



Arnold I. Palacios
Governor

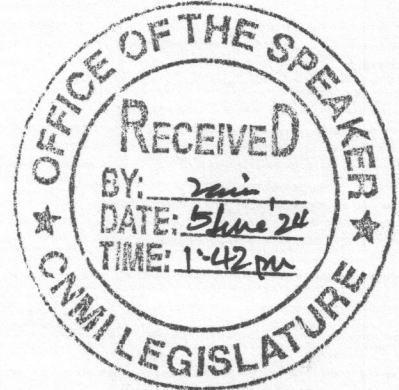
David M. Apatang
Lieutenant Governor

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
OFFICE OF THE GOVERNOR

June 05, 2024

LT2024-087

The Honorable John Paul P. Sablan
Chairman
Saipan and Northern Islands Legislative Delegation
Twenty-Third Northern Marianas
Commonwealth Legislature
Saipan, MP 96950



Q 6/5/24

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

Dear Mr. Chairman and Mr. Speaker:

This is to inform you that I have signed into law **House Local Bill No. 23-44**, entitled “To appropriate the sum of \$66,210.00 from the fund remaining balance under Saipan Local Law 19-24 (Business Unit 7177N) for the payment of public recreational facilities utility costs and repairs in Precinct IV; repairs of public park playground equipment in Precinct IV; repairs of public restroom facilities in Precinct IV and for fuel and lubrication; and for other purposes,” which was passed by the Saipan and Northern Islands Delegation of the Twenty-Third Northern Marianas Commonwealth Legislature.

Notwithstanding my signature, I note two concerns regarding the bill raised by the Office of the Attorney General.

The Attorney General noted that the bill is ambiguous with respect to the expenditure authority. Section 3 states that “[t]he expenditure authority for the funds shall be the Secretary of Lands and Natural Resources and the expenditure authority for funds under Section 2(a) shall be the Secretary of Finance, in consultation with the Executive Director of the Commonwealth Utilities Corporation and the Director of Park and Recreation.”

The legislative intent appears to be for the Secretary of Lands and Natural Resources to be the expenditure authority for the Section 2(b)–(e) funds, but not the Section 2(a) funds, and for the Secretary of Finance in consultation with CUC and Parks and Rec, but not DLNR, to be the expenditure authority for the Section 2(a) funds only.

HOUSE CLERK'S OFFICE
RECEIVED BY *SMV*
DATE *6/6/2024*
TIME *2:11 pm*

MSJ
06052024
@ 1:12 pm

As more specific statutory language controls over more general, this would be how this language will likely be interpreted. But the expenditure authority for particular moneys in subsections of bills should be stated more explicitly in the language of future bills to avoid overlapping jurisdiction or confusion.

Similarly, the language of Section 6 is ambiguous with respect to responsibility for the requirement to report expenditures. This section states that “[e]xpenditures of the funds allocated under Section 2 of this Act shall be responsible to report all expenses to the Chairperson of the Saipan and Northern Islands Legislative Delegation a detail report showing the expenditure of the funds.”

Here, the intent is likely for the respective expenditure authority for each bucket of funds to be responsible for reporting the expenditure of those funds to the SNILD. But like the expenditure authority, responsibility for reporting requirements should be clearly and explicitly stated in future bills.

This Bill becomes **Saipan Local Law No. 23-18**. Copies bearing my signature are forwarded for your reference.

Sincerely,



DAVID M. APATANG
Acting Governor

cc: Governor; Attorney General; Commonwealth Law Revision;
Public Auditor; Secretary of Finance; Special Assistant for Administration;
Secretary, DLNR; Executive Director CUC; Programs and Legislative Review Office



**SAIPAN AND NORTHERN ISLANDS LEGISLATIVE DELEGATION
THIRD SENATORIAL DISTRICT
TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
SECOND SPECIAL SESSION, 2024**

HOUSE LOCAL BILL NO. 23-44

**A LOCAL APPROPRIATION BILL FOR AN ACT
FOR THE THIRD SENATORIAL DISTRICT**

To appropriate the sum of \$66,210.00 from the fund remaining balance under Saipan Local Law 19-24 (Business Unit 7177N) for the payment of public recreational facilities utility costs and repairs in Precinct IV; repairs of public park playground equipment in Precinct IV; repairs of public restroom facilities in Precinct IV and for fuel and lubrication; and for other purposes.

