The Senate

NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
P.O. BOX 500129
SAIPAN, MP 96950

STANDING COMMITTEE REPORT NO. 24-78
Date: March 18, 2026
RE: Senate Bill No. 24-48

Honorable Karl R. King-Nabors
President of the Senate
Twenty-Fourth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Mister President:

Your Committee on Judiciary, Government and Law, to which was referred Senate Bill No. 24-48, entitled:

> "*To establish a Division of Customs and Biosecurity within the Department of Finance for the purposes enforcing all laws at the ports of entry and that is responsible for the inspection and clearance of containers, cargo, baggage related to customs and biosecurity at the ports of entry, and other matters related to border security.*"

begs leave to report as follows:

I. RECOMMENDATION:

After considerable discussion and deliberation, your Committee recommends passage of Senate Bill No. 24-48 in its current form.

II. ANALYSIS:

A) Purpose:

The purpose of Senate Bill No. 24-48 is to formalize the merger of the Agricultural Quarantine Section with the Division of Customs, and rename the division to the "Division of Customs and Biosecurity," as well as to classify all personnel as law enforcement officers to strengthen protection at ports of entry and biosecurity efforts.

COPY

THE SENATE
Twenty-Fourth Northern Marianas Commonwealth Legislature
P. O. Box 500129
Saipan, MP 96950

May 06, 2026

The Honorable Edmund S. Villagomez
Speaker
House of Representatives
24th Northern Marianas Commonwealth Legislature
Saipan, MP 96950

Dear Speaker Villagomez:

I have the honor of transmitting for your House action **Senate Bill No. 24-48** entitled, "To establish a Division of Customs and Biosecurity within the Department of Finance for the purposes enforcing all laws at the ports of entry and that is responsible for the inspection and clearance of containers, cargo, baggage related to customs and biosecurity at the ports of entry, and other matters related to border security." The Senate passed on Final Reading S.B. No. 24-40 by the unanimous vote, a quorum being present, in its 1st Day, Third Special Session on May 01, 2026.

Sincerely,

Dolores S. Bermudes
Senate Clerk

attachment

Transmitted to HOUSE:

Received by: _____ Date: 05.06.2026 Time: 10:58 AM

B) Committee Findings:

Your Committee finds that Executive Order 2021-009 transferred the Agricultural Quarantine Section from the Department of Lands and Natural Resources to the Division of Customs Services within the Department of Finance, redesignating it as the Division of Customs and Quarantine. It further finds that both entities share responsibility for protecting the Commonwealth's borders through coordinated use of facilities and collaborative functions, and that all records, property, and personnel were transferred while preserving employees' existing civil service status.

Your Committee further finds that the term "biosecurity" involves restricting the movement of potential disease carriers, including people, animals, and other agents, and taking precautionary measures to prevent exposure to harmful biological threats. It notes that standard practice is to recognize this function equally with customs enforcement by naming such entities "Customs and Biosecurity."

Furthermore, your Committee finds that all personnel should be classified as law enforcement officers, consistent with customs officers, due to their role in safeguarding ports of entry. While the merged division has effectively prevented the importation of contraband, prohibited items, and harmful agents, legislation is necessary to fully formalize the merger, rename the agency as the Division of Customs and Biosecurity, and ensure it is properly authorized to carry out its responsibilities.

Your Committee met on March 18, 2026 to discuss the provisions of the proposed legislation. During the Committee Meeting, it was asked whether or not there is a need to include language indicating the powers of the customs officers in terms of detention, as they would be classified as law enforcement in the proposed legislation.

The Committee invited James Deleon Guerrero, Deputy Director of the Division of Customs and Quarantine to provide insight on the question posed by the Committee. Your Committee was informed by Deputy Director Deleon Guerrero that customs officers already hold law enforcement authority, and the proposed legislation primarily serves to unify the positions of customs officers and agricultural quarantine personnel under a single division. All personnel have completed the required training at the Northern Marianas College as well as during academy, so the primary remaining step is the passage of the proposed legislation. Additionally, the proposed legislation addresses disparities in compensation, as agricultural quarantine inspectors currently earn several thousand dollars less than their customs counterparts, creating morale issues. Deputy Director Deleon Guerrero shared that once the proposed legislation is enacted and the division begins generating self-sustaining revenues, these compensation disparities can be addressed promptly.

Your Committee further questioned whether or not the division has a certified veterinarian as it is listed as an entry requirement within the proposed legislation that a permit be issued by a certified state veterinarian of the animal health industry. Deputy Director Deleon

Guerrero shared that the Division of Customs and Quarantine does not currently have a dedicated veterinary staff on board, as this function primarily falls under the Department of Lands and Natural Resources (DLNR). State veterinarians are authorized under current law to enforce quarantine regulations while performing their regular duties, and the division works closely with DLNR's Animal Health Section. Quarantine officers handle the issuance of permits, coordinating with trained personnel from DLNR who assist in determining permit approvals. Deputy Director Deleon Guerrero also shared that biosecurity responsibilities span multiple agencies within the Commonwealth, requiring interagency coordination.

