

NINETEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

Third Reg SESSION, 2016

S. B. NO. 19-79

A BILL FOR AN ACT

To amend 2 CMC § 2122 to authorize the Commonwealth Ports Authority to develop and expand the air service to the Commonwealth; and for other purposes.

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

1 **Section 1. Findings and Purpose.** The Legislature finds that the
2 Commonwealth's economic depression is largely due to the departure or drastic reduction
3 of air service by major airlines such as Japan Airlines, United Airlines, and Delta
4 Airlines. The departure of these major airlines resulted in a drastic loss or shortage of
5 visitors to the Commonwealth and spike in the cost of airfare tickets to travel anywhere
6 from the Commonwealth.

7 The Legislature further finds that the Marianas Visitors Authority (MVA) is the
8 lead government agency responsible for re-building the Commonwealth's once glorious
9 tourism industry. Although doing its best to attract tourists to the Commonwealth,
10 MVA's powers are limited and MVA does not have the authority to offer any air service
11 incentives to entice airlines to increase their flights to the Commonwealth. Air service is
12 under the authority of the Commonwealth Ports Authority (CPA).

13 The Legislature finds that CPA should collaborate with the MVA to develop a
14 favorable air service incentive and tourism marketing program to increase the air service
15 to the Commonwealth and increase the number of visitors to our islands. CPA and MVA
16 should pool their resources to develop a program that benefits both agencies and the
17 Commonwealth in general. Moreover, CPA should avail of all federal laws and
18 regulations that provide beneficial air service incentives, subsidies, or exceptions to the

1 Commonwealth including essential air service subsidies and cabotage exceptions.
2 Accordingly, the purpose of this legislation is to authorize CPA to develop and expand
3 the air service to the Commonwealth by adopting air service incentives, if feasible, and
4 applying for favorable federal government air service incentives, subsidies, or exceptions.

5 **Section 2. Amendment.** 2 CMC § 2122 is hereby amended by amending
6 subsection (s) and adding a new subsection (t) to read as follows:

7 “(s) ~~The enumeration of specific powers and duties in this section shall not be~~
8 ~~deemed to be exclusive.~~ To develop and expand air service to the Commonwealth by
9 adopting air service incentive programs, if feasible, and by supporting, petitioning or
10 applying for beneficial federal government air service incentives, subsidies, or exceptions
11 including the essential air service program and cabotage exception.”

12 (t) To do any and all other things necessary to the full and convenient exercise of
13 the above powers.”

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

19 **Section 4. Savings Clause.** This Act and any repealer contained herein shall not
20 be construed as affecting any existing right acquired under contract or acquired under
21 statutes repealed or under any rule, regulation or order adopted under the statutes.
22 Repealers contained in this Act shall not affect any proceeding instituted under or
23 pursuant to prior law. The enactment of this Act shall not have the effect of terminating,
24 or in any way modifying, any liability civil or criminal, which shall already be in
25 existence at the date this Act becomes effective.

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

Date: 01/27/2016

Introduced By: [Signature]
Sen. Sixto K. Igisomar

Reviewed for Legal Sufficiency by:

[Signature]
Senate Legal Counsel

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