



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Ralph DLG. Torres
Governor

Victor B. Hocog
Lieutenant Governor

08 FEB 2017

The Honorable Rafael S. Demapan
Speaker, House of Representatives
Twentieth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

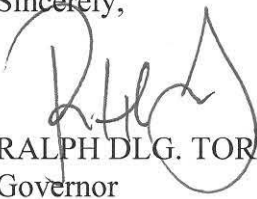
The Honorable Arnold I. Palacios
Senate President, The Senate
Twentieth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Mr. Speaker and Mr. President:

This is to inform you that I have signed into law House Bill No. 19-213, entitled, "To amend Public Law 19-75, Section 302(e) to name the parties covered by the appropriation for the payment of judgements.", which was passed by the House of Representatives and the Senate of the Nineteenth Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 19-87**. Copies bearing my signature are forwarded for your reference.

Sincerely,


RALPH DLG. TORRES
Governor

cc: Lt. Governor; Attorney General's Office; Public Auditor; Department of Public Works; Department of Public Lands; Secretary of Finance; Special Assistant for Administration; Special Assistant for Programs and Legislative Review



House of Representatives

19th NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. BOX 500586
SAIPAN, MP 96950

January 4, 2017

The Honorable Ralph DLG. Torres
Governor
Commonwealth of the Northern
Mariana Islands
Capitol Hill
Saipan, MP 96950

Dear Governor Torres:

I have the honor of transmitting herewith for your action **H. B. No. 19-213**, entitled: "To amend Public Law 19-75, Section 302(e) to name the parties covered by the appropriation for the payment of judgments.", which was passed by the House of Representatives and the Senate of the Nineteenth Northern Marianas Commonwealth Legislature.

Sincerely yours,

A handwritten signature in black ink, appearing to read "L. Muña".

Linda B. Muña
House Clerk

Attachment



*Nineteenth Legislature
of the
Commonwealth of the Northern Mariana Islands*

IN THE HOUSE OF REPRESENTATIVES

Fourth Regular Session

December 27, 2016

Representative Antonio P. Sablan, of Saipan, Precinct 1 (*for himself*) in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

H. B. No. 19-213

AN ACT


**TO AMEND PUBLIC LAW 19-75, SECTION 302(E) TO NAME
THE PARTIES COVERED BY THE APPROPRIATION FOR THE
PAYMENT OF JUDGMENTS.**

The Bill was not referred to a House Committee.

**THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON
FIRST AND FINAL READING, DECEMBER 27, 2016;
without amendments and transmitted to the
THE SENATE.**

The Bill was not referred to a Senate Committee.
**THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING, DECEMBER 30, 2016;
without amendments and was returned to
THE HOUSE OF REPRESENTATIVES.**

THE BILL WAS FINALLY PASSED ON DECEMBER 27, 2016.



Linda B. Muña, House Clerk



*Nineteenth Legislature
of the
Commonwealth of the Northern Mariana Islands*
IN THE HOUSE OF REPRESENTATIVES

Eleventh Day, Fourth Regular Session

December 27, 2016

H. B. No. 19-213

AN ACT

**TO AMEND PUBLIC LAW 19-75, SECTION 302(E) TO NAME THE
PARTIES COVERED BY THE APPROPRIATION FOR THE PAYMENT
OF JUDGMENTS.**

**Be it enacted by the Nineteenth Northern Marianas Commonwealth
Legislature:**

1 **Section 1. Findings.** The law requires an appropriation of funds by the Legislature
2 before a judgment can be paid by the government. The specific statutes provide:

3 7 CMC §2205. Settlement of Claims and Payment of Judgments.

4 (a) The Attorney General may compromise or settle any claim asserted
5 hereunder, whether asserted by initial claim, civil action, or otherwise. Money
6 judgments rendered against the Commonwealth shall only be paid from funds
7 specifically appropriated for that purpose by the legislature.

8 7 CMC §2254. Payment of Judgments. Judgments rendered pursuant to this article
9 shall be paid from such funds as may be appropriated by the Commonwealth Legislature for
10 that purpose.

HOUSE BILL 19-213

1 CMC §7207. Court Orders.

(a) Except for funds appropriated for settlements and awards, no court may require the disbursement of funds from the Commonwealth Treasury or order the reprogramming of funds in order to provide for such disbursement. Any final judgment of a court shall be paid only pursuant to an item of appropriations for settlements and awards.

There are conflicting interpretations as to how the appropriations should be made. The Legislature has been making the appropriation by including an item in the appropriation law for the payment of judgments. The Legislature has been advised that the law requires the appropriation bill specifically name the judgment creditor to be paid through the appropriation. It is the purpose of this bill to name the judgment creditor to be paid through the funds appropriated for the payment of judgments.

Section 2. Repeal and Reenactment. Public Law 19-75, Section 302(e) is repealed and reenacted as follows:

“(e) Not withstanding 4 CMC §2308, the sum of \$9,000,000.00 is appropriated for expenditure in fiscal year 2017 as follows:

(1) for the payment of judgments in the following cases:

Case Name	Case Number	Amount
Tano Group v. DPW	Civ. No. 05-0100	\$500,000
Lizama v. DPL	Civ. No. 08-149	\$500,000
Estate of Muna v. CNMI	Civ. No. 96-0796	\$400,000
MPLA v. Heirs of Rogolofoi	Civ. No. 05-0197	\$700,000
CNMI v. Lot No. 353 New-G	Civ. No. 97-0266	\$3,000,000
Manglona v. CNMI	Civ. No. 97-0486	\$900,000
Total		\$6,000,000

HOUSE BILL 19-213

1 (2) \$3,000,000 shall be for the payment of land compensation agreements
2 certified by the Department of Public Works and approved by the Department of Public
3 Lands, or its predecessor, and the land owner for acquisition of right of ways and
4 easements for Commonwealth primary roads.

5 (3) The expenditure authority shall be the Secretary of Finance, in consultation
6 with the Attorney General.”

7 **Section 3. Severability.** If any provisions 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 4. 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 on the date this Act
17 becomes effective.

HOUSE BILL 19-213

1 **Section 5. Effective Date.** This Act shall take effect upon its approval by the
2 Governor, or its becoming law without such approval and shall apply retroactively to
3 December 19, 2016.

Attested to by:



Linda B. Muña, House Clerk

Certified by:



SPEAKER RAFAEL S. DEMAPAN
House of Representatives
19th Northern Marianas Commonwealth Legislature

Approved this 8th day of February, 2018



RALPH DLG. TORRES
Governor

Commonwealth of the Northern Mariana Islands