

**TITLE 2: NATURAL RESOURCES**  
**DIVISION 4: LAND RESOURCES**

**§ 4333. Village Homesteading Program: Establishment.**

A village homesteading program is hereby established in the Department of Public Lands. The implementation of the program shall be as provided by rules and regulations. The program shall include but not be limited to:

(a) Establishment of eligibility criteria for designated village homestead lots which provide that:

(1) An applicant must be of Northern Marianas descent as defined in N.M.I. Const. art. XII, § 4;

(2) An applicant is not eligible for more than one village homestead lot;

(3) An applicant must be 18 years old or older who is:

(i) Married, widowed, or unmarried with dependent children; or

(ii) Single.

(4) An applicant or his or her spouse must not own or have any interest in any village lot or have been a recipient of a village homestead lot. However, any applicant who has met all the above requirements and who had been a recipient of a village homestead lot may be eligible to receive a village homestead lot if he or she has been divested of a village homestead lot by a court decree pursuant to a divorce proceeding which awarded that village homestead lot to either the children or the applicant's former spouse.

(b) Establishment of village homestead subdivisions that are consistent with modern urban planning standards and which take into consideration lot requirements, roadways, housing, utilities, and water distribution; provided, however, that any village subdivision approved prior to January 9, 1978, the effective date of the Commonwealth Constitution, shall not be affected by this article.

(c) Establishment of reasonable filing fees and other related charges.

(d) Establishment of inspection and compliance procedures for each designated village homestead program; provided, however, that the homesteader shall be granted a certificate of compliance three years after the issuance of a homestead permit and upon fulfillment of the requirements as established by the Department of Public Lands. DPL may revoke a permit, if after the three-year period, the homesteader has not fulfilled the requirements and no certificate of compliance has been issued; no permit may be revoked, however, if public water, electrical power, and sewer services were not extended to the homestead lot within a reasonable time before the end of the three-year period.

(e) Establishment of priorities for the issuance of a permit for a village homestead lot which takes into consideration but is not limited to the applicant's immediate needs for housing, number of dependents, and income; except, however, that unmarried applicants or applicants without any dependents who have met all other application criteria shall be given first priority status after three years of the date of application.

**Source:** PL 1-42, § 3; amended by PL 6-6, § 2; PL 7-24, § 1; (d) amended by PL 14-43, § 2; (d) global amendment by PL 15-2, § 4.

**Commission Comment:** With respect to the reference to the "Marianas Public Land Corporation," see Executive Order 94-3 (effective August 23,

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1994), reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the Commission comment to 1 CMC § 2001; see also the comment to 2 CMC § 4142.

14-43 was enacted on November 30, 2004, and contained the following purpose, in addition to severability and savings clause provisions:

Section 1. Purpose. The purpose of this Act is to require persons who have been awarded homestead lots to comply with all the terms and conditions of the permits within three years, after which the permit shall be subject to revocation. No permit may be revoked, however, if public water, electrical power, and sewer services were not extended to the homestead lot within a reasonable period before the end of three years.

PL 15-2, which was enacted on February 22, 2006, abolished the Marianas Public Lands Authority and created a Department of Public Lands in its place. PL 15-2 contained short title, legislative findings and declaration of policy, repealer, global amendment, transition, severability, and savings clauses. See 1 CMC § 2801 for detailed information regarding PL 15-2.