The Honorable Jesus R. Sablan  
President of the Senate  
Tenth Northern Marianas  
Commonwealth Legislature  
Saipan, MP  96950

Dear Mr. President and Mr. Speaker:

This is to inform you that I have signed into law H.B. No. 10-326, H.S. 1, "To amend  
3 CMC, Sections 1316(n), 1322; and for other purposes."

This bill will allow the Board of Regents to set the salaries for all employees of the  
Northern Marianas College, including the President, without reference to the Salary  
Act.

I agree that the Board should have this authority, provided that funds are available and  
have been properly appropriated. It is entirely proper for the Board to make these  
decisions.

However, I would not agree to any pay increases until the money has been properly  
made available. For this reason, I am vetoing the companion bill to this one, H.B. 10-  
327, which would have removed the College from the requirement of certification of  
available funds. The Board of Regents may give raises to whomever they like, but  
only after the Legislature has appropriated the money and the Office of Management  
and Budget has certified its availability.

I note that there is a typographical error on line 5 of page 2, where the word  
"determine" is missing.

This bill becomes law as P.L. 10-77.

Sincerely,

[Signature]

FROILAN C. TENORIO

Reid 12/24/97 at 4:20 p.m. 990
NOV. 19 1997

The Honorable Froilan C. Tenorio
Governor
Commonwealth of the Northern
Mariana Islands
Capitol Hill
Saipan, MP 96950

Dear Governor Tenorio:

I have the honor to transmit herewith for your action House Bill No. 10-326, HS1, entitled, "To amend 3 CMC, Sections 1316 (n), 1322; and for other purposes." which was passed by the House of Representatives and the Senate of the Tenth Northern Mariana Islands Commonwealth Legislature.

Sincerely,

Evelyn C. Fleming
House Clerk

Attachment
HOUSE OF REPRESENTATIVES
TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
FOURTH SPECIAL SESSION, 1997

Public Law No. 10-77
HOUSE BILL NO. 10-326, HS1

AN ACT
To amend 3 CMC, Sections 1316 (n), 1322; and for other purposes.

Offered by Representatives: Karl T. Reyes,
Oscar M. Babauta, David M. Apatang and Jesus T. Attao
Date: February 4, 1997

HOUSE ACTION
Referred to: Committee on Health, Education and Welfare
Standing Committee Report No. 10-58
First and Final Reading: July 9, 1997

SENATE ACTION
Standing Committee Report: None
Second and Final Reading: October 14, 1997

Evelyn C. Fleming
House Clerk
AN ACT

To amend 3 CMC, Sections 1316(n), 1322; and for other purposes.

BE IT ENACTED BY THE TENTH NORTHERN MARIANA COMMONWEALTH LEGISLATURE:

Section 1. Short Title. This Act shall be known and cited as the "Higher Education Act of 1997."

Section 2. Findings. The Legislature finds that for the third consecutive six-year term, the Northern Marianas College has received full accreditation from the Western Association of Schools and Colleges. The Legislature continues to recognize that accreditation is dependent upon the Board of Regents maintaining its constitutionally created autonomy. The Legislature also recognizes that one of the Board of Regent's primary duties is selecting a President for the College and being able to set the compensation and salary of its Chief Executive Officer (CEO), faculty and staff.

Section 3. Purposes. The purpose of this Act is to clarify ambiguities in the law and confirm that the Board of Regents shall have sole power and authority to set the salaries for the Chief Executive Officer, faculty and staff of the Northern Marianas College.

Section 4. Amendment. 3 CMC Section 1316(n), as amended by Public Law 9-53, is amended to read as follows:

"(n) to appoint and to terminate the President, officers, faculty employees and staff of the College, and consistent with its adopted rules and regulations, to specify their responsibilities and authority, and to set classifications and salaries.

(1) The College is specifically exempted from the 1984 Compensation Adjustments Act (1 CMC Division 8, Part 2, Ch. 4), as amended; and the Commonwealth Salary Act of 1988 (1 CMC Division 8, Part 2, Ch. 1), as amended."
Section 5. Amendment. 3 CMC Section 1322 is amended to read as follows:

"§ 1322. President of the College; Qualifications and Compensation. All candidates for the position of President of the Northern Marianas College shall possess at least a graduate degree from an accredited university in the United States or its territories and such other qualifications as the Board shall. The President of the college shall receive an annual salary as determined by the Board."

Section 6. 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 7. 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 8. Effective Date. This Act shall take effect upon its approval by the Governor or upon its becoming law without such approval.

CERTIFIED BY:                                    ATTESTED BY:

JESUS T. ATTAO                                  EVELYN C. FLEMING
Acting Speaker                                  House Clerk
House of Representatives

Approved this 24th day of December, 1997

FROILAN C. TENORIO
Governor
Commonwealth of the Northern Mariana Islands