

THIRTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

FIRST SPECIAL SESSION, 2002

Public Law 13-18

H. B. NO. 13-111

AN ACT

To amend Section 7 of Public Law 12-64 to appropriate funds to build dialysis treatment facilities on the islands Tinian and Rota.

BE IT ENACTED BY THE THIRTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Findings. The Legislature finds that Sections 7(a)(1)(a) and 7(a)(1)(b) of Public Law 12-64, which were intended to appropriate funds to build dialysis treatment facilities on the islands of Rota and Tinian, were the subject of a line-item veto by the Governor due to a technical deficiency in Section 7(d) which erroneously mandated an appropriation of \$13,372,890.00 where Section 7(d) should have mandated an appropriation of \$15,372,890.00. The Legislature further finds that the medical needs of the people of the First and Second Senatorial District require that Public Law 12-64 be amended to ensure that funds be made appropriated for the purpose of building dialysis treatment facilities on the islands of Rota and Tinian.

Section 2. Section 7 of Public Law 12-64 is amended as follows:

“Section 7. Special Appropriation: Expenditure Authority.

(a) There is hereby authorized a special appropriation for the construction and completion of the following capital improvement projects:

(1) New Department of Public Health

Building and Dialysis Center:

(a) First Senatorial District	\$1,000,000.00
(b) Second Senatorial District	\$1,000,000.00
(c) Third Senatorial District	\$8,280,000.00

(2) CNMI Adult Prison Facility

(Third Senatorial District) \$15,092,890.00

Total \$25,372,890.00

Funds for this special appropriation as authorized to be expended from the unappropriated bond proceeds in the amount of \$10,000,000 under the Capital Improvement Projects Bond Authorization Act of 1999 (PL 11-102) and from the interim financing as provided for in subsection (d) of this section provided that funds appropriated in Section 5 shall have priority from the bond proceeds.

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

(c) Funds appropriated under this section 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 be submitted to the Chair of the House Standing Committee on Ways and Means and the Chair of the Senate Standing Committee on Fiscal Affairs. No funds may be reprogrammed except by law.

(d) The Commonwealth Development Authority is hereby authorized to borrow \$15,372,890.00 from a financial institution to be used as interim financing of the special appropriation under this section. Repayment of the funds borrowed under this subsection shall be made from the interests realized from the bond issuance authorized by PL 11-102.”

Section 3. 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 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 at the date this Act becomes effective.

Section 5. Effective Date. This Act shall take effect upon its approval by the Governor or upon 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 31st day of July, 2002

/S/ _____

DIEGO T. BENAVENTE
Acting Governor
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS