

Analysis on Effect of Market Reform of Collective Commercial Construction Land—A Case Study of Yucheng City in Shandong Province

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Abstract: *The reform of collective construction land entering the market is an important measure to assist rural revitalization. Starting from the background of the reform, this article briefly describes the policy evolution of collective construction land entering the market, summarizes the experience since its entry into the market, and takes Yucheng, Shandong, one of the reform pilot cities, as an example to analyze the mode and effectiveness of the reform, and proposes policy suggestions for improving the reform of collective construction land entering the market.*

Keywords: *the entry of collectively operated construction land into the market, rural revitalization, and effectiveness*

1. Introduction

In April 2021, it officially opened a new chapter in the implementation of the rural revitalization strategy, effectively promoted the smooth implementation of the economy-intensive land use through legal means, and allowed all kinds of land needs for production and management to be met within a reasonable range. ^[1] At the same time, it also points out that more efforts should be made to promote rural development in terms of the use of construction land indicators, guide rural revitalization to achieve practical progress on the basis of good use of land resources, and promote new ways of rural land supply to emerge continuously on the basis of practice, and land owners can dispose of land. So that the land is no longer idle, so that it can better use its utility. ^[2]

There has been a clear legal basis for the entry of collective for-profit construction land into the market, but the comprehensive promotion of reform is relatively weak, the construction of supporting systems is relatively lagging behind, the overall market of circulation has not yet formed, and the effect of reform is still weak. On the whole, the reform of collective commercial construction land into the market has achieved remarkable results. Aiming at optimizing the efficiency of urban and rural land resource allocation and helping rural revitalization, this paper summarizes the effect of the reform of rural collective commercial construction land market, and discusses the methods to improve the reform of rural collective commercial construction land market.

2. Market entry reform

2.1. Policy evolution

First, the policy easing period. The Constitution of 1982 clearly states that urban land owners are the state, and land in other areas is collective. Rural and suburban land belonging to the state as stipulated by law is not included, and owners of homesteads and private plots are collective. ^[3] The first Land Management Law of 1986 relaxed land use policy.

Second, strict control period. The Land Administration Law of 1998 further reduced the scope of use of rural collective construction land and banned the authority of examination and approval of functional departments below prefecture-level cities. In 2004, the land reform policy once again emphasized not to support the buying and selling of rural homestead and to strengthen the control over rural homestead.

Third, the exploratory period of reform. In 2013, the Central Rural Work Conference called for further improvement of collective ownership, farmers' contracting rights and land management authority. ^[4] In

2015, the state set up demonstration areas for land system reform, and successively set up pilot reform in 33 counties and districts across the country to explore the mature and perfect rural "three plots of land" system, which can be replicated and promoted.

Fourth, the new period. At the end of 2019, the new Land Management Law indicated in the legal level that the market entry of collective commercial construction land had entered the legislative reform from the pilot reform. [5]

2.2. Market entry status

Since 2015, a total of 33 pilot rural land reforms have been set up, including 12 in eastern regions, 11 in central regions and 10 in western regions. According to the data, from the beginning of the market reform of collective for-profit construction land to the end of 2018, more than 10,000 plots of collective for-profit construction land have been put into the market, covering an area of more than 90,000 mu, with a total price of about 25.7 billion yuan, a regulatory fee of 2.86 billion yuan, and 228 mortgage loans of collective for-profit construction land have been handled, totaling 3.86 billion yuan. The average calculation, one mu of land into the market price is about 300,000 yuan. In the context of urbanization and urban-rural integration, there will be more collective operational construction land entering the market in the future. Since the pilot implementation, a lot of experience has been accumulated through a large number of market entry practices, which is worth reference for local market entry work.

Since the pilot work started, the marketization of collective commercial construction land has been explored, achieved remarkable results, accumulated a lot of experience, and initially formed a relatively perfect market entry system mode.

2.3. Market entry reform results

The main body of the market is diversified. Various entry modes are formed by different entry subjects, which are also associated with the mechanism of land income. In some areas, village committees represent village collective economic organizations and carry out the responsibility of entering the market. In some areas, organizations such as economic cooperatives related to entering the market have been established as the main body of entering the market.

