



RALPH DLG. TORRES
Governor

ARNOLD I. PALACIOS
Lieutenant Governor

COMMONWEALTH of the NORTHERN MARIANA ISLANDS
OFFICE OF THE GOVERNOR

05 FEB 2019

The Honorable Blas Jonathan "BJ" T. Attao
Speaker, House of Representatives
Twenty-First Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

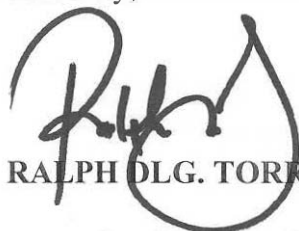
The Honorable Victor B. Hocog
Senate President, The Senate
Twenty-First Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Mr. Speaker and Mr. President:

This is to inform you that I have signed into law **House Bill No. 20-153, HD1** entitled, "To amend 2 CMC § 4433 to authorize the Northern Marianas Housing Corporation and the Commonwealth Development Authority to promulgate regulations on procurement, travel, and personnel matters; and for other purposes.", which was passed by the House of Representatives and the Senate of the Twentieth Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 20-87**. Copies bearing my signature are forwarded for your reference.

Sincerely,



RALPH DLG. TORRES

cc: Lt. Governor; Press Secretary; Attorney General's Office; Secretary of Finance; Northern Marianas Housing Corporation; Office of Public Auditor; Special Assistant for Administration; Special Assistant for Programs and Legislative Review



House of Representatives

20th NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. BOX 500586
SAIPAN, MP 96950

December 28, 2018

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. 20-153, HD1**, entitled: "To amend 2 CMC § 4433 to authorize the Northern Marianas Housing Corporation and the Commonwealth Development Authority to promulgate regulations on procurement, travel, and personnel matters; and for other purposes.", which was passed by the House of Representatives and the Senate of the Twentieth Northern Marianas Commonwealth Legislature.

Sincerely yours,

A handwritten signature in black ink, appearing to read "L. Muña", written over a circular stamp or seal.

Linda B. Muña
House Clerk

Attachment



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

IN THE HOUSE OF REPRESENTATIVES

THIRD REGULAR SESSION

JANUARY 31, 2018

REPRESENTATIVE IVAN A. BLANCO of Saipan, Precinct 3 (*for himself*, Representatives Edwin P. Aldan, Blas Jonathan "BJ" T. Attao, Donald C. Barcinas, Joseph P. Deleon Guerrero, Lorenzo I. Deleon Guerrero, Angel A. Demapan, Edwin K. Propst, John Paul P. Sablan, and Edmund S. Villagomez,) in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

H. B. NO. 20-153, HD1

AN ACT

TO AMEND 2 CMC § 4433 TO AUTHORIZE THE NORTHERN MARIANAS HOUSING CORPORATION AND THE COMMONWEALTH DEVELOPMENT AUTHORITY TO PROMULGATE REGULATIONS ON PROCUREMENT, TRAVEL, AND PERSONNEL MATTERS; AND FOR OTHER PURPOSES.

The Bill was referred to the House Committee on Judiciary and Governmental Operations, which submitted Standing Committee Report 20-114; adopted 4/24/18.

**THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON
FIRST AND FINAL READING, MAY 1, 2018;**

with amendments in the form of H. B. No. 20-153, HD1 and transmitted to the
THE SENATE.

The Bill was referred to the Senate Committee on Judiciary, Government & Law.
THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING, DECEMBER 6, 2018;

without amendments and was returned to
THE HOUSE OF REPRESENTATIVES.

THE BILL WAS FINALLY PASSED ON MAY 1, 2018.



Linda B. Muña, House Clerk



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

SECOND DAY, FIRST SPECIAL SESSION

MAY 1, 2018

H. B. No. 20-153, HD1

AN ACT

**TO AMEND 2 CMC § 4433 TO AUTHORIZE THE NORTHERN
MARIANAS HOUSING CORPORATION AND THE
COMMONWEALTH DEVELOPMENT AUTHORITY
TO PROMULGATE REGULATIONS ON PROCUREMENT,
TRAVEL, AND PERSONNEL MATTERS; AND FOR OTHER
PURPOSES.**

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

1 **Section 1. Short Title.** This Act may be referred to as the “NMHC and
2 CDA Amendment Act.”

3 **Section 2. Findings.** The Legislature finds that on August 23, 1994, the Northern
4 Marianas Housing Corporation (NMHC) was established by Executive Order 94-3. NMHC is
5 an autonomous government agency that provide efficient and responsive delivery of housing,
6 mortgage, and community development needs to the people of the Commonwealth through
7 the administration of the U.S. Department of Housing and Urban Development (HUD)
8 programs, specifically, the Community Development Block Grant (CDBG), Emergency
9 Solutions Grant (ESG), HOME Investment Partnerships Program, Section 8 Housing Choice
10 Voucher and New Construction Multifamily Programs. Additionally, the Legislature finds
11 that NMHC administers the U.S. Department of the Treasury’s Low Income Housing Tax

HOUSE BILL 20-153, HD1

1 Credit Program. The Legislature finds that NMHC efficiently and responsively delivers these
2 vital federally-related programs and services to the people of the Commonwealth in large part
3 to the dedicated and qualified staff and management who possess the certification,
4 specialized training, and institutional knowledge of the various programs administered by this
5 agency.

