GOV. COMM: 19-164
(RCD)

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Ralph DLG. Torres
Governor

Victor B. Hocog
Lieutenant Governor

17 JUN 2016

Honorable Francisco M. Borja
Senate President, The Senate
Nineteenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

OFFICE OF THE SPEAKER ★ CNMI LEGISLATURE ★
RECEIVED
BY: ACHA
DATE: 6/17/16
TIME: 2:55 pm.

Honorable Rafael S. Demapan
Speaker, House of Representatives
Nineteenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Mr. President and Mr. Speaker:

This is to inform you that I have signed into law Senate Bill No. 19-05, SS1, HD2, entitled, "To prohibit telecommunication companies from imposing an expiration date or forfeiture of unused cellular prepaid credits and MIFI credits earlier than 90 days; and for other purposes.", which was passed by the Senate and the House of Representatives of the Nineteenth Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 19-50**. Copies bearing my signature are forwarded for your reference.

Sincerely,

RALPH DLG. TORRES

cc: Lt. Governor; Attorney General's Office; Public Utilities Commission; Public Auditor; Special Assistant for Administration; Special Assistant for Programs and Legislative Review

HOUSE CLERK'S OFC
RECEIVED BY
DATE 6/20/16 TIME 1:45 p.m.

Caller Box 10007 Saipan, MP 96950 Telephone: (670) 237-2200 Facsimile: (670) 664-2211/2311

THE SENATE

NINETEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SENATE BILL NO. 19-05, SS1, HD2

AN ACT

TO PROHIBIT TELECOMMUNICATION COMPANIES FROM IMPOSING AN EXPIRATION DATE OR FORFEITURE OF UNUSED CELLULAR PREPAID CREDITS AND MIFI CREDITS EARLIER THAN 90 DAYS ; AND FOR OTHER PURPOSES.

SENATE ACTION

Offered by Senator(s): Teresita A. Santos

Date: January 21, 2015

Referred to: Committee on Public Utilities, Transportation and Communications

Standing Committee Report No.: 19-04 Adopted on 03/04/15

Final Reading: Passed SS1 on March 04, 2015 and HD2 on April 29, 2016

HOUSE ACTION

Referred to: Committee on Public Utilities, Transportation and Communications

Standing Committee Report No.: 19-103 adopted on 03/31/16

First and Final Reading: April 04, 2016

DOLORES S. BERMUDES
SENATE CLERK

THE SENATE
NINETEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

FIRST REGULAR SESSION, 2015 **S. B. NO. 19-05, SS1, HD2**

AN ACT

TO PROHIBIT TELECOMMUNICATION COMPANIES FROM IMPOSING AN EXPIRATION DATE OR FORFEITURE OF UNUSED CELLULAR PREPAID CREDITS AND MIFI CREDITS EARLIER THAN 90 DAYS ; AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE NINETEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Findings and Purpose. The Legislature finds that cellular prepaid plans are designed for customers who cannot afford to go on a postpaid contract with a telecommunication provider. Cellular prepaid plans and MiFi accounts provide customers a prepaid option to fit their needs and financial capability to stay connected with their family, associates, and community.

The Legislature finds that customers who purchase cellular prepaid cards and MiFi credits are compelled to use the credits purchased within a thirty (30) day period. Failure to use the amount purchased by the thirty (30) day expiration will result in the forfeiture of credits which is a loss to the customers and continued financial burden.

The Legislature finds that during these hard economic times, customers who can only afford a cellular prepaid plan should not be forced to use all credits prior to the 30-day expiration date nor should they be penalized for having a remaining balance by the expiration date. The Legislature finds that a 90-day expiration period is more reasonable and gives the customers more time to use up their credits. The 90-day expiration period further gives Telecommunication companies a deadline to cancel cards and MiFi accounts and establish new ones. The purpose of this act is to prohibit telecommunication

companies from imposing an expiration period or forfeiture of unused cellular prepaid credits and MiFi credits earlier than 90 days.

Section 2. Cellular Prepaid Card and MiFi Credits: 90-Day Expiration Date.

(a) Telecommunication companies shall impose a 90-day expiration date on cellular prepaid cards and MiFi credits and allow customers to continue using the credits purchased to its full value during the 90-day period.

(b) Penalties.

(1) Any person or entity who violates this section shall be subject to a civil penalty not less than $5,000 and not to exceed $10,000 for each such violation.

(2) Actions to recover any penalty provided for in this section shall, where appropriate, be brought by the Attorney General at the request of PUC or any affected person in the Commonwealth of the Northern Mariana Islands.

(3) All funds recovered for penalties from violations of this section shall be paid into the Public Utilities Commission Revolving Fund.

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

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

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

SENATE BILL NO. 19-05, SS1, HD2

CERTIFIED BY:

FRANCISCO M. BORJA
PRESIDENT OF THE SENATE

ATTESTED BY:

TERESITA A. SANTOS
SENATE LEGISLATIVE SECRETARY

Approved this 17th day of June, 2016

RALPH DLG. TORRES
Governor
Commonwealth of the Northern Mariana Islands