

TITLE 1: GOVERNMENT
DIVISION 1: LEGISLATIVE BRANCH

§ 1107. Accounting of Fixed Assets and Capital Goods.

(a) All fixed assets and capital goods purchased under any legislative account established pursuant to Article II, Section 16 of the N.M.I. Constitution, shall not be transferred out of the custody of the legislative branch, except as provided by law. The director of the Legislative Bureau shall keep a listing of all fixed assets and capital goods purchased by both houses of the Legislature to ensure proper accounting of the custody and disposition of those items. The bureau shall also develop procedures to ensure the proper identification of the items for tracking purposes. The listing required under this section shall include, but not be limited to, a description of each item, model and year of make if ascertainable, the price of each item, the year of purchase, and the location of the item within the offices of the elected officials including field offices in the respective senatorial districts. Thirty days before the expiration of each legislative term, the Legislative Bureau shall conduct a comprehensive inventory of all fixed assets and capital goods within the respective offices. An elected official shall be personally liable for the value of any unaccounted for fixed asset or capital good purchased under his authority.

(b) All fixed assets and capital goods situated in any non-returning legislator's office shall not be transferred out of the office.

(c) If a returning legislator is assigned a different office, all fixed assets and capital goods may be transferred to the new office. If a returning member wants to transfer any fixed assets or capital goods, the member shall coordinate and record the transfer with the Legislative Bureau for proper accounting of the transfer.

(d) All excess fixed assets and capital goods may be transferred or disposed at the discretion of the director of the Legislative Bureau.

Source: [PL 15-72](#), § 2; (b), (c), and (d) enacted by [PL 19-09](#) § 2 (Oct. 13, 2015), modified.

Commission Comment: [Public Law 15-72](#) took effect July 6, 2007, and contained findings and purpose, severability, and savings provisions. According to [PL 15-72](#):

Section 1. Findings and Purpose. The Legislature finds that it has been the practice of some outgoing legislators to distribute their office equipment and supplies to other government entities upon the conclusion of their terms. This practice is not practical as incoming legislators would then have to purchase new office equipment and supplies. Therefore, in order to more efficiently and prudently spend public funds, the purpose of this act is to empower the Legislative Bureau to maintain an inventory of all fixed assets and capital goods purchased by either house of the Legislature and to account for the custody and disposition of such items. This will allow incoming legislators with the opportunity to reuse office equipment or furniture instead of purchasing new ones.

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[Public Law 19-09](#) took effect October 13, 2015, and contained findings and purpose, severability, and savings provisions. According to [PL 19-09](#):

Section 1. Findings and Purpose. The Legislature acknowledges that [Public Law 15-72](#) provided for the inventory and accounting of all fixed assets and capital goods purchased under legislative accounts so that incoming legislators may have an option to reuse the items left by outgoing legislators. The Legislature finds that outgoing legislators dispose fixed assets and capital goods by transferring them to returning legislators and sometimes incoming legislators end up without any items in their assigned offices.

The purpose of this Act is to provide the Director of the Legislative Bureau with the authority to not only inventory the items but to manage and control its disposition so incoming legislative members be provided with fixed assets and capital goods left behind by outgoing legislative members. In addition, restricting nonreturning legislative members from transferring any of the fixed assets and capital goods prior to leaving office and to provide for a personal penalty for the violation of the restriction.

The Commission added parentheses to the subsection leaders pursuant to [1 CMC § 3806\(a\)](#).