



HOUSE OF REPRESENTATIVES
FOURTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
THIRD SPECIAL SESSION, 2005

PUBLIC LAW NO. 14-80
H. B. No. 14-342, HD1, SD1

AN ACT

To appropriate all monies deposited in the Tobacco Control from Public Law 13-38; and for other purposes.

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

1 **Section 1. Short Title.** This Act may be cited as the “CNMI Health Improvement
2 Act of 2005”.

3 **Section 2. Findings.** The Legislature finds that the Commonwealth is prepared to
4 proceed with the funding of its critical health preventive programs authorized by Public Law
5 13-38.

6 **Section 3. Appropriation.** There is hereby continuously appropriated all monies
7 deposited into the Tobacco Control Fund as provided in this section to implement programs
8 and services to achieve the goals stated in Section 3 of Public Law 13-38 as follows:

9 (a) **\$492,000** to the Department of Public Health, under the expenditure
10 authority of the Secretary of the Department of Public Works in consultation with the
11 Secretary of the Department of Public Health and which shall be further allocated as
12 follows:

13 (1) \$450,000 for the design and construction including furnishing
14 of the Kagman Wellness Center in Kagman, Saipan.

15 (2) \$42,000 for the renovation and expansion of the San Roque
16 Wellness Center;

17 (b) **\$70,000** to the Office of the Special Assistant for Youth Affairs under
18 the expenditure authority of the Special Assistant for Youth Affairs to be equally
19 distributed for the House of Man Hoben in Chalan Kanoa, San Antonio Man Hoben
20 Center, Garapan, Gualo Rai, Koblerville, Kagman and Dandan Youth Learning

1 Centers in the Third Senatorial District, for the purposes of developing, administering
2 and implementing Youth Tobacco-Free programs through consultation with
3 respective Youth Learning Centers or Youth Center Directors pursuant to Section 3 of
4 Public Law 13-38.

5 (c) **\$10,000** to the Department of Community and Cultural Affairs
6 (DCCA) for the Tanapag Youth Learning Center under the expenditure authority of
7 the Secretary of DCCA, and **\$10,000** to the As Matus Learning Center under the
8 expenditure authority of the Principal of Tanapag Elementary School in the Third
9 Senatorial District in collaboration with the PSS Commissioner of Education and
10 Community Guidance Center, Department of Public Health for the implementation of
11 Youth Tobacco-Free Programs pursuant to Section 3 of Public Law 13-38.

12 (d) **\$200,000** to the Public School System for the enhancement and
13 implementation of a comprehensive school health education program pursuant to
14 Section 3(c) of Public Law 13-38. The expenditure authority shall be the
15 Commissioner of Education in collaboration with the Department of Public Health.

16 (e) **\$25,000** to the Guma' Esperansa Women's Shelter under the
17 expenditure authority of the Executive Director of Karidat Social Services for
18 the salary of one staff required to adequately provide needed services to
19 victims of domestic violence triggered by alcohol abuse.

20 (f) **\$50,000** to the Family Violence Task Force for the purpose of
21 implementing services for victims of domestic violence under the expenditure
22 authority of the Office of the Attorney General.

23 (g) **\$110,000** to the First Senatorial District: \$35,000, which shall
24 not be reprogrammed, to the Rota Health Center under the expenditure
25 authority of the Resident Director of which \$24,000 of the initial funding will
26 be for the procurement and implementation of a patient data management
27 system to assist in the tracking of a prenatal and maternal child health and
28 \$11,000 for the establishment and implementation of an on-site chronic
29 disease prevention program, and 70,000 to and under the expenditure
30 authority of the Special Assistant for Youth Affairs of which \$35,000.00 shall
31 be for the salary of one Youth Tobacco-Free Programs staff on Rota and

1 \$35,000.00 for the implementation of Youth Tobacco-Free Programs and
2 \$5,000.00 to the Luta Amateur Sports Federation for youth prevention
3 program pursuant to Section 3 of P.L. 13-38. The expenditure authority shall
4 be the Chairman of the Board of Directors of Luta Amateur Sports Federation.

5 (h) **\$110,000** to the Second Senatorial District: \$35,000 to the Tinian
6 Health Center under the expenditure authority of the Resident Director, to
7 assist in the tracking of prenatal and maternal child health and for the
8 establishment and implementation of an on-site chronic disease prevention
9 program, and \$75,000 which shall not be reprogrammed, to the Public Library
10 to purchase shelves, desks, chairs, library books and materials, computers and
11 other collateral equipment to be used in conjunction with education and
12 prevention of the use of drugs, alcohol and tobacco. The expenditure
13 authority shall be the Mayor of Tinian pursuant to Section 3 of Public Law 13-
14 38.

15 **Section 4. Allotment of Funds.** Based on the total amount of money in the Tobacco
16 Control Fund, at the end of each quarter, the Department of Finance shall allot each program
17 an amount based on the percentage of the programs' appropriation in relation to the sum of all
18 appropriations under Section 3 of this Act.

19 **Section 5. Fiscal Year and Reprogramming Limitation.** Notwithstanding any
20 provision of law, the funds allotted from the Tobacco Control Fund shall not be subject to
21 fiscal year limitation nor be reprogrammed for purposes other than what is set forth under this
22 Act and Section 3 of Public Law 13-38 or any law to the contrary.

23 In the absence of sufficient revenues as certified by the Department of Finance
24 pursuant to Section 7604 of the Planning and Budget Act, the Secretary of Finance is
25 authorized to reduce the appropriated amounts in Section 3(a), (b), (c), (d), (e), (f), (g), and
26 (h) proportionately.

27 **Section 6. Reporting.** The expenditure authorities indicated in Section 3(a), (b), (c),
28 (d), (e), (f), (g), and (h) shall prepare and provide an annual report detailing the appropriated
29 revenues and expenditures for each respective department or agencies. The annual report
30 must be in accordance with generally accepted accounting principals. The annual report shall

1 also, at a minimum, report on the qualitative and quantitative progress of each program
2 pursuant to this Act and Section 3 of Public Law 13-38.

3 **Section 7. Penalty.** All programs funded under this Act must adhere strictly to using
4 such funds only as specified by this Act. Any program found not to be in compliance with
5 any section of this Act, especially with Section 6, will be prohibited from using Tobacco
6 Control monies to fund such program(s) in the future.

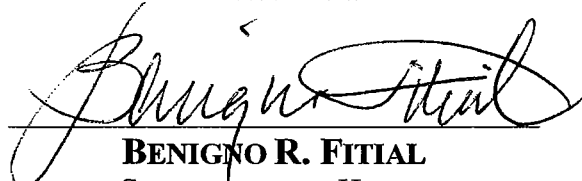
7 **Section 8. Severability.** If any provision of this Act or the application of any such
8 provision to any person or circumstance should be held invalid by a court of competent
9 jurisdiction, the remainder of this Act or the application of its provisions to persons or
10 circumstances other than those to which it is held invalid shall not be affected thereby.

11 **Section 9. Savings Clause.** This Act and any repealer contained herein shall not be
12 construed as affecting any existing right acquired under contract or acquired under statutes
13 repealed or under any rule, regulation, or order adopted under the statutes. Repealers
14 contained in this Act shall not affect any proceeding instituted under or pursuant to prior law.
15 The enactment of the Act shall not have the effect of terminating, or in any way modifying,
16 any liability, civil or criminal, which shall already be in existence at the date this Act
17 becomes effective.

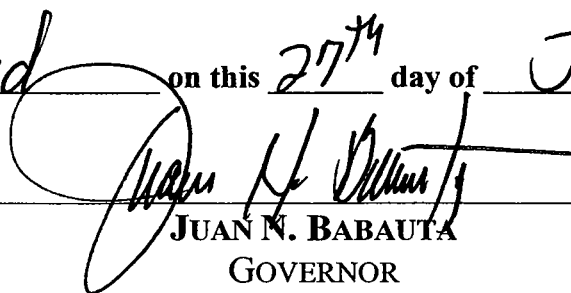
18 **Section 10. Effective Date.** This Act shall take effect upon its approval by the
19 Governor, or becoming law without such approval.

CERTIFIED BY:

ATTESTED TO BY:


BENIGNO R. FITIAL
SPEAKER OF THE HOUSE


EVELYN C. FLEMING
HOUSE CLERK

Approved  on this 27th day of July, 2005

JUAN N. BABAUTA
GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS