

**TITLE 4: ECONOMIC RESOURCES**  
**DIVISION 5: BUSINESS REGULATION**

**§ 51121. Commonwealth Free Trade Zone Authority: Powers and Duties.**

In addition to the powers and duties elsewhere conferred or imposed, the Authority shall have the following powers and duties:

(a) The Authority shall determine what types of specific business, industrial and commercial enterprises best meet the Legislature's policy objectives of fostering environmentally friendly, non-labor intensive, high skill activities that will offer training and future job possibilities to residents of the CNMI.

(b) The Authority may purchase, lease and hold real and personal property, supplies, goods, materials and commodities incident to the operation of free trade zones, including contracting with other agencies such as the Commonwealth Ports Authority and the Board of Public Lands for the use of their properties in free trade zones.

(c) Subject to provisions of this Act and the property rights of those holding title to the land, the Authority may develop and maintain or may cause to be developed and maintained any land declared to be a free trade zone for use by persons licensed in accordance with this Act.

(d) The Authority may, in coordination with the Commonwealth Ports Authority, the Commonwealth Utilities Corporation, the Division of Customs, and other appropriate agencies of Commonwealth Government, cause such infrastructure as may be required, to be constructed, installed or delivered in or to the free trade zone. Such infrastructure shall include the following:

(1) roads and highways sufficient to give the free trade zone access to existing international seaports and airports in the Commonwealth;

(2) electrical power, water, sewer services, and telecommunications services essential for the operations of the free trade zone; and

(3) the establishment of customs and excise posts.

(e) The Authority may enter into contracts with any person or government agency to carry out its functions under this Act, including rendering planning and management services within the free trade zones.

(f) The Authority may issue licenses to any approved person, firm, or corporation to operate businesses in the free trade zones established under this Act.

(g) The Authority shall adopt and enforce rules and regulations for the lawful, orderly, safe and sanitary management, control and operation of free trade zones and of all business activities carried on in the free trade zones; and for the issuance of licenses to operate businesses in the free trade zones, and the terms and conditions thereof, including requiring an independent professional cost/benefit analysis of the proposed business activity.

(h) The Authority may apply for, accept, expend and repay the United States or Commonwealth Government, and the Commonwealth Development Authority for any and all moneys made available by grant, loan or both to plan or accomplish any of the purposes of this Act. Unless otherwise directed by the agency from which such funds are received, the chief financial officer of the Authority

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shall deposit all moneys received pursuant to this subsection in separately denominated accounts.

(i) The Authority may employ agents and employees, or contract for the services of qualified specialists or experts, as individuals or organizations, to advise and assist the Authority and its employees. Persons so employed shall be exempt from application of the Commonwealth Civil Service Act (1 CMC § 8101 et seq.). The Authority may set its own compensation, wage and salary scales.

(j) The Authority shall prepare a detailed statement of its proposed budget for each ensuing fiscal year, to be adopted by a majority vote of the members of the Board of Directors at a meeting called for that purpose. No expenditures shall be made for a purpose not included in the adopted budget, and no debt, obligation or liability shall be created in any period for which the budget was adopted, in excess of the amounts specified therein for each purpose named unless with the express approval of a majority of the Board.

(k) The Authority shall represent the interests of free trade zone licensees, actual and prospective occupants in negotiating, with the entity owning or controlling the property within the free trade zones, the charges, rentals, or fees for the use of such property, including the terms and conditions under which the property may be used; provided, that nothing in this section shall prohibit licensees, actual or prospective occupants from negotiating on their own behalf; provided further, that nothing in this subsection shall be construed as permitting the Authority to bind a licensee, actual or prospective occupant without their consent. The Authority shall negotiate charges that are reasonable and with due regard for the public benefit. In no event shall public land be let for less than \$0.25 per month per square foot for buildings, and \$0.10 per month per square meter for undeveloped land; provided, however, that under special circumstances, as determined by the Authority, these amounts may be reduced by up to 50% for projects on Tinian and Rota.

(l) The enumeration of specific powers and duties in this section shall not be deemed to be exclusive.

**Source:** PL 12-20, § 10.