



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Benigno R. Fitial
Governor

Eloy S. Inos
Lieutenant Governor

May 27, 2011

Honorable Eli D. Cabrera
Speaker, House of Representatives
Seventeenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

The Honorable Paul A. Manglona
Senate President
Seventeenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Mr. Speaker and Mr. President:

This is to inform you that I have signed into law House Bill 17-43, entitled, "An Act to establish a CNMI Office of Transit Authority within the Office of the Governor; and for other purposes," which was passed by the Seventeenth Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 17-43**. Copies bearing my signature are forwarded for your reference.

Sincerely,

A handwritten signature in black ink, appearing to read "Benigno R. Fitial", written in a cursive style.

BENIGNO R. FITIAL

CC: Lt. Governor
Office of the Attorney General
Press Secretary, Office of the Governor
Special Assistant to the Administration
Special Assistant for Programs & Legislative Review
All Departments and Agencies



*Seventeenth Legislature
of the
Commonwealth of the Northern Mariana Islands*
IN THE HOUSE OF REPRESENTATIVES

First Regular Session

March 19, 2010

Representative Ray N. Yumul, of Saipan, Precinct 3 (*for himself*, Representatives Trenton B. Conner, Teresita A. Santos, and, Stanley T. McGinnis-Torres,) in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

H. B. 17-43

AN ACT

**TO ESTABLISH A CNMI OFFICE OF TRANSIT AUTHORITY
WITHIN THE OFFICE OF THE GOVERNOR; AND FOR OTHER
PURPOSES.**

The Bill was referred to the House Committee on Ways and Means which submitted Standing Committee Report 17-71, adopted by the House on March 28, 2011.

**THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON
FIRST AND FINAL READING, MARCH 28, 2011;**
without amendments in the form of H. B. 17-43 and transmitted to the
THE SENATE.

The Bill was not referred to a Senate Committee.
THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING, APRIL 6, 2011;
without amendments.

H. B. 17-43 WAS RETURNED TO THE HOUSE OF REPRESENTATIVES ON APRIL 8, 2011.



Linda B. Muña, House Clerk



*Seventeenth Legislature
of the
Commonwealth of the Northern Mariana Islands*
IN THE HOUSE OF REPRESENTATIVES

TWELFTH DAY, THIRD REGULAR SESSION

MARCH 28, 2011

H. B. 17-43

AN ACT

**TO ESTABLISH A CNMI OFFICE OF TRANSIT
AUTHORITY WITHIN THE OFFICE OF THE
GOVERNOR; AND FOR OTHER PURPOSES.**

**Be it enacted by the Seventeenth Northern Marianas
Commonwealth Legislature:**

1 **Section 1. Findings and Purpose.** The Legislature finds that
2 transportation is an essential link to employment, health, and educational services.
3 Without adequate transportation services in our community, senior citizens, persons
4 with disabilities, and indigent individuals cannot easily access the job market,
5 medical services, educational and recreational resources. The Commonwealth
6 presently lacks a comprehensive accessible transportation system. The Federal
7 Transit Administration (FTA) offers grants to assist states and territories in
8 developing or enhancing their transportation systems.

9 The Legislature additionally finds that ferry and shipping services between
10 the islands of Rota, Tinian and Saipan could benefit from grants that the Office of

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1 Transit Authority could apply for and implement in order to provide for continued
2 transportation services. In a recent article published in the Saipan Tribune dated
3 March 8th 2010, Tinian Shipping and Transportation Inc. which provides ferry
4 service between the islands of Saipan and Tinian has suspended its operation for
5 five to six months. Residents of Tinian will now rely primarily on air transportation
6 services to travel between Saipan and Tinian during this period.

7 In addition, the skyrocketing rise in the price of gasoline is now taking a toll
8 on the average wage earner who have to shoulder the ever increasing cost of utility
9 and fuel for vehicles. Also, a past sting operation conducted by the Department of
10 Public Safety on April 22nd 2008, had arrested 9 persons in an illegal taxi operation.
11 This illegal taxi activity only reinforces the CNMI's dire need for cheap and wide-
12 reaching public transportation system.

