

TITLE 2: NATURAL RESOURCES
DIVISION 4: LAND RESOURCES

§ 4376. Reservation of Homestead Areas.

Such areas of public land on the island of Tinian as may be suitable for village and/or agricultural homesteads, specifically the Kastiyu and Carolinas areas, and which are not required for government use or other purposes by any other provision of law, is hereby designated on behalf of the people of Tinian who are of Northern Marianas descent and reserved for village and/or agricultural homesteading purposes.

Source: PL 14-19, § 2.

Commission Comment: PL 14-19 was enacted on July 13, 2004 and contained findings, severability, savings, and other provisions. According to PL 14-19:

Section 1. Findings. The Legislature finds that many people on Tinian have waited too long for their village and/or agricultural homesteads and that decisive action must be taken to ensure that they are afforded this fundamental right. The Legislature further finds that there is ample public land on Tinian to accommodate current homestead applicants with the return of approximately 800 hectares of public land in the Kastiyu and the Carolinas areas from the Micronesian Development Corporation (MDC) to the Marianas Public Lands Authority (MPLA). The Legislature further finds that Public Law 10-2 does not specifically reserve areas that would be suitable for village homesteads and that a specific designation would protect these areas from future development, help expedite environmental assessments and the entire village homestead permitting process. Moreover, the Legislature finds the need for the construction of a Tinian Municipal Civic Center to house the Tinian Municipal Council, Mayor's Office and Legislative Delegation. Therefore, it is the purpose of this Act to permanently reserve land in the Barangka, Puntan Barangka, Puntan Kastiyu and Carolinas areas for the future village homestead subdivisions and the Tinian Municipal Civic Center.

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Section 3. Designation of Essential Tinian Municipal Civic Center. Marianas Public Lands Authority is hereby formally requested to designate not less than fifty thousand square meters of public land at the intersection corner to Marpo Heights Homestead and to the southern side boundary at Broadway to design and to construct the new Department of Health Center, the Department of Public Safety, the Judicial Building, and the Department of Aging Center on the island of Tinian under the municipality of Tinian and Aguiguan.

Section 4. Designation of Non-Essential Tinian Municipal Civic Center. Marianas Public Lands Authority [is] also requested to designate not less than fifty thousand square meters of public land at the east side or on the hill side boundary of Carolinas Heights Homestead for the design and construction of Tinian and Aguiguan Municipal Capitol Hill that will include the Office of the Mayor, the Office of the Resident Department Heads, the Office of the Municipal Council, the Office of Tinian and Aguiguan Legislative Delegation, the Office of the Tinian Casino Gaming Control Commission and the Office of the Independent agency.

Despite the drafting nature of sections 3 and 4 above, the Commission was obligated to codify the subjects sections as written. See 10 CMC §§ 2931-2932.