Arnold I. Palacios Governor



David M. Apatang
Lieutenant Governor

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS OFFICE OF THE GOVERNOR

07 APR 2025

GOV2025-355

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

The Honorable Edmund S. Villagomez
Speaker
House of Representatives
Twenty-Fourth 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. 24-03, D2**, entitled "To appropriate revenues collected for the Third Senatorial District pursuant to Public Law 20-59," which was passed by the Saipan and Northern Islands Legislative Delegation of the Twenty-Fourth Northern Marianas Commonwealth Legislature.

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

Vetoed - Page 2 Lines 4-6

The bill seeks to appropriate \$150,000.00 to support the operations and upgrade and rehabilitate the facility of the Pacific Behavior Center. Because the bill does not articulate what arrangements have been made with this funded center, there is no assurance that the benefit of the appropriation would not simply inure to an individual or a private organization and is for a public purpose.

The bill does not contain any substantive findings or purpose statements defining the intent of the legislation to ensure that the funds are used for a public purpose. Article X, Section 1 of the CNMI Constitution mandates that "an appropriation of public money may not be made, directly or indirectly, except for a public purpose." 1 CMC § 121 defines public purpose to include a purpose in which the benefits are equally available to the entire community, among other criteria.

Some of the beneficiaries of the proposed bill's funding include private organizations, such as building improvements which would benefit the private owner of the building or funding an organization's operations.

This provision of the proposed bill may expose the CNMI government to liability for equal protection violations by favoring one private entity to the exclusion of other private organizations that provide the same services. To reiterate, the provision of public funds to a private person or organization must be strictly construed and articulated to ensure such expenditure is for a public purpose.

Based on the opinion of the Attorney General, I will line-item veto the appropriation of \$150,000.00 to support the operations and the upgrade and rehabilitation of the facility for the Pacific Behavior Center.

Vetoed - Page 2 Lines 16-17

The proposed appropriation to the Marianas Business Network likewise contains no indication of the purpose for which the funds would be expended. Again, on the advice of the Attorney General, I will line-item veto the appropriation of \$5,000.00 to the Marianas Business Network.

Vetoed - Page 3 Lines 8-12

Similarly, the proposed appropriations to the Saipan Humane Society and the Northern Marianas Protection & Advocacy Systems, Inc. (NMPASI) contain no indication of the purposes for which the funds would be expended. On the advice of the Attorney General, opinion of the Attorney General, I will line-item veto the appropriations of \$40,000.00 to the Saipan Humane Society and of \$35,000.00 to NMPASI.

Because of this pattern of insufficient explanation of the public purpose for funding these private entities, the Attorney General recommended that I not sign this bill. Though I have approved the legislation in part, I share his concern with the constitutional public purpose requirement.

I encourage the Delegation to review the attached legal opinion of the Attorney General and to consider reintroducing this legislation with a clearer explanation of the public purpose for these proposed appropriations.

With the exception of the vetoed portions, this bill becomes Saipan Local Law No. 24-02. Copies bearing my signature are forwarded for your reference.

Sincerely,

ARNOLD I. PALACIOS

Governor

cc: Lieutenant Governor; Attorney General; Commonwealth Law Revision Commission; Public Auditor; Secretary, DOF; Secretary, DLNR; Resident Executive, IAO; Executive Assistant, CAO; Administrator, CNMI Scholarship; Joeten-Kiyu Public Library; Acting Special Assistant for Administration; Programs and Legislative Review Office

SAIPAN AND NORTHERN ISLANDS LEGISLATIVE DELEGATION Third Senatorial District

Twenty-Fourth Northern Marianas Commonwealth Legislature

Rep. John Paul P. Sablan, Chairman • Senator Celina R. Babauta, Vice Chair • Rep. Joel C. Camacho, Floor Leader

March 28, 2025

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. 24-3, D2, entitled:

"To appropriate revenues collected for the Third Senatorial District pursuant to Public Law 20-59."

The local bill was passed unanimously by the Saipan and Northern Islands Legislative Delegation of the Twenty-Fourth Northern Marianas Commonwealth Legislature on First and Final Reading, a quorum duly present during its 3rd Day, First Regular Session held on March 28, 2025.

Sincerely,

Frances Joan P. Kaipat Delegation Clerk

Enclosure





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

FIRST REGULAR SESSION, 2025

HOUSE LOCAL BILL No. 24-3, D2

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

To appropriate revenues collected for the Third Senatorial District pursuant to Public Law 20-59.

OFFERED BY

Representatives Joel C. Camacho, Blas Jonathan "BJ" T. Attao, Diego V. F. Camacho, Joseph A. Flores, Marissa R. Flores, Thomas J. DLC. Manglona, Elias J. M. Rangamar, John Paul P. Sablan, and Edmund S. Villagomez

Introduced on March 21, 2025

HOUSE ACTION

Transmitted to Saipan and Northern Islands Legislative Delegation for action on March 21, 2025

DELEGATION ACTION

Referred to:

None

Comments Solicited:

3/21/25 Mayor of Saipan [Del. Matters 24-23]

Mayor of Northern Islands [Del. Matters 24-24]

18th SNIMC [Del. Matters 24-25]]

Comments Received:

3/28/25 Mayor of Saipan commented on Public Comments

Standing Committee Report:

None

Passed First & Final Reading:

March 28, 2025 with Draft 2

Frances Joan P. Kaipat Delegation Clerk



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

FIRST REGULAR SESSION, 2025

H. L. B. NO. 24-3, D2

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

To appropriate revenues collected for the Third Senatorial District pursuant to Public Law 20-59.

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

SECTION 1. PURPOSE.

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The purpose of this Act is to appropriate local funds from the revenues collected for the Third Senatorial District pursuant to Public Law 20-59.

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 Legislative Delegation (SNILD) hereby appropriates \$500,000.00 of the revenues collected for the Third Senatorial District pursuant to Public Law 20-59 as follows:

HOUSE LOCAL BILL No. 24-3, D2

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(A) \$30,940.00 for the construction of Garapan Fishing Base Facility, expenditure authority under 2(A) shall be the Secretary of the Department of Lands and Natural Resources or his/her designee;

- (B) \$150,000.00 to support the operations and the upgrade and rehabilitation of facility for the Pacific Behavior Center, expenditure authority under 2(B) shall be the Secretary of the Department of Finance or his/her designee-
- (C) \$50,000.00 for the CNMI Scholarship for students from the Third Senatorial District, expenditure authority under 2(C) shall be the Chairperson of the CNMI Scholarship Board or his/her designee;
- (D) \$30,000.00 to 500 Sails for the MO'NA program and Boatyard Roof Repairs, expenditure authority under 2(D) shall be the Secretary of the Department of Finance or his/her designee;
- (E) \$5,000.00 for the Tasi To Table Inc. (For the 2nd Annual CNMI Reel Heroes International Fishing Derby), expenditure authority under 2(E) shall be the Secretary of the Department of Finance or his/her designee;
- (F) \$5,000.00 for the Marianas Business Network, expenditure authority under 2(F) shall be the Secretary of the Department of Finance or his/her designee;
- (G) \$10,000.00 for the "Famagu'on Marianas Cultural Club" of Saipan Southern High School, expenditure authority under 2(G) shall be the Secretary of the Department of Finance or his/her designee;

HOUSE LOCAL BILL NO. 24-3, D2

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	(H) \$25,000.00	for Saipan A	gricultural	Fair As	sociation,	expenditure	authority	under 2(H,
shall	be the Resident E	xecutive of the	he Indigeno	us Affa	airs Office	or his/her d	esignee;		

- (I) \$45,000.00 for Carolinian Advisory Council (in collaboration with the Carolinian Affairs Office), expenditure authority Under 2(I) shall be the Chairperson of the Carolinian Advisory Council or his/her designee;
- (J) \$45,000.00 for the Indigenous Affairs Office for its programs, expenditure authority under 2(J) shall be the Resident Executive or his/her designee;
- (K) \$40,000.00 for the Saipan Humane Society, expenditure authority under 2(K) shall be the Secretary of the Department of Finance or his/her designee;
- (L) \$35,000.00 for the Northern Marianas Protection & Advocacy Systems, Inc. (NMPASI), expenditure authority under 2(L) shall be the Secretary of the Department of Finance or his/her designee;
- (M) \$14,060.00 for the Irensian Y Saina Yan Y Tano Inc. (IYSYYT) for the conservation and revival of the coconut crab population, expenditure authority under 2(M) shall be the Secretary of the Department of Finance or his/her designee; and
- (N) \$15,000.00 for the JoeTen-Kiyu Public Library (JKPL) (for landscaping and beautification of the JKPL) expenditure authority under 2(N) shall be the Chairperson of the JKPL Board or his/her designee.

SECTION 3. AMENDMENT.

Notwithstanding any provision(s) of law, statutes, rules or regulations to the contrary section 2(D) of Saipan Local Law 23-15 is amended to read as follows:

HOUSE LOCAL BILL No. 24-3, D2

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\$65,000.00 for the construction of Garapan Fishing Base Facility, expenditure authority under 2(D) shall be the Secretary of the Department of Lands and Natural Resources or his/her designee.

SECTION 4. REPROGRAMMING.

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

SECTION 5. REPORTING OF EXPENDITURES.

Expenditure authorities of the funds allocated under Section 2 of this Act shall be responsible to report all expenses to the Secretary of the Department of Finance and the Chairperson of the Saipan and Northern Islands Legislative Delegation by the end of the 2025 calendar year. Provided further that failure to provide all expenses, entities (Government, non-profits entities, etc... excluding specific projects) that were afforded funds under this Act shall not be able to avail to any future funds appropriated by the Saipan and Northern Islands Legislative Delegation.

SECTION 6. 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 7. SAVINGS CLAUSE.

HOUSE LOCAL BILL No. 24-3, D2

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 8. EFFECTIVE DATE.

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

CERTIFIED BY:

Chairman
Saipan & Northern Islands Legislative Delegation

Edmund S. Villagomez
Speaker
24th House of Representatives

Approved this 7th day of April , 2025.

Arnold I. Palacios

Governor

Commonwealth of the Northern Mariana Islands