

REFERRED To: **HEW**
FEB. 24 1998 HOUSE

ELEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE H. B. NO. **11-83**
FIRST REG. SESSION, 1998

A BILL FOR AN ACT

To amend 3 CMC § 1341 and § 1342(a)(b) and (c) to establish the CNMI Special Scholarship Act of 1998 and for other purposes.

BE IT ENACTED BY THE ELEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

- 1 Section 1. Title. This Act may be cited as the "CNMI Special Scholarship
2 Act of 1998."
3 Section 2. Findings and Purpose. The Legislature finds that Public Law
4 7-32 known as the "Postsecondary Education Scholarship Act of 1990" awards
5 scholarships to the various graduating high school students who are the
6 valedictorian and salutatorian in each graduating class of the Rota and Tinian
7 high schools, in addition to four recipients from Saipan. It is the intent of this
8 Act to award all such future scholarships to students who possess the highest
9 Grade Point Average(s) (GPA) rather than to graduating students designated as
10 valedictorians and salutatorians. The Act also increases the number of
11 recipients from Saipan from four to eight with two from each island high
12 school. In addition, the Legislature finds that the present law does not set a
13 minimum Scholastic Achievement Test (SAT) score to be met but merely states
14 that graduates must possess the highest scholastic standing in their respective
15 schools. The Legislature finds that in order to raise the quality and standards
16 of education in the Commonwealth a minimum Scholastic Achievement Test
17 (SAT) score of 1000 shall be required of potential scholarship recipients. In
18 the event that a student with the highest scholastic standing does not possess a
19 minimum Scholastic Achievement Test (SAT) score of 1000, such scholarship
20 shall be awarded to a student with the next highest Grade Point Average. The
21 Legislature further finds that a limit of \$20,000 per year per scholarship
22 should be implemented. In the event that tuition and other costs to attend a top

1 notch college or university exceeds this, the Board of Regents may authorize
2 additional scholarship funds to meet these costs based on the type of school,
3 course of study, grade point average or other criteria as the Board may
4 determine. It is also the intent of this Act to require all recipients to be
5 bonafide residents of the Commonwealth and have attended schools within the
6 Northern Marianas for a period of at least five years immediately preceding
7 the date of the award.

8 Section 3. Amendments. Existing Section 1341, and subsections (a), (b)
9 and (c) of Section 1342 are hereby repealed and reenacted to read as follows:

10 "Section 1341. This article may be cited as the 'CNMI Special
11 Scholarships Act of 1996'."

12 "Section 1342 (a). There are hereby established annual
13 scholarship to any accredited college or university in he
14 Commonwealth or the United States or its territories to pay for textbooks,
15 tuition, a reasonable fixed stipend, room and board, other school fees,
16 and costs and transportation, for a period of four years and not more
17 than five years. The amount allocated for each scholarship shall not
18 exceed \$20,000 per annum unless otherwise recommended by the Board
19 of Regents based on the type of school, course of study, grade point
20 average or other such criteria as the Board may determine."

21 "Section 1342 (b). Recipients of such scholarships shall be the
22 two high school students with the highest grade point averages in each
23 high school graduating class, who have a minimum Scholastic Aptitude
24 Test (SAT) score of 1000. There shall be two recipients each from Tinian
25 and Rota and eight recipients from Saipan. Recipients shall be
26 identified by their respective high schools.

27 "Section 1342 (c). To be eligible for the award of a scholarship
28 granted under this section, a student must have attended school within
29 the Commonwealth of the Northern Mariana Islands for a period of at
30 least five years immediately preceding the date of the award. In the
31 event that any student is ineligible because of his or her failure to meet
32 any of the stated requirements or he or she refuses the scholarship, the
33 scholarship shall be awarded to the qualifying student next highest in

1 scholastic rank. Continued eligibility for such grants shall depend on
2 maintaining good academic standing.

3 Section 4. Authorization. The Legislature shall appropriate funds to
4 carry out the purposes of this Act.

5 Section 5. Severability. If any provision of this Act or the application
6 of any such provision to any person or circumstance should be held invalid by
7 a court of competent jurisdiction, the remainder of this Act or the application
8 of its provisions to persons or circumstances other than those to which it is
9 held invalid shall not be affected thereby.

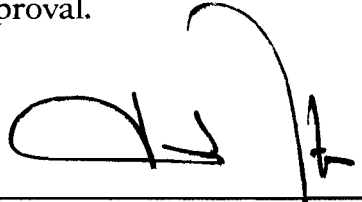
10 Section 6 Savings Clause. This Act and any repealer contained herein
11 shall not be construed as affecting any existing right acquired under contract
12 or acquired under statutes repealed or under any rule, regulation or order
13 adopted under the statutes. Repealers contained in this Act shall not affect any
14 proceeding instituted under or pursuant to prior law. The enactment of this
15 Act shall not have the effect of terminating, or in any way modifying, any
16 liability, civil or criminal, which shall already be in existence at the date this
17 Act becomes effective.

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

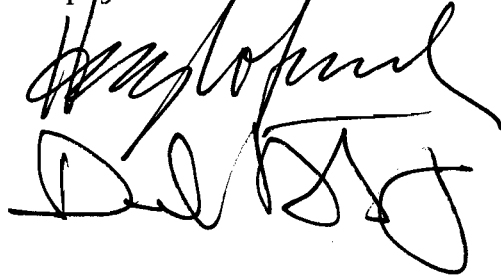
Proposed

Date: FEB. 11 1998

I N T R O D U C E D

Introduced By: 

Rep. Jesus T. Attao



Reviewed for Legal Sufficiency:

Maya B. Kara



The House of Representatives
 NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
 P.O. Box 586
 Saipan, MP 96950

adopted 9.2.98
 STANDING COMMITTEE REPORT NO. 11-31
 July 17, 1998
 RE: H.B. NO. 11-83

The Honorable Diego T. Benavente
 Speaker of the House of Representatives
 Eleventh Northern Marianas
 Commonwealth Legislature
 Capitol Hill
 Saipan, MP 96950

Dear Mr. Speaker:

Your Committee on Health, Education, and Welfare to which House Bill No. 11-83 was referred, entitled:

"To amend 3 CMC §1341 and §1342 (a) (b) and (c) to establish the CNMI Special Scholarship Act of 1998; and for other purposes."

begs leave to report as follows:

I. RECOMMENDATION:

Your Committee recommends that House Bill No. 11-83, be passed by the House in the form of House Draft 1.

II. FINDINGS:

A. HISTORY

H.B. 11-83 was introduced on February 11, 1998 by Rep. Jesus T. Attao, and co-sponsored by Rep. Heinz S. Hofschneider, and Rep. David M. Apatang. Subsequently, HB 11-83 was referred to your Committee on Health, Education, and Welfare on February 24, 1998.

The Committee had sent the bill out for comment on April 6, 1998 in addition to conducting a public hearing on May 13, 1998. Comments were received from the following agencies, individuals and organizations: Agnes M. McPhetres, President, Northern Marianas College; Thomas J. Weindl, Owner/Headmaster, Whispering Palms School; Maggie C. Camacho, Scholarship Administrator, Scholarship Office. The following represents excerpts from their written testimony and whenever possible, suggestions offered through these comments are incorporated in House Draft 1:

1) "While the major purpose of the bill is commendable in that it sets an individual \$20,000 funding limit and establishes academic

House Clerk Dr.
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 BY *af* DATE *8/6/98*

July 17, 1998

R.E.: House Bill No. 11-83

Page 2

standards, i.e. a minimum SAT score of 1000, the CNMI Special Scholarship bill does not treat other outstanding and highly deserving CNMI college students equitably. Although the intent of the PL 7-32 is to reward some deserving high school graduates, It is recommended that the Legislature address the issue of the other deserving CNMI students as well."

Agnes McPhetres
President
Northern Marianas College

2) "However, there are five high schools on Saipan, including Northern Marianas Academy, which has been in operation since (I believe) 1990. Northern Marianas Academy is small, but I believe graduates as many or more students each year as Marianas Baptist Academy, the other small high school on Saipan. And if the purpose of this bill is to provide scholarship assistance to indigenous students, you should be aware of the fact that many very bright and capable local students attend Northern Marianas Academy (as compared, for instance, to Marianas Baptist Academy, which has a high-percentage enrollment of non-local students). Excluding students of Northern Marianas Academy from this scholarship opportunity would be a gross injustice.

Thomas J. Weindl
Owner/Headmaster
Whispering Palms School

3) "The Scholarship Office has expressed concerns in order that the intent of the statute be administered effectively in a more equitable manner. Therefore, we support this piece of legislation with some minor recommendations.

Maggie C. Camacho
Scholarship Administrator
Scholarship Office

B. FINDINGS

Your Committee finds the need to revise PL 7-32 or the "Post secondary Education Scholarship Act of 1990" from its present form to allow the awarding of CNIMI scholarship awards to be more competitive amongst graduating high school students in the CNMI by limiting the award to only 12 scholarships (Rota- 2, Tinian- 2, Saipan- 8). In its present form, graduating high school students from Rota and Tinian who were valedictorians and salutatorians were automatically given scholarships while high school students from Saipan were given four scholarship awards but had to compete for it. The four students were chosen based on their scholastic standing.

In order to raise the academic standards of our educational system (private and public), your Committee finds the need to establish standards such as the minimum Scholastic Aptitude Test score of 1200 a scholarship recipient must have in addition to his scholastic grade point average; and, having the students compete for these awards rather than just limiting it to those who were valedictorians or salutatorians.

Your Committee also finds that recipients of CNMI Post secondary scholarship awards were attending community colleges rather than four year institutions of higher learning. In order to discontinue this type of practice, your Committee would limit the school selection to four year institutions of higher learning.

III. AMENDMENTS:

1) General Comments. Due to the comprehensive nature of the legislation, this report focuses only on the substantive changes to the bill. Technical and minor changes are not addressed. Amendments proposed by the Committee are indicated by underlined and bold face text. Deletions proposed by the Committee are indicated by strike out and boldface text.

