Arnold I. Palacios Governor



David M. Apatang Lieutenant Governor

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS OFFICE OF THE GOVERNOR

April 11, 2024

LT2024-040

The Honorable Edmund S. Villagomez Speaker, House of Representatives Twenty-Third Northern Marianas Commonwealth Legislature Saipan, MP 96950

The Honorable Edith E. Deleon Guerrero President of the Senate Twenty-Third Northern Marianas Commonwealth Legislature Saipan, MP 96950

Dear Mr. Speaker and Madame President:

This is to inform you that I have signed into law House Bill No. 23-104, HD1, SD1, entitled, "To appropriate \$5,236,000.00 of the dividends collected by the Commonwealth Economic Development Authority (CEDA) from the Commonwealth Utilities Corporation (CUC) for the Twenty Five Percent (25%) retirees' pension for all retirees of the Commonwealth of the Northern Mariana Islands.", which was passed by the House of Representatives and the Senate of the Twenty-Third Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 23-18.** Copies bearing my signature are forwarded for your reference.

Sincerely,

DAVID M. APAT Acting Governor

cc: Governor; Attorney General; Commonwealth Law Revision; Secretary of Finance; Public Auditor; Special Assistant for Administration; Commonwealth Utilities Corporation; Commonwealth Economic Development Authority; Programs and Legislative Review Office

> Juan A. Sablan Memorial Building • 12306 Rota Pl. • Capitol Hill, Saipan Caller Box 10007 • Saipan, MP 96950 • (670) 237-2200 • governor.gov.mp



TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

HOUSE OF REPRESENTATIVES

P.O. BOX 500586 SAIPAN, MP 96950 cnmileg.net

April 11, 2024

The Honorable Arnold I. Palacios Governor Commonwealth of the Northern Mariana Islands Capitol Hill Saipan, MP 96950

Dear Governor Palacios:

I have the honor of transmitting herewith for your action **H. B. No. 23-104, HD1, SD1**, entitled: "To appropriate \$5,236,000.00 of the dividends collected by the Commonwealth Economic Development Authority (CEDA) from the Commonwealth Utilities Corporation (CUC) for the Twenty Five Percent (25%) retirees' pension for all retirees of the Commonwealth of the Northern Mariana Islands.", which was passed by the House of Representatives and the Senate of the Twenty-Third Northern Marianas Commonwealth Legislature.

Sincerely yours,

Linda B. Muñ House Clerk

Attachment





Public Law No. 23-18

WENTY-THIRD NORTHERN MARIANA COMMONWEALTH LEGISLATURE IN THE HOUSE OF REPRESENTATIVES

THIRD REGULAR SESSION

MARCH 28, 2024

REPRESENTATIVE BLAS JONATHAN "BJ" T. ATTAO OF SAIPAN, PRECINCT 3 (*for himself*, Representatives Vincent R.S. Aldan, Roman C. Benavente, Angelo A. Camacho, Diego V. F. Camacho, Joel C. Camacho, Vicente C. Camacho, Manny G. T. Castro, Marissa R. Flores, Julie M. A. Ogo, Malcolm J. Omar, Edwin K. Propst, Patrick H. San Nicolas, and Edmund S. Villagomez) in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

H. B. No. 23-104, HD1, SD1

AN ACT

TO APPROPRIATE \$5,236,000.00 OF THE DIVIDENDS COLLECTED BY THE COMMONWEALTH ECONOMIC DEVELOPMENT AUTHORITY (CEDA) FROM THE COMMONWEALTH UTILITIES CORPORATION (CUC) FOR THE TWENTY FIVE PERCENT (25%) RETIREES' PENSION FOR ALL RETIREES OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

IN THE HOUSE OF REPRESENTATIVES

The Bill was not referred to a House Committee.

THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON FIRST AND FINAL READING, MARCH 28, 2024;

with amendments in the form of H. B. No. 23-104, HD1 and transmitted to THE SENATE.

IN THE SENATE

The Bill was referred to the Senate Committee on Fiscal Affairs, which submitted Standing Committee Report 23-81 (Amended); adopted 4/10/2024. THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING, APRIL 10, 2024; with amendments in the form of H. B. No. 23-104, HD1 SD1 and returned to THE HOUSE OF REPRESENTATIVES.

