



# HOUSE OF REPRESENTATIVES

TWENTY-FIRST NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

FIRST REGULAR SESSION, 2019

## LEGISLATIVE JOURNAL

3<sup>rd</sup> Day, First Regular Session

Wednesday February 20, 2019

*The House of Representatives of the Twenty-First Northern Marianas Commonwealth Legislature convened its Third Day, First Regular Session on Wednesday, February 20, 2019 at 1:46 p.m., in the House Chamber on Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.*

*The Honorable Blas Jonathan "BJ" T. Attao, Speaker of the House, presided.*

*A moment of silence was observed.*

### ROLL CALL

*The Clerk called the roll and eighteen members were present; Representative Jose I. Itibus was absent and excused.*

*The Chair recognized the Floor Leader.*

*The Floor Leader made a motion to suspend Rule IX, Section 4 (d).*

### **RULE IX. BILLS, RESOLUTIONS AND AMENDMENTS**

#### **Section 4. Format of Bills and Resolutions**

(d) Bills and resolutions for introduction may be pre-filed with the House Clerk for formal introduction at the next session, provided that it is pre-filed in sufficient time to appear on the session agenda as required under Rule III. The 72-hour notice and agenda requirements may be dispensed with for Special Emergency Sessions and Sessions called by the Governor in accordance with Rule III.

*The motion was seconded.*

*The Chair recognized the Clerk for a roll call vote.*

*The Clerk called the roll on the motion to suspend Rule IX, Section 4 (d) with the following results:*

Representative Sheila Therese J. Babauta	yes
Representative Roman C. Benavente	yes

Representative Ivan A. Blanco	yes
Representative Antonio SN. Borja	yes
Representative Joel C. Camacho	yes
Representative Luis John DLG. Castro	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Joseph A. Flores	yes
Representative Joseph Lee Pan T. Guerrero	yes
Representative Jose I. Itibus	absent ( <i>excused</i> )
Representative Richard T. Lizama	yes
Representative Donald M. Manglona	yes
Representative Janet U. Maratita	yes
Representative Edwin K. Propst	yes
Representative Christina Marie E. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	yes
Representative Blas Jonathan “BJ” T. Attao	yes

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

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

### **PUBLIC COMMENTS**

*None*

### **ADOPTION OF JOURNALS**

*None*

### **INTRODUCTION OF BILLS**

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

*The following House Bills were introduced by each respective author.*

**H. B. NO. 21-18:** To amend the Litter Control Act to prohibit the possession of glass containers while on public beaches; and for other purposes.

**REP. JOSEPH LEEPAN T. GUERRERO** of Saipan, Precinct 1 (*for himself*)  
**(REFERRED TO THE COMMITTEE ON NATURAL RESOURCES)**

**H. B. NO. 21-19:** To repeal and reenact 4 CMC §4263(a) to impose a higher fee structure for the Department of Commerce, Office of the Registrar of Corporations; and for other purposes.

**REP. JOSEPH LEEPAN T. GUERRERO** of Saipan, Precinct 1 (*for himself*)  
**(REFERRED TO THE COMMITTEE ON WAYS AND MEANS)**

**H. B. NO. 21-20:** To amend 9 CMC §5815, to require lease vehicle businesses to provide a Driver’s Handbook in each vehicle leased; and for other purposes.

**REP. LORENZO I. DELEON GUERRERO** of Saipan, Precinct 5 (*for himself*)  
**(REFERRED TO THE COMMITTEE ON JUDICIARY AND GOVERNMENTAL OPERATIONS)**

**H. B. NO. 21-21:** To amend 1 CMC §8248(a) and (b) by expanding the salary ceiling exemption for certain professions; and for other purposes.

**REP. BLAS JONATHAN “BJ” T. ATTAO** of Saipan, Precinct 3 (*for himself*, Representatives Joel C. Camacho, Luis John DLG. Castro, Joseph A. Flores, Richard T. Lizama, and John Paul P. Sablan)  
**(REFERRED TO THE COMMITTEE ON WAYS AND MEANS)**

**H. B. NO. 21-22:** To facilitate the leasing of public lands to tax exempt organizations at a rental not based on appraised value.

**REP. JOHN PAUL P. SABLAN** of Saipan, Precinct 2 (*for himself*)  
**(NO REFERRAL)**

[Added] **H. B. NO. 21-23:** To amend Title 1, Division 2, Part 1, Chapter 1, Article 8 of the Commonwealth Code by adding a new subsection to §20148 to implement the Emergency Management Assistance Compact; and for other purposes.

**REP. LUIS JOHN DLG. CASTRO** of Saipan, Precinct 1 (*for himself*, Representatives Roman C. Benavente, Ivan A. Blanco, Lorenzo I. Deleon Guerrero, Joseph Lee Pan T. Guerrero, Edwin K. Propst, John Paul P. Sablan, and Ralph N. Yumul)  
**(NO REFERRAL)**

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

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

*The following House Local Bills were introduced by each respective author.*

**H. L. B. NO. 21-6:** To amend Rota Local Law 20-8, Section 2(q), to reappropriate the \$100,000 for the Rota Island Specialty Crop Association.

**REP. DONALD M. MANGLONA** of Rota, Precinct 7 (*for himself*)

[Added] **H. L. B. NO. 21-7:** To appropriate \$1,436,967 of the Casino License Fee allocated to the First Senatorial District in accordance with 4 CMC § 2307(a).

**REP. DONALD M. MANGLONA** of Rota, Precinct 7 (*for himself*)

[Added] **H. L. B. NO. 21-8:** To appropriate \$84,000 from the local license fees collected for pachinko slot machines and poker machines in the Second Senatorial District; and for other purposes.

**REP. ANTONIO SN. BORJA** of Tinian, Precinct 6 (*for himself*)

[Added] **H. L. B. NO. 21-9:** To appropriate funds specifically allotted to the Second Senatorial District under Public Law 18-30, as amended; and for other purposes.

**REP. ANTONIO SN. BORJA** of Tinian, Precinct 6 (*for himself*)

***House Legislative Initiatives: None***

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

## **INTRODUCTION OF RESOLUTIONS**

*House Resolutions: None*

*House Joint Resolutions: None*

*House Commemorative Resolutions: None*

*House Concurrent Resolutions: None*

## **MESSAGES FROM THE GOVERNOR**

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

GOV. COMM. 21-8: (1/7/19 received 2/13/19) **Executive Order 2019-1** – Ordered that the CUC Procurement Regulations codified at NMIAC §50-50-001 *et. seq.* is suspended with regard to the procurement of items and services necessary to fully restore power and water service to the islands of Saipan and Tinian. Ordered that the Board of Professional Licensing's regulations governing the Practice of Engineering and the licensing requirements contained therein are hereby suspended with regard to the Practice of Engineering rendered (or offered) in response or pursuant to any contract with CUC for services necessary for CUC's typhoon recovery efforts authorized pursuant to Executive Order 2019-1.

GOV. COMM. 21-9: (1/23/19 received 2/13/19) **Executive Order 2019-2** – Renewal: Declaration of a State of Significant Emergency: Commonwealth Utilities Corporation's Imminent Generation and other Failure and the Need to Provide Immediate Reliable Power, Water and Wastewater services [AMENDED EO 2018-16; renewed by EO 2018-23 and EO 2018-27].

GOV. COMM. 21-10: (2/8/19) Informing the House that he signed into law, S. B. NO. 20-78 (Health Claims Uniformity and Prompt Payment Act.). Became **Public Law 20-88** [For info]

GOV. COMM. 21-11: (2/11/19) Informing Mr. Joe Ayuyu, Jr., member of the Saipan Zoning Board of his continuing service to serve the Saipan Zoning Board. [For info]

GOV. COMM. 21-12: (2/11/19) Informing Mr. Patrick V. Reyes, member of the Saipan Zoning Board of his continuing service to serve the Saipan Zoning Board. [For info]

GOV. COMM. 21-13: (2/11/19) Informing Mr. Mariano Taitano, member of the Saipan Zoning Board of his continuing service to serve the Saipan Zoning Board. [For info]

GOV. COMM. 21-14: (2/11/19) Acknowledging courtesy resignation of Mr. Diego Blanco to the Saipan Zoning Board. [For info]

GOV. COMM. 21-15: (2/11/19) Acknowledging courtesy resignation of Mr. George M. Fleming, Jr. to the Saipan Zoning Board. [*For info*]

GOV. COMM. 21-16: (2/13/19) **Executive Order 2019-3** – Ordered that the CUC Procurement Regulations codified at NMIAC §50-50-001 *et. seq.* is suspended with regard to the procurement of items and services necessary to fully restore power and water service to the islands of Saipan and Tinian. Ordered that the Board of Professional Licensing’s regulations governing the Practice of Engineering and the licensing requirements contained therein are hereby suspended with regard to the Practice of Engineering rendered (or offered) in response or pursuant to any contract with CUC for services necessary for CUC’s typhoon recovery efforts authorized pursuant to Executive Order 2019-3.

*Under discussion, the Chair recognized Representative Joseph Lee Pan T. Guerrero.*

Representative Joseph Lee Pan T. Guerrero: Mr. Speaker, in reference to both communication 21-8 and 21-9, I am kind of concern Mr. Speaker that having a board composition at CUC, the Governor continues to issue executive order. I do understand that we just had recently a super typhoon, but we’ve got to give these new board members the opportunity to make decisions. Why continue appointing board members and continue issuing out executive order? With that Mr. Speaker, I’m really concern about this executive order. I know that for a fact in our next session or the following session we will be seeing the same thing. With that Mr. Speaker, thank you.

Speaker Blas Jonathan “BJ” T. Attao: Thank you, Rep. Lee Pan. May I respectfully ask the Committees on PUTC and JGO to follow up with the concerns that were brought up by Representatives Lee Pan Guerrero. Thank you, interim Chair Guerrero and Chairman Camacho.

*The Chair directed the members to item VII, Senate Communications and recognized the Floor Leader.*

## **SENATE COMMUNICATIONS**

*The Floor Leader made a motion to accept Senate Communication 21-1 to become property of the House.*

SEN. COMM. 21-1: (2/14/19) Transmitting a certified copy of Senate Commemorative Resolution No. 21-1, entitled, “To recognize and commend Don Allen Farrell for his years of exceptional service in the field of education, his commitment to preserve the history of the Marianas, and his dedicated public service to the people of the Commonwealth of the Northern Mariana Islands.”, which was adopted by the Senate on February 7, 2019. [*For info*]

*The motion was seconded.*

*There was no discussion and the motion to accept Senate Communication 21-1 to become property of the House was carried by voice vote. There was no nay vote.*

*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. 21-26: (2/8/19) From Representative Itibus officially authorizing Representative John Paul P. Sablan to introduce his legislations on his behalf. [For info]

HSE. COMM. 21-27: (2/11/19) From Representative Maratita informing the Speaker that she will be out of the Commonwealth on personal matters from February 10, 2019 to February 13, 2019 and request to be excused from all scheduled meetings and session during her absence. [For info]

[Added-2/20/19] HSE. COMM. 21-28: From the House Minority Bloc requesting guidance from the Office of the Public Auditor and the Office of the Attorney General pertaining to 21st HOR Rules of Procedure. [For info]

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

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

None

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

None

### **MISCELLANEOUS COMMUNICATIONS**

*The Clerk announced the following Miscellaneous Communication.*

MISC. COMM. 21-6: (2/7/19) From the CNMI Women's Association funding request for operations for FY 2019. [For info]  
**(REFERRED TO THE COMMITTEE ON WAYS AND MEANS)**

*There was no discussion; the Chair directed the members to item XV, Resolution Calendar and recognized the Floor Leader.*

### **REPORTS OF STANDING COMMITTEES**

None

## REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

None

## UNFINISHED BUSINESS

None

## RESOLUTION CALENDAR

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

### **H. J. R. NO. 21-1**

A House Joint Resolution to request the Honorable Ralph DLG. Torres, Governor of the Commonwealth of the Northern Mariana Islands, and the Honorable Gregorio Kilili C. Sablan, Delegate to the U.S. Congress, to convey the Commonwealth of the Northern Mariana Islands' position to exempt the Northern Mariana Islands from the ban on workers from the Philippines from the H-2B worker program to our federal partners.

*The motion was seconded.*

*Under discussion, the Chair recognized Representative Luis John DLG. Castro.*

Representative Luis John DLG. Castro: Thank you, Mr. Speaker. In regards to House Joint Resolution 21-1, I would like to offer the following amendment.

*Representative Luis John DLG. Castro offered the following floor amendment.*

### **Floor Amendment**

**To:** House Joint Resolution No. 22-1

**Offered by:** Representative Luis John DLG. Castro

### **AMENDMENT**

House Joint Resolution No. 21-01 is hereby amended to read as follows:

- Beginning on Page 3, Line 3 add a new **WHEREAS** paragraph:
  - **WHEREAS**, the sentiments are shared by our regional partners, most especially by our neighbors in Guam, and members of the Association of Pacific Islands Legislatures who recently passes Resolution No. 59-BOD-07 at their most recent Board of Directors meeting, which “requests that the U. S. Department of Homeland Security and its USCIS agency work in close coordination with the government officials of the CNMI with respect to the possible exemption of the CNMI from their recent departmental and agency decisions affecting the ability of the

CNMI to recruit highly-skilled Filipino workers to help the people of the Commonwealth recover from the ravages of Super Typhoon Yutu.”, and

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: February 20, 2019

Offered by: /s/ Rep. Luis John DLG. Castro

Reviewed for Legal Sufficiency by:

/s/ Legal Counsel John F. Cool

Representative Luis John DLG. Castro: This amendment was added so that way we can reference a stance that this resolution is stating is a shared position and something that not just us here in the Commonwealth, but throughout the region stress is a very important and critical issue. This is the amendment as is. Mr. Speaker, thank you.

Speaker Blas Jonathan “BJ” T. Attao: Thank you, Rep. Castro. Rep. Castro presented an amendment. Any second to that?

*The motion was seconded.*

Speaker Blas Jonathan “BJ” T. Attao: Discussion?

*Several members voiced “ready.”*

*There was no discussion and the motion to adopt the floor amendment offered by Representative Luis John DLG. Castro was carried by voice vote. There was no nay vote.*

*There was no discussion on the main motion; the Chair recognized the Clerk to call the roll.*

*The Clerk called the roll on the motion to adopt House Joint Resolution 21-1, House Draft 1 with the following results:*

Representative Sheila Therese J. Babauta	yes
Representative Roman C. Benavente	yes
Representative Ivan A. Blanco	yes
Representative Antonio SN. Borja	yes
Representative Joel C. Camacho	yes
Representative Luis John DLG. Castro	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Joseph A. Flores	yes
Representative Joseph Lee Pan T. Guerrero	yes
Representative Jose I. Itibus	absent ( <i>excused</i> )
Representative Richard T. Lizama	yes
Representative Donald M. Manglona	yes
Representative Janet U. Maratita	yes
Representative Edwin K. Propst	yes
Representative Christina Marie E. Sablan	abstain



Representative John Paul P. Sablan	yes
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	yes
Representative Blas Jonathan “BJ” T. Attao	yes

House Clerk Linda B. Muña: Mr. Speaker, 17 members voted “yes.”

Speaker Blas Jonathan “BJ” T. Attao: Thank you, Clerk. With 17 members voting “yes,” House Joint Resolution 21-1 is hereby adopted. I recognize the Floor Leader please.

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

**H. RES. NO. 21-4**

A House Resolution to amend the House of Representatives Rules of Procedure that was adopted on January 14, 2019; and for other purposes.

*The motion was seconded.*

*Under discussion; the Chair recognized the Floor Leader.*

Floor Leader John Paul P. Sablan: Thank you, Mr. Speaker. If I may, being your Chairman of the Ad Hoc Committee just go briefly on the work the Ad Hoc Committee has done. If I can take your attention to page 12 of the rules, the committee had inserted under Section 5, item (b) after the word “procedures” we inserted the words “Provided further that for the Ways and Means Standing Committee a quorum shall be at least five (5) members.” Further along, if I may take your attention to page 14, the Ad Hoc Committee also amended Section 1 under Ways and Means on the consistent – the composition of members that could join the Ways and Means from “twelve” to “thirteen”. Further on page 18, the committee had changed the word from “eighteenth” to “twenty-first”. Further along on page 28, under Rule XIII, Section 10, we included allowance and included the provisions (a) and (b) and struck out the provisions that were inserted in the interim rules – adopted in our inauguration session. Lastly, on page 31, under Section 2. Special Standing Committee on Official Conduct and Ethics – your Committee on Ad Hoc had made several amendments and struck out the number of members from “seven” to “eight” and provided an extra provisions that states “Provided further, that the committee shall be comprised as follows: 2 chairmen (one who is the Minority Leader or his or her designee) and six other members (three from the minority members who shall be appointed by the Minority Leader chairperson or his/her designee and three from the majority who shall be appointed by the majority chairperson.” As your Chair on the Ad Hoc Committee I ask that the members support the work of the Ad Hoc Committee. Thank you, Mr. Speaker.

Speaker Blas Jonathan “BJ” T. Attao: Thank you, Floor Leader. Any further discussions on resolution 21-4. I recognize Representative Ivan Blanco.

Representative Ivan A. Blanco: Mr. Speaker, are we allowed to offer floor amendments at this time?

Speaker Blas Jonathan “BJ” T. Attao: Under discussion, yes sir.

Representative Ivan A. Blanco: Thank you, Mr. Speaker. I understand several amendments will be introduced today. I do offer caution and consideration because of several reasons. Number one, I understand some of the amendments would further burden the Speaker and the House Clerk to require, accept and hold in their custody financial reports on individual allotments. Number two, some of the amendments would move to penalize members if they failed to provide financial reports. Number three, I guess the final of the amendment might be too vague as to who shall hold custody of financial records. Honorable members and Mr. Speaker, as your Ways and Means Chairman it is only fair that we compromise with language that I truly believe would provide answers to the concerns regarding Rule XIII, Section 10.

*Representative Ivan A. Blanco offered the following floor amendment.*

**FLOOR AMENDMENT to House Resolution 21-4**

I hereby move to amend Appendix A of the 21<sup>st</sup> CNMI House of Representatives Rules of Procedure, Rule XIII, Section 10. Allowances by adding a new subsection (c) which shall read as follows:

(c) Each member shall maintain a record of all transactions and corresponding public purpose justifications related to the allowance authorized by this section.

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: February 20, 2019

Offered by: /s/ Rep. Ivan A. Blanco

Reviewed for Legal Sufficiency by:

/s/ Legal Counsel Joseph Taijeron

*The motion was seconded.*

*Under discussion; the Chair recognized the Floor Leader.*

Floor Leader John Paul P. Sablan: Thank you, Mr. Speaker. In line with the floor amendment offered by our good chair of Ways and Means, if I may ask – pose a question to our Legal Counsels on the proposed amendments, if I can direct your attention to page 27, Legal Counsels, Section 6 under Purchases and Payments. Can you please read the provisions and let the body know if Section 6 entertains already the intent of the proposed floor amendment offered by our good Chair Representative Ivan Blanco.

Speaker Blas Jonathan “BJ” T. Attao: Counsels please.

Representative Lorenzo I. Deleon Guerrero: Point of clarification.

Speaker Blas Jonathan “BJ” T. Attao: State your point please.

Representative Lorenzo I. Deleon Guerrero: Thank you, Mr. Speaker. Can we be provided with a hard copy of the floor amendment? Thank you.

Speaker Blas Jonathan “BJ” T. Attao: Rep. Blanco, please provide the members copies. My apologies members, I thought Rep. Blanco provided copies already. Short recess please.

*The House recessed at 2:10 p.m.*

*RECESS*

*The House reconvened at 2:22 p.m.*

Speaker Blas Jonathan “BJ” T. Attao: We are back into session and we are under discussion on the floor amendment presented by Ivan Blanco. The question that was presented to the Counsel by the Floor Leader. Counsels, please proceed.

Legal Counsel Joseph Taijeron: The amendment basically is maintenance of record public access in spirit. It requires the maintenance of a record of all transactions and corresponding public purpose justifications. It doesn't track word for word, but basically if you look at 73050 public access to procurement information. Procurement information shall be a matter of public record and shall be available for public inspection. Procurement information may be kept confidential when necessary to ensure proper bidding procedures that's not applicable normally. This decision shall be made only by the procurement and supply director, but if you look at the first sentence "procurement information shall be a matter of public record and shall be available for public inspection" and you look at in essence what this amendment is requiring the maintenance of a public record or transactions – we believe and everyone has their own opinion that the current rules and regulations providing for public access to public record will be enough to cover this. This may be more specific, but this general rule generally covers this. I am referring to the amendment proposed by Representative Blanco. Thank you.

Floor Leader John Paul P. Sablan: So you're saying Counsel that Section 6 under Rule XIII, Purchases and Payments achieves the goal of this proposed legislation?

Legal Counsel Joseph Taijeron: Yes to the extent that the proposed amendment basically requires records of transactions and the current rules as they are written already requires adherence to procurement and procurement is here 70-30.3050 there's no need for this type of amendment based on the existence of this rule, which is already referenced in the current rule.

Floor Leader John Paul P. Sablan: Thank you, Legal Counsel. I guess, Mr. Speaker it's a redundant provision. Rule XIII, achieves the intent of the proposed floor amendment offered by our good Ways and Means Chairman Ivan Blanco. I would agree with the Legal Counsel because on the last sentence there on Section 6, the purpose of this act authorized designee shall include individual members who have expenditure authority over their individual allotment accounts. The only way that you can get the allowance under this rule is from your allotment account so it's embedded in there already. Thank you, Mr. Speaker.

Speaker Blas Jonathan “BJ” T. Attao: Thank you, Floor Leader. I now recognize Rep. Propst.

Representative Edwin K. Propst: Thank you colleagues and thank you Counsel for your opinion on this but I want to remind all of us that we are dealing with tax payer dollars and we are beholding to the people. I've never heard of such a thing as redundancy when it comes to championing transparency. We are talking about being as transparent as possible whether it's redundant or repetitive. If it is going to champion transparency and accountability and clarify things a little better, I don't see the problem. We've had several bills that we've introduced that have become law that have been redundant and repetitive in their writing in their findings and we've never really said anything about that those are mere technicalities but we are talking about strengthening and ensuring that the public is aware of what we are spending these operational account – these discretionary funds on. I do believe that Chairman Ivan Blanco's floor amendment is a good start and I do support it. Thank you, Mr. Speaker.

Speaker Blas Jonathan "BJ" T. Attao: Thank you, Rep. Propst. Any further discussions on the floor amendment? Rep. Tina Sablan.

Representative Christina Marie E. Sablan: Thank you. Just to follow on Congressman Propst's remarks and I would like to thank Chairman Blanco for moving this amendment forward. It is as Congressman Propst has said an excellent start. There is currently nothing in our rules that specifically requires members to maintain these records of our transactions related to the allowances and so what this amendment would do is to clarify that we should maintain those records, that we would be required to maintain those records and it isn't a matter of redundancy as much as it is a matter of clarifying and reinforcing and strengthening this obligation of all of us to be transparent and accountable for these public funds. So specific to the allowances and how those funds are being spent, we owe it to our people to be transparent and to be able to show them that in fact these funds are being used appropriately for public purposes. So, I would like to thank the mover of the amendment and I am ready to support his amendment.

