

TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

Session, 2023

H. B. 23- 91

A BILL FOR AN ACT

To amend Section 711 of CNMI Public Law 23-09 to allow for the Department of Public Lands (DPL) to utilize One Million Dollars (\$1,000,000.00) allotted under Civil Case No. 16-0004 to enhance their respective services.

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

1 **Section 1. Findings and Purpose.** The Legislature finds that pursuant to
2 Article XI, Section 3 of the NMI Constitution, the Department of Public Lands
3 (DPL) shall be responsible for the management and disposition of public lands
4 within the CNMI. Furthermore, pursuant to Article XI, Section 5 of the NMI
5 Constitution, it is the constitutional duty of the DPL to develop fundamental
6 policies to utilize their resources to ensure proper compliance of their operational
7 needs; developing and adopting a proper comprehensive land use plan; planning
8 and developing some portion of public lands for a homestead program, especially
9 for Tinian and Rota; transferring all moneys derived from public lands to the
10 Marianas Public Land Trust (MPLT) at the end of the fiscal year, and so forth.
11 Cognizant of their duties and responsibilities, the Legislature finds that it would be

1 of utmost importance to ensure that the DPL is properly funded to allow for them
2 to perform to their full capabilities while protecting the integrity of our public lands
3 for current and future generations to come.

4 The Legislature also finds that pursuant Civil Case No. 16-0004, which
5 involves the DPL, a settlement was made that allowed for DPL to receive another
6 source of funds. The Legislature finds that such settlement resulted in One Million
7 Dollars (\$1,000,000.00) to the DPL for antitrust actions. Cognizant of such
8 available funds sourced from the aforementioned civil case, the Legislature finds
9 that this rare additional financial opportunity can be fully utilized for the benefit of
10 ensuring all mandates, both constitutional and enacted, are properly and effectively
11 carried out. As a governmental body that was duly elected by the people we serve,
12 we must capitalize on additional revenues in order to establish proper avenues in
13 utilizing our public lands for the sole benefit of the entire Commonwealth and its
14 people.

15 Therefore, the purpose of this Act is to amend Section 711 of CNMI Public
16 Law 23-09 to allow for the Department of Public Lands (DPL) to utilize One
17 Million Dollars (\$1,000,000.00) allotted under Civil Case No. 16-0004 to enhance
18 their respective services and for other purposes.

19 **Section 2. Amendment.** Section 711 of Public Law 23-09 is hereby
20 amended to read as follows:

21 **“Section 711. Department of Public Lands.**

1 Pursuant to 1 CMC § 2803, ~~\$4,960,881~~ \$5,960,881 is appropriated to the
2 Department of Public Lands. In addition to the 84 NOPs set forth in
3 Schedule A of CNMI Public Law 23-09 allotted to the Department of Public
4 Lands (DPL) inclusive of the Saipan-based NOPs assigned to DLNR's
5 Division of Parks and Recreation pursuant to the Memorandum of
6 Agreement between DPL and the Department of Lands and Natural
7 Resources (DLNR), DPL shall also assume fifty percent (50%) personnel
8 obligations associated with seven (7) existing and current NOPs with the
9 funds appropriated to DPL. These seven (7) NOPs shall consist of four (4)
10 NOPs for the Division of Parks and Recreation Rota and three (3) NOPs for
11 the Division of Parks and Recreation Tinian, provided further, these NOPs
12 shall remain assigned to DLNR Division of Parks and Recreation."

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

18 **Section 4. Savings Clause.** This Act and any repealer contained herein
19 shall not be construed as affecting any existing right acquired under contract or
20 acquired under statutes repealed or under any rule, regulation, or order adopted
21 under the statutes. Repealers contained in this Act shall not affect any proceeding


1 instituted under or pursuant to prior law. The enactment of the Act shall not have
2 the effect of terminating, or in any way modifying, any liability, civil or criminal,
3 which shall already be in existence on the date this Act becomes effective.

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

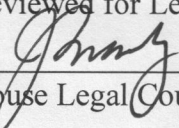
Prefiled: 12/15/2023

Date: _____

Introduced by: _____


Rep. Blas Jonathan "BJ" T. Attao

Reviewed for Legal Sufficiency by:

 12-15-23
House Legal Counsel