6 The Legislature finds the NMHCs need to promulgate its procurement regulations in
7 order to provide timely and sufficient services to the Community and to meet the established
8 HUD timely expenditure deadlines. The procurement regulations shall be similar to that of
9 the Department of Finance and the HUD procurement regulations whichever is stringent to
10 prevent fraud, abuse, and waste of public funds.

11 Furthermore, the Legislature finds that because NMHC is 100% federal funded by
12 HUD, it is necessary to promulgate travel policies aligned with the Federal Government's
13 travel policies and procedures.

14 The Legislature further finds that the Commonwealth Development Authority (CDA)
15 is the parent corporation of NMHC. Similar to NMHC, CDA is also an autonomous
16 government agency that is subjected to the CNMI Government's regulations regarding
17 procurement, personnel, and travel arrangements. The Legislature finds that it would be
18 appropriate to afford CDA with similar autonomy to allow them to carry out their duties and
19 responsibilities more efficiently and effectively without being subjected to the rules and
20 regulations of the CNMI Government regarding the issues of procurement, personnel, and
21 travel arrangements.

22 **Section 3. Amendment.** Title 2, Division 4, Chapter 4, Article 4, §4433 of the
23 Commonwealth Code is hereby amended to add new subsections (s) through (u) and
24 appropriately re-designating current subsections (s) and (t) as subsections (v) and (w) and to
25 read as follows:

26 “(s) To employ agents and employees of NMHC. They shall be exempt from
27 the application of 1 CMC § 8101 et seq., the Commonwealth Civil Service Act.
28 NMHC and the Commonwealth Development Authority (CDA) shall establish
29 through regulations its own compensation, wage and salary scales which shall be
30 commensurate with those paid by other public housing agencies/entities requiring
31 comparable education, training, and experience. NMHC and CDA shall also
32 promulgate regulations governing the selection, promotion, performance evaluation,

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1 demotion, suspension and other disciplinary action for its employees similar to the
2 regulations of the Civil Service Commission.

3 (t) to adopt by regulation its own procurement policies and procedures similar
4 to the regulations of the Department of Finance to purchase or lease supplies, goods,
5 materials, professional services and commodities and to furnish and supply services
6 for the operation of NMHC.

7 (u) to establish through regulation reasonably necessary travel policies and
8 procedures for NMHC and CDA consistent with the United States Federal Travel
9 Regulations (Title 41 Subtitle F of the U.S. Code of Federal Regulations).”

10 **Section 4. Amendment.** Title 2, Division 4, Chapter 4, Article 5, §4452 of the
11 Commonwealth Code is hereby amended to read as follows:

12 **“4452. MIHA: Corporate Directors, Officials, Board Members or**
13 **Employees; Limitations on Interests.** During his or her tenure and for one year
14 thereafter, no corporate director, official, board members or employee of MIHA, or
15 member of the Commonwealth legislature, or of the governing body for the locality in
16 which a housing project is located, or other public official who exercises any
17 responsibilities or functions with regard to a housing loan and/or housing project,
18 shall have any interest, direct or indirect, in any such loan and/or project or in any
19 property included or planned to be included in any such loan and/or project. The
20 preceding sentence shall not apply if the interest was acquired involuntarily or prior to
21 the beginning of the corporate director’s, official’s, board member’s or employee’s
22 tenure, and if: [remainder of §4452 is unchanged]”

23 **Section 5. Amendment.** Title 4, Division 10, Chapter 2, §10203(a) is hereby
24 amended by adding a new subsection (35) to read as follows:

25 **“(35) CDA: Executive Directors, Officials, Board Members or Employees;**
26 **Limitations on Interests.**

27 During his or her tenure and for one year thereafter, no executive director,
28 official, board members or employee of CDA, or member of the Commonwealth
29 legislature, or of the governing body for the locality in which a housing project is
30 located, or other public official who exercises any responsibilities or functions with
31 regard to a housing loan and/or housing project, shall have any interest, direct or
32 indirect, in any such loan and/or project or in any property included or planned to be

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1 included in any such loan and/or project. The preceding sentence shall not apply if the
2 interest was acquired involuntarily or prior to the beginning of the executive director's,
3 official's, board member's or employee's tenure, and if:

4 (a) The interest is immediately disclosed to CDA;

5 (b) Such disclosure is immediately entered in the minutes of CDA; and

6 (c) The person having the interest does not participate in any action by CDA
7 relating to his or her interest. Any violation of the foregoing provisions of this section
8 constitutes misconduct in office. This section shall not be applicable to the acquisition
9 of any interest in obligations of CDA issued in connection with any housing project
10 developed, operated or assisted by CDA, or to the execution of agreements by banking
11 institutions for the deposit or handling of funds in connection with such project or to act
12 as trustees under any trust indenture, or to utility services the rates for which are fixed
13 or controlled by a governmental agency.”

14 **Section 6. Global Amendment.** The references in Chapter 4 of Division 4, Title 2
15 of the Commonwealth to “Mariana Islands Housing Authority” or “MIHA” shall be amended
16 to “Northern Marianas Housing Corporation” or “NMHC” as they appear in Chapter 4.

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


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

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

Attested to by: 
Linda B. Muña, House Clerk

Certified by: 
SPEAKER RAFAEL S. DEMAPAN
House of Representatives
20th Northern Marianas Commonwealth Legislature

Approved this 3rd day of February, 2019


RALPH DLG. TORRES
Governor
Commonwealth of the Northern Mariana Islands