

**FOURTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE**

**FIRST REGULAR SESSION, 2004**

PUBLIC LAW NO. 14-21  
**SENATE BILL**  
**NO. 14-47, SD1, HD1**

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**AN ACT**

To amend 2 CMC § 4310, to ensure that homestead permits of homesteaders serving in the United States Armed Forces are not revoked while the homesteader is on active duty; and for other purposes.

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

Section 1. Short Title. This Act may be cited as the "Military Service Homestead Act of 2004."

Section 2. Findings and Purpose. The Legislature finds that the CNMI's men and women in uniform serve a vital role in the security of our nation. The Legislature further finds that every effort should be made to assist these distinguished individuals in maintaining their homesteads while on active duty.

Section 3. Amendment. 2 CMC § 4310 is hereby amended to read:

§ 4310. Revocation of Homestead Permit.

“(a) Except as provided in subsection (b) of this section, if, at any time after the issuance of a permit to enter a homestead tract and before the expiration of the period prescribed by 2 CMC § 4308, it is proved, after due notice to the homesteader, to the satisfaction of the Marianas Public Lands Authority that the homesteader has abandoned the land or has failed to comply with the laws, rules and regulations relating to homesteads, then the permit shall be revoked and the land so entered shall revert to the government; provided, that where there may be unavoidable cause, the Marianas Public Lands Authority may, in its discretion, allow the homesteader an extension of the period prescribed in 2 CMC § 4308.

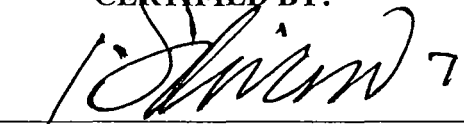
(b) Homestead permits of homesteaders serving in the United States Armed Forces shall not be revoked while the homesteader is on active duty.”

Section 4. 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.

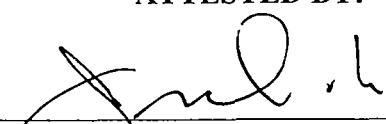
Section 5. Savings Clause. This Act and any repealer contained herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes. Repealers contained in this Act shall not affect 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.

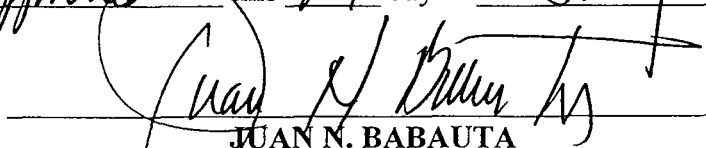
Section 6. Effective Date. This Act shall take effect upon its approval by the Governor or upon its becoming law without such approval.

CERTIFIED BY:

  
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JOAQUIN G. ADRIANO  
President of the Senate

ATTESTED BY:

  
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JOSEPH M. MENDIOLA  
Senate Legislative Secretary

Approved this 27 day of July, 2004  
  
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JUAN N. BABAUTA  
Governor  
Commonwealth of the Northern Mariana Islands