



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Benigno R. Fitial
Governor

Timothy P. Villagomez
Lieutenant Governor

The Honorable Oscar M. Babauta
Speaker, House of Representatives
Fifteenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

OCT 15 2007

The Honorable Joseph M. Mendiola
Senate President, The Senate
Fifteenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Mr. Speaker and Mr. President:

This is to inform you that pursuant to override action by the House of Representatives and the Senate of the Fifteenth Northern Marianas Commonwealth Legislature on October 3, 2007 and October 4, 2007, respectively, House Bill No. 15-277, entitled, "To authorize Class I Members of the Retirement Fund with fifteen years of actual service contributions to the Retirement Fund to withdraw their contributions; and for other purposes," the bill became **Public Law No. 15-98**. Copies of this law are forwarded for your reference.

Sincerely,

A handwritten signature in cursive script, appearing to read "Benigno R. Fitial".

BENIGNO R. FITIAL

cc: Lt. Governor; Attorney General, Office of the Attorney General
Administrator, NMI Retirement Fund; Director of Personnel, Office of Personnel
Management; Executive Director, Civil Service Commission; Secretary,
Department of Finance; Chief Justice, Commonwealth Courts; Resident
Representative to US; All Mayors; All Municipal Councils; All department and
activity heads; Executive Director, Commonwealth's Law Revision Commission;
and Special Assistant for Programs and Legislative Review



The House of Representatives
NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
P.O. BOX 500586
SAIPAN, MP 96950

October 11, 2007

PUBLIC LAW NO. 15-98

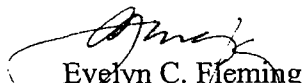
The Honorable Benigno R. Fitial
Governor
Commonwealth of the Northern
Mariana Islands
Capitol Hill
Saipan, MP 96950

Dear Governor Fitial:

This is to inform you that the Fifteenth Northern Marianas Commonwealth Legislature repassed **H. B. No. 15-277**, entitled: "An Act to authorize Class I Members of the Retirement Fund with fifteen years of actual service contributions to the Retirement Fund to withdraw their contributions; and for other purposes," by an affirmative vote of two-thirds (2/3) in each house.

H. B. No. 15-277 is now law. Please inform us of the Public Law number assigned to this Act.

Sincerely yours,


Evelyn C. Fleming
House Clerk

Attachment



The Senate

NORTHERN MARIANA'S COMMONWEALTH LEGISLATURE

P.O. Box 500129
Saipan, MP 96950

October 09, 2007

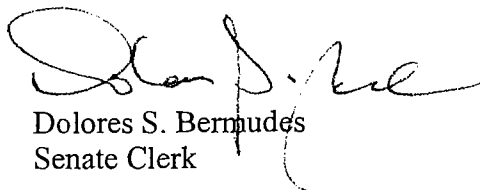
PUBLIC LAW NO. 15-98

Honorable Benigno R. Fitial
Governor
Commonwealth of the Northern Mariana
Islands
Capital Hill
Saipan, MP 96950

Dear Governor Fitial:

The Senate, Fifteenth Northern Marianas Commonwealth Legislature, on October 04, 2007, voted in accordance with Article II, Section 7(c) of the CNMI Constitution to override the veto on House Bill No. 15-277, entitled, "To authorize Class I Members of the Retirement Fund with fifteen years of actual service contributions to the Retirement Fund to withdraw their contributions; and for other purposes."

Sincerely yours,



Dolores S. Bermudes
Senate Clerk

Attachment



The House of Representatives
NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
P.O. BOX 500586
SAIPAN, MP 96950

October 4, 2007


PUBLIC LAW NO. 15-98

The Honorable Benigno R. Fitial
Governor
Commonwealth of the Northern
Mariana Islands
Capitol Hill
Saipan, MP 96950

Dear Governor Fitial:

This is to inform you that the House of Representatives overrode your veto of **H. B. No. 15-277**, entitled: "An Act to authorize Class I Members of the Retirement Fund with fifteen years of actual service contributions to the Retirement Fund to withdraw their contributions; and for other purposes," during its Fifth Day, Fourth Regular Session on October 3, 2007.

Sincerely yours,


Evelyn C. Fleming
House Clerk

Attachment

Transmittal to the GOVERNOR'S OFFICE (SAPLR)

Received by:

Paul Galaheri

Date:

10-4-07

Time:

2:15pm



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Benigno R. Fitial
Governor

Timothy P. Villagomez
Lieutenant Governor

The Honorable Oscar M. Babauta
Speaker, House of Representatives
Fifteenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

SEP 26 2007

The Honorable Joseph M. Mendiola
Senate President, The Senate
Fifteenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Mr. Speaker and Mr. President:

This is to inform you that I have disapproved House Bill No. 15-277, entitled: "An Act to authorize Class I Members of the Retirement Fund with fifteen years of actual service contributions to the Retirement Fund to withdraw their contributions; and for other purposes," which was passed by the House of Representatives and the Senate of the Fifteenth Northern Marianas Commonwealth Legislature.

