

6/19/95

COMMITTEE ON LAND AND PERSONAL RIGHTS

SUMMARY OF ISSUES WITH RESPECT TO ARTICLE XIV: NATURAL RESOURCES

ARTICLE XIV: NATURAL RESOURCES now reads:

Section 1: Marine Resources.

The marine resources in waters off the coast of the Commonwealth over which the Commonwealth now or hereafter may have any jurisdiction under United States law shall be managed, controlled, protected and preserved by the legislature for the benefit of the people.

Section 2: Uninhabited Islands.

The island of Managaha shall be maintained as an uninhabited place and used only for cultural and recreational purposes. The islands of Maug, Uracas, Asuncion, Guguan and other islands specified by law shall be maintained as uninhabited places and used only for the preservation and protection of natural resources, including but not limited to bird, wildlife and plant species. /

Section 3: Places and Things of Cultural and Historical Significance.

Places of importance to the culture, traditions and history of the people of the Northern Mariana Islands shall be protected and preserved and public access to these places shall be maintained as provided by law. Artifacts and other things of cultural or historical significance shall be protected, preserved and maintained in the Commonwealth as provided by law.

The issues raised by delegate proposals to amend Article XIV are as follows:

Section 1: Marine resources

1. Reference to U.S. law

- . The 1976 Constitution included a reference to U.S. law.
- . Should this be deleted?

2. Reference to the 200-mile Exclusive Economic Zone

- . The 1976 Constitution asserted a claim to everything, not limited to the 200-miles included in the EEZ.
- . Should a specific reference to the 200-mile zone be included?

3. Provision for mining or other recovery of marine mineral resources

- . The 1976 Constitution asserts a claim to all marine resources (including fish and minerals) but does not specifically provide how they should be regulated.
- . Should the Constitution provide that mining or other recovery of marine mineral resources can be done only as authorized (licensed) by the CNMI, and put the licensing authority in the executive branch?
- . Should a percentage of any revenues generated from this source be earmarked for public education and public health?

Section 2: Uninhabited islands

1. Protection of uninhabited islands

- . The 1976 Constitution protected Managaha, Maug, and Sariguan as uninhabited islands.
- . The 1985 amendments added Uracus, Asuncion, and Guguan in place of Sariguan
- . Should Bird Island be added as a marine sanctuary?
- . Should the Grotto area on Saipan be added as a marine sanctuary?

. Should the mining or other recovery of mineral resources be regulated in the Northern Islands, so that it can only be done under a permit issued by the CNMI?

- Should the authority to regulate mining in the Northern Islands be placed in the executive branch

- Should a percentage of the proceeds from mining in the Northern Islands be earmarked for construction and improvement of physical infrastructure in the CNMI?

### Section 3: Places and Things of Cultural and Historical Significance

There were no delegate proposals to amend this section.

#### Other proposals

1. Should a new section be created with respect to natural resources

. To provide that all natural resources shall be conserved and managed for the benefit of present and future CNMI residents?

. To declare that the people have a right to the preservation of the natural, scenic, historic, and esthetic values of the environment?

. To declare that the public natural resources of the Commonwealth are the common property of all the people, including the generations to come; and that the Commonwealth shall, as trustee for these resources, conserve and maintain them for the benefit of all people.

2. Should an elected Commonwealth Environmental Protection Board be established to replace the Coastal Resources Management Office and all related executive branch agencies (Division of Environmental Quality, Division of Fish and Wildlife, Division of Plant Industry, Division of Animal Industry, Division of Sanitation, Division of Parks and Recreation, Division of Historic Preservation, and Office of Forestry.)