



TWENTY-THIRD LEGISLATURE
COMMONWEALTH OF THE NORTHERN MARIANAS COMMONWEALTH
LEGISLATURE

HOUSE OF REPRESENTATIVES
COMMITTEE ON JUDICIARY AND GOVERNMENTAL
OPERATIONS

P.O. BOX 500586 SAIPAN, MP 96950

MARISSA R. FLORES
CHAIRWOMAN

STANDING COMMITTEE REPORT NO. 23-83
DATE: JULY 25, 2024
RE: H.B. 23-110

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 Judiciary and Governmental Operations to which was referred:

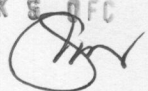
H. B. No. 23-110:

“To authorize the Carolinian Affairs Office (CAO) to promulgate fees; and for other purposes.”

begs leave to report as follows:

I. RECOMMENDATION:

After considerable discussion, your Committee recommends that H. B. No. 23-110 be passed by the House in the form of House Draft 1.

HOUSE CLERK'S OFFICE
RECEIVED BY 
DATE 7/29/2024 TIME 4:17p

II. ANALYSIS:

A. Purpose:

The purpose of House Bill No. 23-110 is to authorize the Carolinian Affairs Office (CAO) to promulgate fees and for other purposes.

B. Amendments:

The Committee made the following amendments to strengthen the intent of House Bill No. 23-110.

- Page 2
 - Line 15, after the language “(b)”:
 - **Delete** “There”
 - **Insert** “The Secretary of the Department of Finance”
 - **Delete** “is hereby”
 - **Insert** “shall”
 - Line 16, in the word “established”:
 - **Delete** “ed”

C. Committee Findings:

Your Committee finds that pursuant to Article III, Section 18 of the NMI Constitution, the Carolinian Affairs Office (CAO) was created to represent and preserve the Carolinian culture. Pursuant to the aforementioned constitutional mandate, the Executive Assistant of the CAO shall review the application of government policies to and the availability and quality of government services for persons of Carolinian descent and may report findings or recommendations on these matters to the Governor; may investigate complaints and conduct public hearings regarding matters affecting persons of Carolinian descent; may at any time require information in writing or otherwise with respect to matters affecting persons of Carolinian descent from the officers of any administrative department, office or agency of the Commonwealth; and so forth. Furthermore, the CAO continues its partnerships with non-profit organizations whose goals are also to deliver programs and activities to improve the well-being of our Carolinian Community. Your Committee recognizes the efforts of the CAO and acknowledges their need to be financial sustainable in the near future.

Your Committee further finds that the CAO has been involved and has spearheaded several community projects throughout the CNMI. Such projects include the Project Regalu/Liffang, Chamorro-Carolinian Cultural Heritage Month, Fourth of July Festivities, Festival of Pacific

Arts and Culture (FESPAC), and so much more. Pursuant to their constitutional mandate, along with the numerous community activities that they organize/part-take, your Committee recognizes their need for resources to carry out their duties and responsibilities throughout the Commonwealth. In granting them the authority to promulgate appropriate fees, the CAO will be able to utilize such funds to cover their salaries, services and operations. Furthermore, granting such authority would alleviate the CAO's reliance on the government's annual budget. Such financial relief will allow for the CAO to carry out their operations more efficiently.

It is the intent of your Committee to amend the proposed legislation to require the Secretary of Finance to establish the revolving fund account pursuant to Section 2(b). Your Committee finds that such authority is necessary to effectively and efficiently carry out the intent of the proposed legislation. Therefore, your Committee agrees with the intent and purpose of House Bill No. 23-110 and recommends its passage in the form of House Draft 1.

D. Public Comments:

The Committee received comments from the following:

- Ms. Teresita A. Santos, Secretary, Department of Public Lands (Written)

The Secretary of the Department of Public Lands expresses her concerns regarding the lack of specificity in the fee structures outlined in the proposed legislation.

E. Legislative History:

House Bill No. 23-110 was introduced by Representative Manny G.T. Castro on May 10, 2024, to the full body of the House and was referred to the House Standing Committee on Judiciary and Governmental Operations for disposition.

F. Cost Benefit:

The enactment of House Bill No. 23-110, HD1 will not result in additional cost to the CNMI Government for the intent of the proposed legislation is to authorize the Carolinian Affairs Office (CAO) to promulgate fees that they deem necessary to pay personnel salaries, operations and services provided by them.

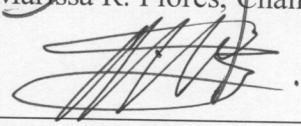
III. CONCLUSION:

The Committee is in accord with the intent and purpose of H. B. NO. 23-110 and recommends its passage in the form of House Draft 1.

Respectfully submitted,



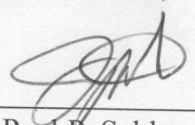
Rep. Marissa R. Flores, Chairwoman



Rep. Vincent R.S. Aldan, Member

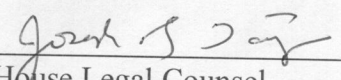
Rep. Vicente C. Camacho, Member

Rep. Malcolm J. Omar, Member



Rep. John Paul P. Sablan, Member

Reviewed by:



House Legal Counsel


Rep. Joel C. Camacho, Vice Chair



Rep. Blas Jonathan "BJ" T. Attao, Member



Rep. Manny G.T. Castro, Member



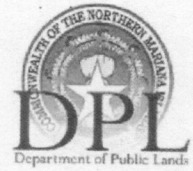
Rep. Ralph N. Yumul, Member

Attachment:

- Letter dated July 10, 2024 from the Secretary of the Department of Public Lands.



