

House Clerk File



Commonwealth of the Northern Mariana Islands
Office of the Governor

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GOV. COMM. 8-151
(HOUSE)

The Honorable Juan S. Demapan
Senate President
Eighth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

7 JAN 1993

and

The Honorable Thomas P. Villagomez
Speaker, House of Representatives
Eighth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Mr. President and Mr. Speaker:

This is to inform you that I have approved Senate Bill 8-18, entitled, "Requiring Marianas Public Land Corporation (MPLC) to waive certain pre-1978 requirements in its agricultural homestead program by amending 2 CMC, Section 4323; and for other purposes," which was passed by the Eighth Northern Marianas Commonwealth Legislature.

This enabling legislation would assist agricultural applicants whose applications have been denied due to the inflexibility of the present law. These people were relocated with the government commitment that alternative lands would be provided. By this law we make good on the commitment.

Knowing that MPLC supports this legislation, I am happy to sign this measure for those who have waited for a long time to get their land.

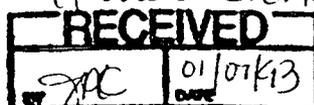
I congratulate the Legislature and the MPLC on this joint effort to produce this long overdue bill. I also encourage the Legislature and the MPLC to work together to make available additional public land to accommodate our future homesteaders.

This bill becomes Public Law No. 8-9. Copies bearing my signature are forwarded for your ready reference.

Sincerely,


LORENZO I. DE LEON GUERRERO
Governor

CC: Executive Director, MPLC
Special Assistant for Programs and Legislative Review



THE SENATE
EIGHTH NORTHERN MARIANAS COMMONWEALTH
LEGISLATURE

SECOND REGULAR SESSION, 1992

Public Law No. 8-9
SENATE BILL NO. 8-18

AN ACT

Requiring MPLC to waive certain pre-1078 requirements in its agricultural homestead program by amending 2 CMC Sections 4323; and for other purposes.

Offered by Senator: Juan S. Torres

DATE: January 22, 1992

SENATE ACTION

Referred to: Committee on Federal Relations & independent Agencies

Second and Final Reading: February 20, 1992

HOUSE ACTION

First and Final Reading: November 10, 1992



U. MARATITA

SENATE LEGISLATIVE SECRETARY

AN ACT

Requiring MPLC to waive certain pre-1978 requirements in its agricultural homestead program by amending 2 CMC Sections 4323; and for other purposes.

BE IT ENACTED BY THE NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 Section 1. Findings and Purpose. The present law gives MPLC the
2 discretion to waive pre-1978 requirements for agricultural homesteads for
3 persons who can demonstrate 15 years of continuous and actual occupancy
4 of public land used for agricultural purposes. The purpose of this
5 legislation is to require MPLC to waive these requirements thus removing
6 MPLC's discretion in these matters. This change is required because the
7 Legislature finds that numerous persons have demonstrated actual and
8 continuous use of the land before 1978 and have relocated with the
9 government commitment that alternative land would be provided. These
10 persons are still without agricultural homestead. A required, rather than
11 discretionary, waiver of requirements should remedy the current
12 inequitable situation.

13 Section 2. Amendment. 2 CMC Section 4323 is amended to read as
14 follows:

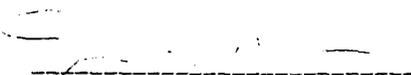
15 "Section 4323. Waiver of Homestead Requirements. The
16 Marianas Public Land Corporation shall waive any
17 requirements, limitations or regulations relating to the
18 agricultural homesteading program in effect to prior to
19 January 9, 1978. Any person who can demonstrate continuous
20 and actual occupancy or use of public land for agricultural
21 purposes for a period of 15 years prior to January 9, 1978 shall

1 be legally entitled to all the rights and interests of ownership
2 of such land, and the Marianas Public Land Corporation shall
3 convey such land by deed to any person who complies with
4 procedures and requirements for granting of deeds
5 established under Section 4324."

6 Section 4. Severability. If any section of this Act or any regulation
7 is issued under the authority to this Act should be declared invalid or
8 unenforceable by a court of competent jurisdiction, the judicial
9 determination shall not affect the validity of the Act or regulations as a
10 whole, or any part declared invalid or unenforceable.

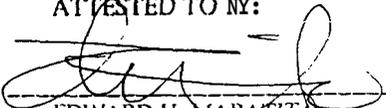
11 Section 5. Effective Date. This Act shall take effect upon its approval
12 by the Governor or upon its becoming law without such approval.

CERTIFIED BY:



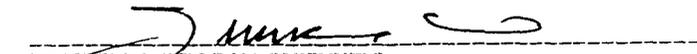
JUAN S. DEMAPAN
PRESIDENT OF THE SENATE

ATTESTED TO BY:



EDWARD U. MARATITA
SENATE LEGISLATIVE SECRETARY

APPROVED this 7TH day of JANUARY, 1993


LORENZO L. DE LEON GUERRERO
GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS