



TINIAN & AGUIGUAN LEGISLATIVE DELEGATION
FIFTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SIXTH SPECIAL SESSION, 2007

TINIAN LOCAL LAW NO. 15-15
HOUSE LOCAL BILL NO. 15-67

A LOCAL BILL FOR AN ACT
FOR THE SECOND SENATORIAL DISTRICT

To repeal and reenact Title 10, Division 2, Chapter 3, Article 1; and for other purposes.

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

1 **Section 1. Findings and Purpose.** The Second Senatorial District Delegation finds
2 that under current law, the Mayor of Tinian and Aguiguan has the authority to appoint
3 whomever he deems fit to serve as acting mayor when the Mayor is to be physically absent
4 from the Second Senatorial District. The Second Senatorial District Delegation, however,
5 deems it more appropriate that this important position be filled by a member of the Municipal
6 Council given that they are also elected officials of the municipality. It is also appropriate that
7 the acting chairmanship of the Municipal Council be established. It is, therefore, the purpose
8 of this Act to designate guidelines for the designation of an Acting Mayor and acting
9 chairperson of the Municipal Council for the Second Senatorial District.

10 **Section 2. Repealer and Reenactment.** Title 10, Division 2, Chapter 3, Article 1 is
11 hereby repealed and reenacted to read as follows:

12 “Article 1. Tinian Acting Mayor and Municipal Council Acting Chairperson

13 “§ 2311. Short Title. This article shall be known and be cited as the ‘Tinian Acting
14 Mayor and Municipal Council Acting Chairperson Act of 2007.’

15 “§ 2312. Acting Mayor. Whenever the Mayor of Tinian is to be physically absent from
16 the Second Senatorial District of Tinian and Aguiguan islands, the presiding

1 officer or chairperson of the Municipal Council shall be Acting Mayor. If the
2 presiding officer or chairperson is also absent, then the vice- chairperson of
3 the Municipal Council shall be Acting Mayor. In the event that both the
4 chairperson and vice chairperson of the Municipal Council are absent, then
5 the remaining council member shall be the Acting Mayor. In the event that all
6 members of the Municipal Council are absent, then the Mayor shall designate
7 whom shall be the Acting Mayor to carry out the duties of the Office of
8 Mayor until the Mayor or any member of the Municipal Council physically
9 returns.

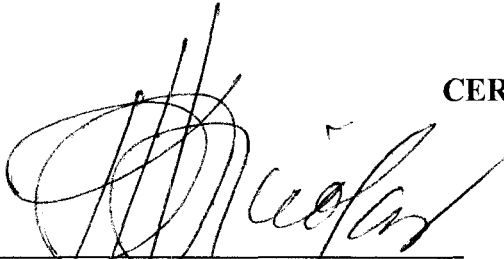
10 “§ 2313. Municipal Council Acting Chairperson. Whenever the chairperson of the
11 Municipal Council is to be physically absent from the Second Senatorial
12 District of Tinian and Aguiguan islands, the vice chairperson of the Municipal
13 Council shall be the Acting Chairperson of the Municipal Council. If the vice
14 chairperson is also absent, then the remaining council member shall be the
15 Acting Chairperson of the Municipal Council. In the event that all members
16 of the Municipal Council are absent, then the chairperson of the Municipal
17 Council shall designate whom shall be the Acting Chairperson until any
18 member of the Municipal Council physically returns.”

19 **Section 3. Severability.** If any provision of this Act, or the application of any such
20 provision to any person or circumstance should be held invalid by a court of competent
21 jurisdiction, the remainder of this Act or the application of its provisions to persons or
22 circumstances other than those to which it is held invalid shall not be affected thereby.

23 **Section 4. Savings Clause.** This Act and any repealer contained herein shall not be
24 construed as affecting any existing right acquired under contract or acquired under statutes
25 repealed or under any rule, regulation or order adopted under the statutes. Repealers contained
26 in this Act shall not affect any proceeding instituted under or pursuant to prior law. The
27 enactment of this Act shall not have the effect of terminating, or in any way modifying, any
28 liability civil or criminal, which shall already be in existence at the date this Act becomes
29 effective.

1 **Section 5. Effective Date.** This Act shall take effect upon its approval by the
2 Governor, or becoming law without such approval.

CERTIFIED BY:



Henry H. San Nicolas
Chairman

Tinian & Aguiguan Legislative Delegation



Oscar M. Babauta
Speaker

House of Representatives

Approved this 6th day of February, 2008.



TIMOTHY B. VILLAGOMEZ

~~Benigno R. Fitial~~

ACTING Governor

Commonwealth of the Northern Mariana Islands