

AGENDA

Natural Resources

I. Public Lands

A. What governmental entity should be given the responsibility for management and disposition of the public lands?

Alternative 1. Should the Constitution specify that responsibility for the public lands will be placed in the Marianas Land Corporation already created for this purpose by the District Legislature?

Alternative 2. Should the Constitution create a special department within the Executive Branch to take responsibility for public lands?

Alternative 3. Should the Constitution leave the matter to the legislature?

B. What restrictions should be included in the Constitution with respect to the disposition (sale or lease) of public lands?

1. Should the Constitution include a requirement that public lands be disposed of only for a fair economic return?

2. Should there be a limitation on the amount of public land that may be owned by any one individual?

3. Should the government be prohibited from selling the mineral rights for any public land (or that they could only be leased for limited periods of time)?

4. Should the government be required to dispose of public land only through public auction or public sale?

5. Should there be any limitation on the total amount (or percentage) of public land that can be sold or leased by the government in any one year?

6. Should there be a priority for the sale or lease of public lands (for example, a priority given to homesteads, residences, farms, etc.)?

7. Should the Constitution forbid any disposition of public land without adequate notice to the public and open public hearings?

8. Should the legislature be prohibited from making special legislation with respect to the public lands?

9. Should the Constitution require a comprehensive land use plan before any disposition of any public land can be made?

10. Should the Constitution provide for court review of transactions involving public land?

Alternative 1: limit lawsuits to those brought by the Attorney General;

Alternative 2: permit suits to be brought by any citizen as well as the Attorney General;

Alternative 3: require automatic court review?

C. What restrictions should be included in the Constitution with respect to the management of public lands?

1. Should any priority of public use be established (for example, should a certain portion or percentage of the public lands be developed as public parks)?

2. Should any priority of private use be established?

3. Should there be an annual report on the management of the public lands?

II. Funds Derived From Public Lands

A. Should the Constitution include restrictions with respect to the use of funds derived from public lands?

Alternative 1: place the revenues in a special trust fund;

Alternative 2: use the revenues to begin a development bank;

Alternative 3: restrict the use of the revenues to particular public purposes (such as improvement of public lands, education, providing economic development, etc.);

Alternative 4: make the revenues a part of the general revenues available for appropriation by the legislature without restriction?

III. Private Lands

A. Should the Constitution provide that the Commonwealth government shall have the power of eminent domain to take privately owned lands.

Alternative 1: A provision that authorizes the Commonwealth government to use the power of eminent domain in any manner authorized by the legislature.

Alternative 2: A provision that authorizes the Commonwealth government to use the eminent domain power only for a public purpose.

Alternative 3: A provision that authorizes the Commonwealth government to use the power of eminent only for certain purposes that are specified in the Constitution (such as building roads, health facilities, education facilities, etc.)

Alternative 4: A provision that authorizes only specific executive branch departments or agencies to use the power of eminent domain.

Alternative 5: A prohibition on the use of any eminent domain power.

B. Should there be any limitations on what can be taken by eminent domain?

Alternative 1: A provision that permits any interest in land to be taken.

Alternative 2: A provision that requires a leasehold or easement interest be taken unless a determination is made that acquisition of title is essential to the purpose of the taking.

Alternative 3: A provision that permits only the taking of a leasehold or easement interest.

C. Should there be any procedural limitations on how the power of eminent domain is exercised?

1. Should the government be required to make a showing that acquisition by voluntary means is not feasible?

2. Should the government be required to make a showing that use of public lands for the stated purpose is not possible?

3. If a leasehold interest is taken, should the government be required to return to the owner any remaining portion of the lease term if the whole term is not needed for the stated public purpose?

D. Should the Constitution provide for zoning within the Commonwealth?

Alternative 1: A provision that requires the legislature to divide the land in the Commonwealth into zones and to specify the uses of the land within each zone.

Alternative 2: A provision that authorizes but does not require the legislature to restrict land use through zoning.

Alternative 3: No provision with respect to zoning.

E. Should the Constitution provide for any property tax benefits with respect to uses of private lands that are compatible with conservation of natural resources.

Alternative 1: A preferential assessment that permits a landowner to petition for reduced property taxes on the ground that the property is being used for a favored purpose.

Alternative 2: A deferred taxation system under which property taxes are deferred while the property is used for favored purposes.

Alternative 3: A restricted use provision that requires a legally binding agreement with respect to the favored use before a tax benefit is available.

Alternative 4: No provision with respect to property tax benefits.

IV. Marine Resources

A. Should the Constitution include a provision with respect to the waters and submerged lands surrounding the islands of the Commonwealth?

Alternative 1: A provision that directs the legislature to provide that the waters and submerged lands are to be controlled for the benefit of the Commonwealth to the maximum extent permitted under the Covenant.

Alternative 2: A provision that claims exclusive jurisdiction for the Commonwealth over some portion of the territorial waters (3 miles, 12 miles or 200 miles).

Alternative 3: No provision .

V. Air and Water Quality

A. Should the Constitution include any provision with respect to air and water quality other than the provision already in the bill of rights guaranteeing a right to a clean environment?

Alternative 1: A statement of general policy and a direction to the legislature to act to guard the environment.

Alternative 2: A provision that makes it the duty of every citizen to refrain from harming the environment.

Alternative 3: No provision.