

SECOND CONSTITUTIONAL CONVENTION, 1985  
SAIPAN, NORTHERN MARIANA ISLANDS

CONSTITUTIONAL AMENDMENT PROPOSAL NO: 3-85

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A PROPOSAL

To repeal Section 2, 3, 4 and 5 of Article XI of the Constitution of the Northern Mariana Islands to abolish the Marianas Public Land Corporation and re inact the same to establish a Department of Land Management.

BE IT ENACTED BY THE SECOND CONSTITUTIONAL CONVENTION:

1           Section 1. Sections 2, 3, 4 and 5 of Article  
2           XI are hereby repealed.

3           Section 2. A new Section 2 of Article XI is  
4           hereby adopted as follows:

5           Section 3. Submerged and Surface lands. The  
6           management and disposition of submerged or surface  
7           public lands shall vest in a Department of Land  
8           Management.

9           Section 4. Fundamental Policies. The Depart-  
10          ment of Land Management shall follow certain funda-  
11          mental policies in the performance of its responsi-  
12          bilities.

13          a) The Department shall make available some  
14          portion of the public lands for a homestead program.  
15          A person is not eligible for more than one agricultural  
16          and one village homestead. A person may not receive  
17          a freehold interest in a homestead for three years  
18          after the grant of a homestead and may not transfer  
19          a freehold interest in a homestead for ten years after

1 receipt except that these requirements are waived  
2 for persons who have established a continuous use  
3 of public lands for at least fifteen years as of the  
4 effective date of this Constitution. At any time  
5 after the freehold interest, the grantee may mortgage  
6 the land provided that all funds received from the  
7 mortgagee be devoted to the improvement of the land.  
8 Other requirements relating to the homestead program  
9 shall be provided by law.

10. b) The department may not transfer a freehold  
11 interest in public lands for ten years after the  
12 effective date of this Constitution, except for  
13 homesteads as provided under Section 5(a).

14 c) The department may not transfer a leasehold  
15 interest in public lands that exceeds twenty-five years  
16 including renewal rights. An extension of not more  
17 than fifteen years may be given upon the approval by  
18 three-fourths of the members of the legislature.

19 d) The department may not transfer an interest  
20 in more than five hectares of public land for use for  
21 commercial purposes without approval by a majority of  
22 of the members of the legislature.

23 e) The department may not transfer an interest  
24 in public lands located within one hundred fifty feet  
25 of the high water mark of a sandy beach.

26 f) The department shall adopt a comprehensive  
27 land use plan with respect to the public lands in-  
28 cluding priority of uses and may amend the plan as  
29 appropriate.

30 g) *The department shall received all moneys*

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