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,

PEDRO P. TENORIO

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

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

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

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

"(h) The Division shall give preference to a transfer of a leasehold interest in public lands that are also places of importance to the culture, traditions and history of the people of the Northern Mariana Islands to persons, including corporations under Article XII, Section 5 of the Constitution, of Northern Marianas descent. The Division shall comply with Section 2675, Subsection (f). The Division shall establish and
publish rules and regulations that give certain minimum standards to meet the requirement of preference to persons of Northern Marianas descent. One such requirement is that any proposal from a person or corporation of Northern Marianas descent must be within twenty percent (20%) of the highest proposal for such public land.

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

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

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

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

CERTIFIED BY:  

DIEGO T. BENAVENTE  
Speaker  
House of Representatives

ATTESTED BY:  

EVELYN C. FLEMING  
House Clerk

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