

MPLT RESOLUTION NO. 16-002

A RESOLUTION ESTABLISHING REASONABLE COMPENSATION OF A TRUSTEE FOR WORK AND SERVICES PERFORMED FOR THE MPLT TRUST OUTSIDE OF TRUSTEE MEETINGS.

RECITALS

WHEREAS, Article XI, Section 6 of the CNMI Constitution establishes the Marianas Public Land Trust (MPLT) including its powers and responsibilities; and

WHEREAS, the Constitution, does not establish the rate of compensation for the MPLT Trustees when performing their duties for the Trust; and

WHEREAS, Public Law 15-32 codified at 1 CMC § 8247 establishes the rate of compensation for CNMI Boards and Commissions for meetings at the rate of \$30 per half-day and \$60 per full day meetings; and

WHEREAS, the MPLT Trustees, often must perform work for the Trust outside of meetings. These meetings include discussions and negotiations with potential local investments; the Office of the Governor; the CNMI Legislature; CNMI agencies; and other entities; and

WHEREAS, for such work the Trustees need to receive reasonable and appropriate compensation for their services to the Trust consistent to official meetings held; and

WHEREAS, PL 15-32 amended the Open Government Act to specify compensation for boards and commissions but does not specifically apply to MPLT as MPLT is a constitutionally created trust as discussed in the Supreme Court decision in *DPL v. CNMI*; and

WHEREAS, the Trustees hereby set forth the terms and conditions for such meeting and MPLT-related services by the Trustees as reasonable and just compensation. It is the expressed intent of the Trustees that such compensation be conservative but are necessary and appropriate for the Trustees' services in administering the Trust corpus.

THEREFORE, BE IT RESOLVED that the MPLT Trustees hereby set forth the following as the rate of reasonable and just compensation for each Trustee and the conditions for such compensation.

RESOLUTION

- A. Each Trustee shall be compensated at the rate of \$30 for services related to MPLT for meetings or conferences less than 4 hours. For meetings over 4 hours per day, the rate of \$60 per day.
- B. In addition to the cap for Trust Meetings under the Open Government Act, there is a cap of trustee compensation for any and all meetings each fiscal year for trustee compensation not to exceed \$3,000.00.
- C. MPLT-related services or business are defined and limited to official requests for meetings from the Office of the Governor; the CNMI Legislature; CNMI government agencies; meetings with money managers or fund advisors/investment consultants; and meetings with potential investment and regulatory entities. This definition shall be strictly construed to be limited to the foregoing definition.
- D. Trustee Compensation will be paid under the following conditions:
 - 1. A written meeting report filed by the Trustee(s) to be annexed to the record at the Trustee meeting for the MPLT-related meeting which preceded the Trust meeting.
 - 2. The requesting Trustee shall file a written request for the amount of compensation and justification. Meetings with government agencies or officials will require a written summary of the meeting.
 - 3. Compensation requests shall be filed at the next Trustee meeting and no later.
 - 4. Compensation requires the review and majority approval on motion by the Trustees. If the majority of the Trustees do not approve the request, no compensation shall issue.
 - 5. No payment or compensation until after the written report is filed, accepted and voted upon by the Trustees.
 - 6. No advance payments. Off island travel for meetings will be on the same terms and conditions.
 - 7. Compensation under this Resolution shall be prospective and not retroactive for any prior meetings.
 - 8. Meeting requests for each Trustee from any government entity shall be documented and the other Trustees would be notified via e mail, prior to that Trustee's meeting. The Trust Administrator or other staff shall ensure notice.
 - 9. Any reimbursement requests for Official Representation will be submitted along with the meeting report and compensation request with receipts attached.

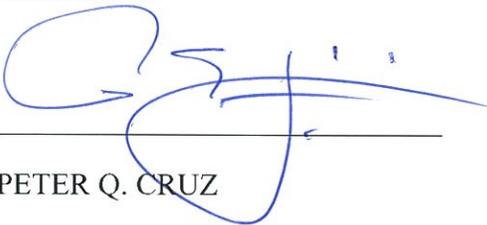
10. There shall be no compensation for multiple-day meetings unless such meetings are approved with the prior written approval of the Trustees. Compensation is limited to \$60 a day regardless whether multiple-day meetings were held with different agencies/agenda
11. The Trustees may impose other terms and conditions as necessary to ensure fiscal controls and accountability.
12. The MPLT Administrative Manual will reflect the Trustee Compensation requirements.

SO APPROVED and adopted this 23 day of June, 2016.



MARTIN B. ADA

CHAIRMAN



PETER Q. CRUZ

TRUSTEE

MARIA T. PANGELINAN

TRUSTEE

[VACANT]/ TRUSTEE

[VACANT]/ TRUSTEE