

**NINETEENTH COMMONWEALTH OF THE NORTHERN
MARIANA ISLANDS YOUTH CONGRESS**

3RD REGULAR Session, 2023

Y.C.B. No. 19- 03

A BILL FOR AN ACT

To amend 4 CMC § 1402 to increase the excise
tax under 4 CMC § 1402(a)(3) to fund Youth
Community Gardens.

**BE IT ENACTED BY THE NINETEENTH COMMONWEALTH OF THE
NORTHERN MARIANA ISLANDS YOUTH CONGRESS:**

1 **Section 1. Finding and Purpose.** The Youth Congress finds that it would
2 be substantially beneficial to the CNMI to fund the Youth Community Gardens
3 (YCG). The YCG is a CNMI-wide agricultural program that is primarily
4 maintained by the youth community. The Youth Congress recognizes that the YCG
5 seeks to benefit the CNMI by giving the youth community the opportunity to
6 experience agricultural practices and witness first-hand the importance of
7 agriculture and the value of the industry. The Legislature also finds that it would be
8 substantially beneficial to increase the excise tax under 4 CMC section 1402(a)(3)
9 from one percent (1%) to two percent (2%) to provide necessary funding for the
10 YCG.

11 Therefore, the purpose of this Act is to earmark funds to cover the needs of
12 the Youth Community Gardens.

1 **Section 2. Amendment.** 4 CMC § 1402(a) and (g) are amended to read:

2 “§ 1402. Excise Tax.

3 (a) General. For the privilege of first sale, use, manufacture, lease or rental
4 of goods, commodities, resources, or merchandise in the Commonwealth for
5 business purposes or for personal use exceeding the value specified in subsection
6 (c) of this section, there is imposed an excise tax as follows:

7 (1) Soft drinks, one-half of one cent (\$0.005) per fluid ounce or
8 fractional equivalent thereof;

9 (2) Foodstuffs, one percent ad valorem;

10 (3) Commodities used in the production of agricultural products,
11 including fertilizers, seed, animal feeds, pesticides and herbicides,
12 agricultural equipment, machinery, tools, irrigation equipment and
13 accessories intended specifically for agricultural use, ~~one~~ two percent ad
14 valorem;

15 [anything that follows in between (a)(3) and (g)(1) are unchanged]

16 (g)(1) Seven percent of excise taxes collected under this section shall be
17 reserved for the solid waste management program and shall be deposited into the
18 Solid Waste Management Revolving Fund.

19 (2) Three percent of excise taxes collected under this section shall be
20 reserved for cancer treatment and programs and shall be deposited into a Cancer
21 Fund Special Account, separate from the General Fund, to be appropriated to

1 provide financial assistance to non-profit and governmental organizations that
2 provide patient directed services for the prevention of cancers, its treatment,
3 diagnosis, and other services that may be required to access treatment, including,
4 but not limited to, off-island transportation and temporary housing.

5 (3) Fifty percent of all excise taxes collected under 4 CMC § 1402(a)(16)
6 shall be deposited into an account to fund the payment of the Commonwealth
7 Government’s share of the Group Health and Life Insurance benefits and for
8 enforcement.

9 (4) Fifty percent of the taxes collected under (a)(3) of this section is
10 hereby reserved for the Youth Community Gardens (YCG) as established by law.
11 This earmark shall be deposited in an account separate from the general funds to
12 be appropriated by the legislature strictly for the YCG.

13 (h) The items covered by subsections (d)(2)–(6) are exempt only if
14 brought into the Commonwealth accompanying an individual entering through a
15 port of entry.”

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

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

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

Prefiled: 08/15/2023

Date: 08/19/2023 Introduced by:



Senator Aden Chonne H. Calvo

Reviewed for Legal Sufficiency by:



Legal Counsel