

TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

PUBLIC LAW NO. 10-66
HOUSE BILL NO. 10-330, HD4

THIRD REGULAR SESSION, 1997

AN ACT

To amend 3 CMC Sections 4421 (b) and 4424(c); and for other purposes.

BE IT ENACTED BY THE TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Findings. The Legislature finds that changed circumstances require new direction in providing training for residents to supplant non-residents in technical and professional fields. The Legislature also finds that the economy of the Commonwealth will be strengthened through the development of local small businesses, and that the Northern Marianas College Business Development Center provides counseling and technical assistance to facilitate that development.

Section 2. Amendment. 3 CMC, Section 4421(b) is amended to read as follows:

"(b) Establish or recommend methods for alleviating shortages of resident workers and reducing the need for non-resident workers through such means as providing training to residents, and advising residents graduating from Northern Marianas College or other training institutions, and making job referrals and job placements into the private sector. The Term "graduate" includes those residents who have been awarded a degree or certificate in a Business, Tourism, Industrial/ Technical or Professional program established or sponsored by Northern Marianas College or other institution(s) recognized by the Western Association of Schools and colleges or other accrediting organization. In addition Northern Marianas College is empowered to provide the levels of business assistance needed to properly assist business development in the Commonwealth."

Section 3. Amendment. 3 CMC, Section 4422 is amended to read as follows:

"Section 4422. Statistical Data. The Director shall prepare on an annual basis statistical data on all nonresident workers. The data shall provide a breakdown by occupational categories, job classifications, citizenship and point of origin. Copies of the data shall be transmitted to Northern Marianas College and to the Legislature."

Section 4. Amendment. 3 CMC, Section 4424 (c) is amended to read as follows:

"Section 4424. Rules and Regulations.

(b) (Unchanged)

(c) All fees collected pursuant to Section 4424(a) shall be deposited into a special fund to be known as the "Commonwealth Nonresident Worker Fee Fund." The Director of Finance shall collect and direct all funds received for the fund into four separate accounts as set forth in (1) below:

(1) Except as provided in this subsection, all of the fees collected shall be reserved and placed into an account known as the Northern Marianas College Human Resources and Business Development Account. An appropriation from this account shall be used only to fund Business, Tourism, Industrial/Technical or Professional programs conducted or sponsored by Northern Marianas College and for implementation of Northern Marianas College Business Development programs. Of the fees collected, \$500,000 shall be reserved for Work Experience Training Program for students attending colleges and \$450,000 shall be reserved for the Business Development Center. The Program shall be administered and coordinated by Northern Marianas College. All collected funds for the above programs shall be transferred to Northern Marianas College for implementation of this Act. The President of the College shall have expenditure authority of these funds. Additionally, of the fees collected, \$75,000 shall be reserved for Tinian and \$75,000 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 of these funds, and will, within 90 days after the end of each fiscal year, report to the Governor and the Legislature on the expenditure of such funds. Additionally, \$575,000 shall be reserved for the Division of Labor for use in enforcing the provisions of this Act and to help meet the financial requirement and added workload created hereby. Funds reserved under this section shall require Legislative appropriation annually. Funds provided for in this Subsection shall not be subject to reprogramming, and shall be available without fiscal year limitation.

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(2) Prior to the end of the fiscal year, the Northern Marianas College, shall submit an annual report to both houses of the Legislature on details of the programs funded from the Human Resources and Business Development."

Section 5. Severability. If any provision of this Act or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Act or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

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

Section 7. Effective Date. This Act shall take effect upon its approval by the Governor or upon its becoming law without such approval.

CERTIFIED BY:

ATTESTED BY:

/s/ Diego T. Benavente
DIEGO T. BENAVENTE
Speaker
House of Representative

/s/ Evelyn C. Fleming
EVELYN C. FLEMING
House Clerk

Approved this 1st day of August, 1997

/s/ Jesus C. Borja
FROILAN C. TENORIO JESUS C. BORJA
Acting Governor
Commonwealth of the Northern Mariana Islands