

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

SESSION, 2025

H. L. I. 24- /

A HOUSE LEGISLATIVE INITIATIVE

To amend Article XV, Section 1 of the Constitution of the Commonwealth of the Northern Mariana Islands to define “General Revenues” and “Special Revenues” consistent with CNMI Supreme Court ruling, “In the Matter of a Petition for Certified Question,” and to clarify that the Public School System’s twenty-five percent guaranteed appropriation shall be calculated on the net General Revenues after crediting debt service and statutory obligations.

**BE IT ENACTED BY THE 24TH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 **SECTION 1. FINDINGS.**

2 The Legislature finds that Article XV, section 1(e) of the Constitution
3 guarantees the CNMI Public School System (PSS) an annual budget of not less than
4 twenty-five percent of the general revenues of the commonwealth. The absence of
5 a constitutional definition of “general revenues” has produced disputes in both
6 budgetary practice and judicial interpretation, most notably in the CNMI Supreme
7 Court case of *In the Matter of a Petition for Certified Question*, 2020 MP 2.

8 The Legislature further finds that in its decision regarding the certified
9 questions, the CNMI Supreme Court recognized that “special revenues” are
10 excluded from general revenues where such funds are constitutionally, statutorily,

1 or contractually restricted for a specific purpose, including federal grants, bond
2 proceeds, trust fund earnings, earmarked taxes or fees, and mandatory payments to
3 the settlement fund. This legislative initiative remains consistent with *In the Matter*
4 *of a Petition for Certified Question*, 2020 MP 2, by incorporating that definition of
5 special revenues into the constitution without alteration.

6 The Legislature finds, however, that ambiguity persists in the method of
7 calculating the twenty-five percent appropriation. Under current practice, counting
8 debt service within general revenues without adjustment results in an inflated
9 obligation that can require the commonwealth to set aside the equivalent of more
10 than one hundred percent of available revenues when both PSS and debt service are
11 prioritized. Further, any amounts strictly needed to pay debt service must
12 themselves be increased by twenty-five percent in order to give PSS its share,
13 effectively forcing the Commonwealth to add an additional 25% to all of the
14 revenue necessary to meet its financial obligations.

15 The Legislature determines that the people, through constitutional
16 amendment, have the authority to clarify the calculation method while remaining
17 consistent with Supreme Court decision. This amendment does not redefine general
18 or special revenues, but rather specifies that, after identifying general revenues as
19 the certified question decision requires, the amount of legislatively mandated debt
20 service and statutory financial obligations shall be treated as a credit against general
21 revenues. The result is that the twenty-five percent guarantee will be based on the

1 net general revenues, which are general revenues less debt service and statutory
2 obligations as set forth by the CNMI House and Senate via a concurrent resolution.

3 The purpose of this House Legislative Initiative is therefore to:

- 4 1. Affirm the decision rendered in the case of *In the Matter of a Petition for*
5 *Certified Question*, 2020 MP 2, particularly, the definition of special
6 revenues without change;
- 7 2. Clarify that debt service and statutory obligations are credited against
8 general revenues before calculating the twenty-five percent appropriation;
9 and
- 10 3. Ensure a sustainable, transparent, and constitutionally faithful method of
11 funding the public school system.

12 **SECTION 2. LEGISLATIVE INITIATIVE.**

13 The Twenty-Fourth Northern Marianas Commonwealth Legislature, by the
14 affirmative vote of three-fourths of the members of each House present and voting,
15 hereby proposes the following amendment to Article XV of the Constitution of the
16 Northern Mariana Islands to be placed before the people for ratification at the next
17 general election:

18 **“A PROPOSED CONSTITUTIONAL AMENDMENT**

19 **“ARTICLE XV: EDUCATION**

20 **Section 1: Elementary and Secondary Education.**

1 (a) Every person in the Northern Mariana Islands has the right to free,
2 compulsory and public elementary and secondary education within age and
3 educational levels provided by law. The educational system shall provide
4 maximum educational and training opportunities and be sensitive and
5 responsive to the needs and desires of the community as it pursues its central
6 objective of developing human potential. The educational system shall also
7 provide support and guidance for students in assessing areas of interest and
8 ability, in clarifying values and goals, and in providing students with clear
9 and accurate information so they may gain the most from their educational
10 experience. The educational system shall recognize the distinct and unique
11 cultural heritage and indigenous way of life of the people and shall be
12 committed to provide for the language needs of the people and the
13 preservation of their cultural integrity within a global community.

