

TITLE 3: HUMAN RESOURCES
DIVISION 4: EMPLOYMENT AND REGISTRATION

§ 4954. Responsibility for Costs of Repatriation.

(a) The last employer of record of a foreign national worker shall be responsible for the costs of repatriating that worker except that employment under a temporary work authorization shall not give rise to this obligation. For the purposes of this section, a person employing a foreign national worker without an approved employment contract or identification card or otherwise in violation of Commonwealth law may be held jointly or severally liable for repatriation costs whenever assessed.

(b) A foreign national worker shall be responsible for the repatriation costs for any member of the immediate family of that worker previously declared upon entry to the Commonwealth regardless of divorce or any other claim or controversy with respect to status as immediate family.

(c) The Department may assess repatriation costs by order to a last employer of record or other employer or, in the case of an immediate family member, to a foreign national worker. Within fifteen days of the issuance of an assessment of repatriation costs by the Department, any person or party affected by the assessment order may appeal the order in accordance with 3 CMC § 4948 and seek judicial review in accordance with 3 CMC § 4949.

Source: PL 15-108, § 4(4954); PL 17-1 § 5(Q)(March 22, 2010),* modified.

Commission Comment: The Commission replaced section references with proper code sections, 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.