

TITLE 2: NATURAL RESOURCES
DIVISION 4: LAND RESOURCES

§ 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 Department of Public Lands 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 Department of Public Lands 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.

Source: 67 TTC § 210; amended by PL 14-21, § 3; (a) global amendment by PL 15-2, § 4.

Commission Comment: With respect to the references to the “Public Land Corporation,” see Executive Order 94-3 (effective August 23, 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.

PL 14-21 was enacted on July 27, 2004 and contained a short title, findings and purpose, severability, and savings clause provisions. According to PL 14-21:

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.

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.