

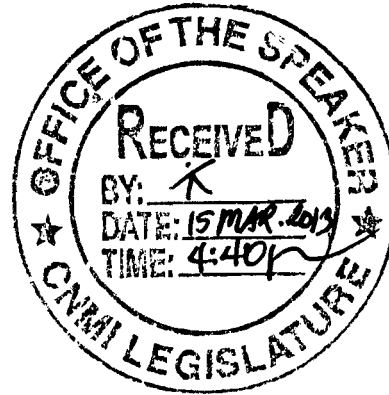


COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Eloy S. Inos
Governor

Jude U. Hofschneider
Lieutenant Governor

Honorable Joseph P. Deleon Guerrero
Speaker, House of Representatives
Eighteenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950



The Honorable Ralph DLG. Torres
Senate President
Eighteenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Mr. Speaker and Mr. President:

This is to inform you that I have signed into law, House Bill 18-27, entitled, "To reorganize the Office of Homeland Security and the Office of Emergency Management and unify and create the CNMI Homeland Security and Emergency Management," which was passed by the Eighteenth Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 18-4**. Copies bearing my signature are forwarded for your reference.

Sincerely,

ELOY S. INOS

CC: Lt. Governor
Press Secretary, Office of the Governor
Special Assistant for Programs & Legislative Review
All Branches, Departments, and Agencies

HOUSE CLERK'S OFC
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DATE 3/15/13 TIME 5:00 PM



Eighteenth Legislature
of the
Commonwealth of the Northern Mariana Islands
IN THE HOUSE OF REPRESENTATIVES

First Regular Session

March 8, 2013

Representative Rafael S. Demapan, of Saipan, Precinct 2 (*for himself*), in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

H.B. 18-27

AN ACT

**TO REORGANIZE THE OFFICE OF HOMELAND SECURITY AND
THE OFFICE OF EMERGENCY MANAGEMENT AND UNIFY AND
CREATE THE CNMI HOMELAND SECURITY AND EMERGENCY
MANAGEMENT.**

The Bill was referred not referred to a House Committee.

**THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON
FIRST AND FINAL READING, MARCH 8, 2013;**
with amendments in the form of H. B. 18-27, HD1 and transmitted to the
THE SENATE.

The Bill was referred not referred to a Senate Committee.
THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING, MARCH 15, 2013;
without amendments.

H. B. 18-27, HD1 WAS RETURNED TO THE HOUSE OF REPRESENTATIVES ON MARCH 15, 2013.

THE BILL WAS FINALLY PASSED ON MARCH 8, 2013.

A handwritten signature in black ink, appearing to read "L. B. Muña".

Linda B. Muña, House Clerk



Eighteenth Legislature
of the
Commonwealth of the Northern Mariana Islands
IN THE HOUSE OF REPRESENTATIVES

Fifth Day, First Regular Session

March 8, 2013

H. B. 18-27, HD1

AN ACT

TO REORGANIZE THE OFFICE OF HOMELAND SECURITY AND THE OFFICE OF EMERGENCY MANAGEMENT AND UNIFY AND CREATE THE CNMI HOMELAND SECURITY AND EMERGENCY MANAGEMENT.

Be it enacted by the Eighteenth Northern Marianas Commonwealth Legislature:

1 **Section 1. Short Title.** This Act shall be known as and may be cited as the
2 "Homeland Security and Emergency Management Act of 2013".

3 **Section 2. Findings.** The Legislature finds that the Commonwealth of the Northern
4 Mariana Islands (CNMI) is committed to protecting the lives, environment and property of
5 citizens and visitors to our islands; that the threat from "All Hazards" from various incidents
6 be it a Natural or Man-made disaster or incident that may affect the well-being of all our
7 citizens and the United States Government has taken steps to organize federal agencies to,
8 plan and respond to All Hazards Incident or All Threat including terrorist threats and events.

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1 The Legislature further finds that the United States Congress has appropriated
2 funding to allow regional, state and local agencies to plan, prepare, respond, recover and
3 mitigate from such crisis, the protection of our Critical Infrastructures and Key Resources,
4 and that there is a need for a centralized coordination and the purpose of this act to establish
5 the CNMI Homeland Security and Emergency Management (HSEM) in the Office of the
6 Governor. communication between response entities at the federal, state and local levels are
7 paramount to ensuring the safety for our citizens.

8 **Section 3. Purpose.** The purpose of this Act is:

9 (a) To authorize the CNMI Homeland Security and Emergency Management to
10 manage, implement and be the principal authority under this Act.

11 (b) To authorize the CNMI Homeland Security and Emergency Management as the
12 primary state agency responsible for response coordination of significant emergencies and
13 major disasters within the CNMI.

14 (c) To develop a comprehensive CNMI All-Hazard Emergency Operations Plan
15 (EOP) to provide for a state level coordination, and appropriate EOP to respond to events or
16 incidents of state or national significance.

17 (d) To authorize the collection and reporting of data and records, the management of
18 response assets, the protection of the community and critical infrastructures and key
19 resources.

20 (e) To authorize in coordination with the Department of Public Safety the
21 development, coordination and management of an All Hazard Response Program including

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1 the protocols, procedures, policies and certification in emergency vehicle operations course
2 and to allow the use of emergency lights and siren for task force responders.

3 (f) To authorize the development, coordination and management of the State-Wide
4 (CNMI) Interoperability Communications program.

5 (g) To facilitate the development, coordination and management of necessary
6 response training and exercise to ensure that the appropriate agencies are afforded the
7 necessary skills and knowledge to perform their duties.

8 (h) To facilitate the early warning system and to allow for immediate notification of
9 emergency alerts or warning.

10 (i) To grant the CNMI Government and local officials the authority to use appropriate
11 resources for the prevention and protection of the community

12 (j) To provide the CNMI Government and local officials with the ability to prevent,
13 detect, deter, respond, manage, coordinate, recover and mitigate from an All Hazard Incident
14 or All Threat.

15 **Section 4. Repealer.** The following are hereby repealed:

16 (a) 1 CMC Sections 2531, 2532 and 2533;

17 (b) 3 CMC Sections 5101 through 5134; and

18 (c) Executive order 94-3, Section 216.

19 **Section 5. Repeal and Reenactment.** Title 1, Division 2, Part1, Chapter 1, Article 8,
20 Office of Homeland Security is repealed and reenacted, subject to codification by the Law
21 Revision Commission as follows:

22 “Section 101. Definitions. For the purpose of this chapter, the terms:

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1 (a) All Hazard Incident or Event’ means a hazard incident or event that needs
2 an organized response by a public, private, and/or government entity to protect life,
3 public health and safety, values to be protected, and to minimize any disruption of
4 governmental, social, and economic services. The all hazard incident or event may be
5 natural or man-made caused.

6 (b) ‘Governors Authorized Representative (GAR)’ means an individual
7 empowered by the Governor to:

8 (1) execute all necessary documents for disaster assistance on behalf of
9 the State, including certification of applications for public assistance;

10 (2) represent the Governor of the impacted State in the Unified
11 Coordination Group, when required;

12 (3) coordinate and supervise the State disaster assistance program to
13 include serving as its grant administrator; and

14 (4) identify, in coordination with the State Coordinating Officer, the
15 State’s critical information needs for incorporation into a list of Essential
16 Elements

17 (c) ‘State Coordinating Officer’ means the individual appointed by the
18 Governor to coordinate State disaster assistance efforts with those of the Federal
19 Government.

20 (d) ‘State’ means to any State of the United States, the District of Columbia,
21 the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa,
22 the Commonwealth of the Northern Mariana Islands, and any possession of the

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1 United States. See Section 2 (14), Homeland Security Act of 2002, P.L. 107-296, 116
2 Stat. 2135 (2002).

3 (e) ‘Major Disaster’ has the meaning given in section 102(2) of the Robert T.
4 Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)

5 (f) ‘Major Disaster’ shall also cover chemical, biological, radiological, or
6 nuclear attacks or accidents, and significant computer attack or cyberterrorism.