Speaker Blas Jonathan "BJ" T. Attao: Thank you, Rep. Tina Sablan. Any further discussions on the proposed amendment. Floor Leader please.

Floor Leader John Paul P. Sablan: Not more on discussion, but Mr. Speaker if I can ask the Legal Counsel – because we're amending this resolution does it require simple majority or requires three-fourths to adopt such floor amendment.

Legal Counsel John Cool: Floor amendment would also require the three-fourths vote eventually.

Legal Counsel Joseph Taijeron: As a final adoption measure it would eventually require three-fourths, but right now it's just the floor amendment. The adoption of the rule itself as amended would require three-fourths of the floor amendment as written.

Floor Leader John Paul P. Sablan: Counsel, we are amending a House Resolution that had requirements that it sit one complete legislation session.

Legal Counsel Joseph Taijeron: Right.

Floor Leader John Paul P. Sablan: We're adopting a floor amendment on the floor changes this resolution.

Legal Counsel Joseph Tajeron: We've amended the measure and placed it on the calendar for action and that's simply what we're using that procedure. So, the floor amendment itself can be adopted, but once it is adopted we're going to go to the three-fourths to place it on the actual adoption calendar.

Floor Leader John Paul P. Sablan: So you're saying that it only requires simple majority for the floor amendment offered.

Speaker Blas Jonathan "BJ" T. Attao: Short recess.

*The House recessed at 2:30 p.m.*

*RECESS*

*The House reconvened at 3:00 p.m.*

Speaker Blas Jonathan "BJ" T. Attao: Back to session and the Floor Leader has the floor right now.

Floor Leader John Paul P. Sablan: Thank you, Mr. Speaker. Before we entered into recess, I did pose a question to our Legal Counsels with regards to the floor amendment offered how many votes is required whether it's three-fourths or simple majority and at this time, I yield to the Legal Counsels.

Legal Counsel Joseph Tajeron: Right. Thank you very much and apologize for the delay. It's what happens when you have a lot of smart people at making very good valid points. We all took them into consideration and everyone's opinion was considered. We looked at the House Rules, the House Rules say that we need three-fourths to actual amend the rules. What's on the floor right now is not amending the rules it's amending the resolution. So, because we're not amending the rules, which requires three-fourths and we are amending a resolution, the general rule that we always follow in the House is majority rules that's backed up a rule in Mason's that's not exactly in point. We don't have exactly when the CNMI Legislature is amending it's resolutions for the rules – we don't have that in Mason's but we have a similar situation and that basically says that an action requiring two-thirds for passage can be repealed by majority rule. So the other one number 7 on Section 512 when a constitutional provision – obviously this is not a constitutional provision but when it requires more than a majority vote for the passage of certain types of bills again we don't have a bill we have a resolution – such bills can be amended by a majority vote. An amendment to such a bill by the order of the House not involving any question itself requiring more than a majority vote requires only a majority vote for a concurrence. So based on everything we have discovered and discussed and all the opinions that have been expressed, the House Counsels have agreed that the answer to this question is we need a majority vote.

Floor Leader John Paul P. Sablan: So Counsel it's very clear that we are only amending the resolution and not the rules itself.

Legal Counsel Joseph Tajeron: That’s correct. The rules itself requires very clearly three-fourths, but we are not doing that. We are just amending the resolution. Once that resolution is a stationary target then you can shoot it or you can miss it. We’re not shooting at the target yet. We’re just putting the yellow and the blue and the red for now.

Floor Leader John Paul P. Sablan: Thank you, Mr. Speaker. I yield.

Speaker Blas Jonathan “BJ” T. Attao: Short recess.

*The House recessed at 3:03 p.m.*

*RECESS*

*The House reconvened at 3:06 p.m.*

Speaker Blas Jonathan “BJ” T. Attao: Back to session. We’re back to the question on the amendment introduced by Representative Blanco. Any further discussions on that amendment?

Representative Christina Marie E. Sablan: Mr. Speaker, point of order.

Speaker Blas Jonathan “BJ” T. Attao: State your point please.

Representative Christina Marie E. Sablan: May I just clarify. May we vote on this by roll call?

Speaker Blas Jonathan “BJ” T. Attao: No problem. Clerk, please call the roll on the amendment introduced by Representative Ivan Blanco.

*The Clerk called the roll on the motion to adopt the floor amendment offered by Representative Ivan A. Blanco with the following results:*

Representative Sheila Therese J. Babauta	yes
Representative Roman C. Benavente	yes
Representative Ivan A. Blanco	yes
Representative Antonio SN. Borja	yes
Representative Joel C. Camacho	yes
Representative Luis John DLG. Castro	yes
Representative Lorenzo I. Deleon Guerrero	yes
Representative Joseph A. Flores	yes
Representative Joseph Lee Pan T. Guerrero	no
Representative Jose I. Itibus	absent ( <i>excused</i> )
Representative Richard T. Lizama	yes
Representative Donald M. Manglona	yes
Representative Janet U. Maratita	yes
Representative Edwin K. Propst	yes
Representative Christina Marie E. Sablan	yes
Representative John Paul P. Sablan	yes
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	yes
Representative Blas Jonathan “BJ” T. Attao	yes

House Clerk Linda B. Muña: Mr. Speaker, 17 members voted “yes” and 1 member voted “no.”

Speaker Blas Jonathan “BJ” T. Attao: With 17 members voting “yes,” amendment introduced by Ivan Blanco is hereby adopted. Back to the main motion. Any further discussion on the main motion? Rep. Villagomez please.

*Representative Edmund Joseph S. Villagomez offered the following floor amendment.*

#### **FLOOR AMENDMENT TO H. RES. 21-4**

I hereby move to amend Appendix A of the 21<sup>st</sup> CNMI House of Representatives Rules of Procedure, **Rule XIII, Section 3. Budget Plan, Financial Report and Inventory** to read as follows:

(b) Each member shall submit a financial status report of his or her individual allotment account to the Speaker’s office and to the House Clerk quarterly. Each member’s report shall include a summary of all expenses by category, and a record of all transactions and corresponding public purpose justifications related to the allowance authorized pursuant to Rule XIII, Section 10, Allowance. Reports shall be due on April 15, July 15, October 15, and January 15 and shall be made public.

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: February 20, 2019

Offered by: /s/ Rep. Edmund S. Villagomez

Reviewed for Legal Sufficiency by:

/s/ Legal Counsel John F. Cool

*The motion was seconded.*

Speaker Blas Jonathan “BJ” T. Attao: An amendment has been proposed on the floor by Representative Villagomez and has been seconded. Discussion on the amendment? Floor Leader please.

Floor Leader John Paul P. Sablan: Thank you, Mr. Speaker. This question would go to the mover of the floor amendment. I know that the insertion of the House Clerk. Did we get any consultation with the Bureau if the House Clerk can handle such extra responsibility with this floor amendment in our rules?

Representative Edmund Joseph S. Villagomez: I discussed this with our colleague Representative Tina Sablan and if I may yield to you.

Representative Christina Marie E. Sablan: Thank you, Representative Villagomez and Floor Leader for that question. Yes, we did reach out to the Bureau and we were able to clarify and confirm that part of the Clerk’s normal course of duties, scope of duties and responsibilities is to accept reports and documents from the members and to preserve those as records of the legislature, records of the Bureau. So this amendment would not create an additional burden. She is already doing that as a matter of course as part of her responsibilities as Clerk. Just to clarify,

this doesn't require the Clerk to do anything more than just accept and maintain on file the reports that we would submit.

Floor Leader John Paul P. Sablan: And you go that from the LB Director and it's okay?

Representative Christina Marie E. Sablan: I got this from the Clerk. Yes.

Floor Leader John Paul P. Sablan: The Clerk. I yield Mr. Speaker.

Speaker Blas Jonathan "BJ" T. Attao: Any further discussions on the proposed amendment? Rep. Propst please.

Representative Edwin K. Propst: Thank you, Mr. Speaker. I kindly request a roll call on this amendment. Thank you.

Speaker Blas Jonathan "BJ" T. Attao: Sure. Any further discussion? Rep. Babauta please.

Representative Sheila Therese J. Babauta: Thank you, Speaker and thank you Rep. Villagomez and Rep. Blanco for the previous amendment as well. So colleagues, regarding the allowance right, it's something that's huge for our community. I mean, we're all going to be given up to \$5,000.00 that we can withdraw and use and spend as we deem fit. So that to me is flexibility and accessibility to our discretionary funds and that's important. It's important to have access and flexibility with our funds so that we can run a smooth and responsive operation. I support travel, building our relationships, expanding knowledge, communicate solutions to our sister islands, our federal counterparts, federal agencies, I support contributing and hosting community events. I mean these are decisions that we should be making in our own office with our discretionary funds we want to make the process easier. I get it. So again, I support flexibility and accessibility, however; I also support accountability and transparency that is really important and our community is concerned that's the discussion at the picnic table, that's the discussion on the Marianas Variety comments and we should not ignore that. We must remember these are public funds, right? They were entrusted to us. We didn't earn that money, we earn that trust. We earn the trust from the community. So, without any form of reporting on this allowance is pretty much telling the community that "I can take your money, I can spend it and I'm not really required to tell you how I spent it as long as I let you know that it was for allowance." So I understand why they're concerned. These are a few comments from Marianas Variety. "This is a corrupt action by the legislature." "Is the government supposed to be closely monitoring spending?" "The money should be used on constituents and not to benefit the legislators personally." "This is a clever way to secure additional income and fatten your pockets." And while – I do know that this is a small segment I guess of our community the overall feeling is that there's concern and that's what I want to emphasize. Let's not forget who the public is right. Our teachers, our first responders, our nurses, these are people that take care of us and we should take care of them and we should take their concerns seriously. These are our friends our aunts, uncles, my sisters, my brothers, friends and neighbors. I mean they elected us and they're asking us for accountability. So how can we give them accountability? It's through these amendments and it's really not that hard. I mean keeping track of your expenses is an excel spreadsheet. Submitting that is an email. So submitting that to our Speaker and the Clerk and keeping records for our community to access when they want to because it is their funds. So if someone comes to my office and see how I've



been spending their money – our money, I would gladly open my books for them. I support it. In the end I do support it and I thank you. I thank you for introducing the amendment and I look forward to working with our community and hearing their concerns and taking it seriously and I want to encourage my colleagues to do the same because this is our community, it's for our family and it's really for our future. Thank you.

Speaker Blas Jonathan “BJ” T. Attao: Rep. Ralph Yumul after Rep. Lee Pan.

Representative Joseph Lee Pan T. Guerrero: Thank you, Mr. Speaker. I want the members why I'm voting “no” because I am not going to take any allowance. If the community or the public wants to view my record it's open. Most of my funding for operation that I use are for tents for *matai*. I've provided tents in Precinct 4, 5, 3, 2, 1. I'm rebuilding bus stop, those are public funds. And for the bloggers in Variety, they are welcome to come to my office I'll open the door. They can even request Finance. The main reason why I'm not supporting this because I'm not going to tap into my operation. It's money in your operation. I ask the colleague most especially the Chairman for JGO, work on my bill so we can handle our financial affairs that will resolve all these issues that we're confronting right now. That will resolve it. So the main reason I'm not supporting any of this amendment because I don't want an allowance. I'm basically subsidizing the government out of my pocket and the government is not paying me for that. I dare anyone here to go out there in the community and spend. We hear about our children crying out there with bus stop, I'm the only one making repairs. I don't see anyone and we're talking about amending about allowance? Come on. You know if we're going to think about reporting and all these things do whatever you want but understand everybody is going to be account for at the end of the it's what is needed out there. Thank you, Mr. Speaker.

Speaker Rafael S. Demapan: Thank you, Rep. Lee Pan. Any further discussions on that amendment. Rep. Richard Lizama please.

Representative Richard T. Lizama: Thank you, Mr. Speaker. I acknowledge Representative Guerrero. He's saying that he's the only one rebuilding or renovating bus stop, I want to add that in that I did that this weekend. So just for the record, yes some of that money was spent from my own pocket money. So, I need more. If you want me to withdraw \$2,500.00 for my own public purpose use. I need more. The \$7,500.00 that I do have right now is not enough. Thank you.

Speaker Blas Jonathan “BJ” T. Attao: Thank you, Rep. Lizama. Rep. Tina Sablan.

Representative Christina Marie E. Sablan: Thank you, Mr. Speaker. At the heart of all of these amendments, Mr. Speaker and colleagues is our interest ultimately in protecting the integrity of this body and reassuring the people that we represent that we are transparent that we are accountable for the public funds that have been entrusted to us. We should be doing it already as Congressman Lee Pan has pointed out, but this is also assuring that we have rules that guide us that we will follow them that we're all obligated to follow these rules and just meet a really basic standard of transparency and accountability, reporting and documenting our allowance expenditures and assuring the public the people we serve that we are doing this for public services. So we do recognize and understand the desire of our colleagues who want as Representative Babauta said, flexibility, access, the ability to run our operations efficiently. We all understand that, I think. And anybody who had to wait for days and even weeks for Finance to

even process a PO, yes, we get it. Our colleagues on Rota and Tinian especially, they need the flexibility to be able to travel back and forth between their districts, absolutely. That is why many of us if not all of us in the minority support Congressman Lee Pan's bill to more fully establish the independence of the Legislature and our ability to manage our finances as a separate branch of government. In the meantime, we can do more within our rules to strike that balance between flexibility and accessibility and efficiency on the one hand and the imperative on the other hand to be transparent and to be accountable for every public dollar that we spend. So there may be some who believe that our rules as they stand are enough, it's enough transparency, but the fact is that until Representative Blanco's rule was introduced, there was nothing to require documentation. What we're also proposing with Representative Villagomez's amendment is reporting. We already have to submit quarterly financial reports to the Speaker and now we're just wanting to make sure that these are reports that are maintained within the Legislative Bureau, filed with the Clerk and that we are specific about what we are reporting and that it includes expenditures from the allowances. Because without records and reports Mr. Speaker and colleagues, there really is no transparency and no accountability. We do recognize that there are members in both the majority and the minority who are already drawing down allowances and all that we're proposing Mr. Speaker and colleagues is that from this point on, today, each of us is responsible for keeping those records, documenting our expenses, justifying their public purposes and filing those reports with the Speaker and the Clerk because this is the people's money after all. Right now our current rules do not yet clearly spell that out. Without that clarity as Representative Babauta so clearly illustrated when she was reading the comments just from the blogs alone, without that, public perception of this whole body is tainted whether we draw those funds or not and no matter what noble public purposes we might be using them for. If we're not documenting and accounting for those public dollars, people will assume the worst. When public perception is diminished so too is public trust. So I stand ready to support this amendment and a couple more amendments to follow and I ask, I urge the members of this body to consider supporting them as well. Thank you.

Speaker Blas Jonathan "BJ" T. Attao: Thank you, Rep. Sablan. I recognize Vice Speaker.

Vice Speaker Lorenzo I. Deleon Guerrero: Thank you, Mr. Speaker. I voted in support of Rep. Ivan's floor amendment and I think that would be sufficient enough for us and our constituents and to the public to depend on us to maintain our expenditures. We all sworn into office, we are all adults, we know how to spend and be liable and be responsible. Don't tell me to report my expenditure and send it to the Speaker and subsequently send it to the House Clerk. It's already – this floor amendment that I supported it's there. What more do we need? Transparency, accountability, we are all adults. We all swore into office to abide to all laws, rules and regulations and constitutions. Please, don't treat us like kids. If you cannot handle your expenditures then that is your problem. So I supported this floor amendment and I will abide. So if anybody wants to see my records, come to my office, I'll show you my records. If you don't keep your records, shame on you. Again, imposing all this so to speak transparency and accountability, we're all accountable because the people voted us into our office because they expect us to be transparent and accountable but just for the sake of amending rules? Come on. Ivan's floor amendment should be sufficient. Mr. Speaker and members, I'm not supporting this floor amendment. Thank you.

Speaker Blas Jonathan “BJ” T. Attao: Thank you, Vice Speaker. Any further discussion on the proposed amendment by Rep. Edmund Villagomez. Rep. Benavente.

Representative Roman C. Benavente: Thank you, Mr. Speaker. I would just like to echo some concerns with what Representative Tina Sablan has mentioned and what Representative Larry Guerrero has mentioned. Collectively, even Representatives Lee Pan’s concern too and they’re all right as far as the intent here but we got elected into office here starting with \$39,000 when I first come into office – I had \$39,000 salary and it was stricken down to \$32,000 and I don’t make any complain. I chose to run but I don’t make any complain. I spend a lot of money, make everything and whatnot, yet I’m bombarded with this “if we don’t do this, we face public scrutiny.” We face public scrutiny out there during the campaign and maybe there might be something good that we’re doing that’s why they elected me back in office because I lost on the 20<sup>th</sup> but I got back in the 21<sup>st</sup>. Maybe there’s something good that the people saw within myself and what I do but each of us personally should be responsible for our own personal obligations. Whatever we do out there in the community leap service is nothing. We can go out here and we talk about things and we say we do this but yet we don’t make it a reality. We have to face the music and represent the people with what we say, we represent the people as what we preach for and what we work for. So I’m sorry to say this but people might be holding two jobs as far loyalty is concern. Be elected by the legislature and at the same time we’re suppose to be serving the community at the same time taking a second job and being paid from the second job. I have nothing against that individual or whoever individuals involved in. I don’t have anything against that, the public should know that, the people should know that. If you’re receiving funds from everything, I don’t think you are entitled to receive funds representing the people at the same time because when we ran, we ran to represent the people in all honesty and loyalty to the people of the CNMI. I would just like to say this Mr. Speaker and whatever we do we might not have enough in our coffer but when we say we do things let’s do it. Talk is cheap and I just don’t want to say something because it don’t sound nice but Mr. Speaker we have to hold our own morals as a result and our own integrity as a representative and serve the people. I will humbly ask each and every one of us to look soul searching for yourself as an individual. I am not saying I’m good or I’m perfect, but I do search my soul. Another thing I would like to share among everybody, the separation of power between the executive branch, the judicial and the legislative we have our own authority within the House and we are extrapolating that authority and giving out to other entity to try to tell us what to do or try to mandate us to do something that’s the power within the House Mr. Speaker and that’s what we have as representatives. Think of that. Thank you, Mr. Speaker.

Speaker Blas Jonathan “BJ” T. Attao: Thank you, Rep. Benavente. Rep. Propst then Rep. Yumul.

Representative Edwin K. Propst: Thank you, Mr. Speaker. Wow a lot of emotions right now. I guess it’s an emotional and touchy subject, I honestly don’t understand why. We don’t want to be treated like kids and we don’t want to be insulted. Well guess what, when you run for office, when you’re a public servant you have to have thick skin and when I first ran it took time. I had to build thick skin *kayus* to be resistant to criticism. Constructive criticism we welcome them all, we love it. Destructive criticism, you know when you first run you get kind of upset about it but after a while you just brush it off. So if there’s emotions if someone is feeling insulted, I’m sorry. I can tell you right now that my colleagues who introduce these first two amendments, I see nothing wrong with it. I believe that when you champion transparency it is a good thing, but

since we are commenting about different things and we are discussing things, yes we did take a pay cut and it's sad that a lot of our constituents aren't aware of that and I have to let them know because I'm one of them. All of us took a significant pay cut. When we first got in, yes we were making \$39,300 which is not big money to begin with because several of us had higher paying jobs, myself included, but we make sacrifices. You know what the sacrifices continue. Yutu didn't only affect a few people it affected all of us. How many of us took huge losses? I know several of you have, I'm one of them. Trying to make ends meet it's difficult. You know right now, I did take a part time job and I'm not ashamed to admit it. I am currently during my probationary stage, I'm making \$7.25 an hour it's humbling. I could have found a higher paying job, but I had to go out and help my family. We had over \$30,000.00 worth of damage to our home and sadly FEMA didn't respond with what we're hoping for and even if you qualify for an SBA loan, it's a loan you still have to pay it back. I am not a rich person, I work hard and I can do both jobs. When I was in college, when I went off to college, I went to college full time and had three part-time jobs. I'm a little older, I don't have the energy that I had when I was much much younger, but I can tell you I can easily serve the people, be transparent and be a champion for our people and a voice for our people while taking a part-time job. If somebody has a problem with that they can call me out on it because I've been transparent I've let people know, I talk to our constituents, I continue to go out, I put in the hours in the mornings and the evenings but we're not just talking about me it can be the same for all of you because if you really look at the framers of Article II, Section 13 in our Constitution, we are a part time legislature. We just choose to make it a full time legislature because of all the wonderful things we do. At some point, maybe we have to scale back a little bit because we have high expectations for ourselves. I have had to lower the bar when it comes to a lot of things. I have to learn to say "no" and it's difficult because if I have to choose between my family and putting out *chenchule* and feeding my family, which do I choose. We're all in that dilemma. Long story short this isn't about all of this. This is really about amendments that are simply going to make things more transparent it's going to make things better for us so that when we are being scrutinized we can simply say, "Yes, we have all the rules set forth in our resolution. Come on over and look at it. It's not a problem." And there is nothing wrong with being consistent in that regard. So I'm sorry, but you know if we're going to get emotional and everything just look at it and vote on it based on it's merit because at the end of the day you can never have too much transparency and accountability when it comes to being public servants. Thank you, Mr. Speaker.

Speaker Blas Jonathan "BJ" T. Attao: Thank you, Rep. Propst. Rep. Yumul.

Representative Ralph N. Yumul: Thank you, Mr. Speaker. Just to understand the floor amendment with regards to each member shall submit a financial status report. So in that financial status report we're going to list down basically manpower, gas, travel, leased vehicles every month so that or every quarter so that it's transparent so we know how much we're paying our staff, how much is our fuels. So is that part of the requirement? Is there going to be one pretty much a template that follow? What can we report? Are we allowed to report such as how many staff we have, how much we pay them, are we required to do all of that?

Speaker Blas Jonathan "BJ" T. Attao: I can answer your question Rep. Yumul. It's actually only referring to the allowance should you decide to take out any money. I believe that's the intent of this amendment if any funds that you take within your \$7,500 as an allowance – how you use it is what – and you're right it could be the leased vehicle it could be to pay a staff that's under a

business license or contract out. Those are some of the things that I believe the allowance just specific to those funds. If the members would allow me to chime in to just ask one quick question to the mover.

Floor Leader John Paul P. Sablan: Please do so Mr. Speaker.

Speaker Blas Jonathan “BJ” T. Attao: The allotment or the account to the Speaker’s office and the House Clerk. With this amendment it’s not even necessary to consider the House Clerk because whatever communication gets to the Speaker’s office is distributed to the House Clerk and gets to all the members anyways. That’s just the process. Anything that comes in to the Speaker’s office we sign off and it goes to the House Clerk, which provides the members. I guess, I don’t know with that being said the move then Rep. Maratita please.

Representative Edmund Joseph S. Villagomez: I guess we can remove that Mr. Speaker. Does that have to be a subsidiary?

Speaker Blas Jonathan “BJ” T. Attao: I am just sharing that with the mover that that is actually the process. Anything that you guys get in your office is sent to the Speaker’s office, whoever the Speaker may be and it’s referred to the Clerk and that’s how it’s distributed out. The load is just going to give the Clerk double the information or whatever the case may be. Rep. Maratita please. Sorry Rep. Villagomez?

Representative Edmund Joseph S. Villagomez: I’m good thank you.

Representative Janet U. Maratita: In line Mr. Speaker, so it would be considered as a house communication? Are you referring to –

Speaker Blas Jonathan “BJ” T. Attao: That could be one way or it could be considered a miscellaneous communication. I don’t know, I’m just saying that this is just a double load into the Clerk’s office that’s double information to the Clerk.

Representative Janet U. Maratita: And another question. No offense, as a Speaker who would you send your report to?

Speaker Blas Jonathan “BJ” T. Attao: Should I choose to take the allowance, which I have not done, I would submit to the Clerk, I believe that would be the process. So like what Rep. Benavente had mentioned the separation of power so I’m not going to send it to the Secretary of Finance or to the Governor it still would be the Clerk.

Representative Janet U. Maratita: Like I said we need clarity in this amendment.

Speaker Blas Jonathan “BJ” T. Attao: Any further?

Representative Janet U. Maratita: I yield for now.

Speaker Blas Jonathan “BJ” T. Attao: Can we take like two more or three more on this subject amendment so we can move with the session. Any further discussion on the amendment that was proposed by Representative Villagomez. Floor Leader.

Floor Leader John Paul P. Sablan: Thank you, Mr. Speaker. Just on the floor amendment offered I would like to echo also the Vice Speaker. I supported the first amendment offered by Ivan Blanco and that provision mainly says that each member shall maintain a record of all transaction and correspondence, public purpose, justification related to the allowance authorized by this section which is Section 10, Allowance. The floor amendment now on the floor requires the members to further categorize and record. We already on the first amendment it mandates us already to maintain a record of transaction and then we’re going to do further recording and report it to the Speaker’s office and that of the House Clerk. I think the first amendment should already hold a lot of water for transparency. Any tax payer can come to our office and request a review of the records that is mandate that we just voted to all the transaction and correspondence related to the allowance Section 10. I just want to state for the record that I don’t support this floor amendment. Thank you.

Speaker Blas Jonathan “BJ” T. Attao: Thank you, Floor Leader. If the members are okay, would it be okay that I share some of my thoughts from up here or would you like for me to step down. Thank you, members. I echo the Floor Leader’s concerns because the first amendment introduced by Rep. Blanco already lists everything down technically with what you’re doing with your allowance and then with the current rules it’s already mandate that it be submitted to the Speaker’s office so that’s the same thing we just submit it to the Clerk. We really don’t need this specific resolution if we have the first one and they’ll follow the existing rules that has the submission to the Speaker with the financial report. I don’t know it’s up to you to consider individually, but I’m just sharing that because currently the rules requires that they submit it to the Speaker’s office and from there on we can submit it and we already got the allowance portion in that would be part of the financial breakdown. If I may, Rep. Tina Sablan and last one will be Vice Speaker.

Representative Christina Marie E. Sablan: Thank you, Mr. Speaker. Just to call the members’ attention to the purpose of that particular subsection of our rules, Budget Plan, Financial Report and Inventory. So currently in our rules we are as the Speaker has noted required to submit a status report of the individual allotment account. That’s all that says. We’re supposed to do it quarterly, but when that starts is not clear in the rules. What Representative Villagomez’s floor amendment would do, again going back to what we’ve been saying, that there’s no such thing as too much transparency and we are just adding further clarity to what should be included to these reports. It should include a summary of the type of expenses for individual allotment accounts. Again, the purpose of that is also to be helpful to you Mr. Speaker and to your leadership. It’s partly for transparency and accountability, but your duty is to establish a budget plan for the House for this body and there should be some level of detail in terms of how these funds are being spent from our allotment accounts including from our allowances to allow for the establishment of a plan that will guide us in the next two years. So, I support the amendment as I stated. Again, there’s no such thing as too much transparency. This is just further clarifying our duty to report on a quarterly basis and it spells out when that starts, the 15<sup>th</sup> of April, July, October and December and it also provides for some addition as details that would ensure that we are actually reporting the records that we are already keeping.

Speaker Blas Jonathan “BJ” T. Attao: Thank you, Rep. Sablan. Vice Speaker and then we’ll close out to Floor Leader then we will move on.

Vice Speaker Lorenzo I. Deleon Guerrero: Thank you, Mr. Speaker for the second time. I echo Rep. Janet Maratita’s concern. Obviously, we need some clarity on this floor amendment. Each member is to report to the Speaker and the House Clerk, but it doesn’t identify or require where the Speaker’s report will be sent to. I know the Speaker recommended that he sends it to the House Clerk. He recommended that so I ask that we clarify this in our amendment before we move on. I am allowing maybe the mover of the floor amendment to make that specific clarification if you will.

Representative Edmund Joseph S. Villagomez: Thank you, Vice Speaker and hopefully this would get your support. Just kidding. That’s why that language and to the House Clerk is there because as far as I’m concern the Speaker is still a member of this House.

Speaker Blas Jonathan “BJ” T. Attao: Thank you, Rep. Villagomez. Floor Leader last on the amendment so we can move on.

Floor Leader John Paul P. Sablan: Thank you, Mr. Speaker. Nobody’s questioning – there’s no way we can say there is enough transparency. All I am saying is that amendment one already mandates us to record all transactions. Amendment two is like telling us to itemize by gas, by lease. I mean who in this chamber is going to throw receipts to you Mr. Speaker on your table. Of course, if we’re responsible we’re going to itemize it. There’s no need to insert provisions that’s going to tell you to itemize. There’s a mandate already that we have to record all transactions whether it’s a gas payment, whether it’s a capital equipment like bush cutters – every member is responsible to itemize every transaction. This floor amendment assumes that we just throw receipts to the Speaker’s office and don’t itemize, I mean come on. Number one amendment I supported that holds everything in tact already that we maintain records from those members that has availed to the allowances. It’s there already, the receipts will talk for itself that it’s a payment for gas receipts that it’s a payment for equipment that you use for the community. I am not saying that there’s no such thing as enough transparency. This is transparent already amendment one. Thank you, Mr. Speaker.

Speaker Blas Jonathan “BJ” T. Attao: Last one, Rep. Antonio Borja. You never had a chance so please.

Representative Antonio SN. Borja: Thank you, Mr. Speaker. Of course, we want transparency. We love transparency, I do. I’ve been in the council and that’s what I was always careful about transparency to our people, but I agree with the first floor amendment that constitutes everything with the trust of the people with each and every one of us here. Of course, it says all records shall be maintained and you don’t have to go out there and show every constituent, but when they complain it’s your responsibility to provide all those but with this second, I disagree. I’m sorry member Villagomez in scheduling submission of records, reports. Sometimes, I might not meet the session with some reasons and I don’t want also to jeopardize myself with my allowance covering housing and everything here by missing submission date. That’s all Mr. Speaker. Thank you.

Speaker Blas Jonathan “BJ” T. Attao: Clerk, please call the roll on the floor amendment.

*The Clerk called the roll on the motion to adopt the floor amendment offered by Representative Edmund Joseph S. Villagomez with the following results:*

Representative Sheila Therese J. Babauta	yes
Representative Roman C. Benavente	no
Representative Ivan A. Blanco	no
Representative Antonio SN. Borja	no
Representative Joel C. Camacho	no
Representative Luis John DLG. Castro	no
Representative Lorenzo I. Deleon Guerrero	no
Representative Joseph A. Flores	no
Representative Joseph Lee Pan T. Guerrero	no
Representative Jose I. Itibus	absent ( <i>excused</i> )
Representative Richard T. Lizama	yes
Representative Donald M. Manglona	yes
Representative Janet U. Maratita	yes
Representative Edwin K. Propst	yes
Representative Christina Marie E. Sablan	yes
Representative John Paul P. Sablan	no
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	no
Representative Blas Jonathan “BJ” T. Attao	no

House Clerk Linda B. Muña: Mr. Speaker, 7 members voted “yes” and 11 members voted “no.”

Speaker Blas Jonathan “BJ” T. Attao: Thank you, Clerk. With 7 members voting “yes” and 11 members voting “no,” the amendment by Rep. Villagomez is defeated. Back to the main motion. Any further discussion on the main motion? Representative Sheila Babauta.

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

#### **FLOOR AMENDMENT TO House Resolution 21-4**

I hereby move to amend Appendix A of the 21<sup>st</sup> CNMI House of Representatives Rules of Procedure, **Rule XIII, Section 5. Accounts of the House** by adding a new subsection (c) which shall read as follows:

(c) A member’s failure to timely file quarterly financial reports shall result in the Speaker freezing future drawdowns from the member’s individual allotment account until reporting requirements are satisfied. Failure to report public purpose justifications for each transaction related to the allowance authorized pursuant to Rule XIII, Section 10, Allowance shall result in such expenses being deducted from the member’s salary.

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: February 20, 2019

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



Reviewed for Legal Sufficiency by:  
/s/ Legal Counsel Joseph DLG. Taijeron

Representative Sheila Therese J. Babauta: Mr. Speaker, may I continue to emphasize that the intent for this amendment is not to further burden you, but to grant you more authority and accountability, holding us accountable because there are requirements to report and submit reports, but if we don't submit them on time and there are no consequences then really what will drive us to submit that report. Consequences are important so that negative behavior is less likely to occur or reoccur and so okay.

*The motion was seconded.*

Speaker Blas Jonathan "BJ" T. Attao: An amendment has been proposed by Rep. Sheila Babauta and it has been seconded. Discussion on the amendment. Floor Leader please.

Floor Leader John Paul P. Sablan: Just a question to the Legal Counsel. Is there a need for this floor amendment because amendment two was defeated? I believe this is – amendments are in line to follow as if its adopted.

Legal Counsel John Cool: It imposes an additional requirement. Currently there's a requirement to submit financial status reports at the end of the account and this impose a penalty failure to do that. Also it would attempt at least to cause a deduction in the members salary in the event that they fail to report.

Floor Leader John Paul P. Sablan: So is that a yes it's in line? John.

Legal Counsel John Cool: Yes it's an addition to the current requirement.

Floor Leader John Paul P. Sablan: Thank you, Mr. Speaker. I yield.

Speaker Blas Jonathan "BJ" T. Attao: Thank you, Floor Leader. This is going out to Counsel. Counsel, does the Speaker have the authority to freeze an account on the – just because a member failed to provide a report on the allowance. Isn't this just like doing a lenient on someone's salary?

Legal Counsel John Cool: Under the current set up, no he would not have the authority to do that. Under the law as it's written the Speaker has the authority to be the accused actually the expenditure authority for all the individual accounts. However, every time we do an appropriation bill we suspend that provision and we give each individual member authority or expenditure authority over their own accounts. So the Speaker now has no authority now over the individual accounts nor the salary.

Representative Joseph Lee Pan T. Guerrero: So in essence, I might as well give the Speaker my \$7,500.00 monthly and I will drawdown from the Speaker. Provide him the receipt and say here's my receipt. You're entitled to pay for this receipt.

Legal Counsel John Cool: That's the way the planning and budget act provides without – every time – every appropriation act we've enacted changed the provision suspending that provision of the law and giving the individual member the expenditure authority.

Representative Joseph Lee Pan T. Guerrero: Thank you, Counsel.

Speaker Blas Jonathan "BJ" T. Attao: Thank you, Rep. Lee Pan. Thank you, Counsel. Rep. Tina Sablan please.

Representative Christina Marie E. Sablan: Thank you, Mr. Speaker. Just to follow up with our Counsel so we all understand what the current rules provide for. So the law establishes the Speaker of the House as the expenditure authority for the House. Is that correct Mr. Cool?

Legal Counsel John Cool: Planning and budgeting act provides that the majority leader is the expenditure authority for the minority members.

Representative Christina Marie E. Sablan: Okay and we suspend that in our appropriations act so that each individual member is an expenditure authority?

Legal Counsel John Cool: That's correct.

Representative Christina Marie E. Sablan: Okay. And then currently in our current rules it's the Speaker of the House who allocates House funds to the individual allocation accounts of individual members that's Rule XIII, Section 5. Am I understanding that correctly? So the Speaker establishes these individual accounts.

Legal Counsel John Cool: That is also superseded by the annual appropriations act where we give the individual expenditure authority over the individual members. A lot of the rules, I noticed, were based on what the planning and budgeting act says and not how it's been amended.

Representative Christina Marie E. Sablan: But in our current rules again, going back to what we have now so the Speaker allocates the House funds for individual members. The Speaker also issues a budget plan for the expenditure of House funds and is suppose to issue an annual report in full accounting for the finances of the House and each individual member is suppose to submit a financial status report of his individual allotment report to the Speaker and that's currently in our rules.

Legal Counsel John Cool: That's correct.

Representative Christina Marie E. Sablan: If individual members do not submit their quarterly financial status report is there any consequence right now pursuant to the rules?

Legal Counsel John Cool: No, I don't believe there is.

Representative Christina Marie E. Sablan: So, Representative Babauta's amendment would create a consequence where there is currently none?

Legal Counsel John Cool: Yes with further amendments to implement it because although the consequences are there, the Speaker doesn't have the expenditure authority over the individual accounts –

Representative Christina Marie E. Sablan: Because of the appropriations act.

Legal Counsel John Cool: Because of the appropriations act.

Speaker Blas Jonathan “BJ” T. Attao: Any further discussions? Floor Leader.

Floor Leader John Paul P. Sablan: Well Speaker in line with Rep. Tina Sablan's question to the Legal Counsel, so I guess the question is, is there a need for this floor amendment if you're saying the Speaker does not have the authority to freeze our allocated funding to each member, John.

Legal Counsel John Cool: I don't personally know if there is any. I don't know whether there is any. I don't know if there's been a report or in respect to this matter.

Floor Leader John Paul P. Sablan: John, you mentioned earlier that by law and you addressed the budget act earlier when Rep. Tina was asking the question. You said by law right now, the Speaker right now does not have the authority to freeze every members' allocation account. Is that a yes or no?

Legal Counsel John Cool: Yes. Each appropriation act suspends the planning and budgeting act. Actually, it refers to the specific section and then grants the expenditure authority to each individual member.

Floor Leader John Paul P. Sablan: So the second question is do you see the need that we adopt this floor amendment offered by our good colleague Sheila Babauta?

Legal Counsel John Cool: I don't believe that I could be implemented without changing some of the provisions related to the management of funds and either the planning and budgeting act or the appropriation act.

Floor Leader John Paul P. Sablan: I yield.

Speaker Blas Jonathan “BJ” T. Attao: Rep. Sheila Babauta and then Rep. Tina Sablan.

Representative Sheila Therese J. Babauta: Thank you. And thank you for the healthy discussion. I really do appreciate all the questions because that's important for clarification and proper implementation. So, if Speaker doesn't have the expenditure authority, I definitely open the floor and encourage discussion on how we can really provide some kind of consequence. Right now we are required to submit a report, but without a consequence. Really, what will drive us to submit that and what consequences will be in place just to ensure negative behavior is less likely to occur. So this amendment is definitely something we can change and revise, but I still would like to push for some sort of consequence because right now there are agencies not in our branch require to submit reports and reports aren't submitted. Reports are submitted to other agencies

who are depending on those reports to further their own work. So what consequences can we put in place. I just want to ensure accountability is there, transparency is there, we're all going to submit reports, but it's the negative behavior that I would really like to deter. So thank you.

Speaker Blas Jonathan "BJ" T. Attao: Thank you, Rep. Babauta. Rep. Tina Sablan please.

Representative Christina Marie E. Sablan: Thank you. I would just like to clarify. Perhaps both of our Legal Counsel could take a look at this. The Speaker has quite a lot of authority. Individual members are expenditure authorities. We know that, we've established that, we all have a fiduciary duty. These rules that govern our procedures, how we conduct the business of this body they are also important and paramount and we can choose and vote accordingly, correct me if I'm wrong Legal Counsel, but we can choose to give the Speaker this responsibility and choose to hold all of us accountable for providing these reports and accepting consequences if we don't comply. We can provide for that in our rules. If it takes further amendment of other rules we can certainly consider that but this is something that is within our power, it is within our responsibility and if there's anything illegal or unconstitutional about us saying that we want to give the Speaker the authority then please advise us but as it stands now, I certainly agree with Representative Babauta, we need consequences. Otherwise, what is the purpose of a rule, what is the purpose of a requirement if nothing happens if we don't comply?

Speaker Blas Jonathan "BJ" T. Attao: Counsel.

Legal Counsel Joseph Taijeron: As Representative Yumul stated earlier, we're talking about amendments to your constitution and I think parcel with having requirements stated in a constitution would be implicitly consequences from violating set provisions. So I think you would have the inherit power to provide for penalties when you see fit. What those penalties are policy call that's beyond John and my purview. Your ability to create them and establish them, I firmly believe that that is within your power.

Representative Christina Marie E. Sablan: Thank you, Counsel.

Speaker Blas Jonathan "BJ" T. Attao: Any further discussion on the proposed amendment by Rep. Sheila Babauta. Floor Leader for the last time.

Floor Leader John Paul P. Sablan: Mr. Speaker, just to make it crystal clear that I'm not opposing. It's a policy call on us. My concern is right now as it stands under the budget act, the Speaker does not have the authority so the provisions offered as floor amendment for me doesn't hold water at the moment but it is indeed a policy call on us and not a legal question to the legal counsel.

Speaker Blas Jonathan "BJ" T. Attao: Thank you, Floor Leader. Any further? Rep. Babauta.

Representative Sheila Therese J. Babauta: Thank you, Legal Counsel. Thank you, Speaker. So, I think the closest thing we can turn to is how it's done in the Senate and right now one of their penalty I guess is there's a reduction in monthly allowance that could be a consequence for untimely submission of reports and it is up there on the ELMO Section (c). So mirroring the

Senate’s penalties would be something smart to do and I would respectfully request that this amendment mirror that penalty and we can remove any expenditure requirement for the Speaker.

Speaker Blas Jonathan “BJ” T. Attao: Short recess.

*The House recessed at 4:08 p.m.*

**RECESS**

*The House reconvened at 4:27 p.m.*

Speaker Blas Jonathan “BJ” T. Attao: We’re back into session. Rep. Sheila Babauta.

Representative Sheila Therese J. Babauta: Thank you, Speaker and thank you colleagues for your patience and understanding. I would like to respectfully withdraw this amendment and you know the Speaker and I spoke off the record about further discussing penalties that would be best implemented so that we can provide peace of mind for our constituents, for our people. So when then ask about this allowance, we can let them know, “hey, these are the requirements that we decided on, these are the penalties that are in place so that you can have peace of mind with how we’re handling public funds.” so I look forward to further discussion and I thank you for your time.

Speaker Blas Jonathan “BJ” T. Attao: Any objections to the withdrawal of the floor amendment.

*Several members voiced “no objection.”*

Speaker Blas Jonathan “BJ” T. Attao: Thank you, members. Now we’re back to the main motion on the resolution as draft 1. Any further discussion? Rep. Lizama, please proceed.

*Representative Richard T. Lizama offered the following floor amendment:*

**FLOOR AMENDMENT to House Resolution 21-4**

I hereby move to amend Appendix A of the 21<sup>st</sup> CNMI House of Representatives Rules of Procedure, Rule XIII, Section 10. Allowances by adding a new subsection (d) which shall read as follows:

(d) Funds expended from the allowance shall only be for public purposes as defined by 1 CMC § 121, and all relevant CNMI laws, rules, and regulations.

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: February 20, 2019

Offered by: /s/ Rep. Richard T. Lizama

Reviewed for Legal Sufficiency by:

/s/ Legal Counsel Joseph DLG. Taijeron

*The motion was seconded.*

*The Chair recognized the Vice Speaker.*

Vice Speaker Lorenzo I. Deleon Guerrero: Counsel, can you look up 1 CMC subsection 121 please and print it out. Thank you. Legal Counsel, if you can just narrow it down specifically on allowance. Thank you.

Legal Counsel John Cool: First of all the Constitution requires the public funds we spend for public purpose. It says that the legislature shall be fined with a purpose and that's what 1 CMC 121 is a definition of public purpose. It has 9 subparts plus a general conclusion at the end. When it gets down to the allowance that's when we kind of get into a circular problem because it defines public purpose as not withstanding any other provision with this act or any other law to the contrary. Expenditures authorized and regulated were legislative rules are expressly to be for a public purpose unless provided by clear and convincing evidence that the expenditure is in fact for a personal or public related activity.

Speaker Blas Jonathan "BJ" T. Attao: Go ahead Vice Speaker.

Vice Speaker Lorenzo I. Deleon Guerrero: Does that have a penalty provision at the bottom?

Legal Counsel John Cool: No because it's just the definition. Basically it defines public purpose for funds that are spent or authorized to be spent pursuant to a House with Senate rule. All the restriction is they cannot be expended for personal or political purpose, but it doesn't define specifically how they're being spent.

Vice Speaker Lorenzo I. Deleon Guerrero: Rep. Babauta just withdraw her floor amendment with regards to consider penalties for violating our rules if it's adopted.

Legal Counsel John Cool: There's a provision in the Constitution relating to the violation of House Rules and Senate Rules.

Vice Speaker Lorenzo I. Deleon Guerrero: I'm referring to illegal expenditures of allowances when we do receive them. The floor amendment that we adopted basically mandates that we keep records of all expenses within our jurisdiction. I wanted to ask because Rep. Sheila Babauta withdrew her amendment so that she can come up with a better amendment to include penalties. So I'm wondering if this floor amendment in front of us would impact the floor amendment if Rep. Babauta was to come up with a new floor amendment. I was just wondering if rather you should wait and maybe the minority group get together and coincide both amendments for future amendments in the next session. Thank you.

Legal Counsel John Cool: Actually both amendments doesn't add too much to the current requirements. One, they require the funds from the allowance to be expended only for public purpose that's by constitution already. Then we define public purpose under 1 CMC 121 and that 121 already exists. So the amendment really doesn't add anything to what the current law

requirements are. It's just basically a statement of what is already there and then you talk about the penalty. I did find it in the constitution. There is a penalty for violating House rules in the constitution and that is if the member can be expelled by a three-fourths majority vote without any House rules.

Vice Speaker Lorenzo I. Deleon Guerrero: John, so do you think floor amendment is essential or necessary since it's already in the constitution? That would be my last question Speaker. Thank you.

Legal Counsel John Cool: No, I don't think it's necessary. It's already part of the constitution.

Vice Speaker Lorenzo I. Deleon Guerrero: I yield.

Speaker Blas Jonathan "BJ" T. Attao: Thank you, Vice Speaker. Any further discussion on the floor amendment presented by Rep. Lizama. Rep. Tina Sablan please.

Representative Christina Marie E. Sablan: I think that the question of whether a proposal of our members is necessary or not is a policy call and not appropriate for Legal Counsel to say whether something is necessary or not. I just would like to register my objection to that. As for this amendment that was proposed on the floor by Representative Lizama. So again just in line with the previous amendments, our goal here should be to reinforce these requirements for transparency. Funds expended from the allowance – right now we would be required to keep records, but it should be absolutely crystal clear in our rules and be consistent with the law and not just 1 CMC section 121 but all relevant CNMI laws rules and regulations that apply to the expenditures of public funds. These allowances remain public funds whether we deposit them on personal bank accounts or cash them out or make payments in whatever form we choose. Any one of us who chooses to withdraw those allowances should still keep foremost in our mind and it should be reflected in our rules that these funds are for public purposes only. It does no harm to reinforce that in our rules and is also helpful in terms of public perception as well because there is going to be so much more scrutiny on this body as we go forward about how the allowance funds are being spent. So let's just make it absolutely clear so there is no question. The allowance funds are for public purpose. Public purpose as defined by our law, we can always improve the law and also public purpose as defined in our rules and regs.

Speaker Blas Jonathan "BJ" T. Attao: Thank you, Rep. Tina. Rep. Propst.

Representative Edwin K. Propst: I just want to echo Rep. Tina Sablan's sentiments. More clarity, less ambiguity, this simple amendment does no harm but what we have learned especially when it comes to attorney's is that we can be tied up with one simple work where we have attorney's arguing with the constitutionality of one simple work. So reemphasizing and clarifying this through this simple amendment does no harm. If anything it makes it a lot more clear, a lot more easy to digest. Thank you.

Speaker Blas Jonathan "BJ" T. Attao: Thank you, Rep. Propst. Rep. Yumul. Short recess.

*The House recessed at 4:39 p.m.*

*RECESS**The House reconvened at 4:43 p.m.*

Speaker Blas Jonathan “BJ” T. Attao: We’re back into session. Rep. Propst for the second time.

Representative Edwin K. Propst: If we are ready, I just would like to also – to be consistent to request for roll call on this amendment. Thank you.

Speaker Blas Jonathan “BJ” T. Attao: Thank you, Rep. Propst. Any further discussion on the floor amendment presented by Rep. Lizama?

*Several members voiced “ready.”*

Speaker Blas Jonathan “BJ” T. Attao: Clerk, please call the roll.

*The Clerk called the roll on the motion to adopt the floor amendment offered by Representative Richard T. Lizama with the following results:*

Representative Sheila Therese J. Babauta	yes
Representative Roman C. Benavente	no
Representative Ivan A. Blanco	no
Representative Antonio SN. Borja	no
Representative Joel C. Camacho	no
Representative Luis John DLG. Castro	no
Representative Lorenzo I. Deleon Guerrero	no
Representative Joseph A. Flores	no
Representative Joseph Lee Pan T. Guerrero	no
Representative Jose I. Itibus	absent ( <i>excused</i> )
Representative Richard T. Lizama	yes
Representative Donald M. Manglona	yes
Representative Janet U. Maratita	no
Representative Edwin K. Propst	yes
Representative Christina Marie E. Sablan	yes
Representative John Paul P. Sablan	no
Representative Edmund Joseph S. Villagomez	yes
Representative Ralph N. Yumul	no
Representative Blas Jonathan “BJ” T. Attao	no

House Clerk Linda B. Muña: Mr. Speaker, 6 members voted “yes” and 12 members voted “no.”

Speaker Blas Jonathan “BJ” T. Attao: Thank you, Clerk. With 12 members voting “no” on the amendment by Rep. Richard Lizama is hereby defeated. Back to the main motion, Floor Leader please.

Floor Leader John Paul P. Sablan: Thank you, Mr. Speaker. Just on the resolution and this is – I discussed this with the Legal Counsel on page 1 of the resolution line 17, we didn’t change any of that rule or section. So therefore if we can treat it as technical?

Legal Counsel John Cool: Yes.



Speaker Blas Jonathan “BJ” T. Attao: Any objections to that members?

*Several members voiced “no objection.”*

Floor Leader John Paul P. Sablan: Thank you, Mr. Speaker. I believe if the Legal Counsel can expound because of several or rather one amendment was entertained on the floor and maybe the Legal Counsel can chime in because the product before us is amended and that it sits for another full session.

Legal Counsel John Cool: It’s in our current rules and it’s in our interim rules just want to bill or resolution that comes up for introduction and it is amended it sits on the calendar for one additional day for second reading.

Speaker Blas Jonathan “BJ” T. Attao: Thank you, Counsel. So House Resolution 21-4 will remain on calendar or will be placed on calendar for the next session for action. Thank you, members.

*The Chair directed the members to item XVII, Miscellaneous Business and recognized Representative Christina E. Sablan.*

## **BILL CALENDAR**

None

## **MISCELLANEOUS BUSINESS**

Representative Christina Marie E. Sablan: I just wanted to notify the members and ask for your indulgence for submitting a House communication from the members of the minority. We have sought guidance formally from the Office of the Public Auditor and the Attorney General’s Office in a letter that was submitted today and in courtesy meetings that we had with the Attorney General and the Public Auditor this week and last week. Both have agreed to review our request for guidance and in both cases just for the members’ awareness their primary concern with respect to the allowances was documentation and reporting and that was of course to ensure transparency and accountability for public funds. So it is a step in the right direction, I would like to thank Chairman Blanco for introducing the amendment that at least requires that we maintain records related to these allowances. We do look forward to receiving additional guidance for the members to consider. Again to make sure that we are accounting for these funds and maintaining records properly and acting within the bounds of law as we go forward with our operations and doing the business of the people. So if there’s no objection I would like to submit copies of the letter and to file it with the Clerk as a House Communication.

Speaker Blas Jonathan “BJ” T. Attao: Thank you, Rep. Sablan. Any other member under Miscellaneous Business? Ready? Announcements. Rep. Castro please.

## ANNOUNCEMENTS

Representative Luis John DLG. Castro: Thank you, Mr. Speaker. I also want to thank my colleagues here for adopting the House Joint Resolution. I hope that it could be expeditiously acted on by the Senate so that way this can be transmitted to those who were indicated in it in the literature. I am also glad to announce that I have reached out to our counterpart in the Senate, Senator Igisomar about maintaining healthy dialogue in regards to any federal and foreign matters that come our way especially in regards to matters that we would like our good congressman to address in Washington. On a personal note, I also want to recognize two milestones that happened in our precinct this week. Yesterday we were delighted to see the students of Hopwood Middle School open their campus in Koblerville. I know that they really took a big hit in Super Typhoon Yutu and seeing the smile on the faces of our *halitais* was very rewarding and happy experience from myself personally as well as the officials that were there yesterday. In a very special way it was even more of a delightful sight to see our PROA's make their way back to As Terlaje this morning. They got a chance to come back there after spending the last couple of months at Saipan Southern High School. So I want to take the time to thank our state and federal partners for doing what they could in order to ensure that education for both our school children as well as our college student continues regardless of the circumstances as they come our way. So I just wanted to express that publicly in this form just to indicate that it was – these activities were very rewarding for our precinct. Thank you.

Speaker Blas Jonathan “BJ” T. Attao: Thank you, Rep Castro. Rep. Camacho.

Representative Joel C. Camacho: I just want to be announcing to the members on JGO that I will be calling a committee meeting on February 27, Wednesday so please clear your calendars. Rep. Lee Pan, rest assured we would be reviewing your bill on the legislature finance. Thank you.

Speaker Blas Jonathan “BJ” T. Attao: Rep. Blanco please.

Representative Ivan A. Blanco: Thank you, Mr. Speaker. Ways and Means members we're looking at February 26 at 9:30 a.m. if you're scheduled to travel off-island please reconsider.

Speaker Blas Jonathan “BJ” T. Attao: Rep. Yumul please. Any objection to go back to Miscellaneous Communications?

*Several members voiced “no objection.”*

## MISCELLANEOUS BUSINESS

Representative Ralph N. Yumul: Thank you for allowing me to go back to Miscellaneous. In line with Chairman Blanco and Ways and Means, you know we read over the paper with regards to government implementing austerity measures again. I think this body should take the position to look at the appropriation act and make a position to stand and make cuts now because at least we soften the blow before next fiscal year. \$20 Million Dollar cut is a large amount. A lot of people will be out of jobs or hours will be cut down. Rather it's only the second quarter, we can actually make cuts now and that way before the next fiscal year before the budget comes out we can soften every thing and make things easier for us. We will be under a lot of pressure this coming year or on the next month or so. So I'm asking everybody that we look at it. There's a few

finance major's over here, we can come together and actually start making cuts now and not wait to the new fiscal year. Thank you.

Speaker Blas Jonathan “BJ” T. Attao: Any further miscellaneous or announcements?

### **ANNOUNCEMENTS**

Representative Sheila Therese J. Babauta: Yes, just an announcement. I want to recognize Rep. Antonio Borja and the rest of the Tinian Delegation for a successful *Pika* Fest. It was my first time and it was so fun. I can't wait for next year. Also for Rep. Castro for being the great MC for the entire weekend. So congratulations.

Speaker Blas Jonathan “BJ” T. Attao: Thank you, Rep. Babauta. Just an announcement. MVA legislative orientation tomorrow at 9 a.m. over at Ladder Beach Restaurant. So no further announcements? Floor Leader for the Adjournment.

### **ADJOURNMENT**

Floor Leader John Paul P. Sablan: Thank you, Mr. Speaker. At this time, I make a motion that we adjourn subject to your call.

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

*The House adjourned at 4:56 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:**

H. L. B. NO. 21-3: To amend Saipan Local Law 20-19, Section 2(e) to authorize the Department of Lands and Natural Resources to procure tractors for the Division of Agriculture; and for other purposes. Introduced by REP. IVAN A. BLANCO of Saipan, Precinct 3 (*for himself*, Representatives Blas Jonathan “BJ” T. Attao, Roman C. Benavente, Joel C. Camacho, Luis John DLG. Castro, Lorenzo I. Deleon Guerrero, Joseph A. Flores, Jose I. Itibus, John Paul P. Sablan, and Ralph N. Yumul) on February 8, 2019.

**THIRD LEGISLATIVE DAY:** NONE

*Appearance of Measures introduced on the House Floor during the House Session on February 8, 2019:*

H. B. NO. 21-1: To establish a retirement plan for Commonwealth Government employees. Introduced by REP. JOSEPH LEEPAN T. GUERRERO of Saipan, Precinct 1 (*for himself*) on February 8, 2019; was referred to the House Committee on Judiciary and Governmental Operations.

H. B. NO. 21-2: To establish a separate statute and penalty for individuals committing the act of vandalism; and for other purposes. Introduced by REP. JOSEPH LEEPAN T. GUERRERO of Saipan, Precinct 1 (*for himself*) on February 8, 2019; was referred to the House Committee on Judiciary and Governmental Operations.

H. B. NO. 21-3: To amend 4 CMC §2103 to enhance Marianas Visitors Authority's promoting capabilities in attracting tourists to visit the Commonwealth of the Northern Mariana Islands. Introduced by REP. JOSEPH LEEPAN T. GUERRERO of Saipan, Precinct 1 (*for himself*) on February 8, 2019; was referred to the House Committee on Commerce and Tourism.

H. B. NO. 21-4: To amend 1 CMC §8250(e) by including the Marianas Visitors Authority (MVA) and the Office of the Public Auditor (OPA) to be exempted from the salary limitations imposed by the Compensation Adjustment Act as amended. Introduced by REP. JOSEPH LEEPAN T. GUERRERO of Saipan, Precinct 1 (*for himself*) on February 8, 2019; was referred to the House Committee on Ways and Means.

