

AN ACT

To establish a judicial building fund; to amend Title 1 CMC, Division 3, by adding new Section 3405-3409 to Chapter 4 providing for and regulating a judicial building fund; and for other purposes.

BE IT ENACTED BY THE NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 Section 1. Short Title. This Act may be cited as "The
2 Judicial Building Fund Act to 1990".

3 Section 2. Purpose. The purpose of this bill is to
4 establish a judicial building fund dedicated to financing the
5 construction and furnishing of an appropriate structure to
6 house the courts of the Commonwealth.

7 Section 3. Findings. The Legislature finds that he
8 existing facilities housing the Commonwealth Supreme Court and
9 the Commonwealth Superior Court are inadequate to meet the
10 current and anticipated future needs of both institutions.
11 Construction of a new building or buildings containing
12 facilities for both the Supreme Court and the Superior Court
13 would be the most efficient use of public funds by combining
14 certain necessary elements such as a library. Funding for
15 such a structure is best provided by establishing a building
16 fund derived from judicial fees collected by the courts and
17 dedicated exclusively for new courthouse facilities.

18 Section 4. Amendment. Title 1 CMC, Division 3, (P.L.
19 No. 6-25) is amended by adding to Chapter 4 the-following new
20 sections to read:

1 "Section 3405. Establishing of the Judicial
2 Building Fund. There is hereby established a
3 special fund within the Department of Finance which
4 shall be known and designated as the Judicial
5 Building Fund. Commencing on the effective date of
6 this Act, all criminal and civil fines and all
7 revenues collected by the courts of the
8 Commonwealth pursuant to Section 3403 (a) and (b)
9 of Public Law No. 6-25 or fines or fees collected
10 pursuant to any other law and remitted or paid to
11 the Commonwealth treasury pursuant to 7 CMC Section
12 3206 and 7 CMC Section 3251 shall be deposited and
13 credited to the Judicial Building Fund.

14 Section 3406. Purpose of the Judicial
15 Building Fund. The purposes of the Judicial
16 Building Fund shall be to pay the expenses to
17 construct and furnish a suitable building or
18 buildings for the Judicial Branch of the
19 Government. These expenses shall include, but not
20 limited to: The costs of professional assistance
21 for planning, engineering and architectural
22 services; site acquisition; the cost of
23 construction of the building or buildings; the
24 furnishing of same, including any equipment, law
25 books or other items necessary to make the
26 facilities fully functional for the operations of
27 the Judicial Branch.

1 Section 3407. Management and Control of the
2 Judicial Building Fund. The Fund shall be expended
3 by the Governor according to the "Planning and
4 Budgeting Act of 1983", as amended. The Governor
5 shall consult closely with the Chief Justice as to
6 the needs and requirements of the Judicial Branch
7 for the construction of the judicial, facilities.

8 Section 3408. Use of the Judicial Building
9 Fund. In order to expedite the construction of the
10 judicial facility, the Governor may—use the
11 Judicial Building Fund as collateral for the
12 advancement of architectural, design and
13 construction services. Other funds as properly
14 allocated pursuant by local or federal law, may
15 also be used by the Governor to augment the
16 Judicial Building Fund for the completion of the
17 judicial facilities.


18 Section 3409. Termination of the Judicial
19 Building Fund. Upon certification by the Director
20 of Finance that all expenses and debts for the
21 judicial facility have been paid in full and
22 discharged, the Judicial Building Fund shall cease
23 to exist and any funds remaining therein shall be
24 deposited in the General Fund, and from the- date of
25 certification all further revenue produced by the
26 courts of the Commonwealth shall be deposited in
27 the General Fund."

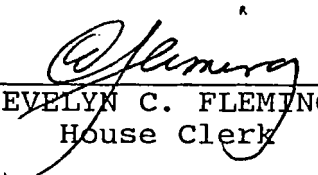
1 Section 5. Severability. If any section of this Act or
2 any regulation issued under the authority of this Act should
3 be declared invalid or unenforceable by a court of competent
4 jurisdiction, the judicial determination shall not affect the
5 validity of the Act or regulations as a whole, or any part
6 thereof, other than the particular part declared invalid or
7 unenforceable.

8 Section 6. Effective Date. This Act shall take effect
9 upon its approval by the Governor or upon its becoming law
10 without such approval.


CERTIFIED BY:

ATTESTED BY:


THOMAS P. VILLAGOMEZ
Acting Speaker
House of Representatives


EVELYN C. FLEMING
House Clerk

APPROVED this 15th day of MARCH, 1991


LORENZO I. DE LEON GUERRERO
Governor
Commonwealth of the Northern Mariana Islands