

P.L. 12-2

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## COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Pedro P. Tenorio  
Governor

Jesus R. Sablan  
Lt. Governor

Caller Box 10007  
Saipan, MP 96950  
Telephone: (670) 664-2200  
Fax: (670) 664-2211

MAR 31 2000

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

and

The Honorable Benigno R. Fitial  
Speaker, House of Representatives  
Twelfth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

Dear **Mr.** Mr. President and Mr. Speaker:

This is to inform you that I have signed into law Senate Bill 12-20, HD3, entitled, "To amend Public Law 11-84" (defining "public purpose"), which was passed by the Twelfth Northern Marianas Commonwealth Legislature.

I have signed this bill in deference to the legislature's Constitutionally mandated authority to define "public purpose".

This bill becomes **Public Law No. 12-2**. Copies bearing my signature are forwarded for your reference.

Sincerely,

  
PEDRO P. TENORIO

CC: Secretary of Finance  
Special Assistant for Management and Budget  
Public Auditor  
Special Assistant for Programs & Legislative Review





*The Senate*  
NORTHERN MARIANAS COMMONWEALTH LEGISLATURE  
P.O. Box 129  
Saipan, MP 96950

February 25, 2000

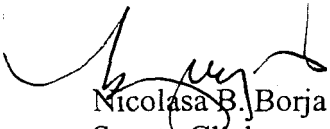
*PUBLIC LAW NO. 12-2*

Honorable Pedro P. Tenorio  
Governor  
Commonwealth of the Northern  
Mariana Islands  
Capitol Hill  
Saipan, MP 96950

Dear Governor Tenorio:

I have the honor to transmit herewith for your action one (1) original copy of Senate Bill No. 12-20, HD3, entitled, "**An** Act to amend Public Law 11-84; and for other purposes," which was passed by the Senate and the House of Representatives of the Twelfth Northern Marianas Commonwealth Legislature.

Sincerely yours,



Nicolasa B. Borja  
Senate Clerk

Attachment

Recd 2/29/00

***The SENATE***  
**TWELFTH NORTHERN MARIANAS COMMONWEALTH**  
**LEGISLATURE**

*PUBLIC LAW NC. 12-2*  
**SENATE BILL SO. 11-10, HD3**

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**AN ACT**

To amend Public Law 11-84; and for other purposes.

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Offered by Senator(s):       Pete P. Reyes

Date: February 3, 2000

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**SENATE ACTION**

Standing Committee Report: None

Final Reading: February 3, 2000

Accepted House Amendments: February 23, 2000

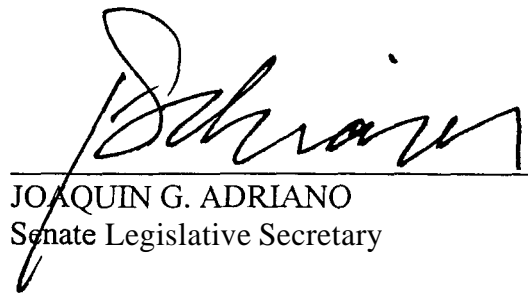
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**HOUSE ACTION**

Referred to: Committee on Judiciary, Governmental Operations

Standing Committee Report: 12-7

First Reading and Final Reading: February 17, 2000

  
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JOAQUIN G. ADRIANO  
Senate Legislative Secretary

**TWELFTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE**

**FIRST REGULAR SESSION, 2000**

*PUBLIC LAW NO. 12-2*

**SENATE BILL  
NO. 12-20, HD3**

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**AN ACT**

To amend Public Law 11-84; and for other purposes

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

1       Section 1. Findings and purpose The legislature finds despite its best efforts to  
2       ~~fulfill~~ its Constitutionally mandated duty to define “Public Purpose” there is still some  
3       confusion at the Department of Finance. As there has been no written guidance provided by  
4       the Department of Finance, the members have had to rely on past practice and procedure.  
5       This has resulted in many expenditures made by members of the 11th Legislature having  
6       payment denied by the Department of Finance. As such, we find it necessary to ratify those  
7       pending expenditures which would have been paid under past practice, and are not for  
8       personal or political gain.

9       Section 2. Amendment: Public Law 11-84 is hereby amended as follows:

10               (a) Sections 4 through 7 are hereby renumbered **as** sections 5 through 8, and  
11       a new Section 4 is hereby added as follows:

12                       “Section **4**: Ratification. The Legislature does hereby ratify and  
13       deem to have expended for a public purpose **and** the Department of Finance

1           shall pay as requested all expenses incurred by members of the 11th  
2           Legislature which were incurred and submitted to the Department of Finance.  
3           However, the Department of Finance may reasonably require such  
4           information necessary for the justification of such expenditures, provided that  
5           it shall have the burden to show that an expenditure was incurred for political  
6           or personal activities based on clear and convincing evidence before a request  
7           is denied.”

8           (b) A new item 9 is hereby added to Section 3 to read.

9                         “9. Notwithstanding any other provision of this act or other law to the  
10           contrary, expenditures authorized and regulated by legislative rules are  
11           expressly declared to be for a public purpose, unless proved by clear and  
12           convincing evidence that the expenditure in fact was for a personal or  
13           political activity.”

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

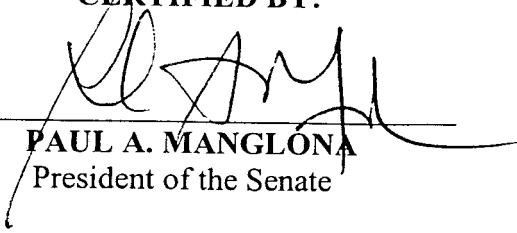
18           Section 4. Savings Clause. This Act and any repealer contained herein shall not be  
19           construed as affecting any existing right acquired under contract or acquired under statutes  
20           repealed or under any rule, regulation or order adopted under the statutes. Repealers  
21           contained in this Act shall not affect any proceeding instituted under or pursuant to prior  
22           law. The enactment of this Act shall not have the effect of terminating, or in any way

PUBLIC LAW NO. 12-2  
SENATE BILL NO. 12-20, HD3

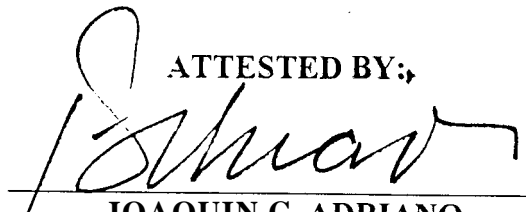
1 modifying, any liability, civil or criminal, which shall already be in existence at the date this  
2 Act becomes effective.

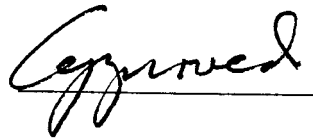
3 Section 5. Effective Date. Upon its approval by the Governor or upon its becoming  
4 law without such approval.

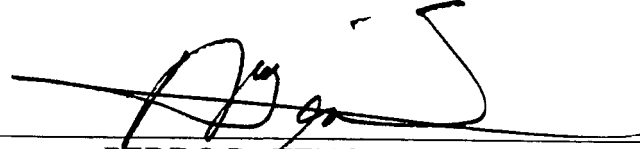
CERTIFIED BY:

  
PAUL A. MANGLONA  
President of the Senate

ATTESTED BY:

  
JOAQUIN G. ADRIANO  
Senate Legislative Secretary

 Approved this 31<sup>st</sup> day of March, 2000

  
PEDRO P. TENORIO  
Governor

Commonwealth of the Northern Mariana Islands