

House Clerk
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GOV. COMM.
(HOUSE)

11-332

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Pedro P. Tenorio
Governor

Jesus R. Sablan
Lt. Governor

Caller Box 10007
Saipan, MP 96950
Telephone: (670) 664-2200
Fax: (670) 664-2211

NOV. 20 1998

The Honorable Diego T. Benavente
Speaker, House of Representatives
Eleventh Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

and

The Honorable Paul A. Manglona
President of the Senate
Eleventh Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Mr. Speaker and Mr. President:

This is to inform you that pursuant to the override actions by the Senate and the House of Representatives, on House Bill No. **11-220**, entitled, "To amend Section **2674** of Public Law 10-57 in order to further protect and preserve places important to the culture, traditions and history of the people of the Northern Mariana Islands; and for other purposes," the bill becomes Public Law No. **11-48**.

Sincerely,

A handwritten signature of Pedro P. Tenorio in black ink, written over a horizontal line.
PEDRO P. TENORIO

CC: Department of Lands & Natural Resources, & Board of Public Lands
Programs and Legislative Review

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The House of Representatives
NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
P.O. Box 586
Saipan, MP 96950

November 20, 1998

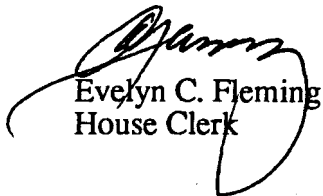
The Honorable Pedro P. Tenorio
Governor
Commonwealth of the Northern
Mariana Islands
Capitol Hill
Saipan, MP 96950

Dear Governor Tenorio:

This is to inform you that the Eleventh Northern Marianas Commonwealth Legislature repassed House Bill No. **11-220**, entitled, "To amend Section **2674** of Public Law **10-57** in order to further protect and preserve places important to the culture, traditions and history of the people of the Northern Mariana Islands; and for other purposes," by the affirmative vote of two-thirds (2/3) of the **members** of each house, in the House of Representatives on November 19, 1998, and in the Senate on November **13, 1998**.

House Bill No. **11-220** is now law. Please inform us of the Public Law number assigned to this Act.

Sincerely,


Evelyn C. Fleming
House Clerk

REC'D 11/20/98



The House of Representatives
NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. Box 586
Saipan, MP 96950

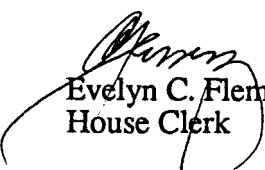
September 29, 1998

The Honorable Pedro P. Tenorio
Governor
Commonwealth of the Northern
Mariana Islands
Capitol Hill
Saipan, MP 96950

Dear Governor Tenorio:

I have the honor to transmit herewith for your action House Bill No. 11-220, entitled, "To amend Section 2674 of Public Law 10-57 in order to further protect and preserve places important to the culture, traditions and history of the people of the Northern Mariana Islands; and for other purposes," which was passed by the House of Representatives and the Senate of the Eleventh Northern Marianas Commonwealth Legislature.

Respectfully,


Evelyn C. Fleming
House Clerk

Attachment



HOUSE OF REPRESENTATIVES

ELEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE FIFTH SPECIAL SESSION, 1998

PUBLIC LAW NO. 11-48
HOUSE BILL NO. **11-220**

AN ACT

To amend Section 2674 of Public Law 10-57 in order to further protect and preserve places important to the culture, traditions and history of the people of the Northern Mariana Islands; and for other purposes.

Offered by Representatives:

Heinz S. Hofschneider,

David M. Apatang, Manuel A. Tenorio, Diego T. Benavente, Bernadita "Bennet" T. Seman
and Jesus T. Attao

Date: June 19, 1998

HOUSE ACTION

Referred to: Committee on Natural Resources

Standing Committee Report: None

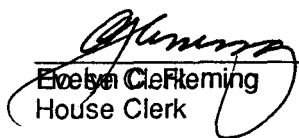
First and Final Reading: July 7, 1998

SENATE ACTION

Referred to: Committee on Resources, Economic Development and Programs

Standing Committee Report: None

Second and Final Reading: September 23, 1998


Evelyn C. Fleming
House Clerk

ELEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

PUBLIC LAW NO. 11-48

H. B. NO. 11-220

FOURTH SPECIAL SESSION, 1998

AN ACT

To amend Section **2674** of Public Law 10-57 in order to further protect and preserve places important to the culture, traditions and history of the people of the Northern Mariana Islands; and for other purposes.

