelinan Kiyoshi for her distinguishable years of patriotic service and sacrifice for our country as a member of the United States Army.*”, which was adopted by the Senate on October 1, 2021. [*For info*]

SEN. COMM. 22-57: (10/18/2021) Transmitting for House action S. B. NO. 22-04, SD1, entitled, “*To amend 2 CMC § 3551 to change the expenditure authority, management, and control of the solid waste sub-accounts for the First and Second Senatorial Districts to the mayor of each respective municipality; and for other purposes.*”, which was passed by the Senate on October 15, 2021. [*For action*]

SEN. COMM. 22-58: (10/25/2021) Transmitting for House action S. B. NO. 22-57, entitled, “*To amend 4 CMC § 4205 to remove the daily penalty fees imposed on late filing*”

*of annual reports; and for other purposes.*”, which was passed by the Senate on October 22, 2021. [**For action**]

SEN. COMM. 22-59: (10/25/2021) Transmitting for House action S. B. NO. 22-59, entitled, “*To rename the Tinian Head Start/Early Head Start Center the “Magdalena M. Hofschneider Head Start/Early Head Start Center”*”; and for other purposes.”, which was passed by the Senate on October 22, 2021. [**For action**]

SEN. COMM. 22-60: (10/25/2021) Transmitting for House action S. B. NO. 22-60, entitled, “*To rename the Tinian International Airport as the “Francisco M. Borja International Airport”*”; and for other purposes.”, which was passed by the Senate on October 22, 2021. [**For action**]

*The Chair recognized the Floor Leader.*

*The Floor Leader made a motion to accept Senate Communications 22-56 to 22-60 so they may become property of the House.*

*The motion was seconded.*

*There was no discussion and the motion to accept Senate Communications 22-56 to 22-60 so they may become property of the House was carried by voice vote. There was no “nay” vote.*

*The Chair referred the following Senate Communications accordingly:*

- *Senate Communication 22-57 (S.B. 22-04, SD1) referred to Judiciary and Governmental Operations*
- *Senate Communication 22-58 (S.B. 22-57) referred to Commerce and Tourism*
- *Senate Communication 22-59 (S.B. 22-59) referred to Judiciary and Governmental Operations and Education*
- *Senate Communication 22-60 (S.B. 22-60) referred to Judiciary and Governmental Operations*

*The Chair directed the members to item VIII, House Communications and recognized the Clerk.*

## **HOUSE COMMUNICATIONS**

*The Clerk announced the following House Communications:*

HSE. COMM. 22-37: (9/30/2021) From Representative Celina R. Babauta, House Chair JGO, to the Attorney General and the Public Auditor re: *Requests formal action associated with Commissioners of the Commonwealth Casino Commission violating 1 CMC §8392 “double dipping” retirement benefits.* [**For info**]

HSE. COMM. 22-38: (8/2/2021 received 10/21/2021) From Representative Celina R. Babauta informing the Speaker that she will be off-island beginning October 30, 2021 until approximately November 9, 2021 and request to be excused from any and all

official functions or sessions during her absence; in addition, Representative Attao shall serve as Acting Chairperson of the House Committee on Judiciary and Governmental Operations until her return. [*For info*]

HSE. COMM. 22-39: (10/21/2021) From Representative Christina M.E. Sablan informing the Speaker that she will be out of the Commonwealth on family medical leave beginning October 21, 2021, and request to be excused from any and all scheduled meetings or sessions. [*For info*]

*There was no discussion; the Chair directed the members to item IX, Communications from the Judicial Branch and recognized the Clerk.*

### **COMMUNICATIONS FROM THE JUDICIAL BRANCH**

*The Clerk announced the following Communications from the Judicial Branch:*

JUD. BR. COMM. 22-4: (10/12/2021) From Chief Justice Alexandro C. Castro to the Speaker submitting: *Proposed NMI Rules for Electronic Filing and Service*. [*Submitted 10/12/2021; Deadline 12/11/2021*]

JUD. BR. COMM. 22-5: (10/13/2021 received 10/14/2021) From Chief Justice Alexandro C. Castro to the Speaker submitting: *Proposed NMI Rules of Alternative Dispute Resolution*. [*Submitted 10/13/2021 House received 10/14/2021; Deadline 12/13/2021*]

*The Chair referred Judicial Branch Communications 22-4 & 22-5 to the Committee on Judiciary and Governmental Operations.*

*There was no discussion; the Chair directed the members to item X, Communications from Departments & Agencies and recognized the Clerk.*

### **COMMUNICATIONS FROM DEPARTMENTS & AGENCIES**

*The Clerk announced the following Communications from Department & Agencies:*

DEPT./AGCY. COMM. 22-28: (10/7/2021) From the Department of Public Works (DPW) submitting *FY 2021 Citizen-Centric Report*. [*For info*]

*There was no discussion; the Chair directed the members to item XI, Miscellaneous Communications and recognized the Clerk.*

### **MISCELLANEOUS COMMUNICATIONS**

*The Clerk announced the following Miscellaneous Communications:*

MISC. COMM. 22-69: (10/4/2021) From the Mayor of Saipan re: *Requests appropriation of funds from the Sixth-Year Casino License Fee—Third Senatorial District*. [*For info*]



