

**ELEVENTH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE**

PUBLIC LAW NO. 11-92
SENATE BILL
NO. 11-65

EIGHTH SPECIAL SESSION, 1998

AN ACT

To amend the Commonwealth State Funeral Act (1 CMC § 451 et seq.) to more narrowly tailor its provisions to accomplish the intent of honoring only high officials of the government and those police and fire officials who have given their life in service of the Commonwealth; and for other purposes.

**BE IT ENACTED BY THE ELEVENTH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

Section 1. Findings. The Legislature finds that the provision of state funerals within the Commonwealth was originally intended to be and should remain a high honor reserved for a very few truly outstanding individuals who exhibit exceptional accomplishments, contributions or bravery to the benefit of the people of the Commonwealth. The legislature further finds that this goal is undermined and even thwarted if the ceremony, which is intended to be a high honor, is so broadly bestowed that it loses its stature and is no longer such an important honor.

The Legislature further finds that as currently implemented the Commonwealth State Funeral Act is failing to accomplish its goal effectively. Particularly, under the current provisions, state funerals are becoming so commonplace that they have lost their meaning and are no longer viewed as truly a rare honor. This situation is unfair to the deserving public servants to whom this honor is owed.

Accordingly, through this Act, the Legislature intends to restrict and more clearly delineate the precise circumstances under which a state funeral is warranted and to limit the discretion to award such a funeral.

Section 2. Amendment. 1 CMC §§ 451-458 are hereby amended to read:

§ 451. Commonwealth State Funeral: Purpose.

The purpose of this article is to provide special funeral ceremonies, to be referred to as Commonwealth state funerals, for those deceased persons who served our government in a high official capacity or who gave their lives in the line of duty while serving the residents of the Commonwealth, and to provide procedures for the conduct of those special funeral ceremonies. A Commonwealth state funeral is in recognition of the dedicated service to our people and to our government that these people have performed.

§ 452. Commonwealth State Funeral: Definitions.

As used in this article:

(a) "Justices" or "judges" means those individuals who are serving as justices in the Commonwealth Supreme Court or as judges in the Commonwealth Superior Court.

(b) "Police officers" means the police and law enforcement officers of the Commonwealth.

§ 453. Commonwealth State Funeral: Persons Entitled.

The following persons shall be entitled to a Commonwealth state funeral:

- (a) Governor, former Governors;
- (b) Lieutenant Governor, former Lieutenant Governors;
- (c) Mayors of the Commonwealth of the Northern Mariana Islands;
- (d) Members of the Northern Marianas Commonwealth Legislature, during their tenure with the Legislature;
- (e) Representative to the United States;
- (f) Justices and judges; and
- (g) Commonwealth police and fire officers killed in the line of duty.

§ 454. Commonwealth State Funeral: Planning.

The Special Assistant for Administration shall adopt procedures for and shall coordinate with the Director of Public Safety the planning of each state funeral.

§ 455. Commonwealth State Funeral: Public Expense.

A Commonwealth state funeral is a public expense and may in no event exceed \$3,000. Expenses for state funerals shall be paid out of a special fund, which shall be periodically supplemented by appropriations from the General Fund. "Special fund" means a fund established and set apart from other funds by the Director of Finance for state funerals.

§ 456. Commonwealth State Funeral: Procedure and Protocol.

A Commonwealth state funeral shall include, but not be limited to, the following:

- (a) Honor guard;
- (b) Half mast of the Commonwealth flag;
- (c) Gun salute:
 - (1) Current and former Governors--21 gun salute;
 - (2) Current and former Lieutenant Governor--19 gun salute;
 - (3) Current member of the Northern Marianas Commonwealth Legislature, Representative to the United States, and mayors--17 gun salute;
 - (4) All other persons--15 gun salute;
- (d) Designation of a government official to deliver a eulogy; and
- (e) Arrangements made whereby the deceased is available for public viewing.

§ 457. Commonwealth State Funeral: Objections by Family or Deceased.

No funeral service, nor any part pursuant to this article, shall take place over the objection of the deceased's family or contrary to the known wishes of the deceased."

Section 4. Severability. If any provision of this Act or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Act or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

Section 5. Effective Date. This Act shall take effect upon its approval by the Governor or upon its becoming law without such approval.

CERTIFIED BY:

ATTESTED TO BY:

/s/ Paul A. Manglona
PAUL A. MANGLONA
PRESIDENT OF THE SENATE

/s/ Edward U. Maratita
EDWARD U. MARATITA
SENATE LEGISLATIVE SECRETARY

Approved this 13th day of August, 1999.

/s/ Pedro P. Tenorio
PEDRO P. TENORIO
GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS