

TITLE 3: HUMAN RESOURCES
DIVISION 4: EMPLOYMENT AND REGISTRATION

§ 4968. Fees.

(a) The Secretary shall establish fees for the administrative actions to be taken by the Department under this part. The Commonwealth government shall be exempted from paying such fees.

(b) Fees imposed under subsection (a) for providing data not otherwise published by the Department shall reflect, to the extent practicable, the full allocated cost of collecting, storing, and delivering the data in usable form.

(c) All fees collected pursuant to subsection (a) of this section shall be deposited into a fund to be known as the Foreign Worker Fee Fund. Funds provided for in this subsection shall not be subject to reprogramming, and shall be available without fiscal year limitation. The Secretary shall be the expenditure authority for this account. The Secretary of Finance shall collect the funds and direct proceeds annually into four separate accounts as set forth below:

(1) Northern Marianas College Human Resources and Business Development Account. Except as provided in subsections (c)(2)-(4), all of the fees collected shall be placed into an account known as the Northern Marianas College Human Resources and Business Development Account. This account shall be available for legislative appropriation. An appropriation from this account shall be used only to fund business, professional, or visitor industry programs conducted or sponsored by the Northern Marianas College.

(2) Northern Marianas College U.S. Apprenticeship Program Account. Fifty percent or a maximum of one-million-five-hundred-thousand dollars of fees collected shall be reserved for the Northern Marianas College U.S. Apprenticeship Program Account. This program shall be administered and coordinated by the Northern Marianas College. Funds shall be expended only for the implementation and purposes of Public Law 15-5, and shall not be commingled with other funds of the college. The president of the college shall have expenditure authority for these funds.

(3) Tinian and Rota Account. Five percent or a maximum of seventy-five-thousand dollars of fees collected shall be reserved for Tinian and five percent or a maximum of seventy-five-thousand dollars of fees collected shall be reserved for Rota which shall be used for youth employment training programs on those islands. The mayors of Tinian and Rota shall have expenditure authority for these funds.

(4) Department of Labor Account. Twenty-five percent or a maximum of five-hundred-seventy-five-thousand dollars of fees collected shall be reserved for the Department for use in administering and enforcing the provisions of this part.

(d) All funds dedicated under 1 CMC § 2282(a)(1) and (a)(2) shall be deposited in the Technical Education Program unless otherwise provided by law.

Source: PL 15-108, § 4(4968); (a)-(c) amended by PL 17-1 § 5(Q)(6)(d) (March 22, 2010),* modified.

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Commission Comment: The Commission changed “this act” to this “part,” deleted figures that repeated written words and changed capitalization pursuant to 1 CMC § 3806(c), (e) and (f). *PL 17-1 (enacted on March 22, 2010) contained the following effective date provision:

Section 12. Effective date. This Act shall take effect upon its approval by the Governor or becoming law without such approval and shall be retroactive to November 28, 2009 except as otherwise specifically provided herein.

For more information regarding Public Law 17-1, see comment to 3 CMC § 4511.