The Honorable Victor B. Hocog  
Senate President, The Senate  
Twenty-First Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950  

The Honorable Blas Jonathan "BJ" T. Attao  
Speaker, House of Representatives  
Twenty-First Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950  

Dear Mr. President and Mr. Speaker:  

This is to inform you that I have signed into law Senate Bill No. 21-10, SD1, entitled, "To amend 2 CMC § 4308 to mandate the Department of Public Lands to issue the Deed of Conveyance within 45 calendar days to homesteaders who had entered the homestead and complied with the laws and regulations pertaining to homesteads; and for other purposes.", which was passed by the Senate and the House of Representatives of the Twenty-First Northern Marianas Commonwealth Legislature.  

This bill becomes Public Law No. 21-15. Copies bearing my signature are forwarded for your reference.  

Sincerely,  

RALPH DLG. TORRES  
GOVERNOR  

cc: Lt. Governor; Press Secretary; Department of Public Lands; Public Auditor; Special Assistant for Administration; Special Assistant for Programs and Legislative Review
November 13, 2019

The Honorable Ralph DLG. Torres
Governor
Commonwealth of the Northern Mariana Islands
Capital Hill
Saipan, MP 96950

Dear Governor Torres:

I have the honor of transmitting herewith for your action Senate Bill No. 21-10, SD1, entitled: “To amend 2 CMC § 4308 to mandate the Department of Public Lands to issue the Deed of Conveyance within 45 calendar days to homesteaders who had entered the homestead and complied with the laws and regulations pertaining to homesteads; and for other purposes,” which was passed by the Senate and the House of Representatives of the Twenty-First Northern Marianas Commonwealth Legislature.

Sincerely,

Dolores S. Bernales
Senate Clerk

Attachments
AN ACT

To amend 2 CMC § 4308 to mandate the Department of Public Lands to issue the Deed of Conveyance within 45 calendar days to homesteaders who had entered the homestead and complied with the laws and regulations pertaining to homesteads; and for other purposes.

SENATE ACTION

Offered by Senator(s): Francisco Q. Cruz

Date: February 07, 2019

Referred to: Committee on Resources, Economic Development and Programs

Standing Committee Report No.: 21-17 adopted on 7/18/19

First and Final Reading: July 18, 2019

HOUSE ACTION

Referred to: Committee Natural Resources

Standing Committee Report No.: 21-44 adopted on 10/28/19

First and Final Reading: October 31, 2019

[Signature]

DOLORES S. BERMUDES
SENATE CLERK
An Act

To amend 2 CMC § 4308 to mandate the Department of Public Lands to issue the Deed of Conveyance within 45 calendar days to homesteaders who had entered the homestead and complied with the laws and regulations pertaining to homesteads; and for other purposes.

Be it enacted by the Twenty-First Northern Marianas Commonwealth Legislature:

Section 1. Findings and Purpose. The Department of Public Lands (DPL) is mandated under 2 CMC § 4306 to issue homestead permits authorizing an eligible person to enter and improve the land in accordance with the prescribed regulations. The homesteader is required under NMIAC § 145-20.4-120 to improve the lot within 120 days and complete a single family residence and reside in it as a principal place of residence within two years after the homestead permit has been issued.

However, Public Law 20-05 amended 2 CMC §§ 4308 and 4335(e), which provides that the Deed of Conveyance for the homestead shall not be issued until the three years from the date of entry have expired and certification of compliance with all laws, rules and regulations pertaining to homesteads; and also authorizes the DPL to waive the requirement that the homesteader must construct a home on the homestead upon a showing that the construction permit cannot be obtained due to the lack of power, water, or waste water infrastructure.

The Legislature finds that the long delays in allowing the homesteaders to improve their assigned lots affect long term planning with respect to building a family home in the
Commonwealth. The West San Jose homestead in Tinian is a specific example in which
the homestead lots were drawn in 2009, but the permits were not issued until five years
later. The delay in issuing the homestead permits also delays the issuance of the Deed of
Conveyance.

The purpose of this Act is to amend 2 CMC § 4308 so that the Deed of
Conveyance is issued within 45 days after the three years from the date of entry
requirement is completed and DPL has certified that the homesteader is in compliance with
all the other requirements.

Section 2. Amendment. 2 CMC § 4308 is amended to read:

"§ 4308. Deeds of Conveyance.

Deeds of conveyance shall be issued by the Department of Public Lands for
homestead land entered under the provisions of this chapter; provided, that no such deed
shall be issued until the expiration of three years from the date of entry and the execution
of a certification by the Secretary of the Department of Public Lands certifying that the
homesteader has complied with all laws, rules and regulations appertaining to the
homestead. The Secretary's certification is final and not subject to review. The Secretary
of the Department of Public Lands shall issue the deed of conveyance within two years 45
calendar days of the time the homesteader becomes eligible to receive the deed of
conveyance under the provisions of this chapter, but waiving the completion of a single
family residential dwelling structure requirement pursuant to 2 CMC § 4335(e). Such deed
of conveyance shall convey to the homesteader any and all rights of the Commonwealth
government to the property, excepting such rights as are reserved by law or by permit."

Section 3. 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 4. 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 the Act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence on the date this Act becomes effective.

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

CERTIFIED BY:                                  ATTESTED BY:

VICTOR B. HOCOG                              SIXTO K. IGISOMAR
PRESIDENT OF THE SENATE                      SENATE LEGISLATIVE SECRETARY

Approval of this 19th day of December, 2019

RALPH DLG. TORRES
Governor
Commonwealth of the Northern Mariana Islands