There are many ways to enter the market. In the pilot areas, there are three main ways to enter the market, which are local entry, adjustment entry and regulation entry. Local market access refers to the direct local market access obtained according to law and with development conditions. Based on the mechanism and experience of linking the increase and decrease of urban and rural construction land, the land for scattered construction land can be adjusted to the industrial concentration zone of county and district for market entry according to the plan after obtaining the approval of relevant departments in combination with the general plan of land use. Regulation into the market is the functional departments have a purpose, for the relevant areas, systematic management, clear property rights, reorganization of the land, for the regulation has not been expropriated, planning for collective business construction land can enter the market.

There are many kinds of income distribution mechanism. The core issue of the market reform is how to distribute the land transfer income generated after the market entry of the collective commercial construction land. The income distribution mechanism needs to solve the collective and national external allocation and collective internal allocation and other problems. Different pilot areas combined with the actual land conditions to explore the protection of multiple rights and interests of the income distribution mechanism.

3. Yucheng model

In March 2015, the former Ministry of Land and Resources officially established Yucheng City of Shandong Province as the first batch of rural land system reform pilot, and in September 2016, Yucheng City increased the reform of collective commercial construction land into the market. As a large agricultural county in the north, Yucheng City has a large amount of cultivated land and homestead, among which the rural residential area covers an area of 165,000 mu, accounting for 58% of the total urban and rural construction land, among which the idle land and abandoned homestead in the village account for about 15%, showing significant waste. Yucheng City rural residential areas have a strong northern style, farmers live relatively concentrated, farm houses for the last century brick house, less

characteristic farm houses.

Taking the actual situation of local rural areas as the starting point, Yucheng takes revitalizing rural construction land resources and promoting rural revitalization as the main direction, and promotes rural land system reform in a coordinated way. Creative use of the collective construction land to "move", "the same land with the same rights, standardized layout, increase stock overall planning, fair and open, efficient allocation" reform mode into the market. [6]

3.1. Clarify the subject and purpose of market entry

Combined with the actual situation of Yucheng City, according to the ownership of land ownership, the main body of the city is determined to be the town government (street office), villagers committee, villagers group, etc. Among them, if the village collective holds the land ownership, the main body to enter the market is the village committee; If Jiezhen farmers collectively hold land ownership, the main body of market entry is Jiezhen financial agricultural economy service center. In order to determine the land object of the collective commercial construction land to be put into the market, Yucheng City carried out a comprehensive survey on the situation of the rural collective construction land and its intention to be put into the market, found out and planned the stock of construction land, and built a total of 10 industrial parks in the city according to the general planning of land utilization and urban and rural planning, each industrial park stipulated the leading industry and scale. Restrictions on the use of land in the market for industrial, mining, warehousing, commercial services, infrastructure and other construction purposes.

3.2. Standardize market entry procedures and ways

The Operation Procedure for the listing of the collective commercial construction land in Wooseong includes procedures such as preliminary examination of the land, project demonstration, democratic voting, listing, signing of contracts, registration of property rights, and transfer of the land. Collective commercial construction land acquired according to law and in line with land utilization planning and use control is allowed to be directly put into the market; The former rural residential areas and idle industrial land should be put into the market after centralized renovation; After the acceptance of land for collective, profit-oriented construction land that is scattered and scattered shall be reclaimed, the index shall be adjusted to the industrial agglomeration area for market entry, and the index linked to increase or decrease shall be adjusted for market entry. Yucheng innovated the "accumulation and overall planning", and "bundled the stock of collective operational construction land into the market" with the new construction land, so as to achieve the goal of developing rural land in parcels. At the same time, Yucheng explored the transfer, transfer, price (investment) shares and other ways to enter the market, to make the land "move".