7 (g) ‘Significant Emergency’ shall cover an all hazard incident or event
8 approach to active shooter incident, chemical, biological, radiological, or nuclear
9 incident or a disruption of critical infrastructure or key resources, or a significant
10 computer attack or cyberterrorism, or the general loss/threat of loss/damage of
11 life/property.

12 (h) ‘Computer attack’ means actions directed against computer systems to
13 disrupt equipment operations, change processing control, or corrupt stored data.

14 (i) ‘Cyberterrorism’ or Computer Network Attack (CNA) means to disrupt the
15 integrity or authenticity of data, usually through malicious code that alters program
16 logic that controls data, leading to errors in output.

17 (j) ‘Intentional Hazard’ means a source of harm, duress, or difficulty created
18 by a deliberate action or a planned course of action.

19 (k) ‘Network’ means a group of components that share information or interact
20 with each other in order to perform a function.

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(l) 'Redundancy' means additional or alternative systems, sub-systems, assets, or processes that maintain a degree of overall functionality in case of loss or failure of another system, sub-system, asset, or process.

(m) 'Resilience' means:

(1) an ability of systems, infrastructure, government, business, and citizenry to resist, absorb, recover from, or adapt to adverse occurrence that may cause harm, destruction, or loss of national significance.

(2) a capacity of an organization to recognize threats and hazards and make adjustments that will improve future protection efforts and risk reduction measures.

(n) 'Subject Matter Experts' means an individual with in-depth knowledge in a specific area or field.

(o) 'Threat' means a natural or man-made occurrence, individual, entity, or action that has or indicates the potential to harm life, information, operations, the environment and/ or property.

(p) 'Natural Hazard' means a source of harm or difficulty created by a meteorological, environmental, or geological phenomenon or combination of phenomena.

(q) 'Terrorism' means any activity that-

(a) involves an act that:

(i) is dangerous to human life or potentially destructive of critical infrastructure or key resources; and

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(ii) is a violation of the criminal laws of the United States or any State or other subdivision of the United States; and

(b) appears to be intended-

(i) to intimidate or coerce a civilian population;

(ii) to influence the policy of a government by intimidation or coercion; or

(iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping.

(r) ‘Federal On-Scene Coordinator’ has the meaning given in section 5142 (d) of the CNMI Article 4 to 3 CMC, Division 5, Chapter 1.

(s) ‘State (CNMI) On-Scene Coordinator’ has the meaning given in section 5142 (c) of the CNMI Article 4 to 3 CMC, Division 5, Chapter 1.

(t) ‘Hazardous Material’ has the meaning given in section 5142 (e) of the CNMI Article 4 to 3 CMC, Division 5, Chapter 1.

Section 102. Organization. There shall be in the Office of the Governor, an office the “CNMI Homeland Security and Emergency Management”.

(a) The CNMI Special Assistant Homeland Security and Emergency Management (HSEM) shall be shall be the executive head of the CNMI Homeland Security and Emergency Management Agency. The Special Assistant, shall be appointed and serve at the pleasure of the Governor, shall be responsible for carrying out the programs for the homeland security and emergency preparedness for the CNMI. The Special Assistant shall coordinate the activities of all agencies and

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1 organizations for homeland security and emergency preparedness within the CNMI
2 and shall maintain liaison with and cooperate with homeland security and emergency
3 preparedness agencies and organizations of other state, territories and of the federal
4 government. The Special Assistant shall also serve as the Homeland Security Advisor
5 (HSA) and State Coordinating Officer (SCO). The appointee for the Special
6 Assistant of Homeland Security and Emergency Management shall possess the
7 following minimum qualifications shall also serve as the Homeland Security Advisor
8 (HSA) and the State Coordinating Officer (SCO). The appointee for the Special
9 Assistant for Homeland Security and Emergency Management shall possess the
10 following qualifications:

11 (1) Bachelor's Degree from regionally accredited university. Advanced
12 degree in accounting, management, law, or business/public administration
13 highly preferred with a 5 year homeland security or emergency management
14 experiences; or

15 (2) Ten (10) years of experience in management in law enforcement,
16 fire service, or emergency management; and

17 (3) Meets the minimum requirements or credentials to pass a US
18 Department of Homeland Security "Secret" Clearance.

