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AN ACT

To amend Public Law 7-1 ("Commonwealth Appropriations and Budget Authority Act of 1990"); to make supplemental appropriations for the operations and activities of the Government of the Commonwealth of the Northern Mariana Islands; and for other purposes.

BE IT ENACTED BY THE NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1           Section 1. Short Title. This Act may be cited as the  
2 "Supplemental Budget Authority Act of 1990."

3           Section 2. Findings and Purpose. The Legislature finds  
4 that the Governor of the Commonwealth has identified an  
5 additional \$4,833,097 in local revenues and an additional  
6 \$1,755,716 in the Nonresident Worker Fee Fund over the funds  
7 reflected in House Concurrent Resolution 7-1. The  
8 Legislature further finds that \$804,700 of the funds  
9 appropriated in Public Law 7-1 should be deappropriated, and  
10 reappropriated where they may be better utilized. The  
11 purpose of this Act is to deappropriate these funds, and to  
12 appropriate them, together with the additional local revenues  
13 and Nonresident Worker Fee Funds identified by the Governor,  
14 for the operations and activities of the Government of the  
15 Commonwealth.

16          Section 3. Amendment. The appropriation worksheets  
17 attached to Public Law 7-1, and incorporated into that Act by  
18 reference pursuant to Section 201 of that Act, are amended to  
19 reflect the new totals for funding and FTE's as contained in  
20 the amended appropriation worksheets attached to this Act and  
21 incorporated by reference in this Act. Section 201 is

1 further amended by adding at the end of that paragraph the  
2 following sentence:

3 "Upon request by the Chairman of the  
4 Trusteeship Termination Task Force, the Governor  
5 shall provide funding out of his discretionary  
6 account sufficient to permit the Task Force to carry  
7 out its work."

8 Section 4. Amendment. Section 301 of Public Law 7-1 is  
9 repealed and reenacted as follows:

10 CHAPTER III - BUDGET ADOPTION

11 "Section 301. Government Corporations. Pursuant  
12 to 1 CMC Section 7206, budget authority for the  
13 following activities are hereby adopted. Expenditures  
14 in excess of the budget authority adopted herein,  
15 including FTE ceilings, shall not be incurred or  
16 committed without prior concurrence and approval of the  
17 Chairman of the House Ways and Means Committee and the  
18 Senate Fiscal Affairs Committee.

19	<u>ACTIVITIES</u>	<u>FTE</u>	<u>PERSONNEL</u>	<u>OPERATIONS</u>	<u>TOTAL</u>
20	CUC	257	\$3,516,200	\$21,938,700	\$25,454,900
21	MVB	50	-0-	268,800	268,800
22	MIHA	22	541,300	1,019,100	1,560,400
23	MPLC	15	492,201	209,736	701,937
24	MPLT	-0-	-0-	-0-	-0-
25	CPA	112	2,255,122	1,327,979	3,583,101

1	CDA	16	538,900	523,900	1,062,800
2	NMRF	<u>14</u>	<u>372,800</u>	<u>9,182,600</u>	<u>9,555,400</u>
3	Grand Total	486	\$7,716,523	\$34,470,815	\$42,187,338

4 Section 5. Amendment. Section 604(q) of Public Law 7-1  
 5 is amended by adding at the end of that subsection the  
 6 following sentence:

7 "The President of the League shall have the authority to  
 8 reprogram up to \$10,000 of the total funds appropriated,  
 9 to cover insurance payments, purchase of baseball  
 10 equipment and other supplies relative to the Leagues's  
 11 baseball activities."

12 Section 6. Amendment. Section 605 of Public Law 7-1(a)  
 13 is amended and new subsections (c) and (d) are added as  
 14 follows:

15 "(a) Reprogramming is not authorized on funds  
 16 appropriated or adopted under expenditure class codes  
 17 4219, 4222, 4223, 4226, 4405, 4406, 4430, 4431, 4440,  
 18 4450, 4451, 4535, 4540, 4550 and any other expenditure  
 19 line item included in the detailed budget worksheets and  
 20 not assigned specific class codes, except that the solid  
 21 waste incineration feasibility study (CNMI-wide) listed  
 22 for expenditure by the office of the Lt. Governor at  
 23 \$50,000 on budget worksheets may, at the Lt. Governor's  
 24 discretion, be reprogrammed or expended for opening and  
 25 operating a solid waste disposal site.

