

YSC, Title 20. Planning & Economic Development

Chapter 1. Planning Commissions

Subchapter I: Yap Islands Planning Commission

- §101. Declaration and creation.
- §102. Membership; vacancies; compensation.
- §103. Functions and duties.
- §104. Administrative support.
- §105. Annual reports.

§101. Declaration and creation.

The Yap Islands Proper, consisting of the islands of Rumung, Map, Tomil-Gagil, Yap, and all other islands in Yap Islands Proper are hereby designated and declared to be a Master Plan area in accordance with the Land Planning Act. There is hereby created a commission of the State for the Yap Islands Proper Master Plan area of Yap, which shall be known and cited as the Yap Islands Planning Commission and hereafter referred to as the Commission, for the purpose of preparing, reviewing, and implementing a Master Plan and land use requirements for the Yap Islands Proper pursuant to the Land Planning Act.

Source: YDC §5010(a), modified.

Cross-reference: The statutory provision regarding penalties for the violation of the public planning provisions of chapters 1, 2, 3, 5, or 10 of this title is found in [section 811 of Title 11 \(Crimes and Punishment\)](#) of this Code. The Land Planning Act is the Trust Territory Land Planning Act found in Title 51, sections 1 to 11 of the Trust Territory Code.

§102. Membership; vacancies; compensation.

(a) The Commission shall consist of one voting member from each of the ten municipalities of Yap Islands Proper. Members shall be appointed by the Chairman of the Council of Pilung after consultation with the Council of Pilung member of the respective municipality from which the member is to be appointed. Such appointment shall provide for fair and adequate representation of all segments of the population of the Master Plan area, and shall otherwise be in accordance with the provisions of the Land Planning Act. No member shall be appointed who is not a bona fide resident in the area which he is to represent on the Commission, and no member of the Council of Pilung shall serve on the Commission.

(b) Members shall serve a term of three years, except that two of the initial appointments shall be for a term of two years as designated by the Chairman of the Council of Pilung. Appointments to fill a vacancy shall be made in the manner of the original appointment, and such appointment shall be only for the remainder of the unexpired portion of the term. Members of the Commission shall be entitled to such compensation or allowance in lieu of subsistence as is established by law. Any member may be removed from office by the Governor for inefficiency, misconduct or neglect of duty.

(c) Members shall select a chairman and a vice-chairman from among their membership, and the chairman shall call such meetings as are necessary to carry out the functions and duties of the Commission. The Commission shall establish such bylaws and

rules of procedure governing its internal organization and functioning as it deems necessary to carry out the functions and duties assigned to it by law.

(d) No member of the Commission shall participate in any official decision in which he has any pecuniary or other interest unless he first discloses such interest in writing to the Commission. Such disclosure shall be entered in the minutes of all Commission meetings at which such decision is discussed. Failure to disclose such interest shall constitute misconduct in office, and shall be grounds for immediate removal from office of that member.

Source: YDC §5010(b), as amended by YDL 5-8 §1, modified.

Cross-reference: The statutory provisions on Traditional Leaders and Traditions are found in Title 5 of this Code. The statutory provisions on Local Governments are found in Title 6 of this Code.

Commission Comment: Section 1 of YSL 1-57 states as follows: "The membership, powers, duties and responsibilities of the Yap Islands Planning Commission are confirmed. Membership requirements for district planning commissions established by the Land Planning Act, Chapter 1 of Title 51 of the Trust Territory Code, is superseded, insofar as it applies to the State." The "Yap Islands Council" is changed to "Council of Pilung" where appropriate, and "President of the Yap Islands Council" is changed to "Chairman of the Council of Pilung".

§103. Functions and duties. The Commission shall have such functions and duties as are assigned to it by the Land Planning Act and as are otherwise delegated or assigned to it by law.

Source: YDC §5010(c).

Cross-reference: The Land Planning Act is the Trust Territory Land Planning Act of Title 51, sections 1 to 11 of the Trust Territory Code.

§104. Administrative support.

The Office of the Governor shall make available to the Commission such facilities, supplies, and materials as may be necessary to carry out the functions and duties of the Commission and the purposes of this chapter and the Land Planning Act.

Source: YDC §5010(d), modified.

Cross-reference: The statutory provisions on the Governor and the Executive branch are found in Title 3 of this Code.

§105. Annual reports.

The Commission shall, within ten days after the convening of the Legislature in its first regular session each year, make an annual report in writing to the Legislature and to the Governor about its activities and accomplishments during the past year, and shall make such recommendations for legislation as it deems necessary to carry out its functions and duties.

