

P.L. 11-96



GOV. COMM.
(HOUSE)

11-536

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

SEP. 1 Q 1999

and

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

SEP 10

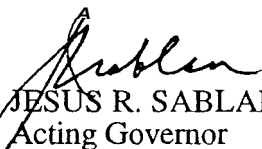
Dear Mr. President and Mr. Speaker:

This is to inform you that I have signed into law Senate Bill No. 11-135, entitled, "To amend 2 CMC, Division 2, Article 2, Sections **4323** and **4327**; to amend 2 CMC, Division 2, Article 2 by adding a new Section **4328**; and for other purposes," which was passed by the Eleventh Northern Marianas Commonwealth Legislature.

This measure will provide the legal basis for the Division of Public Lands (DPL) and the Board of Public Lands (BPL) to address pending problems regarding land matters which involved the land that was taken away from various individuals by the U.S. military or the Trust Territory Administration. The Director of the Division of Public Lands and the members of the Board of Public Lands are very much in support of this bill, so that pending applications can be processed and acted on by DPL and BPL.

The bill becomes **Public Law No. 11-96**. Copies bearing my signature are forwarded for your reference.

Sincerely,


JESUS R. SABLAN
Acting Governor

CC: Department of Lands and Natural Resources
Board of Public Lands
SAPLR



The Senate

NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. Box 129
Saipan, MP 96950

JUL. 29 1999

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

Dear Governor Tenorio:

I have the honor to transmit herewith for your action one (1) original copy of Senate Bill No. 11-135, entitled, "A Bill for an Act to amend 2 CMC, Div. 2, Article 2, Sections 4323 and 4327; to amend 2 CMC, Div. 2, Article 2 by adding a new § 4328; and for other purposes.", which was passed by the Senate and the House of Representatives of the Eleventh Northern Marianas Commonwealth Legislature.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward U. Maratita", written over a horizontal line.

EDWARD U. MARATITA
SENATE LEGISLATIVE SECRETARY

Attachment

THE SENATE
ELEVENTH NORTHERN MARIANAS COMMONWEALTH
LEGISLATURE

PUBLIC LAW NO. 11-96
SENATE BILL NO. 11-135

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AN ACT

To amend 2 CMC, Div. 2, Article 2, Sections **4323** and **4327**; to amend
2 CMC, Div. 2, Article 2 by adding a new § **4328**; and for other purposes.

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Offered by Senator(s): Juan P. Tenorio

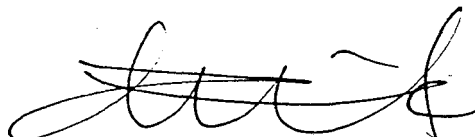
DATE: April 12, 1999

SENATE ACTION

Standing Committee Report No.: None
Second and Final Reading: June 2, 1999

HOUSE ACTION

Standing Committee Report No.: None
First and Final Reading: June 4, 1999



EDWARD U. MARATITA
SENATE LEGISLATIVE SECRETARY

**ELEVENTH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE**

PUBLIC LAW NO. 11-96
**SENATE BILL
NO. 11-135**

FIRST SPECIAL SESSION, 1999

AN ACT

To amend 2 CMC, Div. 2, Article 2, Sections **4323** and **4327**; to amend 2 CMC, Div. 2, Article 2 by adding a new § **4328**; and for other purposes.

**BE IT ENACTED BY THE ELEVENTH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 Section 1. Amendments. To amend 2 CMC, Div. 2, Article 2, Sections
2 **4323** and **4327** to read as follows:

3 "§ **4323.** The Marianas Public Land Corporation shall waive any
4 requirements, limitations or regulations relating to the agricultural
5 homesteading program in effect prior to January **9, 1978**. Any person who
6 can demonstrate continuous and actual occupancy or use of public land for
7 agricultural purposes for period of **15** years prior to January **9, 1978**, or who
8 can demonstrate that he or she would have continuously and actually occupied
9 or used public land for agricultural purposes for a period of 15 years prior to
10 January **9, 1978** but for the U.S. military's or Trust Territory Administration's
11 removal of the person from such land, shall be legally entitled to all the rights
12 and interest of ownership of such land, and the Marianas Public Land
13 Corporation shall convey such land by deed to any person who complies with
14 procedures and requirements for granting of deeds established under
15 2 CMC § **4324**.

16 § **4327.** Notwithstanding any other provision of law relating to
17 homestead rights and procedures, any person who has continuously occupied
18 or possessed with permission of the government a parcel of public land, who
19 began using such land for agricultural purposes prior to January **9, 1978**, and

1 who either used such land continuously for such purpose through February 9,
2 1981, or who can demonstrate that he would have used such land continuously
3 for such purposes but for the U.S. military's or Trust Territory
4 Administration's removal of the person from such land, but who has not been
5 granted a homestead permit, shall be granted an agricultural homestead permit
6 which shall be valid for all legal purposes, including acquisition of freehold
7 title upon completion of homestead requirements, as if issued pursuant to
8 other provisions of law relating to homestead rights and procedures. This
9 section shall apply to persons who entered public land with any form of
10 permission of the government, but not including executed fixed-term lease
11 agreements. This section shall not be construed to impair the issuance of
12 homestead permits in the manner otherwise provided by law."

13 Section 2. Amendment. To amend 2 CMC, Div. 4, Article 2 by adding a
14 new § 4328 to read as follows:

15 "§ 4328. Prior Grants. Any deed or permit issued under
16 2 CMC § 4321 et seq. prior to the date this section became law is hereby
17 deemed to be lawful and binding agreement in the same manner and to the
18 same extent as if entered into after this section became law."

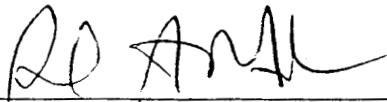
19 Section 3. Severability. If any provision of this Act or the application of any
20 such provision to any person or circumstance should be held invalid by a court of
21 competent jurisdiction, the remainder of this Act or the application of its provisions to
22 persons or circumstances other than those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

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

~~PUBLIC LAW NO. 11-96~~
SENATE BILL NO. 11-135

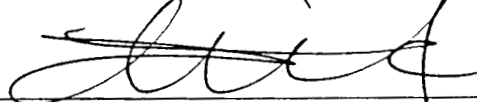
1 Section 5. Effective Date. This Act shall take effect upon its approval by the
2 Governor or upon its becoming law without such approval.

CERTIFIED BY:



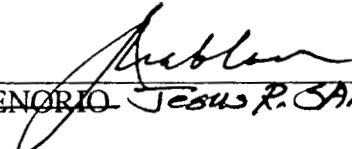
PAUL A. MANGLONA
PRESIDENT OF THE SENATE

ATTESTED TO BY:



EDWARD U. MARATITA
SENATE LEGISLATIVE SECRETARY

Approved this *10th* day of *September*, 1999.



PEDRO P. TENORIO
Acting GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

LIST FROM
PL 11-96

UPDATED LISTING STATUS OF HOMESTEADERS WHO HAVE BEEN DENIED
AGRICULTURAL HOMESTEAD DUE TO THE INFLEXIBILITY OF THE PRESENT LAW

<u>Names of Homesteader(s)</u>	<u>Status</u>
1. Heirs of Joaquin San Nicolas Rep. by Jesus L. San Nicolas	Deeded
2. Mrs. Emilia P. Sablan (Talu) (Heirs of Jose C. Pangelinan)	Deeded
3. Mr. Antonio P. Sablan (Talu)	Deeded
4. Mr. Antonio R. Sablan (Tung)	Deeded
5. Mrs. Victoria P. Concepcion	Deeded
6. Mr. Jose A. Benavente	Deeded
7. Mr. Gregorio B. Sablan	Deeded
8. Mr. Ignacio C. Benavente	Deeded
9. Heirs of Antonio Diaz (Badu) Rep. by Celina D. Taylor	Deeded
10. Mrs. Ana A. Fujihira (Meko)	Pending
11. Estanislao A. Fujihira	Pending
12. Mrs. Maria Mamibusan	Deeded
13. Heirs of Enrique Santos Rep. by Gonzalo Q. Santos	Deeded
14. *Mr. Jesus Chong Rep. by Francisco S. Chong	Denied
15. Mrs. Josephine Diaz Gumataotao	Pending
16. Mr. Jose I. Guerrero	Deeded
17. Mr. Jose A. Sonoda	Deeded
18. Mrs. Ana Santos (Potu)	Pending
19. Heirs of Herman A. Sablan (Kapung) Rep. by Benjamin A. Sablan (Q.D. under Ana Ayuyu Sablan)	Deeded
20. Mr. Leonardo LG. Camacho (Rita)	Deeded
21. Pedro A. Tenorio	Pending
22. Jesus Salas	Deeded
23. Pedro Duenas (PPD)	Deeded
24. Juan C. Reyes	Deeded

*Denied 6/25/98 due to present language of Public Law 8-9.