



## COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

**Eloy S. Inos**  
Governor

**Jude U. Hofschneider**  
Lieutenant Governor  
**31 DEC 2014**

Honorable Ramon A. Tebuteb  
Chairman, Saipan & Northern Island Legislative Delegation  
Eighteenth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

Honorable Joseph P. Deleon Guerrero  
Speaker, House of Representatives  
Eighteenth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

Dear Mr. Chairman and Mr. Speaker:

This is to inform you that I have approved in part, and disapproved in part, House Local Bill No. 18-63,D2, an Act “[t]o appropriate \$3,672,000.00 from revenues to be collected pursuant to Saipan Local Law 11-2 as amended, anticipated being collected for Fiscal Year 2015; and for other purposes,” which was passed by the Saipan and Northern Islands Legislative Delegation of the Eighteenth Northern Marianas Commonwealth Legislature.

HLB 18-63, D2 seeks to appropriate up to \$3,672,000.00 from local poker license fees of the Third Senatorial District for sixteen separate items. Section 2 of the bill lists the items of appropriation. Under Section 2(B)(8), the bill lists “\$200,000 to be equally distributed to each Precinct[.]”

An appropriation is an act of the Legislature that authorizes Commonwealth agencies to incur obligations and make payments from the Treasury for “specified purposes.” 1 CMC § 7103(c). The appropriation must be for a public purpose and the expenditure may only be made pursuant to law. N.M.I. Const., art. X, § 1.

Nearly all of the line items of appropriation listed in HLB 18-63, D2 are for a specific and public purpose as required by law. However, line item Section 2(B)(2) does not satisfy this criteria.

Honorable Ramon A. Tebuteb  
Honorable Joseph P. Deleon Guerrero  
December 31, 2014  
Page -2-

Section 2(B)(2) merely states that "\$200,000 to be equally distributed to each Precinct." First, a precinct is not an entity or program upon which funds can be bestowed upon unlike, for example, SHEFA. Second, Section 2(B)(8) does not state a specific purpose or any purpose whatsoever for what the expenditure authority is to use the funds for. This makes it impossible for the expenditure authority to determine whether the funds are being expended for a proper and public purpose as required by law. I believe such deficiency requires me to disapprove Section 2(B)(2). I therefore exercise the line item veto authority granted in Article II, Section 7(a) of the Commonwealth Constitution and disapprove said section.

For the reasons stated above, I am returning House Local Bill 18-63, D2 approved in part and disapproved in part. Thank you for your understanding on this matter.

Sincerely,



**ELOY S. INOS**

CC: Lt. Governor  
Press Secretary, Office of the Governor  
Special Assistant for Programs & Legislative Review



**Saipan & Northern Islands Legislative Delegation**  
**Eighteenth Northern Marianas Commonwealth Legislature**  
**Third Senatorial District**  
**P.O. Box 500586**  
**Saipan, MP 96950**

Representative Ramon A. Tebuteb, Chairman  
Representative John Paul P. Sablan, Vice Chairman  
Senator Pete P. Reyes, Floor Leader

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December 16, 2014

Honorable Eloy S. Inos  
Governor  
Commonwealth of the Northern  
Mariana Islands  
Saipan, MP 96950


Dear Governor Inos:

I am honored to transmit for your action *House Local Bill No. 18-63, D2*, entitled,

***“A Local Appropriation Bill For An Act For The Third Senatorial District  
“To appropriate \$3,672,000.00 from revenues to be collected pursuant to Saipan Local  
Law 11-2 as amended, anticipated being collected for Fiscal Year 2015;  
and for other purposes..”***

This bill was passed unanimously by the Saipan and Northern Islands Legislative Delegation of the Eighteenth Northern Marianas Commonwealth Legislature, a quorum duly present, on First and Final Reading during its Fifth Day, Fourth Regular Session 2014 on December 11, 2014.

Sincerely,

  
ALICIA DLG. LEON GUERRERO  
Delegation Clerk

Enclosures



**SAIPAN AND NORTHERN ISLANDS LEGISLATIVE DELEGATION  
EIGHTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE  
FOURTH REGULAR SESSION, 2014**

**HOUSE LOCAL BILL NO. 18-63, D2**

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**A LOCAL APPROPRIATION BILL FOR AN ACT  
FOR THE THIRD SENATORIAL DISTRICT**

To appropriate \$3,672,000.00 from revenues to be collected pursuant to Saipan Local Law 11-2 as amended, anticipated being collected for Fiscal Year 2015; and for other purposes.

