

TITLE 2: NATURAL RESOURCES
DIVISION 4: LAND RESOURCES

§ 4971. Findings.

The legislature finds that under the provisions of N.M.I. Const. art. XII, § 6, the legislature is specifically authorized to enact enforcement laws and procedures relating to permanent and long-term interests in real property of corporations. The legislature finds that many real estate transactions involving corporations were consummated prior to the amendment of N.M.I. Const. art. XII in 1985 when corporations not wholly owned by persons of Northern Marianas descent were eligible to acquire permanent and long-term interests in real property. The legislature finds that numerous corporations acquiring such interests in real property subsequently sold or leased the property to bona fide purchasers or lessees for value. The legislature finds that such bona fide purchasers and lessees for value relied upon the apparent ability of the corporations to hold and convey valid title or other interest in real property, and finds that such reliance was reasonable in that the corporations appeared to meet the requirements for eligibility to own and convey permanent and long-term interests, and other interests, as those requirements were set forth in N.M.I. Const. art. XII, and finds that reasonable investigation would not have suggested otherwise.

The legislature finds that bona fide purchasers and lessees of real property from these corporations, or their successors in interest, face loss of their property as a result of legal proceedings commenced pursuant to N.M.I. Const. art. XII by grantors to the corporations. The legislature finds that grantors assert that the corporate entity status of the corporations should be disregarded in order to divest current owners or lessees of their real property interests. The legislature finds that it is in the public interest of the Commonwealth to exercise its constitutional authority to enact enforcement laws and procedures pertaining to proceedings under N.M.I. Const. art. XII.

Source: PL 8-32, § 7 (§ 4941).