

Twenty-Second Northern Marianas Commonwealth Legislature

IN THE HOUSE OF REPRESENTATIVES

_____ Regular Session, 2021

H. B. 22-12

A BILL FOR AN ACT

To amend 4 CMC § 51420 (b) to authorize the Secretary of Commerce to establish and promulgate reasonable registration and permitting fees through adopted regulations; and for other purposes.

**BE IT ENACTED BY THE 22nd NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 **Section 1. Findings and Purpose.** The Commonwealth Legislature finds
2 that Public Law 19-28, § 2 (101)–(102) (Dec. 18, 2015), codified under
3 4 CMC, § 51420, requires each vehicle belonging to tour companies be registered
4 and issued a permit by the Department of Commerce so that they will be accounted
5 for within the Commonwealth, most especially those that provide services for
6 profit. However, Public Law 19-28 did not provide clarity with respect to how the
7 Department of Commerce will establish reasonable registration and permitting fees.
8 Therefore, the purpose of this legislation is to amend 4 CMC, § 51420 (b),
9 to empower the Secretary of Commerce to promulgate and establish through
10 adopted regulations reasonable registration and permitting fees, and for other
11 purposes.

1 **Section 2. Amendment.** 4 CMC § 51420 (b) is hereby amended to read as
2 follows:

3 ~~“(b) The Secretary of Commerce shall promulgate rules and~~
4 ~~regulations consistent with this section.~~ Consistent with this Section, the
5 Secretary of Commerce shall have the authority to promulgate and establish
6 reasonable registration and permitting fees through adopted regulations for
7 the following vehicles belonging to tour operators:

8 (1) Any vehicle registered under the tour operator that
9 provides services for profit.

10 (c) Disposition of Registration and Permitting Fees. The Secretary
11 of Finance shall establish a Commerce Revolving Fund Account which
12 shall be accounted for separately from the General Fund. The funds
13 deposited into the revolving account shall be exclusively used for the
14 purpose of the administration of tour operator registration and permitting
15 program, enforcement, training and outreach programs, and shall also be
16 administered for personnel compensation such as overtime and night
17 differential during special inspection assignments issued by the Secretary
18 of Commerce.

19 The expenditure authority over the revolving account pursuant to
20 this Act is vested in the Secretary of Commerce. The funds deposited in the

1 revolving account shall be available for expenditure without further
2 appropriation and without fiscal year limitations.

3 (d) The Secretary of Commerce shall submit a report describing the
4 account status, deposits and detail expenditure of the revolving account
5 established under subsection (c) of this section. The report shall be
6 submitted not later than 30 days after June 30th of each year to the
7 chairpersons of the House Standing Committee on Ways and Means and the
8 Senate Standing Committee on Fiscal Affairs. ”

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

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

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

Prefiled: 1/27/2021

Date: 1/27/2021

Introduced by: Ivan
Rep. Ivan A. Blanco

Reviewed for Legal Sufficiency by:
[Signature]
House Legal Counsel

[Handwritten signatures and initials]