
TWENTY-FIRST NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
**THE SENATE****FIRST REGULAR SESSION – 2019****SJ 21-02****Second Day****Thursday, February 7, 2019**

In compliance with the Open Government Act, Senate President, Victor B. Hocog, issued a session call on February 4, 2019 that the Senate of the Twenty-First Northern Marianas Commonwealth Legislature will convene this open and public session. The notice, the official session call, and the session agenda was filed in the Office of the Senate Clerk; released to the media; and posted at the Entrance Halls of the Office of the Governor, the Senate and the House of Representatives, posted on the Commonwealth Legislature’s website at www.cnmileg.gov.mp.

The Senate of the Twenty-First Northern Marianas Commonwealth Legislature convened its Second Day, First Regular Session, on February 7, 2019, at 1:14 p.m. in the Senate Chamber, Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Victor B. Hocog, President of the Senate, presided.

A moment of silent prayer was observed.

The Clerk called the roll, all nine members are “present.”

President Hocog: With all nine members present, we dully constitute a quorum to conduct our Order of Business for today. Our second Order of Business is, Public Comments.

PUBLIC COMMENTS

President Hocog: Any one from the gallery would like to make any comments? If none, we proceed to Reading and Approval of the Journal.

READING AND APPROVAL OF THE JOURNAL

None

MESSAGES FROM THE GOVERNOR

The Clerk voiced Governors Messages Nos. 21-01 to 21-03.

President Hocog: Any one from the members wants to make comment on the Messages from the Governor? Nobody wants to comment as to the impact of the legislatures salary? Vice President?

Senator Hofschneider: Maybe, Mr. President, for the purpose on the matter on Governors Message No. 21-01, finally we have the matter put to rest and that we are ready to carry forth with our legislative duty as members of the 21st Senate. I do want to recommend, Mr. President, if we can commission a letter to OMB (Office of Management and Budget) that the difference of the allocation be transferred accordingly, according to the budget provision for Fiscal Year 2019. Thank you, Mr. President.

President Hocog: Anyone else? If none, Communications from Judiciary.

COMMUNICATIONS FROM THE JUDICIARY

None

COMMUNICATIONS FROM HEADS OF EXECUTIVE DEPARTMENT

None

COMMUNICATIONS FROM THE HOUSE

None

COMMUNICATIONS FROM THE SENATE

The Clerk voiced Senate Communication No. 21-01: January 29, 2019 – Appointment of Senator Vinnie Sablan to the APIL Board of Directors to represent the 21st Senate.

President Hocog: Any comments from the members? Senator Sablan, recognized.

Senator Sablan: Thank you, Mr. President. Just in reference to Senate Communication No. 21-01, I just like to give my outmost appreciation to you, Mr. President and the members for your confidence in me serving as the APIL Representative for the Senate. With that said, I will serve with professionalism and I will represent our Senate in the best manner as possible. Thank you.

President Hocog: Thank you, Senator Sablan. Communications from the Washington Delegate.

COMMUNICATIONS FROM THE WASHINGTON DELEGATE

None

UNFINISHED BUSINESS

None

PRE-FILED BILLS, INITIATIVES, LCOAL BILLS AND RESOLUTIONS

1. **Senate Commemorative Resolution No. 21-01:** 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. [SEN. JUDE U. HOFSCHEIDER – 01/23/19]
2. **Senate Bill No. 21-01:** To authorize the expungement of records of certain offenses; and for other purposes. [SEN. JUSTO S. QUITUGUA – 01/25/19]
 3. **Senate Bill No. 21-02:** To amend 3 CMC § 2177(a) to include the CHCC Diabetes Care and Control Center as a program recipient of the Tobacco Control Fund; and for other purposes. [SEN. JUSTO S. QUITUGUA – 01/30/19]
 4. **Senate Bill No. 21-03:** To repeal and re-enact 2 CMC § 7142 and § 7145, relative to adopting the International Building Code as the official building code of the Commonwealth of the Northern Mariana Islands; and for other purposes. [SEN. SIXTO K. IGISOMAR – 01/30/19]
 5. **Senate Local Bill No. 21-01:** To establish an honor scholarship for the valedictorian, salutatorian, and third honor of the Dr. Rita H. Inos Junior/Senior High School. [SEN. PAUL A. MANGLONA – 01/31/19]
 6. **Senate Bill No. 21-04:** To establish a Department of Revenue and Taxation; and for other purposes. [SEN. JUDE U. HOFSCHEIDER – 01/30/19]
 7. **Senate Bill No. 21-05:** To amend 2 CMC § 3551 to change the expenditure authority, management, and control of the solid waste sub-accounts for the First and Second Senatorial Districts to the mayor of each respective municipality; and for other purposes. [SEN. JUDE U. HOFSCHEIDER – 01/31/19]

INTRODUCTIONS OF BILLS, INITIATIVES, LCOAL BILLS AND RESOLUTIONS

President Hocog: Recognized, Vice President.

Senator Hofschneider: *Dispensa*, Mr. President, I yield to the Floor Leader.

President Hocog: Recognized, Floor Leader.

Floor Leader Quitugua: *Si Yu'us ma'ase*, Mr. President. Mr. President, we have one Senate Commemorative Resolution; one Senate Local Bill and five Senate Bills, and now the President may recognize the authors of the pre-filed bills and resolutions to officially introduce their resolution and bills. Thank you.

President Hocog: Thank you, Floor Leader. Vice President, you may proceed now to officially introduce your Commemorative Resolution.

Senator Hofschneider: *Si Yu'us ma'ase*, Mr. President. Officially introducing Senate Commemorative Resolution 21-01, "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." And if there is no objection from the members, I invite everyone to please co-sponsor this piece of resolution. Thank you.

President Hocog: Thank you, Vice President. Short recess.

The Senate recessed at 1:21 p.m.

RECESS

The Senate reconvened at 1:21 p.m.

President Hocog: We are back to our session. Anymore introduction of Resolutions? If none, we go to Introduction of Bills.

Senator Hofschneider: Mr. President?

President Hocog: Recognized, Vice President.

Senator Hofschneider: If there's no objection from the members, can I just finish of my bills as well from the introduction, is that okay? Thank you. I also formally introducing Senate Bill No. 20-04, "To establish a Department of Revenue and Taxation; and for other purposes." And also, Senate Bill No. 21-05, "To amend 2 CMC § 3551 to change the expenditure authority, management, and control of the solid waste sub-accounts for the First and Second Senatorial Districts to the mayor of each respective municipality; and for other purposes." Thank you, Mr. President.

President Hocog: Thank you, Vice President. Any other member? Floor Leader, recognized.

Floor Leader Quitugua: *Si Yu'us ma'ase*, Mr. President. Mr. President, our rules indicated that all pre-filed bills, initiatives, local bills and resolutions are considered introduced. However, in the interest of those who are here and do not have the opportunity to see the agenda, I would like to introduce pre-filed Senate Bill No. 21-01, "To authorize the expungement of records of certain offenses; and for other purposes." And Senate Bill No. 21-02, "To amend 3 CMC § 2177(a) to include the CHCC Diabetes Care and Control Center as a program recipient of the Tobacco Control Fund; and for other purposes." *Si Yu'us ma'ase*, Mr. President.

President Hocog: Thank you, Floor Leader. Senator Igisomar, recognized.

Senator Igisomar: *Si Yu'us ma'ase*, Mr. President. Similarly, as per our Floor Leader, the bills have been pre-filed but for others, I introduce Senate Bill No. 21-03, "To repeal a re-enact 2 CMC § 7142 and § 7145, relative to adopting the International Building Code as the official building code of the Commonwealth of the Northern Mariana Islands; and for other purposes." And just for everybody's

information this bill was recalled back from the Governor's office, the Senate approved it prior to sine die and the House did not have time to have approve it so I am re-introducing it. *Si Yu'us ma'ase*, Mr. President.

