

THIRTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SECOND REGULAR SESSION, 2002

*Public Law No. 13-34*  
**H.B. NO. 13-173, HS1**

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AN ACT

To transfer the Division of Veterans Affairs within the Department of Community and Cultural and Cultural Affairs to the Office of the Governor and to rename it the Office of Military Liaison and Veteran Affairs; and for other purpose.

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

**Section 1. Short Title.** This Act may be cited as the “Military and Veterans Affairs Office Act of 2002.”

**Section 2. Purpose.** The purpose of this Act is to transfer the Division of Veterans Affairs, which is currently under the Department of Community and Cultural Affairs, to the Office of the Governor and to rename it the Office of Military Liaison and Veteran Affairs.

**Section 3. Findings.** The Legislature finds that the Division of the Veterans Affairs currently under the Department of Community and Cultural Affairs is inconsistent with national organizational settings and as such is not conducive in serving the interest of the CNMI and the United States Armed Forces. In its current location, the Veterans Affairs office is impeded in realizing its full potential especially when sensitive military intelligence an operations and national security issues are involved. Therefore, the establishment of nationally recognized office that would cater to the needs of the United States Armed Forces in the CNMI, the returning veterans, and those individuals who gave the ultimate sacrifice for the cause of freedom is long overdue.

The Legislature further finds that the increasing global insurgencies and the barbarous act of the September 11 attacks against the United States of America present a compelling case maintain readiness and to ensure an immediate response to outside interference requiring the use of the land, sea and airspace of the Commonwealth for

maneuvering and other military and security training purpose. The CNMI is capable of making available for military use its land and sea as well as its airspace as its contribution to the National's military and national security needs. It is also position of the Legislature that the CNMI Government can contribute to the Homeland Security Act of the United States of America by availing its unique airspace, land and sea resources to the United States military for both short-term and extended periods of the time for purpose of military and periodic military and civilian civic projects.

As a member of the American political family, the CNMI Government may be required to play an increasing role in defense of the national and security interest of the United States and as such the Legislature finds that establishing an independent office of Military Liaison and Veteran Affairs under the Office of the Governor is proper and fitting, timely, and the best interest of the United States and CNMI Governments.

**Section 4. Amendment.** 1 CMC, Division 2, Part 1, Chapter 1 is hereby amended by adding a new Article designated as Article 6 to read as follows:

“Article 6. Office of Military Liaison and Veteran Affairs.

Section 101. Office of Military Liaison and Veteran Affairs: Established

There is hereby established within the Office of the Governor, notwithstanding any language to the contrary, the Office of Military Liaison and Veteran Affairs, which shall have its head an Executive Officer for Military Liaison and Veteran Affairs, who shall be appointed by and serve at the pleasure of the Governor. The Executive Officer for Military Liaison and Veteran Affairs shall be responsible for the day-to-day management and operation of the office and shall have authority over all military and veteran's affairs of the United States Armed Forces in all matters not within the exclusive jurisdiction of the United States Government.

Section 102. Assistance to Military and Veterans. The Executive Officer for Military Liaison an Veteran Affairs shall be responsible for the day-to-day management and operation of the office and shall have authority over all military and veterans' affairs of the United States Armed Forces in all matters not within the exclusive jurisdiction of the United States. The Office of Military Liaison and

Veteran Affairs shall also assist veterans returning to the commonwealth after their tours duty in finding full-time employment. The Office of Military Liaison and Veteran Affairs shall:

(a) Formulate plans and policies, develop a comprehensive approach coordinate and /or implement programs or activities that result in an improve relationship between the Commonwealth and U.S. Armed Forces. The office shall be a single point of contact and clearinghouse on matters relative the U.S. military and U.S. veteran affairs in the CNMI.

(b) Encourage the use of the Commonwealth, especially the Northern Islands, as a place where the U.S. military can conduct its readiness and training exercises.

(c) Act as a liaison between the U.S. Armed Forces and the Commonwealth on matters relating to the use of the CNMI's land, sea and airspace for military purposes.

(d) Act as a liaison between visiting U.S. Armed Forces and the military ship and /or units and the Commonwealth.

(e) Provide assistance to the members of the U.S. Armed Forces who are on official visit to the Commonwealth.