3.3. Improve the right to market land

Nine policy normative documents, such as the Management Method of Yucheng Collective Commercial Construction Land entering the market, have provided corresponding policy support for Yucheng's entry into the market reform. With reference to the maximum useful life of state-owned construction land, Yucheng defines the useful life of land for different market purposes, entrusts and improves the right to use and transfer the mortgage of collective commercial construction land. Yucheng actively coordinates the mortgage business of the real estate right of collective commercial construction land, guarantees the rights of enterprises, and implements the separation of the real estate right registration from the approval of specific construction projects, as well as the pre-investigation of the real estate right, so as to realize the "get the certificate when you take the land" and realize the equal rights of the rural collective construction land and state-owned construction land. At the same time, Yucheng issued the Benchmark Low Price System for Collective Commercial Construction Land, which improved the unified benchmark land price system for urban and rural areas and realized the same price for rural collective construction land and state-owned construction land.

3.4. Explore market entry regulation and income distribution

In terms of market supervision and management, Yucheng implements the commitment and performance system of collective commercial construction land to market, and regulates the land after the land is granted, promotes the intensive and economical use of land, and makes the process of land

market more standardized and scientific. At the same time, Yucheng clarified the calculation method of land increment income, developed a reasonable and perfect system of land increment income regulation fee levy proportion, market entrance tax and the distribution method of land increment income among the members of collective organizations, which made the income distribution more balanced and scientific, protected the collective rights and interests of farmers, and realized the value of land assets.

By January 2021, the scattered rural collective construction land has been reclaimed in Yucheng City, forming a target of 2330 mu. A total of 390 cases and 4,796 mu of collective commercial construction land have been put into the market. Idle rural resources have been effectively utilized, and rural industries have realized "self-hematopoitic", enhancing the vitality of rural economic and social development.

4. The effect of Yucheng model

4.1. Improve land rights and promote the establishment of a unified market

Before Yucheng City put collective commercial construction land into the market, it checked the ownership of the land, improved the power and ability of the land into the market through the measures of ownership manifestation and use right liberalization, and separated the registration of real estate right from the examination and approval of specific construction projects and the investigation of real estate right, realized the "get the certificate when you take the land", and made the collective commercial construction land have the same rights as state-owned land. [6] At the same time, the benchmark land price system of Yucheng collective operational construction land was established to build a unified urban and rural land market together with the benchmark land price system of urban state-owned construction land, so as to ensure that urban and rural construction land has the same land and responsibilities, the same rights and the same price, and the same participation in the allocation of urban and rural factors, thus breaking the government's monopoly of the primary land market.

4.2. Put idle land to work and optimize the rural land use pattern

The main body of collective commercial construction land entering the market is idle stock construction land, including abandoned housing land and idle construction land. Through entering the market, this part of land effectively revitalizes idle rural resources, improves the efficiency of rural land use, and improves the "hollow village" phenomenon caused by a large number of rural people going out for work. At the same time, Yucheng explored the way of land entry into the market such as local entry, regulation entry into the market, adjustment entry into the market and new entry into the market, which further optimized the planning and layout of rural construction land, reasonably divided rural production land, living land and ecological land, and protected the rural ecological environment.

4.3. Develop the rural economy and promoting grassroots governance in rural areas

After the ownership of collective operational construction land is manifested and the right to use is activated, this part of land with confirmed rights and registration can enter the land market and participate in the allocation of urban and rural factors. After entering the market, the land value-added income generated after the reasonable income distribution guarantees the rights and interests of farmers. At the same time, the market of agricultural land has introduced many new industries to the countryside, which not only drives the development of rural economy, but also brings employment opportunities for local farmers, realizing the "employment at home" of farmers and improving the livelihood capital of farmers. Peasant collectives have gained a large number of rights and interests, and the economic strength of rural collective economic organizations has been growing, which has laid an economic foundation for rural grass-roots governance and the construction of public facilities. In the process of entering the market, the cohesion of rural grassroots organizations has been strengthened continuously, which has effectively improved the level of rural grassroots governance.

