

**AN ACT**

To re-appropriate fund balances from Public Law 10-41 and to authorize the Secretary of Public Health to reprogram unexpended funds from the CHC Hemodialysis Building and Equipment as appropriated by Public Law 10-41; and for other purposes.

**BE IT ENACTED BY THE ELEVENTH NORTHERN MARIANAS COMMONWEALTH  
LEGISLATURE:**

Section 1. Purpose. The purpose of this bill is to re-appropriate fund balances from Public Law 10-41 as appropriated to the CHC hemodialysis building and collateral equipment for the design and construction of the Battered Women's Shelter and other collateral equipment as well as for the design and construction of the Mental Health Transitional Living Facility and other collateral equipment, as needed as well as to provide the Secretary of Public Health with the authority to reprogram a portion of the unexpended funds from the CHC Hemodialysis Building and Equipment as appropriated by Public Law 10-41 in order to replace the aging and dilapidated oxygen generating machine and facility boiler system.

Section 2. Re-appropriation. There is hereby re-appropriated from the CHC Hemodialysis Building and collateral equipment fund as appropriated by P.L. 10-41 the unexpended fund balance of \$400,000 for the design and construction of the Battered Women's Shelter and other collateral equipment as well as \$100,694 for the design and construction of the Mental Health Transitional Living Facility and other collateral equipment, as needed.

The Secretary of Public Health shall be the expenditure authority for the Mental Health Transitional Living Facility Project and the Executive Director for the Northern Marianas Housing Corporation shall be the expenditure authority for the Battered Women's Shelter and such funds shall be available without fiscal year limitation.

Section 3. Reprogramming Authority. In light of the increase in patient utilization and obsolescence and to prevent a facility wide disaster from occurring, the Secretary of Public Health is hereby authorize to reprogram from the CHC Hemodialysis Building and Equipment

account as appropriated from Public Law 10-41. The Secretary of Public Health is hereby authorize to reprogram up to Three Hundred Sixty Thousand Dollars (\$360,000) from the Hemodialysis Building and Equipment unexpended funds as appropriated by Public Law 10-41 to purchase a new oxygen generating machine and facility boiler system.

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.

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 on the date this Act becomes effective.

Section 6. Effective Date. This Act shall take effect upon 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 Representatives

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

Approved this 16<sup>th</sup> day of August, 1999

/s/ Pedro P. Tenorio  
**PEDRO P. TENORIO**  
**Governor**  
Commonwealth of the Northern Mariana Islands