BE IT ENACTED BY THE ELEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 Section 1. Findings. The Legislature finds that under Article XIV, Section 2 of the
2 Constitution of the Northern Mariana Islands, Managaha Island is to be maintained as an
3 uninhabited place and used only for cultural and recreational places. The entire Managaha
4 Island is public land and pursuant to Article XI, Section 1 of the Constitution of the Northern
5 Mariana Islands, belong collectively to the people of the Commonwealth who are of Northern
6 Mariana descent. Under Article XIV, Section 3 of the Constitution of the Northern Mariana
7 Islands, all places of importance to the culture, traditions and history of the people of the
8 Northern Mariana Islands shall be protected and preserved. Managaha Island is one of these
9 places.

10 The Legislature finds that the best guarantee of protecting and preserving places of
11 importance to the culture, traditions and history of the people of the Northern Mariana Islands
12 is to ensure that management of these places, to the maximum extent possible, be first offered
13 to persons of Northern Marianas descent. Only after good faith efforts have been made by the
14 Division to lease these places to persons of Northern Marianas descent, including corporations
15 pursuant to Article XII, Section 5 of the Constitution of the Northern Mariana Islands, may the
16 Division open such places to other persons or corporations.

17 Section 2. Amendment. § **2674** of Public Law No. 10-57 is amended by inserting a
18 new subsection (h) and relettering current subsection (h) to (i) to read as follows:

19 "(h) The Division shall give preference to a transfer of a leasehold interest in
20 public lands that are also places of importance to the culture, traditions and history of
21 the people of the Northern Mariana Islands to persons, including corporations under
22 Article XII, Section 5 of the Constitution, of Northern Marianas descent. The Division
23 shall comply with Section 2675, Subsection (f). The Division shall establish and

1 publish rules and regulations that give certain minimum standards to meet the
2 requirement of preference to persons of Northern Marianas descent. One such
3 requirement is that any proposal from a person or corporation of Northern Marianas
4 descent must be within twenty percent (20%) of the highest proposal for such public
5 land.

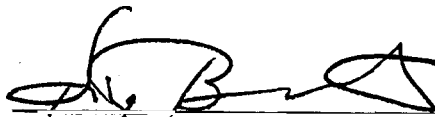
6 Current Subsection (h) shall now be Subsection (i) and all later subsections shall be
7 relettered."

8 Section 3. Severability. If any provision of this Act or the application of any such
9 ~~provision~~ to any person or circumstance should be held invalid by a court of competent
10 jurisdiction, the remainder of this Act or the application of its provisions to persons or
11 circumstances other than those to which it is held invalid shall not be affected thereby.

12 Section 4. Savings Clause. This Act and any repealer contained herein shall not be
13 construed as affecting any existing right acquired under contract or acquired under statutes
14 repealed or under any rule, regulation or order adopted under the statutes. Repealers contained
15 in this Act shall not affect any proceeding instituted under or pursuant to prior law. The
16 enactment of this Act shall not have the effect of terminating, or in any way modifying, any
17 liability, civil or criminal, which shall already be in existence at the date this Act becomes
18 effective.

19 Section 5. Effective Date. This Act shall take effect upon its approval by the Governor
20 or upon its becoming law without such approval.

CERTIFIED BY:

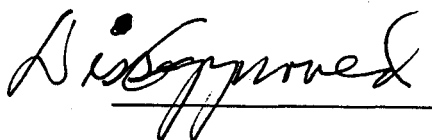


DIEGO T. BENAVENTE
Speaker
House of Representatives

ATTESTED BY:



EVELYN C. FLEMING
House Clerk

 this 6th day of August, 1998




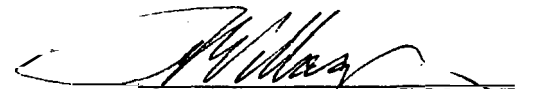
PEDRO P. TENORIO
Governor

Commonwealth of the Northern Mariana Islands

• Overridden by the House of Representatives on November 19, 1998 and the Senate on November 13, 1998 with the affirmative vote of two-thirds of the members in each house.

CERTIFIED BY:


DIEGO T. BENAVENTE
Speaker of the House


THOMAS P. VILLAGOMEZ
Acting Presided of the Senate

Overridden by the Senate on	=	11/13/98
Overridden by the House of Representatives on:	=	11/19/98
Became Public Law No. 11-48 on	=	11/19/98