MISC. COMM. 22-70: (10/5/2021) From the NMI Museum re: *Requests \$695,000 supplemental funding to address emergency repairs and maintenance.* [For info]

MISC. COMM. 22-71: (10/13/2021) From MP Holdings LLC staff representatives re: *Withdrawing ethics complaint against Representative Ralph N. Yumul.* [For info]

MISC. COMM. 22-72: (10/6/2021) From the Pacific Islands Development Bank (PIDB) re: *2020 Annual Report of the Pacific Islands Development Bank (PIDB or Bank) (Includes overview of operations and financial performance for the year to include 2020 independent audit report.* [For info]

*The Chair referred Miscellaneous Communications 22-69, 22-70, 22-72 to the Committee on Ways and Means.*

*There was no discussion; the Chair directed the members to item XII, Reports of Standing Committees and recognized the Clerk.*

### **REPORTS OF STANDING COMMITTEES**

*The Clerk announced that there are 3 standing committee reports ready for action.*

*The Chair recognized the Floor Leader.*

*The Floor Leader made a motion to adopt the following Standing Committee Report:*

**S. C. R. NO. 22-29:** Reporting on H. B. No. 22-15 entitled: “To establish the Foster Care Sponsorship Program under the Department of Community and Cultural Affairs Division of Youth Services; and for other purposes.” *Your House Committee on Health and Welfare recommends that the House pass H. B. No. 22-15 in its current form.*

*The motion was seconded.*

*There was no discussion and the motion to adopt Standing Committee Report 22-29 was carried by voice vote. There was no “nay” vote.*

*The Chair recognized the Floor Leader.*

*The Floor Leader made a motion to adopt the following Standing Committee Report:*

**S. C. R. NO. 22-30:** Reporting on H. B. No. 22-53 entitled: “To appropriate funds for the Commonwealth Medicaid Agency to ensure that federal appropriated and awarded funds may be expended for program administration, reimbursements to medical providers, and for compliance and Medicaid enterprise systems and further enable recruitment, retention, and appropriate classification and compensation of personnel.” *Your House Committee on Health and Welfare recommends that the House pass the bill in the form of H. B. NO. 22- 53, HSI.*

*The motion was seconded.*

*There was no discussion and the motion to adopt Standing Committee Report 22-30 was carried by voice vote. There was no “nay” vote.*

*The Chair recognized the Floor Leader.*

*The Floor Leader made a motion to adopt the following Standing Committee Report:*

**S. C. R. NO. 22-31:** Reporting on H. B. No. 22-55 entitled: “To amend 4 CMC §5526 to establish a separate license for online sales of alcoholic beverages.” *Your House Committee on Commerce and Tourism recommends that the House pass the bill in the form of H. B. NO. 22-55, HSI.*

*The motion was seconded.*

*There was no discussion and the motion to adopt Standing Committee Report 22-31 was carried by voice vote. There was no “nay” vote.*

*The Chair recognized the Floor Leader.*

*The Chair directed the members to item XV, Resolution Calendar and recognized the Floor Leader.*

## **REPORTS OF SPECIAL AND CONFERENCE COMMITTEES**

None

## **UNFINISHED BUSINESS**

None

## **RESOLUTION CALENDAR**

*The Floor Leader made a motion to adopt the following resolution:*

### **H. RES. NO. 22-12**

To honor and commend the CNMI Wildland Fire Crew 36 for their courageous actions and sacrifices in fighting the California wildfires.

*The motion was seconded.*

*There was no discussion and the motion to adopt House Resolution 22-12 was carried by voice vote. There was no “nay” vote.*

*The Chair recognized the Floor Leader.*

*The Floor Leader made a motion to adopt the following resolution:*

### **H. J. R. NO. 22-11**

A House Joint Resolution to condemn the Government of Japan’s decision to dump nuclear waste into the Pacific Ocean, oppose any other government’s actions related to nuclear testing, storage, and waste disposal in the Pacific, and reaffirm everyone’s fundamental right to a safe and healthy living environment.

*The motion was seconded.*

*Under discussion; the Chair recognized Representative Sheila Therese J. Babauta.*

*Representative Sheila Therese J. Babauta offered the following floor amendment:*

**Floor Amendment**

**To: House Joint Resolution No. 22-11**

**Offered By: Representative Sheila J. Babauta**

**AMENDMENT:**

House Joint Resolution No. 22-11 is hereby substituted with House Joint Resolution No. 22-11, House Substitute 1.

Consistent with the intent of the forgoing amendment(s), I hereby also move to allow the Legal Counsel together with the House Clerk to make further non-substantive technical amendments that are strictly necessary to effectuate the intent of this floor amendment prior to transmittal.

Date: October 29, 2021

Offered by: /s/ Rep. Sheila J. Babauta

Reviewed for Legal Sufficiency by:

/s/ Legal Counsel John B. Layde

**Twenty-Second Northern Marianas Commonwealth Legislature  
In the House of Representatives**

September 23, 2021

Second Regular Session, 2021

H. J. R. 22-11, HS1

**A HOUSE JOINT RESOLUTION**

To oppose any government’s actions related to nuclear testing, storage, and waste disposal in the Pacific, and reaffirm everyone’s fundamental right to a safe and healthy living environment.

