



HOUSE OF REPRESENTATIVES
SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
SEVENTH SPECIAL SESSION, 2008

Public Law 16-39
H. B. No. 16-129, H81, HD2

AN ACT

To appropriate all monies deposited in the Tobacco Control Fund for Fiscal Year 2009 pursuant to Public Law 13-38; and for other purposes.

BE IT ENACTED BY THE SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 Section 1. Findings and Purpose. The Legislature finds that the Since the
2 appropriation of funds under Public Law 14-80 and Public Law 15-65, the Legislature
3 acknowledges that new programs to address the issue of tobacco and alcohol prevention in
4 the CNMI have been established and must receive funds under the Tobacco Control Fund
5 from Public Law 13-38.

6 Section 2. Appropriation. Notwithstanding any provision of law, there is hereby
7 appropriated all monies deposited into the Tobacco Control Fund for Fiscal Year 2009 as
8 provided in this section to implement programs and services and to achieve the goals stated
9 in Section 3 of Public Law 13-38 as follows:

10 (a) \$900,000.00 to the Department of Public Health, under the expenditure
11 authority of the Secretary of the Department of Public Health which shall be further
12 allocated as follows:

13 (1) \$535,000 to the Diabetes Prevention and Control Program (DPCP)
14 to fund the program with its mission to reduce the burden of Diabetes in the
15 CNMI;

16 (2) \$250,000 to the DPH Community Guidance Center's Mental Health
17 and Substance Abuse Services to fund its Youth Prevention, Education and
18 Awareness Program, Tobacco Cessation Program and other administrative
19 costs;

1 (3) \$39,000 to the Department of Public Health to pay for reading and
2 interpretation of CNMI's mammogram films in Guam;

3 (4) \$1,000 to the Commonwealth Health Center Cancer Registry for
4 the purchase of a Network Attached Storage (NAS);

5 (5) \$50,000 to the Commonwealth Cancer Coalition; and

6 (6) \$25,000 to the Comprehensive Cancer Control Program.

7 (b) \$325,000 to the Public School System (PSS) under the expenditure
8 authority of the Commissioner of Education in consultation with the Deputy
9 Commissioner for Curriculum, Instruction, and Assessment, which shall be allocated
10 further as follows:

11 (1) \$225,000 for the development and implementation of a
12 collaborated comprehensive school health education programs and provide
13 professional development, technical assistance, policy guidance, and resources
14 to schools to prevent health problems among school-age youth;

15 (2) \$50,000 to fund the implementation of the Project Familia
16 Initiatives in the schools to reduce priority health risks among the youth; and

17 (3) \$50,000 for the youth development program, "Teen Talk", to
18 increase capacity building among the CNMI youth.

19 (c) \$39,000 to the Office of the Special Assistant for Youth Affairs for
20 Tobacco and Substance Abuse Prevention Programs in all operational Youth Centers
21 in the Third Senatorial District. The expenditure authority shall be the Special
22 Assistant for Youth Affairs. Funds shall be allocated equally among all operational
23 Youth Centers.

24 (d) \$75,000 to the Tinian Health Center for Tobacco and Substance Abuse
25 Prevention Programs under the expenditure authority of the Resident Director.

26 (e) \$75,000 to the Rota Health Center for Tobacco and Substance Abuse
27 Prevention Programs under the expenditure authority of the Resident Director.

28 Section 3. Allotment of Funds. Based on the total amount of money in the Tobacco
29 Control Fund, at the end of each quarter, the Department of Finance shall allot each program

1 and amount based on the percentage of the programs' appropriation in relation to the sum of
2 all appropriations under Section 2 of this Act.

3 Section 4. Fiscal Year and Reprogramming Limitation. Notwithstanding any
4 provision of law, the funds allotted from the Tobacco Control Fund shall be continuously
5 appropriated and shall not be subject to fiscal year limitation nor be reprogrammed for
6 purposes other than what is set forth under this Act and Section 3 of Public Law 13-38 or any
7 law to the contrary.

8 Section 5. Reporting. The expenditure authorities indicated in Section 2 of this Act
9 shall prepare and provide an annual report detailing the appropriated revenues and
10 expenditures for each respective department or agencies. The annual report must be in
11 accordance with generally accepted accounting principals. The annual report shall also at a
12 minimum, report on the qualitative and quantitative progress of each program pursuant to this
13 Act and Section 3 of Public Law 13-38.

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

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

22 Section 8. Savings Clause. This Act and any repealer contained herein shall not be
23 construed as affecting any existing right acquired under contract or acquired under statutes
24 repealed or under any rule, regulation, or order adopted under the statutes. Repealers
25 contained in this Act shall not affect any proceeding instituted under or pursuant to prior law.
26 The enactment of the Act shall not have the effect of terminating, or in any way modifying,
27 any liability, civil or criminal, which shall already be in existence on the date this Act
28 becomes effective.

1 Section 9. Effective Date. This Act shall take effect upon its approval by the
2 Governor or becoming law without such approval.

CERTIFIED BY:

ATTESTED TO BY:



ARNOLD I. PALACIOS
SPEAKER OF THE HOUSE



EVELYN C. FLEM

APPROVED on this 6th day of MAY, 2009



BENIGNO R. FITIAL
GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS