
 TWENTY-FIRST NORTHERN MARIANAS COMMONWEALTH LEGISLATURE



THE SENATE

SECOND SPECIAL SESSION – 2019

SJ 21-04

 First Day

 Monday, April 22, 2019

In compliance with the Open Government Act, Senate President, Victor B. Hocog, issued a session call on April 18, 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 First Day, Second Special Session, on April 22, 2019, at 1:12 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: Thank you, madam Clerk. With all nine members present, we hereby constitute to conduct our Order of Business for today’s session. We are on Item B, Public Comments.

PUBLIC COMMENTS

President Hocog: Any one from the gallery would like to make comments? Mr. Mayor?

Mayor Edwin P. Aldan: Thank you, Mr. President, for allowing me to comment on proposed House Bill No. 21-37 which is to amend Public Law 20-61, to fund the personnel and operations with the Tinian Municipal Government. In my comment to the House of Representatives upon the introduction of the bill, I stated that, I am fully aware of this challenging financial times of the CNMI currently is facing. I further explain that, at the start of my administration, I delayed the employment start date of ninety (90) Mayor's Office Employees by one month to prepare for the budget cuts that we’re expected as a result of Super Typhoon Yutu. Although, it is our priority to maintain full payroll for our current municipal employees, we're prepared to implement additional austerity measures if necessary. I further explain the need for this amendment is not due to our lack of planning, but due to unfortunate

situation in which we passed the local appropriation just to be informed that the passage of the bill that that funds would not be transferred. Today, we face a very difficult time and sensitive situation, if we do not pass this appropriation into law by the end of this week, we will be forced to forlorn some of our local employees. I would like to thank the members of the House of Representatives for understanding our predicament and for expeditiously acting last week to introduce and pass the bill. Today, I am asking the Senate the same consideration and support. Please know that these funds were already appropriated for Tinian in Public Law 20-61. We are not seeking the Legislature to provide additional funding during these difficult times, we are simply asking to amend the use of these funds for a higher priority, which is to pay for payroll for our local municipal employees for the duration of 2019 and for other critical public programs such as, medical assistance, municipal scholarship and others. Thank you for your time, consideration and continue support for the people of Tinian. *Si Yu'us ma'ase.*

President Hocog: Thank you, Mr. Mayor. Anyone else from the audience would like to make public comments for today's agenda? If none, I would like for the record to show that it's only the Mayor of Tinian make the today's public comment. Before I go further, is that Congresswoman back there? Welcome to the Legislature. Item C, Reading and Approval of the Journal.

READING AND APPROVAL OF JOURNAL

President Hocog: Clerk, do we have any?

Clerk: None, Mr. President.

MESSAGES FROM THE GOVERNOR

The Clerk voiced Governor's Messages Nos. 21-43 to 21-53.

President Hocog: Thank you, madam Clerk. Senator Hofschneider, recognized.

Senator Hofschneider: Thank you, Mr. President. I wish to express appreciation to the Governor on behalf of the Leadership of Tinian on his action on Governor's Message No. 21-46, which essential became law 21-2.

President Hocog: Thank you. Anyone else want to make comments from the Governors Messages? Senator Cruz?

Senator Cruz: Thank you, Mr. President. I also want to express my sincere gratitude and appreciation to Governor Torres for signing into local law, Tinian Local Law No. 21-2. Thank you, Mr. President.

President Hocog: Thank you, Senator Cruz. Anyone else? If none, let us move to Item E, Communications from the Judiciary.

COMMUNICATIONS FROM THE JUDICIARY

None

COMMUNICATIONS FROM THE HEADS OF DEPARTMENTS

None

COMMUNICATIONS FROM THE HOUSE

The Clerk voiced House Communications Nos. 21-07 to 21-11.

President Hocog: Anyone from the members would like to comment on the House Communications? None. Communications from the Senate.

COMMUNICATIONS FROM THE SENATE

The Clerk voiced Senate Communications Nos. 21-12 to 21-24.

President Hocog: The communications from the Senate are all about re-nominations and I just want to make note that, I already send to the Chairman the official withdrawal from the re-nomination of the Acting Commissioner Vincent Attao made by the Governor, so I hope Senator Cruz should acknowledge that withdrawal already, did you receive that?

Senator Cruz: Yes, sir.

President Hocog: Thank you. Communications from the Washington Delegate.

COMMUNICATIONS FROM THE WASHINGTON DELEGATE

None

UNFINISHED BUSINESS

None

PRE-FILED BILLS, INITIATIVES, LOCAL BILLS AND RESOLUTIONS

None

President Hocog: Senator Santos do you have one?