OFFERED BY

Representatives Joel C. Camacho, Blas Jonathan "BJ" T. Attao, Diego V. F. Camacho, Manny G. T. Castro, Marissa R. Flores, Malcom J. Omar, Edwin K. Propst and Edmund S. Villagomez

Prefiled on March 22, 2024

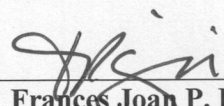
Introduced and Referred to House Ways & Means Committee on March 28, 2024

HOUSE ACTION

Transmitted to Saipan and Northern Islands Legislative Delegation for action on
May 2, 2024

DELEGATION ACTION

| | |
|--|--|
| Referred to: | None |
| Comments Solicited: | 5/2/24: Mayor of Saipan [Del. Matters 23-72] Mayor of Northern Islands [Del. Matters 23-73] 17 th SNIMC [Del. Matters 23-74]] |
| Comments Received: | 5/8/24: Mayor of Saipan [Mayors Comm. 23-17] 5/16/24 Mayor of the Northern Islands under Public Comments |
| Standing Committee Report: | None |
| Passed First & Final Reading: | May 16, 2024 |


Frances Joan P. Kaipat
Delegation Clerk



**SAIPAN AND NORTHERN ISLANDS LEGISLATIVE DELEGATION
THIRD SENATORIAL DISTRICT
TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH LEGISLATURE**

THIRD REGULAR SESSION, 2024

H. L. B. NO. 23-44

**A LOCAL APPROPRIATION BILL FOR AN ACT
FOR THE THIRD SENATORIAL DISTRICT**

To appropriate the sum of \$66,210.00 from the fund remaining balance under Saipan Local Law 19-24 (Business Unit 7177N) for the payment of public recreational facilities utility costs and repairs in Precinct IV; repairs of public park playground equipment in Precinct IV; repairs of public restroom facilities in Precinct IV and for fuel and lubrication; and for other purposes.

**BE IT ENACTED BY THE THIRD SENATORIAL DISTRICT DELEGATION PURSUANT TO
CHAPTER 4, DIVISION 1, TITLE 1 OF THE COMMONWEALTH CODE:**

1 **SECTION 1. PURPOSE.**

2 The purpose of this Act is to appropriate \$66,210.00 from the fund remaining balance
3 under Saipan Local Law 19-24 (Business Unit 7177N) for the payment of public recreational
4 facilities utility costs and repairs in Precinct IV; repairs of public park playground equipment in
5 Precinct IV; repairs of public restroom facilities in Precinct IV and for fuel and lubrication and for
6 other purposes.

7 **SECTION 2. APPROPRIATION.**

8 Notwithstanding any provision(s) of law, statutes, rules or regulations to the contrary and
9 pursuant to funds allocated to the Third Senatorial District the Saipan and Northern Islands

HOUSE LOCAL BILL NO. 23-44

1 Legislative Delegation (SNILD) hereby appropriates \$66,210.00 from the fund remaining balance
2 under Saipan Local Law 19-24 (Business Unit 7177N) for the payment of public recreational
3 facilities utility costs and repairs in Precinct IV; repairs of public park playground equipment in
4 Precinct IV; repairs of public restroom facilities in Precinct IV and for fuel and lubrication as
5 follows:

6 (a) \$25,000.00 for utility costs associated with the use of lights and/or water in public
7 recreational facilities or parks in Precinct IV; and

8 (b) \$11,210.00 for the repair or replacement of damaged or deteriorated infrastructure
9 (chain-link fence, basketball rims, backboards, nets, solar lights, etc.) of public recreational
10 facilities in Precinct IV; and

11 (c) \$10,000.00 for the repairs of public playground equipment in Precinct IV; and

12 (d) \$10,000.00 for the maintenance and repairs of public restroom facilities in Precinct IV;

13 and

14 (e) \$10,000.00 for fuel and lubrication of equipment for projects in Precinct IV.

15 **SECTION 3. EXPENDITURE AUTHORITY.**

16 The expenditure authority for the funds shall be the Secretary of the Department of Lands
17 and Natural Resources and the expenditure authority for the funds under Section 2(a) shall be the
18 Secretary of Finance, in consultation with the Executive Director of the Commonwealth Utilities
19 Corporation and the Director of Parks and Recreation.

1 **SECTION 4. REPROGRAMMING.**

2 Notwithstanding any laws, provisions, or regulations to the contrary, funds appropriated
3 under this act shall not be reprogrammed for any other purpose.

4 **SECTION 5. FISCAL YEAR.**

5 The funds allocated under this Act shall be without fiscal year limitation(s).

6 **SECTION 6. REPORTING OF EXPENDITURES.**

7 Expenditures of the funds allocated under Section 2 of this Act shall be responsible to
8 report all expenses to the Chairperson of the Saipan and Northern Islands Legislative Delegation
9 a detail report showing the expenditure of the funds. Provided further that failure to provide all
10 expenses, entities that were afforded funds under this Act shall not be able to avail to any future
11 funds appropriated by the Saipan and Northern Islands Legislative Delegation.

12 **SECTION 7. FUND DISTRIBUTION.**

13 Funds appropriated under Section 2 of this Act shall be distributed accordingly to the
14 intended purpose and or entity upon this Act becoming law.

15 **SECTION 8. SEVERABILITY.**

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

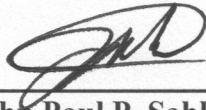
SECTION 9. SAVINGS CLAUSE.

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.

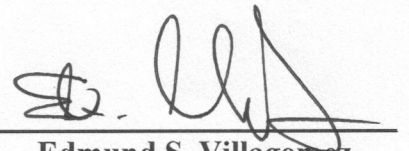
SECTION 10. EFFECTIVE DATE.

This Act shall take effect upon its approval by the Governor or it becoming law without such approval.

CERTIFIED BY:



John Paul P. Sablan
Chairman
Saipan & Northern Islands Legislative Delegation



Edmund S. Villagomez
Speaker
23rd House of Representatives

Approved this 5th day of June, 2024.



DAVID M. APATANG
Acting Governor
Commonwealth of the Northern Mariana Islands



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 - 5/2/2024 Jw
STANDING COMMITTEE REPORT NO. 23-76
DATE: April 11, 2024
RE: House Local Bill No. 23-44

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 Local Bill No. 23-44: "To appropriate the sum of \$66,210.00 from the fund remaining balance under Saipan Local Law 19-24 (Business Unit 7177N) for the payment of public recreational facilities utility costs and repairs in Precinct IV; repairs of public park playground equipment in Precinct IV; repairs of public restroom facilities in Precinct IV and for fuel and lubrication; and for other purposes."

begs leave to report as follows:

I. RECOMMENDATION:

After conducting financial due diligence, your Committee recommends that House Local Bill No. 23-44 be transmitted to the Saipan and Northern Islands Legislative Delegation for action.

TO: SPEAKER'S OFFICE
RECEIVED BY *Jw*
DATE *4/26/2024* TIME *8:13am*

II. ANALYSIS:

A. Purpose:

The purpose of this Act is to appropriate the sum of \$66,210.00 from the fund remaining balance under Saipan Local Law 19-24 (Business Unit 7177N) for the payment of public recreational facilities utility costs and repairs in Precinct IV; repairs of public park playground equipment in Precinct IV; repairs of public restroom facilities in Precinct IV and for fuel and lubrication.

B. Committee Findings:

Your Committee on Ways and Means, to which House Local Bill No. 23-44: "To appropriate the sum of \$66,210.00 from the fund remaining balance under Saipan Local Law 19-24 (Business Unit 7177N) for the payment of public recreational facilities utility costs and repairs in Precinct IV; repairs of public park playground equipment in Precinct IV; repairs of public restroom facilities in Precinct IV and for fuel and lubrication; and for other purposes" was referred, examined and confirmed that the amount specified in the local appropriation Act is accurate and available for appropriation. The Committee received the Fund Certification from the Department of Finance dated March 15, 2024, certifying the availability of funds in the amount of \$66,210.00. Therefore, the Committee recommends that House Local Bill No. 23-44 be transmitted to the Saipan and Northern Islands Legislative Delegation for action.