President Hocog: Thank you, Senator Igisomar. Any other members have bills to introduce? Recognize, Senator Mangloña.

Senator Mangloña: I have a pre-filed Senate Local Bill No. 21-01, similar to Vice President Hofschneider local bill. And also, I would like to officially introduce Senate Bill No. 21-11, "To require all contractors to be licensed in the Commonwealth of the Northern Mariana Islands," this was passed by the Senate and I guess it was never passed by the House. Senate Bill No. 21-12, "To establish the Sliding Scale Fee Program under the Commonwealth Healthcare Corporation; and for other purposes," again, the Senate passed this sliding scale fee program under the CHCC so I am re-introducing it. And Senate Bill No. 21-13, "To designate and reserve up to five (5) hectares of public land on each of the Three Senatorial Districts to use as a place for Chamorro and Carolinian Shrines and the reinternment of ancestral remains; and for other purposes." Thank you, Mr. President.

President Hocog: Thank you, Senator Mangloña. Any other members? Senator Cruz, recognized.

Senator Cruz: Thank you, Mr. President. I also would like to introduce five Senate Bills and I believe all these five Senate Bills are passed in the 20th Legislature and I would like to introduce it again; Senate Bill No. 21-06, "To establish mandatory presentation of valid personal photo identification for any debit card or credit card transaction and any check cash exchange or purchase for all business establishments in the Commonwealth." Senate Bill No. 21-07, "To amend 4 CMC § 50144(b) to increase the penalty for giving, selling, or permitting to be given or sold any tobacco products to an individual under the age of 18 years old; and for other purposes." Senate Bill No. 21-08, "To waive the Northern Marianas College tuition for a veteran with 30 percent or greater service-connected disability; and for other purposes." Senate Bill No. 21-09, "To require all gas service stations to provide to the public free compressed air, a gauge for measuring air pressure, and water; and for other purposes." Senate Bill No. 21-10, "To amend 2 CMC § 4308 to mandate the Department of Public Lands to issue the Deed of Conveyance within 45 calendar days to homesteaders who had entered the homestead on or before January 1, 2014 and complied with the laws and regulations pertaining to homesteads; and for other purposes." Thank you, Mr. President.

President Hocog: Than you, Senator Cruz. Any other members? Senator Igisomar?

Senator Igisomar: *Si Yu'us ma'ase*, Mr. President. I did not notice that we jumped into letter L from K. So, I will go ahead if you don't mind, to introduce Senate Bill No. 21-14, "To ensure that residences and businesses of the Commonwealth of the Northern Mariana Islands are not overcharged by the Commonwealth Utilities Corporation for water usage resulting from water leaks caused by Super Typhoon Yutu." *Si Yu'us ma'ase*, Mr. President.

President Hocog: Thank you, Senator Igisomar. Any other member? If none, we go down to Item M, Reports of Standing Committee.

REPORTS OF STANDING COMMITTEES

None

REPORTS OF SPECIAL/CONFERENCE COMMITTEE

None

RESOLUTION CALENDAR

President Hocog: Floor Leader, recognized.

Floor Leader Quitugua: *Si Yu'us ma'ase*, Mr. President. Mr. President, a motion for the adoption of Senate Commemorative Resolution No. 21-01, so move.

The motion has been seconded.

President Hocog: Motion is for the adoption of Senate Commemorative Resolution No. 21-01, has been moved and seconded, discussion? Vice President Hofschneider.

