
AN ACT

To appropriate funds for the operations and activities of the Legislature and Judicial Branches of the Government of the Northern Mariana Islands for Fiscal Year 1988; to appropriate funds for the operation and maintenance of the Commonwealth Utilities Corporation for Fiscal Year 1988; to exempt the Legislative Branch from the provisions of P.L. 3-91 (1% contribution to Office of the Public Auditor); to make provision for the transfer of functions and assets from the Department of Public Works to the Commonwealth Utilities Corporation; and for other purposes.

BE IT ENACTED BY THE FIFTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Short Title. This Act may be cited as the "Legislative, Judicial, and Commonwealth Utilities Corporation Appropriations Act of 1988."

Section 2. Purpose. The purpose of this Act is to appropriate a portion of those revenues identified in the budget message of the Governor for Fiscal Year 1988 for the operations and activities of the Legislative and Judicial Branches of the Commonwealth Government and for the operation of the Commonwealth Utilities Corporation (CUC) for Fiscal Year 1988. The Legislature is appropriating the funds for these two branches of government and for the CUC because the amounts are minimal.

Section 3. Definitions. As used in this Act the word(s):

(a) "FTE" means full-time employees. An FTE number shall be the maximum number of employees which may be employed by a branch or agency of government specifically enumerated in this Act. Any employee who works more than 40 hours bi-weekly is an FTE. Unless otherwise stated, FTE numbers refer to locally funded personnel.

(b) "Operations" means appropriations for all lawful activities other than personnel.

(c) "Personnel" means appropriations for base salaries, medicare as appropriate, overtime, night differential, hazardous duty and any other lawful benefits.

Section 4. Estimated Revenues. As in accordance to 1 CMC, Division 7, Chapter 2, the Governor has estimated revenues for Fiscal Year 1988 to be:

(a) Internal Revenues	\$52,826,100
(b) Covenant Funds, Operations.	<u>16,360,000</u>
Total Estimated Funds, Operations	\$69,186,100

Section 5. Appropriations. The following sums from the General Fund are hereby appropriated for the Legislative and Judicial Branches of Government and for the operation, maintenance and necessary activities of the CUC for Fiscal Year 1988:

(a) Legislative Branch:	
(1) House Operations and Activities:	
60 FTE	\$ 892,000
(2) Senate Operations and Activities:	
60 FTE	988,000
(3) Legislative Bureau Operations and Activities:	
* 10 FTE	200,000
(4) Elected Members Salaries	720,000
TOTAL	\$2,800,000

* See attached schedule for assignment of Personnel to the House and Senate.

(b) Judicial Branch: 17 FTE	
(1) Personnel	\$ 368,800
(2) All Other	<u>112,900</u>
TOTAL	\$ 481,700
(c) Commonwealth Utilities Corporation:	
(1) Necessary activities, and Operations.	\$5,900,000
TOTAL	\$5,900,000

Section 6. Administrative Provisions.

(a) Judicial Branch. The Chief Judge shall have expenditure authority for funds appropriated by this Act and may request that the Director of Finance transfer funds appropriated for All Other of the Commonwealth Trial Court into a separate commercial account which shall be used for the payment of obligations incurred for the operations of the Judicial Branch. Funds from such account shall only be expended upon the signature of the Chief Judge or his authorized designee during his absence; Provided, that the total balance of such account shall at no time exceed \$30,000. The Chief Judge shall provide the Director of Finance with a complete accounting at least quarterly, and at any other time upon request by the Director.

(b) Expenditure authority for funds appropriated in Section 5(a) of this Act to the Senate and the House shall be the President of the Senate and the Speaker of the House, respectively; except that funds allocated to House Minority

Members the expenditure authority shall be the House Minority Leader; Provided, however, that the President of the Senate and the Senate Leadership and Speaker of the House and the House Leadership shall allocate the funds for their Houses among its various majority members and establish sub-accounts for each majority member who shall have expenditure authority for funds allocated into their respective sub-account.

