



## COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

**Benigno R. Fitial**  
Governor

**Eloy S. Inos**  
Lieutenant Governor

Honorable Eli D. Cabrera  
Speaker, House of Representatives  
Seventeenth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

The Honorable Paul A. Manglona  
Senate President  
Seventeenth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

Dear Mr. Speaker and Mr. President:

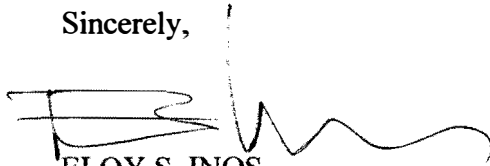
This is to inform you that I have signed into law with reservations House Bill 17-83, HD2, SD3, entitled, "To amend Public Law 16-22 §1(d); to appropriate funds from the First and Second Senatorial Districts' Solid Waste Revolving Subaccounts; and for other purposes," which was passed by the Seventeenth Northern Marianas Commonwealth Legislature.

Section 2 of the legislation re-appropriates funds for "various projects" throughout Precinct V. The language is broad and leaves much to be guessed as to which "various projects" will be implemented. I urge the legislature to clearly identify projects in future legislations of this type.

With respect to Section 3, it seemingly aims to implement the intent as stated in the findings and purpose section of the measure. However, it then allows for reprogramming for any other purpose. This is an indirect way of appropriating funds for general government operations at the discretion of the expenditure authority. Any authorized reprogramming should have been in accordance with the intent of the legislation.

Once again, I approve this measure with concerns and urge the legislature to ensure more specificity and accountability in future legislations. This bill becomes **Public Law No. 17-44**. Copies bearing my signature are forwarded for your reference.

Sincerely,

A handwritten signature in black ink, appearing to read 'ELOY S. INOS', with a long horizontal stroke extending to the left and a wavy line extending to the right.

ELOY S. INOS  
Acting Governor

CC: Governor  
Office of the Attorney General  
Press Secretary, Office of the Governor  
Mayors, 1<sup>st</sup> and 2<sup>nd</sup> Senatorial Districts  
Secretary, Department of Public Works  
Special Assistant for Programs & Legislative Review  
All Departments and Agencies



Seventeenth Legislature  
of the  
Commonwealth of the Northern Mariana Islands

IN THE HOUSE OF REPRESENTATIVES

Fourth Special Session

June 18, 2010

Representative Frederick P. Deleon Guerrero, of Saipan, Precinct 5 (*for himself*) in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

Public Law No. 17-44

**H. B. 17-83**

AN ACT

**TO AMEND PUBLIC LAW 16-22 §1(D); TO APPROPRIATE FUNDS FROM THE FIRST AND SECOND SENATORIAL DISTRICTS' SOLID WASTE REVOLVING SUBACCOUNTS; AND FOR OTHER PURPOSES.**

The Bill was referred to the House Committee on Ways and Means, which submitted Standing Committee Report 17-47 and adopted by the House on October 26, 2010.

**THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON FIRST AND FINAL, FEBRUARY 3, 2011;**  
*with amendments* in the form of H. B. 17-83, HD2 and transmitted to the  
**THE SENATE.**

The Bill was not referred to a Senate Committee.  
**THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING, APRIL 29, 2011;**  
*with amendments* in the form of H. B. 17-83, HD2, SD3.

The House of Representatives accepted the Senate amendments and passed H. B. 17-83, HD2, SD3 during its 2nd Day, Third Special Session on May 12, 2011.

A handwritten signature in black ink, appearing to read "L. Muña", written over a horizontal line.