This bill does not provided any articulated findings or statement of purpose that seeks to explain why its enactment is in the best interest of the Commonwealth, the Retirement Fund, or the retired members affected. To remain solvent and to provide for the continued servicing of its retired members, the Fund needs to maintain contributions for investment purposes to insure their continued solvency. The existing ten year period for withdrawal is sufficient and fair to members who are considering whether to withdraw their contribution. Approval of the fifteen year period will decrease the investment capital of the Fund and further risk the ability of the Fund to continue to meet its obligation of caring for the Commonwealth's retirees and their families.

Sincerely,

A handwritten signature in cursive script, appearing to read "Benigno R. Fitial".

BENIGNO R. FITIAL

cc: Lt. Governor
Attorney General, Office of the Attorney General
Secretary, Department of Finance
Special Assistant for Office of Budget and Management
Executive Director, Northern Marianas Islands Retirement Fund
Director, Office of Personnel Management
Executive Director, Office of the Civil Service Commission
Acting Chief Executive Officer, Commonwealth Development Authority
All Mayors Office
All Department and Activity Heads
Commonwealth's Law Revision Commission
Special Assistant for Programs and Legislative Review



The House of Representatives
NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
P.O. BOX 500586
SAIPAN, MP 96950

October 11, 2007

PUBLIC LAW NO. 15-98

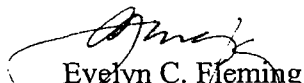
The Honorable Benigno R. Fitial
Governor
Commonwealth of the Northern
Mariana Islands
Capitol Hill
Saipan, MP 96950

Dear Governor Fitial:

This is to inform you that the Fifteenth Northern Marianas Commonwealth Legislature repassed **H. B. No. 15-277**, entitled: "An Act to authorize Class I Members of the Retirement Fund with fifteen years of actual service contributions to the Retirement Fund to withdraw their contributions; and for other purposes," by an affirmative vote of two-thirds (2/3) in each house.

H. B. No. 15-277 is now law. Please inform us of the Public Law number assigned to this Act.

Sincerely yours,


Evelyn C. Fleming
House Clerk

Attachment



The House of Representatives
NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
P.O. BOX 500586
SAIPAN, MP 96950

August 20, 2007

PUBLIC LAW NO. 15-98

The Honorable Timothy P. Villagomez
Acting Governor
Commonwealth of the Northern
Mariana Islands
Capitol Hill
Saipan, MP 96950

Dear Acting Governor Villagomez:

I have the honor of transmitting herewith for your action **H. B. No. 15-277**, entitled: "An Act to authorize Class I Members of the Retirement Fund with fifteen years of actual service contributions to the Retirement Fund to withdraw their contributions; and for other purposes," which was passed by the House of Representatives and the Senate of the Fifteenth Northern Marianas Commonwealth Legislature.

Sincerely yours,


Evelyn C. Fleming
House Clerk

Attachment



HOUSE OF REPRESENTATIVES
FIFTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
FIRST DAY, SIXTH SPECIAL SESSION, 2007

PUBLIC LAW NO. 15-98
H. B. No. 15-277

AN ACT

To authorize Class I Members of the Retirement Fund with fifteen years of actual service contributions to the Retirement Fund to withdraw their contributions; and for other purposes.

In the HOUSE OF REPRESENTATIVES

Offered by Representatives: Justo S. Quitugua, Martin B. Ada, Edwin P. Aldan, Oscar M. Babauta, Francisco S. Dela Cruz, Florencio T. Deleon Guerrero, Joseph P. Deleon Guerrero, Jacinta M. Kaipat, Jesus SN. Lizama, Crispin M. Ogo, Arnold I. Palacios, Benjamin B. Seman, Candido B. Taman, Ramon A. Tebuteb, Manuel A. Tenorio, Stanley T. McGinnis Torres, Absalon V. Waki, Jr., Ray N. Yumul

Date: June 22, 2007

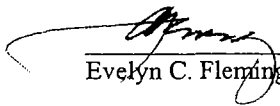
Referred to: None
Public Hearing: None
Standing Committee Report: None

Passed First and Final Reading on June 27, 2007
Overrode the Governor's Veto on October 3, 2007

In the SENATE

Referred to Committee on Health, Welfare and Programs
Public Hearing: None
Standing Committee Report: None

Passed Final Reading on August 16, 2007
Overrode the Governor's Veto on October 4, 2007


Evelyn C. Fleming, House Clerk



HOUSE OF REPRESENTATIVES
FIFTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
FIRST DAY, SIXTH SPECIAL SESSION, 2007

PUBLIC LAW NO. 15-98
H. B. No. 15-277

AN ACT

To authorize Class I Members of the Retirement Fund with fifteen years of actual service contributions to the Retirement Fund to withdraw their contributions; and for other purposes.

