
AN ACT

To amend 4 CMC 3214 (P.L. 4-53) by allowing public works projects to be planned and the construction supervised by non-registered, practicing professional engineers, architects, land surveyors, or landscape architects who are officers or employees of the Commonwealth Government; to amend 4 CMC 3216(a)(11); and for other purposes.

BE IT ENACTED BY THE NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 Section 1. Findings. The Legislature finds that 4 CMC
2 3213(b) exempts from registration persons practicing
3 professional engineering, architecture, land surveying or
4 landscape architecture, providing such professionals work
5 solely as officers or employees of the Commonwealth. This
6 being so, such government professional may prepare plans,
7 specifications and estimates and may supervise construction of
8 public works projects of any value and conduct surveys of
9 property boundaries for public purposes without being
10 registered professionals under Commonwealth law. However, the
11 Legislature finds that 4 CMC 3214 as enacted did not provide
12 for the exemption in the planning and supervision of public
13 works projects as intended by 4 CMC 3213(b) ; therefore, a
14 technical amendment to 4 CMC 3214 is required.

15 Section 2. Amendment. Title 4, CMC 3214 (P.L. No. 4-53,
16 Section 4) is amended to read:

17 "Section 3214. Public Works: Plans, For and
18 Supervision Of. The Commonwealth and its officers
19 shall not engage in the construction of any public
20 works involving professional engineering,
21 architecture or landscape architecture for which

1 plans, specifications and estimates have not been
2 made and the construction of which is not
3 supervised by a professional engineer, architect or
4 landscape architect duly registered or exempted
5 hereunder, Provided, that nothing in this section
6 shall apply to any public works involving
7 professional engineering, architecture or landscape
8 architecture projects wherein the total aggregate
9 contractual cost thereof does not exceed the sum of
10 \$200,000 and the officer is a citizen or national
11 of the United States of America or a permanent
12 resident of the Commonwealth. All land surveys
13 involving property boundaries for public purposes
14 or plans thereof shall be made or supervised by a
15 registered land surveyor or professional exempted
16 hereunder, provided the surveyor is a citizen of
17 the United States of America."

18 Section 3. Amendment. Title 4, CMC, 3216(a)(11) is
19 amended to read:

20 "(11) Such person meets all of the qualifications
21 for registration as a Professional Engineer, Architect,
22 or Landscape Architect under any of subsections (1)
23 through (7) of this Section, other than the passage of an
examination prescribed by the Board; and has been a
domiciliary of and practiced such profession in the
Commonwealth for at least four years up to and including

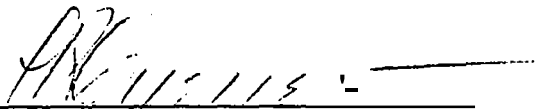
1 December 31, 1985; and who applies for registration under
2 this Act on or before December 31, 1990 and the person is
3 a citizen or national of the United States of America or
4 a permanent resident of the commonwealth."

5 Section 4. Severability. If any provision of this Act,
6 or its application to any person or circumstance is held
7 invalid, the invalidity does not affect other provisions or
8 applications of the Act which can be given effect without the
9 invalid provisions or applications, and to this end the
10 provisions of this Act are severable.

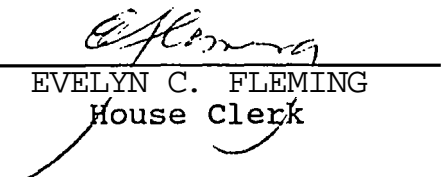
11 Section 5. Effective Date. This Act shall take effect
12 upon approval by the Governor, or upon its becoming law
13 without such approval.

CERTIFIED BY:

ATTESTED BY:

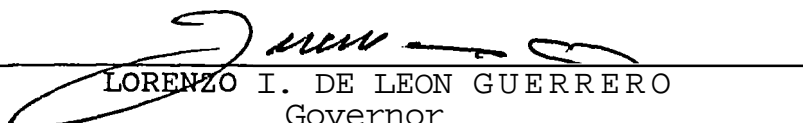


PEDRO R. DELEON GUERRERO
Speaker of the House



EVELYN C. FLEMING
House Clerk

APPROVED this 12th day of APRIL, 1991



LORENZO I. DE LEON GUERRERO
Governor
Commonwealth of the Northern Mariana Islands