

TITLE 1: GOVERNMENT
DIVISION 8: PUBLIC EMPLOYMENT

§ 8282. Law Enforcement Officers.

For purposes of this chapter, law enforcement officers shall include the following:

- (a) The Attorney General and assistant attorneys general;
- (b) Judicial officers;
- (c) Police officers;
- (d) Correction officers;
- (e) Firefighters;
- (f) Customs officers;
- (g) Alcoholic beverage control officers;
- (h) Quarantine officers;
- (i) Conservation officers;
- (j) [deleted by PL 17-1 § 3(C)]
- (k) Labor officers;
- (l) Sanitation inspectors;
- (m) Parole officers;
- (n) Commonwealth Ports Authority Police officers and firefighters;
- (o) The Chief Marshal and Deputy Marshals of the Judicial Branch;
- (p) The Chief Investigator and Investigators of the Office of the Attorney General Investigation Division;
- (q) House and Senate Sergeant At Arms;
- (r) Division of Youth Services Juvenile Probation Unit;
- (s) Office of the Public Auditor investigators; and
- (t) Investigators and inspectors of any gaming commission.

Source: PL 8-40, § 3; new subsection (m) added by PL 11-8, § 4; new subsection (n) added by PL 12-60, § 2, modified; (j) deleted by PL 17-1 § 3(C) (March 22, 2010);* (o) added by PL 17-41 § 3(a) (May 9, 2011), modified; (p) – (t) added by PL 18-13 (August 8, 2013), modified.

Commission Comment: PL 11-8, § 4, that added new subsection (m) to this section took effect April 8, 1998.

PL 12-60, which took effect July 25, 2001, contained the following findings:

Section 1. Findings. The Legislature finds that, although the Commonwealth Ports Authority is given the power to protect and police its sea and air ports by 2 CMC § 2122(b), and although the Commonwealth Ports Authority Police officers are deputized as special law enforcement officers by the commissioner of Public Safety, their status as law enforcement officers is not clear under existing statute. As law enforcement personnel, CPA should have clear statutory authority to carry firearms and to make arrests as required by law. In addition, CPA police and firefighters work in occupations that, by their nature, put their lives at risk. Hence, the death beneficiaries of CPA police and firefighters should be

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afforded the same benefits statutorily enjoyed by the beneficiaries of law enforcement officers of the Commonwealth.

Public Law 17-1 § 3(C) provides: “Division 2 (Executive Branch), Part 2 (Employee Compensation and Benefits), Chapter 6 (Law Enforcement Officers’ Death Benefits) is amended to delete § 8282(j).” However, 1 CMC § 8282(j) is found in Division 8 (Public Employment) not Division 2 (Executive Branch). The Commission, therefore, corrected this manifest error pursuant to 1 CMC § 3806(g) by deleting 1 CMC § 8282(j) of Division 8, Part 2, Chapter 6.

*PL 17-1 (approved by the Governor on March 22, 2010) contains an effective date provision (§ 12) which provides that the law “shall be retroactive to November 28, 2009 except as otherwise specifically provided herein.” For more information regarding PL 17-1, see comment to 3 CMC § 4511.

Pursuant to 1 CMC § 3806(g), the Commission removed underlining on subsection (q) contained in PL 18-13 (August 8, 2013), and removed a period and added a semicolon to subsection (o). PL 18-13 contained, in addition to savings and severability clauses, the following:

Section 1. Findings and Purpose. The Legislature acknowledges that the Attorney General and assistant attorneys general are law enforcement officers. The investigation division of the Office of the Attorney General; however, are not law enforcement officers as provided under 1 CMC § 8282. The Legislature finds that due to the nature of the duties and responsibilities of the OAG investigation division, the investigators in the division must be included as law enforcement officers. Similarly, the Public Auditor investigators, too, must be included as law enforcement officers due to the nature of their job. Additionally, the Division of Youth Services Juvenile Probation Unit, the Marshall Service Division, and any gaming commission investigators and inspectors must also be included as law enforcement officers. These officers should be provided death benefits accorded other law enforcement officers.