



Commonwealth of the Northern Mariana Islands
Office of the Governor
Saipan, Mariana Islands 96950

Cable Address:
Gov. NMI Saipan

FEB 09 1981

The Honorable Pedro P. Tenorio
President, The Senate

and

The Honorable Joaquin I. Pangelinan
House Representatives

Second Northern Marianas Commonwealth Legislature
Saipan, CM 96950

Dear President Tenorio and Speaker Pangelinan:

I am pleased to inform you that I have approved this date the following Act passed by the Second Northern Marianas Commonwealth Legislature, Second Regular Session, 1980 as follow:

Senate Bill No. 2-61, H.D.1, entitled:
"An Act to authorize the Marianas Public Land Corporation to waive homestead requirements relating to agricultural homesteading in effect prior to January 9, 1978", as Public Law No. 2-13.

Certified copy of the above Act bearing my signature is forwarded herewith for your file.

Hafa Adai,

A handwritten signature in black ink, appearing to read "Camacho", written over a large, stylized initial "C".

CARLOS S. CAMACHO
Governor



The Senate
NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
P.O. Box 129
Saipan, CM 96950

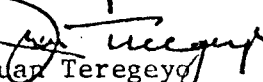
Phone: 6534/6539

CERTIFICATION

S.B. NO. 2-61, H.D.1

We hereby certify that the foregoing bill passed the Senate and the House of Representatives by a majority vote of the members, a quorum being present, Second Northern Marianas Commonwealth Legislature, Second Regular Session, 1980.

Benjamin T. Manglona
Acting President of the Senate


Juan Teregeyo
Clerk of the Senate

SECOND NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SECOND REGULAR SESSION, 1980

AN ACT

To authorize the Marianas Public Land Corporation to waive homestead requirements relating to agricultural homesteading in effect prior to January 9, 1978.

Offered by Senators Julian S. Calvo, Pedro P. Tenorio, Benjamin T. Manglona,
Ignacio K. Quichocho, and Joseph S. Inos

Date: July 7, 1980

SENATE ACTION

Referred to: Committee on Program

Standing Committee Report No. 2-45

First Reading: July 24, 1980

Second and Final
Reading: August I, 1980

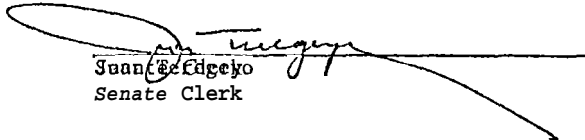
HOUSE ACTION

Referred to: Committee on Resources and Development

Standing Committee Report No. 2-59

First Reading : November 20, 1980

Second and Final
Reading: November 21, 1980


Juan C. Cordero
Senate Clerk

AN ACT

To authorize the Marianas Public Land Corporation to waive homestead requirements relating to agricultural homesteading in effect prior to January 9, 1978.

BE IT ENACTED BY THE NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 Section 1. Short Title. This Act shall be known and may be cited
2 as the "Homestead Waiver Act of 1980".

3 Section 2. Findings and Purpose.

4 (a) The Legislature finds that a large number of
5 agricultural homestead applicants and other occupants of public
6 lands were authorized by previous government officials to enter
7 public lands for agricultural purposes without agricultural
8 homestead permits.

9 (b) The Legislature finds that these agricultural
10 homestead applicants and other occupants of public lands cannot
11 receive these lands in fee simple because of requirements,
12 limitations and regulations relating to agricultural homesteads
13 in effect prior to January 9, 1978.

14 (c) The Legislature further finds that many individual
15 persons have used public lands continuously for over fifteen
16 years for agricultural purposes without any agricultural
17 homestead permit or governmental authorization.

18 (d) It is the purpose of this Act to:

19 (1) Provide the Marianas Public Land Corporation
20 with sufficient authority and flexibility to
21 waive requirements, limitations and regulations

1 relating to agricultural homesteading in effect
2 prior to January 9, 1978; and
3 (2) Provide the Marianas Public Land Corporation with
4 the authority and flexibility to implement
5 Article XI, Section 5(a) of the Constitution of
6 the Northern Mariana Islands relating to
7 persons occupying public lands for over fifteen
8 years.

9 Section 3. Waiver of Homestead Requirements. The Marianas
10 Public Land Corporation is hereby authorized to waive any requirements,
11 limitations or regulations relating to the agricultural homesteading
12 program in effect prior to January 9, 1978. Any person who can
13 demonstrate continuous and actual occupancy or use of public land for
14 agricultural purposes for a period of fifteen years prior to January 9,
15 1978 shall be legally entitled to all the rights and interests of
16 ownership of such land, and the Marianas Public Land Corporation shall
17 convey such land by deed to any person who complies with procedures
18 and requirements for granting of deeds established under Section 4 of
19 this Act.

20 Section 4. Conveyance of Public Lands - Limitations and
21 Requirements.

22 (a) The Marianas Public Land Corporation shall establish
23 the procedures for granting deeds to persons who have established
24 continuous use of public lands for at least fifteen years as of
25 the effective date of the Constitution.

1 (b) A person receiving a deed under this Act shall be
2 limited to an agricultural homestead lot that does not exceed
3 the land area allowable at the time the land was entered,
4 occupied and improved.

5 Section 5. Rules and Regulations. The Marianas Public Land
6 Corporation shall publish in the Commonwealth Register proposed
7 regulations to carry out the purposes of this Act. Not less than
8 thirty days, but not more than forty-five days, after such publication
9 the Corporation shall, after consideration of any comments received
10 from the public, transmit such regulations in final form to the
11 Legislature for approval, accompanied by such comments. The
12 Legislature shall be deemed to have approved such regulations, unless
13 either House of the Legislature, within twenty days after the date of
14 receipt of such transmittal, passes a resolution disapproving such
15 regulations.

16 Section 6. Homestead Laws Still in Effect. The waiver
17 authorization provided for in Section 3 of this Act applies only to
18 persons eligible to acquire title under the provisions of Section 4 of
19 this Act. All other persons seeking to acquire title to land under
20 Homestead permits shall comply with applicable law, and the Marianas
21 Public Land Corporation shall adhere to all applicable laws of the
22 Commonwealth in administering homesteading programs.

23 Section 7. Special Homestead Procedures. Notwithstanding any
24 other provision of law relating to homestead rights and procedures,
25 any person who has continuously occupied or possessed with permission

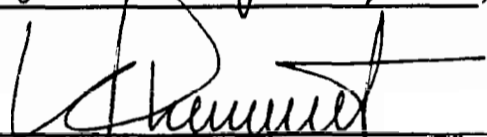
1 of the government a parcel of public land, who began using such land for
2 agricultural purposes prior to January 9, 1978, and who has used such
3 land continuously for such purpose through the effective date of this
4 Act, but who has not been granted a homestead permit, shall be granted
5 an agricultural homestead permit which shall be valid for all legal
6 purposes, including acquisition of freehold title upon completion of
7 homestead requirements, as if issued pursuant to other provisions of
8 law relating to homestead rights and procedures. This Section shall
9 apply to persons who entered public land with any form of written
10 permission of the government, including revocable permits, but not
11 including executed fixed-term lease agreements. This Section shall
12 not be construed to impair the issuance of homestead permits in the
13 manner otherwise provided by law.

14 Section 8. Severability. If any provision of this Act or any
15 rule or regulation promulgated hereunder or the application of any
16 such provision, rule or regulation to any person or circumstances shall
17 be held invalid, by a court of competent jurisdiction, the remainder
18 of this Act or any rules or regulations promulgated pursuant thereto
19 or the application of such provisions, regulations or rules to persons
20 or circumstances other than those to which it is held invalid, shall
21 not be affected thereby.

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1 Section 9. Effective Date. This Act shall take effect upon its
2 approval by the Governor, or upon its becoming law without such approval.

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FEBRUARY 9, 1981

Carlos S. Camacho,
Governor
Commonwealth of the Northern Mariana
Islands