



HOUSE OF REPRESENTATIVES
FOURTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
SEVENTH SPECIAL SESSION, 2004

PUBLIC LAW NO. 14-54
H. B. No. 14-210, HD1, SD2

AN ACT

To authorize the Public School System to establish a technical education program and for other purposes.

**BE IT ENACTED BY THE FOURTEENTH NORTHERN MARIANAS COMMONWEALTH
LEGISLATURE:**

Section 1. Purpose. The purpose of this Act is to authorize the Public School System to establish a technical education program to gradually fulfill the mandate of the Nonresident Workers Act and to identify sources to adequately fund the program. This Act is based on the findings of a PSS feasibility study submitted to the House of Representatives on May 7, 2004, pursuant to House Resolution No. 14-4.

Section 2. Authorization for Technical Education Program. The Public School System is hereby authorized to establish a technical education program at Marianas High School, Tinian High School and Rota High School, and may expand to other schools to meet the needs of the business community and the entire Commonwealth community. The program shall include:

- (a) The development of appropriate vocational and technical education curriculum, starting with tourism (hospitality industry), nursing assistant (allied health), and technology (Cisco CCNA Certification) and may expand to other programs upon availability of funds which shall include on-the-job training for the last two years in the program;
- (b) Faculty training and development;
- (c) Identification of appropriate school sites, including schools in the First and Second Senatorial Districts, for future expansion of the technical education program;

(d) The appropriate design and outfitting of such school sites, including those in the First and Second Senatorial Districts;

(e) The identification of necessary collateral equipment, materials and supplies for schools in each senatorial district;

(f) Student performance standards;

(g) Procedures for information exchange and curriculum collaboration with the Northern Marianas College and other executive departments and agencies and with business organizations;

(h) Inter-agency agreements with other executive departments and agencies to facilitate the establishment, operation and administration of the technical education program;

(i) Designing the two-year on-the-job training to be equivalent to the two years of work experience required under the Nonresident Workers Act.

(j) A monitoring mechanism to monitor effectiveness of the on-the-job training throughout the two years and to continue monitoring the employment of students for the first two years after completion of or graduation from the program;

(k) Assessment of appropriate compensation of students who complete the program and other vocational education programs from other PSS secondary schools, which shall not be lower than the federal minimum wage, while taking into consideration the prevailing wages of workers with comparable skills and experience in the CNMI, Guam, Hawaii, and in the mainland United States;

(l) Design and develop a public education campaign; and

(m) Submission of an annual written report on the program at the end of the calendar year to the presiding officers of the Legislature and the Governor.

Section 3. Implementation of the Technical Education Program. The Public School System may implement the technical education program in the school year 2005-2006 or earlier following the completion of the written description of the program authorized under Section 2, unless the Board of Education determines that another time period would be more reasonable to ensure the successful implementation of the program.

Section 4. Curriculum Development Committee. The Public School System is authorized to establish a curriculum development advisory committee for the technical education program. The committee shall be comprised of appropriate Public School System employees including teachers and program administrators to be appointed by the Commissioner of Education. Representatives from each of the parents and teachers associations of the public high schools including those in the First and Second Senatorial Districts, Saipan Chamber of Commerce, Hotel Association of the Northern Mariana Islands, the Saipan Garment Manufacturers Association, the Saipan Rotary Club, Northern Marianas College and other similar organizations recognized by the Commissioner of Education shall also serve on and participate in the Committee and its meetings. The primary duty of the committee is to recommend courses to be offered and develop a plan for an effective implementation of a technical education curriculum consistent with Section 2 of this Act. The committee shall meet at least on a quarterly basis. The committee shall be chaired by the PSS technical education program coordinator or designee.

Section 5. Amendments.

(a) A new § 2282 is hereby inserted into Title 1, Article 4 of the Commonwealth Code to read as follows:

“§ 2282. Technical Education Program Fund. A Technical Education Program Fund is hereby created as a dedicated fund within the CNMI Treasury and the Secretary of Finance shall make all disbursements from the Fund only to the Public School System upon the establishment of a technical education program by the Board of Education. All funds collected pursuant to this section shall be reserved for the technical education program of the Public School System and may not be reprogrammed for other uses. The expenditure authority of the technical education program fund shall be the Commissioner of Education.

(a) There shall be deposited into the Technical School Fund –

(1) 10% of the revenues collected from the jackpot winnings tax under 4 CMC § 1505,

(2) the sum of \$25.00 from every initial application fee and from every renewal fee paid for a nonresident worker certificate under 3 CMC § 4424,

(3) all appropriations made to the PSS technical education program under the annual budgetary authority for the Commonwealth Government, and

(4) unless otherwise provided under federal law, all federal funds received by PSS under the consolidated funds for the vocational education program.”

(b) 4 CMC § 1503, as amended, is modified to add a new subsection (e) as follows:

“(e) The Public School System shall receive 10% of the revenues collected from the jackpot winnings tax under 4 CMC § 1505, which shall be reserved for funding the PSS technical education program. The revenues reserved under this subsection shall be transferred quarterly to the Technical Education Program Fund.”

(c) 3 CMC § 4424(c) is amended by adding a new paragraph (2) to read as follows and redesignating affected paragraphs:

“(2) All funds dedicated under 1 CMC § 2282(a)(1) and (a)(2) as created by this Act shall be deposited in the Technical education Program and shall continue unless otherwise provided by law.”

Section 6. Expenditure Authority. The expenditure authority of the Technical Education Program provided under this Act shall be the Commissioner of Education. The fund shall be reprogrammed for any other purpose except for the intended purposes in this Act.

Section 7. Audit Required. The Public Auditor shall conduct an annual audit of the Technical Education Program Fund. A copy of the audit shall be provided to the Presiding Officers of the Legislature and the Governor.

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

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

Section 10. Effective Date. This Act shall take effect upon its approval by the Governor or becoming law without such approval.

CERTIFIED BY:

ATTESTED TO BY:

/s/

BENIGNO R. FITIAL
SPEAKER OF THE HOUSE

/s/

EVELYN C. FLEMING
HOUSE CLERK

APPROVED on this 17th day of JANUARY 2005

/s/

DIEGO T. BENAVENTE
ACTING GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS