



## COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

**Ralph DLG. Torres**  
Governor

**Victor B. Hocog**  
Lieutenant Governor

The Honorable Rafael S. Demapan  
Speaker, House of Representatives  
Nineteenth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

02 SEP 2016

The Honorable Francisco M. Borja  
Senate President, The Senate  
Nineteenth 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 No. 19-54, HD1**, entitled, "To authorize the Bureau of Environmental and Coastal Quality: Division of Environmental Quality to set well water usage rates for commercial and other non-governmental groundwater wells within the Commonwealth of the Northern Marianas Islands; and for other purposes." which was passed by the House of Representatives and the Senate of the Nineteenth Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 19-64**. Copies bearing my signature are forwarded for your reference.

Sincerely,

A handwritten signature in black ink, appearing to read "Ralph DLG. Torres", written over a circular official stamp or seal.

RALPH DLG. TORRES

cc: Lt. Governor; Attorney General's Office; Press Secretary; Bureau of Environmental and Coastal Quality; Commonwealth Utilities Corporation; Law Revision Commission; Secretary of Finance; Public Auditor; Special Assistant for Administration; Special Assistant for Programs and Legislative Review



# House of Representatives

19<sup>th</sup> NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. BOX 500586  
SAIPAN, MP 96950

August 4, 2016

The Honorable Ralph DLG. Torres  
Governor  
Commonwealth of the Northern  
Mariana Islands  
Capitol Hill  
Saipan, MP 96950

Dear Governor Torres:

I have the honor of transmitting herewith for your action **H. B. No. 19-54, HD1**, entitled: "To authorize the Bureau of Environmental and Coastal Quality: Division of Environmental Quality to set well water usage rates for commercial and other non-governmental groundwater wells within the Commonwealth of the Northern Marianas Islands; and for other purposes.", which was passed by the House of Representatives and the Senate of the Nineteenth Northern Marianas Commonwealth Legislature.

Sincerely yours,



Linda B. Muña  
House Clerk

Attachment



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

**Second Special Session**

**April 24, 2015**

Representative Angel A. Demapan, of Saipan, Precinct 1 (*for himself.*) in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

**H. B. No. 19-54, HD1**

**AN ACT**

**TO AUTHORIZE THE BUREAU OF ENVIRONMENTAL AND COASTAL QUALITY: DIVISION OF ENVIRONMENTAL QUALITY TO SET WELL WATER USAGE RATES FOR COMMERCIAL AND OTHER NON-GOVERNMENTAL GROUNDWATER WELLS WITHIN THE COMMONWEALTH OF THE NORTHERN MARIANAS ISLANDS; AND FOR OTHER PURPOSES.**

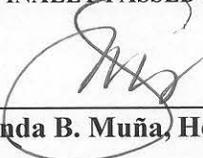
The Bill was referred to the House Committee on Natural Resources, which submitted Standing Committee Report 19-71; adopted December 21, 2015.

**THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON FIRST AND FINAL READING, DECEMBER 21, 2015;**  
*with amendments* in the form of H. B. 19-54, HD1 and transmitted to the  
**THE SENATE.**

The Bill was referred to the Senate Committee on Resources, Economic, Development and Programs, which submitted Standing Committee Report 19-110; adopted July 26, 2016.

**THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING, JULY 26, 2016;**  
*without amendments and was returned to*  
**THE HOUSE OF REPRESENTATIVES.**

**THE BILL WAS FINALLY PASSED ON DECEMBER 21, 2015.**

  
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Linda B. Muña, House Clerk



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

Eleventh Day, Second Regular Session

December 21, 2015

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**H. B. No. 19-54, HD1**

**AN ACT**

**TO AUTHORIZE THE BUREAU OF ENVIRONMENTAL AND COASTAL QUALITY: DIVISION OF ENVIRONMENTAL QUALITY TO SET WELL WATER USAGE RATES FOR COMMERCIAL AND OTHER NON-GOVERNMENTAL GROUNDWATER WELLS WITHIN THE COMMONWEALTH OF THE NORTHERN MARIANAS ISLANDS; AND FOR OTHER PURPOSES.**

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

1           **Section 1. Findings and Purpose.** The Legislature finds that Public Law 6-12,  
2 entitled the “Commonwealth Groundwater Management and Protection Act of 1988” was  
3 enacted to protect and preserve the Commonwealth’s water resources. The statement of  
4 policy set forth in Public Law 6-12 reads as follows:

5           “In consideration that the Commonwealth of the Northern Mariana Islands is almost  
6 exclusively dependent upon groundwater for its water supply, it is hereby declared to be the  
7 public policy of the Commonwealth of the Northern Mariana Islands and the purpose of this  
8 [public law] to:

9           (a) Assert the rights of the people to groundwater resources for public benefit;

HOUSE BILL 19-54, HD1

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1 (b) Assert that the general welfare requires that groundwater resources be put to the  
2 highest beneficial use for which they are capable;

3 (c) Create permitting systems which regulate the withdrawal and use of groundwater  
4 resources of the Commonwealth;

5 (d) Designate groundwater management zones; and

6 (e) Promote the long-term ability of the Commonwealth to provide reliable and  
7 potable water to the public.”

8 Public Law 6-12 further set forth a statement of authority as follows:

9 “The groundwater resources of the Commonwealth belong to the public. No  
10 diversion, withdrawal, storage, or use of such water shall occur except in the compliance with  
11 this [public law] and with other laws of the Commonwealth.”

12 Public Law 6-12 restricts withdrawal and use of well water unless authorized by law. Water  
13 resources are scarce and its usage must be controlled in order to provide water to future  
14 generations to come. Accordingly, all users of groundwater must be regulated in order to  
15 preserve and conserve our water resources. Whether ground water is pumped into a pipe or  
16 into a water well, ground water should be metered and all users must pay a reasonable fee for  
17 the use of such water. The purpose of this legislation is to authorize Division of  
18 Environmental Quality to regulate and establish well water usage fees thus the intention of  
19 monitoring and regulating the use of the Commonwealth’s groundwater resources is  
20 reinforced.

21 **Section 2. Amendment.** Title 2, Division 3, Chapter 3 § 3324 of the  
22 Commonwealth Code is amended by adding a new subsection (g) to read as follows:

23 “(g) The Bureau of Environmental and Coastal Quality is hereby authorized to  
24 set well water usage rates for commercial and other non-governmental groundwater  
25 wells.”

HOUSE BILL 19-54, HD1

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1           **Section 3. Amendment.** Title 2, Division 3, Chapter 3 § 3333 of the  
2 Commonwealth Code is amended to read as follows:

3                   “§ 3333 Fees.

4                   All fees, charges, and civil fines authorized and collected under this chapter  
5 shall be paid to the Commonwealth Treasurer, provided that 50% of the fees collected  
6 under this chapter shall be deposited into 2 CMC § 3135 (Division of Environmental  
7 Quality Special Fund Account). Fees and charges shall be established so as to assure  
8 full recovery of the costs of administration and monitoring for the program as a  
9 whole.”

10           **Section 4. Severability.** If any provision of this Act or the application of any such  
11 provision to any person or circumstance should be held invalid by a court of competent  
12 jurisdiction, the remainder of this Act or the application of its provisions to persons or  
13 circumstances other than those to which it is held invalid shall not be affected thereby.

14           **Section 5. Savings Clause.** This Act and any repealer contained herein shall not be  
15 construed as affecting any existing right acquired under contract or acquired under statutes  
16 repealed or under any rule, regulation, or order adopted under the statutes. Repealers  
17 contained in this Act shall not affect any proceeding instituted under or pursuant to prior law.  
18 The enactment of the Act shall not have the effect of terminating, or in any way modifying,  
19 any liability, civil or criminal, which shall already be in existence on the date this Act  
20 becomes effective.

**HOUSE BILL 19-54, HD1**

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

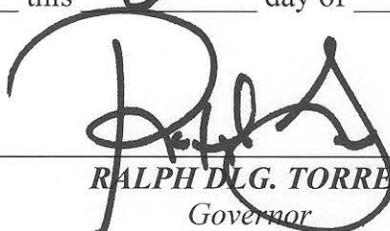
Attested to by:

  
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**Linda B. Muña, House Clerk**

Certified by:

  
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**SPEAKER RAFAEL S. DEMAPAN**  
House of Representatives  
19<sup>th</sup> Northern Marianas Commonwealth Legislature

Approved this 2<sup>nd</sup> day of September, 2016

  
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**RALPH D.G. TORRES**  
Governor  
Commonwealth of the Northern Mariana Islands