

**TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE**

***PUBLIC LAW NO. 10-69***  
**HOUSE BILL NO. 10-426, HD2, SD1**

**FOURTH SPECIAL SESSION, 1997**

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**AN ACT**

To amend Public Law 10-41 to allow the Judicial Branch unlimited reprogramming authority for the remainder of the 1997 Fiscal Year; and for other purposes.

**BE IT ENACTED BY THE TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:**

Section 1. Judicial Reprogramming. Section 513 of Public Law 10-41 is hereby amended by adding thereto a new subsection (h) to read as follows:

"(h) The Chief Justice of the Supreme Court and the Presiding Judge of the Superior Court may reprogram funds appropriated by this Act over which each respectively has expenditure authority up to 100 percent cumulative and in total by line item, and notwithstanding 1 CMC § 7402(a)(2); Provided that:

(1) all reprogramming is reported within 30 days to the Special Assistant for Management and Budget, the Chairperson of the House Committee on Ways and Means, and the Chairperson of the Senate Committee on Fiscal Affairs;

(2) this reprogramming authority shall begin on the effective date of this amendment and shall expire on September 30, 1997, except that in the event the Judiciary begins Fiscal Year 1998 with expenditure authority based on continuing appropriations, the official with reprogramming authority may elect to have such continuing budget authority be based either on the funds as originally appropriated by this Act or on the funds as reprogrammed;

(3) except as provided in paragraph (2) of this subsection, this reprogramming authority shall apply only to funds already allotted pursuant to Section 501 of this Act to the Judiciary as of the effective date of this amendment and to funds so allotted thereto after the effective date of this amendment during the 1997 Fiscal Year; and

(4) no court fees or revenues collected by the Judicial Branch shall be reprogrammed under the authority granted by this subsection."

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Section 2. Amendment: Judicial Branch Employment Ceiling. Public Law 10-41 is hereby amended to add twenty-nine (29) additional FTE's to the total number of FTE's for the Judicial Branch. To this end, the "FTE Ceiling" for the Judicial Branch as stated on page 1 of the Summary Worksheets for P.L. 10-41, and the total "Number of Positions" authorized for the Judicial Branch as stated on page 1 of the detailed worksheets thereto, are hereby increased from 75 to 104. These additional positions shall be allocated to the Supreme Court, Superior Court, Family Court, and Law Revision Commission as the Chief Justice of the Supreme Court shall determine.

Section 3. Severability. If any provision of this Act or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Act or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

Section 4. Savings Clause. 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 this Act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence at the date this Act becomes effective.

Section 5. Effective Date. This Act shall take effect upon its approval by the Governor or upon its becoming law without such approval.

**CERTIFIED BY:**

**ATTESTED BY:**

/s/ Diego T. Benavente  
DIEGO T. BENAVENTE  
Speaker  
House of Representatives

/s/ Evelyn C. Fleming  
EVELYN C. FLEMING  
House Clerk

Approved this 18th day of August, 1997

/s/ Froilan C. Tenorio  
FROILAN C. TENORIO  
Governor  
Commonwealth of the Northern Marian Islands