

TWELFTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

THIRD REGULAR SESSION, 2001

PUBLIC LAW NO. 12-40

H. B. NO. 12-325

AN ACT

To appropriate Two million four hundred twenty thousand dollars (\$2,420,000.00) for the Northern Marianas Housing Corporation (NMHC); and for other purposes.

BE IT ENACTED BY THE TWELFTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Findings. The Legislature finds that the Northern Marianas Housing Corporation (NMHC), in fulfilling its mandate to make available affordable housing from low to moderate-income residents of the Commonwealth, spends substantial sums of its budget on the placement of the required infrastructure for the Koblerville Expansion Project.

The Legislature also finds that the aforementioned infrastructure designed by the NMHC should not be forced to incur in order to carry out its mandate to develop residential subdivisions for the inability of other government entities of the Commonwealth to provide the required infrastructure.

The Legislature finds that the cost of the required infrastructure is approximately Fifty-four thousand dollars (\$54,000.00) per house lot for a total of Two million four hundred twenty thousand dollars (\$2,420,000.00).

The Legislature finds that many homesteaders are desirous of purchasing houses at the Koblerville Expansion Project, and with the availability of the funds needed for the infrastructure, through the passage of this Act, it will enable the NMHC to sell the houses at affordable prices.

Section 2. Appropriation. There is hereby appropriated the sum of Two million four hundred twenty thousand dollars (\$2,420,000.00) for the Northern Marianas Housing Corporation (NMHC) for the construction cost of infrastructure for the forty-five (45) housing

units at the Koblerville Expansion Project. Said funds shall be under the expenditure authority of the Chairman of the Board of Directors of NMHC. The funds appropriated hereby shall be provided from the interest income earned by the Commonwealth Development Authority (CDA) bonds now in the C.I.P. account at the Bank of Guam to defray the cost of infrastructure for the forty-five (45) single-family housing units at the Koblerville Expansion Project. In addition, all interest earned or that will be earned up to One million dollars (\$1,000,000.00) within one year from the effective date of this act from bonds issued by CDA pursuant to any bond authorization act Public Law 11-3, not including the appropriation of Two million four hundred twenty thousand dollars (\$2,420,000.00) to NMHC as provided in this act, is hereby appropriated for the continuing and new C.I.P. road improvement projects in equal amounts of up to Five hundred thousand dollars (\$500,000.00) for the First Senatorial District and up to Five hundred thousand dollars (\$500,000.00) for the Second Senatorial District. The appropriation for the First Senatorial District and Second Senatorial District as provided herein shall take effect one year from the effective date of this act without any further action from the Legislature. Not later than thirty (30) days thereafter, the CDA Executive Director shall submit a written report to the Governor and the presiding officers of the Legislature regarding the actual amount of earned interest appropriated. The expenditure authority for the funds herein appropriated to the First Senatorial District and the Second Senatorial District shall be the Secretary of Public Works in consultation with the senatorial legislative delegation of the senatorial district where the project is located.

Section 3. Severability, if any provisions 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 on the date this Act becomes effective.

Section 5. Effective Date. Except as otherwise provided in this Act, this Act shall take effect upon its approval by the Governor or its becoming law without such approval.

CERTIFIED BY:

ATTESTED TO BY:

/s/ Benigno R. Fitial
BENIGNO R. FITIAL
SPEAKER OF THE HOUSE

/s/ Evelyn C. Fleming
EVELYN C. FLEMING
HOUSE CLERK

Approved
March this 6th day of March, 2001

/s/ Jesus R. Sablan
PEDRO P. TENORIO *JESUS R. SABLAN*
ACTING GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS