

Arnold I. Palacios
Governor

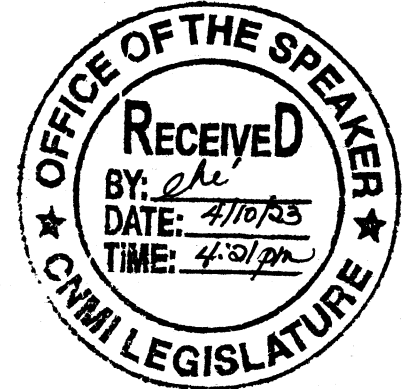
David M. Apatang
Lieutenant Governor

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
OFFICE OF THE GOVERNOR

April 10, 2023

GOV 2023-545

The Honorable Edmund S. Villagomez
Speaker, House of Representatives
Twenty-Third Northern Marianas
Commonwealth Legislature
Saipan, MP 96950



4/10/23

The Honorable Edith E. Deleon Guerrero
President of the Senate
Twenty-Third Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Mr. Speaker and Madame President:

This is to inform you that I have signed into law **House Bill 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 and the Senate of the Twenty-Third Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 23-03**. Copies bearing my signature are forwarded for your reference.

Sincerely,

ARNOLD I. PALACIOS
Governor

HOUSE CLERK'S OFC
RECEIVED BY [Signature]
DATE 4/10/2023 TIME 4:26 pm

cc: Lt. Governor; Attorney General's Office; Commonwealth Law Revision Commission; Public Auditor; Special Assistant for Administration; CNMI Recorder's Office; Programs and Legislative Review Office



**TWENTY-THIRD NORTHERN MARIANA COMMONWEALTH LEGISLATURE
IN THE HOUSE OF REPRESENTATIVES**

FIRST REGULAR SESSION

FEBRUARY 3, 2023

REPRESENTATIVE JOHN PAUL P. SABLAN, OF SAIPAN, PRECINCT 2 (*for himself*, Representatives Blas Jonathan "BJ" T. Attao, Roman C. Benavente, Angelo A. Camacho, Diego V. F. Camacho, Joel C. Camacho, Manny G. T. Castro, Joseph A. Flores, Malcom J. Omar, Edmund S. Villagomez, and Ralph N. Yumul) in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

H. B. No. 23-10, HD1

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".

IN THE HOUSE OF REPRESENTATIVES

The Bill was not referred to a House Committee, it was subsequently placed on the Bill Calendar.

**THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON
FIRST AND FINAL READING, FEBRUARY 3, 2023;**

with amendments in the form of H. B. No. 23-10, HD1 and transmitted to **THE SENATE.**

IN THE SENATE

The Bill was referred to the Senate Committee on Judiciary, Government, and Law, which submitted Standing Committee Report 23-08; adopted 3/9/2023.

THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING, MARCH 9, 2023;
without amendments and returned to **THE HOUSE OF REPRESENTATIVES.**

**H. B. No. 23-10, HD1 IS DULY PASSED BY THE TWENTY-THIRD NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE.**



Linda B. Muña, House Clerk



TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
IN THE HOUSE OF REPRESENTATIVES

SECOND DAY, FIRST REGULAR SESSION
FEBRUARY 3, 2023

H. B. No. 23-10, HD1

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 TWENTY-THIRD NORTHERN
MARIANAS COMMONWEALTH LEGISLATURE:**

1 **SECTION 1. FINDINGS AND PURPOSE.**

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

6 The Legislature further finds that the CNMI Recorder is authorized to file marriage
7 certificates only if the certificates detail certain information, including "places of residence"
8 for the bride and groom. However, before the modernization of marriage certificates for
9 governmental purposes, church certificates did not always include information regarding

HOUSE BILL 23-10, HD1

1 residences. This is particularly true during the time when marriage was administered when the
2 islands of the Northern Marianas were still under the Trust Territory of the Pacific Islands.

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

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

13 **SECTION 2. AMENDMENT.**

14 8 CMC §1204, of the Commonwealth Code, as amended by Public Law 22-25, is
15 hereby amended to read as follows:

16 **“§1204. Records; Certificates; Register.**

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

HOUSE BILL 23-10, HD1

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

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

12 **SECTION 3. SEVERABILITY.**

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

17 **SECTION 4. SAVINGS CLAUSE.**

18 This Act and any repealer contained herein shall not be construed as affecting any
19 existing right acquired under contract or acquired under statutes repealed or under any rule,
20 regulation, or order adopted under the statutes. Repealers contained in this Act shall not affect
21 any proceeding instituted under or pursuant to prior law. The enactment of the Act shall not

HOUSE BILL 23-10, HD1

1 have the effect of terminating, or in any way modifying, any liability, civil or criminal, which
2 shall already be in existence on the date this Act becomes effective.

3 **SECTION 5. EFFECTIVE DATE.**

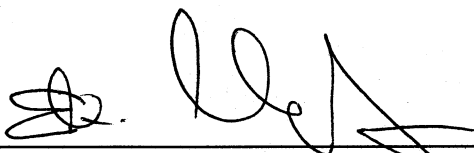
4 This Act shall take effect upon its approval by the Governor, or it becoming law without
5 such approval.

Attested to by:



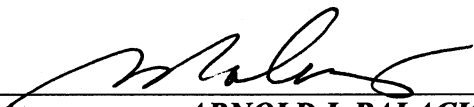
Linda B. Muña, House Clerk

Certified by:



SPEAKER EDMUND S. VILLAGOMEZ
House of Representatives
23rd Northern Marianas Commonwealth Legislature

approved this 10th day of April, 2023



ARNOLD I. PALACIOS
Governor
Commonwealth of the Northern Mariana Islands