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. 21-08, entitled, "To amend 10 CMC §2313 to designate the Acting Municipal Council when Municipal Council Chair is outside the Commonwealth; and for other purposes." 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. 21-13. Copies bearing my signature are forwarded for your reference.

Sincerely,

RALPH DLG. TORRES  
Governor

cc: Lt. Governor; Press Secretary; Mayor of Tinian & Aguiguan; 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
P. O. Box 500129
Saipan, MP 96950

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

Tinian Local Law No. 21-13

May 6, 2020

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

Dear Governor Torres:

I am honored to transmit for your action Senate Local Bill No. 21-08, entitled, “To amend 10 CMC § 2313 to designate the Acting Municipal Council when Municipal Council Chair is outside the Commonwealth,” which 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 1st Day, First Special Session held on May 4, 2020.

Respectfully submitted,

Frances Joan R. Kaipat
Delegation Clerk

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

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

OFFERED BY

Senator Francisco M. Borja

on February 10, 2020

SENATE ACTION

Transmitted to Tinian & Aguiguan Legislative Delegation for action on

April 17, 2020

DELEGATION ACTION

Referral:
None

Comments Solicited:
4/20/2020 - Mayor of Tinian & Aguiguan;
Chairman, Tinian & Aguiguan Municipal Council

Comments Received:
4/21/2020 - Mayor of Tinian & Aguiguan
[Ref. Mayors Communication 21-53]

Standing Committee Report:
None

Passed First & Final Reading:
May 4, 2020

Frances Joan P. Kaipat
Delegation Clerk
A LOCAL BILL FOR AN ACT

To amend 10 CMC § 2313 to designate the Acting Municipal Council when 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:

Section 1. Findings and Purpose.

The Tinian and Aguiguan Legislative Delegation (Delegation) finds that current law, through Tinian Local Law 21-8, codified under 10 CMC § 2312, provides that when the Mayor of Tinian is absent from the Commonwealth, the Chairperson of the Municipal Council serves as the Acting Mayor. The Acting Municipal Council chairperson, through TLL 15-14, codified previously under 10 CMC § 2313, provides that when the Chairperson of the Tinian and Aguiguan Municipal Council (Council) is absent from the municipality the Council Vice Chairperson serves as Acting Chairperson.

The Delegation finds that because of modern technology such as high-speed internet and reliable and consistent inter-island transportation the Mayor and the Council Chairperson can oversee their respective operations from anywhere in the Commonwealth and can return to the municipality on short notice. To carry out this intent, the Tinian Legislative Delegation passed SLB 21-04. However, the wrong version of the bill was unintentionally transmitted to the Governor for consideration and was signed into law as TLL 21-8. As a result of the error, the current code provisions under
10 CMC §§ 2312 and 2313 are exactly the same in which both providing for Acting Mayor when the Mayor of Tinian and Aguiguan is absent from the Commonwealth.

The purpose of this Act is to correct 10 CMC § 2313 to provide for the designation of the Acting Municipal Council Chairperson when the Council Chairperson is absent from the Commonwealth.

Section 2. Amendment. 10 CMC § 2313 is amended to read:

“§ 2313 Municipal Council Acting Chairperson.

Whenever the Chairperson of the Municipal Council is to be physically absent from the Commonwealth of the Northern Mariana Islands, the Vice Chairperson of the Municipal Council shall be the Acting Chairperson of the Municipal Council. If the Vice Chairperson is also absent, then the remaining council member shall be the Acting Chairperson of the Municipal Council. In the event that all members of the Municipal Council are absent, then the Chairperson of the Municipal Council shall designate whom shall be the Acting Chairperson until any member of the Municipal Council physically returns.”

Section 3. Severability.

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

Section 4. Savings Clause.

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

Section 5. 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 & Aguiian Legislative Delegation

Victor B. Hocog
Senate President

Approved this 12th day of June, 2020.

Ralph DLG. Torres
Governor
Commonwealth of the Northern Mariana Islands