

**THIRTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE**

**FIRST REGULAR SESSION, 2002**

*Public Law 13-13*

**H. B. NO. 13-006, CD1**

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**AN ACT**

To appropriate funds for Capital Improvement Projects and for other purposes.

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

**Section 1. Short Title.** This Act may be cited as the “Capital Improvement Project Act of 2002”.

**Section 2. Findings.** The Legislature finds that the Commonwealth is prepared to proceed with Funding many of its vital capital improvement projects from the net proceeds of the CDA bonds issuance authorized by Public Law 11-102 and Covenant Section 702 CIP fundings.

**Section 3. Appropriation.** Eight Hundred Thousand Dollars (\$800,000) is hereby appropriated for capital improvement projects as provided in Section 5 of this Act. Notwithstanding any other provision of law, the funds appropriated herein shall be available from the sources identified under Section 4 of this Act. Funds shall be drawn from the sources in Section 4 without fiscal year limitation until the limits indicated have been realized. Funds appropriated by this Act shall likewise remain available without fiscal year limitation until expended.

**Section 4. Source of Funds.** The funds appropriated under Section 3 of this Act shall become available and be drawn from the following sources:

A. CDA Bond Proceeds (Bond issuance Authorized by PL 11-102)	\$400,000.00
B. Covenant Section 702 Funding	<u>\$400,000.00</u>
Total	\$800,000.00

**Section 5. Application of Funds.** The funds identified in Section 4 and appropriated in Section 3 of this Act are available for expenditure for capital improvement projects as follows:

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|--|---------------------|
| 1. For the construction, road improvement and connection of the Grace Christian road in Navy Hill to the Sugar King road in China Town. (Precinct III) | \$400,000.00        |
| 2. For the drilling of water wells, A&E design & construction of a water reservoir. (Precinct II)  | <u>\$400,000.00</u> |
| Total  | \$800,000.00        |

**Section 6. Reprogramming.** Funds appropriated under Section 3 of this Act shall not be reprogrammed except in accordance with the provisions of the Planning and Budgeting Act of 1983, as amended, or other Commonwealth law.

**Section 7. Expenditure Authority.**

- (a) The Secretary of Public Works shall be the expenditure authority over funds appropriated pursuant to Section 3 of this Act.
- (b) Funds appropriated under Section 3 of this Act or any funds balances remaining may not be reprogrammed until the projects are complete and all funds have been accounted for by the Department of Finance in a report to the Chair of the House Standing Committee on Ways and Means and the Chair of the Senate Standing Committee of Fiscal Affairs.

**Section 8. Audit Authority.** The audit powers granted to federal auditors and the CNMI Public Auditor pursuant to the Planning and Budgeting Act of 1983 as amended (1CMC § 7101 et seq.) shall apply to this Act.

**Section 9. Project Accounting.** The Secretary of Finance shall establish separate accounting for each CIP project covered by this Act.

**Section 10. 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 11. 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 the 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 12. Effective Date.** This Act shall take effect upon its approval by the Governor, or it becoming law without such approval.

**CERTIFIED BY:**

/s/  
**HEINZ S. HOFSCHEIDER**  
SPEAKER OF THE HOUSE

**ATTESTED TO BY:**

/s/  
**EVELYN C. FLEMING**  
HOUSE CLERK

*APPROVED* this 25<sup>th</sup> day of *June*, 2002

/s/  
**DIEGO T. BENAVENTE**  
**ACTING GOVERNOR**  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS