

**TITLE 1: GOVERNMENT**  
**DIVISION 8: PUBLIC EMPLOYMENT**

**§ 8459. Members' Contributions; Mandatory.**

(a) Each member shall contribute to the member's individual account an amount equal to ten percent of the member's compensation during the calendar year or a shortened year determined from the date of the first pay period commencing after the date on which the employee became a member of the plan.

(b) Subject to the limitations on contributions under [§ 8463](#), a member may elect to make additional contributions to the member's individual account.

(c) The employer shall deduct the contribution from the member's compensation at the end of each payroll period, and the contribution shall be credited by the plan to the member's individual account. The contributions shall be deducted from the member's compensation before the computation of applicable taxes under [4 CMC §§ 1201 et seq.](#) To the extent permitted by federal law, the contributions shall be deducted from the member's compensation before the computation of applicable federal taxes and shall be treated as employer contributions under [26 U.S.C. § 414\(h\)\(2\)](#). A member may not have the option of making the payroll deduction directly in cash instead of having the contribution picked up by the employer.

(d) Contributions of included employees shall be made by payroll deductions. Every included employee shall be considered to consent to payroll deductions. It is of no consequence that a payroll deduction may cause the compensation paid in cash to an included employee to be reduced below the minimum required by law. Payment of an included employee's compensation, less payroll deductions, is a full and complete discharge and satisfaction of all claims and demands by the included employee relating to remuneration of services during the period covered by the payment, except with respect to the benefits provided under the plan.

**Source:** PL 15-13, § 3 (8459).

**Commission Comment:** The Commission removed figures where they were a repetition of words in the above subsection (a) pursuant to the authority granted by [1 CMC § 3806\(e\)](#). [1 CMC § 8486](#) (PL 17-82 § 3(204)) states that participation in the Defined Contribution plan is voluntary.