Senator Santos: Not at this time, Mr. President, thank you for asking.

President Hocog: Ok.

INTRODUCTION OF BILLS, INITIATIVES, LOCAL BILLS AND RESOLUTIONS

None

REPORTS OF STANDING COMMITTEES

None

REPORTS OF SPECIAL/CONFERENCE COMMITTEE

None

RESOLUTION CALENDAR

None

BILL CALENDAR

President Hocog: Floor Leader?

Floor Leader Quitugua: *Si Yu'us ma'ase*, Mr. President. Mr. President, we have one under the Bill Calendar and its House Bill No. 21-37, HD1, relative to House Communication No. 21-11, and a motion for passage, so move.

The motion has been seconded.

President Hocog: There is a motion for the passage and it has been seconded, any discussion? Ready? Senator Hofschneider, recognized.

Senator Hofschneider: Thank you, Mr. President. Under discussion, first, I want to thank you and the members for being here today to consider this critical legislation before us as was indicated earlier by the honorable Edwin P. Aldan, Mayor of Tinian and Aguiguan. The timing of this legislation is crucial to the continuity of services and primarily for the employment of our people of Tinian that are under payroll for these particular funds for the municipality. I also have, Mr. President, I asked the Clerk to share the attachment to this in case someone has a question or any of the members have a question with regards to the funds status on this particular legislation. So, I couldn't say it any better than what the Mayor was saying and also the action taken by the House members just a few days ago, and I respectfully ask the members for their support. Thank you.

President Hocog: Thank you, Vice. Let me call for a short recess.

The Senate recessed at 1:23 p.m.

RECESS

The Senate reconvened at 1:26 p.m.

President Hocog: We are back from our short recess. Anyone else would like to follow up any discussion on House Bill No. 21-23, HD1? Senator Cruz, recognized.

Senator Cruz: Thank you. I just like to extend my appreciation and gratitude also to the lower House for expeditiously passing this important legislation. We all understand that it is not an additional funding, it is just that we're trying to amend the appropriation that we appropriated to important areas in the island of Tinian, but because of Super Typhoon Yutu struck the island it's must needed additional funding to subsidize those public programs under the Mayor's Office. So again, I solicit your support my college here in the Senate to support this legislation. Thank you.

President Hocog: Thank you, Chairman Cruz. Senator Santos?

Senator Santos: Thank you, Mr. President. First, I would like to applaud the Tinian Leadership for being creative in identifying funding for the critical needs of the Second Senatorial District. I too, fully support the legislation as the Tinian Municipality is being threatened by eminent work furlough and perhaps even or including stoppage of critical public service if said legislation is not pass by the Senate today. Thank you, Mr. President.

President Hocog: Thank you. Having every one register their support, may I ask the Clerk now to call the roll?

CLERK called the roll:

Senator Francisco M. Borja	Yes
Senator Francisco Q. Cruz	Yes
Senator Jude U. Hofschneider	Hunggan (Yes)
Senator Sixto K. Igisomar	Aweer (Yes)
Senator Paul A. Mangloña	Hunggan (Yes)
Senator Justo S. Quitugua	Hunggan (Yes)
Senator Vinnie F. Sablan	Yes
Senator Teresita A. Santos	Yes
President Victor B. Hocog	Yes

CLERK: Mr. President, all nine members voting "yes."

President Hocog: With all nine members voting "yes" House Bill No. 21-37, HD1, hereby passes the Senate on its Final Reading. We move down now to Item Q, Petitions, Memorials and Miscellaneous Communications.

PETITIONS, MEMORIALS AND MISCELLANEOUS COMMUNICATIONS

None

President Hocog: Senator Mangloña, you raised your hand.

Senator Mangloña: Under Miscellaneous?

President Hocog: Yes, recognized.

