

RALPH DLG. TORRES
Governor



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
OFFICE OF THE GOVERNOR

May 16, 2022

The Honorable Francisco Q. Cruz
Chairman, Tinian and Aguiguan
Legislation Delegation
Twenty-Second Northern Marianas
Commonwealth Legislature
Capitol Hill
Saipan, MP 96950


The Honorable Edmund S. Villagomez
Speaker, House of Representatives
Twenty-Second 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. 22-30, S1** entitled, "To make limited appropriations for personnel and operations of the Tinian Casino Gaming Control Commission, the Office of the Mayor of Tinian, the Tinian Municipal Council and the Tinian Municipal Treasury for Fiscal Year 2022 pursuant to 10 CMC § 2581 [Tinian Local Law 21-9] and 1CMC § 1405(a) [Public Law 11-17]." The bill was passed by the Tinian and Aguiguan Legislative Delegation of the Twenty-Second Northern Marianas Commonwealth Legislature.

This bill becomes **Tinian Local Law No. 22-07**. Copies bearing my signature are forwarded for your reference.

Sincerely,



RALPH DLG. TORRES
Governor

cc: President of the Senate; Press Secretary; Attorney General's Office; Secretary of Finance; Mayor of Tinian & Aguiguan; Tinian Municipal Treasury; Chairman, Tinian Municipal Council; Tinian Casino Gaming Control Commission; Commonwealth Law Revision; Special Assistant for Administration; Special Assistant for Programs & Legislative Review



**TINIAN AND AGUIGUAN LEGISLATIVE DELEGATION
TWENTY-SECOND NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
SECOND SENATORIAL DISTRICT**

FIRST SPECIAL SESSION, 2022

HOUSE LOCAL BILL NO. 22-30, S1

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

To make limited appropriations for personnel and operations of the Tinian Casino Gaming Control Commission, the Office of the Mayor of Tinian, the Tinian Municipal Council and the Tinian Municipal Treasury for Fiscal Year 2022 pursuant to 10 CMC § 2581 [Tinian Local Law 21-9] and 1 CMC § 1405(a) [Public 11-17].

OFFERED BY

Representative Patrick H. San Nicolas

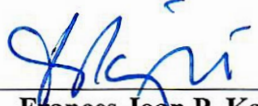
Prefiled on March 17, 2022 and Introduced on March 29, 2022

HOUSE ACTION

Transmitted to Tinian and Aguiguan Legislative Delegation for action on
March 29, 2022

DELEGATION ACTION

Referred to:	None
Comments Solicited:	3/29/22: Mayor of Tinian and Aguiguan [Del. Matters 22-59] & Tinian & Aguiguan Municipal Council [Del. Matters 22-60]
Comments Received:	4/14/22: Mayor of Tinian and Aguiguan [Mayors Comm. 22-6] 4/22/22: Chairperson, 18 th TAMC [TAMC Comm. No. 22-7] 4/18/22: Chairperson, TCGCC [Misc. Comm. No. 22-19]
Standing Committee Report:	None
Passed First & Final Reading:	April 27, 2022 [as Substitute 1]


Frances Joan P. Kaipat
Delegation Clerk



**TINIAN & AGUIGUAN LEGISLATIVE DELEGATION
TWENTY-SECOND NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
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FIRST SPEICAL SESSION, 2022

HOUSE LOCAL BILL NO. 22-30, S1

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FOR THE SECOND SENATORIAL DISTRICT**

To make limited appropriations for personnel and operations of the Tinian Casino Gaming Control Commission, the Office of the Mayor of Tinian, the Tinian Municipal Council and the Tinian Municipal Treasury for Fiscal Year 2022 pursuant to 10 CMC § 2581 [Tinian Local Law 21-9] and 1 CMC § 1405(a) [Public 11-17].

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

1 **SECTION 101. FINDINGS.** The Tinian and Aguiguan Legislative Delegation
2 (TALD) is cognizant of the Delegation’s obligation to enact a Tinian Local Budget for fiscal
3 year 2022 on or before October 1, 2021. However, the TALD did not receive any notice of
4 estimated gaming revenue projection for fiscal year 2022 until March 1, 2022. The Office of
5 the Tinian Municipal Treasurer transmitted a communication dated March 1, 2022 to the
6 TALD identifying local revenue for fiscal year 2022 in the amount of \$254,500.00 that is
7 available for appropriation following a payment of a casino license fee. Pursuant to 10 CMC §
8 2581(b)(3), as established by Tinian Local Law 21-9, casino licensees are required to renew
9 their licenses upon its expiration. Failure to renew a conditional or plenary license upon
10 expiration shall be grounds for the revocation, suspension or termination of a casino license.

11 The Tinian and Aguiguan Legislative Delegation finds that the identified local revenue

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1 for FY2022 is insufficient to satisfy in full all the personnel and operation expenses of the
 2 TCGCC, Office of the Mayor of Tinian, and the Tinian Municipal Treasurer up to the end of
 3 the fiscal year on September 30, 2022. Upon the identification of additional gaming funds, the
 4 Delegation shall immediately appropriate the additional funds for the programs authorized
 5 under this Act.

6 **SECTION 102. PURPOSE.** This Act appropriates limited local funds generated
 7 pursuant to 10 CMC § 2581 [Tinian Local Law 21-9, the Revised Tinian Casino Gaming
 8 Control Act of 1989], for local programs, personnel and operations of the Tinian Casino
 9 Gaming Control Commission, the Tinian Municipal Treasury, Tinian Municipal Council and
 10 the Office of the Mayor.

11 **SECTION 103. ESTIMATED LOCAL REVENUES.** Pursuant to Miscellaneous
 12 Communication 22-14 from the Tinian Municipal Treasurer, the estimated local revenues
 13 deposited pursuant to 10 CMC §§ 2581 [Tinian Local Law 21-9, the Revised Tinian Casino
 14 Gaming Control Act of 1989], for the Municipality of Tinian and Aguiguan for Fiscal Year
 15 2022 are hereby identified and classified as resources in this local appropriations Act.

16 **Local Funds Available for Appropriation for Fiscal Year 2022:**

17	1. Casino license fee	\$250,000.00
18	2. Casino Service Industry Fee (FY2022) \$	1,500.00
19	3. Lapses from FY2021	\$ 3,000.00
20	Total:	<u>\$254,500.00</u>

21 **SECTION 104. MUNICIPAL GOVERNMENT LIMITED APPROPRIATIONS.**

22 (a) The amount of **\$254,500.00** for programs and activities of the Municipal
 23 Government of Tinian and Aguiguan, including all activities of the Tinian Casino Gaming

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1 Control Commission - Commissioners, the Tinian Casino Gaming Control Commission –
2 Enforcement Division, the Office of the Mayor, Public Programs, the Tinian Municipal
3 Council and the Office of the Tinian Municipal Treasurer are hereby appropriated as set forth
4 in the worksheets attached hereto as “*Schedule A*” and incorporated by reference in this Act.

5 (b) The amount appropriation in subsection (a) of this Section shall include the
6 activities of the Tinian Casino Gaming Control Commission – Commissioners and
7 Enforcement Division beginning on June 1, 2022 and ending September 30, 2022.

8 **SECTION 105. PUBLIC PROGRAMS.** Public programs funded by the funds
9 generated pursuant to 10 CMC § 2581 [Tinian Local Law 21-9, the Revised Tinian Casino
10 Gaming Control Act of 1989] are hereby limited to the programs listed in “*Schedule A*,” to
11 include the Tinian Municipal Scholarship – TLL 20-16 Scholarship for the Valedictorian and
12 Salutatorian.

13 **SECTION 106. ADMINISTRATIVE GUIDELINES.**

14 (a) The funds appropriated under Section 104 this Act shall be distributed and allotted
15 by the Office of the Municipal Treasurer in accordance with the expenditure class codes
16 approved in the individual activities budget worksheet attached hereto.

