

TWELFTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SECOND REGULAR SESSION, 2000

*Public Law 12-58*

H. B. NO. 12-288, CS1

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AN ACT

To appropriate funds for the design and construction of a visitor center, memorial garden, and exhibit design and construction for visitor center at American Memorial Park; and for other purposes.

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

**Section 1. Short Title.** This Act may be cited as the “American Memorial Park Projects Appropriations Act of 2000.”

**Section 2. Findings and Purpose.** On March 15, 1999, Governor Pedro P. Tenorio signed into Public Law 11-72 authorizing the Commonwealth Development Authority (“CDA”) to borrow up to two million dollars for the beautification and development of American Memorial Park located in Saipan. The Commonwealth Development Authority sought to borrow the funds authorized pursuant to Public Law 11-72 from the Marianas Public Land Trust (“MPLT”). The MPLT agreed to loan two million dollars to the CDA to be used by the Commonwealth Government and the National Park Service for the beautification development of American Memorial Park. The National Park Service staff assigned to the American Memorial Park and Governor Tenorio’s American Memorial Park Planning Committee have identified a number of projects desired by the community for the expansion of the park’s facilities. The Legislature recognizes and finds that development of these projects would serve to provide additional activities to the Commonwealth’s tourist and resident community. The primary purpose of this Act is to appropriate the \$2 million currently available under the loan agreement between the Commonwealth Development Authority and the Marianas Public Land Trust and to re-appropriate the unexpended balance

from the Third Senatorial District projects approved in Public Law 11-119 and some of the Covenant Section 702 funds to the park projects.

**Section 3. Source of Funds.** There is hereby appropriated an aggregate amount of \$4,000,000 for the projects in the Third Senatorial District listed in Section 4 from the following sources:

(a)	Unexpected balance funds From Third Senatorial District Projects approved in Section 5(D)(3) of Public Law 11-119	\$1,000,000
(b)	Covenant 702 CIP	\$1,000,000
(c)	CDA Loan from MPLT as authorized Pursuant to Public Law 11-72	<u>\$2,000,000</u>
	<b>TOTAL</b>	<b>\$4,000,000</b>

Funds from the CDA Loan from MPLT as authorized pursuant to Public Law 11-72 shall only be obligated and spent on projects specified in Section 4 in the American Memorial Park.

**Section 4. Appropriation and Application of Funds.** Any other provisions of law with respect to such funds notwithstanding, the funds identified in Section 3 herein shall be available and are hereby appropriated for construction and architectural and engineering design of the following projects in the Third Senatorial District.

(1)	American Memorial Park Visitor/ Cultural Center	\$1,305,200
(2)	American Memorial Park Marianas Memorial Garden	\$514,000
(3)	Remodel and upgrade amphitheater	\$1,310,800
(4)	Exhibit design and construction of visitor center	<u>\$870,000</u>
	<b>TOTAL</b>	<b>\$4,000,000</b>

Funds shall be drawn from the source specified without fiscal year limitation until the amounts indicated have been realized, and the funds appropriated by this Act shall likewise remain available without fiscal year limitation until expended.

**Section 5. Expenditure Authority.** Expenditure authority for funds appropriated by this Act shall rest with the Secretary of Public Works.

**Section 6. Audit Authority.** The audit powers granted to federal comptroller and the Public Auditor pursuant to the Planning and Budget Act of 1983, as amended (1 CMC Section 7701 et seq.) shall apply to this Act.

**Section 7. Projects Accounting.** The Secretary of Finance shall establish separate accounting for the CIP projects covered under this Act.

**Section 8. 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 9. 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 10. Effective Date.** 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**  
SPEAKER OF THE HOUSE

/s/ \_\_\_\_\_

**EVELYN C. FLEMING**  
HOUSE CLERK

Approved this 3<sup>rd</sup> day of July, 2001

/s/ \_\_\_\_\_

**PEDRO P. TENORIO**  
GOVERNOR  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS