



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

FROILAN C. TENORIO  
Governor

JESUS C. BORJA  
Lt. Governor

Caller Box 10007  
Saipan, MP 96950  
Telephone: (670) 664-2200  
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The Honorable Jesus R. Sablan  
President of the Senate  
Tenth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

DEC. 24 1997

The Honorable Diego T. Benavente  
Speaker, House of Representatives  
Tenth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

Dear Mr. President and Mr. Speaker:

This is to inform you that I have signed into law H.B. No. 10-326, H.S. 1, "To amend 3 CMC, Sections 1316(n), 1322; and for other purposes."

This bill will allow the Board of Regents to set the salaries for all employees of the Northern Marianas College, including the President, without reference to the Salary Act.

I agree that the Board should have this authority, provided that funds are available and have been properly appropriated. It is entirely proper for the Board to make these decisions.

However, I would not agree to any pay increases until the money has been properly made available. For this reason, I am vetoing the companion bill to this one, H.B. 10-327, which would have removed the College from the requirement of certification of available funds. The Board of Regents may give raises to whomever they like, but only after the Legislature has appropriated the money and the Office of Management and Budget has certified its availability.

I note that there is a typographical error on line 5 of page 2, where the word "determine" is missing.

This bill becomes law as P.L. 10-77.

Sincerely,

A handwritten signature in black ink, appearing to read "Froilan C. Tenorio".

FROILAN C. TENORIO



*The House of Representatives*  
NORTHERN MARIANAS COMMONWEALTH LEGISLATURE  
P.O. Box 586  
Saipan, MP 96950

NOV. 19 1997

The Honorable Froilan C. Tenorio  
Governor  
Commonwealth of the Northern  
Mariana Islands  
Capitol Hill  
Saipan, MP 96950

Dear Governor Tenorio:

I have the honor to transmit herewith for your action House Bill No. 10-326, HS1, entitled, "To amend 3 CMC, Sections 1316 (n), 1322; and for other purposes.", which was passed by the House of Representatives and the Senate of the Tenth Northern Marianas Commonwealth Legislature.

Sincerely,

  
Evelyn C. Fleming  
House Clerk

Attachment

# HOUSE OF REPRESENTATIVES

TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE  
FOURTH SPECIAL SESSION, 1997

Public Law No. 10-77  
HOUSE BILL NO. 10-326, HS1

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## AN ACT

To amend 3 CMC, Sections 1316 (n), 1322; and for other purposes.

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**Offered by Representatives:** Karl T. Reyes,  
Oscar M. Babauta, David M. Apatang and Jesus T. Attao

**Date:** February 4, 1997

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## HOUSE ACTION

Referred to: Committee on Health, Education and Welfare

Standing Committee Report No. 10-58

First and Final Reading: July 9, 1997

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## SENATE ACTION

Standing Committee Report: None

Second and Final Reading: October 14, 1997

  
Evelyn C. Fleming  
House Clerk

TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

H. B. NO. 10-326, HS1

THIRD REGULAR SESSION, 1997

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AN ACT

To amend 3 CMC, Sections 1316 (n), 1322; and for other purposes.

BE IT ENACTED BY THE TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1           Section 1. Short Title. This Act shall be known and cited as the "Higher Education Act  
2 of 1997."

3           Section 2. Findings. The Legislature finds that for the third consecutive six-year term,  
4 the Northern Marianas College has received full accreditation from the Western Association of  
5 Schools and Colleges. The Legislature continues to recognize that accreditation is dependent  
6 upon the Board of Regents maintaining its constitutionally created autonomy. The Legislature  
7 also recognizes that one of the Board of Regent's primary duties is selecting a President for the  
8 College and being able to set the compensation and salary of its Chief Executive Officer  
9 (CEO), faculty and staff.

10           Section 3. Purposes. The purpose of this Act is to clarify ambiguities in the law and  
11 confirm that the Board of Regents shall have sole power and authority to set the salaries for the  
12 Chief Executive Officer, faculty and staff of the Northern Marianas College.

13           Section 4. Amendment. 3 CMC Section 1316 (n), as amended by Public Law 9-53, is  
14 amended to read as follows:

15                   "(n) to appoint and to terminate the President, officers, faculty employees and  
16 staff of the College, and consistent with its adopted rules and regulations, to specify  
17 their responsibilities and authority, and to set classifications and salaries.

18                   (1) The College is specifically exempted from the 1984 Compensation  
19 Adjustments Act (1 CMC Division 8, Part 2, Ch. 4), as amended; and the  
20 Commonwealth Salary Act of 1988 (1 CMC Division 8, Part 2, Ch. 1), as  
21 amended."

1 Section 5. Amendment. 3 CMC Section 1322 is amended to read as follows:

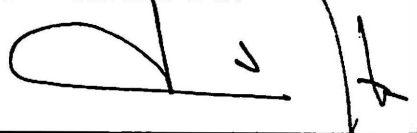
2 "§1322. President of the College: Qualifications and Compensation. All  
3 candidates for the position of President of the Northern Marianas College shall possess  
4 at least a graduate degree from an accredited university in the United States or its  
5 territories and such other qualifications as the Board shall. The President of the college  
6 shall receive an annual salary as determined by the Board."

7 Section 6. Severability. If any provision of this Act or the application of any such  
8 provision to any person or circumstance should be held invalid by a court of competent  
9 jurisdiction, the remainder of this Act or the application of its provisions to persons or  
10 circumstances other than those to which it is held invalid shall not be affected thereby.

11 Section 7. Savings Clause. This Act and any repealer contained herein shall not be  
12 construed as affecting any existing right acquired under contract or acquired under statutes  
13 repealed or under any rule, regulation or order adopted under the statutes. Repealers contained  
14 in this Act shall not affect any proceeding instituted under or pursuant to prior law. The  
15 enactment of this Act shall not have the effect of terminating, or in any way modifying, any  
16 liability, civil or criminal, which shall already be in existence at the date this Act becomes  
17 effective.

18 Section 8. Effective Date. This Act shall take effect upon its approval by the Governor  
19 or upon its becoming law without such approval.

CERTIFIED BY:



JESUS T. ATTAO  
Acting Speaker  
House of Representatives

ATTESTED BY:



EVELYN C. FLEMING  
House Clerk

Approved this 24<sup>th</sup> day of December, 1997



FROILAN C. TENORIO  
Governor

Commonwealth of the Northern Mariana Islands