

TWENTY-SECOND NORTHERN MARIANAS COMMONWEALTH  
LEGISLATURE  
IN THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
Session, 2021

\_\_\_\_\_  
H. B. 22- 62

**A BILL FOR AN ACT**

To repeal and re-enact 1 CMC §7407(f) to stiffen the penalty for anyone who violates the stated travel restriction; and for other purposes.

**BE IT ENACTED BY THE 22<sup>ND</sup> NORTHERN MARIANAS  
COMMONWEALTH LEGISLATURE:**

1           **Section 1. Findings and Purpose.** The Legislature finds that the CNMI is  
2 facing a severe economic crisis. In FY 2017, there was an \$8 million deficit; in FY  
3 2018, a \$25.8 million deficit; and in 2019, an \$88 million deficit. While there is no  
4 doubt that Super Typhoon Yutu played a large role in our deficit for FY 2019, there  
5 really is no valid excuse for deficit spending in FY 2017 and FY 2018, other than  
6 the fact that we had a government that failed to be fiscally conservative and to live  
7 within its means. The Legislature acknowledges that government overspending  
8 and the misuse of public taxpayer funds has contributed to our growing deficit. As  
9 CNMI government officials put austerity measures in place that include the  
10 reduction of work hours for hardworking front line employees, the Legislature  
11 affirms austerity measures must also include putting an end to illegal government

1 travel practices, such as illegally paying for first class tickets using government  
2 funds.

3           The Legislature acknowledges and supports 1 CMC §7407(f), which states,  
4 “The Commonwealth Government shall not purchase or furnish for or reimburse to  
5 any employee, contractor, board member, or other person required to travel on  
6 behalf of the Government, its departments, divisions, agencies, and autonomous  
7 agencies, an airline ticket for travel in first class, business class, or any other  
8 premium class designation. Travel agents issuing tickets for government travel  
9 shall only be paid at the regular economy fare or its equivalent. Any government  
10 employee who causes an airline ticket to be issued in violation of this section shall  
11 pay a civil fine of one-thousand dollars.”

12           Despite 1 CMC §7407(f) being very clear in its intent, which is to prohibit  
13 the Commonwealth Government from purchasing first class tickets for government  
14 or non-government employees and even including a \$1,000 civil fine for every  
15 violation, this law has been continually trampled on over recent years, resulting in  
16 hundreds of thousands of dollars wasted, and to add insult to CNMI taxpayers, no  
17 civil fines have ever been issued. No one is above the law, and there are certainly  
18 no exceptions to this law, yet it continues to be violated.

19           The Legislature finds that during this time of austerity and financial  
20 uncertainty, it is imperative that we protect our scarce financial resources,  
21 especially from those who violate Commonwealth laws they swore to uphold.

1 Therefore, the purpose of this Act is to amend 1 CMC §7407(f) to stiffen the penalty  
2 for anyone who violates the stated travel restriction, and for other purposes. For  
3 purposes of this section, a ticket includes but shall not be limited to each individual  
4 travel segment regardless of whether there is only one collective fare or booking.

5 **Section 2. Repeal and re-enact.** 1 CMC §7407(f) is hereby repealed and  
6 re-enacted to read as follows:

7 “(f) *Airfare restriction.* Notwithstanding any laws, statutes, rules or  
8 regulations or executive orders to the contrary the Commonwealth  
9 Government shall not purchase or furnish for or reimburse to any employee,  
10 contractor, board member, or other person required to travel on behalf of  
11 the Government, its departments, divisions, agencies, and autonomous  
12 agencies, an airline ticket for travel in first class, business class, or any other  
13 premium class designation. Travel agents issuing tickets for government  
14 travel shall only be paid at the regular economy fare or its equivalent. Any  
15 person traveling on behalf of the CNMI Government, the authorizing and  
16 required signatory, and travel agent who causes an airline ticket to be issued  
17 in violation of this section shall pay restitution as determined by the court  
18 in an amount equal to the difference between the first class fare or the  
19 prohibited fare and the regular economy full fare, pay a fine of one thousand  
20 five dollars, and be subject to imprisonment for up to one year per ticket.  
21 For purposes of this section, a ticket includes, but shall not be limited to,

1 each individual travel segment, regardless of whether there is only one  
2 collective fare or booking.”

3 **Section 3. Severability.** If any provisions of this Act or the application of  
4 any such provision to any person or circumstance should be held invalid by a court  
5 of competent jurisdiction, the remainder of this Act or the application of its  
6 provisions to persons or circumstances other than those to which it is held invalid  
7 shall not be affected thereby.

8 **Section 4. Savings Clause.** This Act and any repealer contained herein  
9 shall not be construed as affecting any existing right acquired under contract or  
10 acquired under statutes repealed or under any rule, regulation, or order adopted  
11 under the statutes. Repealers contained in this Act shall not affect any proceeding  
12 instituted under or pursuant to prior law. The enactment of the Act shall not have  
13 the effect of terminating, or in any way modifying, any liability, civil or criminal,  
14 which shall already be in existence on the date this Act becomes effective.

15 **Section 5. Effective Date.** This Act shall take effect upon its approval by  
16 the Governor, or its becoming law without such approval.

Prefiled: 5/13/2021

Date: 5-13-21

Introduced by:

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Dentak Yangtmai*

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Reviewed for Legal Sufficiency by:

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