

TITLE 3: HUMAN RESOURCES
DIVISION 1: EDUCATION

§ 1351. Authorization for a United States Registered Apprenticeship Program.

The Northern Marianas College is hereby authorized to establish at the Saipan, Tinian, and Rota campuses, the United States Registered Apprenticeship Program based on the US, Department of Labor's Bureau of Apprenticeship and Training and under the auspices of the Hawaii/Pacific office of the Bureau of Apprenticeship and Training, Region VI. This program shall include the following requirements and conditions:

(a) Eligibility requirements:

(1) Must be a U.S. citizen.

(2) Must be a high school graduate,

(3) Non-U.S. citizens may be enrolled in the program subject to space availability and full payment of tuition and related fees.

(b) Enrollment limitations based on the availability of funds.

(c) All tuition and fees for students deemed eligible under this program shall be paid from the Northern Marianas College Program Apprenticeship Account, with a student stipend allowable based on availability of funds.

(d) Students certified under this program shall receive a salary of \$1.00 an hour above the prevailing federal minimum wage.

Source: PL 15-5, § 3, modified.

Commission Comment: Several conforming changes were made by the Commission to the original numbering scheme pursuant to the authority granted by 1 CMC § 3806(a). PL 15-5 was enacted on April 10, 2006 and contained findings and purpose, severability, and savings clause provisions, in addition to amendments to 3 CMC §§ 4413 and 4424(c). PL 15-5 stated in pertinent part:

Section 1. Findings and Purpose. The Legislature finds that Public Law 3-66, as amended, the Nonresident Workers Act, was enacted almost 23 years ago on August 8, 1983. The Legislature also finds that at that time, the Third Legislature included within the public law three specific considerations through which it developed its policy statement regarding nonresident workers:

1. Commonwealth residents are given preference in employment.

2. Employment of nonresident workers should be temporary.

3. Implementation of this Act will generate more reliable data in which more specific labor policies can be developed.

The Legislature further finds that among the provisions of the Nonresident Workers Act was the establishment of a "Commonwealth Nonresident Workers Fee Fund" ("Fund") to generate funds to train residents so that they can acquire the skills to replace nonresident workers in technical and professional fields. As such, the intent of the Fund was not realized

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in part because these funds were appropriated for other uses, as was verified by the Office of the Public Auditor (Report No. M-01-03). Thus, the Legislature also finds that this has contributed to the Commonwealth government's lack of success in replacing nonresident workers with resident workers. In addition, the Legislature finds another impediment to replacing nonresident workers with resident workers is the low minimum wage of \$3.05 per hour in the CNMI; therefore, there is a need to increase the minimum wage for graduates of the U.S. Apprenticeship program to further attract local residents into technical or skilled occupations.

The Legislature also finds that although the Northern Marianas College does have an apprenticeship program in place, the current program is not in the technical trade areas and is not registered with the U.S. Department of Labor's Bureau of Apprenticeship and Training. Employers in the Commonwealth have expressed their need for certified, skilled workers and have additionally expressed their preference to hire local workers rather than nonresident workers. The Legislature therefore finds that the government will be able to increase the confidence of the private sector in its ability to produce certified, skilled workers upon the implementation of the US, Department of Labor's Bureau of Apprenticeship and Training program.

A fresh approach must be taken to developing a skilled local workforce. Therefore, the purpose of this Act is to mandate that the Northern Marianas College focus on developing a U.S. Registered Apprenticeship Training Program (technical trades). This program shall be based on the U.S. Department of Labor's Bureau of Apprenticeship and Training program with the cooperation and collaboration of the Hawaii/Pacific office of the Bureau of Apprenticeship and Training, Region VI, which has the responsibility of assisting in the development of a skilled workforce in Hawaii and the insular countries of the Pacific through apprenticeship.