

Twenty-Second Northern Marianas Commonwealth Legislature

IN THE HOUSE OF REPRESENTATIVES

SESSION, 2021

H. L. B. 22- 3

**A LOCAL APPROPRIATION BILL FOR AN ACT
FOR THE THIRD SENATORIAL DISTRICT**

To appropriate up to Six Hundred Eighteen Thousand One Hundred Thirty-Eight US Dollars (\$618,138.00) of the Earned Bond Interest Income collected for the Third Senatorial District that has been identified by the Commonwealth Development Authority as available for appropriations; and for other purposes.

BE IT ENACTED BY THE THIRD SENATORIAL DISTRICT DELEGATION

PURSUANT TO CHAPTER 4, DIVISION 1, TITLE 1 OF THE

COMMONWEALTH CODE:

1 **SECTION 1. PURPOSE.**

2 The purpose of this Act is to appropriate up to Six Hundred Eighteen
3 Thousand One Hundred Thirty-Eight US Dollars (\$618,138.00) of the Earned Bond
4 Interest Income collected for the Third Senatorial District that has been identified
5 by the Commonwealth Development Authority as available for appropriation.

6 **SECTION 2. APPROPRIATION.**

7 Notwithstanding any provisions, law, statutes, rules or regulations to the
8 contrary, the Saipan and Northern Islands Legislative Delegation (SNILD) hereby
9 appropriates up to Six Hundred Eighteen Thousand One Hundred Thirty-Eight US
10 Dollars (\$618,138.00) of the Earned Bond Interest Income collected for the Third

1 Senatorial District, that has been identified by the Commonwealth Development
2 Authority available for appropriation, as follows:

- | | | |
|---|---|--------------|
| 3 | a. For various road improvements on Industrial Drive: | \$458,138.00 |
| 4 | b. To complete the Kalamendo Waterline Project: | \$125,000.00 |
| 5 | c. To complete the Dotse Pl. Waterline Project: | \$ 27,000.00 |
| 6 | d. For water system improvements on Navy Hill Drive: | \$ 8,000.00 |

7 **SECTION 3. EXPENDITURE AUTHORITY.**

8 The expenditure authority of the funds appropriated in Section 2(a) shall be
9 the Secretary of the Department of Public Works and Section 2(b),(c), and (d) shall
10 be the Executive Director of the Commonwealth Utilities Corporation.

11 **SECTION 4. REPROGRAMMING.**

12 Funds appropriated under this act shall not be reprogrammed for any other
13 purpose. Notwithstanding any provision of law, the project funded under this Act
14 shall be without fiscal year limitation.

15 **SECTION 5. SEVERABILITY.**

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

21 **SECTION 6. SAVINGS CLAUSE.**

1 This Act and any repealer contained herein shall not be construed as
2 affecting any existing right acquired under contract or acquired under statutes
3 repealed or under any rule, regulation or order adopted under the statutes.
4 Repealers contained in this Act shall not affect any proceeding instituted under or
5 pursuant to prior law. The enactment of the Act shall not have the effect of
6 terminating, or in any way modifying, any liability, civil or criminal, which shall
7 already be in existence on the date this Act becomes effective.

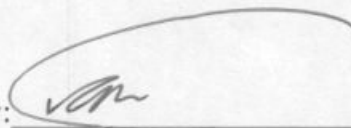
8 **SECTION 7. EFFECTIVE DATE.**

9 This Act shall take effect upon its approval by the Governor or its becoming
10 law without such approval.

Prefiled: 2/5/2021

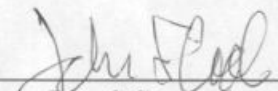
Date: 2/5/2021

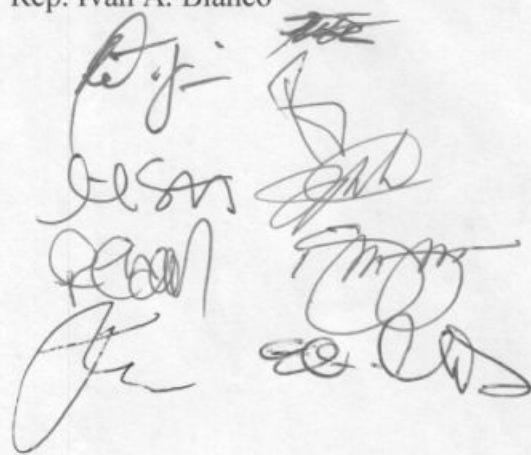
Introduced By:



Rep. Ivan A. Blanco

Reviewed for Legal Sufficiency by:


House Legal Counsel





Commonwealth Utilities Corporation
Office of the Executive Director



June 9, 2020

The Honorable Ivan A. Blanco
Member, House of Representatives
Twenty-First Northern Marianas Commonwealth Legislature
P.O. Box 500586
Saipan, MP 96950

Ref. No. 06-20-020

Re: Request for Appropriation of Funds

Dear Representative Blanco:

This letter is in reference to our recent conversation regarding the water projects that are currently pending due to insufficient funds appropriated through Saipan Local Laws ("SLL"). As I had mentioned, the Commonwealth Utilities Corporation ("CUC") will need additional funding to complete the pending water projects.

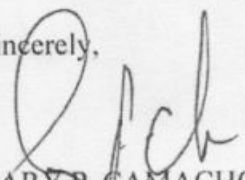
Below are the details of the pending water projects that need additional funding:

1. Kalamendok Waterline Project - CUC received funding of \$73,000 through SLL 19-23. The A&E design has been completed by the CUC Water/Wastewater Engineering section. The estimated cost to complete the project is \$198,000. **Additional funding of \$125,000 is needed to bid this project.**
2. Dotse Pl. Waterline Project - CUC received funding of \$22,396 through SLL 20-24. The project was bid out; however, the lowest bid received was close to \$50,000. **Additional funding of \$27,000 is needed to complete the project.**

I am, therefore, respectfully requesting your assistance for the appropriation of funds in the amount of \$152,000 for the above projects.

Your consideration of our funding needs to complete these much needed water projects that will benefit our community is appreciated. If you have any questions or would like to discuss further, I am available to meet at your convenience.

Sincerely,


GARY P. CAMACHO
Executive Director

From: ESPIE S. BORJA <e.borja@developcnmi.com>

Sent: Tuesday, November 24, 2020 10:50 AM

To: demapand@cnmileq.net

Subject: RE: Latest funds available, as of November 23, 2020, for Saipan portion of the CDA accrued bond interest income

Good morning, Chair,

Latest update from Accounting follows:

Saipan	\$618,138.94
Tinian	\$186,972.91
Rota	\$186,971.91

Same information was provided to Representative Ivan Blanco on November 10th.

We request your understanding and would like to inform you that CDA has not considered any appropriation or proposed bills introduced recently, if any, that CDA was not made aware of. We appreciate your assistance, if you have any information in this regard.

Thank you. And if I can be of further assistance, please let me know.

Best regards and Happy Thanksgiving to you and family!

Espie S. Borja

Executive Assistant

Commonwealth Development Authority

demapand@cnmileg.net

From: demapand@cnmileg.net
Sent: Tuesday, December 1, 2020 9:42 AM
To: Espie S. Borja
Cc: 'Ivan Blanco'; sablan 8
Subject: FW: Latest funds available, as of November 23, 2020, for Saipan portion of the CDA accrued bond interest income
Attachments: cip update 1125.pdf

Espie,

The attachment reflects the assurance that the effects of SL21-17 have been adjusted accordingly within SLL20-01 and SLL20-23 for an overall impact of \$109,114.96. Thus, the \$992,083.75 is appropriately distributed for which \$618,138.94 to Saipan; and \$186,972.91 each to Tinian and Rota.

Based on this analysis, the SNILD can appropriate \$618,138.94 available from the accrued interest earned from the CDA outstanding bonds, as of October 31, 2020, which is confirmed and represented by CDA officials.

Thank you,

David S. Demapan
Fiscal Analyst, MSA

From: ESPIE S. BORJA <e.borja@developcnmi.com>
Sent: Wednesday, November 25, 2020 11:32 AM
To: demapand@cnmileg.net
Cc: m.sablan@developcnmi.com
Subject: RE: Latest funds available, as of November 23, 2020, for Saipan portion of the CDA accrued bond interest income

Good morning, again, Chair,

Please find attached \$140M Interest balance update from Donnie. He did included the new appropriation (SLL 21-17).

If you have any questions, please let us know.

Thank you, Chair & Happy Thanksgiving to you and family!

Best regards,
Espie S. Borja
Executive Assistant
Commonwealth Development Authority

From: demapand@cnmileg.net <demapand@cnmileg.net>
Sent: Wednesday, November 25, 2020 9:18 AM
To: 'ESPIE S. BORJA' <e.borja@developcnmi.com>

Subject: RE: Latest funds available, as of November 23, 2020, for Saipan portion of the CDA accrued bond interest income

Espie,

Happy Thanksgiving with the family!

Noted and thank you,

David

From: ESPIE S. BORJA <e.borja@developcnmi.com>

Sent: Wednesday, November 25, 2020 8:20 AM

To: demapand@cnmileg.net

Subject: RE: Latest funds available, as of November 23, 2020, for Saipan portion of the CDA accrued bond interest income

Good morning, Chair,

You're welcome! I'll inform Donnie and if adjustments have to be made, I'll advise you as well.

I will be on leave beginning Monday, Nov. 30 to December 9. I have access to my email and will be in touch with Mr. Sablan most of the time. If there is anything I can be of help during this period, please do not hesitate to call me on my phone and email me. I'll be glad to assist.

Thank you.

Best regards,

Espie S. Borja

Executive Assistant

Commonwealth Development Authority

From: demapand@cnmileg.net <demapand@cnmileg.net>

Sent: Tuesday, November 24, 2020 4:45 PM

To: Espie S. Borja <e.borja@developcnmi.com>

Cc: 'Ivan Blanco' <ivan.blanco@gov.mp>; sablan 8 <sablan8@gmail.com>

Subject: FW: Latest funds available, as of November 23, 2020, for Saipan portion of the CDA accrued bond interest income

Good evening Espie,

Thank you for your support and assistance. I still would like to clarify something about the balance of \$992,083.75 as of 10/31/2020. The attached analysis prepared by Comptroller (Don), I do not see SLL No. 21-17, which was enacted on July 10, 2020. In this measure, \$92,655.80 was re-appropriated from SLL20-01 and \$11,459.16 was re-appropriated from SLL20-23 and another \$5,000 was re-appropriated from SLL20-23. Please have Don look into these conditions so he could determine if the balance of \$992,083.75 may have to be adjusted, accordingly.

Thank you,

David S. Demapan

Fiscal Analyst, MSA

From: ESPIE S. BORJA <e.borja@developcnmi.com>

Sent: Tuesday, November 24, 2020 12:43 PM

To: demapand@cnmileg.net

Cc: m.sablan@developcnmi.com

Subject: RE: Latest funds available, as of November 23, 2020, for Saipan portion of the CDA accrued bond interest income

Good afternoon, Chair,

Attached are the details of the available Bond Interest as of October 31, 2020, provided by Donnie.

If you have any questions or if we could be of additional help, please let me know.

Best regards,

Espie S. Borja

Executive Assistant

Commonwealth Development Authority

From: demapand@cnmileg.net <demapand@cnmileg.net>

Sent: Tuesday, November 24, 2020 11:45 AM

To: Espie S. Borja <e.borja@developcnmi.com>

Subject: FW: Latest funds available, as of November 23, 2020, for Saipan portion of the CDA accrued bond interest income

Espie,

Please request from the Accounting Department to provide a schedule showing the accounting of payments, and Saipan Local Laws that have been passed that would justify the available amount of \$618,138.94 for Saipan; \$186,972.91 for Tinian and \$186,971.91 for Rota.

I appreciate your support and thank you,

David

From: ESPIE S. BORJA <e.borja@developcnmi.com>

Sent: Tuesday, November 24, 2020 10:50 AM

To: demapand@cnmileg.net

Subject: RE: Latest funds available, as of November 23, 2020, for Saipan portion of the CDA accrued bond interest income

Good morning, Chair,

Latest update from Accounting follows:

Saipan	\$618,138.94
Tinian	\$186,972.91
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We request your understanding and would like to inform you that CDA has not considered any appropriation or proposed bills introduced recently, if any, that CDA was not made aware of. We appreciate your assistance, if you have any information in this regard.

Thank you. And if I can be of further assistance, please let me know.

Best regards and Happy Thanksgiving to you and family!

Espie S. Borja

Executive Assistant
Commonwealth Development Authority

From: demapand@cnmileg.net <demapand@cnmileg.net>

Sent: Tuesday, November 24, 2020 10:34 AM

To: Espie S. Borja <e.borja@developcnmi.com>

Cc: 'Ivan Blanco' <ivan.blanco@gov.mp>

Subject: Latest funds available, as of November 23, 2020, for Saipan portion of the CDA accrued bond interest income

Good morning Espie,

At the request by Honorable Chairman Blanco, as of November 23, 2020, calculate and certify the amount of accrued interest income of CDA bonds that would be available for appropriations by the Saipan Northern Islands Legislative Delegation (SNILD). In addition, provide the detail analysis to support the funds available for appropriations.

Thank you,

David S. Demapan
Fiscal Analyst, MSA

Development Banking Division
 FY 2020 CIP Fund Balance (\$140M Bond)
 Available balance as of October 31, 2020

	<u>BOG - Savings</u>	<u>BOG - TCD</u>	<u>TOTAL</u>
Beginning Balance as of October 1, 2019	7,053,517.34	-	7,053,517.34
<u>FY'2020 CASH RECEIPTS/DEPOSITS</u>			
Int. earned from savings - October 2019	269.12		
Int. earned from tcd investment - October 2019	5,722.35		
Int. earned from savings - November 2019	277.94		
Int. earned from tcd investment - November 2019	5,331.31		
Int. earned from tcd investment - December 2019	287.02		
Int. earned from tcd investment - January 2020	287.71		
Int. earned from tcd investment - February 2020	102.91		
Int. earned from tcd investment - March 2020	80.29		
Int. earned from tcd investment - April 2020	76.85		
Int. earned from tcd investment - May 2020	67.89		
Int. earned from tcd investment - June 2020	63.42		
Int. earned from tcd investment - July 2020	64.85		
Int. earned from tcd investment - August 2020	64.85		
Int. earned from tcd investment - September 2020	18.83		
Total Deposits from payment and Int. earned as of 10/31/20	<u>12,715.34</u>	<u>-</u>	<u>12,715.34</u>
<u>FY'2020 TRANSFER & DRAWDOWNS</u>			
Bank Charges - October & November 2019	30.00		
TLDR 19-04 Tinian Mun. Bldg Renov/Rehab.	7,859.25		
SLL 20-01 #49625 Precinct II	26,245.08		
SLL 18-17 #4961N Precinct II Various Projects	24,542.88		
TALDR 19-4 #4962G Renov Existing Gymnasium	8,309.08		
SLL 18-17 #4961N Precinct II Various Projects	7,498.00		
Total Transfer & Drawdowns as of September 30, 2020	<u>74,484.29</u>	<u>-</u>	<u>74,484.29</u>
Fund Balance as of October 31, 2020	<u>6,991,748.39</u>	<u>-</u>	<u>6,991,748.39</u>
Committed/Restricted Funds:			
SLL 18-17 \$2,717,969	287,044.87		287,044.87
1,000,000) \$1,000,000	24,651.00		24,651.00
PL 17-08 (Reprgrm fr PL1 13-56) \$1,000,000	30,593.90		30,593.90
PL 13-48 ROP Rd Project & TIQ Water Reservoir, Reprgrm to PL16-24 (\$1,000,000-400,000) \$600,000	600,000.00		600,000.00
Tractor DLNR.\$400,000	68,544.00		68,544.00
TLDR 19-4 (Reprgrm fr TLDR 17-08) \$382,379	318,433.95		318,433.95
RLL 19-06 Pona Point Railing Project	28,000.00		28,000.00
SLL 19-15 Kagman III Road Paving Proj, Phase I & Phase II and Sinapalo	3,003.60		3,003.60
	88,469.75		88,469.75
SLL 20-01 Various Saipan Projects for Precinct I, II, III, IV & V (Reprgrm to SLL 21-17 \$92,655.80 for Asphalt paving of Kahet Avenue in Kagman 3, Phase 4)	251,551.66		251,551.66
TLL 20-07 Tinian Health Center Morgue	116,469.00		116,469.00

	<u>BOG - Savings</u>	<u>BOG - TCD</u>	<u>TOTAL</u>
SLL 20-23 Various Saipan Project within Precinct 1 to 6 (Reprgm \$16,459.16 to SLL21-17 for Asphalt paving of Kahet Avenue in Kagman 3, Phase 4)	224,118.84		224,118.84
SLL 21-2 Light Installation in Kagman Road	195,468.50		195,468.50
SLL 21-7 Precinct I Various Projects	126,670.00		126,670.00
SLL 21-17 (Re-appropriations from SLL20-01 (Bus. Unit 4962X) \$92,655.80, SLL20-23 (Bus. Unit 4963G) \$11,459.16 and SLL20-23 (Bus. Unit 49631) \$5,000 for various Saipan projects	109,114.96		109,114.96
CPA Loan Pay-off	3,504,530.61		3,504,530.61
Due to DCD - 20% Revenue Share	23,000.00		23,000.00
Total			5,999,664.64
Appropriations			<u>992,083.75</u>

Senatorial District Allocation:	Share	Less: Prior Appropriations	Available balance for Appropriation
Saipan - 3/4 (75.0%)	1,820,651	1,202,513	618,138.94
Tinian - 1/8 (12.5%)	303,442	116,469	186,972.91
Rota - 1/8 (12.5%)	303,442	116,470	186,971.91
Balance	<u>2,427,535</u>	<u>1,435,452</u>	<u>992,083.75</u>

Note: Restricted amount of \$831,771.03 due to errors in drawdown from prior years in \$60M bond, was included and made available for appropriations upon Executive Director approval.