

ELEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

PUBLIC LAW NO. 11-64

H. B. NO. 11-287, SD1

SECOND REGULAR SESSION, 1998

AN ACT

To impose a landing fee to be paid by passengers who disembark on Managaha Island; and for other purposes.

BE IT ENACTED BY THE ELEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Findings. The Legislature finds that there is a pressing need for funds to provide the construction, maintenance and operation of the Saipan Cultural and Performing Arts Center, Division of Public Lands, Commonwealth Museum, Saipan Youth Program, and for the cultural heritage activities of the Indigenous and Carolinian Affairs Offices. The imposition of a landing fee paid by tourists disembarking Managaha Island is a reasonable and worthwhile means to generate these funds.

Section 2. Landing Fee. A landing fee of five dollars (\$5.00) is imposed on each nonresident passenger who disembarks on Managaha Island by a commercial carrier. Each commercial carrier engaged in the transport of passengers to Managaha Island is charged with the duty to keep a daily record of all non-resident passengers to Managaha Island. The Division of Public Lands shall collect the landing fee under this Act from all commercial carriers. The Division of Public Lands shall submit a report on all landing fees collected under this Act at the end of each month to the Secretary of Finance.

Section 3. Saipan Cultural and Performing Arts Center, Division of Public Lands, Commonwealth Museum, Saipan Youth Program, Indigenous Affairs Office and Carolinian Affairs Office.

(a) The Secretary of Finance shall establish a special subaccount (the Fund) which shall be designated as the "Saipan Cultural and Performing Arts Center, Division of Public Lands, Commonwealth Museum, Saipan Youth Program, Indigenous Affairs Office and Carolinian Affairs Office account."

(b) All revenues collected pursuant to this Act shall be deposited into the Fund and shall be expended exclusively on projects and for the construction, maintenance and operation of the Saipan Cultural and Performing Arts Center, the Saipan Youth Program, the Division of Public Lands, Commonwealth Museum, and for the cultural heritage activities of the Indigenous and Carolinian Affairs Offices, in accordance with appropriations made by the Saipan and Northern Islands Legislative Delegation.

(c) Any interest earned on deposits of the Fund shall become part of the Fund.

Section 4. Reporting Requirements. The Secretary of Finance shall annually make a financial report on the status of the Fund to the Saipan and Northern Islands Legislative Delegation no later than 30 days after the close of each fiscal year.

Section 5. Use of Funds. The funds deposited in the subaccount shall be available for appropriation by the Saipan and Northern Islands legislative delegation and shall be available for appropriation without limitation by 1 CMC § 1402 or related provision of law.

Section 7. 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 8. 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 this Act shall not have the effect of terminating, or in any way modifying, any liability civil or criminal, which shall already be in existence at the date this Act becomes effective.

Section 9. Effective Date. Upon its approval by the Governor or upon its becoming law without such approval this Act shall take effect on September 26, 1998.

CERTIFIED BY:

ATTESTED BY:

/s/ Diego T. Benavente
DIEGO T. BENAVENTE
Speaker
House of Representatives

/s/ Evelyn C. Fleming
EVELYN C. FLEMING
House Clerk

Approved this 18th day of February, 1999

/s/ Pedro P. Tenorio
PEDRO P. TENORIO
Governor
Commonwealth of the Northern Mariana Islands