The House of Representatives accepted the Senate amendments and passed H. B. No. 23-104, HD1, SD1 during its 1st Day, First Special Session on April 11, 2024.

H. B. NO. 23-104, HD1, SD1 is duly passed by the Twenty-Third Northern Marianas Commonwealth Legislature.

Linda B. Muña, House Clerk



TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

FIRST DAY, FIRST SPECIAL SESSION

APRIL 11, 2024

H. B. No. 23-104, HD1, SD1

AN ACT

TO APPROPRIATE \$5,236,000.00 OF THE DIVIDENDS COLLECTED BY THE COMMONWEALTH ECONOMIC DEVELOPMENT AUTHORITY (CEDA) FROM THE COMMONWEALTH UTILITIES CORPORATION (CUC) FOR THE TWENTY FIVE PERCENT (25%) RETIREES' PENSION FOR ALL RETIREES OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

BE IT ENACTED BY THE TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

SECTION 1. FINDINGS AND PURPOSE.

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The Legislature finds that the Central Government of the Commonwealth of the Northern Mariana Islands is in dire need of revenue to pay for its obligations to its employees and inherited arears to contracts that the government had entered into. The Legislature further finds that the Administration along with the Legislature had implemented a ten-hour work reduction for government employees. Additionally, the Legislature finds that the

HOUSE BILL 23-104, HD1, SD1

Administration has been using its reprogramming authority to pay for the constitutional obligation to the Public School System (PSS).

Furthermore, the Legislature finds that the Administration, through its reprogramming authority, has been funding twenty-five percent of the retirees' pension. The Legislature finds that those funds are becoming scarce, placing the Administration in a situation where it must decide whether to cut further expenses in order to meet its obligations. The Legislature is well aware that funding retirees' pension for all retirees of the CNMI cannot be compromised and cutting additional hours from the hard-working employees of the Commonwealth Government will be detrimental to their livelihood.

Therefore, the intent of this Act is to appropriate dividends collected by the Commonwealth Economic Development Authority (CEDA) from the Commonwealth Utilities Corporation (CUC) to pay 25% of the retirees' pension. This includes all retirees of the Commonwealth of the Northern Mariana Islands.

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SECTION 2. <u>APPROPRIATION.</u>

Notwithstanding any provision(s) of law, statutes, rules or regulations to the contrary and pursuant to the authority vested to the House of Representatives to appropriate dividends collected by CEDA from CUC, the Legislature through the House of Representatives hereby appropriates \$5,236,000.00 of the dividends collected by CEDA from CUC to pay 25% of the retirees' pension, inclusive of all retirees of the Commonwealth of the Northern Mariana Islands.

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SECTION 3. <u>REPROGRAMMING.</u>

Funds appropriated under this act shall not be reprogrammed for any other purpose.

HOUSE BILL 23-104, HD1, SD1

1	SECTION 4. EXPENDITURE AUTHORITY.			
2	The expenditure authority of the funds allocated under Section 2 of this Act shall be			
3	the Secretary of the Department of Finance.			
4	SECTION 5. SEVERABILITY.			
5	If any provisions of this Act or the application of any such provision to any person or			
6	circumstance should be held invalid by a court of competent jurisdiction, the remainder of this			
7	Act or the application of its provisions to persons or circumstances other than those to which			
8	it is held invalid shall not be affected thereby.			
	SECTION 6. SAVINGS CLAUSE.			
9	SECTION 6. <u>SAVINGS CLAUSE.</u>			
9 10	SECTION 6. <u>SAVINGS CLAUSE.</u> This Act and any repealer contained herein shall not be construed as affecting any			
10	This Act and any repealer contained herein shall not be construed as affecting any			
10 11	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,			
10 11 12	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			
10 11 12 13	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			
10 11 12 13 14	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			

HOUSE BILL 23-104, HD1, SD1

SECTION 7.1	EFFECTIVE DATE.
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This Act shall take effect upon its approval by the Governor, or it becoming law without

such approval.

Attested to by:

Linda B. Muña, House Clerk

Certified by:

SPEAKER EDMUND S. VILLAGOMEZ House of Representatives 23rd Northern Marianas Commonwealth Legislature

Approved this 11 th day of April, 20	proved this 11	th day of A	pril, 2021
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DAVID M. APATANG Acting Governor Commonwealth of the Northern Mariana Islands

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