

TITLE 1: GOVERNMENT
DIVISION 7: PLANNING, BUDGETING AND AUDITING

§ 7505. Capital Improvement Project; Legislative Approval Required.

Notwithstanding any law to the contrary, no capital improvement project may be funded, in total or in part, from federal funds obtained pursuant to the Covenant or to the Impact Aid for the Compact of Free Association or through a special appropriation by the United States Congress, unless specifically approved first by the Legislature. Such projects include but are not limited to: public school and college facilities; streets, highways, roads, parking, wastewater, storm drainage, and sewage removal or treatment facilities; solid waste disposal (including landfill or incineration), remediation, recycling or resource recovery facilities; water supply, treatment (including desalination) or distribution facilities; judicial or criminal justice facilities; power generation or distribution facilities (including refinancing of generators previously purchased); public health facilities; fire suppression facilities; tourism related public facilities; seaport facilities; public buildings, facilities, improvements, equipment or furnishings; and public parks. The Governor or his designee shall submit any necessary document describing any project affected by this section to the respective presiding officers of the legislature for action.

Source: PL 15-121, § 2(b).

Commission Comment: Public Law 15-121 was enacted into law by override on December 3, 2007, and contained the following purpose and renaming provisions in addition to severability and savings clauses:

Section 1. Purpose. The purpose of this Act is to mandate legislative approval for the funding of any capital improvement project, either in total or in part, from federal funds obtained pursuant to the Covenant or to the Impact Aid for the Compact of Free Association.

Section 2. Amendments.

(a) The title of Chapter 5 of Division 7 of Title 1 of the Commonwealth Code is amended by deleting the word "Grant," such that the title shall read "Federal Funds." . . .