

Arnold I. Palacios
Governor



David M. Apatang
Lieutenant Governor

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
OFFICE OF THE GOVERNOR

May 31, 2024

GOV 2024-438

The Honorable Karl R. King-Nabors
Chairman
Tinian and Aguiguan 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. 23-48, D1**, entitled, "To appropriate \$51,017.00 for the personnel and operations of the Tinian Casino Gaming Control Commission and the Office of the Mayor of Tinian & Aguiguan pursuant to 10 CMC § 2581 and 1 CMC § 1405," which was passed by the Tinian and Aguiguan Legislative Delegation of the Twenty-Third Northern Marianas Commonwealth Legislature.

Notwithstanding my signature, I have disapproved the following parts of the enactment for the following reasons:

Vetoed – Page 2 Line 5

Based on the opinion of the Attorney General, I will line-item veto the appropriation of \$10,000 to the Mayor's Discretionary Account, as the language of the local bill fails to describe a public purpose of the appropriation to the Discretionary Account that falls within the scope of 10 CMC § 2581(a).

That statute provides that "all license fees and gambling revenue taxes generated by casinos in the Second Senatorial District (Tinian) shall be local revenues and shall be available for appropriation by the Tinian Legislative Delegation *for local public purposes.*" (emphasis added).

The statute further provides that

An appropriation for local public purposes may include but is not limited to assistance in education, programs for youth and elderly development, scholarship, full time employees, medical referral,

agricultural and fisheries development, cultural programs, community and recreational development, programs for special needs individuals, disabled and disadvantaged individuals, medical and dental insurance assistance, provided that such payment is limited to contributions made by the Commission to secure appropriate insurance coverage for Tinian Municipal government employees, and assistance to law enforcement.

HLB No. 23-48 provides that the appropriation to the Tinian Casino Gaming Control Commission is for personnel and operations, which is a permissible local public purpose under the statute. But because the bill does not specify the local public purpose of the appropriation for the Mayor's Discretionary Account, I respectfully exercise my constitutional authority to line-item veto this provision.

Vetoed – Page 2 Lines 9 and 10

I will likewise line-item veto the provision for the Mayor of Tinian and Aguiguan to be the expenditure authority for these funds, on the same grounds.

With the exception of the vetoed portions, this bill becomes **Tinian Local Law No. 23-13**. Copies bearing my signature are forwarded for your reference.

Sincerely,



ARNOLD I. PALACIOS
Governor

cc: Lieutenant Governor; Attorney General; Commonwealth Law Revision;
Public Auditor; Secretary of Finance; Mayor of Tinian and Aguiguan;
Special Assistant for Administration; Programs and Legislative Review Office



TINIAN AND AGUIGUAN LEGISLATIVE DELEGATION
Second Senatorial District
Twenty-Third Northern Marianas Commonwealth Legislature

Senator Karl R. King-Nabors, Chairman
Senator Jude U. Hofschneider, Vice Chair

Senator Francisco Q. Cruz, Floor Leader
Rep. Patrick H. San Nicolas, Legislative Secretary


May 14, 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. 23-48, D1**, entitled, "To appropriate \$51,017.00 for the personnel and operations of the Tinian Casino Gaming Control Commission and the Office of the Mayor of Tinian & Aguiguan pursuant to 10 CMC § 2581 and 1 CMC § 1405.", which was passed unanimously by the Tinian and Aguiguan Legislative Delegation, Twenty-Third Northern Marianas Commonwealth Legislature on its First and Final Reading, a quorum duly present during its 1st Day, First Special Session held on May 10, 2024.

Respectfully submitted,


Frances Joan P. Kaipat
Delegation Clerk

Enclosure





**TINIAN AND AGUIGUAN LEGISLATIVE DELEGATION
SECOND SENATORIAL DISTRICT
TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
FIRST SPECIAL SESSION, 2024**

HOUSE LOCAL BILL NO. 23-48, D1

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

To appropriate \$51,017.00 for the personnel and operations of the Tinian Casino Gaming Control Commission and the Office of the Mayor of Tinian & Aguiguan pursuant to 10 CMC § 2581 and 1 CMC § 1405.

OFFERED BY

Representative Patrick H. San Nicolas

Prefiled on April 22, 2024 and Introduced on May 2, 2024

HOUSE ACTION

Transmitted to Tinian and Aguiguan Legislative Delegation for action on
May 2, 2024

DELEGATION ACTION

Referred to:	None
Comments Solicited:	5/2/24: Mayor of Tinian and Aguiguan [Del. Matters 23-56] & Tinian & Aguiguan Municipal Council [Del. Matters 23-54]
Comments Received:	5/3/24: Mayors Comm. 23-48
Standing Committee Report:	None
Passed First & Final Reading:	May 10, 2024 w/Draft 1

A handwritten signature in blue ink, appearing to read "Frances Joan P. Kaipat".

**Frances Joan P. Kaipat
Delegation Clerk**



**TINIAN AND AGUIGUAN LEGISLATIVE DELEGATION
SECOND SENATORIAL DISTRICT
TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH LEGISLATURE**

SECOND SPECIAL SESSION, 2024

H. L. B. 23-48, D1

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

To appropriate \$51,017.00 for the personnel and operations of the Tinian Casino Gaming Control Commission and the Office of the Mayor of Tinian & Aguiguan pursuant to 10 CMC § 2581 and 1 CMC § 1405.

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

1 **SECTION 1. PURPOSE.**

2 The purpose of this Act is to appropriate Fifty-One Thousand Seventeen dollars
3 (\$51,017.00 USD) generated from local revenue pursuant to 10 CMC § 2581 for the personnel and
4 operations of the Tinian Casino Gaming Control Commission and the Mayor of Tinian &
5 Aguiguan. The certification of funds was prepared on April 16, 2024, and was reviewed and
6 confirmed by the Tinian Municipal Treasurer.

7 **SECTION 2. APPROPRIATIONS.**

8 Notwithstanding any provision(s) of law, statutes, rules or regulations to the contrary and
9 pursuant to funds allocated to the Second Senatorial District from local revenue, the Tinian and

HOUSE LOCAL BILL 23-48, D1

1 Aguiguan Legislative Delegation hereby appropriates \$51,017.00 of the revenues collected for the
2 Second Senatorial District as follows:

3 (A) \$41,017.00 to the Tinian Casino Gaming Control Commission for personnel and
4 operations expenses.

5 ~~(B) \$10,000.00 to the Mayor's Discretionary Account.~~

6 **SECTION 3. EXPENDITURE AUTHORITY.**

7 (A) The expenditure authority for funds under Section 2(A) shall be the Chairman of Tinian
8 Casino Gaming Control Commission.

9 ~~(B) The expenditure authority for the funds under Section 2(D) shall be the Mayor of~~
10 ~~Tinian & Aguiguan.~~

11 **SECTION 4. REPROGRAMMING.**

12 Funds appropriated under this act shall not be reprogrammed for any other purpose and
13 notwithstanding any provision of law, all funds appropriated under this Act shall be without fiscal
14 year limitation(s).

15 **SECTION 5. 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.

20 **SECTION 6. SAVINGS CLAUSE.**

21 This Act and any repealer contained herein shall not be construed as affecting any existing

HOUSE LOCAL BILL 23-48, D1

1 right acquired under contract or acquired under statutes repealed or under any rule, regulation or
2 order adopted under the statutes. Repealers contained in this Act shall not affect any proceeding
3 instituted under or pursuant to prior law. The enactment of the Act shall not have the effect of
4 terminating, or in any way modifying, any liability, civil or criminal, which shall already be in
5 existence on the date this Act becomes effective.

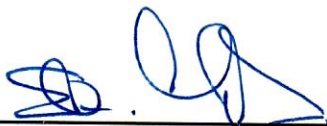
6 **SECTION 7. EFFECTIVE DATE.**

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

CERTIFIED BY:




Karl R. King-Nabors
Chairman
Tinian & Aguiguan Legislative Delegation



Edmund S. Villagomez
Speaker
23rd House of Representatives

Approved this 31st day of May, 2024.



Arnold I. Palacios
Governor
Commonwealth of the Northern Mariana Islands