



**Arnold I. Palacios**  
Governor

**David M. Apatang**  
Lieutenant Governor

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
**OFFICE OF THE GOVERNOR**

June 05, 2024

LT2024-087

The Honorable John Paul P. Sablan  
Chairman  
Saipan and Northern Islands Legislative Delegation  
Twenty-Third Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

The Honorable Edmund S. Villagomez  
Speaker, House of Representatives  
Twenty-Third Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

Dear Mr. Chairman and Mr. Speaker:

This is to inform you that I have signed into law **House Local Bill No. 23-44**, entitled "To appropriate the sum of \$66,210.00 from the fund remaining balance under Saipan Local Law 19-24 (Business Unit 7177N) for the payment of public recreational facilities utility costs and repairs in Precinct IV; repairs of public park playground equipment in Precinct IV; repairs of public restroom facilities in Precinct IV and for fuel and lubrication; and for other purposes," which was passed by the Saipan and Northern Islands Delegation of the Twenty-Third Northern Marianas Commonwealth Legislature.

Notwithstanding my signature, I note two concerns regarding the bill raised by the Office of the Attorney General.

The Attorney General noted that the bill is ambiguous with respect to the expenditure authority. Section 3 states that "[t]he expenditure authority for the funds shall be the Secretary of Lands and Natural Resources and the expenditure authority for funds under Section 2(a) shall be the Secretary of Finance, in consultation with the Executive Director of the Commonwealth Utilities Corporation and the Director of Park and Recreation."

The legislative intent appears to be for the Secretary of Lands and Natural Resources to be the expenditure authority for the Section 2(b)–(e) funds, but not the Section 2(a) funds, and for the Secretary of Finance in consultation with CUC and Parks and Rec, but not DLNR, to be the expenditure authority for the Section 2(a) funds only.

As more specific statutory language controls over more general, this would be how this language will likely be interpreted. But the expenditure authority for particular moneys in subsections of bills should be stated more explicitly in the language of future bills to avoid overlapping jurisdiction or confusion.

Similarly, the language of Section 6 is ambiguous with respect to responsibility for the requirement to report expenditures. This section states that “[e]xpenditures of the funds allocated under Section 2 of this Act shall be responsible to report all expenses to the Chairperson of the Saipan and Northern Islands Legislative Delegation a detail report showing the expenditure of the funds.”

Here, the intent is likely for the respective expenditure authority for each bucket of funds to be responsible for reporting the expenditure of those funds to the SNILD. But like the expenditure authority, responsibility for reporting requirements should be clearly and explicitly stated in future bills.

This Bill becomes **Saipan Local Law No. 23-18**. Copies bearing my signature are forwarded for your reference.

Sincerely,



**DAVID M. ARATANG**  
Acting Governor

cc: Governor; Attorney General; Commonwealth Law Revision;  
Public Auditor; Secretary of Finance; Special Assistant for Administration;  
Secretary, DLNR; Executive Director CUC; Programs and Legislative Review Office





SAIPAN AND NORTHERN ISLANDS LEGISLATIVE DELEGATION  
Third Senatorial District  
*Twenty-Third Northern Marianas Commonwealth Legislature*

Rep. John Paul P. Sablan, Chairman • Rep. Roman C. Benavente, Vice Chair • Sen. Celina R. Babauta, Floor Leader

May 17, 2024

The Honorable Arnold I. Palacios  
Governor  
Commonwealth of the Northern Mariana Islands  
Honorable Juan A. Sablan Memorial Building  
Capitol Hill  
Saipan, MP 96950


Dear Governor Palacios:

I am honored to transmit for your action **House Local Bill No. 23-44**, entitled:

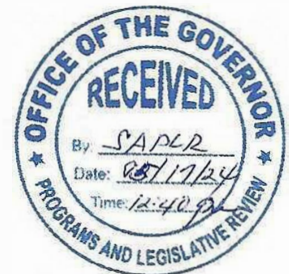
**“To appropriate the sum of \$66,210.00 from the fund remaining balance under Saipan Local Law 19-24 (Business Unit 7177N) for the payment of public recreational facilities utility costs and repairs in Precinct IV; repairs of public park playground equipment in Precinct IV; repairs of public restroom facilities in Precinct IV and for fuel and lubrication; and for other purposes.”**

The local bill was passed unanimously by the Saipan and Northern Islands Legislative Delegation of the Twenty-Third Northern Marianas Commonwealth Legislature on First and Final Reading, a quorum duly present during its 1<sup>st</sup> Day, Second Special Session held on May 16, 2024.

Sincerely,

  
Frances Joan P. Kaipat  
Delegation Clerk

Enclosure





**SAIPAN AND NORTHERN ISLANDS LEGISLATIVE DELEGATION  
THIRD SENATORIAL DISTRICT  
TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH LEGISLATURE  
SECOND SPECIAL SESSION, 2024**

**HOUSE LOCAL BILL NO. 23-44**

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**A LOCAL APPROPRIATION BILL FOR AN ACT  
FOR THE THIRD SENATORIAL DISTRICT**

To appropriate the sum of \$66,210.00 from the fund remaining balance under Saipan Local Law 19-24 (Business Unit 7177N) for the payment of public recreational facilities utility costs and repairs in Precinct IV; repairs of public park playground equipment in Precinct IV; repairs of public restroom facilities in Precinct IV and for fuel and lubrication; and for other purposes.