The Fund Certification has been attached as part of this committee report.

C. Legislative History:

House Local Bill No. 23-44 was introduced by Representative Joel C. Camacho and Representative Malcolm J. Omar on March 28, 2024, and was subsequently referred to the House Standing Committee on Ways and Means for disposition.

III. CONCLUSION:

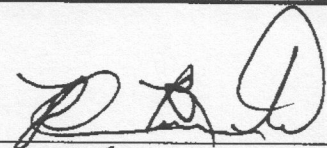
The Committee is content and confident with the Fund Certification from the Department of Finance with respect to House Local Bill No. 23-44; therefore, it recommends that House Local Bill No. 23-44 be transmitted to the Saipan and Northern Islands Legislative Delegation for action.

Respectfully submitted,

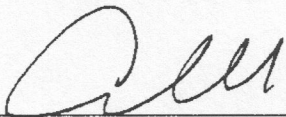
Rep. Ralph N. Yumul, Chairman



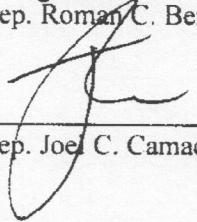
Rep. Blas Jonathan "BJ" T. Attao, Vice Chair



Rep. Roman C. Benavente, Member



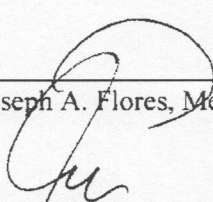
Rep. Angelo A. Camacho, Member



Rep. Joel C. Camacho, Member

Rep. Vicente C. Camacho, Member

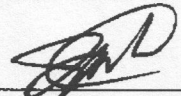
Rep. Manny Gregory T. Castro, Member



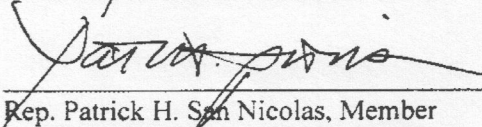
Rep. Joseph A. Flores, Member

Rep. Thomas John DLC. Manglona, Member

Rep. Julie Marie A. Ogo, Member

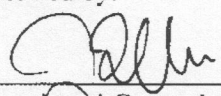


Rep. John Paul P. Sablan, Member



Rep. Patrick H. San Nicolas, Member

Rep. Denita K. Yangetmai, Member

Reviewed by:
 4/15/24

House Legal Counsel

Attachment: Fund Certification dated March 15, 2024



Office of the Secretary
Department of Finance



P.O. Box 5734 C H R B SAIPAN, MP 96950 TEL (670) 664-1100 FAX: (670) 664-1115

Funding Source Exclusive Gaming Annual License Fees
 Project Name SLL 19-24 Precint IV Improvements
 JDE Business Unit 7177N
 Project Ledger Number RL20010303
 General Ledger Number 7177N
 Request From Rep Joel C. Camacho
 Requested By Legislature
 Prepared on 3/15/2024

| | SQF | Financial Services | Total |
|--|---------------|--------------------|---------------------|
| SLL 19-24 Section 2 (p) | | | \$ 100,000.00 |
| JDE Revenue | | | |
| (Transfers In) | \$ 100,000.00 | | \$ 100,000.00 |
| Revised Budget (Transfers Out) | | | \$ - |
| JDE Expenses as of 09/30/2016 | | | |
| Actuals | | | \$ - |
| Encumbrance | | | \$ - |
| Ending Balance FY2016 | | | \$ 100,000.00 |
| No Activity | | | |
| No Activity | | | |
| No Activity | | | |
| JDE Expenses as of 09/30/2020 | | | |
| Actuals | \$ 225.00 | | \$ (225.00) |
| Encumbrance | | | \$ - |
| Ending Balance FY2020 | | | \$ 99,775.00 |
| No Activity | | | |
| PL Revenue | | | |
| Original Budget | \$ 70,985.00 | | \$ 70,985.00 |
| (Transfers In) | \$ 99,775.00 | | \$ 99,775.00 |
| Revised Budget (Transfers Out) | \$ 70,985.00 | | \$ (70,985.00) |
| PL Expenses | | | |
| Actuals | \$ 28,790.00 | | \$ (28,790.00) |
| Encumbrance | | | \$ - |
| Ending Balance FY2022 | | | \$ 70,985.00 |
| No Activity | | | |
| Revenue | | | |
| GL (Transfers In) | | | \$ - |
| Revised Budget (Transfers Out) | | | \$ - |
| Expenses | | | |
| Actuals | \$ 1,134.33 | | \$ (1,134.33) |
| Encumbrance | | \$ 281.65 | \$ (281.65) |
| Requisitions | | | \$ - |
| Ending Balance FY2024 | | | \$ 69,569.02 |
| Certified Balance as of 3/15/2024 | | | \$ 69,569.02 |



