

TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

H. B. NO. 10-326, HS1

THIRD REGULAR SESSION, 1997

AN ACT

To amend 3 CMC, Sections 1316 (n), 1322; and for other purposes.

BE IT ENACTED BY THE TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Short Title. This Act shall be known and cited as the "Higher Education Act of 1997."

Section 2. Findings. The Legislature finds that for the third consecutive six-year term, the Northern Marianas College has received full accreditation from the Western Association of Schools and Colleges. The Legislature continues to recognize that accreditation is dependent upon the Board of Regents maintaining its constitutionally created autonomy. The Legislature also recognizes that one of the Board of Regent's primary duties is selecting a President for the College and being able to set the compensation and salary of its Chief Executive Officer (CEO), faculty and staff.

Section 3. Purposes. The purpose of this Act is to clarify ambiguities in the law and confirm that the Board of Regents shall have sole power and authority to set the salaries for the Chief Executive Officer, faculty and staff of the Northern Marianas College.

Section 4. Amendment. 3 CMC Section 1316 (n), as amended by Public Law 9-53, is amended to read as follows:

"(n) to appoint and to terminate the President, officers, faculty employees and staff of the College, and consistent with its adopted rules and regulations, to specify their responsibilities and authority, and to set classifications and salaries.

(1) The College is specifically exempted from the 1984 Compensation Adjustments Act (1 CMC Division 8, Part 2, Ch. 4), as amended; and the Commonwealth Salary Act of 1988 (1 CMC Division 8, Part 2, Ch. 1), as amended."

Section 5. Amendment. 3 CMC Section 1322 is amended to read as follows:

"§1322. President of the College: Qualifications and Compensation. All candidates for the position of President of the Northern Marianas College shall possess at least a graduate degree from an accredited university in the United States or its territories and such other qualifications as the Board shall. The President of the college shall receive an annual salary as determined by the Board."

Section 6. 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 7. 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 8. 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/ Jesus T. Attao
JESUS T. ATTAO
Acting Speaker
House of Representatives

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

Approved this 24th day of December, 1997.

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