



Commonwealth of the Northern Mariana Islands

Office of the Governor

Saipan, Mariana Islands 96950

Phone: (670) 322-5091/2/3  
Fax: 322-5096

23 JAN 1990

GOV. COMM. 7-1  
(HOUSE)

The Honorable Joseph S. Inos  
Senate President  
Seventh Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

and

The Honorable Pedro R. Guerrero  
Speaker, House of Representatives  
Seventh Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

Dear Mr. President and Mr. Speaker:

This is to inform you that I have signed into law Senate Bill No. 6-196, entitled, "To amend the "Public Purpose Land Exchange Authorization Act of 1987," 2 CMC §4142 (Findings and Purpose) and 2 CMC §4143(e)(5)(Definitions), to emphasize the need for land exchanges and to expand the definition of "public purpose" to indicate more clearly when "short exchanges" should be considered to adequately compensate landowners; and for other purposes", which was passed by the Sixth Northern Marianas Commonwealth Legislature.

This Legislation becomes Public Law No. 6-43. Copies bearing my signature are forwarded herewith for your ready reference.

Sincerely,

  
LORENZO I. DE LEON GUERRERO  
Governor

CC: Special Assistant for Programs and Legislative Review

received  
1-23-90  
J. Inos

PUBLIC LAW NO. 6-43  
S.B. 6-196

SIXTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE  
FOURTH REGULAR SESSION, 1989

---

---

**AN ACT**

To amend the "Public Purpose Land Exchange Authorization Act of 1987," 2 CMC §4142 (Findings and Purpose) and 2 CMC §4143(e)(5) (Definitions), to emphasize the need for land exchanges and to expand the definition of "public purpose" to indicate more clearly when "short exchanges" should be considered to adequately compensate landowners; and for other purposes,

---

Offered by Senator Juan N. Babauta

---

---

---

Date: September 26, 1989

---

---

**SENATE ACTION**

Referred to: **Committee** on Federal Relations & Independent Agencies

Second and Final Reading: **January 4, 1990**

---

---

**HOUSE ACTION**

Referred to: **Committee** on Commerce and Tourism

First and Final Reading: **January 5, 1990**

*B. Babauta*  

---

*for*: Manuel P. Villagomez  
Senate Legislative Secretary

*Rec'd 1/7/90*

---

---

AN ACT

To amend the "Public Purpose Land Exchange Authorization Act of 1987," 2 CMC 64142 (Findings and Purpose) and 2 CMC §4143(e) (5) (Definitions), to emphasize the need for land exchanges and to expand the definition of "public purpose" to indicate more clearly when "short exchanges" should be considered to adequately compensate landowners; and for other purposes.

BE IT ENACTED BY THE SIXTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 Section 1. Amendment, Title 2, CMC, 64142 (P.L.No. 5-33, 82  
2 is amended to read:

3 "§4142. Findings and Purpose, The purpose of this Article  
4 is to facilitate the Accomplishment of certain public purposes by  
5 authorizing the Marianas Public Land Corporation to enter into  
6 agreements by which the government obtains freehold interest in  
7 private land in exchange for passing freehold interest in public  
8 land to the private landowner. Pursuant to Article XI, Section 5(a)  
9 of the Constitution of the Commonwealth of the Northern Mariana  
10 Islands (as amended by Constitutional Amendment No. 32), such  
11 land exchanges are permitted only as specifically authorized by  
12 law. The Legislature finds that such land exchanges are an  
13 effective and economical means of obtaining private land essential  
14 to public projects and of resolving lawful claims against the  
15 government. Land exchanges shall be liberally used where the full  
16 area of public land agreed upon - "short exchanges" - was not  
17 conveyed to landowners by governmental entities. The Legislature  
18 further finds that land exchanges are often preferable, both  
19 socially and economically, to monetary compensation for private  
20 land acquired for public purposes. The Legislature also finds

1 that equitable land exchanges serve the public interest far better than  
2 expensive and divisive condemnation proceedings. The Legislature  
3 further finds that the requirement of Section 7 of the Schedule on  
4 Transitional Matters of the Constitution may be expeditiously  
5 accomplished through land exchanges in implementing Constitutional  
6 Amendment No, 32," This Article specifies the public purpose for which  
7 land exchanges are authorized and the conditions under which such  
8 exchanges can be executed."

9 Section 2. Amendment. Title 2, CMC, §4143(e)(5) (P.L.No. 5-33, §3)  
10 is amended to read:

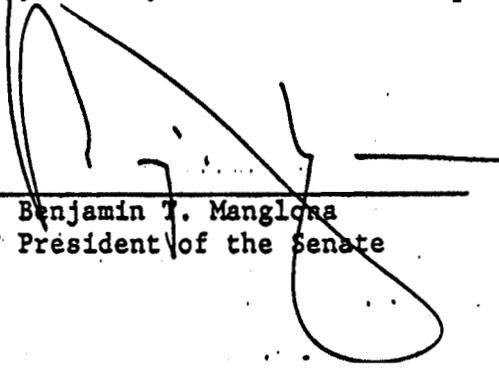
11 "(e) 'Public Purpose' means any of the following singularly  
12 or in combination:

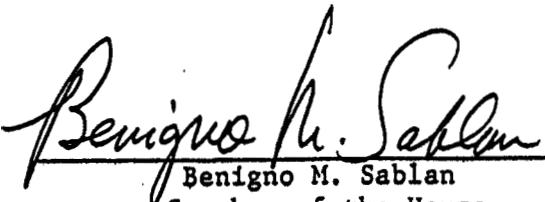
13 (5) Satisfaction of any land exchange, agreement entered  
14 into by the Commonwealth Government, by the Trust Territory  
15 Government or a part thereof, or by the United States Naval  
16 Administration, and involving land in the Northern Mariana Islands,  
17 in which the full area of public land agreed upon was not conveyed  
18 to the landowner or to his or her heirs or successors in interest.  
19 A landowner is deemed inadequately compensated in his or her  
20 land exchange if the short exchange exceeded five hundred (500)  
21 square meters. Exchange shall be possible notwithstanding 'more  
22 or less' language found in exchange agreements."

23 Section 3. Severability. If any provision of this Act, or its  
24 application to any person or circumstance is held invalid, the invalidity  
25 does not effect other provisions or applications of the Act which can  
26 be given affect without the invalid provisions or applications, and to  
27 this end the provisions of this Act are severable.

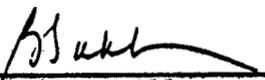
PUBLIC LAW NO. 6-43  
SENATE BILL NO, 6-196

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

  
Benjamin T. Manglosa  
President of the Senate

  
Benigno M. Sablan  
Speaker of the House

ATTEST :

  
Manuel P. Villagomez  
Senate Legislative Secretary

  
Frances P. Hernandez  
Acting House Clerk

APPROVED JAN. 23<sup>rd</sup> ; 1990

  
~~PEDRO P. TENORIO~~ LORENZO I, DE LEON GUERRERO  
Governor  
Commonwealth of the Northern Mariana Islands