

TWENTY-SECOND NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

Session, 2021

H. B. 22- 88

A BILL FOR AN ACT

To amend 1 CMC §§ 8222-8223 to clarify the provision of official residences for eligible elected officials as well as implement a reasonable cap on the amount of utility charges allowed per month; and for other purposes.

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

1 **Section 1. Findings and Purpose.**

2 The Legislature finds that 1 CMC § 8222 is vague and needs to be amended
3 to add proper safeguards. In particular, the Legislature would like to add provisions
4 clarifying the use of private residences in the absence of functional government
5 dwelling units and implement a reasonable cap on allowable utility charges.

6 1 CMC § 8222 currently states that the “Governor, Lieutenant Governor,
7 President of the Senate, and the Speaker of the House of Representatives of the
8 Commonwealth of the Northern Mariana Islands are authorized to obtain
9 government houses for their private and residential purposes for the duration of
10 their term in such office.”

1 But for decades now, the government houses that were meant to be used for
2 this purpose have either been condemned or classified as damaged and not fit for
3 human habitation.

4 As a result, the Legislature supports updating existing law to govern how
5 the provision of official residences shall be handled in the absence of suitable
6 government dwelling units.

7 In addition, the Legislature supports the implementation of a cap on the
8 utility consumption amount for each of these residences. Further, the Legislature
9 also supports adding a provision to reflect that any utility consumption charges
10 higher than the appropriate cap will be considered a personal expense and the
11 responsibility of the official occupying the residence.

12 The Legislature believes these updates to the law will help keep utility
13 charges at a reasonable and fiscally prudent amount, and such guidelines will help
14 control official housing benefits for current and future elected officials.

15 **Section 2. Amendment.**

16 1 CMC § 8222 is hereby amended to read as follows:

17 (a) ~~The Governor, and Lieutenant Governor, President of the Senate, and~~
18 ~~the Speaker of the House of Representatives~~ of the Commonwealth of the Northern
19 Mariana Islands are authorized to obtain government houses for their private and
20 residential purposes for the duration of their term in such offices.

1 (b) If government-owned houses are unavailable for this purpose, a
2 privately-owned residence may be designated the official residence for each of
3 these elected officials. In such event, such officials are authorized to receive
4 publicly-funded payment of utilities at such privately-owned residences up to a cap
5 of \$1,000 per month. Any utilities payment in excess of such cap shall be
6 considered a personal expense and the responsibility of the respective elected
7 official. Utilities may be paid at public expense only for residential structures.

8 1 CMC § 8223 is hereby amended to read as follows:

9 (a) The Personnel Officer shall consult with the offices of the officials
10 named under 1 CMC §§ 8221 and 8222 and obtain their approval as to which
11 government houses serve their purposes. The Personnel Office shall then designate
12 those houses for permanent assignment as the residences of the Governor, and
13 Lieutenant Governor, ~~President of the Senate, and the Speaker of the House of~~
14 Representatives.

15 (b) If government-owned houses are certified as unfit for habitation or
16 otherwise unavailable, the Personnel Office may designate a privately-owned
17 residence for temporary assignment as the official residence of each of these elected
18 officials until such time as government houses are available for such purpose.

19 **Section 3. Severability.** If any provision of this Act or the application of
20 any such provision to any person or circumstance should be held invalid by a court
21 of competent jurisdiction, the remainder of this Act or the application of its


1 provisions to persons or circumstances other than those to which it is held invalid
2 shall not be affected thereby.

3 **Section 4. Savings Clause.** Repealers contained in this Act shall not affect
4 any proceeding instituted under or pursuant to prior law. The enactment of this Act
5 shall not have the effect of terminating, or in any way modifying, any liability civil
6 or criminal, which shall already be in existence at the date this Act becomes
7 effective.


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

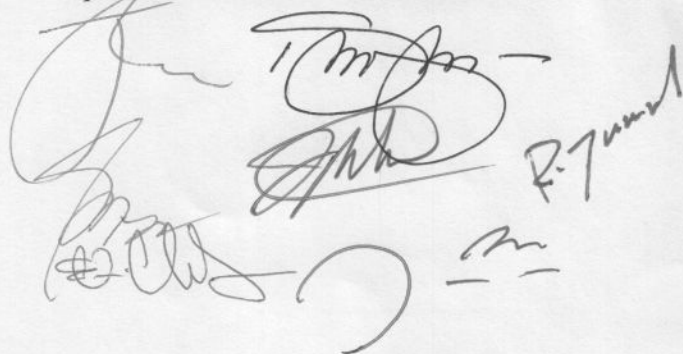
Prefiled: 12/6/2021

Date: 12/6/21

Introduced by: 
Rep. Blas Jonathan "BJ" T. Attao

Reviewed for Legal Sufficiency by:


House Legal Counsel

 R. T. Tamm