GOV. COMM. 19-179
(HOUSE)

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Ralph DLG. Torres
Governor

Victor B. Hocog
Lieutenant Governor

01 AUG 2016

Honorable Francisco M. Borja
Senate President, The Senate
Nineteenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

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

Dear Mr. President and Mr. Speaker:

This is to inform you that I have signed into law Senate Bill No. 19-68, SD1, HD1, entitled, "To amend 4 CMC § 51403 by adding a new subsection (f) to implement a ten-day waiting period for the payment of copper wire to deter copper wire theft; and for other purposes.", which was passed by the Senate and the House of Representatives of the Nineteenth Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 19-57**. Copies bearing my signature are forwarded for your reference.

Sincerely,

RALPH DLG. TORRES

HOUSE CLERK'S OFFICE
RECEIVED BY
DATE 8/2/16 TIME 10:33a

cc: Lt. Governor; Press Secretary; Attorney General's Office; Commissioner, Department of Public Safety; Public Auditor; Special Assistant for Administration; Special Assistant for Programs and Legislative Review

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THE SENATE

NINETEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SENATE BILL NO. 19-68, SD1, HD1

AN ACT

To amend 4 CMC § 51403 by adding a new subsection (f) to implement a ten-day waiting period for the payment of copper wire to deter copper wire theft; and for other purposes.

SENATE ACTION

Offered by Senator(s): Francisco Q. Cruz

Date: November 13, 2015

Referred to: Committee on Judiciary, Government and Law

Standing Committee Report No.: 19-109 adopted on May 10, 2016

Final Reading: June 29, 2016

HOUSE ACTION

Referred to: Committee on Commerce and Tourism

Standing Committee Report No.: 19-111 adopted on May 10, 2016

First and Final Reading: May 10, 2016

DOLORES S. BERMUDES
SENATE CLERK

THE SENATE
NINETEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SECOND REGULAR SESSION, 2015 **S. B. NO. 19-68, SD1, HD1**

AN ACT

To amend 4 CMC § 51403 by adding a new subsection (f) to implement a ten-day waiting period for the payment of copper wire to deter copper wire theft; and for other purposes.

BE IT ENACTED BY THE NINETEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Findings and Purpose.

The Legislature finds that copper wire theft is a serious problem for residents and businesses in the Commonwealth. Copper wire theft causes business owners and residents financial loss and disrupts electrical service to homes, stores, and other structures when the wires are stolen and sold at recycling centers. The Legislature finds it necessary to implement a ten-day waiting period on the payment of copper wire to further deter copper wire theft.

In addition, the Legislature finds that the recycler must provide a copy of copper-wire sale within three days of the sale transaction to the Department of Public Safety Commissioner. The waiting period provides time for the DPS to investigate the sale, most especially those who frequently sell copper wire.

The Legislature hopes that the reporting and waiting period requirements will help deter copper wire theft. Therefore, the purpose of this Act is to amend 4 CMC § 51403 by

adding a new subsection to provide a withholding period of ten days for the payment of copper wire sale.

Section 2. Amendments. 4 CMC § 51403 is amended by adding a new subsection (f) to read:

"(f) A recycler, at the time of making a purchase of copper wire, shall withhold the payment for the copper wire purchase for ten days. The recycler shall document the sale in accordance with this chapter, and shall provide a copy of the sale receipt to the Department of Public Safety Commissioner within three days of the sale transaction. After the tenth business day from the date of the sale, the recycler may pay by cash or check mailed to the seller or collected by the seller unless otherwise instructed by the Department of Public Safety. A recycler who violates the payment withholding or failure to provide the sale receipt as required in this subsection shall be penalized $500.00 or imprisonment of not more than one year, or both."

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

Section 4. Savings Clause. This Act and any repealer contained herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation, or order adopted under the statutes. Repealers contained in this Act shall not affect any proceeding instituted under or pursuant

to prior law. The enactment of the Act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence on the date this Act becomes effective.

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

CERTIFIED BY:

FRANCISCO M. BORJA
PRESIDENT OF THE SENATE

ATTESTED BY:

TERESITA A. SANTOS
SENATE LEGISLATIVE SECRETARY

Approved this 1st day of August, 2016

RALPH DLG. TORRES
Governor
Commonwealth of the Northern Mariana Islands