

TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

PUBLIC LAW NO. 10-68

HOUSE BILL NO. 10-440, HD1, SD1

FIFTH SPECIAL SESSION, 1997

AN ACT

To appropriate Two Million Five Hundred Thousand Dollars (\$2,500,000) to the Division of Public Lands for land acquisition; and for other purposes.

BE IT ENACTED BY THE TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Purpose. The purpose of this Act is to appropriate \$2,500,000 to the Division of Public Lands for the purpose of compensating landowners for the taking of private lands for a public purpose. This appropriation includes compensation for both past and future land acquisitions by the Division.

Section 2. Appropriation. There is hereby appropriated out of the general funds of the Commonwealth as identified for appropriation by the Governor for Fiscal Year 1997, the sum of two million five hundred thousand dollars (\$2,500,000) to the Division of Public Lands for the purpose of compensating landowners for the taking of private lands for a public purpose. The funds appropriated by this Act shall be used first to acquire the necessary lands from the respective persons listed in, and in conformity with, Attachment A to this Act, attached hereto and hereby incorporated herein by reference, and may be utilized for other acquisitions only after disbursement of full payment to each person in accordance with said Attachment A. Also attached hereto and incorporated herein by reference are Attachment B and Attachment C. After the land acquisitions in Attachment A, the acquisitions in Attachment B and Attachment C shall have priority, and acquisition at lower cost to the government shall have priority over those at higher cost; Provided, that no acquisition at a cost of less than \$200,000 shall be delayed for more than 30 days after agreement on the price so long as funds are available. For purposes of this Act, the term "person" includes the plural in cases of joint ownership, and includes estates. The funds appropriated by this Act shall not be reprogrammed for any other purpose.

Section 3. Expenditure Authority. Expenditure authority over funds appropriated herein shall be vested in the Director of Public Lands.

Section 4. 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.

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Section 5. 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 6. 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
House of Representative

/s/ Evelyn C. Fleming
EVELYN C. FLEMING
House Clerk

Approved this 18th day of August, 1997

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