Senator Hofschneider: *Si Yu'us ma'ase*, Mr. President. And once again, good afternoon to you and the members and to everyone in the gallery. Under discussion, I would like to ask if I can take some time to read out some of the information honoring Mr. Farrell for his contribution to the CNMI by way of his work with history, writing history books and of the field of education and other community contribution. So, on behalf of you, Senate President and Senate members of the 21st Northern Marianas Commonwealth Legislature and as one of your senators from the Second Senatorial District representing the municipality of Tinian and Aguiguan, it is with great honor that I introduce along with the other members and present, Senate Commemorative Resolution No. 21-01, and it reads, "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. This Legislative Body is proud to recognize and pay tribute to residents of the Commonwealth of the Northern Mariana Islands that have made significant contributions to the quality of education in our community, the preservation of the history and culture of the Marianas, and the development and growth of the government; and Don Allen Farrell was born on July 28, 1947 in the peaceful, little town of Redmond, Oregon in the southern Klamath Valley, as a war baby. His mother was raised from the cotton fields of Lawton, Oklahoma and both his biological father and step-father served in the United States Military during World War II; and Don Allen Farrell, subsequently decided to pursue his educational goals and attended California State University-Fullerton where he obtained a Bachelor of Arts Degree in Biology in 1973. He received his Secondary Teaching Credential from California State San Bernardino in 1974; and when the island of Guam when the island of Guam was devastated in the aftermath of Typhoon Pamela resulting in vacancies in the island's Department of Education, Don Allen Farrell transitioned from the bustling streets of California to a distressed island community in need of educators in 1977; and with a keen interest in the history of Guam and the Marianas, and the fundamental roles the islands played in major events of the United States history, Don Allen Farrell founded Micronesian Productions in 1981 in an effort to make the world aware of these islands he now calls home; and in

1987, Don Allen Farrell and his family relocated to the serene and peaceful island of Tinian where he once again stood before a class of bright young adults teaching at Tinian High School up until 1989; and if I may add, Mr. Farrell has served in multiple capacities benefiting the people of the Marianas and most specially our community of Tinian. Don Allen Farrell exemplifies an extraordinary citizen whose devotion to serve our beloved Commonwealth and its people is evident throughout his active participation in the government, his unyielding passion in education, and his relentless efforts to make the Marianas known to the people who reside and visit these islands and to those beyond the ocean tides; and the Senate of the Twenty-First Northern Marianas Commonwealth Legislature that the Senate hereby joins the people of the Commonwealth in recognizing and commending 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; and I would like to add, Mr. Farrell is also a recipient of numerous awards and recognitions from the CNMI and our neighboring island of Guam for all the contributions published works he has completed pertaining to the Marianas which are mentioned in this resolution. Most recently Mr. Farrell was recognized and awarded the research and publication in the Humanities by the Northern Marianas Humanities on January 24, 2019, for documenting two books about CNMI entitled, "Tinian and the Bomb and Modern History of the Northern Mariana Islands," which adds on to a list of his work but more importantly a collection of resources that is available for all generations. Mr. Farrell on behalf of the people of the Marianas please accept this appreciation that is as deep as the Marianas Trench and as tall as the highest peak of the Himalayas for all that you've done to give our great Mariana Islands a voice and an identity in regards to the significant importance. These islands played in the history of the United States and the history of the world. Thank you, Mr. President.

President Hocog: Thank you, Vice President Hofschneider. Any other member? Senator Mangloña?

Senator Mangloña: *Si Yu'us ma'ase*, Mr. President. Don is a writer of many history books in the CNMI so I just want to correct a minor correction on the Rota brief history. I know Don work with me on that 2003 but it was in 2004 that it was printed, so I just want to put that for the record that should be "2004" on page 3, line 25. But to add on to the Vice President's remarks, I want to take time also to recognize somebody who is not here the other half of Mr. Farrell, because if Carmen was never around Mr. Farrell would never come to Tinian and all these publications would have never been published and we would have a lot of void as far as the history of the CNMI. So, I thank Mr. Farrell, his wife and family, and the people of Tinian who made Tinian a nice home for the family. Thank you, Mr. President.

President Hocog: Thank you, Senator Mangloña. Any other member wants to make a statement? Floor Leader?

