



TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

HOUSE OF REPRESENTATIVES

COMMITTEE ON WAYS AND MEANS

P.O. BOX 500586 SAIPAN, MP 96950

RALPH N. YUMUL

CHAIRMAN

Adopted - 11/6/2023

STANDING COMMITTEE REPORT NO. 23-51

DATE: October 24, 2023

RE: HOUSE BILL No. 23-79

The Honorable Edmund S. Villagomez
Speaker of the House of Representatives
Twenty-Third Northern Marianas
Commonwealth Legislature
Capitol Hill
Saipan, MP 96950

Dear Mr. Speaker:

Your Committee on Ways and Means to which was referred:

House Bill No. 23-79: "To increase marriage license application fees."

begs leave to report as follows:

I. RECOMMENDATION:

After considerable discussion, your Committee recommends that H. B. NO. 23-79 be passed by the House in its original form.

HOUSE CLERK'S OFC
RECEIVED BY *[Signature]*
DATE *11/1/2023* TIME *12:51p*

II. ANALYSIS:

A. Purpose:

The purpose of this Act is to increase marriage license application fees.

B. Committee Findings:

Your Committee finds that during the FY24 Budget Conference Committee deliberations, in order to reach a consensus and avoid suspending more than 5 legal holidays, the Conferees agreed to jointly push forward with tax bills because at the time, there was no other source of revenue that could address the governments revenue shortfall except for tax hikes. Several tax bills that garnered the Conferees support included the tobacco tax increase; sugar sweetened beverage tax; container tax; betel nut tax; and pending further review of its language, the construction tax. The Conferees anticipated to pass most, if not all, to address the shortfall in Medicaid and GHFI and more importantly to prevent further reducing the work hours of our government employees.

Your Committee finds that the current requisites of marriage contract; license is as follows:

“§1202. Requisites of Marriage Contract; License.

(a) (1) The Governor or a mayor is authorized to grant a license for marriage between two persons. Upon the filing of an application for the license, the Governor or a mayor shall collect from the parties the following fees:

- (i) Ceremony fees (Non-Residents), \$75;
- (ii) Ceremony fees (Residents), \$30;
- (iii) Marriage License Application (Non-Residents), \$125;
- (iv) Marriage License Application (Residents), \$50;
- (v) Documentation Fee, \$25; and
- (vi) Marriage License Copy, \$25.

Public Law 4-12, enacted on October 18, 1984, increased the application for a license fee for a marriage between two noncitizens or between a noncitizen and a citizen of the Trust Territory from \$2 to \$25.

More recently, Public Law 20-128, enacted on April 7, 2018, established separate marriage license fees for residents and non-residents and ensured that one hundred percent (100%) of the fees collected by a respective mayor shall be deposited into that respective mayor's office account and shall be used for the operations conducted by each respective mayor. To the contrary, all fees collected by the Governor shall be deposited into the general fund.

Your Committee finds that the intent of this Act is to increase the marriage license application fee only. The proposed increase is reflected below:

- (i) Ceremony fees (Non-Residents), \$75;
- (ii) Ceremony fees (Residents), \$30;
- (iii) Marriage License Application (Non-Residents), ~~\$125~~ \$250;**
- (iv) Marriage License Application (Residents), ~~\$50~~ \$100;**
- (v) Documentation Fee, \$25; and
- (vi) Marriage License Copy, \$25.

The cost benefit analysis will compare current marriage license application fee for Non-Residents and Residents and how much the CNMI or each respective Mayor has collected compared to the proposed increase. The amount that will be deposited into the general fund from marriages performed by the Governor will help the governments revenue shortfall. The fees collected by each respective Mayor will assist the local municipality with its operations.

In conclusion, your Committee agrees with the intent and purpose of House Bill No. 23-78 and recommends that the House pass the legislation in the form of House Substitute 1.

C. Public Comments/Public Hearing:

The Committee did not solicit public comments or conduct a public hearing.

D. Legislative History:

House Bill No. 23-79 was introduced by Representative Marissa R. Flores on October 5, 2023 and was subsequently referred to the House Standing Committee on Ways and Means for disposition.

E. Cost-Benefit Analysis:

The House Fiscal Analyst prepared a cost-benefit analysis for House Bill No. 23-79. It has been attached as part of this committee report.

III. CONCLUSION:

The Committee is in accord with the intent and purpose of H. B. NO. 23-79 and recommends its passage in its current form.

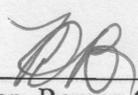
Respectfully submitted,



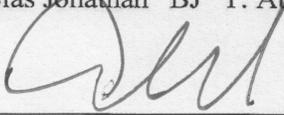
Rep. Ralph N. Yumul, Chairman



Rep. Blas Jonathan "BJ" T. Attao, Vice Chair



Rep. Roman C. Benavente, Member



Rep. Angelo A. Camacho, Member

Rep. Joel C. Camacho, Member

Rep. Vicente C. Camacho, Member



Rep. Manny Gregory T. Castro, Member

Rep. Joseph A. Flores, Member

Rep. Thomas John DLC. Manglona, Member

Rep. Julie Marie A. Ogo, Member



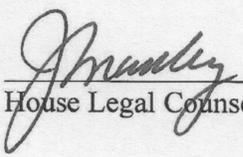
Rep. John Paul P. Sablan, Member

Rep. Patrick H. San Nicolas, Member



Rep. Denita Kaipat Yangetmai, Member

Reviewed by:



House Legal Counsel

Attachment: Cost-Benefit Analysis

Cost Benefit Analysis for HB 23-79 – Increase Marriage License Application Fees

In fiscal year 2023, the Municipalities of Saipan, Tinian and Rota granted a total of 379 marriage licenses. Of this amount, 300 marriage licenses were granted to CNMI residents and the remaining 79 were granted to non-residents. In addition, a combined total of \$25,875 was collected from all three Municipalities.

The Municipality of Rota garnered \$100 deriving from a total of 2 marriage licenses that were granted. As of 10/24/2023, data regarding the number of marriage licenses that have been granted by the Municipality of Tinian was not received but as an assumption, the analysis will reflect the same number of marriage licenses that were issued by the Municipality of Rota. This would create a scenario in which the Municipality of Tinian would realize a total of \$100 that would be collected from 2 marriage licenses. Lastly, the remaining sum of \$25,675 was collected on the Municipality of Saipan as it had granted 386 marriage licenses. Of the 386 marriage licenses that were issued within the Municipality of Saipan, 375 were granted by the Saipan Mayor's Office and the remaining 11 marriage licenses were granted by the Office of the Governor. Please refer to the attached document which includes a detailed breakdown of revenue collected on all three Municipalities from both resident and non-resident marriage licenses that were granted in fiscal year 2023.

For the purposes of assessing the potential revenue that may be generated from the increase in fees for marriage license applications if changes are made to reflect the amendments in HB 23-79 using the data collected in fiscal year 2023, the CNMI would see a 100% increase in the total collections from revenue generated by the issuance of marriage licenses. In total, this would amount to \$51,750 that the CNMI could potentially collect from the same number of marriage licenses granted in fiscal year 2023.

Marriage Licenses Granted in FY 2023 (Residents)

Year	Month	Saipan	Tinian	Rota	Total
2022	October	28	0	0	28
2022	November	20	0	0	20
2022	December	20	0	0	20
2023	January	20	0	0	20
2023	February	21	0	0	21
2023	March	27	0	0	27
2023	April	14	1	1	16
2023	May	22	0	0	22
2023	June	28	0	0	28
2023	July	19	0	0	19
2023	August	44	0	0	44
2023	September	38	1	1	40
Grand Total:		301	2	2	305

Marriage Licenses Granted in FY 2023 (Non-Residents)

Year	Month	Saipan	Tinian	Rota	Total
2022	October	0	0	0	0
2022	November	0	0	0	0
2022	December	0	0	0	0
2023	January	0	0	0	0
2023	February	3	0	0	3
2023	March	1	0	0	1
2023	April	3	0	0	3
2023	May	13	0	0	13
2023	June	10	0	0	10
2023	July	18	0	0	18
2023	August	13	0	0	13
2023	September	24	0	0	24
Grand Total:		85	0	0	85

Current Fee Structure for Marriage License Applications

Marriage License Application (Resident) @ \$50

Price per Application	Number of Applicants	Total
\$50	305	\$15,250

Marriage License Application (Non-Resident) @ \$125

Price per Application	Number of Applicants	Total
\$125	85	\$10,625

Grand Total: 390 \$25,875

HB 23-79 Proposed Fee Structure for Marriage License Applications

Marriage License Application (Resident) @ \$100

Price per Application	Number of Applicants	Total	Variance
\$100	305	\$30,500	\$15,250

Marriage License Application (Non-Resident) @ \$250

Price per Application	Number of Applicants	Total	Variance
\$250	85	\$21,250	\$10,625

Grand Total: 390 \$51,750 \$25,875

**TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH
LEGISLATURE**

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 5, 2023

Second Regular Session, 2023

H. B. 23-79

A BILL FOR AN ACT

To increase marriage license application fees.

**BE IT ENACTED BY THE 23RD NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 **Section 1. Findings and Purpose.** The Legislature finds that pursuant to 8
2 CMC §1202, the Governor and the respective Mayors of each municipality are
3 authorized to grant marriage licenses between two respective individuals.
4 Furthermore, the specified section further indicates the types of fees that the
5 Governor and respective mayors are allowed to charge. Such fees include
6 Ceremony fees (resident and non-resident), marriage license application fees
7 (resident and non-resident), documentation fees and marriage license copy fees.
8 Cognizant of the Commonwealth's present economic circumstances, the
9 Legislature finds that it would appropriate to increase the marriage license
10 application fees as a form of additional revenue to our Commonwealth. Further, the
11 funds realized can be used to improve government resources and services that are
12 intended to improve the well-being and overall livelihood for the people who reside
13 in the CNMI.

1 Therefore, the purpose of this Act is to increase marriage license application
2 fees.

3 **Section 2. Amendment.** 8 CMC §1202(a)(1) of the Commonwealth Code
4 is hereby amended to read as follows:

5 **“§1202. Requisites of Marriage Contract; License.**

6 (a) (1) The Governor or a mayor is authorized to grant a license for
7 marriage between two persons. Upon the filing of an application for the
8 license, the Governor or a mayor shall collect from the parties the following
9 fees:

10 (i) Ceremony fees (Non-Residents), \$75;

11 (ii) Ceremony fees (Residents), \$30;

12 (iii) Marriage License Application (Non-Residents), ~~\$125~~ \$250;

13 (iv) Marriage License Application (Residents), ~~\$50~~ \$100;

14 (v) Documentation Fee, \$25; and

15 (vi) Marriage License Copy, \$25.

16 Notwithstanding any provision of law to the contrary, one hundred
17 percent (100%) of the fees collected by a respective mayor under this
18 section shall be deposited into that respective mayor's office account which
19 the Secretary of Finance shall establish without further legislative
20 appropriation. Such funds shall be used for the operations conducted by

Reviewed for Legal Sufficiency by:

/s/ Joseph L.G. Taijeron, Jr.
House Legal Counsel

