

§ 2174. Commonwealth Ports Authority Fund.

(a) There is hereby established a fund that shall be known as the “Commonwealth Ports Authority Fund,” to be maintained separate and apart from other funds of the Commonwealth by the authority, and independent records and accounts shall be maintained in connection therewith.

(b) All monies received by the authority from whatever source derived shall be deposited in said fund, or in such funds as may be established pursuant to the provisions of this article (commencing with [2 CMC § 2171](#)), in eligible banks as defined in this chapter.

(c) All income, revenue, or funds of whatever nature arising out of or derived from activities in connection with or from the use of the airports under the control of the authority shall be specifically designated for and restricted to use for airport related activities and shall not be expended for seaport related activities; likewise, all income, revenue, or funds of whatever nature arising out of or derived from activities in connection with or from the use of seaports under the control of the authority shall be specifically designated for and restricted to use for seaport related activities and shall not be expended for airport related activities.

(d) As necessary to comply with applicable federal grant assurances, bond indentures, or other binding legal obligations, the authority shall keep books of account showing those funds specifically designated for and restricted to airport use and those funds specifically designated for and restricted to seaport use.

(e) All expenditures, except as otherwise provided by law, shall be made from said Commonwealth Ports Authority Fund.

Source: PL 2-48, § 13; amended by PL 24-04 § 2 (July 17, 2025).

Commission Comment: In codifying PL 24-04, section 3 states that “2 CMC § 2174(c) [is] hereby suspended for a period of five years, effective upon the enactment of this Act. During the period of suspension, all income, revenue, or funds of whatever nature arising out of or derived from activities in connection with or from the use of the seaports under the control of the authority may be transferred and expended for airport related activities; provided that any transfer and expenditure of seaport funds shall first be used to restore the regular full-time work hours of all employees of the Commonwealth Ports Authority and that any transfer or expenditure is completed in accordance with all applicable federal grant assurances, bond indentures, and other binding legal obligations.”