(f) Communicate with the various branches of the U.S. military and encourage the use of the Commonwealth as a place for rest and relaxation as well as coordinate community relations project in the CNMI with the military.

(g) Provide general counseling and assistance to CNMI residents who aspire to join the U. S. Armed Forces in regard to military benefits, and procedures and processes of enlisting in the U.S. Armed Forces, and guidance in aligning their military goals and objectives with their career aspirations in order to learn occupations that can be of benefit to them when they are discharged and return to the Commonwealth.

(h) Maintain statistical records on all military and veteran activity within the Commonwealth and submit written reports to the Governor and the Legislature on a periodic basis relative to the status of U.S. military needs and local veterans in the CNMI.

(i) Facilitate timely communication on behalf of local veterans with the appropriate branch of the U.S. Armed Forces relative to identification care (ID) renewal or replacement, medical and retirement benefits, and other benefit deemed appropriate.

(j) Assist veterans returning to the Commonwealth after their tours on duty find full-time employment and shall;

(1) Assist unemployed veterans receive all available military federal and local benefits that they are entitled to or eligible for.

(2) Give reasonable clerical and administrative assistance returning veterans who are actively searching for employment in the CNMI.

(3) Give reasonable clerical and administrative assistance returning veterans who desire to pursue their educations.

(4) Keep statistical records of the employment status of veterans in the Commonwealth, and make such records public, insofar as it may be compatible with personal privacy and confidentiality.

(k) Perform such other duties as may be assigned by the Governor.

Section 103. Discrimination Against Veterans Prohibited. No person shall discriminate against any other person in employment, including but not limited to hiring, promotion, dismissal, and the granting of appropriate salary and benefit because of prior military service in the United States Armed Forces or Reserves. Any violation of this section shall be:

- (a) punishable by a fine or not more than \$2,000; and
- (b) actionable as a civil tort within the jurisdiction of the

Northern Mariana Islands. A court that has found such discrimination may grant punitive damages if it deems fit.”

**Section 5. Transition.**

(a) All records and property (including office equipment) of the Division of the Veterans Affairs within the Department of Community and Cultural Affairs, and all records and property used primarily in the administration of the Division of Veterans Affairs within the Department of Community and Cultural Affairs, and all personnel used in the administration of the Division of Veterans’ Affairs within the Department of Community and Cultural Affairs (including employees whose chief duties relate to such administration) are hereby transferred to the Office of the Military Liaison and Veteran Affairs, Office of the Governor.

(b) The unexpended balance of appropriations, allocations, allotments, or other funds available for the use by the Division of Veterans’ Affairs within the Department of Community and Cultural Affairs shall be transferred to the Office of Military liaison and Veteran Affairs, Office of the Governor. In the transfer of such funds, an amount shall be included for the liquidation of obligations incurred prior to the transfer.

(c) All budgeted full-time (FTE) employee positions, vehicles, office furniture, equipment and office and operation supplies currently assigned to the Division of Veterans Affairs are hereby transferred to the Office of Military Liaison and Veteran Affairs.

**Section 6. Funding.** The Governor shall either identify new sources of funding or reprogram existing fund, for the initial budget of the Office. Thereafter, the Executive Officer shall include in an annual budget request to the Governor and the Legislature for the operation and personnel needs of the Office of Military Liaison and Veteran Affairs.

**Section 7. Repealer.** PL 9-16, codified as 1 CMC, Division 2, Part 1, Chapter 2 Article 4, Sections 2391 through 22394, is hereby repealed in its entirety.

**Section 8. 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 circumstances other than those to which it is held invalid shall not be affected thereby.

**Section 9. Saving Clause.** This Act an any repealer contained herein shall no be construed as affecting any existing right acquired under contract or acquired under statute 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. This enactment of this Act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence at the date this Act, becomes effective.

**Section 10. Effective Date.** This Act shall take effect upon its approval by the Governor or upon it becoming law without such approval.

**CERTIFIED BY:**

**ATTESTED TO BY:**

/s/ \_\_\_\_\_

Heinz S. Hofschneider  
SPEAKER OF THE HOUSE

/s/ \_\_\_\_\_

Evelyn C. Fleming  
HOUSE CLERK

**Approved this 5th day of December, 2002**

/s/ \_\_\_\_\_

Juan N. Babauta  
**GOVERNOR**  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS