

PR/NR

SECOND NORTHERN MARIANAS
CONSTITUTIONAL CONVENTION, 1985

DELEGATE PROPOSAL No. 156-85

PROPOSAL REGARDING: Article XI, Section 5.

Section 5. Fundamental Policies.

The Marianas Public Land Corporation shall follow certain fundamental policies in the performance of its responsibilities.

a) The corporation shall make available some portion of the public lands for a homestead program. A public hearing shall be conducted to determine which public lands should be reserved for homestead. A person is not eligible for more than one agricultural and one village homestead. A person may not receive a freehold interest in a homestead for three years after the grant of a homestead ~~and may not transfer a freehold interest in a homestead for ten years after receipt~~ except that these requirements are waived for persons who have established continuous use of public lands ~~for at least fifteen years~~ as of the effective date of this Constitution. ~~At any time after receiving the freehold interest, the grantee may mortgage the land provided that all funds received from the mortgage be devoted to the improvement of the land.~~ Other requirements relating to the homestead program shall be provided by law.

b) The corporation may not transfer a freehold interest in public lands for ~~ten~~ twenty years after the effective date of this Constitution, except for homesteads as provided under section 5(a) and for land exchange. The corporation may not transfer freehold interest in public lands by land exchange unless the majority of the members of the legislature have asserted that the private lands are necessary for private or public use as prescribed by Article XIII, Section 2, of this Constitution.

c) The corporation may not transfer a leasehold interest in public lands that exceeds twenty-five years including renewal rights. An extension of not more than fifteen years may be given upon unanimous approval by ~~three-fourths of the members of the legislature~~ the directors.

d) The corporation may not transfer an interest in more than five hectares of public land for use for commercial purposes without unanimous approval by ~~a majority of the members of the legislature~~ the directors.

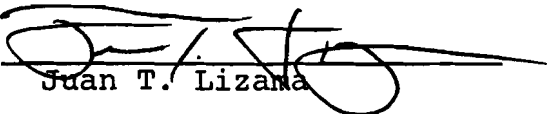
e) The corporation may not transfer an interest in public lands located within one hundred fifty feet of the high water mark of a sandy beach. The corporation shall not permit the construction of any form of structure within the one hundred fifty feet.

f) The corporation shall adopt a comprehensive land use plan with respect to the public lands including priority of uses and may amend the plan as appropriate.

g) The corporation shall receive all moneys from the public lands and shall transfer these moneys ~~promptly~~ within ninety days to the Marianas Public Land Trust except that the corporation may retain the amount necessary to meet reasonable expenses of administration, subject to the approval of the legislature. This requirement may be modified or altered by approval of the majority of the members of the legislature.

Dated: 6/24/85

PROPOSED BY:


Juan T. Lizama

COMMITTEE: _____