

TITLE 1: GOVERNMENT
DIVISION 8: PUBLIC EMPLOYMENT

§ 8483. Defined Benefit Plan, Right to Terminate Membership.

Notwithstanding any other provision of law, Class I or Class II members of the Defined Benefit Plan, active or inactive and not retired from government service, may elect to voluntarily terminate membership in the fund and shall enter the federal insurance system commonly known as the “Social Security” upon its extension to officers and employees of the Commonwealth government. Any member who elects to terminate membership in the fund shall receive his/her employee contribution with regular interest without penalty and without separating from government service.

Source: PL 17-82 § 3(201) (September 11, 2012), modified; amended by PL 18-2 § 2 (March 11, 2013).

Commission Comment: In addition to savings and severability clauses, PL 18-2 also contained the following:

Section 1. Findings and Purpose. The Legislature finds that Public Law 17-82 was enacted as part of many steps to begin reforming and saving the Defined Benefit Retirement Plan for existing members. There are provisions in that law that are being interpreted incorrectly by the Northern Mariana Islands Retirement Fund (“NMIRF”). This is creating an undue burden on employees due to increased deductions and delaying the refunds that are rightfully the property of those active and inactive members. The purpose of this measure is to clarify those provisions so as to expedite the refunds and prevent any further frustration of the process.