



## COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

**Benigno R. Fitial**  
Governor

**Eloy S. Inos**  
Lt. Governor

04 JUN 2012

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

Honorable Paul A. Manglona  
President, The Senate  
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 House Bill No. 17-290, HD1, SS1, entitled, "To amend Public Law 17-29 as amended by Public Law 17-58 to establish an Environmental and Tourism Promotional Fee," which was passed by the Seventeenth Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 17-75**. Copies bearing my signature are forwarded for your reference.

Sincerely,

A handwritten signature in blue ink that reads "Benigno R. Fitial".

**BENIGNO R. FITIAL**

cc: Lt. Governor  
Attorney General  
Department of Finance  
Marianas Visitors Authority  
Mayor of Rota  
Mayor of Tinian  
Commonwealth Law Revision Commission  
Special Assistant for Programs and Legislative Review



# *The House of Representatives*

NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. Box 500586  
Saipan, MP 96950

May 17, 2012

The Honorable Benigno R. Fitial  
Governor  
Commonwealth of the Northern  
Mariana Islands  
Capitol Hill  
Saipan, MP 96950

Dear Governor Fitial:

I have the honor of transmitting herewith for your action **H. B. 17-290, HD1, SS1**, entitled: "An Act to amend Public Law 17-29 as amended by Public Law 17-58 to establish an Environmental and Tourism Promotional Fee.", which was passed by the House of Representatives and the Senate of the Seventeenth Northern Marianas Commonwealth Legislature.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "L. B. Muña".

Linda B. Muña  
House Clerk

Attachment



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

**Fifth Regular Session**

**March 22, 2012**

Representative Eliceo D. Cabrera, of Saipan, Precinct 1 (*for himself*) in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

**H. B. 17-290**  
**AN ACT**  
**TO AMEND PUBLIC LAW 17-29 AS AMENDED BY PUBLIC LAW 17-58 TO ESTABLISH AN ENVIRONMENTAL AND TOURISM PROMOTIONAL FEE.**

The Bill was not referred to a House Committee and was placed on the Bill Calendar.

**THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON  
FIRST AND FINAL READING, APRIL 17, 2012;**  
*with amendments* in the form of H. B. 17-270, HD1 and transmitted to the  
**THE SENATE.**

The Bill was not referred to a Senate Committee and was placed on the Bill Calendar.  
**THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING, MAY 8, 2012;**  
*with amendments* in the form of H. B. 17-290, HD1, SS1.

**H. B. 17-290, HD1, SS1 WAS RETURNED TO THE HOUSE OF REPRESENTATIVES ON MAY 9, 2012.**

The House of Representatives accepted the Senate amendments and passed H. B. 17-290, HD1, SS1 during its 1st Day, Third Special Session on May 15, 2012.

**THE BILL WAS FINALLY PASSED ON MAY 15, 2012**

  
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Linda B. Muña, House Clerk



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

1<sup>st</sup> Day, Third Special Session

May 15, 2012

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**H. B. 17-290, HD1, SS1**

AN ACT

**TO AMEND PUBLIC LAW 17-29 AS AMENDED BY PUBLIC LAW  
17-58 TO ESTABLISH AN ENVIRONMENTAL AND  
TOURISM PROMOTIONAL FEE.**

Be it enacted by the Seventeenth Northern Marianas  
Commonwealth Legislature:

1           Section 1. Findings and Purpose. The Legislature hereby finds and  
2 declares that the Commonwealth relies heavily, and will continue to rely heavily,  
3 on the tourist industry as a primary source of private employment and public  
4 revenues. Thus, it is imperative that our destination be enhanced for the benefit of  
5 all, and marketed to potential tourists such that they will be aware of all the  
6 Commonwealth has to offer. In order to attract tourists to the Commonwealth, to  
7 retain existing business and industry, and to advance the business prosperity and  
8 economic welfare of the Commonwealth, it is necessary to enhance recreational  
9 and tourism opportunities.

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**HOUSE BILL 17-290, HD1, SSI**

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1           Therefore, in order to promote recreation and tourism, the Legislature  
2 finds that public financial support should be provided for constructing, equipping,  
3 improving and maintaining projects, agencies and facilities which promote  
4 recreation and tourism. Public support is also required to effectively market the  
5 Commonwealth as the premier destination it is. The Legislature finds that such  
6 support is a public purpose for which funds may be expended.

7           The Legislature finds it appropriate to pay for such support by collecting a  
8 fee from transients who pay for lodging in a room of a hotel, lodging house,  
9 motel, resort motel, apartment, apartment motel, rooming house, condominium, or  
10 similar facility located in the Commonwealth. The fee shall be assessed one time  
11 for each visit or trip to the Commonwealth.

12           The Legislature finds and declares that this Act is necessary and is a  
13 proper use of the legislative power granted by the Commonwealth Constitution.

14           **Section 2. Repeal.** Section 1 of Public Law 17-58 is hereby repealed in its  
15 entirety.

16           **Section 3. Repeal and Reenactment.** Section 2 of Public Law 17-58 is  
17 hereby repealed and reenacted as follows:

18                   “There is hereby established the “Environmental and Tourism  
19 Promotional Act of 2012.”

20                   §101. There is hereby established an Environmental and Tourism  
21 Promotional fee of \$15 to be assessed upon transient occupants ages 13  
22 and above per stay in a room of a hotel, lodging house, motel, resort

**HOUSE BILL 17-290, HD1, SS1**

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1 motel, apartment, apartment motel, rooming house, condominium, or  
2 similar facility located in the Commonwealth. For the purpose of this Act,  
3 a transient occupant is any person who is not a permanent resident of the  
4 Commonwealth. A transient occupant shall be assessed an Environmental  
5 and Tourism Promotional Fee not more than once per visit or trip to the  
6 Commonwealth.

7 § 102. There is hereby established an Environmental and Tourism  
8 Promotional Revolving Fund (“Fund”) administered by the Secretary of  
9 Finance into which fees collected pursuant to §101 above shall be  
10 deposited and remitted to the Marianas Visitors Authority; provided that  
11 the amount of \$200,000 shall be annually allocated each for the islands of  
12 Rota and Tinian to be used to implement charter flight tourism incentives  
13 and promotional programs.

14 § 103. The fee imposed by this section shall be collected by the  
15 person who operates, owns or manages a hotel, lodging house, motel,  
16 resort motel, apartment, apartment motel, rooming house, condominium,  
17 or similar facility as and when paid or charged to the hotel, lodging house,  
18 motel, resort motel, apartment, apartment motel, rooming house,  
19 condominium, or similar facility. The fees imposed pursuant to this Act  
20 shall be collected beginning July 1, 2012.

21 § 104. Every person required to collect the fee imposed by this Act  
22 shall, on or before the 20th day of the succeeding month make a monthly

**HOUSE BILL 17-290, HD1, SS1**

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1 return to the Secretary of Finance and pay over the fees required to be  
2 collected for the previous month. Provided further that a tourism industry  
3 partner may provide advance promotional funds which shall be  
4 reimbursed from the Fund as mutually agreed among the Secretary of  
5 Finance, the Marianas Visitors Authority, and the affected tourism  
6 industry partner; provided that for advance promotional funds from a  
7 tourism industry partner in the First or Second Senatorial District, the  
8 respective mayors shall be a party to and approve any advance agreement.

9 § 105 The expenditure authority for the Fund shall be the  
10 Chairperson of the Board of Directors of the Marianas Visitors Authority,  
11 except that the funds allocated to Tinian and Rota pursuant to § 102 above  
12 shall be the respective mayors of the islands. All funds expended shall be  
13 consistent with a plan approved by the Board of Directors of the Marianas  
14 Visitors Authority. Provided that at least 15% of the total funds collected  
15 shall be expended for destination enhancement programs.

16 § 106 The Secretary of Finance in consultation with the Marianas  
17 Visitors Authority shall promulgate rules and regulations necessary to  
18 implement this Act.

19 § 107 The Secretary of Finance together with the Marianas Visitors  
20 Authority shall submit an expenditure report to the legislature and the  
21 Governor 30 days after the end of each fiscal year.”

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HOUSE BILL 17-290, HD1, SSI

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**Section 4. Severability.** If any provisions 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 5. 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 the Act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence on the date this Act becomes effective.



**HOUSE BILL 17-290, HD1, SS1**


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**Section 6. Effective Date.** This Act shall take effect upon its approval by 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 4<sup>th</sup> day of JUNE, 2012

  
**BENIGNO R. FITIAL**  
Governor  
Commonwealth of the Northern Mariana Islands