Floor Leader Quitugua: *Si Yu'us ma'ase*, Mr. President. Mr. President, I would like to personally, congratulate Mr. Farrell. I had the opportunity to work with him at PSS. I believe that without Mr. Farrell being at PSS at that time, I don't think we'll have a written history book, a published book that would provide our students with the necessary knowledge in terms of the history of the Marianas and its people. Mr. Farrell continues to upgrade the history books so that the new generations in the CNMI will have much deeper understanding of our history and culture. The book that he first wrote and

published was intended for the Public School System high school students and students beyond high school by NMC adopting the text books and teaching the history of the CNMI as written by Mr. Farrell as part of requirement at NMC, and as part of the Teachers Certification at the Public School System. So, Mr. Farrell, I am happy that you continue to provide our students and our people with the knowledge of our history that many of us probably would have not known if the book was not written. And I thank you for the hard work that you have done. I know back then that we didn't pay you much, but nonetheless, you took a lot of sacrifices and time away from your family to dedicate your time on the First History Book of the CNMI, particularly for the students of the Public School System. *Si Yu'us ma'ase*, Mr. President.

President Hocog: Thank you, Floor Leader. Recognized, Senator Cruz.

Senator Cruz: Thank you, Mr. President. Thank you, uncle Don for all the hard work. We all know many of us here in the CNMI live here for their lives but not many of us know the history of the CNMI, especially the island of Tinian and I commend you for putting time and the effort in coming up with the history of the CNMI. I myself, live in Tinian all my life, I went to school in JFK I don't really know the history of the Marianas because I don't take Marianas History. And every time I joined the government police force, we went off-island they ask me about the history of where I came from I'm kind of shock because I'm not really familiar with the history, but I live all my life on the island. Again, I commend you and thank you for all the hard work. Thank you, Mr. President.

President Hocog: Thank you, Senator Cruz. Any other member? If none, I would like to say just a short appreciation to uncle Don Farrell. We have never spent so much time together in knowing you as an uncle other than professional individual, but I surely appreciate your passion to reside on the island of Tinian and enjoy the people living there and most particularly that makes you a resident of Tinian from my auntie Carmen and your dedication, your honesty brings together a long bonding between you, my auntie and the rest of your kids. On behalf of my family as well, my family in Tinian, we always look up to you, not only as a professional individual but as an uncle. Uncle, that give us all the respect regardless of what political side you're on you're always open and provide us your advised and compassion, and thank you for that uncle Don. With this recognition, I hope that you accept from all of us that will serve a long lasting of document for your kids and grandkids to come. Thank you. If no further discussion, ready for the question? Floor Leader?

Floor Leader Quitugua: *Si Yu'us ma'ase*, Mr. President. Again, I move for the adoption of Senate Commemorative Resolution No. 21-01.

The motion has been seconded.

President Hocog: There is a motion to adopt Senate Commemorative Resolution No. 21-01, those in favor of the motion say, "Aye." Those opposed say, "Nay."

All members voiced, "Aye."

President Hocog: Motion carries. I'll call for a short recess to officially present the recipient of the Senate Commemorative Resolution 21-01. Thank you. Short recess.

The Senate recessed at 1:44 p.m.

RECESS

The Senate reconvened at 1:51 p.m.

President Hocog: We are back to our session. Just before our short recess, we are under Resolution Calendar. Now, we are moving down to our Bill Calendar.

BILL CALENDAR

President Hocog: There's no bill being placed for today's Senate action, so I would like to move down to Item Q, Petitions, Memorials and Miscellaneous Communications.

PETITIONS, MEMORIALS AND MISCELLANEOUS COMMUNICATIONS

The Clerk voiced Miscellaneous Communications Nos. 21-01 and 21-02

President Hocog: Any one of the members would like to make comments? Senator Santos, recognized.

Senator Santos: Thank you, Mr. President. Under miscellaneous, I just like to on behalf of the people and the leaders of Rota, I would like to congratulate the historical first, Rota DPS Academy Cadets for successfully completing their cycle and who will be graduating on our beautiful island of Rota tomorrow. I would also like to extend gratitude to our Rota DPS Resident Director, Bill Mangloña, Lieutenant Jared Mangloña, Lieutenant Noel Calvo, Sergeant Gabriel Mangloña, Director Pete Deleon Guerrero of Saipan DPS, our DPS Commissioner Robert Guerrero, our honorable Governor and Lieutenant Governor, NMC Instructors, Mentors, Trainers, for making this endeavor a reality for our cadets and our people of Rota. And with that, they are cadets execute their duties and responsibilities with honor, dignity, integrity and to uphold the laws of the Commonwealth at all times. Thank you.