17 (b) The funds appropriated herein shall be allotted at the beginning of each month to
18 each budget activity at a pro-rated rate of the amount appropriated subject to the availability of
19 funds and approval of the respective expenditure authorities as provided in Section 109 of this
20 Act;

21 **SECTION 107. REDUCTION IN THE LEVEL OF APPROPRIATIONS.** In order
22 to provide expenditure authorities with flexibility in determining the allocation of funding for

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1 their operations, expenditure authorities must reduce their expenditures to achieve the level of
2 appropriation under this Act.

3 (a) Expenditure authorities may reduce previous levels of expenditure by:

4 (1) A reduction in work hours;

5 (2) A reduction in wages;

6 (3) Furlough;

7 (4) A reduction in force;

8 (5) A reduction in expenditures for “all others”; or

9 (6) A combination of reductions under subsections (1) through (5).

10 (b) The reduction in work hours shall not apply to inspectors employed by the Tinian
11 Casino Gaming Control Commission – Enforcement Division, as required by Articles 2 and 10
12 of Tinian Local Law 21-9, the Revised Tinian Casino Gaming Control Act of 1989, upon the
13 reopening of any casino.

14 **SECTION 108. APPROPRIATION WORKSHEET.** Unless otherwise provided in
15 this Act, the funds appropriated pursuant to Section 104 hereof shall be expended in
16 compliance with the appropriations worksheet attached hereto as “*Schedule A*” and
17 incorporated by reference herein. In case of any conflict between the attached worksheet and
18 the Administrative Provisions of this Act, the Administrative Provisions shall prevail.

19 **SECTION 109. EXPENDITURE AUTHORITIES.**

20 (a) Notwithstanding any law to the contrary, the Mayor of Tinian and Aguiguan shall
21 be the expenditure authority of the funds appropriated to the Office of the Mayor, the Office of
22 the Municipal Treasurer, and Public Programs – TLL 20-16 Scholarship for the Valedictorian
23 & Salutatorian.

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1 (b) Notwithstanding any law to the contrary, the Chairman of the Tinian Casino
2 Gaming Control Commission (TCGCC) shall be the expenditure authority of the funds
3 appropriated to the Commissioners Division and the Enforcement Division of the Tinian
4 Casino Gaming Control Commission.

5 (c) Notwithstanding any law to the contrary, the Chairperson of the Tinian Municipal
6 Council (TMC) shall be the expenditure authority of the funds appropriated to the operations of
7 the Tinian Municipal Council.

8 **SECTION 110. MANAGEMENT OF FUNDS.**

9 (a) The Tinian Municipal Treasurer shall regulate and control the expenditure of public
10 funds that are appropriated and allocated by this Act, so that no activity may expend
11 appropriated funds contrary to this Act or fiscal management policies; and

12 (b) Vacant positions or FTEs shall not be announced or filled without certification of
13 available funds by the Tinian Municipal Treasurer and approved for expenditure by the
14 respective expenditure authority. Zero-funded positions or FTEs shall not be filled and funds
15 appropriated herein shall not be reprogrammed to fund zero-funded positions or FTEs.

16 (c) Notwithstanding any law to the contrary and immediately upon approval of this Act,
17 all employment positions or contracts may be amended or adjusted to reflect any increase in
18 salary enumerated in the appropriation worksheet set forth in *“Schedule A”* of this Act subject
19 to certification of availability of funds.

20 (d) Notwithstanding any law to the contrary, the funds appropriated pursuant to this Act
21 shall not be used to increase the salary of any employee or position from its current level or
22 new level as set forth and appropriated by this Act.

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1 **SECTION 111. REPROGRAMMING AND PROPORTIONATE REDUCTION**
2 **OF FUNDS.** Except as provided in Section 110 of this Act, in the event that the estimated
3 revenue collected is ten (10) percent below the projected or estimated revenue indicated in
4 Section 103 of this Act, the respective expenditure authority shall have full reprogramming
5 authority of all funds in order to properly manage expenditures so as to not create a deficit. In
6 such an event, the Mayor shall proportionately reduce the amounts appropriated herein.

