

TWENTY-FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

Fourth Regular SESSION, 2026

S. B. No. 24- 68

A BILL FOR AN ACT

To amend 4 CMC § 8132(c) to allow the off-island member of the Commonwealth Utilities Corporation Board of Directors to participate and vote in Board meetings from outside the Commonwealth of the Northern Mariana Islands; and for other purposes.

BE IT ENACTED BY THE TWENTY-FOURTH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:

1 **Section 1. Findings and Purpose.** The Legislature finds that presently, 4 CMC §
2 8131(a)(4) requires that at least one member of the Commonwealth Utilities Corporation
3 (CUC) Board of Directors “shall be from off-island with utility management experience.”
4 This unusual requirement was added by Public Law 10-8 in 1996 in response to
5 recommendations from the Operations and Maintenance Improvement Program (OMIP)
6 team of the Department of the Interior’s Office of Insular Affairs that qualifications of the
7 CUC Board require at least one member from off-island with utility management
8 experience. OMIP noted a similar provision that provides the American Samoa Power
9 Authority (ASPA) Board with valuable utility management experience.

10 The Legislature finds that the present “off-island” board member is a citizen and
11 resident of Guam. The Commonwealth benefits from his vast knowledge of utility
12 operations and regulation. Each trip to attend meetings, which in practice occur monthly,
13 and more frequently as needed, costs CUC ratepayers an overnight per diem plus airfare.
14 Recently, each trip has cost approximately \$775.

15 In addition, travel to the Commonwealth is often difficult, especially following
16 typhoons when guidance from the board is most needed. The Commonwealth and CUC
17 should not be deprived of the insight and vote of a valued member of the board because of
18 the financial and logistical hurdles of travel.

19 Therefore, the purpose of this bill is to allow the “off-island” member of the CUC
20 Board of Directors to fully participate in meetings for quorum, voting, and other purposes

1 under this chapter even if such member is not physically present in the Commonwealth.
2 This legislation is not intended to affect any other member of the CUC Board of Directors
3 or any other Commonwealth board or commission.

4 **Section 2. Amendment.** Title 4 section 8132(c) of the Commonwealth Code is
5 amended to read as follows:

6 “(c) The presence of four members shall constitute a quorum for the transaction of
7 business at any Board meeting. Notwithstanding 1 CMC § 2901(i) or any other provision
8 of law, the member appointed pursuant to 4 CMC § 8131(a)(4) may participate in any
9 Board meeting or closed session by video conference or audio conference whether or not
10 such member is physically present in the Commonwealth. A member so participating shall
11 be deemed present at the meeting for quorum, voting, and all other purposes under this
12 chapter.”

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

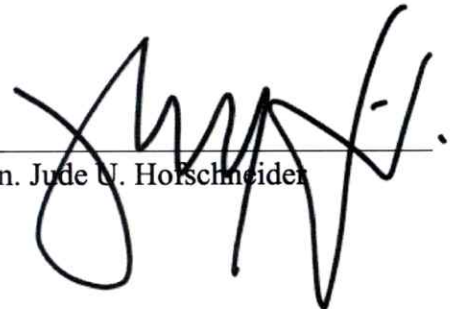
17 **Section 4. Savings Clause.** This Act shall not be construed as affecting any
18 existing right acquired under contract, statute, rule, regulation, or order adopted under
19 statute. The enactment of the Act shall not have the effect of terminating, or in any way
20 modifying, any liability, civil or criminal, which shall already be in existence on the date
21 this Act becomes effective.

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

Date: 10/09/26

Introduced By: _____

Sen. Jude W. Holschneider



Reviewed for Legal Sufficiency by:



Senate Legal Counsel