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**OFFERED BY**

Representatives Joel C. Camacho, Blas Jonathan "BJ" T. Attao, Diego V. F. Camacho, Manny G. T. Castro, Marissa R. Flores, Malcom J. Omar, Edwin K. Propst and Edmund S. Villagomez

**Prefiled on March 22, 2024**

**Introduced and Referred to House Ways & Means Committee on March 28, 2024**

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**HOUSE ACTION**

Transmitted to Saipan and Northern Islands Legislative Delegation for action on  
**May 2, 2024**

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**DELEGATION ACTION**

<b>Referred to:</b>	None
<b>Comments Solicited:</b>	5/2/24: Mayor of Saipan [Del. Matters 23-72] Mayor of Northern Islands [Del. Matters 23-73] 17 <sup>th</sup> SNIMC [Del. Matters 23-74]]
<b>Comments Received:</b>	5/8/24: Mayor of Saipan [Mayors Comm. 23-17] 5/16/24 Mayor of the Northern Islands under Public Comments
<b>Standing Committee Report:</b>	None
<b>Passed First &amp; Final Reading:</b>	May 16, 2024

  
**Frances Joan P. Kaipat**  
Delegation Clerk



**SAIPAN AND NORTHERN ISLANDS LEGISLATIVE DELEGATION  
THIRD SENATORIAL DISTRICT  
TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH LEGISLATURE**

**THIRD REGULAR SESSION, 2024**

**H. L. B. NO. 23-44**

**A LOCAL APPROPRIATION BILL FOR AN ACT  
FOR THE THIRD SENATORIAL DISTRICT**

To appropriate the sum of \$66,210.00 from the fund remaining balance under Saipan Local Law 19-24 (Business Unit 7177N) for the payment of public recreational facilities utility costs and repairs in Precinct IV; repairs of public park playground equipment in Precinct IV; repairs of public restroom facilities in Precinct IV and for fuel and lubrication; and for other purposes.

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

**SECTION 1. PURPOSE.**

The purpose of this Act is to appropriate \$66,210.00 from the fund remaining balance under Saipan Local Law 19-24 (Business Unit 7177N) for the payment of public recreational facilities utility costs and repairs in Precinct IV; repairs of public park playground equipment in Precinct IV; repairs of public restroom facilities in Precinct IV and for fuel and lubrication and for other purposes.

**SECTION 2. APPROPRIATION.**

Notwithstanding any provision(s) of law, statutes, rules or regulations to the contrary and pursuant to funds allocated to the Third Senatorial District the Saipan and Northern Islands



HOUSE LOCAL BILL NO. 23-44

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1 Legislative Delegation (SNILD) hereby appropriates \$66,210.00 from the fund remaining balance  
2 under Saipan Local Law 19-24 (Business Unit 7177N) for the payment of public recreational  
3 facilities utility costs and repairs in Precinct IV; repairs of public park playground equipment in  
4 Precinct IV; repairs of public restroom facilities in Precinct IV and for fuel and lubrication as  
5 follows:

6 (a) \$25,000.00 for utility costs associated with the use of lights and/or water in public  
7 recreational facilities or parks in Precinct IV; and

8 (b) \$11,210.00 for the repair or replacement of damaged or deteriorated infrastructure  
9 (chain-link fence, basketball rims, backboards, nets, solar lights, etc.) of public recreational  
10 facilities in Precinct IV; and

11 (c) \$10,000.00 for the repairs of public playground equipment in Precinct IV; and

12 (d) \$10,000.00 for the maintenance and repairs of public restroom facilities in Precinct IV;

13 and

14 (e) \$10,000.00 for fuel and lubrication of equipment for projects in Precinct IV.

15 **SECTION 3. EXPENDITURE AUTHORITY.**

16 The expenditure authority for the funds shall be the Secretary of the Department of Lands  
17 and Natural Resources and the expenditure authority for the funds under Section 2(a) shall be the  
18 Secretary of Finance, in consultation with the Executive Director of the Commonwealth Utilities  
19 Corporation and the Director of Parks and Recreation.

1           **SECTION 4. REPROGRAMMING.**

2           Notwithstanding any laws, provisions, or regulations to the contrary, funds appropriated  
3 under this act shall not be reprogrammed for any other purpose.

4           **SECTION 5. FISCAL YEAR.**

5           The funds allocated under this Act shall be without fiscal year limitation(s).

6           **SECTION 6. REPORTING OF EXPENDITURES.**

7           Expenditures of the funds allocated under Section 2 of this Act shall be responsible to  
8 report all expenses to the Chairperson of the Saipan and Northern Islands Legislative Delegation  
9 a detail report showing the expenditure of the funds. Provided further that failure to provide all  
10 expenses, entities that were afforded funds under this Act shall not be able to avail to any future  
11 funds appropriated by the Saipan and Northern Islands Legislative Delegation.

12           **SECTION 7. FUND DISTRIBUTION.**

13           Funds appropriated under Section 2 of this Act shall be distributed accordingly to the  
14 intended purpose and or entity upon this Act becoming law.

15           **SECTION 8. SEVERABILITY.**

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

**SECTION 9. 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.

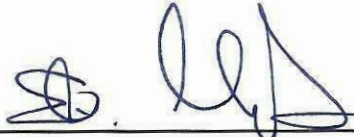
**SECTION 10. EFFECTIVE DATE.**

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

**CERTIFIED BY:**



**John Paul P. Sablan**  
Chairman  
Saipan & Northern Islands Legislative Delegation



**Edmund S. Villagomez**  
Speaker  
23<sup>rd</sup> House of Representatives

Approved this 5<sup>th</sup> day of June, 2024.



**DAVID M. APATANG**  
Acting Governor  
Commonwealth of the Northern Mariana Islands