

(3)

July 11, 1995

COMMITTEE ON LAND AND PERSONAL RIGHTS

REPORT NO. 5: ARTICLE XIV, NATURAL RESOURCES

The Committee met on Monday, June 26, 1995 and Monday, July 10, 1995 to consider proposed amendments to Article XIV, Natural Resources. The Committee considered Delegate Proposals 159, 160, 219, 274, 345, 377, 398, 530, and 534 which had been referred to it by the committee on Organization and Procedures. In addition, the Committee sent letters to the current departments and agencies with jurisdiction over natural resources and received written submissions.

The Committee decided that the existing Article XIV is entirely adequate in nearly all respects, and proposes changes only to clarify or extend in certain respects the existing provisions of Article XIV.

Each of the changes is described below:

Section 1: Marine Resources

The only change to Section 1 is to delete the phrase "under United States law." This is not a substantive change. The intent of this section is to extend the claim of the Commonwealth as far as possible. The Commonwealth has always claimed all of the jurisdiction available to it now or in the future. This claim includes the 200-mile exclusive economic zone, and extends beyond 200 miles if that becomes available. This claim includes everything available under the United Nations provisions for jurisdiction over area waters, and again, will extend beyond the United Nations provisions where available.

Section 2: Uninhabited Islands

The first change to Section 2 is to delete the first sentence which covers Managaha Island and preserves it as an uninhabited island to be used only for cultural and recreational purposes. The Committee believes that these purposes are fundamentally different from the uninhabited islands that are to be used only for preservation and protection of wildlife. Managaha, Bird Island, and Forbidden Island are better dealt with in Article XI: Public Lands.

The second change is to add the island of Anjota, near Rota, to the protected list.

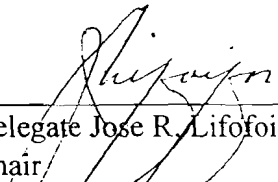
Section 3: Places and Things of Cultural and Historical Significance

This section is unchanged.

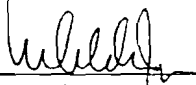
Section 4: Natural Resources

This is a new section. It parallels Section 1 which preserves marine resources in its waters under the jurisdiction of the Commonwealth. Section 4 covers the natural resources located on public lands. This section requires that these mineral, water, and other resources on public lands be protected and preserved for the benefit of the public, but leaves the details of the program to the Legislature. This section declares that the public natural resources of the Commonwealth are the common property of all the people, including the generations to come. The Commonwealth shall, as trustee for these resources, conserve and maintain them for the benefit of the people.

Respectfully submitted,




Delegate Jose R. Lifofoi
Chair

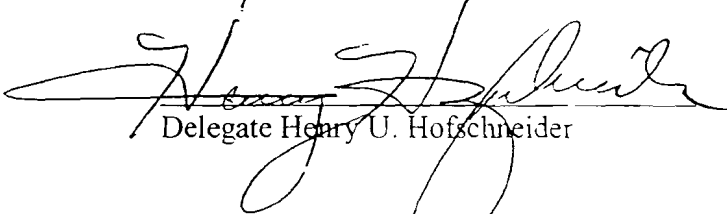


Delegate Marian Aldan-Pierce
Vice Chair

Delegate Carlos S. Camacho

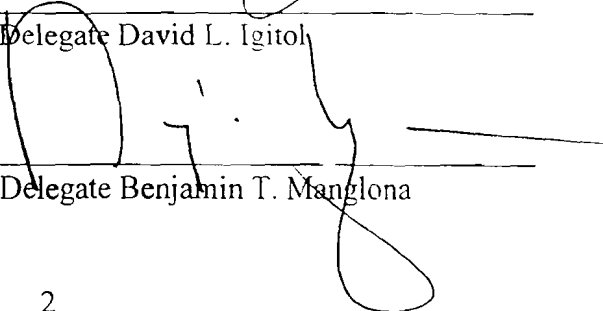


Delegate John O. DLR Gonzales

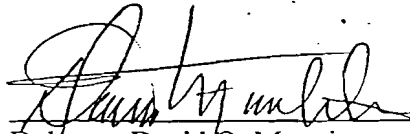


Delegate Henry U. Hofschneider

Delegate David L. Igitoh

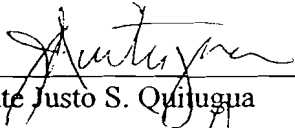


Delegate Benjamin T. Manglona




Delegate David Q. Maratita

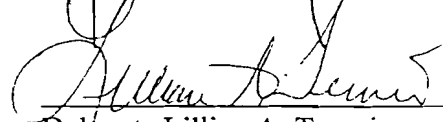
Delegate Donald B. Mendiola



Delegate Justo S. Quijagua



Delegate Joey P. San Nicolas



Delegate Lillian A. Tenorio

7/11/95

ARTICLE XIV: NATURAL RESOURCES

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 shall be managed, controlled, protected and preserved by the legislature for the benefit of the people.

Section 2: Uninhabited Islands.

The islands of Maug, Uracas, Asuncion, Guguan, An^og~~ya~~ta 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.

Section 4: Natural Resources

The mineral, water, and other natural resources located on public lands shall be managed, controlled, protected and preserved by the legislature for the benefit of the people.