Linda B. Muña, House Clerk



*Seventeenth Legislature  
of the  
Commonwealth of the Northern Mariana Islands*  
**IN THE HOUSE OF REPRESENTATIVES**

**Second Day, Third Special Session**

**May 12, 2011**

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Public Law No. 17-44

**H. B. 17-83, HD2, SD3**

**AN ACT**

**TO AMEND PUBLIC LAW 16-22 § 1(D); TO APPROPRIATE FUNDS FROM THE FIRST AND SECOND SENATORIAL DISTRICTS' SOLID WASTE REVOLVING SUB ACCOUNTS; AND FOR OTHER PURPOSES.**

**Be it enacted by the Seventeenth Northern Marianas Commonwealth Legislature:**

1           **Section 1. Findings and Purpose.** The Legislature finds that the intent  
2           of Public Law 16-22 was to appropriate \$376,000.00 from the Developers  
3           Infrastructure Tax Fund collection from the Third Senatorial District for capital  
4           improvement projects. The legislature further finds it is appropriate to reprogram  
5           \$107,000 from the Tangatangan Road project and \$15,000 from the Kagman II  
6           Baseball Field project to various projects throughout Precinct V.

7           The Legislature further finds that as this bill appropriates monies for  
8           worthwhile purposes, the Rota and Tinian Landfills require equipment upgrades.

1 This money will go to properly servicing the landfill and community and thereby  
2 meet Environmental Protection Agency guidelines.

3 **Section 2. Amendment.** Public Law 16-22 Section 1(d) is hereby  
4 amended to read as follows:

5 “(d) Reappropriate \$107,000.00 from Business Account 3750D,  
6 Tangantangan Road Project, and \$15,000 from Business Account 3750B,  
7 the rehabilitation of Kagman II Baseball Field Project to various projects  
8 throughout Precinct V under the expenditure authority of the Secretary of  
9 the Department of Public Works.”

10 **Section 3. Appropriation and Expenditure Authority (Rota).**

11 Notwithstanding any provision of law, the amount of \$100,000 from the  
12 Solid Waste Revolving Account 2083 for the First Senatorial District is hereby  
13 appropriated as follows:

14 (a) \$60,000 to purchase landfill equipment under the expenditure  
15 authority of the Mayor of Rota;

16 (b) \$20,000 to purchase heavy equipment parts under the  
17 expenditure authority of the Mayor of Rota;

18 (c) \$20,000 to purchase fuel and lubrication under the expenditure  
19 authority of the Mayor of Rota.

20 Notwithstanding any provision of law, funds appropriated under Section 3  
21 of this Act may be reprogrammed by the Mayor of Rota for any other purpose.

1           **Section 4. Appropriation and Expenditure Authority (Tinian).**

2           Notwithstanding any provision of law, the amount of \$350,000 from the  
3           Solid Waste Revolving Account 2084 for the Second Senatorial District is  
4           hereby appropriated as follows:

5                   (a) \$200,000 to purchase a landfill compactor with spikes for the  
6           Second Senatorial District and for training of one operator under the  
7           expenditure authority of the Mayor of Tinian and Aguiguan;

8                   (b) \$150,000 to purchase a medium wheeled loader (with rubber  
9           tires) for the Second Senatorial District and for training of one operator  
10          under the expenditure authority of the Mayor of Tinian and Aguiguan;

11          Notwithstanding any provision of law, the funds appropriated under  
12          Section 4 of this Act may be reprogrammed by the Mayor of Tinian and Aguiguan  
13          for landfill operation purposes only.

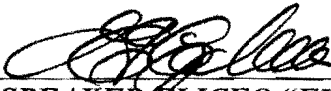
14          **Section 5. Severability.** If any provisions of this Act or the application  
15          of any such provision to any person or circumstance should be held invalid by a  
16          court of competent jurisdiction, the remainder of this Act or the application of its  
17          provisions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

19          **Section 6. Savings Clause.** This Act and any repealer contained herein  
20          shall not be construed as affecting any existing right acquired under contract or  
21          acquired under statutes repealed or under any rule, regulation or order adopted  
22          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 7. Effective Date.** This Act shall take effect upon its approval by  
5 the Governor, or its becoming law without such approval.

Attested to by:   
Linda B. Muña, House Clerk

Certified by:   
SPEAKER ELICEO "ELI" D. CABRERA  
House of Representatives  
17<sup>th</sup> Northern Marianas Commonwealth Legislature

Approved this 10<sup>TH</sup> day of JUNE, 2011

  
ELOY S. UÑOS  
Acting Governor  
Commonwealth of the Northern Mariana Islands