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1           (c) Notwithstanding any other provision of this  
2 Act, funds appropriated under class code 4219 for the  
3 Governor and Lt. Governor may be reprogrammed by the  
4 expending authority for other purposes. All other funds  
5 under this Class Code may be reprogrammed only for  
6 expenditures directly related to the procurement of  
7 professional services such as salaries, housing, travel,  
8 per diem and transportation; however, under this same  
9 Class Code funds shall not be reprogrammed for  
10 recruitment travel, supplies, materials or other  
11 associated costs.

12           (d) The sum of \$50,000 appropriated to the  
13 Department of Community and Cultural Affairs, Class Code  
14 4201 (renovation and improvement of San Antonio  
15 basketball court), is not reprogrammable and shall be  
16 available without fiscal year limitation."

17           Section 7. Amendment. Section 606 of Public Law 7-1 is  
18 amended by adding new subsections (c), (d) and (e) as  
19 follows:

20           "(c) Funds appropriated to the Public School System  
21 under this Act for new or vacant positions and available  
22 from lapsed salaries may be used to provide up to a 10%  
23 salary increase for bona fide classroom teachers. For  
24 purposes of this subsection, 'bona fide classroom  
25 teachers' means those teachers whose duties primarily

1       involve classroom instruction. All other lapsed funding  
2       during the fiscal year shall be available to the Public  
3       School System for reprogramming for its operations and  
4       activities. All lapsed funds unobligated at the end of  
5       the fiscal year shall revert to the General Fund.

6           (d) Funds appropriated to the Department of Public  
7       Safety can be reprogrammed by the Department from vacant  
8       police officer positions to fire fighter positions, or  
9       vice-versa. All other funding lapsing during the fiscal  
10      year shall be available to the department for  
11      reprogramming for operations and activities. All lapsed  
12      funds unobligated at the end of the fiscal year shall  
13      revert to the General Fund.

14          (e) Funds appropriated to the First and Second  
15      Senatorial Districts under this Act for new or vacant  
16      positions and available from lapsed salaries may be used  
17      to fund the public projects for Rota and Tinian under  
18      the spending authority of respective Mayors. Funds  
19      appropriated to the Office of the Mayor of Saipan under  
20      this Act for new or vacant positions and available from  
21      lapsed salaries may be used to fund public projects  
22      under the spending authority of the Mayor."

23      Section 8. Amendment. Section 604 of Public Law 7-1 is  
24      amended by adding new subsections (t), (u), (v) and (w) as  
25      follows:

1           "(t) \$50,000 is appropriated for the Rota Chenchun  
2 Park. Expenditure authority shall rest with the Mayor  
3 of Rota.

4           (u) \$25,000 is appropriated to the Supreme Court  
5 for rent and office renovation. Expenditure authority  
6 shall rest with the Chief Justice of the Supreme Court.

7           (v) \$32,000 is appropriated to the Department of  
8 Natural Resources, Division of Animal Health and  
9 Industry for the purchase of Public Service Vehicles.  
10 Expenditure authority shall rest with the Director of  
11 the Department of Natural Resources. This appropriation  
12 may not be reprogrammed for any other purpose.

13           (w) The \$1,000,000 appropriated to the budget of  
14 the Governor's Office Class Code 4404, road  
15 improvements, shall be increased to \$1,300,000 and shall  
16 be expended as follows: \$1,000,000 for road  
17 improvements on the islands of Saipan including the  
18 purchase of necessary equipment and machinery; and  
19 \$300,000 for Songsong Village, Rota, waterline  
20 replacement project. Expenditure authority for the Rota  
21 project shall rest with the Mayor of Rota."

22           Section 9. Notwithstanding any provision of the  
23 Commonwealth Development Authority Act (4 CMC Section 10101  
24 et seq.), as amended, and the Tinian Casino Gaming Control  
25 Act of 1989 precluding such authorization, the Authority is

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1 authorized to loan and disburse an amount not to exceed  
2 \$700,000.00 from its interest income to the Tinian Casino  
3 Gaming Control Commission for its operations and activities  
4 for Fiscal Year 1990. The Commission shall reimburse the  
5 Commonwealth Development Authority from revenues collected  
6 from application and license fees during its first year of  
7 operation. Funds not expended in Fiscal Year 1990 may be  
8 used in subsequent fiscal years.

9 Section 10. Nonresident Worker Fee Fund. 3 CMC Section  
10 4424(c) (Public Law 5-32, Section 7), is hereby amended to  
11 authorize the Director of Finance to disburse the sum of  
12 \$1,755,716 from the Nonresident Worker Fee Fund, approved by  
13 the Legislature as available for appropriation in Fiscal Year  
14 1990 by House Concurrent Resolution No. 7-5, as follows:

15 (a) \$125,000 to the Micronesian Games Committee.  
16 At the end of Fiscal Year 1990, any unexpended funds  
17 shall revert to the Nonresident Worker Fee Fund.

18 (b) \$400,000 to the Public School System to  
19 initiate the implementation of the establishment of a  
20 gymnasium for the Marianas High School. Expenditure  
21 authority shall rest with the Commissioner of Education.  
22 The funds may not be reprogrammed for any other purpose  
23 and shall remain available until fully expended without  
24 fiscal year limitation. These funds shall not be  
25 subject to continuing resolution.

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1           (c) \$300,000 to the Public School System to be  
2 expended on school projects. Of this sum, \$150,000  
3 shall be expended in Rota and \$150,000 shall be expended  
4 in Tinian. Expenditure authority shall rest with the  
5 Commissioner of Education in coordination with the  
6 mayors offices of the respective islands. These funds  
7 shall not be reprogrammed for any other purpose nor  
8 shall they be subject to continuing resolution.

9           (d) \$200,000 to the Department of Commerce and  
10 Labor for the purposes stated in 3 CMC Section 4424(c)  
11 (1). This sum is appropriated in addition to the  
12 \$60,000 reserved for the Department of Commerce and Labor  
13 under 3 CMC Section 4424(c)(1). Expenditure authority  
14 for the additional \$200,000 shall rest with the Director  
15 of Commerce and Labor and shall be subject to continuing  
16 resolution for personnel expenditures only.

17           (e) \$500,000 to the Public School System to be  
18 expended as follows: \$200,000 for Class Code 4220,  
19 Recruitment and Repatriation; \$280,000 for Class Code  
20 4451, Vehicles - public service (school buses); and  
21 \$20,000 for Class Code 4224, repairs and maintenance.  
22 These funds shall not be subject to continuing  
23 resolution.

24           (f) \$200,000 to the Northern Marianas College to  
25 fund apprenticeship, vocational and trade training

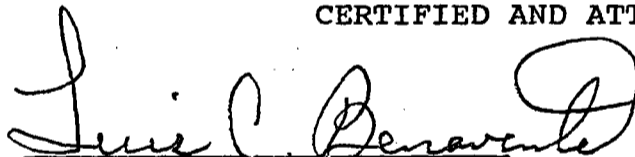
1 College in accordance with the purposes expressed in 3  
2 CMC Section 4424(c)(1). These funds shall not be  
3 subject to continuing resolution.

4 (g) \$30,716 to the Office of the Lt. Governor,  
5 Class Code 4540, as additional funds to be used for  
6 solid waste improvement. These funds shall not be  
7 subject to continuing resolution.

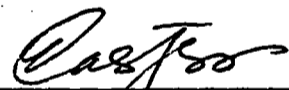
8 Section 11. Severability. If any section of this Act  
9 or any regulation issued under the authority of this Act  
10 should be declared invalid or unenforceable by a court of  
11 competent jurisdiction, the judicial determination shall not  
12 affect the validity of the Act or regulations as a whole, or  
13 any part thereof, other than the particular part declared  
14 invalid or unenforceable.

15 Section 12. Effective Date. This Act shall take effect  
16 upon its approval by the Governor, or upon its becoming law  
17 without such approval.

CERTIFIED AND ATTESTED TO BY:



LUIS C. BENAVENTE  
Acting Speaker  
House of Representatives



EVELYN T. CASTRO  
House Clerk

APPROVED this 30<sup>th</sup> day of MAY, 1990



LORENZO I. DE LEON GUERRERO  
Governor  
Commonwealth of the Northern Mariana Islands