Your Committee further asked if the proposed legislation would require the presence of Customs during any inter-island shipments. Deputy Director Deleon Guerrero shared that while inter-island inspections are limited, the Division of Customs and Quarantine conducts targeted biosecurity inspections to prevent the spread of invasive species. Quarantine officers thoroughly inspect vessels and shipments that may carry coconut rhinoceros beetles before they reach Rota or Tinian to protect these islands from introducing harmful pests. After deliberation, no member objected to the passage of Senate Bill No. 24-48 in its current form.

C) Legislative History:

Senate Bill No. 24-48 was formally introduced by Senator Jude U. Hofschneider on September 30, 2025. On December 16, 2025 Senate Bill No. 24-48 was referred to the Senate Standing Committee on Judiciary, Government and Law for disposition.

D) Public Hearing and Comment:

1. Public Hearing. No public hearing was scheduled for Senate Bill No. 24-48. However, a committee meeting, which is open to the public, was held to receive written and oral testimonies on any proposed legislation appearing on the agenda. See below for further details.

2. Committee Meeting. The proposed legislation made its first appearance during the scheduled committee meeting on March 18, 2026, in which your Committee deliberated on the provisions stated in the proposed legislation and the comments provided to the Committee for review.

   The respective Committee Meeting notices and agendas were officially posted on various legislative forums and social media sites in accordance with the Open Government Act to invite members of the general public to provide comments as indicated under Item No. III. Public Comment of the Committee Agenda. Public comments offered during the Committee Meeting are as follows:

   1. Jose Mafnas, Director, Division of Customs and Quarantine, Department of Finance

Commonwealth of the Northern Mariana Islands
Department of Finance
Division of Customs Biosecurity

P O BOX 5234 CHRB SAIPAN MP 96950 TEL (670) 664-1610 CNMICUSTOMS@DOF.GOV.MP FINANCE.DOF.GOV.MP

January 29th, 2026

HONORABLE DONALD M. MANGLONA
Chairman, Executive Appointments and Government Investigations
P.O. Box 500129
Jose P. Mafnas Memorial Building, Capitol Hill
Saipan, MP 96950

Subject: *Official Comments on Senate Bill 24-48*

Dear Senator Manglona,

I write in response to your solicitation for comments and to formally express our full support of Senate Bill 24-48. After consulting with Director Jose C. Mafnas who is currently on medical leave and outside the Commonwealth, it is our view that this bill addresses many of the concerns the Division of Customs and Quarantine has over the integration of Quarantine into the Division of Customs Service back in April of 2021 following the issuance of Executive Order 2021-09 by then Governor Ralph DLG. Torres. Chief amongst our concerns is the need to unify the two different positions of customs inspectors and agricultural quarantine inspectors by establishing a new position of customs and biosecurity officer so that current inspectors and officers can enforce the laws and regulations designated to our Division for enforcement action accordingly. The bill, should it become law, will allow greater flexibility on the part of our agency to deploy personnel where needed across both disciplines of law enforcement and afford customs and biosecurity training opportunities to both positions. Attempts at creating such a position with the CNMI Office of Personnel Management have been unsuccessful as such change was not specifically addressed in the executive order (EO 2021-009). Both customs and biosecurity quarantine inspectors or officers should be able to perform duties and responsibilities previously made separate prior to the merging of both functions. Moreover, the Division of Customs Service was never formally established as a matter of law but, rather through regulations established by the CNMI Department of Finance.

This is in spite of the fact that the Commonwealth Government recognizes its importance in governments functions and has made many references to "customs officer(s) or the Division of Customs Service" in legislative bills, laws and regulations, dating back to the creation of the covenant to establish a political union with the United States. More importantly though, is that this bill will address many of the concerns we've identified with the help of our agency's legal counsel in solidifying the integration of quarantine from the CNMI Department of Lands and Natural Resources to the then Division of Customs Service.

Additionally, this bill will allow to not just address many of the concerns we've had that are not included in the executive order but, will facilitate the creation of a viable long term biosecurity enforcement program for the Commonwealth. The ability to impose fines, set fees and keep it to support biosecurity enforcement operations are absolutely critical and essential to the program's success. Also, this bill will further allow us to hold negligent importers, port users and vessel and aircraft cargo operators accountable for their actions or inactions.

A recommended change to this current bill though is for the expenditure authority to be granted to the Director of Customs and Biosecurity and that the funds collected from any fees and fines could only be used in support of biosecurity enforcement and mitigation. This will ensure that at the very least, our agency or division is able to develop a long-term biosecurity program for the Commonwealth.

In conclusion, I urge the Executive Appointments and Government Investigations Committee to recommend before the Senate that this bill be passed as many in the biosecurity enforcement community have long been hoping. Thank you for having given me the opportunity to comment.

Should anyone have any concerns, questions, or comments, please do not hesitate to contact me at cellular phone number (670) 285-1372.

Sincerely,

/s/COLONEL JAMES C. DELEON GUERRERO
Acting Director, Division of Customs and Biosecurity