Office of the Secretary
Department of Finance



P.O. Box 5234 CTRB SAIPAN, MP 96950 TEL (670) 664-1100 FAX (670) 664-1115

Project Name SLL 19-24 Precint IV Improvements
 JDE Business Unit 7:77N
 Project Ledger Number RL20010003
 General Ledger Number 7177N
 Request From Rep. Joel C. Camacho
 Requested By Legislature
 Prepared on 3/15/2024

FOR DOF USE ONLY

YTD Budget Report as of 3/15/2024 \$ 59,669.02

JDE De-Obligation of Encumbrances Debit Credit
 No Adjustments Needed

General Journal Debit Credit
 No Adjustments Needed

Budget Transfers and Amendments Decrease Increase
 No Adjustments Needed

Prepared By

Karlynalynn Henriquez
 Financial Analyst

Prepared By

Jovi C. Takai
 Accountant I

Reviewed By

Ryan C. Camacho
 Senior Financial Analyst

Concurred By

Bernadita C. Palacios
 Director of Financial Services

Certified By

Tracy B. Nonta
 Secretary of Finance

512000 .. Fund Certification Inquiry .. Thru Date/Period .. 09/30/22
 Precinct IV-construct baseball Subledger ..
 Job Number .. 7177N G/L Posted Code (Actuals Only) .. Posted
 Display From .. Cost Code Type Cat Cd Alt Cost .. Display Options ..
 Thru .. 60000 69999 .. LOD Seq Act P/C/I Proj Days ..

| O P | Account Description | TBLD. Budget (BA/BX) | OPEN Open Encumbrance | AA .. Actual Amount | VAR7. Budget Variance | L D |
|--------|-------------------------|----------------------------|-----------------------------|---------------------------|-----------------------------|--------|
| .. | EXPENSE ACCOUNTS | | | | | 3 |
| .. | OTHER CHARGES | 100000 | 28790 | 225 | 70985 | 4 |
| | EXPENSE ACCOUNTS | 100000 | 28790 | 225 | 70985 | 3 |
| | Total Selected Accounts | 100000 | 28790 | 225 | 70985 | 2 |

Opt: . 1=Audit . 2=More Detl . 3=Commitments . F16=Chg Mgt F19=Back F20=Exit

COMMONWEALTH NORTHERN MARIANA ISLANDS



Project Detail

| | | | | | | | | | | | | |
|----------------------------|------------|---------|-------|------|-----------|----------|-----------|------------|----------|----------|----------|--|
| Pos Date | Sou Ref1 | PO/Ref2 | Ref3 | Ref4 | Amount | GL Org | GL Object | GL Project | Check # | Warrant | Vendor | |
| 03/09/2022 | API 102035 | | 34921 | 9733 | 3,640.00 | 51200700 | 65040 | | 23002162 | G052022A | K.L. CAR | |
| 03/09/2022 | API 102035 | | 34924 | 9733 | 75,150.00 | 51200700 | 65040 | | 73002162 | G052022A | K.L. CAR | |
| Amount (total: 28,790.00) | | | | | | | | | | | | |

Report generated: 03/21/2024 14:34
 User: ryan.casache
 Program ID: pstrment