

**TITLE 3: HUMAN RESOURCES  
DIVISION 4: IMMIGRATION**

**Article 8. Detection and Apprehension of Illegal Aliens.  
[Repealed by PL 17-1 § 5(J)]**

- § 4381. Detection of Illegal Aliens. [Repealed by PL 17-1 § 5(I)]  
§ 4382. Apprehension of Illegal Aliens. [Repealed by PL 17-1 § 5(I)]

**§ 4381. Detection of Illegal Aliens [Repealed].**

**Source:** PL 9-5, § 3 (§ 4381), modified; repealed and reenacted by PL 14-84, § 2; (c) amended by PL 15-64, § 3(e); repealed by PL 17-1 § 5(I).

**Commission Comment:** With respect to PL 9-5, see the comment to [3 CMC § 4362](#). With respect to the former reference to the “Chief of Labor” in this section, see Executive Order 94-3 (effective Aug. 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 [3 CMC § 4121](#).

PL 14-84 was enacted on August 15, 2005 and contained the following findings, in addition to savings and severability provisions. The findings of PL 14-84 stated:

Section 1. Findings. The Legislature finds that the statutory provisions enacted for the purposes of identifying and detecting illegal aliens and illegal alien employment activity are, in part, presently irreconcilable with the Constitutions of the Commonwealth of the Northern Mariana Islands and United States and are in need of revision. The United States District Court for the Northern Mariana Islands declared unconstitutional portions of the present sections 4381 and 4442 of Title 3 of the Commonwealth Code. *See* Order Denying Defendants’ Motion for Judgment on the Pleadings or, in the alternative, Defendants’ Motion for Summary Judgment and Declaring 3 N. Mar. I. Code §§ 4381(a), 4381(d), and 4442 Unconstitutional dated February 2, 2000 in *Gorromeo v. Zachares*, Civil Action No. 99-0018 (D. N. Mar. I.).

The Legislature further finds that the presence of a neutral magistrate is desirable and, in fact, proper when the government powers of search and arrest are exercised, except in limited cases when labor and immigration authorities are presented with exigencies that make obtaining a magistrate’s warrant difficult or impossible.

The Legislature accordingly finds that sections 4381 and 4442 of Title 3 of the Commonwealth Code should be revised, and that such revisions are a necessary and proper use of the Legislative power.

PL 15-64 was enacted on May 30, 2007, and contained, among other enactments and repealers, findings and purpose, expenditure authority, global amendment, clarifications, severability, and savings clause provisions. Regarding former subsection (e) above, the Commission assigned a different subsection number than what was designated in the original text and also inserted the bracketed text. The findings and purpose stated:

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Section 1. Findings and Purpose. The Commonwealth Legislature finds that with the enactment of various bills into public law, certain minor errors and inconsistencies have prevented the efficient codification of a number of laws. It is the intent of this Act to repeal, amend, or add necessary language to the Commonwealth Code in order to more accurately reflect the intent and purpose of laws enacted by the Commonwealth Legislature.

**§ 4382. Apprehension of Illegal Aliens [Repealed].**

**Source:** PL 9-5, § 3 (§ 4382), modified; repealed by PL 17-1 § 5(I).