

**TWENTY-SECOND NORTHERN MARIANAS COMMONWEALTH  
LEGISLATURE**

**IN THE HOUSE OF REPRESENTATIVES**

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

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H. B. 22- 66

**A BILL FOR AN ACT**

To amend 1 CMC §2901 to require newly appointed persons to undergo certification training in regards to the Open Government Act (OGA); 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 Open  
2 Government Act (OGA) contains provisions as to how all public boards,  
3 commissions, councils, committees, departments, and other public agencies are to  
4 conduct themselves. The OGA, as amended by various public laws, sets a standard  
5 that declares, with narrow exceptions, that all government meetings and public  
6 records shall be open to the public. Such factors that must be displayed are the  
7 notices, date, time, location, and items to be discussed in forthcoming meeting. The  
8 OGA was established to provide effectiveness and transparency between the CNMI  
9 Government and the people they serve.

10        The Legislature also finds that Title 1 section 2901 sets the general standard  
11 pertaining appointments of individuals to serve on boards, agencies, commissions,  
12 or positions. Such public agencies/entities include the Commonwealth Utilities

1 Corporation, Commonwealth Development Authority, Commonwealth Casino  
2 Commission, the Northern Marianas College, and so forth. These newly appointed  
3 individuals, many of which requires legislative approval, will be serving on  
4 respective bodies that are governed by the OGA. Cognizant of such circumstance,  
5 it is imperative for newly appointed individuals to familiarize themselves with the  
6 OGA prior to their approval of serving on a respective board, commission, or other  
7 position to enhance their capabilities in fulfilling their fiduciary duties.

8 Therefore, the purpose of this Act is to amend 1 CMC §2901 to require  
9 newly appointed persons to undergo certification training in regards to the Open  
10 Government Act (OGA).

11 **Section 2. Amendment.** Subject to codification by the Law Revision  
12 Commission, Title 1 of the Commonwealth Code section 2901 is hereby amended  
13 by adding a new subsection that shall read as follows:

14 ““§101. The CNMI Law Revision Commission or its designee shall develop  
15 and administer a training program with respect to the CNMI Open  
16 Government Act (OGA). Such training program must be completed at the  
17 appointee’s initial appointment as well as every two years thereafter, and a  
18 certificate of completion must be submitted to the appointee’s approving  
19 body and/or entity as a mandatory prerequisite of the appointee’s fitness to  
20 serve in the appointed capacity.

102. The CNMI Law Revision Commission is hereby authorized to promulgate all rules and regulations and establish and collect reasonable fees associated with the administration of this program. The appointee's costs for attending and certification shall be borne by the appointee's respective board, agency, commission, or positions."

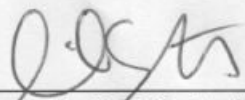
**Section 3. Severability.** If any provisions of this Act or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Act or the application of its provisions to persons or circumstances other than those to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

**Section 4. 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 the Act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence on the date this Act becomes effective.

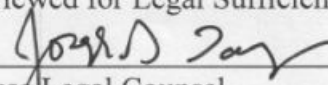
**Section 5. Effective Date.** This Act shall take effect upon its approval by the Governor, or its becoming law without such approval.

Prefiled: 5/20/2021

Date: 05/19/2021 Introduced by:

  
Rep. Leila H.F.C. Staffler

Reviewed for Legal Sufficiency by:

  
House Legal Counsel