



Commonwealth of the Northern Mariana Islands  
Office of the Governor  
Saipan, Mariana Islands 96950

Cable Address:  
Gov. NMJ Saipan

JAN 15 1981

The Honorable Benjamin T. Manglona  
Acting President, The Senate

and

The Honorable Joaquin I. Pangelinan  
Speaker  
House of Representatives  
Second Northern Marianas Commonwealth Legislature  
Saipan, CM 96950

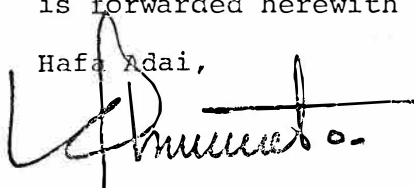
Dear Acting President Manglona and Speaker Pangelinan:

I am pleased to inform you that I have approved this date the following Act passed by the Second Northern Marianas Commonwealth Legislature, Second Regular Session, 1980 as follow:

Senate Bill No. 2-28, S.D.1, H.D.2, C.D.1, entitled:  
"An Act to establish the Commonwealth Law Revision Commission, and for other purposes", as Public Law No. 2-11.

Certified copy of the above Act bearing my signature is forwarded herewith for your file.

Hafa Adai,

  
CARLOS S. CAMACHO  
Governor

CC: The Honorable Robert A. Hefner, Chief Judge  
Commonwealth Trial Court

SECOND NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SECOND REGULAR SESSION, 1980

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AN ACT

To establish the Commonwealth Law Revision Commission and for other purposes.

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Offered by Senator(s) Pedro P. Tenorio and Joseph S. Inos

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Date: January 23, 1980

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Senate Action

Referred to: Committee on Judiciary, Government and Law

Standing Committee Report No. 2-11 and 2-67

First Reading: March 26, 1980

Second Reading: April 11, 1980

Conference Committee Report No. 2-2

Adopted: December 4, 1980

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House Action

Referred to: Committee on Judiciary and Governmental Operations

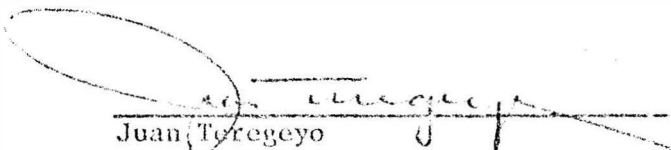
Standing Committee Report No. 2-53

First Reading: October 8, 1980

Second Reading: October 16, 1980

Conference Committee Report No. 2-67

Adopted: December 16, 1980

  
Juan Teregeyo  
Senate Clerk



*The Senate*  
NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. Box 129  
Saipan, CM 96950

Phone: 6534/6539

CERTIFICATION

S B. 2-28, S.D. 1, H.D. 2,  
C.D. 1

We hereby certify that the foregoing bill passed the Senate and the House of Representatives by a majority vote of the members, a quorum being present, Second Northern Marianas Commonwealth Legislature, Second Regular Session, 1980.

Benjamin T. Manglona  
Acting President of the Senate

Juan Teregeyo  
Senate Clerk

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AN ACT

To establish the Commonwealth Law Revision Commission, and for other purposes.

BE IT ENACTED BY THE NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1       Section 1. Findings and Declaration of Policy. The Legislature  
2       of the Commonwealth of the Northern Mariana Islands finds that the  
3       laws of the Commonwealth should be revised and codified to facilitate  
4       implementation of the Commonwealth Constitution, prevent conflicts of  
5       law, eliminate redundant and obsolete statutes, and create a coherent  
6       and well-organized body of statutory law applicable in the  
7       Commonwealth. The Legislature further finds that in order to create  
8       such a body of law it is first necessary to establish a Commonwealth  
9       Law Revision Commission to undertake the task of preparing for  
10      submission to the Legislature proposals for revision and codification  
11      of laws. It is hereby declared to be the policy of the Legislature in  
12      establishing such a Commission that:

13           (a) Proposals for revision and codification of Commonwealth  
14      laws shall be developed by the Commission with due regard to the  
15      public policies and legal principles contained in existing statutes  
16      enacted by elected legislative bodies in which the people of the  
17      Northern Mariana Islands were represented;

18           (b) Proposals for revision and codification of Commonwealth  
19      laws shall be based upon a thorough analysis of the origin of  
20      currently applicable statutes, and a determination of whether or  
21      not such statutes are consistent with the needs and interests of

the people of the Northern Mariana Islands ;

(c) The public shall be informed of the time, place and purpose of Commission meetings, and shall be afforded an opportunity to submit comments and recommendations relating to the subject of business before the Commission; and

(d) The laws of other jurisdictions and recommendations of the American Law Institute, the National Conference of Commissioners on Uniform State Laws, and other sources of information on statutory systems shall be considered in connection with the formulation of proposals for revision and codification of Commonwealth law.

