



Gov. Msg. No. 19-362

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Ralph DLG. Torres
Governor

Victor B. Hocog
Lieutenant Governor

19 DEC 2016

The Honorable Rafael S. Demapan
Speaker, House of Representatives
Nineteenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

The Honorable Francisco M. Borja
Senate President, The Senate
Nineteenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950



Dear Mr. Speaker and Mr. President:

This is to inform you that I have signed into law **House Bill No. 19-212, HD2**, entitled, "To make supplemental appropriations for the operations and activities of the Government of the Commonwealth of the Northern Mariana Islands for Fiscal Year 2017; and for other purposes," which was passed by the House of Representatives and the Senate of the Nineteenth Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 19-75**. Copies bearing my signature are forwarded for your reference.

Sincerely,

RALPH DLG. TORRES

cc: Lt. Governor; Attorney General's Office; Commonwealth Healthcare Corporation; CNMI Medical Referral; Public School System; Special Assistant for Substance Abuse and Rehabilitation Program; Commonwealth utilities Corporation; Northern Marianas College; Northern Marianas Trade Institute; Department of Finance; Public Auditor; Special Assistant for Administration; Special Assistant for Programs and Legislative Review

Caller Box 10007 Saipan, MP 96950 Telephone: (670) 237-2200 Facsimile: (670) 664-2211/2311

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*Nineteenth Legislature
of the
Commonwealth of the Northern Mariana Islands*
IN THE HOUSE OF REPRESENTATIVES

Fourth Regular Session

December 12, 2016

Representative Antonio P. Sablan, of Saipan, Precinct 1 (*for himself*) in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

H. B. No. 19-212, HD2

AN ACT

**TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR THE
OPERATIONS AND ACTIVITIES OF THE GOVERNMENT OF THE
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
FOR FISCAL YEAR 2017; AND FOR OTHER PURPOSES.**

The Bill was not referred to a House Committee.

**THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON
FIRST AND FINAL READING, DECEMBER 12, 2016;**
with amendments in the form of H. B. 19-212, HD1 and transmitted to the
THE SENATE.

The Bill was not referred to a Senate Committee.

**THE BILL WAS PASSED BY THE SENATE ON
FIRST AND FINAL READING, DECEMBER 14, 2016;**
without amendments and was returned to
THE HOUSE OF REPRESENTATIVES.

THE BILL WAS FINALLY PASSED ON DECEMBER 12, 2016.



Linda B. Muña, House Clerk



*Nineteenth Legislature
of the
Commonwealth of the Northern Mariana Islands*
IN THE HOUSE OF REPRESENTATIVES

Tenth Day, Fourth Regular Session

December 12, 2016

H. B. No. 19-212, HD2

AN ACT

**TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR THE
OPERATIONS AND ACTIVITIES OF THE GOVERNMENT OF THE
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS FOR
FISCAL YEAR 2017; AND FOR OTHER PURPOSES.**

**Be it enacted by the Nineteenth Northern Marianas Commonwealth
Legislature:**

1 **Section 101. Findings and Purpose.** 4 CMC §2308 provides that the gross revenue
2 tax generated from Casino license holder shall be appropriated for the Fuel Adjustment
3 Clause (formerly the Levelized Energy Adjustment Clause), the Commonwealth Healthcare
4 Corporation, the Medical Referral Program, the payment of land compensation judgments,
5 and the Public School System. This Act makes a supplemental appropriation of local funds
6 for the operations and activities of the Government of the Northern Mariana Islands set forth
7 in 1 CMC §2308 and as otherwise provided in this Act for Fiscal Year 2017 commencing
8 October 1, 2016 and ending September 30, 2017, as reflected under
9 House Concurrent Resolution No. 19-6.

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CHAPTER II. ESTIMATED REVENUES

Section 201. Estimated Revenues. Governor Ralph DLG. Torres in a letter dated December 5, 2016, has identified additional projected resources from the gross revenue tax generated from Casino license holder in the amount of \$47,000,000.00 for Fiscal Year 2017. Of the projected amount, \$40,967,307.88 has been collected and is available for appropriation.

Section 202. The total revenue approved and identified for supplemental appropriation for FY 2017 is \$40,967,307.88

CHAPTER III. APPROPRIATIONS.**Section 301. In General.**

(a) Notwithstanding any laws to the contrary, the amount of \$40,967,307.88 of the funds designated in Chapter II are available for appropriation for FY 2017 for the purposes and programs set forth in 4 CMC §2308 and as otherwise provided in this Act.

Section 302. Appropriation.

The amount of \$40,967,307.00 is hereby appropriated and allocated as follows:

(a) \$2,000,000.00 for the Fuel Adjustment Clause (FAC) Rate Subsidy.

(b) \$7,000,000.00 for the Commonwealth Healthcare Corporation (CHCC) to pay the outstanding balance owed by CHCC to the Commonwealth Utilities Corporation. The expenditure authority shall be the Chief Executive Officer of the Commonwealth Healthcare Corporation.

(c) Notwithstanding 4 CMC §2308, any laws, provisions or regulations to the contrary, \$1,000,000.00 for the Substance Abuse and Rehabilitation Program, under

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1 the Office of the Governor, Business Unit No. 5018, to fund the substance abuse
2 program and support the Community Guidance Center programs and operations. The
3 expenditure authority shall be the Special Assistant for Substance Abuse and
4 Rehabilitation Program. This appropriation shall not be reprogrammed for any other
5 purpose. The Special Assistant shall provide a quarterly expenditure report within 30
6 days after each quarter to the presiding officers of the legislature.

7 (d) \$2,000,000.00 for the Medical Referral Program for the following:

8 (1) \$1,600,000.00 shall be used to pay the outstanding obligations to
9 the Guam Memorial Hospital and \$400,000.00 shall be used to supplement the
10 operations of the Medical Referral Program.

11 (2) The expenditure authority shall be the Director of the Medical
12 Referral Program.

13 (e) Notwithstanding 4 CMC §2308, any laws, provisions or regulations to the
14 contrary, \$9,000,000.00 for the payment of land compensation stipulated, consented
15 and/or other judgments derived therefrom.

16 (1) The funds appropriated for payment of land compensation
17 stipulated, consented and/or other judgments derived therefrom shall be paid
18 in the following priority:

19 (A) judgments and settlements between \$1.00 and \$50,000.00,
20 regardless of the date of the final judgment or settlement, shall be paid
21 in full; and

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(B) judgments and settlements over \$50,000.00 shall be paid on a proportional basis.

(2) The Attorney General shall certify the amount of the stipulated, consented and/or other judgment or settlement derived therefrom to the Secretary of Finance. The expenditure authority shall be the Secretary of Finance.

(f) \$10,241,826.00 for the Public School System (PSS) shall be used for the following:

(1) \$2,700,000.00 shall be used to pay the outstanding balance owed by PSS to the Commonwealth Utilities Corporation.

(2) \$100,000.00 shall be used to pay the outstanding balance owed by PSS for the school meal vendors.

(3) \$100,000.00 shall be used to pay school repairs and maintenance.

(4) \$1,000,000.00 shall be used to purchase five school buses.

(5) \$5,541,826.00 shall be used to purchase primary instructional materials for language arts, math, science, and social studies.

(6) \$300,000.00 shall be equally divided so that \$150,000.00 shall be used for the Sinapalo Elementary School and \$150,000.00 for Dr. Rita Inos Jr./Sr. High School for the schools' operations, furniture and fixtures, and repair of benches and facilities.

(7) \$500,000.00 shall be used for the Tinian public schools to replace the perimeter fence of the Tinian Elementary School and for other required

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1 facilities repairs at the Tinian Elementary School and Tinian Junior/Sr. High
2 School.

3 (8) The expenditure authority shall be the Commissioner of Education.

4 (9) The funds appropriated to the PSS under subsection (f) of this
5 section shall not be reprogrammed.

6 (g) Notwithstanding 4 CMC §2308 and any laws to the contrary, the amount
7 of \$3,500,000.00 shall be equally distributed to pay a bonus to the retirees and
8 retiree's beneficiaries. The expenditure of this appropriation shall be the Secretary of
9 Finance.

10 (h) Notwithstanding 4 CMC §2308, the amount of \$1,451,365.00 shall be used
11 to pay the outstanding retroactive lump-sum payment to active and inactive
12 employees, whose wages were frozen at Step 12, pursuant to Public Law No. 10-76
13 and as amended by Public Law No. 11-59. The expenditure authority shall be the
14 Secretary of Finance.

15 (i) Notwithstanding 4 CMC §2308, the amount of \$3,624,116.00 shall be used
16 to pay for outstanding balance owed to the Commonwealth Utilities Corporation and
17 outstanding telecommunication billings by the central government. The expenditure
18 authority shall be the Secretary of Finance.

19 (j) Notwithstanding 4 CMC §2308, the amount of \$1,000,000.00 is
20 appropriated for the Northern Marianas College. The expenditure authority shall be
21 the NMC President.

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1 (k) Notwithstanding 4 CMC §2308, the amount of \$150,000.00 is
2 appropriated for the Northern Marianas Trade Institute. The expenditure authority
3 shall be the NMTI Chief Executive Officer.”

CHAPTER IV. GENERAL PROVISIONS

5 **Section 401. Severability.** If any provision of this Act, or its application to any
6 person or circumstance, is held invalid, the invalidity does not affect other provisions or
7 applications of the Act which can be given effect without the invalid provision or
8 applications, and to this end the provisions of this Act are severable.

9 **Section 402. Savings Clause.** This Act and any repealer contained herein shall not be
10 construed as affecting any existing right acquired under contract or acquired under statutes
11 repealed or under any rule, regulation or order adopted under the statutes. Repealers contained
12 in this Act shall not affect any proceeding instituted under or pursuant to prior law. The
13 enactment of this Act shall not have the effect of terminating, or in any way modifying, any
14 liability civil or criminal, which shall already be in existence at the date this Act becomes
15 effective.


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1 **Section 403. Effective Date.** This Act shall take effect upon its approval by the
2 Governor, or its becoming law without such approval.

Attested to by:


Linda B. Muña, House Clerk

Certified by:


ACTING SPEAKER JOSEPH P. DELEON GUERRERO
House of Representatives
19th Northern Marianas Commonwealth Legislature

Approved this 19th day of December, 2016


RALPH DLG. TORRES

Governor

Commonwealth of the Northern Mariana Islands