



SECOND NORTHERN MARIANAS CONSTITUTIONAL CONVENTION
SAIPAN, CM 96950

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REPORT TO THE CONVENTION BY THE
COMMITTEE ON PERSONAL RIGHTS & NATURAL RESOURCES

Subject: Committee Recommendation No. 22

The Committee on Personal Rights and Natural Resources recommends that the Convention, meeting in Committee of the Whole, adopt the attached proposed Constitutional Amendment with respect to Eminent Domain.

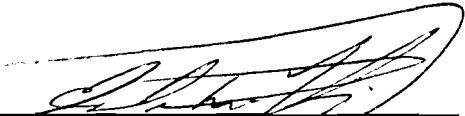
The Committee recommends that the Commonwealth exercise the power of eminent domain and acquire either "Freehold or "Leasehold" interest in private property necessary for the accomplishment of a public purpose.

Eminent domain is currently provided for in the Constitution "as provided by law" but the Committee realizes that the law restricts the government to freehold interest. The Committee agrees with Delegate Proposal No. 63-85 to include "leasehold interest" so that the Commonwealth could enter into a lease agreement with a private citizen if it serves a public purpose. This would allow return of private land upon expiration or termination of the lease.


Delegate Proposal: Only Proposal No. 63-85 was submitted to this Committee to amend Section 1 of Article XII. The Committee carefully addressed the concern of the proposal to return the acquired property when it is no longer needed. The Committee noted that eminent domain by freehold interest cannot be returned to the owner. This concern is addressed upon expiration of the lease through this proposed amendment.

Therefore, your Committee on Personal Rights and Natural Resources strongly urges all delegates to support the attached Committee recommendation.

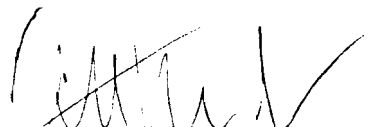
Respectfully submitted:



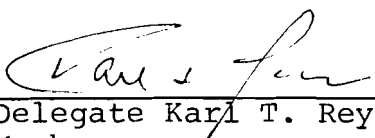
Delegate Esteven M. King
Chairman




Delegate Joaquin A. Tenorio
Vice-Chairman



Delegate Aniceto H. Mundo
Member



Delegate Karl T. Reyes
Member



Delegate Ramon G. Villagomez
Member

Attachment

SECOND NORTHERN MARIANAS
CONSTITUTIONAL CONVENTION, 1985

COMMITTEE RECOMMENDATION NO. 22

A PROPOSED CONSTITUTIONAL AMENDMENT

To amend Article XIII, Section 1 to acquire either freehold or leasehold interest in private property necessary for the accomplishment of a public purpose.

BE IT ADOPTED BY THE SECOND CONSTITUTIONAL CONVENTION:

Upon ratification pursuant to Section 5 of Article XVIII of the Commonwealth of the Northern Mariana Islands Constitution and Public Law No. 4-30, the Constitution of the Commonwealth of the Northern Mariana Islands is amended as follows:

1 Effective upon ratification, Section 1 of Article XIII is amended to read:

2 "Section 1: Eminent Domain Power. The Commonwealth may exercise the
3 power of eminent domain as provided by law to acquire either freehold or
4 leasehold interest in private property necessary for the accomplishment of
5 a public purpose."
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19 *Recommended*
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Committee on Personal Rights
and Natural Resources