19 (4) Meets the minimum FEMA National Incident Management System
20 (NIMS) Certification or the Incident Command System (ICS)

21 (b) The Deputy Special Assistant for Homeland Security and Emergency
22 Management (HSEM) shall be the deputy executive head of the CNMI Homeland

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1 Security and Emergency Management Agency. The Deputy Special Assistant, shall
2 be appointed and serve at the pleasure of the Governor, shall be responsible in
3 assisting in carrying out the programs for the homeland security and emergency
4 preparedness for the CNMI. The Deputy Special Assistant shall serve as the Deputy
5 State Coordinating Officer (DSCO). The Deputy Special Assistant shall coordinate
6 the activities of all agencies and organizations for homeland security and emergency
7 preparedness within the CNMI and shall maintain liaison with and cooperate with
8 homeland security and emergency preparedness agencies and organizations of other
9 state, territories and of the federal government. The appointee for the Deputy Special
10 Assistant for Homeland Security and Emergency Management shall possess the
11 following qualifications:

12 (1) Bachelor's Degree from regionally accredited university. Advanced
13 degree in accounting, management, law, or business/public administration
14 highly preferred with a 1 year homeland security or emergency management
15 experiences; or

16 (2) Five (5) years of experience in management in law enforcement,
17 fire service, or emergency management; and

18 (3) Meets the minimum requirements or credentials to pass a US
19 Department of Homeland Security "Secret" Clearance.

20 (4) Meets the minimum FEMA National Incident Management System
21 (NIMS)

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1 (c) The CNMI Homeland Security and Emergency Management shall be
2 staffed with sufficient operational and support staff to ensure an efficient and
3 effective operation.

4 Section 103. Duties and Responsibilities.

5 (a) The CNMI Homeland Security and Emergency Management shall seek
6 appropriate input and coordination from federal agencies within the United States
7 Department of Homeland Security; such as the Federal Emergency Management
8 Agency, U.S. Coast Guard, U.S. Customs and Border Protection, U.S.
9 Transportations Security Administration, U.S. Secret Service, Office of Infrastructure
10 Protection, Cyber Security Program, Office of Domestic Preparedness and the Center
11 for Disease Control and Prevention. CNMI Homeland Security and Emergency
12 Management shall seek further input from agencies within the United States
13 Department of Justice; such as the Office of the U.S. Attorney General, the Federal
14 Bureau of Investigation, Office of Justice Program, and the Office of the U.S.
15 Marshall; and shall seek additional counsel from local agencies.

16 (b) The CNMI Homeland Security and Emergency Management shall be
17 responsible for, as the State Coordinating Official (SCO) in coordination with the
18 Governor's Authorized Representative (GAR) upon consultation with the Governor
19 during a major disaster to request for Robert T. Stafford Disaster Relief and
20 Emergency Assistance Act.

21 (c) The CNMI Homeland Security and Emergency Management shall be
22 responsible for response coordination of significant emergencies and major disasters

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1 with public safety, first responders, non-governmental, volunteer organizations and/
2 or private sectors.

3 (d) The CNMI Homeland Security and Emergency Management shall be
4 responsible for developing and implementing appropriate training of regional, state
5 and local responders who may be involved in responding to a terrorist incident that
6 could include conventional, chemical, biological, and explosive or nuclear weapons.

7 (e) The CNMI Homeland Security and Emergency Management shall be
8 responsible for establishing Specialized Task Forces to ensure that the CNMI has the
9 capability to respond to All Hazard Incidents or Events including terrorism.

10 (f) The CNMI Homeland Security and Emergency Management shall be
11 responsible in coordinating Specialized Task Forces to be deployed to all domestic-
12 terrorism threats or events, assist local responders and coordinate additional state
13 resources that may be needed. The CNMI Homeland Security and Emergency
14 Management shall coordinate appropriate protocol, staffing, training and equipment
15 guidelines for such a team.

16 (g) The CNMI Homeland Security and Emergency Management shall be
17 responsible to coordinate with the Department of Public Safety in the development,
18 coordination and management of an All Hazard Response Program including the
19 protocols, procedures, policies and certification in emergency vehicle operations
20 course and to allow the use of blue and red emergency lights (combo lighting) for task
21 force responders.

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1 (h) The CNMI Homeland Security and Emergency Management shall be
2 responsible for developing and establishing Memorandum of Understanding (MOU)
3 or Memorandum of Agreement (MOA) as needed to accomplish their established
4 objectives with various CNMI government agencies, non-governmental organizations
5 or private sectors.

6 (i) The CNMI Homeland Security and Emergency Management shall be
7 responsible for identifying any needed changes in CNMI State Laws or the CNMI All
8 Hazard Emergency Operations Plan to accomplish their established objectives.

9 (j) The CNMI Homeland Security and Emergency Management shall serve as
10 the clearing house to identify and designate all federal grants related and pertaining to
11 Homeland Security and shall be responsible for assisting and coordinating in the
12 application for relevant federal grants that has been identified by the CNMI
13 Homeland Security and Emergency Management.

14 (k) The CNMI Homeland Security and Emergency Management shall be
15 responsible for developing, coordinating and managing the State-Wide (CNMI)
16 Interoperability Communications program.

17 (l) The Special Assistant of Homeland Security and Emergency Management
18 shall present an annual report to the Governor and the Legislature on the status of the
19 CNMI's Homeland Security and Emergency Management. Such report shall be
20 presented no later than January 30th of each year.

21 Section 104. Declaring a State of Major Disaster or a State Significant
22 Emergency.

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1 The Governor upon the occurrence of a major disaster or a state significant
2 emergency shall declare a state of major disaster or a state significant emergency.
3 Prior to making this declaration, the Governor shall consult with the CNMI Homeland
4 Security and Emergency Management authority and may consult with any additional
5 homeland security or emergency management and other experts as needed. The
6 Governor may act to declare a major disaster or a state significant emergency without
7 this consultation if the circumstances require more expeditious action.

8 (a) Content of Declaration. A state of major disaster or a state significant
9 emergency shall be declared by an executive order that specifies:

10 (1) The nature of the emergency;

11 (2) Any political subdivision(s) or geographic area(s) subject to the
12 declaration

13 (3) The conditions that have brought about the emergency; and

14 (4) The primary Homeland Security and Emergency Management
15 authority responding to the emergency.

16 (b) Effect of Declaration. The declaration of the state of major disaster or a
17 state significant emergency shall activate the disaster response and recovery aspects
18 of the CNMI All Hazard Emergency Operations Plan. The declaration shall authorize
19 the deployment and use of any forces to which the plans apply and the use or
20 distribution of any supplies, equipment, materials, facilities and personnel to be made
21 available pursuant to this Act.

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(c) Emergency Powers. During a state of major disaster or a state significant emergency, the Governor may:

(1) Suspend the provision of any administrative regulation prescribing procedures for conducting Commonwealth business or the other order, rules and administrative regulations of any other Commonwealth agency if strict compliance would prevent, hinder, or delay necessary actions, including the making of emergency purchases, by the CNMI Homeland Security and Emergency Management authority to respond to the major disaster or a state significant emergency, or if strict compliance would increase the threat to the community, environment, critical infrastructures and/ or key resources;

(2) Utilize all available resources of the Commonwealth government and its political subdivisions as reasonably necessary to respond to the major disaster or a state significant emergency;

(3) Transfer the direction, personnel, or functions of departments and agencies to perform or facilitate response and recovery programs regarding the major disaster or a state significant emergency;

(4) Mobilize all or any part of the organized militia into service. An executive order directing the organized militia to report for active duty shall state the purpose for which it is mobilized and the objective to be accomplished;

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(5) Provide aid to and seek aid from the federal government in accordance with any emergency compact made with the Commonwealth Government;

(6) Seek aid from the federal government in accordance with federal programs or requirements.

(d) Coordination. The Special Assistant for CNMI Homeland Security and Emergency Management shall coordinate all matters pertaining to the major disaster or a state significant emergency response of the CNMI. The Special Assistant for CNMI Homeland Security and Emergency Management shall have primary jurisdiction, responsibility, and authority for:

(1) Planning and executing major disaster or a state significant emergency assessments, mitigations, preparedness response, and recovery for the CNMI.

(2) Coordinating major disaster or a state significant emergency response between Federal and Local authorities;

(3) Collaborating with relevant federal government authorities, private or non-governmental organizations or companies;

(4) Coordinating recovery operations and mitigation initiatives subsequent to major disaster or a state significant emergency; and

(5) Organizing and coordinating public information activities regarding major disaster or a state significant emergency response operation.

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1 (e) Identification. After the declaration of a state of major disaster or a state
2 significant emergency, special identification for all CNMI Homeland Security and
3 Emergency Management or its authorized personnel working during the emergency
4 shall be issued as soon as possible. The identification shall indicate the authority of
5 the bearer to exercise major disaster or a state significant emergency functions and
6 emergency power during the state of major disaster or a state significant emergency.
7 The CNMI Homeland Security and Emergency Management or its authorized
8 personnel shall wear the identification in plain view.

9 (f) Enforcement. During a state of major disaster or a state significant
10 emergency, the Special Assistant for Homeland Security and Emergency
11 Management may request assistance in enforcing orders pursuant to this Act from the
12 public safety authority. The DPS Commissioner may request assistance from the
13 organized militia in enforcing the orders of the Special Assistant for Homeland
14 Security and Emergency Management.

15 (g) Termination of Declaration.

16 (1) Executive Order. The Governor shall terminate the declaration of a
17 state of major disaster or a state significant emergency by executive order
18 upon finding that the occurrence of the disaster condition that caused the
19 emergency no longer poses any threat to the community, environment, critical
20 infrastructures and/ or key resources.

21 (2) Automatic Termination. Notwithstanding any other provision this
22 Act, the declaration of a major disaster or a state significant emergency shall

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1 be terminated automatically after thirty (30) days unless renewed by the
2 Governor under the same standards and procedures set forth in this Act. Any
3 such renewal shall also be terminated automatically after (30) days unless
4 renewed by the Governor under the same standards and procedures set forth in
5 this Act.

6 (h) Access to and control of facilities and property. The Special Assistant for
7 Homeland Security and Emergency Management in consultation with the Department
8 of Public Safety, Department of Public Works, Department of Public Health and the
9 Division of Environmental Quality, may exercise, for such period as the state of
10 major disaster or a state significant emergency exists, the following powers
11 concerning facilities, materials, roads, or public areas.

12 (1) Use of materials and facilities. To procure, by condemnation or
13 otherwise, construct, lease, transport, store, maintain, renovate, or distribute
14 materials and facilities as may be reasonable and necessary to respond to the
15 major disaster or a state significant emergency, with the right to take
16 immediate possession thereof. Such materials and facilities including, but are
17 not limited to, communications devices, carriers, real estate, fuels and food.

18 (2) Use of government facilities. To require government facility to
19 provide services of the use of its facility if such services or use are reasonable
20 and necessary to respond to the major disaster or a state significant emergency
21 as a condition of licensure, authorization or the ability to continue its
22 operation and support.

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(3) Control of materials. To inspect, control, restrict, and regulate by rationing and using quotas, prohibitions on shipments, allocations, or other means, the use, sale, dispensing, distribution, or transportation of food, fuel, and other commodities, as may be reasonable and necessary to respond to the major disaster or a state significant emergency.

(4) Control of roads and public areas.

(i) To prescribe routes, modes of transportation, and destinations in consultation with public safety authorities or the provision of emergency services.

(ii) To control or limit ingress and egress to and from any stricken or threatened public area, the movement of persons within the area, and the occupancy of premises therein, if such action is reasonable and necessary to respond to the major disaster or a state

Section 105. Advisory Commission and Task Force.

