



HOUSE OF REPRESENTATIVES
SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
FOURTH SPECIAL SESSION, 2008

PUBLIC LAW NO. 16-10
H. B. NO. 16-105

AN ACT

To appropriate \$291,210.00 from the Public School System CIP General Obligation Bond with the Bank of New York Trust Company, N.A., and further appropriate any fund balance available at the closure of the indenture trust agreement to finance the Public School System classroom repairs and renovations and parking lot paving activities; and for other purposes.

BE IT ENACTED BY THE SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 **Section 1. Findings and Purpose.** The Legislature finds that the Public School
2 System (PSS) continues to experience increased enrollment at all its schools. The PSS had
3 anticipated that the student population would continue to grow and confirmed this through its
4 study of demographics, analysis of capacity, enrollment rates, and projected enrollment from
5 new housing developments in homestead areas. These figures were highlighted in its Seven
6 Year Capital Improvement Plan that was developed by the PSS in 2005. This plan
7 encompassed the PSS' high priority school facility needs from school year 2004-05 to school
8 year 2011-12. This plan further addressed facilities needed for projected enrollment growth
9 as well as major repairs and renovations, replacement of dilapidated, temporary classrooms,
10 construction of a gymnasium, and other high priority upgrades.

11 The purpose of this Act is to appropriate the fund balance available for appropriation
12 in the amount of \$291,210.00 from the Public School System CIP General Obligation Bond
13 with the Bank of New York Trust Company, N.A., and further appropriates any fund balance
14 available at the closure of the indenture trust agreement to fund the many critical major
15 classroom repairs and renovations and paving of school parking areas at the public schools.

16 **Section 2. Appropriation.** Notwithstanding any provision of law, the legislature
17 hereby appropriates the fund balance available in the amount of \$291,210.00 from the Public

1 School System CIP General Obligation Bond with the Bank of New York Trust Company,
2 N.A., and further appropriates any fund balance available at the closure of the indenture trust
3 agreement to fund the many critical major classroom repairs and renovations and paving of
4 school parking areas at the public schools.

5 **Section 3. Expenditure Authority.** The expenditure authority for the funds
6 appropriated under this Act shall be the Commissioner of Education.

7 **Section 4. Fiscal Year and Reprogramming Limitation.** Notwithstanding any
8 provision of law, the funds appropriated under this Act shall not be subject to fiscal year
9 limitation and shall not be reprogrammed for any other purpose other than the intended
10 purpose of this Act.

11 **Section 5. Reporting and Presentation.** The expenditure authority at the end of each
12 calendar year shall prepare and submit an annual progress report detailing the expenditures of
13 such funds to the presiding officers of the Legislature and the Secretary of Finance until the
14 completion of the projects funded by this Act. Such report shall be presented orally to the
15 Legislative body during a session. The annual report shall be in accordance with generally
16 accepted accounting principals. The annual report also, at a minimum, shall report on the
17 qualitative and quantitative progress of the program.

18 **Section 6. Severability.** If any provision of this Act or the application of any such
19 provision to any person or circumstance should be held invalid by a court of competent
20 jurisdiction, the remainder of this Act or the application of its provisions to persons or
21 circumstances other than those to which it is held invalid shall not be affected thereby.

22 **Section 7. Savings Clause.** This Act and any repealer contained herein shall not be
23 construed as affecting any existing right acquired under contract or acquired under statutes
24 repealed or under any rule, regulation, or order adopted under the statutes. Repealers
25 contained in this Act shall not affect any proceeding instituted under or pursuant to prior law.
26 The enactment of the Act shall not have the effect of terminating, or in any way modifying,
27 any liability, civil or criminal, which shall already be in existence on the date this Act
28 becomes effective.

1 Section 8. Effective Date. This Act shall take effect upon its approval by the
2 Governor or becoming law without such approval.

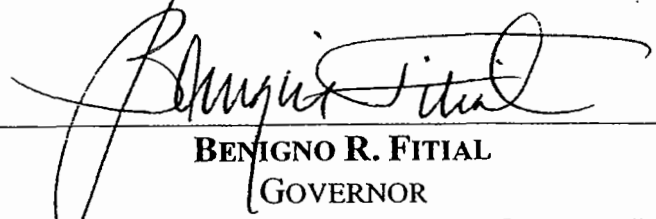
CERTIFIED BY:

ATTESTED TO BY:


ARNOLD I. PALACIOS
SPEAKER OF THE HOUSE


EVELYN C. FLEMING
HOUSE CLERK

APPROVED on this 15th day of August, 2008


BENIGNO R. FITIAL
GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS