

TITLE 2: NATURAL RESOURCES
DIVISION 4: LAND RESOURCES

§ 4327. Special Homestead Procedures.

Notwithstanding any other provision of law relating to homestead rights and procedures, any person who has continuously occupied or possessed with permission of the government a parcel of public land, who began using such land for agricultural purposes prior to January 9, 1978, and who either used such land continuously for such purpose through February 9, 1981, or who can demonstrate that he would have used such land continuously for such purposes but for the U.S. military's or Trust Territory Administration's removal of the person from such land, but who has not been granted a homestead permit, shall be granted an agricultural homestead permit which shall be valid for all legal purposes, including acquisition of freehold title upon completion of homestead requirements, as if issued pursuant to other provisions of law relating to homestead rights and procedures. This section shall apply to persons who entered public land with any form of permission of the government, but not including executed fixed-term lease agreements. This section shall not be construed to impair the issuance of homestead permits in the manner otherwise provided by law.

Source: PL 2-13, § 7; amended by PL 3-44, § 2, modified; PL 11-96, § 1.

Commission Comment: PL 11-96 took effect on September 10, 1999. PL 11-96 contained severability and savings clauses as follows:

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herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes.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.