

THIRTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

FIRST REGULAR SESSION, 2002

Public Law 13-28

H. B. NO. 13-080, HD1

AN ACT

To establish an Agriculture Equipment Service Revolving Fund Program within the Division of Agriculture; and for other purposes.

**BE IT ENACTED BY THE THIRTEENTH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

Section 1. Title. This Act shall be cited as the “CNMI Agriculture Equipment Service Revolving Fund Program Act of 2002”.

Section 2. Findings. The Legislature finds that the Division of Agriculture, Department of Lands and Natural Resources, has and continues to play an important role in the sustainability of agricultural production in the CNMI by assisting the farmers prepare their land farm areas for planting at a nominal service fee. Further, the Legislature finds that these agriculture equipment have been, and continues to be, used extensively for agricultural land development resulting in increased expenses in fuel, lubrication, maintenance, repairs and other associated expenses.

Furthermore, the Legislature finds that the sum appropriated to the Division of Agriculture for repairs and maintenance is insufficient to meet the farmers’ demand for agriculture equipment service at their designated farm areas. Therefore, it is imperative that any and all sums collected from these agriculture equipment service requests be deposited into a revolving fund account to enhance its accessibility and availability when needed.

Section 3. Establishment of an Agriculture Equipment Service Revolving Fund Program. There is hereby established an Agriculture Equipment Service Revolving Fund Program to be administered by the Division of Agriculture, Department of Lands and Natural Resources, in each senatorial district in Rota, Tinian and Saipan.

Section 4. Establishment of Special Agriculture Equipment Service Revolving Fund Account. The Secretary of Finance shall establish or cause to establish a Special Agriculture Equipment Service Revolving Fund Account for each Senatorial District to be called as follows:

- (a) Rota Special Agriculture Equipment Service Revolving Fund Account;
- (b) Tinian/Aguiguan Special Agriculture Equipment Service Revolving Fund Account; and
- (c) Saipan Special Agriculture Equipment Service Revolving Fund Account.

The Secretary of Finance shall deposit or cause to deposit any and all revenues collected from this Act by each senatorial district in each respective special account, and shall enter or cause to enter such data appropriately and accurately in each separate special account contained in Section 4 above.

Notwithstanding any other provision of law, all revenues collected from this Act for the purposes provided herein shall be available without further appropriation and without fiscal year limitation.

Section 5. Disbursement of Special Agriculture Equipment Service Revolving Account. Any and all revenues collected from this Act shall be disbursed for the upkeep and operation of the agriculture service equipment which shall include and not be limited to the following:

- (a) For procurement of petroleum, oil, and lubrication products;
- (b) For equipment maintenance and repairs,
- (c) For procurement of equipment parts and new equipment.

Section 6. Establishment of Fee Schedules. The Director of the Division of Agriculture in Saipan, subject to the approval by the Secretary of the Department of Lands and Natural Resources, shall establish or cause to establish reasonable fee schedules for any and all agriculture equipment service requests. In the senatorial districts in Rota and Tinian, the Resident Director shall approve the fee schedules.

Section 7. Funds Status Report. The Secretary of Finance shall make or cause to make a true and accurate funds status report on a quarterly basis to the Director of Agriculture through the Secretary of the Department of Lands and Natural Resources, and the Resident Director in Rota and Tinian, respectively.

Section 8. Promulgation of Rules and Regulations. The Director of the Division of Agriculture, in consultation with the Secretary of the Department of Lands and Natural Resources, in the case of Saipan, and the Resident Director, in the case of Rota and Tinian, shall promulgate rules and regulations to carry out the intent and purpose of this Act.

Section 9. 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 10. 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 on the date this Act, becomes effective.

Section 11. Effective Date. This Act shall take effect upon its approval by the Governor or upon it becoming law without such approval.

CERTIFIED BY:

ATTESTED TO BY:

/s/ _____
Jesus T. Attao
ACTING SPEAKER

/s/ _____
Evelyn C. Fleming
HOUSE CLERK

Approved this 9th day of November, 2002

/s/ _____
JUAN N. BABAUTA
GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS