

REFERRED To: JGO  
FEB. 09 1998 (HOUSE)

ELEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE H. B. NO. 11-40  
FIRST REG. SESSION, 1998

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A BILL FOR AN ACT

To create the office of village commissioner; to define the duties, rights, responsibilities, term, and compensation of village commissioners; and for other purposes.

BE IT ENACTED BY THE ELEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1           Section 1. Findings. The Legislature finds that for many years,  
2 under the Trust Territory government, there existed the office of village  
3 commissioner. The village commissioners were local officials in each village  
4 who assisted in implementing laws and regulations, particularly with regard  
5 to the health and safety of the people of their village. Over more than thirty  
6 years (30), the village commissioners became an important part of the culture  
7 and society of the Northern Mariana Islands.

8           Since the promulgation of the Commonwealth Constitution, there have  
9 been no village commissioners. Some of their functions have been taken over  
10 by the municipal councils. However, the Legislature finds that there is still a  
11 role for village commissioners. Our growing population requires a formal  
12 liaison of some sort with our government, on a local and individual basis.

13           Section 2. Village Commissioners: Office Created. There is hereby  
14 created in the Commonwealth the office of Village Commissioner, which shall be  
15 an elected office.

16           Section 3. Village Commissioners: Qualifications and Term of  
17 Office. A village commissioner shall be a United States citizen, at least twenty-  
18 three (23) years of age, and must have been a bona fide resident of the village  
19 in which he is a commissioner for at least three (3) years before taking office.  
20 Village Commissioners shall run for election on a non-partisan basis and may  
21 not identify themselves with any political party. If a village commissioner  
22 gives up his residence in the village of which he is a commissioner, he shall  
23 give up his office as commissioner as well.

1 Village Commissioners shall be elected at each general election, and the  
2 term of office of a village commissioner shall be two (2) years. A village  
3 commissioner may be removed from office by impeachment in the same  
4 manner as a governor. A village commissioner shall automatically be removed  
5 from office if he moves away from his village or if he is convicted of any  
6 felony while in office. If a village commissioner leaves office for any reason  
7 during his term, the Governor shall appoint a qualified person to serve out the  
8 remainder of his term; or, if the Governor has not made such an appointment  
9 within thirty (30) days, then the candidate from the last election with the next  
10 greatest number of votes shall become Village Commissioner

11 Section 4. Village Commissioners: Election Districts. There shall be  
12 ten (10) election districts for village commissioners on the island of Saipan:  
13 San Roque, Capitol Hill/As Teo, Chalan Kanoa/Susupe, Tanapag, Kagman,  
14 Koblerville/As Lito, Garapan, San Vicente, San Antonio and Dan Dan. The  
15 Board of Elections shall, within sixty (60) days after the effective date of this  
16 act, prepare a district map dividing the island of Saipan into ten (10) districts.  
17 The districts shall follow, as much as possible, traditional village boundaries,  
18 while also taking into account an even distribution of citizen population  
19 among the districts.

20 The Board of election shall submit the district plan to the Legislature for  
21 ratification. If the Legislalture does not act to either ratify or reject the plan  
22 within ninety (90) days, then the plan shall be deemed ratified.

23 The Board of Election shall submit a new village districting plan within  
24 ninety (90) days after receiving the results of each new Commonwealth  
25 census, which plan shall be ratified in the same manner as described above.

26 Section 5. Village Commissioners: Powers and Duties. The village  
27 commissioners shall assist in the implementation of Commonwealth laws and  
28 regulations, particularly those laws and regulations concerned with public  
29 health and safety. Village Commissioners have the duty of hearing the  
30 complaints, comments, and concerns of the people of the Northern Marianas,  
31 and of transmitting those concerns to the government of the Northern  
32 Mariana Islands. A Village Commissioner is the spokesperson for his or her  
33 village.

1 Village Commissioners are within the executive branch, but are  
2 independent of the Mayor and the Municipal Council. Village Commissioners  
3 report directly to the Governor. Village Commissioners shall conduct  
4 themselves in a politically neutral and non-partisan manner, and shall not  
5 publicly involve themselves in partisan politics.

6 A village commissioner may require information of any government  
7 official, in writing, and shall be entitled to a prompt, clear, and thorough  
8 response.

9 Section 6. Village Commissioners: Compensation. Village  
10 Commissioners shall receive a salary of twenty-five thousand dollars  
11 (\$25,000.00) per year. A village commissioner may not receive any other  
12 compensation, or be employed at any other job, while serving as a village  
13 commissioner.

14 The Legislature may appropriate moneys for the expenditure authority  
15 of the village commissioners; provided, that any sums appropriated for village  
16 commissioners must be divided equally among all ten (10) of the  
17 commissioners.

18 Section 7. Severability. If any provision of this Act or the  
19 application of any such provision to any person or circumstance should be  
20 held invalid by a court of competent jurisdiction, the remainder of this Act or  
21 the application of its provisions to persons or circumstances other than those  
22 to which it is held invalid shall not be affected thereby.

23 Section 8. Savings Clause. This Act and any repealer contained  
24 herein shall not be construed as affecting any existing right acquired under  
25 contract or acquired under statutes repealed or under any rule, regulation or  
26 order adopted under the statutes. Repealers contained in this Act shall not  
27 affect any proceeding instituted under or pursuant to prior law. The  
28 enactment of this Act shall not have the effect of terminating, or in any way  
29 modifying, any liability civil or criminal, which shall already be in existence  
30 at the date this Act becomes effective.

31 Section 9. Effective Date. This Act shall take effect upon its approval  
32 by the Governor or upon its becoming law without such approval.

INT. R. D. O. 5 FEB 1998

Date: 1/13/98

*refiled* 1/23/98

Reviewed for Legal Sufficiency:

Maya B. Kara

Introduced By: *[Signature]*

Rep. Dino M. Jones

*[Signature]*

Rep. Rosiky F. Camacho

Rep. Max "Timmo" L. Olopai