Further, provided, that Minority members of the Senate shall be allocated \$70,000 for operations and activities (exclusive of salaries) and a sum of \$30,000 for each House of Representatives minority member shall be allocated to the House of Representatives Minority Leader who shall then reallocate such funds to each House Minority member sub-account in such amounts as determined by the House Minority Leader for operations and activities of House Minority members (exclusive of members salaries).

Allocation of FTE's among members of each House shall be determined by the Leadership of each House, provided, however, Minority members in each House shall be allocated no less than 2 FTE's per member. No funds shall be disbursed from the various sub-accounts without the written concurrence from the members from which sub-account funds are to be disbursed.

Expenditure Authority for the Legislative Bureau shall be the President of the Senate and the Speaker of the House.

(c) The Executive Director of the Commonwealth Utilities Corporation shall have expenditure authority for funds appropriated by this Act and shall request that the Director of Finance to transfer funds appropriated to the Department of Public Works for that department to perform duties (See P.L. 4-47, Section 1 - duties of CUC) now assigned to the CUC. Funds expended by the Director of CUC shall be expended only upon the signature of the Executive Director of the CUC or his authorized designee during his absence. The Executive Director of CUC shall provide the Director of Finance, and the Legislature, with a complete accounting at least quarterly, and at any other time upon request by the Director.

(d) Contract Requirements. Notwithstanding any other requirements of law, employment contracts or other contracts of the Legislative Branch shall be processed through and reviewed by the Legislative Counsel's Office only.

Section 7. Legislative Exempt from P.L. 3-91. The Legislature shall be exempt from the provisions of P.L. 3-91 as that law requires a 1% (one-percent) contribution of legislative funds to the Office of Public Auditor.

Section 8. Department of Public Works to Transfer Functions and Assets to Commonwealth Utilities Corporation.

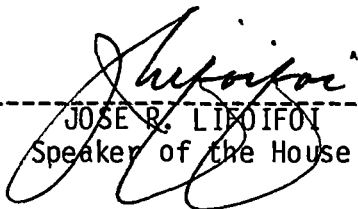
(a) The Department of Public Works shall immediately cease to perform and shall immediately transfer to the CUC all functions assigned by law (P.L. 4-47) to the CUC, to

wit, supervision, construction, maintenance operations, and regulations of all utility services, including power, sewage, refuse collection, telephone, cable television, and water;

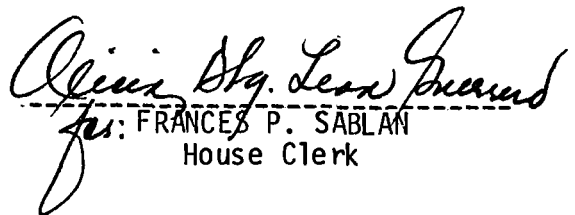
(b) Within 60 days of the effective date of this Act the Department of Public Works shall transfer to the CUC all real and personal property, and other assets of all types, necessary for the CUC to carry out its duties enumerated above and in P.L. 4-47. The Department of Public Works shall further vacate all structures and remove its employees and agents from all buildings occupied or assigned to the CUC. The Director of Finance, the Director of the Department of Public Works, and the Executive Director of the CUC shall cooperate fully and promptly in executing all titles and licenses, and related documents, necessary to transfer title to real or personal property from the Department of Public Works to the CUC.

Section 9. Effective Date. This Act shall be effective upon its approval by the Governor or upon its becoming law without such approval.

ATTEST:




JOSE R. LISOIFON
Speaker of the House



for: FRANCES P. SABLON
House Clerk

October 27, 1987



PEDRO P. TENORIO
Governor
Commonwealth of the Northern Mariana Islands

ATTACHMENT TO HOUSE BILL NO. 5-199, S.D.3, C.D.1

LEGISLATIVE BUREAU FUNDING

PERSONNEL

<u>Division 1 (Senate)</u>	<u>Division 2 (House)</u>
Counsel	Counsel
*Legal Secretary	Legal Secretary
Clerk	Clerk
Sergeant-at-Arms	Sergeant-at-Arms
Journal Clerk	Journal Clerk

9 personnel plus one contract employee (Ray Riley is on contract as Special Counsel at \$1 per year).

* Legal Secretary is shared by each houses' legal counsel.