H. B. NO. 21-5: To amend Title 4 Section 2308 of the Commonwealth Code by prioritizing funding for the CNMI Medicaid Agency and the Commonwealth Healthcare Corporation's Indigent Program. Introduced by REP. JANET U. MARATITA of Saipan, Precinct 1 (*for herself*, and Representative Joseph Lee Pan T. Guerrero) on February 8, 2019; was referred to the House Committee on Ways and Means.

H. B. NO. 21-6: To establish provisions that would require new and existing business establishments to provide for proper parking lot lighting; and for other purposes. Introduced by REP. LORENZO I. DELEON GUERRERO of Saipan, Precinct 5 (*for himself*) on February 8, 2019; was referred to the House Committee on Commerce and Tourism

H. B. NO. 21-7: To require all governing bodies as defined in Chapter 9 of Title 1, § 9902, to broadcast all public meetings via live Internet video streaming for public viewing; and to archive live streamed videos and make such videos available to the public all around the world. This bill may be referred to as "The Live Streaming Video Act of 2019". Introduced by REP. EDWIN K. PROPST of Saipan, Precinct 1 (*for himself*, Representatives Blas Jonathan "BJ" T. Attao, Sheila J. Babauta, Roman C. Benavente, Luis John DLG. Castro, Richard T. Lizama, Donald M. Manglona, Christina M.E. Sablan, John Paul P. Sablan, Edmund S. Villagomez, and Ralph N. Yumul) on February 8, 2019; was referred to the House Committee on Judiciary and Governmental Operations.

H. B. NO. 21-8: To amend 6 CMC §102 by inserting a definition for "disability" and /or "disabilities". Introduced by REP. LORENZO I. DELEON GUERRERO of Saipan, Precinct 5 (*for himself*) on February 8, 2019; was referred to the House Committee on Judiciary and Governmental Operations.

H. B. NO. 21-9: To amend 1 CMC Section 7406 (4) to add unmarked investigation vehicles used by the CNMI Office of Public Auditor to the definition of law enforcement vehicles. Introduced by REP. BLAS JONATHAN "BJ" T. ATTAO of Saipan, Precinct 3 (*for himself*, Representatives Roman C. Benavente, Antonio SN. Borja, Lorenzo I. Deleon Guerrero, Jose I. Itibus, and Janet U. Maratita) on February 8, 2019; was referred to the House Committee on Judiciary and Governmental Operations.

H. B. NO. 21-10: To amend certain provisions under Title 3, Division 1, Chapter 2 of the Commonwealth Code to provide better clarity of such provisions in regards to the Chamorro - Carolinian Language Commission; and for other purposes. Introduced by REP. BLAS JONATHAN "BJ" T. ATTAO of Saipan, Precinct 3 (*for himself*, Representatives Roman C. Benavente, Antonio SN. Borja, Lorenzo I. Deleon Guerrero, Jose I. Itibus, and Janet U. Maratita) on February 8, 2019; was referred to the House Committee on Education.

H. B. NO. 21-11: To clarify the powers of the Commonwealth Casino Commission and to make needed changes to the Commonwealth Code given the unique regulatory oversight of the Casino Industry in the Commonwealth; and for

other purposes. Introduced by REP. LORENZO I. DELEON GUERRERO of Saipan, Precinct 5 (*for himself*) on February 8, 2019; was referred to the House Committee on Gaming.

[Added-2/8/19] H. B. NO. 21-12: To establish the level of funding for the Legislature and provide the Legislature with control of the expenditure of funds appropriated for its operations. Introduced by REP. JOSEPH LEEPAN T. GUERRERO of Saipan, Precinct 1 (*for himself*) on February 8, 2019; was referred to the House Committee on Ways and Means.

[Added-2/8/19] HSE. COMM. 21-13: To amend the Taulamwaar Sensible CNMI Cannabis Act of 2018. Introduced by REP. JOHN PAUL P. SABLAN of Saipan, Precinct 2 (*for himself*) on February 8, 2019; was referred to the House Committee on Cannabis. [Added-2/8/19] H. B. NO. 21-14: To regulate Real Estate Brokers and Salespersons. Introduced by REP. JANET U. MARATITA of Saipan, Precinct 1 (*for herself*) Representatives Ivan A. Blanco, Joel C. Camacho, and Donald M. Manglona) on February 8, 2019.

[Added-2/8/19] H. B. NO. 21-15: To amend 4 CMC § 2308 (c). Disposition of Gross Revenue Tax. Introduced by REP. JANET U. MARATITA of Saipan, Precinct 1 (*for herself*) on February 8, 2019.

[Added-2/8/19] H. B. NO. 21-16: To amend 1 CMC § 8248, Government Salary Ceiling. Introduced by REP. JANET U. MARATITA of Saipan, Precinct 1 (*for herself*) on February 8, 2019.

[Added-2/8/19] H. B. NO. 21-17: To prohibit the taking and selling of certain sizes of fish species by adding a new section 5645 to Article 4, Chapter 6, Division 5 of Title 2 of the Commonwealth Code; and for other purposes. Introduced by REP. ROMAN C. BENAVENTE of Saipan, Precinct 1 (*for himself*) on February 8, 2019.

H. L. B. NO. 21-1: To appropriate the CIP Bonds Accrued Interest Income collected for the Third Senatorial District in the amount of one hundred ninety-five thousand, four hundred and sixty-eight dollars and fifty cents (\$195,468.50). Introduced by REP. LORENZO I. DELEON GUERRERO of Saipan, Precinct 5 (*for himself*) on February 8, 2019.

H. L. B. NO. 21-2: To appropriate the amount of not more than six million dollars (\$6,000,000.00) from the Exclusive Gaming Annual License Fees allotted to the Third Senatorial District under 4 CMC §2307(c)(2) to pay the Government employees of the Third Senatorial District who did not receive salary increases due to Governor's 2001 freeze of within-grade annual increase and the NMIAC §10-20.2-1101, Financial Austerity Measures. Introduced by REP. JANET U. MARATITA of Saipan, Precinct 1 (*for herself*, and Representative Joseph Lee Pan T. Guerrero) on February 8, 2019.

H. L. B. NO. 21-3: To amend Saipan Local Law 20-19, Section 2(e) to authorize the Department of Lands and Natural Resources to procure tractors for the Division of Agriculture; and for other purposes. Introduced by REP. IVAN A. BLANCO of Saipan, Precinct 3 (*for himself*, Representatives Blas Jonathan "BJ" T. Attao, Roman C. Benavente, Joel C. Camacho, Luis John DLG. Castro, Lorenzo I. Deleon Guerrero, Joseph A. Flores, Jose I. Itibus, John Paul P. Sablan, and Ralph N. Yumul) on February 8, 2019.

H. L. B. NO. 21-4: To appropriate \$225,633.60 from the Exclusive Gaming Annual License Fees allotted to the Second Senatorial District under 4 CMC §2307(b); To re-appropriate \$100,000.00 from Section 2(c) of Tinian Local Law 19-14; To repeal Sections 1-6 of TLL 20-18 and for other purposes. Introduced by REP. ANTONIO SN. BORJA of Tinian, Precinct 6 (*for himself*) on February 8, 2019.

[Added-2/8/19] H. L. B. NO. 21-5: To appropriate up to Two Hundred and Twenty-Seven Thousand US Dollars (\$227,000.00) of the Earned Bond Interest Income collected for the Third Senatorial District that has been identified by the Commonwealth Development Authority as available for appropriations; and for other purposes. Introduced by REP. JANET U. MARATITA of Saipan, Precinct 1 (*for herself*) on February 8, 2019.

H. RES. NO. 21-2: To honor, congratulate, and commend the Mount Carmel School Theatre Club and Tribe Marianas for their successful production of the award-winning and award-nominating film adaptations of "We Drank Our Tears." Introduced by REP. EDWIN K. PROPST of Saipan, Precinct 1 (*for himself*, and Representatives Blas Jonathan "BJ" T. Attao, Sheila J. Babauta, Roman C. Benavente, Ivan A. Blanco, Antonio SN. Borja, Joel C. Camacho, Luis John DLG. Castro, Lorenzo I. Deleon Guerrero, Joseph A. Flores, Joseph Lee Pan T. Guerrero, Jose

I. Itibus, Richard T. Lizama, Donald M. Manglona, Janet U. Maratita, Christina M.E. Sablan, John Paul P. Sablan, Edmund S. Villagomez, Ralph N. Yumul) on February 8, 2019; was placed on the Resolution Calendar.

H. RES. NO. 21-3: To extend our sincere condolences and sympathies to the family of the late Honorable Ignacio Lizama Villanueva and to honor his memory whose worthy endeavors contributed to the quality of life in the Commonwealth of the Northern Mariana Islands. Introduced by REP. JANET U. MARATITA of Saipan, Precinct 1 (*for herself*, and Representatives Blas Jonathan “BJ” T. Attao, Sheila J. Babauta, Roman C. Benavente, Ivan A. Blanco, Antonio SN. Borja, Joel C. Camacho, Luis John DLG. Castro, Lorenzo I. Deleon Guerrero, Joseph A. Flores, Joseph Lee Pan T. Guerrero, Jose I. Itibus, Richard T. Lizama, Donald M. Manglona, Edwin K. Propst, John Paul P. Sablan, Edmund S. Villagomez, Ralph N. Yumul) on February 8, 2019; was placed on the Resolution Calendar.

H. RES. NO. 21-4: To amend the House of Representatives Rules of Procedure that was adopted on January 14, 2019; and for other purposes. Introduced by REP. JOHN PAUL P. SABLAN of Saipan, Precinct 2 (*for himself*, Representatives Joel C. Camacho and Lorenzo I. Deleon Guerrero) on February 8, 2019; was placed on the Resolution Calendar.

[Added-2/8/29] H. J. R. NO. 21-1: To request the Honorable Ralph DLG. Torres, Governor of the Commonwealth of the Northern Mariana Islands, and the Honorable Gregorio Kilili C. Sablan, Delegate to the U.S. Congress, to convey the Commonwealth of the Northern Mariana Islands’ position to exempt the Northern Mariana Islands from the ban on workers from the Philippines from the H-2B worker program to our federal partners. Introduced by REP. LUIS JOHN DLG. CASTRO of Saipan, Precinct 1 (*for himself*, Representatives Blas Jonathan “BJ” T. Attao, Sheila J. Babauta, Roman C. Benavente, Ivan A. Blanco, Antonio SN. Borja, Joel C. Camacho, Lorenzo I. Deleon Guerrero, Joseph A. Flores, Joseph Lee Pan T. Guerrero, Jose I. Itibus, Richard T. Lizama, Donald M. Manglona, Edwin K. Propst, John Paul P. Sablan, and Ralph N. Yumul) on February 8, 2019; was placed on the Resolution Calendar.

C. RES. NO. 21-1: To recognize and commend Don Allen Farrell for his years of exceptional service in the field of education, his commitment to preserve the history of the Marianas, and his dedicated public service to the people of the Commonwealth of the Northern Mariana Islands. Introduced by REP. ANTONIO SN. BORJA of Tinian, Precinct 6 (*for himself*, Representatives Blas Jonathan “BJ” T. Attao, Sheila J. Babauta, Roman C. Benavente, Ivan A. Blanco, Joel C. Camacho, Luis John DLG. Castro, Lorenzo I. Deleon Guerrero, Joseph A. Flores, Joseph Lee Pan T. Guerrero, Jose I. Itibus, Richard T. Lizama, Donald M. Manglona, Edwin K. Propst, John Paul P. Sablan, Edmund S. Villagomez, and Ralph N. Yumul) on February 8, 2019; was placed on the Resolution Calendar.

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*House information on deadlines for override: None*