
A BILL FOR AN ACT

To enhance fiscal responsibility and transparency in the development and updating of the Comprehensive Land Use Plan; and for other purpose.

**BE IT ENACTED BY THE TWENTY-FOURTH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 **Section 1. Findings and Purpose.** The Legislature finds that the Comprehensive
2 Land Use Plan, which established by Public Law 15-2 and codified at 1 CMC § 2806(f),
3 is integral to the orderly and sustainable development of public lands within the
4 Commonwealth of the Northern Mariana Islands. However, the existing statute lacks
5 specific guidance on the financial aspects of the land use plan development and updating.
6 To address this, the purpose of this legislation is to amend 1 CMC § 2806 (f) to ensure
7 that the development and periodic updating of the Comprehensive Land Use Plan are
8 predicated on the availability of funds, thus promoting fiscal responsibility and
9 transparency, while still upholding the need for regular updates to reflect evolving
10 priorities within the Commonwealth.

11 **Section 2. Amendment.** Title 1, Division 2, Chapter 14, § 2806(f) of the
12 Commonwealth Code is hereby amended to read as follows:

13 “§ 2806. **Public Lands: Fundamental Policies.**

14 (f) No later than one year after the effective date of this Act, the
15 Department shall adopt and promulgate a comprehensive land use plan with
16 respect to public lands. During the development of the plan, the Secretary shall
17 report the substance and progress of the Comprehensive Land Use Plan to the
18 Advisory Board, and regularly keep them up to date. Before approving the plan,
19 the Secretary shall consult with the Advisory Board. This plan may be amended

1 as appropriate, and shall be updated every five years, shall be consistent with
2 comprehensive land use plans and zoning laws approved for each senatorial
3 district, and shall be developed in consultation, coordination, and cooperation
4 with other permitting, development, zoning, and land management agencies. The
5 promulgations of the Comprehensive Land Use Plan shall be based on the
6 availability of funds; provided that DPL shall allocate at least \$200,000 in its
7 annual budget each year for the payment of the updated land use plan every five
8 years. The plan shall have the following objectives and components:

9 (1) Coordinate use and development of public lands with the plans,
10 programs, and requirements of other Commonwealth agencies;

11 (2) Identify all public lands and priority of uses;

12 (3) Identify and reserve suitable lands for homesteads;

13 (4) Identify and reserve lands that contain resources critical to the
14 Commonwealth, such as but not limited to, springs suitable for producing
15 potable water, groundwater aquifers that need protection, potential sites of
16 municipal quarries, current and future sites for government buildings,
17 habitat mitigation areas, wetlands, prime public recreation areas, potential
18 school sites, potential hospital sites, and potential transportation corridors;

19 (5) Identify and reserve lands that should be made available to
20 private developers for generation of revenue;

21 (6) Identify lands that should be made available for exchange in
22 order to improve the manageability and value of the public land holdings
23 and other public purposes such as the acquisition of rights of way; and

24 (7) Identify lands that need special handling due to the presence of
25 hazardous materials, dangerous structures, or other special circumstances.

26 (8) Encompass all the lands of the Commonwealth of the Northern
27 Mariana Islands”

28 **Section 3. Severability.** If any provisions of this Act or the application of any
29 such provision to any person or circumstance should be held invalid by a court of

1 competent jurisdiction, the remainder of this Act or the application of its provisions to
2 persons or circumstances other than those to which it is held invalid shall not be affected
3 thereby.

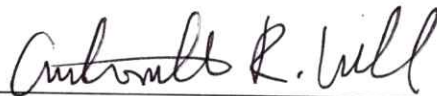
4 **Section 4. Savings Clause.** This Act and any repealer contained herein shall not
5 be construed as affecting any existing right acquired under contract or acquired under
6 statutes repealed or under any rule, regulation, or order adopted under the statutes.
7 Repealers contained in this Act shall not affect any proceeding instituted under or
8 pursuant to prior law. The enactment of the Act shall not have the effect of terminating,
9 or in any way modifying, any liability, civil or criminal, which shall already be in
10 existence on the date this Act becomes effective.

11 **Section 5. Effective Date.** This Act shall take effect upon its approval by the
12 Governor, or its becoming law without such approval.

Date: _____

Introduced by: 
Senator Corina L. Magofna

Reviewed for Legal Sufficiency by:


Senate Legal Counsel