

AN ACT

To amend Chapter 4 of Division 1 of Title 8 of the Commonwealth Code concerning adoption to require that any person (other than an infant under the age of one year) being adopted have been a resident of the Commonwealth for at least one year prior to the commencement of adoption proceedings; and for other purposes.

BE IT ENACTED BY THE TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Amendments.

(a) 8 CMC § 1401(i) is hereby amended to read:

"(i) 'Resident' means an individual who is physically present and living in the Commonwealth for at least one year prior to the filing of the petition for adoption: Provided, that an infant under the age of one year need only be physically present and living in the Commonwealth."

(b) 8 CMC § 1402 is hereby amended to read:

“§ 1402. Who may be Adopted.

Any resident under the age of 18 years may be adopted under this chapter; provided, that the Superior Court shall have the discretion to allow for the adoption of residents over the age of 18 years if the proposed adoption of such persons is found to be in conformance with local culture or custom and the court is satisfied that such adoption is not for the purpose of circumventing or evading the laws of the Commonwealth or of the United States of America."

(c) 8 CMC § 1408(a)(1) is hereby amended to read:

"(1) The date and place of birth, if known, and the period of residency in the Commonwealth, of the individual to be adopted;"

PUBLIC LAW NO. 10-86
SENATE BILL NO. 10-79, SD1

Section 2. 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 3. 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herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes.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.

Section 4. Effective Date. This Act shall take effect upon its approval by the Governor or upon its becoming law without such approval.

CERTIFIED BY:

ATTESTED BY:

/s/ Jesus R. Sablan
JESUS R. SABLAN
PRESIDENT OF THE SENATE

/s/ Henry DLG. San Nicolas
HENRY DLG. SAN NICOLAS
SENATE LEGISLATIVE SECRETARY

 Vetoed this 19th day of December , 1997.

 /s/ Froilan C. Tenorio
FROILAN C. TENORIO
GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

PUBLIC LAW NO. 10-86
SENATE BILL NO. 10-79, SD1

Overridden by the Senate and the House of Representatives on January 8, 1998 with the affirmative vote of two-thirds (2/3) of the members of each house.

CERTIFIED BY:

/s/ Jesus R. Sablan
JESUS R. SABLAN
PRESIDENT OF THE SENATE

/s/ Diego T. Benavente
DIEGO T. BENAVENTE
SPEAKER
HOUSE OF REPRESENTATIVES