14 (b) Administration of the public elementary and secondary education
15 system of the Commonwealth shall be the responsibility of a superintendent
16 of education appointed by a representative board of education. The board of
17 education shall formulate policy and exercise control over the public school
18 system through the superintendent. Other matters pertaining to its
19 operations and duties shall be provided by law.

20 (c) The board of education shall have five members, elected at large on a
21 non-partisan basis as follows: one from the first senatorial district, one from

1 the second senatorial district and three from the third senatorial district.
2 Elected members of the board of education shall serve terms of four years
3 except that the terms of the first members elected shall be determined by
4 drawing of lots with three members serving a term of four years and two
5 members serving a term of two years. The governor shall appoint three
6 nonvoting ex-officio members to the board of education: one member shall
7 be a high school student attending a public school; one member shall be a
8 representative of nonpublic schools; and one member selected by the
9 teachers within the Public School System. The selection process of a public
10 school teacher representative shall be established by law. Elected members
11 of the board shall serve commencing on the second Monday of January in
12 the year following the regular general election at which they were elected.
13 The elected board members shall be limited to two terms.

14 (d) A member of the board of education shall be qualified to vote in the
15 Commonwealth, at least twenty-five years of age, and a resident and
16 domiciliary of the Commonwealth for at least five years immediately
17 preceding the date on which the member takes office. A longer residency
18 and domicile requirement may be provided by law.

19 (e) The public elementary and secondary education system shall be
20 guaranteed an annual budget of not less than twenty-five percent of the net
21 general revenues of the Commonwealth through an annual appropriation.

1 The budgetary appropriation may not be reprogrammed for other purposes,
2 and any unencumbered fund balance at the end of a fiscal year shall be
3 available for reappropriation. For purposes of this subsection, the twenty-
4 five percent guaranteed appropriation for the public school system shall be
5 calculated on the net amount of general revenues, defined as total general
6 revenues less the amounts legislatively set aside for debt service and other
7 financial obligations identified by law.

8 (f) General revenues shall mean all Commonwealth revenues deposited into
9 the general fund and legally available for appropriation for general
10 government operations in a given fiscal year, less those revenues defined as
11 special revenues herein. Special revenues shall mean revenues that are
12 constitutionally, statutorily, or contractually restricted for a specific
13 purpose, including but not limited to federal grants, bond proceeds, trust
14 fund earnings, earmarked taxes or fees, and mandatory payments to the
15 Northern Mariana Islands Retirement Fund Settlement Fund, and where
16 there exists a clear nexus between the source of the revenue and the use or
17 purpose for which the funds are restricted.”

18 **SECTION 3. ADOPTION AND TRANSMITTAL.**

19 The Speaker of the House and the President of the Senate shall certify, and
20 the Clerks of the House and Senate shall attest to the passage of this Legislative
21 Initiative. The House Clerk shall then cause the Initiative to be transmitted to the


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1 Governor and the Board of Elections. Pursuant to Article XVIII, Section 5 of the
2 Commonwealth Constitution, the Board shall place this Legislative Initiative, with
3 the Findings and Purpose section herein, before the people of the Commonwealth
4 for ratification vote in the next regular general election.

Prefiled: 9/17/2025



Date: _____

Introduced by: _____


Rep. Blas Jonathan "BJ" T. Attao

Reviewed for legal sufficiency by:


House Legal Counsel

Date: 9-17-25