

TITLE 20: DEPARTMENT OF COMMERCE

SUBCHAPTER 20-60.2 RULES AND REGULATIONS FOR THE ISSUANCE OF BUSINESS LICENSES FOR GARMENT MANUFACTURING OR PRODUCTS LISTED UNDER THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES GENERAL NOTE 3(a)(iv)

Subchapter Authority: 1 CMC § 2454; 4 CMC § 5611; Executive Order 94-3 (effective August 23, 1994).

Subchapter History: Adopted 17 Com. Reg. 13738 (Oct. 15, 1995); Proposed 17 Com. Reg. 13674 (Sept. 15, 1995).

Commission Comment: The authority to issue business licenses has a complicated history in the Commonwealth. Originally, the Department of Commerce and Labor had authority to issue these licenses under 1 CMC § 2453(d) and 4 CMC § 1503. Executive Order 94-3 (effective August 23, 1994) transferred this power to the renamed Department of Commerce. PL 9-22 (effective retroactively January 1, 1995) repealed 4 CMC § 1503 and enacted 4 CMC § 5611 to regulate general business licenses in the Commonwealth, but left the authority to issue such licenses with the Department of Commerce.

PL 10-9, the “Garment Industry Moratorium Act of 1996” went into effect on May 28, 1996. PL 10-9, codified as amended at 4 CMC §§ 5701-5711, specifically prohibits the issuance of business licenses for garment manufacturing, except as provided by the act. See 4 CMC § 5702.

The “Business License Processing Act of 1998,” PL 11-73 (effective March 19, 1999), transferred authority to issue business licenses to the Department of Finance and amended 4 CMC § 5611, 4 CMC § 5702 and other relevant provisions of the Commonwealth Code accordingly.

The October 1995 Department of Commerce Rules and Regulations for the Issuance of Business Licenses for Garment Manufacturing were promulgated in conjunction with the repeal of the administrative moratorium on the issuance of business licenses for garment manufacturing, prior to the enactment of PL 10-9 or PL 11-73. See 17 Com. Reg. 13738 (Oct. 15, 1995); 17 Com. Reg. 13710 (Sept. 15, 1995); 17 Com. Reg. 13380 (May 15, 1995). Although the Department of Commerce has not repealed the regulations, they are superceded by subsequent statutes.

[Superceded by PL 10-9 and PL 11-73.]