**WHEREAS**, the Pacific Ocean is a resource and home for many in the Commonwealth, and in broader Oceania, who rely on it to provide food, economic subsistence, a means of travel, and so many other essential aspects of life that can easily be threatened by human activities such as pollution and nuclear exercises; and

**WHEREAS**, in April 2021, Japan’s government announced a decision to discharge over one million tons of nuclear waste that have undergone processing in the systems called ALPS into the Pacific Ocean. This decision has sparked outrage among the peoples of Oceania who have throughout history been disproportionately impacted by foreign powers’ nuclear activities within the Pacific region; and

**WHEREAS**, in 1979, the Government of Japan proposed a plan to dump approximately ten-thousand drums of low-level nuclear waste at a site north of the Commonwealth of the Northern Marianas Islands, despite not initially consulting government officials of the CNMI, Guam, or any other Pacific island nation; and

**WHEREAS**, a 1984 study titled “The Waste Bin: Nuclear Waste Dumping and Storage in the Pacific”, published by James Branch on behalf of the Royal Swedish Academy of Sciences, recounts the aforementioned 1979 events of Japan planning

to dump nuclear waste near the CNMI and mentions that an independent review courtesy of Dr. W. Jackson Davis (Univ. of California) “documented serious weaknesses in the Japanese safety assessment”; and

**WHEREAS**, These documented weaknesses led to more powerful coalitions within the Pacific pushing back against Japan’s plans - such examples being petitions from the “Asian Pacific Parliamentarian Union, South Pacific Forum and the South Pacific Conference” as well as the governors of the CNMI and Guam traveling to Japan to deliver “a formal anti-dumping petition representing seventy groups throughout the Pacific Basin with memberships of several million people”; and

**WHEREAS**, there was further international cooperation and solidarity against nuclear proliferation during this time as exemplified by the Rarotonga Conference that set the stage for the Rarotonga Declaration and eventually the Treaty of Rarotonga (also known as South Pacific Nuclear Free Zone Treaty) with such meetings and documents outlining a set of policies that declares “the storage and release of nuclear waste in the Pacific regional environment shall be prevented,” and “testing of nuclear devices against the wishes of the majority of the people in the Region will not be permitted” as well as specifically resolving that “Japan, [the] US and other governments should be requested to abandon their studies of specific proposals to store or dispose of nuclear waste in the Pacific regional environment. . . They should be strongly urged to research alternative methods of disposal outside the region”; and

**WHEREAS**, Branch’s 1984 study concludes by noting “the people of the Pacific islands have not received any benefits from the nuclear power industry, yet they are being asked to accept the radioactive garbage of this industry” and quotes Palau’s former Legislative Speaker - the late Tasiwo Nakamura’s words “you don’t throw the seeds of a poisonous fruit in the yard of your neighbor”; and

**WHEREAS**, actions like the ones by Japan are not unique as evidenced by the United States of America’s actions in the Bikini Atoll of the Marshall Islands where in the 1950s the US government deceived Marshallese residents to relocate from their homes so that the US could perform nuclear weapons tests that irreversibly damaged the islands, the surrounding marine environment, and most of all the Marshallese people themselves; and

**WHEREAS**, such foreign powers have a lackluster track record for transparency and fully disclosing the dangers and risks of these nuclear activities, especially as they relate to the health of people and the environment as demonstrated by many environmental groups’ criticisms that the Japanese government and nuclear power plant operator did not initially disclose all the radioactive materials present in the water they propose to dump; and

**WHEREAS**, due to this lack of transparency and reckless nuclear activities, Pacific environments have become inhospitable for terrestrial and aquatic life and Pacific peoples have been stricken with maladies ranging from cancer to birth defects over generations; and

**WHEREAS**, for decades, Pacific leaders and global allies have resisted time after time against nuclear proliferation such as when one Palauan activist interjected during a 1980 Hiroshima Day event in Japan by saying “Are the Japanese going to change from nuclear victims to nuclear assailants?”; “Are you going to dump your own garbage in other people’s backyards?”; “Are you really going to throw dangerous nuclear wastes in the Pacific which will harm not only us but our children and the following generations?”; and

**WHEREAS**, the International Atomic Energy Agency’s Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management states that Contracting Parties, such as Japan and the US, (i) reaffirm “that the ultimate responsibility for ensuring the safety of spent [nuclear] fuel and radioactive waste rests with the State, (ii) are “convinced that radioactive waste should, as far as is compatible with the safety of the management of such material, be disposed of in the State in which it was generated, whilst recognizing that, in certain circumstances, safe and efficient management of spent fuel and radioactive waste might be fostered through agreements among Contracting Parties to use facilities in one of them for the benefit of the other Parties, particularly where waste originates from joint projects”, (iii) recognize “that any State has the right to ban import into its territory of foreign spent fuel and radioactive waste”; and

**WHEREAS**, the United Nations Department of Economic and Social Affairs outlines several Sustainable Development Goals such as Goal 3 “Good Health and Wellbeing - ensure healthy lives and promote wellbeing for all at all ages”, Goal 13 “Climate Change - take urgent action to combat climate change and its impacts”, and Goal 14 “Life Below Water - Conserve and sustainably use the oceans, seas, and marine resources for sustainable development” to which the actions of the Government of Japan run directly counter towards; and

**WHEREAS**, the CNMI Office of Planning and Development adopted these exact same goals in the Comprehensive Sustainable Development Plan with the intention of helping “the CNMI plan for a sustainable future” which is thus threatened by the Government of Japan’s decision to dump ALPS treated water into the Pacific; and

