

21ST NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

_____ Session, 2020

H. B. 21-122

A BILL FOR AN ACT

To amend 1 CMC §222 to require the display of the National League of Families POW/MIA flag along with all flags of the United States and the Commonwealth of the Northern Mariana Islands.

BE IT ENACTED BY THE 21ST NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:

- 1 **Section 1. Short Title.** This Act shall be cited as the “Commonwealth
2 National POW/MIA Flag Act of 2020”.
- 3 **Section 2. Findings.** The Legislature finds that pursuant to U.S. Public
4 Law 116-67, entitled as the “National POW/MIA Flag Act”, the National League
5 of Families POW/MIA flag must be displayed on all days on which the United
6 States flag is displayed. Furthermore, the POW/MIA flag is required to be displayed
7 at the U.S. Capitol, the White House, war memorials, military installations, United
8 States Postal Service post offices, and so forth. The Legislature further finds that it
9 is highly appropriate for the Northern Mariana Islands, as a Commonwealth under
10 the United States, to enact a similar legislation to honor these individuals who either
11 suffered as prisoners of war (POWs) or are missing in action (MIA) and remember

1 them for their courage and determination in risking their lives to protect the values
2 and ideals of the United States of America.

3 The Legislature further finds that the POW/MIA flag was born of a need. A
4 need to recognize the enormous sacrifice of those Americans who have been
5 captured and held by enemy forces or whose condition is unconfirmed.
6 Furthermore, the POW/MIA flag serves as a reminder to every American living
7 here at home to continue to strive to account for our POWs and MIA men and
8 women, as well as to lend our emotional support to their families.

9 The Legislature also finds that the citizens of our Commonwealth, as well
10 as the other islands and countries in the Micronesian Region, have committed
11 themselves to serving in the United States Military. Since World War II, natives
12 and/or residents of our Commonwealth have taken the call to commit a great
13 sacrifice in serving our country. Furthermore, the Commonwealth has lost a few
14 sons and daughters who were serving. As a grateful Commonwealth that consists
15 of numerous veterans and presently serving service members, it is imperative to
16 share in the honor of the overall nation and remember the men and women who
17 were either missing and/or imprisoned while serving with great pride and resilience.

18 Therefore, the purpose of this Act is to amend 1 CMC §222 to require the
19 display of the National League of Families POW/MIA flag along with all flags of
20 the United States and the Commonwealth of the Northern Mariana Islands.

21 **Section 3. Amendment.** 1 CMC §222 is hereby amended as follows:

1 **“§222. Commonwealth Flag: Display.**

2 The Commonwealth flag shall be displayed in the open only from
3 sunrise to sunset. When displayed on flagstuffs, the flag shall be hoisted
4 briskly and lowered ceremoniously.

5 When the Commonwealth flag is flown or displayed together with
6 the flag of the United States other than on a single staff or halyard, it shall
7 be flown or displayed either below or to the left of the flag of the United
8 States, when facing out from the building or platform.

9 When the Commonwealth flag is flown together with the flag of the
10 United States on a single staff or halyard, it shall be flown below the flag of
11 the United States.

12 When the Commonwealth flag is flown alone at such time as by
13 official order the flag of the United States is being flown at half-mast, the
14 Commonwealth flag shall also be flown at half-mast.

15 When the Commonwealth flag is flown together with the flag of the
16 United States on a single staff or halyard, the National League of Families
17 POW/MIA flag shall be displayed directly under the United States Flag.”

18 **Section 4. Severability.** If any provisions of this Act or the application
19 of any such provision to any person or circumstance should be held invalid by a
20 court of competent jurisdiction, the remainder of this Act or the application of its

1 provisions to persons or circumstances other than those to which it is held invalid
2 shall not be affected thereby.

3 **Section 5. Savings Clause.** This Act and any repealer contained herein
4 shall not be construed as affecting any existing right acquired under contract or
5 acquired under statutes repealed or under any rule, regulation, or order adopted
6 under the statutes. Repealers contained in this Act shall not affect any proceeding
7 instituted under or pursuant to prior law. The enactment of the Act shall not have
8 the effect of terminating, or in any way modifying, any liability, civil or criminal,
9 which shall already be in existence on the date this Act becomes effective.

10 **Section 6. Effective Date.** This Act shall take effect upon its approval by
11 the Governor, or its becoming law without such approval.

Prefiled: 7/13/2020

Date: 6/29/2020

Introduced by: Lorenzo I. DeLeon Guerrero
Rep. Lorenzo I. DeLeon Guerrero

Reviewed for Legal Sufficiency by:
John F. Carl
House Legal Counsel

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