

TITLE 3: HUMAN RESOURCES
DIVISION 1: EDUCATION

§ 12119. Powers of the Northern Marianas Technical Institute and Its Board.

(a) The Northern Marianas Technical Institute and its Board shall have all the powers necessary to carry out and perform the purposes and provisions of this Chapter, except the power to levy and collect taxes.

(b) In addition to the powers granted in this Chapter, the Northern Marianas Technical Institute and Board shall:

- (1) Have a perpetual succession;
- (2) Adopt a seal and have the power to modify it;
- (3) Hold in trust for the Commonwealth the property and assets of the Institute;
- (4) Determine the mission, vision, and values of the Institute;
- (5) Identify the goals and general direction of the Institute, and approve policies in pursuit of such goals and direction;
- (6) Grant appropriate certificates and issue other official documents indicating successful completion of courses of study established in accordance with the Institute's rules and regulations;
- (7) Establish policy for and administer all publicly funded financial assistance for its students;
- (8) Establish, amend, and repeal its bylaws;
- (9) Elect and set the term of its own officers, consistent with CNMI laws and applicable court decisions;
- (10) Approve the annual budget of the Institute and have the budget submitted to the Office of the Governor and the Legislature pursuant to 1 CMC § 7206;
- (11) Enter into and execute contracts and instruments of every kind and nature necessary to the exercise of its powers and functions in accordance with applicable CNMI laws and regulations;
- (12) Acquire for use by the Institute any property whether real, personal, or other, whether tangible or intangible, or any interest therein, and sell, lease, or otherwise dispose of the same for the good of the Institute. Provided that any real property granted to the Institute without cost by any legal entity capable of receiving and holding public land shall revert to the Commonwealth government or the legal entity upon determination by the Board that the Institute will make no further use of the property;
- (13) Accept on behalf of the Institute gifts, grants, donations, bequests, and other contributions;
- (14) Set up a Trust Fund for the exclusive use and expenditures of the Institute;
- (15) Establish and oversee the activities of the Northern Marianas Technical Institute Foundation as a nonprofit tax-exempt public corporation for the purpose of raising money for NMTI programs and student financial assistance;

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(16) Accept private gifts, donations, endowments, grants, and other monies which may be offered to the Institute even though such gifts, donations, endowments, or grants may be subject to reasonable conditions. Such funds as received shall be deposited into the fund to be known as the Northern Marianas Technical Institute Foundation Fund. Expenditures shall be made from the fund only for the purposes of this Act and in accordance with such conditions as may be attached to the gifts, donations, endowments, or grants; provided that such expenditures shall be made only upon a resolution of the Board;

(17) Expend funds appropriated by the Federal or Commonwealth government or donated to the Institute by any other entity;

(18) Set the qualifications and salary for the CEO and appoint and remove the CEO of the Institute for such cause as the Board shall determine; provided that the initial appointment of any individual as CEO shall be for a period not to exceed two years. Nothing in this act shall preclude renewal of such appointment by the Board if it so wishes;

(19) With the advice of the CEO, the Board shall establish resident and non-resident tuition, fees, and other charges for the Institute's services;

(20) Hold at least one public hearing annually for the purpose of making the Institute's work known and investigating and assessing the needs and role of the Institute in the Commonwealth; and

(21) Submit to the Governor and the legislature within 120 days after the end of the fiscal year an annual financial report that follows acceptable accounting practices, including all revenue collections, line item expenditures, banking reports, and including an annual accomplishment report of the operations, administration and activities of the Institute.

Source: PL 20-92 § 2 (Feb. 18, 2019), modified.

Commission Comment: The Commission changed capitalization in the section title for conformity pursuant to 1 CMC § 3806(f). The Commission numbered the introductory paragraph as (a) and (b) and renumbered the subsections "(a)-(u)" to (b)(1)-(21) pursuant to 1 CMC § 3806(a). The Commission substituted "this Chapter" for "this Act" in (b) pursuant to 1 CMC § 3806(d). The Commission capitalized the first words of (b)(1)-(21) for conformity pursuant to 1 CMC § 3806(f) and replaced "Section" with "§" in (b)(10) and replaced a colon with a semicolon as the ending punctuation in (b)(10) pursuant to 1 CMC § 3806(g).