

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

_____ Session, 2021

H. B. 22- 8

A BILL FOR AN ACT

To establish the level of funding for the Legislature and provide the Legislature with control of the expenditure of funds appropriated for its operations.

**BE IT ENACTED BY THE 22ND NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 **Section 1. Findings.** Currently, the Governor submits the annual budget
2 for the Legislature and recommends the level of annual appropriations for the
3 Legislature. The expenditure of funds over which the Legislature has expenditure
4 authority is controlled by the Executive Branch. To be consistent with the Doctrine
5 of Separation of Powers, the Legislature should determine the level of appropriation
6 consistent with the requirements of the Constitution and control the expenditure of
7 funds appropriated for its operations.

8 **Section 2. Enactment.** Title 1, Division 1 is amended by adding a new
9 Chapter 7. Legislative Branch Funding, as follows:

10 “Chapter 7. Legislative Branch Funding.

11 Section 1701. Legislative Bureau.

1 The Legislative Bureau is established by the N.M.I. Constitution,
2 Art. II, Sec. 17 to provide all required services to the members of the
3 legislature in connection with their duties and responsibilities and to
4 maintain all records, files, library and other documents of the legislature.

5 Section 1702. Legislature Operations Fund.

6 (a) There is hereby established a fund to be known as the
7 “Legislature Operations Fund” (Fund) which shall be maintained separate
8 and apart from other funds of the Commonwealth government. Independent
9 records and accounts shall be maintained for the Fund by the Legislative
10 Bureau.

11 (b) Each annual appropriation act shall appropriate to the Legislative
12 Branch, 6% of the funds identified by the Governor as available for
13 appropriation, but not less than \$8,000,000.00.

14 (c) The expenditure authority over the funds in the Legislature
15 Account shall be the Director of the Legislative Bureau.

16 (d) The funds in the Legislative Account shall be expended in
17 accordance with the regulations of the Department of Finance for the
18 Control of Public Funds.

19 (e) The Legislative Bureau shall establish such bank accounts as are
20 necessary for the Legislature Operations Fund in banks qualified to hold
21 government deposits.

1 (f) All moneys received by the Legislature from whatever source
2 shall be deposited in the Fund's bank accounts.

3 (g) All appropriations by the Commonwealth shall be allotted and
4 transferred to the Fund's bank account at the beginning of each quarter.

5 (h) All debts, liabilities, obligations and operational expenses of the
6 Legislature and its members, the Legislative Bureau and the
7 Commonwealth of the Northern Mariana Islands Youth Congress shall be
8 paid from the Fund.

9 Section 1703. Legislature Fund Sub Accounts.

10 The following Sub Accounts are established within the Legislature
11 Fund:

12 (a) House of Representatives Members Personnel Account to fund
13 the salaries and benefits of the members of the House of Representatives.

14 (b) Senate Members Personnel Account to fund the salaries and
15 benefits of the members of the Senate.

16 (c) House Members' Office Accounts. Funds allocated for the
17 operation of the member's office, including, but not limited to, the
18 personnel costs of the member's employees and expenditures as authorized
19 by the adopted rules of the House of Representatives. Each Member may
20 initiate a request for payment of the funds allocated to their account.

1 (d) Senate Members' Office Accounts. Funds allocated for the
2 operation of the member's office, including, but not limited to, the
3 personnel costs of the member's employees and expenditures as authorized
4 by the adopted rules of the Senate. Each Member may initiate a request for
5 payment of the funds allocated to their account.

6 (e) House Leadership Account. The Speaker of the House, may
7 initiate a request for payment of such funds to support the operations and
8 activities of the House of Representatives in accordance with its rules,
9 provided that the Speaker distributes a portion of the total appropriation in
10 equal amounts to each of the standing committees for their operations and
11 activities.

12 (f) Senate Leadership Accounts. The President of the Senate, may
13 initiate a request for payment of such funds to support the operations and
14 activities of the Senate in accordance with its rules, provided that the
15 President distributes a portion of the total appropriation in equal amounts to
16 each of the standing committees for their operations and activities.

17 (g) Legislative Bureau.

18 (h) Northern Marianas Youth Congress. A request for payment may
19 be initiated by the Director of the Legislative Bureau.

20 Section 1704. Expenditure Ceilings.

1 (a) The N.M.I. Constitution, Art. II, places an expenditure ceiling on
2 the following accounts:

- 3 (1) Members' Office Accounts (each Member) \$155,000.00
- 4 (2) Senate and House Leadership Accounts \$400,000.00
- 5 (3) Legislative Bureau \$2,000,000.00

6 (b) The N.M.I. Constitution, Art. II Sec. 16(e) of the Commonwealth
7 Constitution provides: "Beginning the second Monday of January 1998, the
8 amount of the ceiling and all other dollar amounts stated in this section shall
9 be adjusted every two years by the same percentage as the percentage
10 change in the United States Department of Commerce composite price
11 index during the two preceding fiscal years using the beginning of fiscal
12 year 1996 as the base."

13 (c) The annual fiscal year expenditure levels for the sub accounts
14 listed in §1703 shall be determined every two years by the Director of the
15 Legislative Bureau and adopted by joint resolution by both houses of the
16 Legislature."

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

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

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

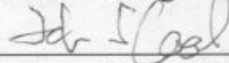
Prefiled: 1/27/2021

Date: 1/27/2021

Introduced by:


Rep. Rep. Joseph Leepan T. Guerrero

Reviewed for Legal Sufficiency by:


House Legal Counsel

