

TITLE 4: ECONOMIC RESOURCES
DIVISION 1: REVENUE AND TAXATION

§ 1426. Certificate of Origin Denials [Deleted].

Source: PL 11-123, § 2; deleted by PL 17-1 § 6(A) (March 22, 2010)*.

Commission Comment: The last sentence of this section is missing language prior to the cross-reference to 1 CMC §§ 9112 and 9113.

PL 11-123 that created this section took effect on February 10, 2000. PL 11-123 contained findings and purpose, rules and regulations, and severability provisions as follows:

Section 1. Findings and Purpose. The Legislature recognizes that the garment industry within the Commonwealth, through the Saipan Garment manufacturing Association (“SGMA”), a Code of Conduct has been adopted and an independent monitoring program has been implemented. The legislature recognizes that SGMA also adopted its own sanctions for any garment factory found in non-compliance with the Code of Conduct which includes violation of the Non-Resident Workers Act and the Commonwealth Minimum Wage Act. The Legislature further recognizes that the Commonwealth Department of Labor and Immigration has enhanced reform and enforcement efforts to curb labor abuse violations Commonwealth-wide. However, the Legislature strongly supports the position that in addition to monetary suspension of SGMA membership that the Division of Customs, Department of Finance must be empowered to deny issuance of Certificate of Origin on exports from any garment factory found in violation of Commonwealth law or the SGMA Code of Conduct until such time as the garment factory is deemed in compliance again. Therefore, it is the purpose of this Act to provide the authority to the Division of Customs to deny a Certificate of Origin to any exports of a garment factory under certain conditions.

. . .

Section 3. Rules and Regulations. Within ninety (90) days of the effective date of this Act, the Secretary of the Department of Finance in consultation with the Secretary of the Department of Labor and Immigration and the Saipan Garment Manufacturing Association shall promulgate such rules and regulations as may be necessary to carry out the purposes of this Act.

Section 4. 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.

* PL 17-1 contained the following section regarding the effective date of the law:

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 PL 17-1, see comment to 3 CMC § 4511.