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Merrin

4TH MARIANA ISLANDS DISTRICT LEGISLATURE

FIRST SPECIAL SESSION

17 September, 1974
2

ACT NO. 1-1974 (As Amended)
INTRODUCED BY: Hon. POLITICAL COMMITTEE

1. AN ACT RELATIVE TO RETURNING ALL PUBLIC
2. LANDS TO THE PEOPLE OF THE MARIANA ISLANDS
3. DISTRICT AND TO DESIGNATE THE DISTRICT
4. ADMINISTRATOR TO RECEIVE, HOLD AND ADMINISTER
5. THE PUBLIC LANDS AS PRESCRIBED BY THE MARIANA
6. ISLANDS DISTRICT LEGISLATURE *by Resolution*

7. BE IT ENACTED BY THE 4TH MARIANA ISLANDS DISTRICT LEGISLATURE, THAT:

8. Section 1. Purpose. The purposes of this Act are to state the position of
9. the people of the Mariana Islands District regarding the return
10. of all right, title and interest in and to public lands
11. presently held by the Government of the Trust Territory of the
12. Pacific Islands pursuant to the Public Land Policy Statement
13. issued by the United States as the Administering Authority on
14. November 2, 1973; to designate the District Administrator of the
15. Mariana Islands District to receive, hold and administer the
16. public lands in trust for the people of the Mariana Islands
17. District as *shall be* prescribed by the Mariana Islands District
18. Legislature; *by resolution* and to assure the people of the Marianas that any
19. existing claims, disputes, or ones that will be brought to the
20. attention of the District Administrator will not be invalidated
21. by the transfer of the public lands, and to that effect, the
22. District Administrator will not sell, lease, or otherwise
23. dispose of lands to which claims disputes exist and which the
24. District Administrator has been put on notice, either actual or

1. constructive, until the claims disputes has been decided
2. adversely to the claimant in a fair hearing, and all rights to
3. appeal have been exhausted.

4. Section 2. The District Administrator of the Mariana Islands District is
5. hereby designated within the meaning of the Public Land Policy
6. Statement of November 2, 1973, to receive, hold and administer
7. the public lands within the Mariana Islands District as ^{shall} ~~may~~ be
8. prescribed by the Mariana Islands District Legislature.

9. Section 3. The District Administrator shall have the following specific
10. powers and duties:

11. A. To serve as a legal entity designated to receive
12. and hold title of the public lands of the Mariana
13. Islands (hereinafter called Trust Lands) in trust for
14. the people of the Mariana Islands;
15. B. To administer, manage and regulate the Trust Lands
16. for the benefit of the people of the Mariana Islands
17. ^{shall be} as prescribed by the Mariana Islands District Legislature.
18. C. To do everything necessary, desirable, advisable, or
19. convenient for the furtherance and accomplishment
20. of such purposes and the achievement of the objective
21. of the United States Policy Statement on Transfer of
22. title to Public Lands from the Trust Territory of the
23. Pacific Islands Administration to the District, dated
24. November 2, 1973 (hereinafter called the Public Land

1. Policy Statement), and to do all other things
2. incidental thereto or connected therewith which are
3. not forbidden by applicable law;
4. D. To make formal agreements upon terms satisfactory to
5. the Mariana Islands District Legislature to meet the
6. land requirements of the United States to be designated
7. under the terms of a status agreement approved by the
8. people of the Marianas and the United States which
9. defines the future political status of the people of
10. the Mariana Islands; and
11. E. To annually present to the Legislature a report of
12. its activities and its proposed budget for its
13. activities for the ensuing year.
14. Section 4. Disposition of proceeds or revenue. All revenue, rents,
15. royalties, payment or any other proceeds generated from the use,
16. sale, and the administration of the lands held in trust for the
17. people of the Mariana Islands District shall be deposited in the
18. General Fund of the Mariana Islands District Legislature.
19. Section 5. Implementation of return of public lands. Upon enactment of
20. this Act the ~~President~~ Hold-Over Committee of the Mariana
21. Islands District Legislature ~~of his designee~~ is hereby
22. authorized to request the United States and the Government of
23. the Trust Territory of the Pacific Islands to take all steps

1. which are necessary and appropriate to effectuate the return of
2. public lands within the Mariana Islands District as hereinbefore
3. stated, including:

4. --causing necessary alterations to be made in the laws of
5. the Trust Territory of the Pacific Islands to permit a legal
6. entity designated by the District Legislature to hold title
7. to land, to grant the District Legislature the power of eminent
8. domain, to permit the District Legislature to authorize a legal
9. entity to exercise the power of eminent domain in the public
10. interest;

11. --causing the compiling and publishing of information as
12. to size and location of each parcel of public land within the
13. Mariana Islands District, including information as to whether
14. the Government of the Trust Territory of the Pacific Islands
15. intends to refrain from returning its rights, title and interest
16. in such parcels in accordance with the Public Land Policy
17. Statement of November 2, 1973, and information as to whether the
18. land is subject of a lease or land use agreement or of a
19. tenancy at will or by sufferance;

20. --entering into discussions with the District Administrator
21. leading to the transfer of all right, title and interest of the
22. Government of the Trust Territory of the Pacific Islands in and
23. to the public lands within the Mariana Islands District;

1. --~~completing~~ urging the completion of the cadastral
2. program on public lands as quickly as possible; and

3. --taking such other steps as may be proper to effectuate
4. the prompt return of public lands within this District in
5. accordance with the limitations and safeguards set forth in
6. the Public Land Policy Statement.

7. Section 6. Report to the Legislature. At or before the next regularly
8. scheduled session of the Mariana Islands District Legislature
9. the ~~President~~ Hold-Over Committee of the Mariana Islands
10. District Legislature ~~or his designee~~ shall cause to be
11. transmitted to the Legislature copies of all agreements made or
12. proposed to be made by the District Administrator with the
13. Government of the Trust Territory of the Pacific Islands or with
14. the United States will respect to the transfer of public lands
15. in the Mariana Islands District in trust for the people of the
16. District.

17. Section 7. Prohibition. The District Administrator shall not, under any
18. circumstances, do any act except as shall be specifically
19. prescribed in the Trust Policy Guidelines adopted by resolution
20. of the Mariana Islands District Legislature.

21. Section 8. Effective Date. This Act shall take effect upon approval by
22. the District Administrator, or upon its becoming law without
23. such approval.