7 **SECTION 112. SUPPLEMENTAL APPROPRIATIONS.** In the event that the
8 Municipal Treasurer determines that the estimated local revenues collected will be increased
9 by \$100,000 or more of the projected or estimated revenue indicated in Section 103 of this Act,
10 the Municipal Treasurer shall transmit within fifteen (15) calendar days a special budget
11 message to the Tinian Mayor's Office, the Chairman of the Tinian Legislative Delegation and
12 the Chairman of the Tinian Municipal Council proposing to increase the reserve for the fiscal
13 year or provide additional budget authority for the fiscal year. Any increases in revenues shall
14 be held in reserve, unless appropriated by the Tinian and Aguiguan Legislative Delegation.

15 **SECTION 113. NO CONTINUING APPROPRIATIONS.** The Tinian Casino
16 Gaming Control Commission and the Tinian Municipal Treasurer through the Mayor shall
17 provide revenue projections and proposed appropriations on or before June 1, 2022. The Tinian
18 Municipal Council, together with the Tinian and Aguiguan Legislative Delegation, shall pass a
19 balanced budget by October 1, 2022 unless all casino operations have shutdown or gaming
20 funds are not available. With the exception of the Office of the Municipal Treasurer and the
21 executive director of the Tinian Casino Gaming Control Commission, no expenditures shall be
22 made absent an appropriation measure signed into law for Fiscal Year 2023.

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1 **SECTION 114. CRIMINAL PENALTIES.** Without limitation on the applicability of
2 any other part of the Planning and Budget Act of 1983, as amended, the criminal penalties set
3 forth therein (1 CMC § 7701 *et seq.*) shall apply to this Act.

4 **SECTION 115. SEVERABILITY.** If any provision of this Act or the application of
5 any such provision to any person or circumstance should be held invalid by a court of
6 competent jurisdiction, the remainder of this Act or the application of its provisions to persons
7 or circumstances other than those to which it is held invalid shall not be affected thereby.

8 **SECTION 116. SAVINGS CLAUSE.** This Act and any repealer contained herein
9 shall not be construed as affecting any existing right acquired under contract or acquired under
10 statutes repealed or under any rule, regulation or order adopted under the statutes. Repealers
11 contained in this Act shall not affect any proceeding instituted under or pursuant to prior law.
12 The enactment of the Act shall not have the effect of terminating, or in any way modifying,
13 any liability, civil or criminal, which shall already be in existence on the date this Act becomes
14 effective.

15 **SECTION 117. EFFECTIVE DATE.** This Act shall take effect upon its approval by
16 the Governor or upon it becoming law without such approval.

HOUSE LOCAL BILL NO. 22-30, S1

CERTIFIED BY:

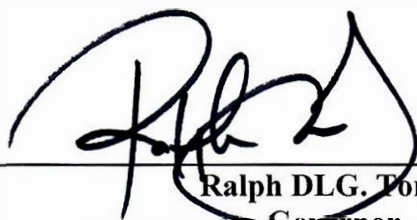


Francisco Q. Cruz
Chairman
Tinian & Aguiguan Legislative Delegation



Edmund S. Villagomez
Speaker
House of Representatives

Approved this 16th day of May, 202~~1~~².



Ralph DLG. Torres
Governor
Commonwealth of the Northern Mariana Islands

MUNICIPALITY OF TINIAN AND AGUIGUAN
 FY2022 Local Budget
 SCHEDULE A

Activity/Function	BU	NOP	Personnel	Operations	Public Programs	Total
Tinian Mayor (Discretionary Account)				\$44,051		\$44,051
Tinian Municipal Council				\$10,000		\$10,000
Tinian Municipal Scholarship				\$7,500		\$7,500
TCGCC-Commission Division		4	\$47,408	\$3,500	\$0	\$50,908
TCGCC-Division of Enforcement(Administration)		11	\$112,415	\$29,625	\$0	\$142,040
FY2022 Total budget request		15	\$159,824	\$94,676	\$0	\$254,500
FY2022 Total certified and identified funding sources						<u>(\$254,500)</u>
Available funding sources and reserved for FY2023						<u><u>(\$0)</u></u>