Senator Mangloña: Thank you, Mr. President. I would like to ask the Senate Clerk or the members if there is no objection, we include comments by Congresswoman Tina Sablan regarding our situation with our Department of Finance, as well as the letter by Congressman Ed Propst, regarding the overtime compensation for exempt employees. So, that of these letters to the editor or comments can be incorporated in our journal it be made part of the journal, if there is no objection. I would like to provide to the Clerk. But, Mr. President, *malago yo' para baihu kuentos dididi pot este i* overtime compensation. *Hana estotba yo' mampos este i para baihu hungok na manma apasi* overtime *ayu siha na empleáo i otidariu during i regulát na* regulation. *I gobietnamento, ti manma apapasi* overtime *gi che'cho-niha sa man ma konsidera na* exempt employees *este siha. Ya' ti gof estotba yo' mohon este, kumo hu'tungo na etyu siha i man e'baba na empleáo-ta, empleáo gobietnamento ni manman asisti gi durantín i* typhoon *manma apasi esta mohon. Lao hekua kao in tingo, na megai guini siha na empleáo manma didibi* overtime, *ya'an para hufan apasi debidi hufan mongi kata para i* Secretary of Finance *na guaha malangu-hu ya para uma* medical referral, *hu nisita i ayudun-miyu para in apasi yo nu i yoku* overtime, *pues etyo na para hufan ma apasi nu i yon niha* overtime. *Lao i para hufan ma apasi-ha pot i ginagagao hao na i lai ti hufan ma apasi. Ya enague uno mu estotba yo, i siña ma soda salapi para i man magas siha etyi man tákkiló gi primet lugat, taya* business *niha para hufan ma apasi* overtime, *ya etyu i man namasi siha ni chumo'chogue i che'cho timan ma apapasi. Malago yo baihu faisin i* Chairman *i Fiscal Affairs Committee, kao siña huma examina este, hufan macho'cho tafan hita yan i* House *yata tungo actually hayi siha na empleáo kuantu ta didibi? Sa hita bos-niha este siha na empleáo, hita siña,* we can speak on their behalf *ya ta tungo kuantu-hit na empleáo? Hayi siha na empleáo? Kao ma* exempt *gi regular na che'cho' niha? Kumo ti* typhoon, *kao hufan ma apasi overtime hayi este siha kuantu ta didibi? Ya bonito bidata pago, sa ta* address *para este siha i empleáo-ta ni ti manma apapasi pues parehu ha lakkue este siha na empleáo i timan ma apasi ni* overtime. *Hu gagagao na para ta espihayi lakkue salapi. Gi mina gahet, guaha yoku* floor amendment *para este* House Bill No. 21-37, HD1, *lao* after *hu hungok i* Mayor *yan siha tihu* offer *ha este. Lao muna hu hahaso na para baihu offer, maseha ti parahu nahong botu, i pot para tafan man haso, para ta hasuyi hafa debi lakkue ta bira hit tati guini para ta* address *i para hufan ma apasi este siha na empleáo. I* amendment supposedly, *para hu* allow *na* ten percent (10%) *para huma* cut *ginen i* Public Law 20-61 *todo etyu siha manma* appropriate *gi* up to fifteen million dollars (\$15,000,000.00) *para ta na'i* Finance *para hu chuli'e* up to ten percent (10%) *kumo guagua-a sobla para uma husa ya maila yata apasi gopipi tododo este siha i ta didibi, pues siña este an hayi magof parahu* introduci *ginen papa* or *ma amenda otro na legislasion yata apasi este siha na empleáo. Mauleg sa hu li'e na magahit si* Chairman Hofschneider, *guaha ma katayēña ginen i* Finance, *ha email na ilelekña ma certify i fund status nu este na salapi ya maulek estegue sa klaru pago taiga anai buenti ma pasa gi* House. *I mu estotba yo este i* Finance *guaha lakkue iyon mami email gi* Rota Delegation something like this *na email nai ma sangani-ham na guaha* \$1.4 million *ginen i* Casino Gross Receipt Tax *para etyi i* two million (\$2,000,000.00) *kada sakan ni ma lot Luta yan Tinian yahu sangan-ha gi* last session that was March 18, *nai ma katayiham ni taimanu ha i* funds status report *pues gi* March 20 *ma* veto *sa taya. Pues hu diseseha na yangin ma pass este hu gaigi lakkue i salapi sa hungan gaigi buenti gi papit ma tutugi na* one million *lao kao gaigi gi* cash *enao ya* I am sure *na puedi siña ma soda'i este sa fera di ma* certified *klaru na ta* pass *gi* 20-61 *na* law *este. Pues in na'nanga esta pago i* Finance *para i* certification *para etyu i* \$1.4 million *na* balance *gi* First Senatorial District *ya ola mohon na gi otro biahi ya ma* certify