President Hocog: Thank you. Floor Leader?

Floor Leader Quitugua: Mr. President. I would like to just make comments on Miscellaneous Communication from MVA requesting for a date on February 21st or 25th for an orientation with the Senate members, perhaps the Chairman of the Committee on Resources, Economic Development and Programs may confirm one of the dates so that we can have our orientation with MVA. Thank you.

President Hocog: Thank you, Floor Leader. Chairman Frank Borja, can you follow up that request and inform the members? Recognized, proceed.

Senator Borja: Thank you, Mr. President. In line with the statement by the Floor Leader, I advised my secretary to inform MVA that 21st will be the preferred date and I haven't got back the word whether that is confirm, but I'll let the members know and also encourage everyone, since this will be the initial again for the 21st Legislature to meet with MVA and I encourage every member to participate. Thank you.

ANNOUNCEMENT

President Hocog: Thank you, Senator Borja. Any other members? If none, I know this is our Second Day on our First Regular Session, I would like to make the assignments of all these bills to the respective committee and I ask each of the chairman to please work on it so we can move forward with all the bills being introduced and take action as fast as possible. I recognized, Senator Igisomar.

Senator Igisomar: Thank you, Mr. President. I apologize, I was still waiting for the Announcements, but I just want to make a comment, Mr. President, an announcement that we have a scheduled Committee Meeting for JGLFR (Judiciary, Government, Law and Federal Relations) set for February 13th at 1:00 PM and this is your Committee on Judiciary, Government, Law and Federal Relations, Chaired by myself, and the agenda on this is really just gather together, a meet and greet at the same time to go over or at least to inform the committees on the bills that have been assigned to the committees already from the Floor Leader. *Si Yu'us ma'ase*, Mr. President.

President Hocog: Thank you, Senator Igisomar. Vice President, recognized.

Senator Hofschneider: Thank you, Mr. President. Also the Initial Meeting of the Fiscal Affairs Committee is being called for Tuesday, February 12 at 1:00 PM in the Senate Chamber. Your Committee on Fiscal Affairs it being the first committee meeting we're trying to get all the members together and prepare for the upcoming workload of the budget 2020 and then the other items reference to the Fiscal Affairs Committee. It will be at 1:00 p.m. in the Senate Chamber on Tuesday, February 12.

President Hocog: Thank you, Vice President. Senator Sablan?

Senator Sablan: Thank you, Mr. President. Also under the announcements of Senators Igisomar and Hofschneider, your Committee on Public Utilities, Transportation and Communications will have an Initial Meeting on February 19, the announcement should be out today or if you don't have it, it will be at 10:00 a.m. Tuesday, February 19. Thank you.

President Hocog: Floor Leader?

Floor Leader Quitugua: On Announcement, Mr. President, I believe all the members have received a letter from 500 Sales and this is just to remind the members, if you haven't received your letter, 500 Sales is inviting the Senate members for an Open House on February 8th from 1:00 p.m. to 5 p.m. and February 9th from 1:00 p.m. to 5:00 p.m. Thank you, Mr. President.

President Hocog: Thank you, Floor Leader. Any other announcements? If none, Floor Leader may I hear a motion?

ADJOURNMENT

Floor Leader Quitugua: *Si Yu'us ma'ase*, Mr. President. A motion for adjournment subject to the call of the Chair, so move.

The motion has been seconded.

President Hocog: There's a motion to adjourn subject to call of the Chair, those in favor of the motion say, "Aye." Those opposed say, "Nay."

All member voiced, "Aye."

President Hocog: Motion carries. The Senate stands adjourn subject to the call of the Chair. Thank you.

The Senate adjourned at 1:59 p.m.

Respectfully Submitted,

/s/Frances Joan P. Kaipat
Senate Journal Clerk