Commonwealth of the Northern Mariana Islands
Office of the Governor
DEPARTMENT OF PUBLIC LANDS



June 10, 2024

AD24-0244

Representative Marissa R. Flores
Chairwoman
House Standing Committee on Judiciary and Governmental Operations
23rd Northern Marianas Commonwealth Legislature
P.O. Box 500129
Saipan, MP 96950

Subject: Comment on H.B. 23-109 and H.B. 23-110- Authorization for Indigenous Affairs Office and Carolinian Affairs Office to promulgate fees

Dear Honorable Chairwoman Flores:

The Department of Public Lands (DPL) appreciates the opportunity to provide comments on H.B. 23-109 and H.B. 23-110, which aim to authorize the Indigenous Affairs Office (IAO) and the Carolinian Affairs Office (CAO) to promulgate fees for their operations.

DPL would like to express our concerns regarding the lack of specificity in the fee structures outlined in both bills. Neither H.B. 23-109 nor H.B. 23-110 specify the types or ranges of fees that the IAO and CAO can promulgate. Thus, to ensure clarity, DPL recommends that both bills include guidelines or a framework within which the fees should be set. Specifying the types of services for which fees can be charged and providing a range or cap for these fees would help prevent any ambiguities and ensure that the fee structures are transparent and equitable.

DPL believes that addressing this issue will strengthen both bills and enhance their effectiveness in achieving their intended goals. Thank you for considering our comments. We look forward to the positive impact this legislation will have on the IAO, CAO, and the communities they serve.

Sincerely,

Teresita A. Santos
Secretary, DPL

TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2024

Second Special Session, 2024

H. B. 23-110, HD1

A BILL FOR AN ACT

To authorize the Carolinian Affairs Office (CAO) to promulgate fees; and for other purposes.

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

1 **Section 1. Findings and Purpose.** The Legislature finds that the Carolinian
2 Affairs Office (CAO) was created by Article III, Section 18 of the NMI
3 Constitution. Pursuant to the aforementioned constitutional mandate, the CAO was
4 created to advise the Governor on matters affecting persons of Carolinian descent
5 within the Commonwealth; review the application of government policies and the
6 availability and quality of government services for persons of Carolinian descent;
7 investigate complaints and conduct hearings regarding matters affecting persons of
8 Carolinian descent; and so forth. The Legislature finds that in order to carryout such
9 duties and responsibilities, the CAO must rely heavily on funds allocated to them
10 in the fiscal year budget appropriations to cover their personnel and daily
11 operations. In order to alleviate some financial strain on the annual budget
12 appropriations, the Legislature finds that it is highly appropriate to grant the CAO

1 with the authority to promulgate fees that they find necessary to fund such costs. In
2 granting such authority, the CAO will become considerably more financially
3 independent without having to rely heavily on the annual budget appropriations.

4 Therefore, the purpose of this Act is to authorize the Carolinian Affairs
5 Office (CAO) to promulgate fees and for other purposes.

6 **Section 2. Enactment.** Notwithstanding any laws or regulations to the
7 contrary and subject to codification by the CNMI Law Revision Commission, the
8 following provisions shall hereby be enacted:

9 “§101. Executive Assistant of the Carolinian Affairs Office (CAO) Fee
10 Promulgation.

11 (a) The Executive Assistant of the Carolinian Affairs Office (CAO), as
12 established by Article III, Section 18 of the NMI Constitution, is hereby
13 authorized to promulgate appropriate fees that are deemed necessary for
14 the program.

15 (b) ~~There~~ The Secretary of the Department of Finance ~~is hereby shall~~
16 ~~established~~ within the Commonwealth Treasury a Carolinian Affairs
17 Office (CAO) Revolving Fund Account which shall be accounted for
18 separately from the General Fund. All funds collected pursuant to §101
19 of this Act shall be deposited into the account shall be non-lapsing and
20 exclusively used to pay the personnel salaries, operations and services
21 provided by the Carolinian Affairs Office (CAO). The expenditure

1 authority of the funds deposited into this revolving fund shall be the
2 Executive Assistant of the Carolinian Affairs Office (CAO).”

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

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

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

Introduced: 5/10/2024

Date: 5/10/2024

Introduced by: /s/ Rep. Manny G. T. Castro
/s/ Rep. Roy C.A. Ada
/s/ Rep. Roman C. Benavente
/s/ Rep. Angelo A. Camacho
/s/ Rep. Diego V. F. Camacho

HOUSE BILL 23-110, HD1

/s/ Rep. Vicente C. Camacho

/s/ Rep. Joseph A. Flores

/s/ Rep. Thomas J. DLC. Manglona

/s/ Rep. Malcolm J. Omar

/s/ Rep. Patrick H. San Nicolas

/s/ Rep. Denita Kaipat Yangetmai

Reviewed for Legal Sufficiency by:

/s/ Joseph L.G. Taijeron, Jr.

House Legal Counsel