



# NMI SETTLEMENT FUND

POST OFFICE BOX 501247, SAIPAN, MP 96950

October 31, 2017

**VIA ELECTRONIC MAIL AND  
HAND DELIVERY**

Honorable Ivan A. Blanco  
Chairman  
House Committee on Judiciary and Governmental Operations  
**20th Northern Marianas Commonwealth Legislature**  
House of Representatives  
P.O. Box 500586  
Saipan, MP 96950

**RE: Senate Legislative Initiative (SLI) 20-01**

Dear Chairman Blanco:

Thank you for the opportunity to comment on Senate Legislative Initiative No. 20-01 (“SLI 20-01”), which proposes to amend Article III, Section 20(b) of the CNMI Constitution “to authorize reemployment of retirees as classroom teachers, doctors, nurses, and other medical professionals without losing their pension benefits for an unlimited period of time.”

We have reviewed SLI 20-01 and believe that it does not comport with the terms of the Settlement Agreement because it attempts to change the benefits received by a retiree returning to government service in contravention of 1 CMC § 8392 (the “double dipping statute”). A retiree is a “Class Member” whose benefits are defined in the Settlement Agreement as follows:

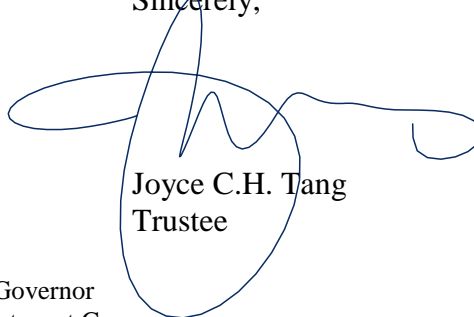
“Full Benefits Payments” or “Full Benefits” means benefit payments in the amount defined by 1 CMC § 8301 et seq. (excluding any changes by P.L. 17-82 or P.L. 18-02) as those laws existed on June 26, 2013, or guaranteed by N. Mar. I. Const. art. II, §20(a) as it existed in June 26, 2013.

*Settlement Agreement* ¶ 1.13 (ECF No. 468-1, at 6). Because paragraph 1.13 of the Settlement Agreement froze the Class Member’s “Full Benefits” as those laws existed on June 26, 2013, any legislation modifying the benefits of a Class Member is ineffective without the consent of the Settlement Fund and the NMI District Court’s approval. Thus, if SLI 20-01 were to be signed into law, it would have no effect under the Settlement Agreement.

The parties to the Settlement Agreement must comply with all laws and terms of the Settlement Agreement. For this reason, SLI 20-01 if passed, would violate the terms of the Settlement Agreement and the Order approving the Agreement.

If you have further questions or concerns, please let me know and we can schedule a mutually acceptable time to discuss. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joyce C.H. Tang". The signature is stylized with a large loop on the left and a long horizontal stroke on the right.

Joyce C.H. Tang  
Trustee

cc: Honorable Ralph DLG. Torres, Governor  
Honorable Victor B. Hocog, Lieutenant Governor  
Margery S. Bronster, Settlement Class Counsel  
Robert M. Hatch, Settlement Class Counsel