**WHEREAS**, the CNMI Bureau of Environmental and Coastal Quality (BECQ) has chosen to adopt specific language addressing radioactivity in water for the CNMI Water Quality Standards that states “The concentration of radioactivity shall not exceed the values listed in the Code of Federal Regulations, Title 10, Part 20, Appendix B, Effluent Concentrations, Column 2. When ambient conditions exceed listed values, there shall be no worsening of water quality from ambient conditions”; and

**WHEREAS**, Dame Meg Taylor, the former Secretary General of the Pacific Islands Forum, expressed in an April 2021 statement regarding Japan’s decision to dump that “we are of the view that steps have not been sufficiently taken to address the potential harm to our Blue Pacific Continent, including possible environmental, health, and economic impacts. Our fisheries and ocean resources are critical to our Pacific livelihoods and must be protected. . . We therefore urgently call on the Government of Japan to hold off the conduct of the discharge of the ALPS Treated Water until further consultations are undertaken with Pacific Island Forum Members and an independent expert review is undertaken to the satisfaction of all our Members”; and

**WHEREAS**, the Republic of the Marshall Islands also released a statement conveying concerns about Japan’s decision to dump the ALPS treated water by stating “The availability of alternative solutions for disposing the wastewater must be further considered. . . We urge the Japanese government to heed the warnings of international experts and reconsider its plans. The RMI joins the UN Special Rapporteurs in calling on the Government of Japan to adhere to its international obligations to protect the marine environment. We call on the Japanese government to consult with its Pacific Island neighbors to ensure its plans are communicated and understood. Further, we seek Japan’s support for an independent review of the potential impacts a release of one million tons of wastewater might have on our Pacific Ocean environment”; and

**WHEREAS**, Special Rapporteurs from the United Nations released a statement expressing deep disappointment in Japan’s decision saying “the release of one million tonnes of contaminated water into the marine environment imposes

considerable risks to the full enjoyment of human rights of concerned populations in and beyond the borders of Japan. . . We remind Japan of its international obligations to prevent exposure to hazardous substances, to conduct environmental impact assessments of the risks that the discharge of water may have, to prevent transboundary environmental harms, and to protect the marine environment”; and

**WHEREAS**, Greenpeace East Asia, “having investigated and worked on marine radioactive pollution since the 1970s, and during the last decade in particular on the Fukushima contaminated water, including with some of the world’s leading independent experts in these areas”, have released several reports (2019, 2020, and 2021) documenting the dangers, mismanagement, and misinformation about Japan’s decision regarding waste disposal from the Fukushima plant; and

**WHEREAS**, a 2021 summary briefing that compiled their findings from several years mentioned several key points such as “the water to be discharged will, as currently proposed, contain radioactive tritium, Carbon-14, as well as other harmful radioactive material, including Strontium-90”, “The Japanese government reduced the threshold from ‘below detectable levels’ to ‘below regulatory levels’ “Under the United Nations London Convention and Protocol it would be illegal to take one liter of this water into international waters off the coast of Japan and dump it from a ship”, and “The Japanese government has not conducted a comprehensive environmental impact assessment, even though it is required to under article 206 of the UN Convention on the Law of the Sea”; and

**WHEREAS**, citizens of Japan have been outspoken about their protests and disagreements towards their own country's decision to dump the ALPS treated water into the Pacific Ocean. The National Federation of Fisheries Co-operative Associations in October 2020 told the Japanese government that “If the treated water were to be released, the reputational damage would be unavoidable, and we’re afraid that the impact would be so severe that the fishermen’s efforts would come to nothing, and could have a catastrophic impact on the future of the fishing industry in Japan.”

**NOW, THEREFORE, BE IT RESOLVED**, by the House of Representatives of the Twenty-Second Northern Marianas Commonwealth Legislature, the Senate concurring, that the Legislature opposes any government’s actions related to nuclear testing, storage, and waste disposal in the Pacific; and

**BE IT FURTHER RESOLVED**, that the Commonwealth of the Northern Marianas Islands joins other Pacific Island governments such as the Republic of the Marshall Islands, regional entities such as the Pacific Islands Forum, and international experts such as UN Special Rapporteurs, in expressing immense disappointment in Japan’s decision, strongly urges them to reconsider alternatives that better protect the surrounding marine environment and the people who inhabit it, and agrees with proposals for an independent expert review of Japan’s plans; and

**BE IT FURTHER RESOLVED**, that the Commonwealth of Northern Marianas Islands aims to comply with international obligations towards safeguarding the environment alongside the people and organisms who inhabit it; and

**BE IT FURTHER RESOLVED**, that the CNMI government reaffirms every person’s fundamental right to a clean, safe, and hospitable living environment free from any potential toxins, pollutants, and substances that may otherwise negatively impact the health and lives of people and other organisms; and

**BE IT FURTHER RESOLVED**, that the CNMI immensely values its relationship with governments such as Japan and the United States and hopes to participate in meaningful dialogue with them to ensure mutual prosperity and stewardship of our oceans; and

