



House of Representatives

TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
P.O. BOX 500586
SAIPAN, MP 96950

February 6, 2023

HOUSE
FILE

The Honorable Edith E. DeLeon Guerrero
President
The Senate
Twenty-Third Northern Marianas
Commonwealth Legislature
Capitol Hill
Saipan, MP 96950

Dear Senate President DeLeon Guerrero:

I have the honor of transmitting herewith for Senate action **H. B. No. 23-10, HD1**, entitled: **“To amend 8 CMC §1204, as amended by Public Law 22-25, to create an exemption to the requirement that a marriage certificate include the “places of residence”.**”, which was passed by the House of Representatives on First and Final Reading, by the unanimous vote of the members present, a quorum being present, during its Second Day, First Regular Session on February 3, 2023.

Sincerely yours,


Linda B. Muña
House Clerk

Attachment

Transmittal to the SENATE

Received by: 

Date: 2/6/23

Time: 11:00am

TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 2023

First Regular Session, 2023

H. B. 23-10, HD1

A BILL FOR AN ACT

To amend 8 CMC §1204, as amended by Public Law 22-25, to create an exemption to the requirement that a marriage certificate include the “places of residence”.

**BE IT ENACTED BY THE 23RD NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 **Section 1. Findings and Purpose.** The Legislature finds that
2 Public Law 22-25 amended 8 CMC §1204 to remove the ten-day restriction to
3 submit a marriage certificate by any religious and/or non-religious entity that was
4 enacted into law on November 3, 2022. The time limit was preventing otherwise
5 valid marriage certificates from being filed with the CNMI Recorder.

6 The Legislature further finds that the CNMI Recorder is authorized to file
7 marriage certificates only if the certificates detail certain information, including
8 "places of residence" for the bride and groom. However, before the modernization
9 of marriage certificates for governmental purposes, church certificates did not
10 always include information regarding residences. This is particularly true during
11 the time when marriage was administered when the islands of the Northern

1 Marianas were still under the Trust Territory of the Pacific Islands.

2 The Legislature finds that the inability of a person to file an otherwise valid
3 marriage certificate can prevent a governmental agency from confirming the
4 marital status of that person. For example, a person seeking to initiate survivor
5 retirement benefits might not be able to complete the administrative process if the
6 Recorder is unable to file the marriage certificate.

7 The Legislature, therefore, finds that it is necessary to create an exception
8 to the requirement that a marriage certificate include "places of residence" if the
9 certificate was executed during the time that the islands of the Northern Marianas
10 were under governance of the Trust Territory of the Pacific Islands and to make the
11 amendment apply retroactively to allow such marriage certificates to be recognized
12 by the CNMI government and filed at the Commonwealth Superior Court.

13 **Section 2. Amendment.** 8 CMC §1204, as amended by Public Law 22-25,
14 is hereby amended to read as follows:

15 **“§1204. Records; Certificates; Register.**

16 (a) It is the duty of every person authorized by any religious or non-
17 religious entity to perform marriages to make and preserve a record of every
18 marriage performed by that person, regardless of the citizenship of the
19 parties, showing the names of the persons married, their places of residence,
20 if applicable, and the date of marriage, and to deliver to the bride
21 immediately after the ceremony a certificate of the record of the marriage,

1 signed by the person performing the marriage, two witnesses, if there were
2 as many as two, and the persons married. The person performing the
3 marriage shall send a copy of the marriage certificate to ~~the clerk of courts~~
4 of the Commonwealth ~~Superior Court~~ Recorder's Office to be recorded in
5 the marriage register. Forms issued by the Governor for the marriage
6 certificates shall be used when available, but lack of these forms does not
7 excuse failure to provide the bride with the certificate and the clerk with the
8 copy required above in substantially the same form, and containing the same
9 information as in the forms issued by the Governor.

10 (b) An exception to the requirement that a marriage certificate
11 include "places of residence" exists if the certificate was executed during
12 the time that the Northern Mariana Islands were under governance of the
13 Trust Territory of the Pacific Islands."

14 **Section 3. Severability.** If any provisions of this Act or the application of
15 any such provision to any person or circumstance should be held invalid by a court
16 of competent jurisdiction, the remainder of this Act or the application of its
17 provisions to persons or circumstances other than those to which it is held invalid
18 shall not be affected thereby.

19 **Section 4. Savings Clause.** This Act and any repealer contained herein
20 shall not be construed as affecting any existing right acquired under contract or
21 acquired under statutes repealed or under any rule, regulation, or order adopted

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1 under the statutes. Repealers contained in this Act shall not affect any proceeding
2 instituted under or pursuant to prior law. The enactment of the Act shall not have
3 the effect of terminating, or in any way modifying, any liability, civil or criminal,
4 which shall already be in existence on the date this Act becomes effective.

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

Prefiled: 1/24/2023

Date: 1/24/2023

Introduced by: /s/ Rep. John Paul P. Sablan
/s/ Rep. Blas Jonathan "BJ" T. Attao
/s/ Rep. Roman C. Benavente
/s/ Rep. Angelo A. Camacho
/s/ Rep. Diego V. F. Camacho
/s/ Rep. Joel C. Camacho
/s/ Rep. Manny G. T. Castro
/s/ Rep. Joseph A. Flores
/s/ Rep. Malcom J. Omar
/s/ Rep. Edmund S. Villagomez
/s/ Rep. Ralph N. Yumul

Reviewed for Legal Sufficiency by:

/s/ John M. Bradley
House Legal Counsel