



HOUSE OF REPRESENTATIVES
SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
SECOND REGULAR SESSION, 2008

PUBLIC LAW NO. 16-14
H. B. No. 16-142, HD2

AN ACT

To amend 3 CMC § 4972(b)(5) as established by Public Law 15-108; and for other purposes.

BE IT ENACTED BY THE SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 **Section 1. Findings and Purpose.** The Commonwealth Legislature finds that the
2 Commonwealth Utilities Corporation (CUC) is currently unable to employ foreign national
3 workers to fill certain essential positions pursuant to restrictions set forth in 3 CMC
4 § 4972(b)(5) as established by Public Law 15-108. The Legislature further finds that CUC is
5 unable to fill these essential positions with permanent resident or citizen employees at this
6 time, and extension of the exemption for hiring foreign national workers within the
7 Commonwealth government is necessary to ensure the delivery of uninterrupted power,
8 water, and waste water services to the people of the Commonwealth. Accordingly, the
9 purpose of this legislation is to allow CUC to hire up to nineteen foreign national workers to
10 fill technical and professional positions at CUC and to extend such exemption to year 2010.

11 **Section 2. Amendment.** 3 CMC § 4972(b)(5), as established by Public Law 15-108,
12 is amended to read as follows:

13 **"(b) Transition exemptions for government employment.**

14 (5) Commonwealth Utilities Corporation. Engineers and professional
15 employees in technical or trade areas may be exempted, and CUC may
16 contract with manpower services or directly hire power plant mechanics and
17 utility technicians who may be exempted; provided that direct or manpower
18 hire of foreign national workers shall not exceed nineteen (19) employees.

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This exemption shall expire on September 30, 2010, and no contract may provide to the contrary."


Section 3. 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 4. 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herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes.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 the Act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence on the date this Act becomes effective.

Section 5. Effective Date. This Act shall take effect upon its approval by the Governor or becoming law without such approval.

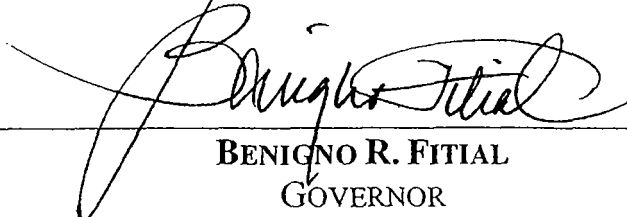
CERTIFIED BY:

ATTESTED TO BY:


ARNOLD I. PALACIOS
SPEAKER OF THE HOUSE


EVELYN C. FLEMING
HOUSE CLERK

APPROVED on this 27th day of AUGUST, 2008


BENIGNO R. FITIAL
GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS