
AN ACT

To authorize by law land exchanges for the public purpose of completing the Phase II highway construction on the island of Rota, to comply with the requirements of Constitutional Amendment 32, and for other purposes.

BE IT ENACTED BY THE FIFTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 Section 1. Purpose.

2 (a) The purpose of this act is to permit construction of
3 the Phase II of the Rota highway construction project to
4 proceed on schedule. Because Constitutional Amendment 32 has
5 been ratified by the voters during the construction of the
6 highway, it is now necessary to enact legislation that
7 authorizes the MPLC to make land exchanges that are still
8 required to complete Phase II construction of the highway.
9 Among other things, Constitutional Amendment 32 amended
10 Article II, Section 5(b) to state that "the corporation may
11 transfer a freehold interest in public lands for twenty years
12 after the effective date of this Constitution, exceptfor
13 land exchanges to accomplish a public purpose as authorized
14 by law." It is the purpose of this act to authorize land
15 exchanges for the public purpose of the timely completion of
16 Phase II of the Rota highway construction project. In the
17 absence of this act, the construction of Phase II of the
18 Rota highway project will be delayed at great cost to the
19 Commonwealth Government and the people of the island of Rota.

1 It is absolutely necessary, therefore, that this act be
2 enacted and implemented at the earliest possible date.


3 Section 2. Temporary Grant of Authority to the MPLC.

4 (a) Pursuant to Article XI, Section 5(b) of the
5 Constitution of the Northern Mariana Islands, the Marianas
6 Public Land Corporation is hereby authorized by law to
7 identify and exchange public lands for the private lands on
8 the island of Rota that must be acquired to enable Phase II
9 of the Rota highway construction project, a public purpose,
10 to be accomplished. The land exchanges shall be made in
11 accordance with procedures that are consistent with the
12 fiduciary duties that the corporation and its directors
13 owe to its trustees, the people of the Northern Mariana
14 Islands.


15 (b) This grant of authority shall expire upon the
16 earlier of the enactment of general legislation to
17 implement Constitutional Amendment 32 or on January 1, 1987.

18 Section 3. Severability. If any section or provision of
19 this act shall be found to be invalid by any court, it shall be
20 conclusively presumed that this act would have been passed by
21 the Legislature without such invalid section or provision, and
22 the act as a whole shall not be declared invalid by reason of
23 the fact that one or more sections or provisions may be found
24 to be invalid by any court.

1 Section 4. Effective Date. This act shall take effect upon
2 its approval by the Governor, or upon its becoming law without
3 such approval.

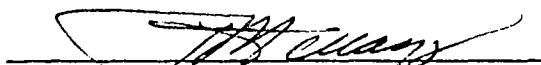


JULIAN S. CALVO
President of the Senate

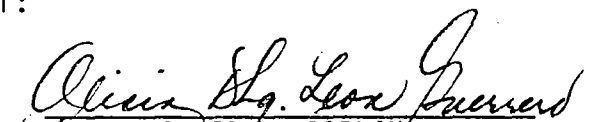


JOSE R. BIFOIPOI
Speaker
House of Representatives

ATTEST:




MANUEL P. VILLAGOMEZ
Senate Legislative Secretary



FRANCES P. SABLAN
House Clerk

March 25, 1986



PEDRO P. TENORIO
Governor
Commonwealth of the Northern Mariana Islands