
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

1 the people of the Northern Mariana Islands;

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

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

12 Section 2. Commission Established; Duration; Membership and
13 Compensation. There is hereby created the Commonwealth Law Revision
14 Commission, which shall be organized and administered according to the
15 following provisions:

16 (a) The Commission shall have legal authority to perform the
17 duties and functions prescribed in this Act for a period of two (2)
18 years following the effective date of the first Appropriations Act
19 funding the operation and activities of the Commission. Upon
20 expiration of that period the Commission shall cease all operations
21 and activities, and all properties and records of the Commission
22 shall become the property of the Commonwealth Legislature, to be
23 utilized and disposed of as agreed upon by the President of the
24 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 established under this Act is exempt from the provisions of
7 Title I(a), Section 1(g), Public Law 1-8.

8 (d) The Commission shall elect a Chairman and Vice Chairman,
9 and 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 for 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

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

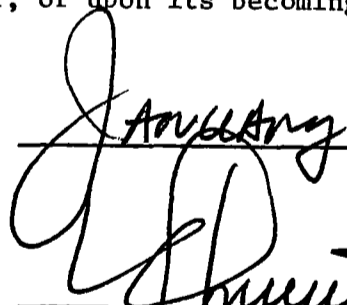
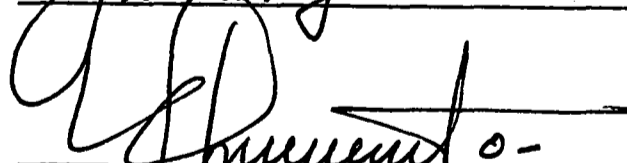
1 after the effective date of the first Appropriations Act
2 funding the operations and activities of the Commission; and
3 (i) The Commission may accept grants, contributions and other
4 fundings for the purpose of conducting Commission activities,
5 request and utilize assistance and support from other 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.

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 January 15th, 1981
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Carlos S. Camacho
Governor
Commonwealth of the Northern Mariana Islands