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**Offered by**

**Representative Ralph N. Yumul and one other on September 19, 2014**

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**HOUSE ACTION**

**Transmitted to Saipan and Northern Islands Legislative Delegation for action on  
October 3, 2014**

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**DELEGATION ACTION**

**Referred To** : **SNILD Committee on Ways & Means (10/23/14)**  
**Comments Solicited** : **Mayor of Saipan; Mayor of Northern Islands;  
Chairman, SNI Municipal Council (10/3/14)**  
**Comments Received** : **Mayor of Saipan (10/21/14)**  
**Standing Committee Report** : **None**  
**Passed First & Final Reading** : **December 11, 2014 (w/D2)**

A handwritten signature in cursive script, appearing to read "Alicia DLG. Leon Guerrero".

**Alicia DLG. Leon Guerrero, Delegation Clerk**



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- (5) \$30,000.00 for the Saipan Zoning Office for Enforcement and Operations;
- (6) \$20,000.00 for the Liberation Day activities;
- (7) \$50,000.00 for the Cultural Village TIPIEEW;
- ~~(8) \$200,000 to be equally distributed to each Precinct;~~
- (9) (i) \$105,000.00 for the Medical Referral Program for patient(s) stipend(s) for the Saipan and Northern Islands patients. The expenditure authority for these funds shall be the Secretary of Finance;
- (ii) \$15,000.00 for the Saipan and Northern Islands Legislative Delegation (SNILD) operational funds under the expenditure authority of SNILD Chairman; and
- (10) \$5,000.00 for Saipan Fishing Derby;
- (11) \$12,000.00 for the procurement of two (2) Port-A-Cool 36" evaporator cooler units by the Department of Community and Cultural Affairs;
- (12) \$10,000.00 for the NMI Crime Stoppers;
- (13) \$30,000.00 for the paving of a section of Mt. Tapochau Road; and
- (14) \$50,000.00 for the District Tournament Committee to host the District and Regional Tournaments.

**Section 3. Expenditure Authority.** The expenditure authority for the funds under Section 2(A), (B)(1) shall be the SHEFA Board Chairperson in concurrence with the SHEFA Board; provided further, that no funds appropriated herein should be expended for consulting and/or professional services contracts. The expenditure authority for the funds under Section 2(B)(2) thru (8) and (10) thru (14) of this Act shall be the Secretary of Finance.

1           **Section 4. Reprogramming.** Funds appropriated under this act shall not be  
2 reprogrammed for any other purpose. Funds allotted under Section 2(B)(1) of this Act shall not  
3 be used for consulting and/or professional services contracts. Notwithstanding any provision of  
4 law, all capital improvement projects funded under this Act shall be without fiscal year  
5 limitation.

6           **Section 5. Allotment of Funds.** In the event that the revenue collections do not meet  
7 the appropriated amount in this Act, the Secretary of Finance shall allot each program an  
8 amount based on the percentage of the programs appropriation proportionately.

9           **Section 6. Management of Funds.**

10           (A) The Secretary of Finance shall regulate and control the expenditure of the  
11 funds appropriated by this Act to ensure that appropriated funds are not expended  
12 contrary to the law, fiscal management policies, and practices of the Commonwealth.

13           (B) **Public Accountability.** The Secretary of Finance shall regulate and  
14 control the expenditure of the funds appropriated by this Act to ensure that  
15 appropriated funds are not expended contrary to the law, fiscal management policies,  
16 and practices of the Commonwealth. All funds are subject to public accountability and  
17 all recipients shall provide a detailed written report concerning the use of all funds  
18 expended.

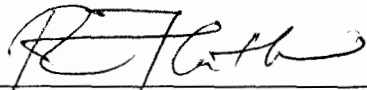
19           **Section 7. Severability.** If any provision of this Act or the application of any such  
20 provision to any person or circumstance should be held invalid by a court of competent  
21 jurisdiction, the remainder of this Act or the application of its provisions to persons or  
22 circumstances other than those to which it is held invalid shall not be affected thereby.

23           **Section 8. 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

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

5 **Section 9. Effective Date.** This Act shall take effect upon its approval by the  
6 Governor or its becoming law without such approval.

**CERTIFIED BY:**




**RAMON A. TEBUTEB**  
Chairman  
Saipan & Northern Islands  
Legislative Delegation



**JOSEPH P. DELEON GUERRERO**  
Speaker  
House of Representatives

APPROVED on this 31<sup>st</sup> day of December, 2014.



**ELOY S. INOS**  
Governor  
Commonwealth of the Northern Mariana Islands