Dear Mr. President and Mr. Speaker:

This is to inform you that I have signed into law Senate Bill No. 19-59, SD1, entitled, “To amend the Commonwealth Disaster Price Freeze Act of 1996; and for other purposes,” which was passed by the Senate and the House of Representatives of the Nineteenth Northern Marianas Commonwealth Legislature.

This bill becomes Public Law No. 19-3. Copies bearing my signature are forwarded for your reference.

Sincerely,

ELOY S. INOS

cc: Lt. Governor; Attorney General’s Office; Public Auditor; Special Assistant for Administration; Special Assistant for Programs and Legislative Review
August 13, 2015

Honorable Eloy S. Inos
Governor
Commonwealth of the Northern Mariana Islands
Capital Hill
Saipan, MP 96950

Dear Governor Inos:

I have the honor of transmitting herewith Senate Bill No. 19-59, SD1, entitled, “To amend the Commonwealth Disaster Price Freeze Act of 1996; and for other purposes,” which was passed by the Senate and the House of Representatives of the Nineteenth Northern Marianas Commonwealth Legislature.

Sincerely,

[Signature]
Dolores S. Bermudes
Senate Clerk

Attachments
AN ACT

To amend the Commonwealth Disaster Price Freeze Act of 1996; and for other purposes.

Offered by Senator(s): Arnold I. Palacios, Francisco M. Borja, Sixto K. Igisomar, Francisco Q. Cruz, Jude U. Hofschneider, Justo S. Quitugua, Steve K. Mesngon, Teresita A. Santos, Victor B. Hocog

Date: August 12, 2015
Referred to: None
Standing Committee Report No.: None
Final Reading: August 12, 2015

Referred to: None
Standing Committee Report No.: None
First and Final Reading: August 12, 2015
AN ACT

To amend the Commonwealth Disaster Price Freeze Act of 1996; and for other purposes.

BE IT ENACTED BY THE NINETEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Short Title. This Act may be cited as the "Commonwealth Price Freeze Act of 2015."

Section 2. Findings and Purpose. The Legislature finds that the Commonwealth Price Freeze Act does not presently allow the Governor to declare a price freeze for more than ten days during a state of major disaster. Given the overwhelming destruction of Typhoon Soudelor, the Commonwealth Price Freeze Act requires immediate amendment in order to more effectively protect the residents from predatory pricing activities by merchants following the typhoon.

The Legislature finds that there are several reports of price gouging throughout the community notwithstanding the price freeze order that was issued on August 3, 2015, and extended through August 13, 2015. The Legislature further finds that without an amendment to the Act, the necessary price freeze protection for the community will not be extended through the duration of the typhoon recovery efforts. Additionally, the Act must be amended to extend the price freeze to all items for sale and housing rentals including apartments and condos during the typhoon recovery. Accordingly, the purpose of this legislation is to amend the Commonwealth Price Freeze Act for more than ten days during a state of major disaster and to add other effects or items subject to the price freeze.
Section 3. Amendment. Subject to codification by the Law Revision Commission, 4 CMC § 5142(a) is amended to read as follows:

“(a) Declaration. Upon the Governor’s declaring that the Commonwealth is in typhoon condition two, or tropical storm condition one, or in case of the Governor’s declaration of a state of significant emergency or a state of major disaster, pursuant to his or her constitutional power to do so, the Governor may declare a price freeze, which shall last for five days or until the Governor rescinds the price freeze, or the declaration of emergency or disaster is terminated, declares that the disaster has passed, whichever comes first.”

Section 4. Repealer. Subject to codification by the Law Revision Commission, 4 CMC § 5142(b) is repealed in its entirety.

Section 5. Amendment. Subject to codification by the Law Revision Commission, 4 CMC § 5142 (c) is repealed and reenacted to read as follows:

“(c) Effects. Upon the declaration of a price freeze, all prices of items for sale, and housing rentals including apartments and condos, shall be frozen until the Governor rescinds the price freeze or the declaration of emergency or disaster is terminated.”

Section 6. Amendment. Subject to the codification by the Law Revision Commission, 4 CMC § 5142(d) is amended to read as follows:

“(d) Price Increases Illegal During Duration of the Freeze. While a price freeze is in effect, it shall be illegal to raise the price of any of the above listed items for sale or housing rentals including apartments and condos.”

Section 7. Amendment. Subject to codification by the Law Revision Commission, 4 CMC § 5143 is amended to read as follows:

“(a) Criminal Penalties. Any person who sells, or presents for sale, an item whose price has been raised or increases housing rentals including apartments and condos while a price freeze was in effect, shall be guilty of a felony, and shall be subject to a penalty of not more than $10,000 or one month year of imprisonment, or both.

(b) Civil Penalties. Any person who sells, or presents for sale, an item whose price has been raised or increases housing rentals including apartments and condos while a price
freeze was in effect, shall be liable for a civil penalty not to exceed $2,500 for each violation.”

Section 8. 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 9. 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 10. Effective Date. This Act shall take effect upon its approval by the Governor or upon its becoming law without such approval.

CERTIFIED BY:

VICTOR B. HOCOG
PRESIDENT OF THE SENATE

ATTESTED BY:

TERESITA A. SANTOS
SENATE LEGISLATIVE SECRETARY

Approved this 14th day of August, 2015

ELOY S. INOS
Governor
Commonwealth of the Northern Mariana Islands