Section 2. Commission Established; Duration; Membership and

Compensation. There is hereby created the Commonwealth Law Revision Commission, which shall be organized and administered according to the following provisions:

(a) The Commission shall have legal authority to perform the duties and functions prescribed in this Act for a period of two (2) years following the effective date of the first Appropriations Act funding the operation and activities of the Commission. Upon expiration of that period the Commission shall cease all operations and activities, and all properties and records of the Commission shall become the property of the Commonwealth Legislature, to be utilized and disposed of as agreed upon by the President of the Senate and the Speaker of the House of Representatives.

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1 (b) The Commission shall be composed of the following  
2 members :

3 (1) An attorney admitted to practice before the  
4 Commonwealth Trial Court appointed by the Chairman of the  
5 Commonwealth Legislature Senate Committee on Judiciary,  
6 Government and Law;

7 (2) An attorney admitted to practice before the  
8 Commonwealth Trial Court appointed by the Chairman of the  
9 Commonwealth Legislature House of Representatives Committee  
10 on Judiciary and Governmental Operations;

11 (3) The Chief Judge of the Commonwealth Trial Court or  
12 an Associate Judge designated by the Chief Judge;

13 (4) The Attorney General of the Commonwealth or an  
14 Assistant Attorney General designated by the Attorney General;

15 (5) One (1) member of the Northern Mariana Islands Bar  
16 Association elected by the membership thereof;

17 (6) The Public Defender of the Commonwealth of the  
18 Northern Mariana Islands or an Assistant Public Defender  
19 designated by the Public Defender;

20 (7) The Executive Director of the Micronesian Legal  
21 Services Corporation or an attorney employed by the  
22 Micronesian Legal Services Corporation designated by the  
23 Executive Director; and

24 (8) Four (4) persons appointed by the Governor who  
25 shall be nonlawyers.

1           (c) Commission members requiring appointment shall be  
2           appointed within thirty (30) days of the effective date of this  
3           Act. Vacancies in the appointed membership shall be filled in the  
4           same manner as the original appointments. All appointed members  
5           serve at the pleasure of the appointing official. The Commission  
6           estabiished under this Act is exempt Cfrom the provisions of  
7           Title I(a), Section 1(g), Public Law 1-8.

8           (d) The Cornmission shall elect a Chairman and Vice Chairman,  
9           2nd establish rules of procedures which are consistent with the  
10          policies stated in Section 1 of this Act and which ensure the  
11          proper performance of all Commission duties; PROVIDED, that any  
12          submission to the Legislature and the Governor as provided by  
13          subsections (c), (f), and (h) of Section 3 of this Act shall be  
14          approved by a majority of the members of the Commission.

15          (e) Members of the Commission shall serve without pay, but  
16          shall be reimbursed €or reasonable and necessary expenses incurred  
17          in connection with performance of official duties. The Commission  
18          shall establish procedures for justification and authorization of  
19          payments under this subsection.

20          (f) Within ninety (90) days of the effective date of the  
21          first Appropriations Act funding the operation and activities of  
22          the Commission, the Chairman shall, with Commission approval,  
23          appoint an Executive Secretary who shall be responsible for  
24          providing technical and administrative services to the Commission  
25          in connection with research, preparation and distribution of

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1 working papers and official documents of the Commission, management  
2 of office activities, and supervision of staff. The Executive  
3 Secretary shall be a person qualified by training and experience  
4 to perform the functions prescribed above. The Commission Chairman  
5 is further authorized to appoint, with Commission approval, such  
6 professional, clerical and other staff as may be deemed necessary  
7 to accomplish the purposes of this Act. All personnel appointed  
8 under this Section shall be exempt from the Civil Service and  
9 shall be employed according to the terms of contracts entered  
10 between the employee and the Commission. No employment agreement  
11 shall be entered by the Commission in the absence of a budgetary  
12 appropriation authorizing expenditure of Commission funds for that  
13 purpose.

14 Section 3. Duties of Commission. The Commonwealth Law Revision  
15 Commission shall perform the following duties in a manner consistent  
16 with the policies stated in Section 1 of this Act:

17 (a) Conduct a comprehensive and expeditious examination of  
18 the customary law, common law, statutes enacted by the Legislature,  
19 laws in force pursuant to Section 2 of the Schedule on Transitional  
20 Matters of the Constitution, and court decisions applicable in the  
21 Commonwealth, and recommend draft legislation to the Legislature to  
22 establish a cohesive body of law in each subject area, recommending  
23 one or more ways to resolve any contradictions or inconsistencies  
24 which may exist, and making it possible to repeal all laws in force  
25 pursuant to such section of the Constitution;



1           (b) Review legal precedents or principles which exist in  
2           other jurisdictions and recommend which, if any, should be  
3           incorporated into the Commonwealth legal system, and recommend  
4           any general or specific areas of the law not currently covered in  
5           the Commonwealth which the Commission believes should be the  
6           subject of future legislative action;

7           (c) Study and report on any topic which either house of the  
8           Legislature, by resolution, shall refer to the Commission for  
9           action;

10          (d) In connection with the duties prescribed above, conduct  
11          such public hearings, research, analysis and investigations as are  
12          deemed necessary and proper;

13          (e) Consult with and review communications from public and  
14          private groups and organizations, interested persons, and  
15          appropriate government officials relating to the work of the  
16          Commission;

17          (f) In accordance with Commission procedures, prepare,  
18          adopt and submit to the Legislature and the Governor such reports,  
19          recommendations, or draft legislation as are required by this  
20          Act or deemed by the Commission to be appropriate. Before the  
21          expiration of one (1) year following the effective date of this  
22          Act the Commission shall provide the Legislature and the Governor  
23          with a detailed status report on all work it proposes, Commission  
24          operations and other information deemed relevant. In adopting and  
25          transmitting reports the Commission shall include any minority

1 reports of members not concurring with the majority report;

2 (g) Prepare and submit to the Legislature within sixty (60)  
3 days after the effective date of this Act a proposed budget for  
4 the remainder of the fiscal year in which this Act becomes law.

5 Subsequent budget proposals shall be submitted no less than  
6 ninety (90) days before the beginning of a new Commonwealth  
7 Government fiscal year.

8 (1) Throughout the term of the Commission, the  
9 Commission shall transmit to the Legislature its  
10 recommendations for legislative action on each subject area,  
11 as the Commission completes its work thereon. Not later than  
12 eighteen (18) months after the effective date of the first  
13 Appropriation Act funding the operations and activities of  
14 the Commission, the Commission shall complete its work on all  
15 such subject areas.

16 (2) After each subject of legislation is considered by  
17 the Legislature, but, in any event, not later than eighteen  
18 months after the effective date of the first Appropriations  
19 Act funding the operations and activities of the Commission,  
20 the Commission shall begin to codify those laws then in  
21 existence; PROVIDED, that only statutes enacted by the  
22 Northern Marianas Commonwealth Legislature shall be so  
23 codified. The Commission shall transmit a final report  
24 including a comprehensive code of laws to the Legislature  
25 and to the Governor not later than twenty-three (23) months

1 after the effective date of the first Appropriations Act  
2 funding the operations and activities of the Commission; and  
3 (i) The Commission may accept grants, contributions and other  
4 fundings for the purpose of conducting Commission activities,  
5 request and utilize assistance and support from other government  
6 or private agencies where necessary and proper, and do other lawful  
7 and proper acts in order to accomplish the purpose of this Act.

8 Section 4. Authorization for Appropriation. There is hereby  
9 authorized for appropriation from the General Fund of the Commonwealth  
10 such sums as are necessary to carry out the provisions of this Act.

11 Section 5. Severability. If any provision of this Act or any rule,  
12 regulation, or order promulgated hereunder, or the application of such  
13 provision, rule, regulation, or order to any person or circumstance shall  
14 be held invalid, by a court of competent jurisdiction, the remainder  
15 of this Act or any rules, regulations or orders promulgated pursuant  
16 thereto or the application of such provision, regulation, rule, or order  
17 to persons or circumstances other than those to which it is held invalid,  
18 shall not be affected thereby.

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

21  
22 January 15<sup>th</sup>, 1981  
23  
24 [Signature]  
25 Carlos S. Camacho  
Governor  
Commonwealth of the Northern Mariana Islands