

SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

FIRST REGULAR SESSION, 2008

Public Law 16-8

SENATE BILL NO. 16-19, SDI

AN ACT

To amend PL 15-2 to codify its provisions as a new Chapter 14 of Part 1, Division 2, Title 1 of the Commonwealth Code and to give mayors of each municipality, Saipan, Rota, Tinian and Aguiguan, and the Northern Islands an opportunity to affect the disposition of public lands in their respective municipality; and for other purposes.

**BE IT ENACTED BY THE SIXTEENTH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 Section 1. Findings and Purpose. The Legislature finds that: (1) a technical amendment
2 is necessary to codify the provisions of Public Law 15-2, establishing a new Department of
3 Public Lands, under its own separate chapter under Part 1, Division 2, of Title 1 of the
4 Commonwealth Code, as other departments have been so codified; (2) an amendment to Public
5 Law 15-2 to require the Department of Public Lands to give due consideration to the position of
6 each of the municipalities of Saipan, Rota, Tinian and Aguiguan, and the Northern Islands with
7 respect to proposed action affecting public lands in the respective municipality.

8 Section 2. Amendments to Public Law 15-2:

9 (a) The introductory clause to Section 3 is amended to read as follows:

10 "Section 3. Repeal. Public Laws 10-57, 12-33, and 12-71 to the extent
11 they are applicable to public lands, are hereby repealed and re-enacted as a new
12 Chapter 14 Article 3 under Title 1, Division 2, Part 1, Chapter 13, as follows:"

13 (b) A new Section 105 under Section 3 shall read as follows, and the existing
14 Section 105 and subsequent sections shall be renumbered as Section 106 and so forth:

1 "Section 105. Consultation with Mayor. Prior to the execution of a
2 proposed, final action by the department, other than action requiring or subject to
3 legislative approval, with respect to the lease, homestead, transfer of an interest or
4 other disposition of public lands, the secretary of the Department of Public Lands
5 shall advise, in writing, the respective mayor of the proposed, final action, who
6 shall have 20 days thereafter to submit, in writing, to the department the mayor's
7 position advocating the best interest of the municipality. The secretary shall give
8 due consideration to the mayor's position and, for good cause shown by the
9 mayor, modify, to the extent feasible, the proposed final action to address the
10 mayor's concerns, while preserving the general intent of the proposed final
11 action."

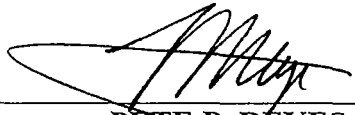
12 Section 3. Severability. If any provision of this Act or the application of any such
13 provision to any person or circumstance should be held invalid by a court of competent
14 jurisdiction, the remainder of this Act or the application of its provisions to persons or
15 circumstances other than those to which it is held invalid shall not be affected thereby.

16 Section 4. Savings Clause. This Act and any repealer contained herein shall not be
17 construed as affecting any existing right acquired under contract or acquired under statutes
18 repealed or under any rule, regulation or order adopted under the statutes. Repealers contained
19 in this Act shall not affect any proceeding instituted under or pursuant to prior law. The
20 enactment of this Act shall not have the effect of terminating, or in any way modifying, any
21 liability, civil or criminal, which shall already be in existence at the date this Act becomes
22 effective.

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

CERTIFIED BY:

ATTESTED BY:

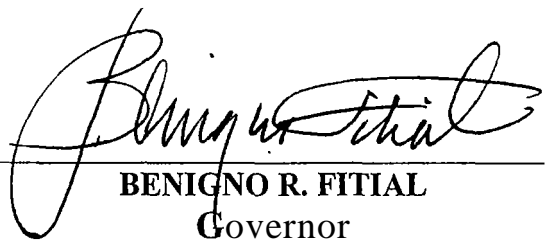


PETE P. REYES
PRESIDENT OF THE SENATE



MARIA FRISCA T. PANGELINAN
SENATE LEGISLATIVE SECRETARY


DISAPPROVED this 18th day of July, 2008



BENIGNO R. FITIAL
Governor
Commonwealth of the Northern Mariana Islands

Overridden by the Senate on July 25, 2008 and the House of Representatives on July 30, 2008 with the affirmative vote of two-thirds of the members in each House.

CERTIFIED BY:



PETE P. REYES
President of the Senate

DATE: 7/31/08



ARNOLD I. PALACIOS
Speaker of the House of Representatives

DATE: 7/31/08

Became Public Law No. _____ on July day of 27, 2008.