4.4. Activate the elements of development to support all-round rural revitalization

The entry into the market has introduced a large number of new industries, activated all kinds of rural development elements, and promoted the revitalization of rural economy in Yucheng City. Yucheng has built numerous entrepreneurial platforms to attract various talents and promote the revitalization of talents. At the same time, Yucheng City farmers collective use the market income, spontaneously built rural culture courtyard and science and technology square, promote the cultural revitalization; In addition,

we improved the layout of the countryside, increased greenery, protected the ecological environment, strengthened the construction of ecological civilization in the countryside, and promoted ecological revitalization. Yucheng through the market, the success of the rural revitalization.

5. Policy suggestion

Under the overall environment, the country should continue the reform of market entry, constantly improve policies, formulate laws and regulations, and promote the reform practices with universality and replicability based on the situation of pilot regions. It should actively innovate the practice mode of market entry, pay attention to the coordination of internal planning of market entry system reform and relevant reform pilots, increase the coupling and superposition of market entry policies, and amplify the effect of reform pilot.^[7]

5.1. Broaden the scope of policy consultation

In the process of implementing the policy of market entry of collective commercial construction land, there exists a game of multi-interests, in which the farmer collective is the vulnerable party. Whether the interests of the farmer group can be guaranteed is an important basis to measure the quality of the policy implementation. Therefore, in the process of policy implementation, orderly, standard, fair, just and open should be achieved, and timely communication and coordination should be conducted in case of large interest differences. In respect of farmers' wishes, reach a multi-party acceptable solution. For the specific implementation of the policy related personnel business training, so that front-line staff have a perfect policy reserve. At the same time, avoid the uploading of administrative orders, organize farmers to gather wisdom, constantly enrich the market practice, mobilize the enthusiasm of farmers to participate in, and improve the satisfaction of farmers.

5.2. Improve the supply of land for market use

First, we will speed up the construction of regional infrastructure, give full play to local potential according to local conditions, raise the level of public infrastructure and services, improve transportation, communications and environmental protection, reduce the cost of production for enterprises, and improve the level of public services such as education and medical care to ensure the basic needs of enterprises and employees. The second is to provide a stable and efficient market environment, promote factor upgrading, optimize factor mix, enhance industrial vitality, promote industrial upgrading, and establish a sound labor market, so as to prepare high-quality industrial and labor resources for enterprises. Third, improve the level of community-level governance. Community-level governments should strengthen self-development, transform themselves into service-oriented governments, optimize services, build a comprehensive and efficient public service network, and improve work efficiency.

5.3. Explore ways for urban and rural economic cycles

It breaks the hindrance of urban and rural economic circulation by invigorating land elements and promotes the interconnection of urban and rural elements. We should give full play to the assets and capital attributes of land, attract social capital investment by means of leasing, shares and cooperation, expand the sources of funds for rural revitalization, and realize the connectivity of urban and rural economy.^[8] At the same time, innovate the talent introduction mode, attract the return of rural talents, guide capital and talents to the countryside, inject fresh blood into the countryside and stimulate the vitality of the countryside. Through the development of rural enterprises and the introduction of talents, the introduction and use of new technologies and new energy are driven, so as to break the scientific and technological barriers between urban and rural areas. We will explore urban and rural economic circulation and connectivity by introducing external funds, talents and new technologies into the market.

5.4. Improve the rural social security system

Under the background of market entry, it is still necessary to adhere to the policy orientation of "take from the land and use to the farmers", and protect the rights and interests of farmers. Relying on the income from market entry, improve the social security system. Part of the income from market entry, especially the government and collective part, will be used for the night and development of rural social security system, strengthen the financial input of social insurance, and indirectly play the role of land

security. At the same time, we should develop new agriculture and increase agricultural income. The output of traditional agriculture is relatively low, so we need to introduce talents and new equipment, increase investment in science and technology, and promote the development of intensive and large-scale new agricultural production mode. In addition, skills training for farmers should be strengthened to improve the employment rate of farmers. Farmers should be gradually introduced from the primary industry to the secondary and tertiary industries in the form of diversified employment, so as to increase their income and improve their satisfaction and happiness.

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