2) Section 1. For clarity and to further articulate the intent of the Legislature, the Committee made revisions in the "Findings and Purpose" section. The Committee clarified that the Act would establish 12 scholarship awards (Rota- 2 recipients; Tinian- 2 recipients; and, Saipan- 8 recipients) for students who possess the highest grade point average and a Scholastic Aptitude Test (SAT) score of 1200 or better upon graduation from high school.

3) Section 1342(a). The Committee recommends to limit the schools where scholarship recipients may attend to four year accredited college or university. The Committee further recommends to limit the amount awarded for each scholarship to \$24,000. The Committee is of the opinion that this amount would be sufficient to meet the needs of the student scholar and therefore, recommends to delete the phrase referring to the discretionary power of the Board in granting additional scholarship money above the \$24,000 limit.

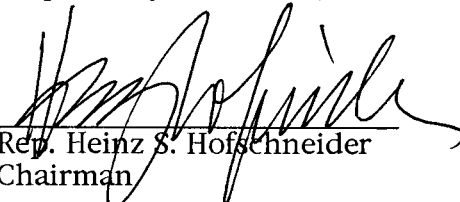
4) Section 1342(b). The Committee recommends to open the scholarship to high school students graduating with the highest grade point average and a SAT score of 1200. It further recommended to allocate two each, scholarship awards to Rota and Tinian and eight to Saipan; and, that the potential recipients should be recommended in writing by their respective high schools, in the manner and form prescribed by the Scholarship Advisory Board.


5) Section 1342(c). The Committee recommends that each scholarship recipient while in college must maintain a grade point average of 3.5 per semester and/or quarter with a minimum of 15 credit hours per semester or quarter for continued eligibility in the scholarship program.

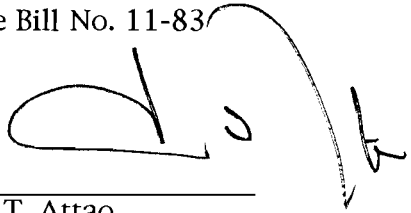
IV. CONCLUSION:

The Committee is in accord with the provisions of H.B. 11-83, and recommends that it be passed by the House in the form of House Draft 1, on First and Final Reading.

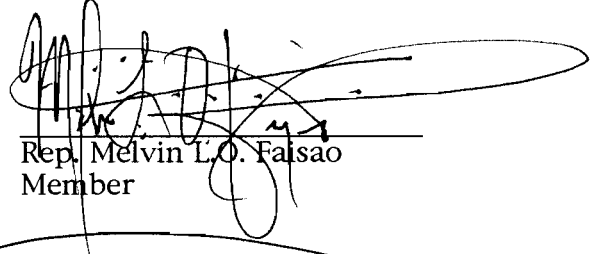
Respectfully submitted,


Rep. Heinz S. Hofschneider
Chairman


Rep. Bernadita T. Seman
Vice-Chairman



Rep. Jesus T. Attao
Member

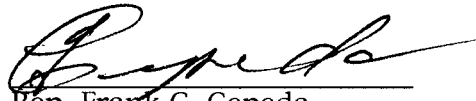


Rep. Melvin L.O. Faisao
Member

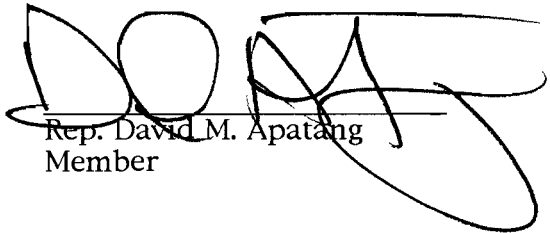


Rep. Max "Timmo" L. Olopai
Member

Rep. Maria "Malua" T. Peter
Member



Rep. Frank G. Cepeda
Member



Rep. David M. Apatang
Member



Rep. Alejo M. Mendiola
Member

recommitted 1.2.98 ef

A BILL FOR AN ACT

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18 quality and standards of education in the Commonwealth a minimum Scholastic
19 Achievement Test (SAT) score of ~~1000~~ 1200 shall be required of potential
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21 ~~standing~~ grade point average does not possess a minimum Scholastic
22 Achievement Test (SAT) score of ~~1000~~ 1200, such scholarship shall be

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24 Section 1342 (b). Recipients of such scholarships shall be the ~~two~~
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31 Board, by their respective high schools.

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6 of 1200. Continued eligibility for such ~~grants~~ scholarship award
7 shall depend on maintaining good ~~academic standing~~ a grade point
8 average of 3.5 with a minimum of 15 credit hours per
9 semester or quarter."

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11 carry out the purposes of this Act.

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13 of any such provision to any person or circumstance should be held invalid by
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16 held invalid shall not be affected thereby.

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22 Act shall not have the effect of terminating, or in any way modifying, any
23 liability, civil or criminal, which shall already be in existence at the date this
24 Act becomes effective.

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26 the Governor or upon its becoming law without such approval.

Date: _____

Introduced By: /s/(Rep.) Jesus T. Attao

/s/(Rep.) Heinz S. Hofschneider

/s/(Rep.) David M. Apatang

Reviewed for Legal Sufficiency:

/s/ Maya Kara