

NINTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

H. B. NO. 9-374

THIRD REGULAR SESSION, 1995

AN ACT

To authorize the appropriation of \$2,600,000.00 to reimburse the Northern Marianas Housing Corporation, formerly MIHA, from the CNMI general fund, for moneys spent by the Mariana Islands Housing Authority on the construction of infrastructure for the fifty-two (52) housing units at Sugar King II in Garapan.

BE IT ENACTED BY THE NINTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Findings. The Legislature finds that the Northern Marianas Housing Corporation, in carrying out its duty to provide economical housing to families of the Commonwealth with low to moderate incomes, has been required to expend considerable sums of money from its budget on the construction of the necessary infrastructure for the Sugar King Part II housing project in Garapan, Saipan.

The Legislature further finds that said infrastructure constructed by NMHC, which is composed of paved roads, the laying of sewer and water mains, and the running of electrical lines, are not expenses that NMHC should be forced to incur in order to provide housing in compliance with its mandated duties and that but for the inability of other agencies of the Commonwealth government to provide the necessary infrastructure, NMHC would not have expended its own revenues on infrastructure projects.

The Legislature finds that the replacement cost of the necessary infrastructure was fifty thousand (\$50,000.00) dollars per house lot for a total of two million six hundred thousand (\$2,600,000.00) dollars.

The Legislature finds that numerous homesteaders wish to purchase the housing units at the Sugar King II project, and that upon the recovery of its expenditure for the needed infrastructure, through the passage of this act, NMHC proposes to sell the housing units, which are available in four (4), three (3), and two (2) bedroom units for sixty-five thousand dollars (\$65,000.00), sixty thousand dollars (\$60,000.00), and fifty-five thousand dollars (\$55,000.00), respectively.

The Legislature further finds that NMHC shall continue to assist homesteaders who desire to obtain loans from the Farmers Home Administration (FmHA), Veterans Administration (VA), the Northern Marianas Retirement Fund, and from NMHC's direct loan program through Guam Savings and Loan Association.

Section 2. Authorization for Appropriation. There is hereby authorized the appropriation of two million six hundred thousand dollars (\$2,600,000.00) to reimburse NMHC for the construction

of infrastructure for fifty-two (52) housing units at Sugar King Part II in Garapan. Said funds shall be used to pay-off Sumitomo Corporation under the expenditure authority of the Chairman of the Board of Directors of NMHC. The funds appropriated hereby shall be provided from one of the following sources in the priority specified:

- (a) from the interest income from funds invested by Marianas Public Land Trust (MPLT).
- (b) from the interest income earned by the Commonwealth Development Authority (CDA) bonds now in the C.I.P. account at the Bank of Guam.
- (c) Any other sources(s) from the CNMI general fund as the Governor determines.

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 this Act shall not have the effect of terminating, or in any way modifying, any liability civil or criminal, which shall already be in existence at the date this Act becomes effective.

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

CERTIFIED BY:

ATTESTED BY:

/s/ Diego T. Benavente
DIEGO T. BENAVENTE
Speaker of the House

/s/ Joan P. Kaipat
JOAN P. KAIPAT
Acting House Clerk

Approved this 30th day of March, 1995

/s/ Froilan C. Tenorio
FROILAN C. TENORIO
Governor
Commonwealth of the Northern Mariana Islands