13 The Legislature further finds that the Commonwealth, through the Public
14 School System (PSS), has been receiving the FTA grants for the past several years,
15 which have been used to purchase buses for the public schools. According to PSS,
16 its bus fleet had completed upgrades on 2007, thereby making the FTA grant
17 available for other purposes. However, in order for the Commonwealth government
18 to apply for the FTA grants, it must establish an agency that would be charged with
19 establishing and overseeing a transportation system for the Commonwealth.

20 Therefore, the purpose of this Act is to create an office within the Office of
21 the Governor to review, apply, receive, manage, and use federal grants from the
22 FTA. The office, in collaboration with pertinent government agencies and the

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1 private sector, should assess the Commonwealth's transportation needs and develop
2 a viable public transportation system.

3 **Section 2. Establishment of the Office of Transit Authority.**

4 (a) There is established within the Office of the Governor, a
5 Commonwealth Office of Transit Authority.

6 (b) The Commonwealth Office of Transit Authority shall be
7 administered by a Special Assistant for Public Transportation who shall be
8 appointed by the Governor and serve at the pleasure of the Governor.

9 (c) In the Office of Transit Authority, there shall be a
10 Commonwealth Public Transportation Advisory Board to be chaired by the
11 Special Assistant for Public Transportation and shall be comprised of the
12 Secretary of the Department of Public Works, Secretary of the Department
13 of Finance, Commissioner of the Department of Public Safety, Director of
14 the CNMI Emergency Management Office, a representative from the Public
15 School System, a representative of the Mayor of each senatorial district and
16 a representative from the business community.

17 **Section 3. Duties and Responsibilities.** The Commonwealth Office of
18 Transit Authority's duties and responsibilities are as follows:

19 (a) Formulate goals and objectives for the establishment of a public
20 transportation system for the Commonwealth.

21 (b) Develop and establish a public transportation system in the
22 Commonwealth.

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1 (c) Seek, identify, and apply for pertinent public transportation funds
2 from the Federal Government.

3 (d) Develop and implement public transportation policies and
4 programs consistent with Commonwealth and Federal laws.

5 (e) Recommend necessary changes in CNMI laws to accomplish
6 established goals and objectives.

7 (f) Procure public transportation vehicles, equipment, and supplies.

8 (g) Employ support staff necessary to carry out its duties and
9 responsibilities.

10 (h) Submit an annual report to the Governor and the Presiding
11 Officers of the Legislature pertaining to the operation, programs, and federal
12 grants. Such report shall be provided on or before January 31st of each year.

13 **Section 4. Appropriation.** The Legislature shall appropriate funds
14 necessary to meet the twenty percent matching fund requirement, if any, at such
15 time that the Commonwealth is required to match federal funds.

16 **Section 5. Severability.** If any provisions of this Act or the application of
17 any such provision to any person or circumstance should be held invalid by a court
18 of competent jurisdiction, the remainder of this Act or the application of its
19 provisions to persons or circumstances other than those to which it is held invalid
20 shall not be affected thereby.

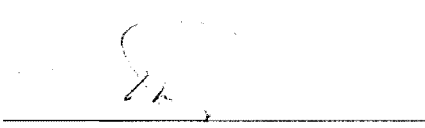
21 **Section 6. Savings Clause.** This Act and any repealer contained herein
22 shall not be construed as affecting any existing right acquired under contract or

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1 acquired under statutes repealed or under any rule, regulation or order adopted
2 under the statutes. Repealers contained in this Act shall not affect any proceeding
3 instituted under or pursuant to prior law. The enactment of the Act shall not have
4 the effect of terminating, or in any way modifying, any liability, civil or criminal,
5 which shall already be in existence on the date this Act becomes effective.

6 **Section 7. Effective Date.** This Act shall take effect upon its approval by
7 the Governor, or its becoming law without such approval.

Attested to by:


Linda B. Muña, House Clerk

Certified by:


ELICEO "Eli" D. CABRERA, SPEAKER

APPROVED this 27th day of MAY, 2011


BENIGNO R. FITIAL

Governor

Commonwealth of the Northern Mariana Islands