

RALPH DLG. TORRES
Governor



ARNOLD I. PALACIOS
Lieutenant Governor

COMMONWEALTH of the NORTHERN MARIANA ISLANDS
OFFICE OF THE GOVERNOR

18 OCT 2019

The Honorable Jude U. Hofschneider
Chairman, Tinian and Aguiguan
Legislation Delegation
Twenty-First Northern Marianas
Commonwealth Legislature
Capitol Hill
Saipan, MP 96950

The Honorable Victor B. Hocog
Senate President, The Senate
Twenty-First Northern Marianas
Commonwealth Legislature
Capitol Hill
Saipan, MP 96950

Dear Mr. Chairman and Mr. President:

This is to inform you that I have signed into law Senate Local Bill No. 21-04, entitled, "To amend 10 CMC §§ 2312 and 2313 to designate Acting Mayor and Acting Municipal Council when the Mayor or Municipal Council Chair is outside the Commonwealth." The bill was passed by the Tinian and Aguiguan Legislative Delegation of the Twenty-First Northern Marianas Commonwealth Legislature.

This bill becomes **Tinian Local Law No. 21-8**. Copies bearing my signature are forwarded for your reference.

Sincerely,

A handwritten signature in blue ink, appearing to read "Arnold I. Palacios".

ARNOLD I. PALACIOS
Acting Governor

cc: Governor; Press Secretary; Mayor of Tinian & Aguiguan; Secretary of Finance;
Chairman, Tinian Municipal Council; Commonwealth Law Revision; Special Assistant for
Administration; Special Assistant for Programs & Legislative Review



TINIAN & AGUIGUAN LEGISLATIVE DELEGATION

Second Senatorial District

Twenty-First Northern Marianas Commonwealth Legislature

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Saipan, MP 96950

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Senator Jude U. Hofschneider, Chairman
Senator Francisco M. Borja, Vice Chairman

Senator Francisco Q. Cruz, Floor Leader
Representative Antonio SN. Borja,
Legislative Secretary

September 11, 2019

Honorable Ralph DLG. Torres
Governor
Commonwealth of the Northern
Mariana Islands
Saipan, MP 96950

Dear Governor Torres:

I am honored to transmit for your action *Senate Local Bill No. 21-04*, entitled:

A LOCAL BILL FOR AN ACT FOR THE SECOND SENATORIAL DISTRICT

"To amend 10 CMC §§ 2312 and 2313 to designate Acting Mayor and Acting Municipal Council when the Mayor or Municipal Council Chair is outside the Commonwealth."

This bill was passed unanimously by the Tinian and Aguiguan Legislative Delegation, Twenty-First Northern Marianas Commonwealth Legislature on First and Final Reading, a quorum duly present, during its First Day, Second Regular Session 2019 held on September 4, 2019.

Respectfully submitted,


Chanele C. Borja
Acting Delegation Clerk

Enclosures



**TINIAN & AGUIGUAN LEGISLATIVE DELEGATION
SECOND SENATORIAL DISTRICT
TWENTY-FIRST NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
SECOND REGULAR SESSION, 2019**

SENATE LOCAL BILL NO. 21-04

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

To amend 10 CMC §§ 2312 and 2313 to designate Acting Mayor and Acting Municipal Council when the Mayor or Municipal Council Chair is outside the Commonwealth.

Offered by

Senator Francisco M. Borja

on

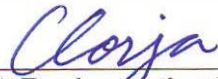
July 9, 2018

SENATE ACTION

Transmitted to Tinian & Aguiguan Legislative Delegation for action on August 15, 2019.

DELEGATION ACTION

Referred to	:	None
Comments Solicited	:	8/15/19 - Mayor of Tinian & Aguiguan; Chairman, Tinian & Aguiguan Municipal Council <i>[Ref. Delegation Matter 21-28 & 21-29]</i>
Comments Received	:	9/4/19 [Mayor of Tinian & Aguiguan; Tinian and Municipal Council; Oral Testimony]
Standing Committee Report	:	None
Passed First & Final Reading	:	September 4, 2019


Chanele C. Borja, Acting Delegation Clerk



TINIAN & AGUIGUAN LEGISLATIVE DELEGATION

Twenty-First Northern Marianas Commonwealth Legislature

Second Senatorial District

SECOND REGULAR SESSION, 2019

Senate Local Bill No. 21-04

A LOCAL BILL FOR AN ACT

To amend 10 CMC §§ 2312 and 2313 to designate Acting Mayor and Acting Municipal Council when the Mayor or Municipal Council Chair is outside the Commonwealth.

