

THIRTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

FIRST REGULAR SESSION, 2002

Public Law 13-27  
H. B. NO. 13-066

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AN ACT

To appropriate funds for the San Vicente Waterline Replacement Project; 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 “San Vicente Waterline Replacement Project Act of 2002”.

**Section 2. Findings.** The Legislature finds that the Commonwealth is prepared to proceed with the funding of the San Vicente Waterline Replacement Project from the net proceeds of the CDA bonds issuance authorized by Public Law 11-102 and Covenant Section 702 CIP Funding.

**Section 3. Appropriation.** Five Hundred Thousand Dollars (\$500,000.00) is hereby appropriated for the San Vicente Waterline Replacement Project as provided in Section 5 of this Act. Any shortfall in receipt or collection of the funds identified in Section 4 shall not affect the appropriation under this Act. Notwithstanding any other provision of law, the funds shall be drawn from the sources in Section 4 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 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)	\$ 250,000.00
B.	Covenant Section 702 Funding	<u>250,000.00</u>
	Total	\$500,000.00

**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:

1. For the design and construction of the San Vicente Waterline Replacement Project  
(Precinct I) ----- 500,000.00  
Total                    \$500,000.00

**Section 6. Reprogramming.** All or part of the funds appropriated under Section 3 of this Act shall not be reprogrammed except by resolution from the project funded by this Act to any other project included in or in lieu of the Revised CNMI 702 CIP Master Plan. Unexpended funds remaining after certified completion of the project shall be reprogrammed to other CIP projects in Precinct I.

**Section 7. Special Appropriation: Expenditure Authority.**

(a) There is hereby authorized a special appropriation for the San Vicente Waterline Replacement Project located in the Third Senatorial District.

Funds for this special appropriation are authorized to be expended from heretofore unappropriated bond proceeds in the amount of \$500,000.00 under the Capital Improvement Projects Bond Authorization Act of 1999 (PL 11-102) and from interim financing.

(b) Expenditure authority over funds appropriated pursuant to this section shall be the Commonwealth Utilities Corporation Executive Director.

(c) Funds appropriated under this section or any fund 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.

**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 a separate accounting for the San Vicente Waterline Replacement Project.

**Section 10. 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 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:**

**ATTESTED TO BY:**

/S/ \_\_\_\_\_

**JESUS T. ATTAO**  
ACTING SPEAKER

/S/ \_\_\_\_\_

**EVELYN C. FLEMING**  
HOUSE CLERK

**Approved this 31<sup>st</sup> day of October, 2002**

/S/ \_\_\_\_\_

**JUAN N. BABAUTA**  
**GOVERNOR**  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS