

July 24, 1995
VIA FAX AND U.S. MAIL

Herman T. Guerrero, President
Third Northern Marianas
Constitutional Convention
Legislature Building, Capitol Hill
Saipan, MP 96950

Re: Article XII § 2

Dear Herman:

I have read the July 17, 1995, proposed draft of Article XII, and I have read the transcript of Delegate Lillian A. Tenorio's presentation of the proposed draft on Article XII.

I am writing regarding the proposed change to Section 2 of Article XII which, according to Ms. Tenorio, is to provide "an exception for transfers by inheritance to a child or grandchild."

She said,

This means that children who are not 25 percent Northern Marianas descent can inherit family land no matter what percentage they are. Under this exception family lands will be kept within the family regardless of the operation of Article 12. Thus, for generations on to come, even if Article XII is never amended again, all our children, their children, and their children's children will be able to inherit the family lands.

Herman T. Guerrero
 July 24, 1995
 Page 2 of 2

I support this position. I am sure that there are many persons who were Trust Territory citizens (and who are not of Northern Marianas descent) who purchased land here legally prior to the effective date of the Commonwealth Constitution and whose children and grandchildren are not of Northern Marianas descent. Those children and grandchildren should be able to inherit the land from their parents so that the land remains in their families.

However, the proposed draft of Article XII § 2 does not say this.

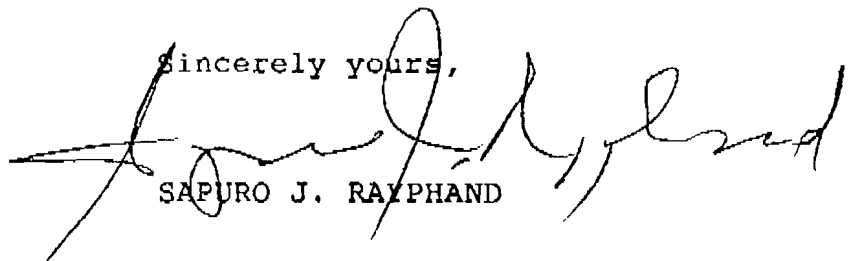
It says, "[a] transfer by inheritance to a spouse or child who was adopted before six years of age is not an acquisition under this section."

This says nothing about a transfer by inheritance to a natural child.

Under this proposed draft, a child adopted before six years of age could inherit land but a natural child could not.

Please be kind enough to bring this to the attention of the delegates so that they can consider an amendment to Section 2 of Article XII that would include all children, not only adopted children.

Sincerely yours,



SAPURO J. RAYPHAND

HTG: This person has an old draft.

DCS