ya ta pasa man halom-hit gagaigi ha i salapi. Talo, para baihu ripiti, baihu faisin i Fiscal Affairs Committee Chairman, yahu eksamina hayi este siha ti manma apapasi na overtime ta tungo kuantu ya let us work with the House ya ta apasi este siha. Pago este i otro, i cabinet members or etyu siha manma exempt from overtime, hu a'atan na siempre guaha problemata gi mamaila sa i FEMA siña tiha apasi-hit nu este. Ya ti este ha otimu na typhoon para ta fana gi isla-ta siha, siña guaha talo typhoon otro mes ya yanggen guaha typhoon otro mes pues debidi hu guaha policy gi Legislature. Gi hinasoku, debidi hu halom ya hu establesi policy kosaki ta tungo hayi siha overtime manma exempt ya kosaki munga na uma ripiti este sa siempre ha guaha talo typhoon ta fana ya debidi tana klaru este pues etyo na hu guaha words pot este i overtime. Ya i maas namañao-ña este i yanggen guaha otro typhoon siña pago i federát ti listo man ayuda para hita sa ma tungo ha na tita apapasi empleáo-ta overtime kumo ti ma declare ni FEMA na guaha assistance lao yanggen ma declare ta apasi siña ma pega-hit na man digeru-hit gi este yangen humalom i federát. Pues enao-ha si Yu'us ma'ase.

President Hocog: Thank you, Senator Mangloña. To answer some of your concern Senator Hofschneider have access already of all those that you are concerned about the listing of employees that are paid and how many are valid. His got a list of that he'll be working on the issue to further close the page of those that are still awaiting payment. And of course, I have asked Senator Hofschneider as well to look into those exempted positions to see if they merit to receive overtime and if not, we will make sure that they pay that back to the government. Are you going to add some further Senator Hofschneider?

Senator Hofschneider: Mr. President, thank you. I'm setting up a meeting with the Secretary of Finance of course and OMB to get more clarity on the matter, in addition to what the House members did. But what I am trying to do right now is I'm waiting to dispose of the conflicting schedules with the EAGI and as we get all those then I'll give you the specific dates. Just to touch a little bit and some of the statements by Senator Mangloña, those payments are actually the first responders that have actually came out. Not only the heads of the department are paid, also some of the first responders of the agencies, and in addition to the pending compensation, the overtime those are still being crafted and we've also found out that some documentation requirements there's a misstep and this was going to be clarified by the gar and the Secretary of Finance or Department of Finance because there's a misstep on documentation of specifics so the agency have to get back and redo it again and of course other other issues follows. But nevertheless, I will notify, Mr. President, your office as soon as we get a date to meet with the Acting Secretary of Finance and OMB. I apologize I can't call them this week because all of the tight schedule and also we just came back from a short week, but rest assured that all those questions that are pending before us and whether they get paid or not or they're pending to get paid they need to answer so that everybody is on the same page. *Si Yu'us ma'ase.* Thank you.

President Hocog: Thank you, Vice President, for better clarifying also. Any one else? Ready? If none, let us go down to Item R, Announcement.

ANNOUNCEMENTS

President Hocog: Any announcement to be made? Recognized, Senator Cruz, if you have announcement to make.

Senator Cruz: I believe all the members have acknowledged already the EAGI Public Hearing for tomorrow and Wednesday in Tinian. So, I urge everyone to be present on that important Public Hearing. Thank you.

President Hocog: Thank you. Recognized Senator Igisomar.

Senator Igisomar: Thank you, Mr. President. Also, just an information for everybody, the JGL&FR Committee, because we do have lots of bills assigned to the committee already, so as soon as the EAGI Committee is done with all their hectic schedules you call a session, we will call the JGL Committee after. So, if you have bills pending in our committee that is just a heads-up that the committee will meet approximately two days after the senate session to confirm the EAGI's stuff. Thank you, Mr. President.

President Hocog: Thank you, Chairman Igisomar. Recognized, Senator Cruz.

Senator Cruz: Thank you, Mr. President. Chairman Igisomar, I appreciate your patient, I think this is not the only public hearing to be scheduled right after Saipan Public Hearings for those four appointees for the executive department, they will be followed by other nominees that are very critical and essential to be act upon. So, I continue to ask for your understading, sir. Thank you.

President Hocog: Thank you, Senator Cruz and thank you, Senator Igisomar for your understanding. Anymore announcement? None. Floor Leader, a motion.

ADJOURNMENT

Floor Leader Quitugua: *Si Yu'us ma'ase*, Mr. President. Mr. President, I move to adjourn subject to the call of the Chair.

The motion has been seconded.

President Hocog: There's a motion to adjournment subject to call of the Chair and it has been seconded, those in favor of the motion say, "Aye." Those opposed say, "Nay."

All member voiced, "Aye."

President Hocog: Motion carries. Our Session is hereby adjourned subject to the call fo the Chair. Thank you.

The Senate adjourned at 1:45 p.m.

Respectfully Submitted,

/s/Frances Joan P. Kaipat
Senate Journal Clerk