BE IT ENACTED BY THE FIFTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 **Section 1. Amendment.** The Northern Mariana Islands Retirement Fund Act of
2 1988, Section 8356(a) is hereby amended as follows:

3 “§ 8356. *Benefits: Refund on Separation.*


4 (a) Effective January 1, 2008, upon complete separation from service before a
5 class I member shall have completed 15 years of contributing member service, the
6 class I member may elect to receive a refund of his or her total contributions,
7 including regular interest. Except as provided in other sections of this part, no refund
8 of any contributions shall be permitted for class I members after completion of 15
9 years of contributing member service, provided that, notwithstanding any other
10 provision of law, any class I member electing to receive a refund of contributions,
11 upon reemployment by the Commonwealth Government, its agencies or
12 instrumentalities shall become a Member of the Defined Contribution Plan, pursuant
13 to 1 CMC §§ 8454, 8456, as enacted by Public Law 15-13.”

14 **Section 2. Severability.** If any provision of this Act or the application of any such
15 provision to any person or circumstance should be held invalid by a court of competent
16 jurisdiction, the remainder of this Act or the application of its provisions to persons or
17 circumstances other than those to which it is held invalid shall not be affected thereby.

1 **Section 3. Savings Clause.** This Act and any repealer contained herein shall not be
2 construed as affecting any existing right acquired under contract or acquired under statutes
3 repealed or under any rule, regulation or order adopted under the statutes. Repealers
4 contained in this Act shall not affect any proceeding instituted under or pursuant to prior law.
5 The enactment of this Act shall not have the effect of terminating, or in any way modifying,
6 any liability civil or criminal, which shall already be in existence at the date this Act,
7 becomes effective.

8 **Section 4. Effective Date.** This Act shall take effect upon its approval by the
9 Governor or upon its becoming law without such approval.

CERTIFIED BY:



OSCAR M. BABAUTA
SPEAKER OF THE HOUSE

ATTESTED TO BY:



EVELYN C. FLEMING
HOUSE CLERK

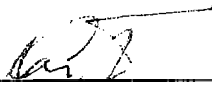
DISAPPROVED on this 26th day of SEPTEMBER, 2007



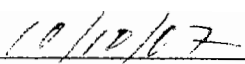
BENIGNO R. FITIAL
GOVERNOR

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

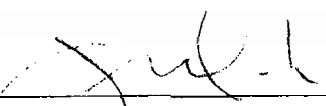
Overridden by the House of Representatives on October 3, 2007, and by the Senate on October 4, 2007, by the affirmative vote of two-thirds of the members in each house.



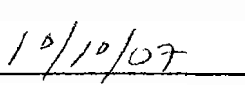
OSCAR M. BABAUTA
SPEAKER OF THE HOUSE



DATE



JOSEPH M. MENDIOLA
PRESIDENT OF THE SENATE



DATE



The Senate

NORTHERN MARIANA'S COMMONWEALTH LEGISLATURE

P.O. Box 500129
Saipan, MP 96950

October 09, 2007

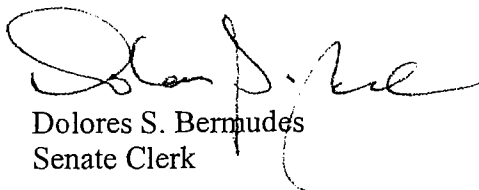
PUBLIC LAW NO. 15-98

Honorable Benigno R. Fitial
Governor
Commonwealth of the Northern Mariana
Islands
Capital Hill
Saipan, MP 96950

Dear Governor Fitial:

The Senate, Fifteenth Northern Marianas Commonwealth Legislature, on October 04, 2007, voted in accordance with Article II, Section 7(c) of the CNMI Constitution to override the veto on House Bill No. 15-277, entitled, "To authorize Class I Members of the Retirement Fund with fifteen years of actual service contributions to the Retirement Fund to withdraw their contributions; and for other purposes."

Sincerely yours,



Dolores S. Bermudes
Senate Clerk

Attachment



The House of Representatives
NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
P.O. BOX 500586
SAIPAN, MP 96950

October 4, 2007


PUBLIC LAW NO. 15-98

The Honorable Benigno R. Fitial
Governor
Commonwealth of the Northern
Mariana Islands
Capitol Hill
Saipan, MP 96950

Dear Governor Fitial:

This is to inform you that the House of Representatives overrode your veto of **H. B. No. 15-277**, entitled: "An Act to authorize Class I Members of the Retirement Fund with fifteen years of actual service contributions to the Retirement Fund to withdraw their contributions; and for other purposes," during its Fifth Day, Fourth Regular Session on October 3, 2007.

Sincerely yours,


Evelyn C. Fleming
House Clerk

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Paul Galaheri

Date:

10-4-07

Time:

2:15pm



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Benigno R. Fitial
Governor

Timothy P. Villagomez
Lieutenant Governor

The Honorable Oscar M. Babauta
Speaker, House of Representatives
Fifteenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

SEP 26 2007

The Honorable Joseph M. Mendiola
Senate President, The Senate
Fifteenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Mr. Speaker and Mr. President:

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BENIGNO R. FITIAL