

TWELFTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SECOND SPECIAL SESSION, 2000

*Public Law 12-67*

**H. B. NO. 12-322, CS1**

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**AN ACT**

To repeal Section 203 of Executive Order 94-3 and establish the Commonwealth Youth Affairs Act; and for other purposes.

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

**Section 1. Short Title.** This Act may be cited as the “Youth Affairs Act of 2001.”

**Section 2. Legislative Findings.** The Legislature understands the importance of the Youth in Commonwealth of the Northern Mariana Islands, and finds that to preserve this single most important resource of the future it is necessary that the Commonwealth Government take actions now that will provide these future leaders and citizens with the background that will ensure further success and prosperity for our Commonwealth in the future. The Legislature further finds that there is now no current government program to formulate plans and policies that develops a comprehensive approach to youth development in the Commonwealth. Finally, the Legislature finds that by providing the youth of today with programs and services that offer meaningful opportunities to develop full potential, and skills, talents, leadership abilities, good sportsmanship and citizenship will protect future generations.

**Section 3. Purpose.** There is hereby established an Office of Special Assistant for Youth Affairs within the Office of the Governor whose purpose will be to develop comprehensive youth development plans and policies, and to develop and offer programs and services for the Youth of the Commonwealth to assist the youth in developing their full potential.

**Section 4. Definitions.** As used in this Act:

- (a) “Commonwealth” means the Commonwealth of the Northern Mariana Islands.
- (b) “Council” means the Commonwealth Council on Youth Affairs.
- (c) “Office” means the Office of the Special Assistant for Youth Affairs.

(d) “Special Assistant” means the Special Assistant to the Governor on Youth Affairs.

(e) “Youth” means any person twenty-five (25) years of age and under.

**Section 5. Duties and Responsibilities.** The Office shall:

(a) Formulate plans and policies, develop a comprehensive approach, coordinate and/or implement programs and services to enable the youth to develop his full potential and skills, talent, leadership ability, good sportsmanship and citizenship.

(b) Encourage, through direct or indirect means, all youths, especially those in need of guidance and motivation, to make use of existing youth facilities, services and programs.

(c) Establish a comprehensive approach to providing services and programs to youth, taking into consideration the coordination and consolidation of existing programs and services and planning with implementing new programs and services where deemed necessary.

(d) Make such referrals as are necessary when certain services are best provided by other agencies within the Commonwealth Government or by other resources within the community or abroad.

(e) Provide assistance and cooperation to youth and community groups, both organized and unorganized, which provide or sponsor programs and/or services beneficial to the youth.

(1) Collect and disseminate information and research data relative to youth needs and problems.

(g) Keep the Governor and the general public informed on all major youth developments and achievements.

(h) Provide administrative, logistical, and other needed support to the Council.

**Section 6. Commonwealth Council on Youth Affairs.** There is hereby established a Commonwealth Council on Youth Affairs within the Office of the Governor. The Council shall consist of eight (8) members appointed by the Governor for a term of three (3) years; provided that of the members first appointed, two (2) shall serve for a term of one (1) year,

three (3) for a term of two (2) years, three (3) for a term of three (3) years. Council members otherwise eligible may be appointed to serve no more than two (2) terms. Vacancies shall be filled for the unexpired term of the vacant position. The members shall be so selected that there be one (1) representative from each of the following:

- (a) the Department of Public Safety;
- (b) the Department of Public Health;
- (c) the Division of Labor;
- (d) the youths of Saipan;
- (e) the youths of Tinian;
- (I) the youths of Rota;
- (g) the youths of Northern Islands; and
- (h) the Youth Congress.

**Section 7. Council Duties and Responsibilities.** The Council shall have the following duties and responsibilities

- (a) Act in an advisory capacity for the formulation of the Office's policies, programs, and review and make recommendations on annual budget requests from the Special Assistant;
- (b) Make recommendations to the Special Assistant, and when necessary to the Governor, on the over-all operation of the Office, including the appointment and removal of the Special Assistant or any employee of the Office;
- (c) Furnish leadership needed for long-range planning; and
- (d) Adopt such rules that are necessary for the functioning of the Council, including by-laws for internal governance and decision-making.
- (e) The Council shall meet at such times and places as it shall prescribe by rule or resolution.

**Section 8. Council Meetings.** The Council shall meet at such times and places as it shall prescribe by rule or resolution, but it shall not be less than once per month. All its meetings shall be public and notice of such meetings shall be given three (3) days prior to the date scheduled.

**Section 9. Chief Administrative Officer.** The Special Assistant shall be the chief administrative officer of the Office. The Special Assistant shall be responsible for the day-to-day management and operation of the Office and the development and submission of the Office's annual budget request to the Governor via the Council. The Special Assistant shall have hiring authority for such staff as is deemed necessary to carry out the functions of the Office.

**Section 10. Voluntary Services.** The Council is authorized to solicit and accept services of individuals and organizations on a voluntary basis in the Office's programs under a carefully planned and supervised manner.

**Section 11. Annual and Special Report.** Utilizing the resources of the Office, the Council shall make an annual report to the Governor, with a copy to the Special Assistant, the Senate President and the Speaker of the House, at the termination of each fiscal year setting forth a summation of its activities and general recommendations. Within two years of the establishment of the Council, the Council shall make a special report to the Governor with copies to the Special Assistant, the Senate President, and the Speaker of the House on recommendations on how, if feasible, to consolidate the various government activities relating to youth of the CNMI.

**Section 12. Programs Authorized.** Notwithstanding any provisions of law to the contrary, the Office shall, in consultation with the Council, establish and maintain such programs and services for youth in the CNMI as provided in Section 5 of this Act.

**Section 13. Funding.** The Governor shall either identify new sources of funding, or reprogram existing funds, for the initial budget of the Office. Thereafter, the Special Assistant shall include in his annual budget request necessary funds for the operation and manning of the Office.

**Section 14. Repealer.** Section 203 of Executive Order 94-3, the "Second Reorganization Plan of 1994," is hereby repealed in its entirety.

**Section 15. Severability.** If any provisions 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 16. Savings Clause.** This Act and any repealer contained herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes. Repealers contained in this Act shall not affect any proceeding instituted under or pursuant to prior law. The enactment of the Act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence on the date this Act becomes effective.

**Section 17. Effective Date.** This Act shall take effect upon its approval by the Governor, or its becoming law without such approval.

**CERTIFIED BY:**

**ATTESTED TO BY:**

/s/ \_\_\_\_\_  
**BENIGNO R. FITIAL**  
SPEAKER OF THE HOUSE

/s/ \_\_\_\_\_  
**EVELYN C. FLEMING**  
HOUSE CLERK

Approved this 19<sup>th</sup> day of October, 2001

/s/ \_\_\_\_\_  
**PEDRO P. TENORIO**  
GOVERNOR  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS