

THIRTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

FIRST REGULAR SESSION, 2002

Public Law 13-14
H. B. NO. 13-069, HD1

AN ACT

To appropriate funds for various road pavings in Precinct IV; 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 for Precinct IV.”

Section 2. Findings. The Legislature finds that the Commonwealth is prepared to proceed with the funding of 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 funding.

Section 3. Appropriation. Four Hundred Sixty Thousand Five Hundred Eighty Nine Dollars (\$460,589.00) is hereby appropriated for various road pavings in Precinct IV 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. The 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)	\$230,294.50
B.	Covenant Section 702 Funding	<u>\$ 230,294.50</u>
	Total	\$ 460,589.00

Section 5. Application of Funds. The funds identified in Section 4 and appropriated in Section 3 of this Act are available for expenditure for various road pavings in Precinct IV.

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) Expenditure authority over funds appropriated pursuant to this section shall be the Secretary of Public works.

(b) Funds appropriated under this Act or any fund balances remaining may not be reprogrammed until the project is complete and all funds have been accounted for by the Department of Finance in a report to be submitted 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 the federal auditors and the CNMI Public Auditor pursuant to the Planning and Budgeting Act of 1983 as amended (1 CMC § 7101 *et seq.*) shall apply to this Act.

Section 9. Project Accounting. The Secretary of Finance shall establish separate accounting for all CIP projects 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,

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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:

ATTESTED TO BY:

/s/ _____

HEINZ S. HOFSCHEIDER
SPEAKER OF THE HOUSE

/s/ _____

EVELYN C. FLEMING
HOUSE CLERK

APPROVED this 25th day of June, 2002

/s/ _____

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