Source: YDC §5010(e), modified.

Cross-reference: The statutory provisions on the Legislature are found in Title 2 of this Code.

Subchapter II: Outer

Islands Planning Commission

- §121. Declaration and creation.
- §122. Membership; vacancies; compensation.
- §123. Functions and duties.
- §124. Administrative support.
- §125. Annual reports.

§121. Declaration and creation.

The atolls and islands of the Outer Islands of Yap State are hereby designated and declared to be a Master Plan area in accordance with the Land Planning Act. There is hereby created a commission of the State for the Outer Islands Master Plan area of Yap, which shall be known and cited as the Outer Islands Planning Commission and hereafter referred to as the Commission, for the purpose of preparing, reviewing and implementing a Master Plan, and land use requirements, for the atolls and islands of the Outer Islands pursuant to the Land Planning Act.

Source: YSL 1-209 §1.

Cross-reference: The statutory provision regarding penalties for the violation of the public planning provisions of chapters 1, 2, 3, 5, or 10 of this title is found in [section 811 of Title 11 \(Crimes and Punishment\)](#) of this Code. The Land Planning Act is the Trust Territory Land Planning Act found in Title 51, sections 1 to 11 of the Trust Territory Code.

§122. Membership; vacancies; compensation.

(a) The Commission shall consist of 13 voting members from the Outer Islands Master Plan area, one of whom shall be from each of the following atolls or islands: Fais, Sorol, Ngulu, Eauripik, Faraulep, Ifalik, Elato, Lamotrek, and Satawal, and two of whom shall be from each of the following atolls: Ulithi Atoll and Woleai Atoll. Members shall be appointed by the respective chief of the atolls or islands from which the members are to be appointed. Such appointments shall provide for fair and adequate representation of all segments of the population of the Master Plan area, and shall otherwise be in accordance with the provisions of the Land Planning Act. No member shall be appointed who is not a legal resident of the atolls or islands which he is to represent on the Commission, and no member of the Council of Tamol shall serve on the Commission.

(b) Members shall serve a term of three years, except that five of the initial appointments shall be for a term of two years which shall be determined by drawing lots at the first organizational meeting of the Commission. Appointments to fill a vacancy shall be in the manner of the original appointment, and such appointment shall be only for the remainder of the unexpired portion of the term. Members of the Commission shall be entitled to such compensation or allowance in lieu of subsistence as is established by law. Any member may be removed from office by the Governor for inefficiency, misconduct or neglect of duty after adequate consultation with the chief or chiefs of the atolls or islands involved.

(c) Members shall select a chairman and vice-chairman from among their membership, and the chairman shall call such meetings as are necessary to carry out the functions and duties of the Commission. The Commission shall establish such bylaws and rules of procedure governing its internal organization and functioning as it deems necessary to carry out the functions and duties assigned to it by law.

(d) No member of the Commission shall participate in any official decision in which he has any pecuniary or other interest, unless he first discloses such interest in writing to the Commission. Such disclosure shall be entered in the minutes of all Commission meetings at which such decision is discussed. Failure to disclose such interest shall constitute misconduct in office, and shall be grounds for immediate removal from office of the member.

Source: YSL 1-209 §2, modified.

Cross-reference: The statutory provisions on Traditional Leaders and Traditions are found in Title 5 of this Code. The statutory provisions on Local Governments are found in Title 6 of this Code.

§123. Functions and duties.

The Commission shall have such functions and duties as are assigned to it by the Land Planning Act and as are otherwise delegated or assigned to it by law.

Source: YSL 1-209 §3.

Cross-reference: The Land Planning Act is the Trust Territory Land Planning Act of Title 51, sections 1 to 11 of the Trust Territory Code.

§124. Administrative support.

The Office of the Governor shall make available to the Commission such facilities, supplies, materials and other supports as may be necessary to carry out the functions and duties of the Commission and the purposes of this subchapter and the Land Planning Act.

Source: YSL 1-209 §4, modified.

Cross-reference: The statutory provisions on the Executive are found in Title 3 of this Code.

§125. Annual reports.

The Commission shall, within ten days after the convening of the Legislature at its first regular session each year, make an annual report in writing to the Legislature and to the Governor about its activities and accomplishments during the past year, and shall make such recommendations for legislation as it deems necessary to carry out its functions and duties.

Source: YSL 1-209 §5, modified.

Cross-reference: The statutory provisions on the Legislature are found in Title 2 of this Code.