**BE IT FURTHER RESOLVED**, that the Speaker of the House Representatives and the President of the Senate shall certify and the House Clerk and the Senate Legislative Secretary shall attest to the adoption of this joint resolution and thereafter the House Clerk shall transmit a copy to the Honorable Fumio Kishida, Prime Minister of Japan; Honorable Toshimitsu Motegi, Japan’s Minister of Foreign Affairs; Honorable Tsuyomi Yamaguchi, Japan’s Minister of the Environment; the Honorable Kazuhiko Ono, Consul of Japan in Saipan; the Honorable Joseph R. Biden, Jr., President of the United States of America; the Honorable Kamala D. Harris, Vice-President of the United States of America; Honorable Michael S. Regan, Administrator of the Environmental Protection Agency; Honorable Debra Anne Haaland, Secretary of the Interior; Honorable Richard W. Spinrad, Administrator of the National Oceanic and Atmospheric Administration; Honorable Nazhat Shameem Khan; United Nations Human Rights Council President; Honorable Ralph DLG. Torres, Governor, Commonwealth of the Northern Mariana Islands; Honorable Arnold I. Palacios, Lieutenant Governor, Commonwealth of the Northern Mariana Islands; Honorable Gregorio Kilili C. Sablan, CNMI Delegate, 117th United States Congress; Honorable Jude U. Hofschneider, Senate President, Twenty-First Northern Marianas Commonwealth Legislature; Honorable Edmund S. Villagomez, Speaker of the House of Representatives, Twenty-Second Northern Marianas Commonwealth Legislature; Honorable Members of the Twenty-Second Northern Marianas Commonwealth Legislature; Honorable David M. Apatang, Mayor, Municipality of Saipan; Honorable Edwin P. Aldan, Mayor, Municipality of Tinian and Aguiguan; Honorable Efraim M. Atalig, Mayor, Municipality of Rota; Honorable Vicente C. Santos Jr., Mayor, Municipality of the Northern Islands; Ms. Glenna SP Reyes, Special Assistant to the Governor for Military Affairs, Commonwealth Bureau of Military Affairs; Mr. John Tagabuel, Executive Assistant, Carolinian Affairs Office; Mr. Roman Tudela Jr., Resident Executive, CNMI Indigenous Affairs Office; Mr. Joseph Deleon Guerrero, Secretary of CNMI Department of Community and Cultural Affairs; Mr. Anthony T. Benavente, Secretary, CNMI Department of Lands and Natural Resources; Mr. Eliceo D. Cabrera, Administrator, CNMI Bureau of Environmental and Coastal Quality; Advisory Council on Historic Preservation; CNMI Women’s Association; CNMI Historic Preservation Office; Northern Marianas Descent Corporation; Second Marianas Political Status Commission; Alternative Zero Coalition Member Organizations: Guardians of Gani; PaganWatch; Tinian Women Association; Our Common Wealth 670; and Oceania Resistance.

Prefiled: 9/14/2021

Date: 9/9/2021

Introduced by: /s/ Rep. Sheila J. Babauta  
/s/ Rep. Roy C.A. Ada  
/s/ Rep. Blas Jonathan “BJ” T. Attao  
/s/ Rep. Celina R. Babauta  
/s/ Rep. Joel C. Camacho  
/s/ Rep. Vicente C. Camacho  
/s/ Rep. Angel A. Demapan  
/s/ Rep. Joseph A. Flores  
/s/ Rep. Joseph Leepan T. Guerrero

/s/ Rep. Donald M. Manglona  
 /s/ Rep. Edwin K. Propst  
 /s/ Rep. Christina M.E. Sablan  
 /s/ Rep. John Paul P. Sablan  
 /s/ Rep. Patrick H. San Nicolas  
 /s/ Rep. Leila H.F.C. Staffler  
 /s/ Rep. Edmund S. Villagomez  
 /s/ Rep. Denita Kaipat Yangetmai  
 /s/ Rep. Ralph N. Yumul

Reviewed for Legal Sufficiency by:  
 /s/ John B. Layde  
 House Legal Counsel

*The motion was seconded.*

*Under discussion; the Chair recognized Representative John Paul P. Sablan.*

Representative John Paul P. Sablan: I yield, Mr. Speaker to the mover to kind of explain to the full body the substitute, the gist of the whole entire substitute.

Speaker Edmund Joseph S. Villagomez: Okay. Thank you, Representative Sablan. Recognize Representative Sheila Babauta.

