
A LOCAL ACT
FOR THE SECOND SENATORIAL DISTRICT (TINIAN)

BE IT ENACTED BY THE SECOND SENATORIAL DISTRICT OF TINIAN
PURSUANT TO CHAPTER 4 OF DIVISION 1 OF TITLE 1 OF THE COMMONWEALTH CODE

1 Section 1. Short Title. This may be cited as the Tinian Municipal
2 Scholarship Act of 1986.

3 Section 2. Scholarship Board: Establishment. There is hereby
4 established a Municipal Scholarship Board, to be composed of five (5)
5 members, who shall serve for a term of two years and are eligible for
6 reappointment to the Board. Three (3) members of the Board shall be
7 appointed by the Tinian Senatorial Delegation. One (1) member shall be
8 appointed by the Mayor of Tinian and one (1) member shall be appointed
9 by the Tinian Municipal Council. The Mayor of the Municipality of Tinian
10 shall serve as an ex-officio member of the Board, without a right to
11 vote.

12 Section 3. Persons Ineligible for Board. No person who holds an
13 elective office in any branch of the Commonwealth or Municipal Government
14 shall be eligible to serve on the Municipal Scholarship Board.

15 Section 4. Powers and Duties. The Scholarship Board shall:

- 16 (1) Have control of all funds made available to the Board;
17 (2) Advertise the availability of scholarship assistance;
18 (3) Establish priorities for field of study for which scholar-
19 ship assistance will be granted;

- 1 (4) Receive and review application for scholarship assistance
2 from the Municipal Scholarship Board;
- 3 (5) Establish criteria for eligibility for scholarship
4 assistance, which shall include, but not limited to:
5 (a) The financial status of the applicant;
6 (b) The financial capability of the family of the
7 applicant;
- 8 (6) Have the authority to formalize ways and means for fund
9 raising; and
- 10 (7) Issue an annual report to the Mayor, the Tinian Joint
11 Legislative Delegation, and the Tinian Municipal Council
12 which shall include but not limited to its policies,
13 financial status, progress reports on each student
14 receiving assistance from the Board, listing of students
15 by school attended and school year and any other infor-
16 mation which the Board, the Council, the Mayor or the
17 Delegation may deem appropriate. Such reports shall be
18 made available to the general public, except for the
19 progress reports on students, which shall be confidential.

20 Section 5. Scholarship Fund; Donations. There is hereby
21 established a "Scholarship Fund", into which all monies accruing to the
22 benefit of the Municipal Scholarship Board shall be deposited. The
23 Director of Finance is hereby authorized and directed to establish a
24 a seperate account into which all funds appropriated, donated, or
25 accruing to the benefit of the Scholarship Fund shall be deposited, and

1 for the payments made therefrom as is directed by the Board. The Board
2 is authorized to accept donations and contributions from any source.

3 Section 6. Municipal Assistance. The Office of the Mayor of the
4 Municipality of Tinian shall, upon request and subject to the limits of
5 availability, provide the Board with such administrative, personnel, and
6 logistic support as the Board may require.

7 Section 7. Eligibility for Scholarship. No person other than a
8 permanent resident of the Municipality of Tinian shall be eligible for
9 or receive assistance from the Tinian Scholarship Fund.

10 Section 8. Conditions of Award.

11 (1) No scholarship funds shall be granted by the Board unless
12 and until the Board has complied with the provisions of
13 Section 4 (7) of this Act.

14 (2) The Scholarship Board shall keep a current record of all
15 persons who are recipients of assistance from the
16 Scholarship Fund.

17 Section 9. Penalties.

18 (1) Any person who:

19 (a) Willfully misapplies any monies or funds belonging
20 to the Municipal Scholarship Board; or

21 (b) Agrees to or does not award funds to any individual
22 on any basis other than merit and need, as determined
23 by the Board in accordance with regulations and
24 guidelines issued; or

25 (c) Willfully makes any false entry in the books of the

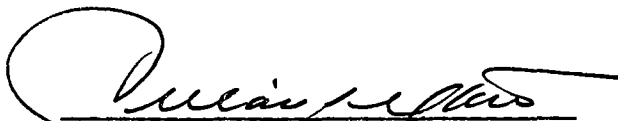
- 1 Board; or
- 2 (d) Violates any provisions of the Act; or
- 3 (e) Knowingly and willfully falsifies any application for
- 4 assistance from the Scholarship Board or who being
- 5 the recipient of such assistance expends all or part
- 6 of the same for other than the furthering of his/her
- 7 education or as prescribed by the Board as a
- 8 condition of such assistance, shall be guilty of a
- 9 misdemeanor, and upon conviction shall be fined
- 10 \$100.00 or imprisoned for a term not exceeding 30
- 11 days, or both.
- 12 (2) The penalties provided in this section are in addition to
- 13 any penalties which may be incurred for a violation of the
- 14 Commonwealth Code.
- 15 (3) In addition to the penalties provided by Subsection (1)
- 16 and (2) of this Section, any person who violates any of
- 17 the provisions of Subsection (1) of this Section shall be
- 18 civilly liable for the repayment of any funds misapplied
- 19 or expended or encumbered without authority of the Board,
- 20 and for repayment of all assistance granted to a
- 21 recipient, together with interest thereon at 5% from the
- 22 date thereof. The Municipality of Tinian and Aguigan may
- 23 maintain any appropriate legal action in its own name for
- 24 the recovery of such funds.


25 Section 10. Severability. If any provision of this Act or any

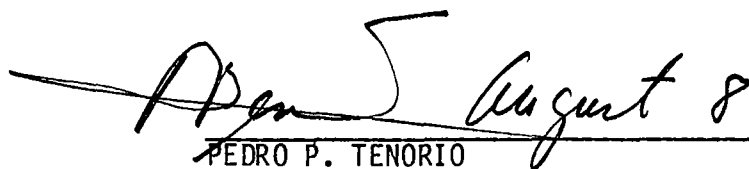
1 rule, regulation, or order promulgated hereunder, or the application of
2 any such provision, rule, regulation or order to any person or circum-
3 stances shall be held invalid, by a court of competent jurisdiction the
4 remainder of this Act or any rules, regulations or orders promulgated
5 pursuant thereto or the application of such provisions, regulations,
6 rules or orders to persons or circumstances other than those to which it
7 is held invalid, shall not be affected thereby.

8 Section II. Effective Date. This Act will take effect upon
9 approval of the Governor or upon its becoming law without such approval.

ATTEST:


JULIAN S. CALVO
President


MANUEL P. VILLAGOMEZ
Senate Legislative Secretary


PEDRO P. TENORIO
GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
August 8, 1986