

## DRAFT CSC, Title 24. Land Management

### CHAPTER 7 State Lease Agreements

[§ 1301.](#) Statement of purpose.

[§ 1302.](#) Lease agreements authorized.

#### **§ 1301. Statement of purpose.**

During the early part of the American Administration of Truk, the administering authority entered into what became known as "indefinite land use agreements" with private landowners for the use of private lands for public purposes on Moen Island and other islands of Truk State. These agreements were fundamentally unjust in scope and content, and generally provided for inadequate compensation.

During the 1960's and 1970's landowners sought various forms of remedy for these unjust agreements, culminating in these agreements being declared void in the Constitution of the Federated States of Micronesia Constitution. The Constitution allowed a period of five years from its effective date for the State Government to obtain appropriate interests in lands which the government needs to retain. The Truk Chuuk State Government has made a review of the indefinite lands in Truk Chuuk and has made a determination of which such lands need to be retained. The purpose of this ~~act~~ Chapter is to authorize the Governor to enter into lease agreements for the retention of needed lands. ~~to appropriate the sum of \$1,400,000 for initial payments of lease rentals on such lands and to authorize the appropriation for additional funds for final payments of lease rentals on such lands from funds to be acquired by Truk State in the future~~

**Source:** TSL 5-99, § 1 (part), modified.

**Editor's note:** TSL 5-99 which created this chapter was signed into law by the Governor on June 30, 1984.

#### **§ 1302. Lease agreements authorized.**

The Governor is authorized to enter into lease agreements with landowners for the use of private lands in Truk Chuuk State covering such parcels as the Governor deems are required to be retained for public use, and under such terms and conditions as the Governor deems appropriate. Notwithstanding the provisions of any other laws, the lease rentals required to be paid for the use of such lands may exceed funds presently available to the Truk Chuuk State Government for these purposes, provided the Governor makes a determination that such additional funds are likely to become available on or before such time as the payment of these additional funds are required under the lease agreements. If the Governor is unable to negotiate the necessary lease agreements as to some or all parcels, he may utilize any other remedies available to the Truk Chuuk State Government for acquiring interests in the lands under existing laws.

**Source:** TSL 5-99, § 2, modified.