(a) In the CNMI Homeland Security and Emergency Management, there shall be a CNMI Homeland Security and Emergency Management Advisory Committee to be chaired by the Special Assistant for Homeland Security and Emergency Management and shall comprise of the Deputy Special Assistant of Homeland Security and Emergency Management, the Secretary of the Commonwealth Healthcare Corporations, the Secretary of the Department of Finance, the Attorney General, the Commissioner of the Department of Public Safety, the Executive Director of the Commonwealth Ports Authority, Executive Director of the

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1 Commonwealth Utilities Corporation, a representative of the Mayor of each senatorial
2 district, and the Executive Director of the CNMI Chapter of the American Red Cross.

3 (b) In the CNMI Homeland Security and Emergency Management, there shall
4 also be a CNMI Terrorism Task Force. The task force shall consist of two (consisting
5 of a primary and alternate) representative (appointed by the head of the
6 department/agency) from the CNMI Homeland Security and Emergency Management
7 and shall serve as the Chairman, Department of Public Safety Police and as the Co-
8 Chairman, Department of Public Safety Fire Division, Division of Environmental
9 Quality, Commonwealth Ports Authority Police and Airport Rescue and Firefighter,
10 Commonwealth Health Corporation-Public Health Emergency Preparedness Program
11 and Hospital Emergency Preparedness Program, Department of Finance Division of
12 Customs, Department of Labor and an Assistant Attorney General from the Attorney
13 General's Office. Each representative must be US Citizens and undergo Department
14 of Homeland Security "Secret" Clearance.

15 Section 106. Funding and Compensation.

16 (a) The compensation for the Special Assistant of Homeland Security and
17 Emergency Management shall not exceed a base salary of \$60,000.00 per annum. The
18 compensation for the Deputy Special Assistant of Homeland Security and Emergency
19 Management shall not exceed a base salary of \$50,000.00 per annum.

20 (b) The CNMI Homeland Security and Emergency Management shall be
21 funded from local appropriation and the indirect cost received by the Department of
22 Finance for administering all federal grants designated by the CNMI Homeland

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1 Security and Emergency Management. All federal grants relating or pertaining to
2 Department of Homeland Security (DHS), National Oceanic Atmospheric
3 Administration (NOAA) Storm Ready and Tsunami Ready Program, and US
4 Geological Survey (USGS) Seismic Monitoring shall be assessed the authorized
5 indirect cost charge to fund personnel and operational cost of the CNMI Homeland
6 Security and Emergency Management. The Secretary of the Department of Finance
7 shall establish an account for the CNMI Homeland Security and Emergency
8 Management for this purpose.

9 Section 107. Rules and Regulations. The Special Assistant of Homeland
10 Security and Emergency Management and other affected agencies are authorized to
11 promulgate and implement such rules and regulations as are reasonable and necessary
12 to implement and effectuate the provisions of this act. The Special Assistant of
13 Homeland Security and Emergency Management and other affected agencies shall
14 have the power to enforce the provisions of this Act through the imposition of fines
15 and penalties, the issuance of orders and such other remedies as provided by law, but
16 nothing in this Section shall be construed to limit specific enforcement power
17 enumerated in this Act.”

18 **Section 6. Severability**. If any provision of this Act or the application of any such
19 provision to any person or circumstance should be held invalid by a court of competent
20 jurisdiction, the remainder of this Act or the application of its provisions to persons or
21 circumstances other than those to which it is held invalid shall not be affected thereby.

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

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Section 8. Effective Date. This Act shall take effect upon its approval by the Governor or becoming law without such approval.

Attested to by: 
Linda B. Muña, House Clerk

Certified by: 
SPEAKER JOSEPH P. DELEON GUERRERO
House of Representatives
18th Northern Marianas Commonwealth Legislature

~~APPROVED~~ this 15TH day of MARCH, 2013


ELOY S. INOS
Governor
Commonwealth of the Northern Mariana Islands