Representative Sheila Therese J. Babauta: Thank you, Mr. Speaker. Thank you, Rep. JP. Colleagues, since House Joint Resolution 22-11 was introduced, I have met with the Council of Japan, Consul Ono. I have also been in communication with a nuclear specialist from Greenpeace, East Asia, and some of the professionals out of BECQ, our local agencies, and those are the main amendments that were made and considered in this house substitute. So, if we take a look at the screen we are going to share briefly piece by piece, the highlighted items that were amended. So, we went ahead and amended the title of the resolution from what was stated earlier by the Floor Leader to the language stated on the screen, which reads “To oppose any government's actions related to nuclear testing, storage, and waste disposal in the Pacific and reaffirm everyone's fundamental right to a safe and healthy living environment.” And so this was a recommendation that was offered by the Consulate of Japan here on Saipan. If we move down, we just made the amendments to match the title. So, in the first paragraph there, you do see, and in broader “Oceana,” and we did remove language that mentioned “Japan.” Moving on to the second paragraph we wanted to add the April 2021 decision that was announced by Japan's government to discharge over 1 million tons of nuclear waste. And so, this new language reads, “whereas in April 2021, Japan's government announced a decision to discharge over 1 million tons of nuclear waste that have undergone processing in the systems called ALPS into the Pacific ocean. This decision has sparked outrage among the peoples of Oceana.” and then the rest of the language does remain the same. Okay, let's move on. And please, if there are any questions Mr. Speaker, I'd be happy to answer them as we go. So here on the screen, you do see language inserted that was offered by the scene of my Bureau of Environmental and Coastal Quality BECQ that they have chosen to adopt specific language, “addressing radioactivity in water for the CNMI water quality standards that states the concentration of radioactivity shall not exceed the values listed in the code of federal regulations, title 10 part 20, appendix B affluent and concentrations column two. When ambient conditions exceed listed values, there shall be no worsening of water quality from the ambient conditions.” So, we just wanted to insert this language to show that our local agencies, our local perspective is also in line with protecting our water quality standards. Moving on Legal Council, thank you so much for your assistance. And here is where the bulk of the amendments were inserted because the nuclear specialist who has

been working in Japan for over 30 years, and this information was shared with this body, the nuclear specialists from Greenpeace East Asia. Did reach out to provide so much information and reports regarding Fukushima plant the information that's been shared about this decision over decades. And so, colleagues Mr. Speaker, the amendment, the substitute is in front of you. I can read over what was included, just so that it stated for the record, but if there's no objection, I'd like to pass over that and move on.

*Several members voiced “no objection.”*

Representative Sheila Therese J. Babauta: Okay great. Thank you. And so just moving on Legal Counsel, can you move down to now therefore be it resolved? So here we did just make the amendments to match the title, removing the word “condemn” removing “the government of Japan” and then if you scroll further down, the Japanese government does have a new prime minister and a new cabinet and so we did insert those changes so that it's updated to reflect who shall receive a copy of the certified substitute. Members, Mr. Speaker, I am ready to answer any questions. If any of the members have any questions at this time, but you know, our community, I've received lots of positive feedback about this resolution, our community rallies behind protecting our natural resources and protecting our ocean, not just for us today, but for future generations and the information that was shared with the members that was shared with me from the experts and the nuclear specialists from Greenpeace East Asia really does support justification, right on why a resolution like this is important because to include our supportive language to support even those from Japan who are speaking up against this decision. I know that information has been shared about the type of chemicals to be released and how the information that was shared with us minimize the impact of this decision is just false. And because it is not natural to dump toxic waste that has been treated and mind you treating this water is not a guarantee that the radioactivity will be removed from the water and that was shown in studies provided to us. This resolution will just be an official statement of our support for our brothers and sisters in the Pacific who also oppose this decision. We would like to request that an independent environmental impact study be conducted and that they consider alternative measures because reports have been released that there are alternative measures to this decision. And so Mr. Speaker, with that, I am ready to answer any questions and I yield.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative Sheila Babauta. Any further discussions? Recognize Representative John Paul Sablan.

Representative John Paul P. Sablan: Thank you, Mr. Speaker. And I want to take this opportunity to thank the mover and the author of this house joint resolution for working closely with the Japan Consulate, but I just have a one clarification that the several head of states of Japan, was this names recommended to give a certified copy by the consulate? Where all these names that are recommended by Japan Consulate. Thank you.

Speaker Edmund Joseph S. Villagomez: Recognized Representative Sheila.

Representative Sheila Therese J. Babauta: Thank you, Rep. JP. When I did meet with the consulate, he did informed me that there may be a new prime minister with a new cabinet. So, we were aware of that change to come. It was legal counsel that pointed out the updates should be reflected in this version. Thank you.

Representative John Paul P. Sablan: Thank you, Mr. Speaker and I yield.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative Sablan. Thank you, Representative Sheila Babauta. Any more further discussion under the substitute offered by Representative Sheila.

*Several members voiced “ready.”*

*There was no further discussion and the motion to adopt the floor amendment offered by Representative Sheila Therese J. Babauta was carried by voice vote. There was no “nay” vote.*

Speaker Edmund Joseph S. Villagomez: House Joint Resolution 22-11 is now House Joint Resolution 22-11, HS1. Now we move back to the main motion. Any discussion? Ready? Clerk, please call the roll.

*The Clerk called the roll on motion to adopt House Joint Resolution 22-11, House Substitute 1 with the following results:*

Representative Roy Christopher A. Ada	yes
Representative Blas Jonathan “BJ” T. Attao	yes
Representative Celina R. Babauta	yes
Representative Sheila Therese J. Babauta	yes
Representative Ivan A. Blanco	yes
Representative Joel C. Camacho	yes
Representative Vicente C. Camacho	yes
Representative Angel A. Demapan	yes
Representative Joseph A. Flores	yes
Representative Joseph Leepan T. Guerrero	yes
Representative Richard T. Lizama	yes
Representative Donald M. Manglona	yes
Representative Edwin K. Propst	absent ( <i>during voting</i> )
Representative Christina Marie E. Sablan	absent ( <i>excused</i> )
Representative John Paul P. Sablan	yes
Representative Patrick H. San Nicolas	yes
Representative Leila Haveia F. C. Staffler	yes
Representative Denita K. Yangetmai	yes
Representative Ralph N. Yumul	yes
Speaker Edmund Joseph S. Villagomez	yes

House Clerk Linda B. Muña: Mr. Speaker, 18 members present voted “yes.”

Speaker Edmund Joseph S. Villagomez: With 18 members voting “yes,” House Joint Resolution 22-11, HS1 is hereby adopted. We now move down to item XVI Bill Calendar and I recognize the Floor Leader.

## **BILL CALENDAR**

*The Floor Leader made a motion to pass the following legislation:*

### **H. B. No. 22-15**

To establish the Foster Care Sponsorship Program under the Department of Community and Cultural Affairs Division of Youth Services; and for other purposes.



*The motion was seconded.*

*There was no discussion; the Chair recognized the Clerk for a roll call vote.*

*The Clerk called the roll on motion for the passage of House Bill 22-15 on First and Final Reading with the following results:*

Representative Roy Christopher A. Ada	yes
Representative Blas Jonathan “BJ” T. Attao	yes
Representative Celina R. Babauta	yes
Representative Sheila Therese J. Babauta	yes
Representative Ivan A. Blanco	yes
Representative Joel C. Camacho	yes
Representative Vicente C. Camacho	yes
Representative Angel A. Demapan	yes
Representative Joseph A. Flores	yes
Representative Joseph Leepan T. Guerrero	yes
Representative Richard T. Lizama	yes
Representative Donald M. Manglona	yes
Representative Edwin K. Propst	absent ( <i>during voting</i> )
Representative Christina Marie E. Sablan	absent ( <i>excused</i> )
Representative John Paul P. Sablan	yes
Representative Patrick H. San Nicolas	yes
Representative Leila Haveia F. C. Staffler	yes
Representative Denita K. Yangetmai	yes
Representative Ralph N. Yumul	yes
Speaker Edmund Joseph S. Villagomez	yes

House Clerk Linda B. Muña: Mr. Speaker, all 18 members present voted “yes.”

Speaker Edmund Joseph S. Villagomez: Thank you, Clerk. With all 18 members present voting “yes,” House Bill 22-15 hereby passes the House. Floor Leader.

*The Floor Leader made a motion to pass the following legislation:*

**H. B. No. 22-53, HS1**

To appropriate funds for the Commonwealth Medicaid Agency to ensure that federal appropriated and awarded funds may be expended for program administration, reimbursements to medical providers, and for compliance and Medicaid enterprise systems and further enable recruitment, retention, and appropriate classification and compensation of personnel; and for other purposes.

*The motion was seconded.*

*There was no discussion; the Chair recognized the Clerk for a roll call vote.*

*The Clerk called the roll on motion for the passage of House Bill 22-53, HS1 on First and Final Reading with the following results:*

Representative Roy Christopher A. Ada	yes
Representative Blas Jonathan “BJ” T. Attao	yes
Representative Celina R. Babauta	yes
Representative Sheila Therese J. Babauta	yes
Representative Ivan A. Blanco	yes

Representative Joel C. Camacho	yes
Representative Vicente C. Camacho	yes
Representative Angel A. Demapan	yes
Representative Joseph A. Flores	yes
Representative Joseph Leepan T. Guerrero	yes
Representative Richard T. Lizama	yes
Representative Donald M. Manglona	yes
Representative Edwin K. Propst	absent ( <i>during voting</i> )
Representative Christina Marie E. Sablan	absent ( <i>excused</i> )
Representative John Paul P. Sablan	yes
Representative Patrick H. San Nicolas	yes
Representative Leila Haveia F. C. Staffler	yes
Representative Denita K. Yangetmai	yes
Representative Ralph N. Yumul	yes
Speaker Edmund Joseph S. Villagomez	yes

House Clerk Linda B. Muña: Mr. Speaker, all 18 members present voted “yes.”

Speaker Edmund Joseph S. Villagomez: Thank you, Clerk. With all 18 members present voting “yes,” House Bill 22-53, HS1 hereby passes the House. Floor Leader.

*The Floor Leader made a motion to pass the following legislation:*

**H. B. No. 22-55, HS1**

To amend 4 CMC §5526 to establish a separate license for online sales of alcoholic beverages.

*The motion was seconded.*

*There was no discussion; the Chair recognized the Clerk for a roll call vote.*

*The Clerk called the roll on motion for the passage of House Bill 22-55, HS1 on First and Final Reading with the following results:*

Representative Roy Christopher A. Ada	yes
Representative Blas Jonathan “BJ” T. Attao	yes
Representative Celina R. Babauta	yes
Representative Sheila Therese J. Babauta	yes
Representative Ivan A. Blanco	yes
Representative Joel C. Camacho	yes
Representative Vicente C. Camacho	yes
Representative Angel A. Demapan	yes
Representative Joseph A. Flores	yes
Representative Joseph Leepan T. Guerrero	yes
Representative Richard T. Lizama	yes
Representative Donald M. Manglona	yes
Representative Edwin K. Propst	absent ( <i>during voting</i> )
Representative Christina Marie E. Sablan	absent ( <i>excused</i> )
Representative John Paul P. Sablan	yes
Representative Patrick H. San Nicolas	yes
Representative Leila Haveia F. C. Staffler	yes
Representative Denita K. Yangetmai	yes
Representative Ralph N. Yumul	yes
Speaker Edmund Joseph S. Villagomez	yes

House Clerk Linda B. Muña: Mr. Speaker, all 18 members present voted “yes.”

