

**TITLE 1: GOVERNMENT**  
**DIVISION 2: EXECUTIVE BRANCH**

**§ 2808. Public Lands: Lease Enforcement and Other Requirements.**

(a) The Department shall strictly enforce all terms of every lease and all requirements imposed as a condition of legislative approval of a lease or lease extension under 1 CMC § 2806.

(b) The Department shall promptly incorporate all requirements imposed as a condition of Legislative approval of a lease or lease extension into the affected lease documents either prior to execution thereof by the parties, by amendment thereto, or by execution of a new lease agreement superseding the original.

(c) The Department shall develop administrative policies, procedures, and controls related to public land, which shall ensure that:

(1) Public land exchanged for private land is of comparable value and current land valuations are used in all land exchanges;

(2) Public land is utilized in an efficient and objective manner;

(3) Rental income from public land is based on appraised fair market value and actually computed and collected on that basis; provided, that the Department shall, within the limits set by fiduciary duty and the provisions of this chapter, have discretion in negotiating basic rentals and taking into account changing economic conditions and other relevant factors;

(4) Records documenting the basis of rental computations for public land leases are maintained by the Department;

(5) All rental amounts payable under all lease agreements are fully assessed;

(6) All financial documents required under lease agreements are provided and all rental calculations by lessees are checked for accuracy;

(7) Lease rental payments are collected when due or timely pursuant of default provisions of the lease agreement is made; and

(8) Procedures are established for the regular appraisal of all public lands leased for commercial purposes, which ensure that the fair market value basis for computation of minimum annual rental payments for any given lease is updated no less frequently than every five years.

(d) The Department shall develop and maintain a land records system utilizing current technology. Maps of public lands shall be maintained in a Geographic Information System (GIS) that is compatible with GIS data being collected by other agencies. The land records system and maps will be made available to the public.

**Source:** PL 12-33, § 3; repealed and re-enacted by PL 15-2, § 3 (107), modified; renumbered by PL 16-8 § 2(b), modified.

**Commission Comment:** The Commission changed the reference to “Section 105” in subsection (a) above to “Section 2805” pursuant to the authority granted by 1 CMC § 3806(c). The Commission inserted a period at the end of subsection (c)(8) to correct a manifest clerical error pursuant to the authority granted by 1 CMC § 3806(g).

The Commission changed the reference to “Section 105” in subsection (a) above to “1 CMC § 2806” pursuant to the authority granted by 1 CMC § 3806(c). The Commission inserted a period at the end of subsection (c)(8) to correct a manifest clerical error pursuant to the authority granted by 1 CMC § 3806(g).