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

1 **Section 1. Findings and Purpose.**

2 The Tinian and Aguiguan Legislative Delegation (Delegation) finds that current law
3 provides that when the Tinian and Aguiguan Mayor is absent from the municipality the
4 Chairperson of Tinian and Aguiguan Municipal serves at the Acting Mayor. Similarly, when
5 the Chairperson of the Tinian and Aguiguan Municipal Council (Council) is absent from the
6 municipality the Council Vice Chairperson serves as Acting Chairperson.

7 The Delegation finds that because of modern technology such as high-speed internet
8 and reliable and consistent inter-island transportation the Mayor can oversee the operations of
9 the municipality from anywhere in the Commonwealth and can return to the municipality on
10 short notice. The Council Chairperson can likewise do the same if physically present in the
11 Commonwealth.

12 The purpose of this Act is to designate the Acting Mayor or Acting Council
13 Chairperson when the Mayor or Council Chairperson is absent from the Commonwealth.

14 **Section 2. Amendment.** 10 CMC § 2312 is amended to read:

15 “Acting Mayor.

16 Whenever the Mayor of Tinian is to be physically absent from the ~~Second Senatorial~~
17 ~~District of Tinian and Aguiguan islands~~ Commonwealth of the Northern Mariana Islands, the
18 presiding officer or chairperson of the Municipal Council shall be Acting Mayor. If the

1 presiding officer or chairperson is also absent, then the vice- chairperson of the Municipal
2 Council shall be Acting Mayor. In the event that both the chairperson and vice chairperson of
3 the Municipal Council are absent, then the remaining council member shall be the Acting
4 Mayor. In the event that all members of the Municipal Council are absent, then the Mayor shall
5 designate whom shall be the Acting Mayor to carry out the duties of the Office of Mayor until
6 the Mayor or any member of the Municipal Council physically returns.”

7 **Section 3. Amendment.** 10 CMC § 2313 is amended to read:

8 “§ 2312. Acting Mayor.

9 Whenever the Mayor of Tinian is to be physically absent from the ~~Second Senatorial~~
10 ~~District of Tinian and Aguiquan islands~~ Commonwealth of the Northern Mariana Islands, the
11 presiding officer or chairperson of the Municipal Council shall be Acting Mayor. If the
12 presiding officer or chairperson is also absent, then the vice- chairperson of the Municipal
13 Council shall be Acting Mayor. In the event that both the chairperson and vice chairperson of
14 the Municipal Council are absent, then the remaining council member shall be the Acting
15 Mayor. In the event that all members of the Municipal Council are absent, then the Mayor shall
16 designate whom shall be the Acting Mayor to carry out the duties of the Office of Mayor until
17 the Mayor or any member of the Municipal Council physically returns.”

18 **Section 4. Severability.**

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

23 **Section 5. Savings Clause.**

24 This Act and any repealer contained herein shall not be construed as affecting any
25 existing right acquired under contract or acquired under statutes repealed or under any rule,
26 regulation or order adopted under the statutes. Repealers contained in this Act shall not affect
27 any proceeding instituted under or pursuant to prior law. The enactment of this Act shall not
28 have the effect of terminating, or in any way modifying, any liability civil or criminal, which
29 shall already be in existence at the date this Act becomes effective.

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Section 6. Effective Date.


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

CERTIFIED BY:




Jude U. Hofschneider
Chairman

Tinian & Aguiguan Legislative Delegation



Victor B. Hocog
Senate President

Approved this 18th day of October, 2019.



ARNOLD I. PALACIOS
ACTING GOVERNOR
Commonwealth of the Northern Mariana Islands