Speaker Edmund Joseph S. Villagomez: Thank you, Clerk. With all 18 members present voting “yes,” House Bill 22-55, HS1 hereby passes the House. I recognized the Floor Leader.

Floor Leader Ralph N. Yumul: Thank you, Mr. Speaker. I know we are leaving one bill in calendar and with the permission of our JGO Chairwoman on the Rule II, Section 4 (c) and (d), I will be pulling out House Bill 22-7 and place on your calendar on the next House session and that will be the bill to provide clarity relative to crime or from promoting prison, contraband or otherwise known as Contraband Reform Act of 2021, authored by my good colleague over here, Rep. John Paul Palacios Sablan. Thank you, Chairwoman of JGO.

Speaker Edmund Joseph S. Villagomez: Thank you. Floor Leader. Thank you, Representative John Paul Sablan for introducing the bill and thank you Chairwoman Celina Babauta. All right, members with nothing further on our bill calendar we now move down to item XVII, Miscellaneous Business and I recognize Representative Manglona.

*No action taken for the following legislation:*

**S. B. No. 22-18, SD1, HD1**

A Bill for an Act to waive the Northern Marianas College tuition for a veteran with 30 percent or greater service-connected disability; and for other purposes. [See S. C. R. No. 22-28]

### **MISCELLANEOUS BUSINESS**

Representative Donald M. Manglona: Thank you Mr. Speaker. And just a quick one, I know it didn't make the agenda, but I just wanted to inform the House that Representative Joel Camacho and Representative Corina Magofna have graciously accepted the invitation to be part of the Ways and Means Committee and thanks to the kind Floor Leader for allowing Representative Magofna to fill in for his seat based on her expensive knowledge in the areas of budget and finance and therefore, I also delegated Representative Corina to Vice Chair of the committee. Thank you.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative Manglona and congratulations on your Vice, Representative Corina Magofna. Any other under miscellaneous? Recognize Representative Joel Camacho.

Representative Joel C. Camacho: Thank you, Mr. Speaker. Just to reiterate thank you, Mr. Chairman, for accepting me to the committee, I will do the best I can, my knowledge and experience to help the committee in their future deliberations. Thank you.

Speaker Edmund Joseph S. Villagomez: Thank you, Representative Joel. Any further under miscellaneous business. Ready?

*The Chair recognized the Floor Leader for adjournment.*

### **ANNOUNCEMENTS**

None

## ADJOURNMENT

Floor Leader Ralph N. Yumul: Thank you, Mr. Speaker. I now offer a motion to adjourn subject to the call of the Chair.

*The motion was seconded and carried by voice vote. There was no “nay” vote.*

*The House adjourned at 12:53 p.m.*

Respectfully submitted,

Venetia S. Rosario  
House Journal Clerk

## APPEARANCE OF LOCAL BILLS

**FIRST LEGISLATIVE DAY:** 1<sup>st</sup> Legislative appearance of a local bill is on the day it is introduced.

**SECOND LEGISLATIVE DAY:** NONE

**THIRD LEGISLATIVE DAY:**

H. L. B. No. 22-22: To amend the Saipan Official Zoning Map sheet 05 of 29 to rezone certain districts to “Mixed Commercial”; and for other purposes. Introduced by REP. JOSEPH LEEPAN T. GUERRERO of Saipan, Precinct 1 (*for himself*) on September 23, 2021.

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*Appearance of Measures introduced on the House Floor during the House Session on October 1, 2021,  
2021:*

H. B. No. 22-80: To have the Commonwealth of the Northern Mariana Islands (CNMI) join Psychology Interjurisdictional Compact (PSYPACT) to improve and expand access to mental health care in the CNMI; and for other purposes. Introduced by Representative Edwin K. Propst on behalf of REP. CHRISTINA M.E. SABLAN of Saipan, Precinct 2 (*for herself*, Representative Edwin K. Propst) on October 1, 2021; subsequently referred to the House Committee on Health and Welfare.

H. B. No. 22-81: To amend 4 CMC § 1202, to exclude local stimulus payments from taxation. Introduced by REP. ANGEL A. DEMAPAN of Saipan, Precinct 1 (*for himself*, Representatives Roy C.A. Ada; Blas Jonathan “BJ” T. Attao, Joel C. Camacho, Joseph A. Flores, Joseph Leepan T. Guerrero, John Paul P. Sablan, Patrick H. San Nicolas, and Ralph N. Yumul) on October 1, 2021; subsequently referred to the House Committee on Ways and Means.

H. L. B. No. 22-24: To appropriate Two Million Dollars (\$2,000,000) specifically under Business Unit 1605; and for other purposes. Introduced by REP. CELINA R. BABAUTA of Saipan, Precinct 1 (*for herself*) on October 1, 2021.

H. L. B. No. 22-25: To appropriate up to \$3,681,052.00 from the American Rescue Plan of 2021, Section 604. Coronavirus Capital Projects Fund allocated to the Second Senatorial District; and for other purposes. Introduced by REP. PATRICK H. SAN NICOLAS of Tinian, Precinct 6 (*for himself*) on October 1, 2021.

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*House information on deadlines for override: None*