

REFERRED TO: W.M. J. Jew  
(HOUSE)  
5/13/2024

TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

May 10, 2024

Sec. Spa Session, 2024

H. B. 23- 109

A BILL FOR AN ACT

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

BE IT ENACTED BY THE 23<sup>RD</sup> NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1           **Section 1. Findings and Purpose.** The Legislature finds that the  
2 Indigenous Affairs Office (IAO) was created by Article III, Section 23 of the NMI  
3 Constitution. Pursuant to the aforementioned constitutional mandate, the IAO was  
4 created to coordinate the development, distribution, adoption and translation of a  
5 comprehensive history of the Marianas; ensure local participation in executive  
6 managerial decision-making in the government and private sector; establish a  
7 community foundation for the advancement of the indigenous people; and so forth.  
8 Cognizant of their duties and responsibilities in addressing matters pertaining to the  
9 indigenous community, the Legislature finds that the IAO is heavily reliant on the  
10 annual budget appropriations for financial purposes. To alleviate the financial  
11 burdens for both the annual budget appropriations and the IAO, the Legislature  
12 finds that it would be appropriate to grant IAO with the ability to promulgate their

1 own fees to cover costs associated with personnel and daily operations. With such  
2 authority, the IAO will be able utilize such fees to cover the costs associated with  
3 their personnel and daily operations. Furthermore, IAO will not have to rely heavily  
4 on the annual budgets every fiscal year.

5 Therefore, the purpose of this Act is to authorize the Indigenous Affairs  
6 Office (IAO) to promulgate fees and for other purposes.

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

10 “§101. Resident Executive of the Indigenous Affairs Office (IAO) Fee  
11 Promulgation.

12 (a) The Executive Assistant of the Indigenous Affairs Office (IAO), as  
13 established by Article III, Section 23 of the NMI Constitution, is hereby  
14 authorized to promulgate appropriate fees that are deemed necessary for  
15 the program.

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

1 (IAO). The expenditure authority of the funds deposited into this  
2 revolving fund shall be the Resident Executive of the Indigenous  
3 Affairs Office (IAO).”

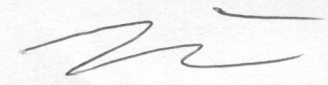
4 **Section 3. Severability.** If any provisions of this Act or the application of  
5 any such provision to any person or circumstance should be held invalid by a  
6 court of competent jurisdiction, the remainder of this Act or the application of its  
7 provisions to persons or circumstances other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

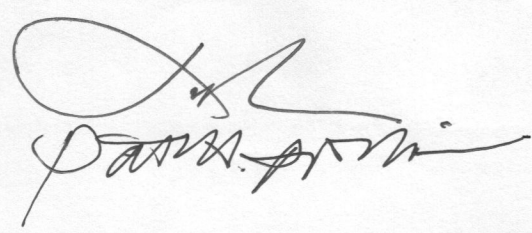
9 **Section 4. Savings Clause.** This Act and any repealer contained herein  
10 shall not be construed as affecting any existing right acquired under contract or  
11 acquired under statutes repealed or under any rule, regulation, or order adopted  
12 under the statutes. Repealers contained in this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

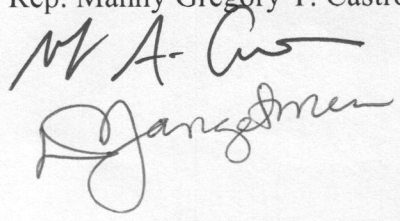
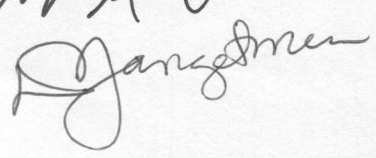
16 **Section 5. Effective Date.** This Act shall take effect upon its approval by  
17 the Governor, or its becoming law without such approval.

Intro  
~~Prefiled:~~ 5/10/2024

Date: 5/10/24

Introduced by:   
Rep. Manny Gregory T. Castro

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Reviewed for Legal Sufficiency by:

Josh S. Day  
House Legal Counsel

RB  
HLL  
Jm  
D - m  
all