

**TITLE 4: ECONOMIC RESOURCES**  
**DIVISION 5: BUSINESS REGULATION**

**§ 5703. Restriction on Renewal of License [Repealed].**

**Source:** PL 10-9, § 3 (§ 5603), modified; amended by PL 11-73, § 10; PL 12-11, § 3 b; amended by PL 14-82, § 3; repealed by PL 17-1 § 6(C) (March 22, 2010)\*

**Commission Comment:** With respect to the reference to the “Department of Commerce,” see Executive Order 94-3 (effective August 23, 1994), reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the Commission comment to 1 CMC § 2001. Accordingly, the Department of Finance is responsible for business licensing.

PL 11-73, which amended this section took effect on March 19, 1999. See also, the comment to 4 CMC § 5701.

PL 12-11, which amended this section took effect on August 3, 2000. PL 12-11 contained title, findings and purpose, date of compliance, severability, and savings clause provisions as follows:

Section 1. Title. This Act may be cited as the Omnibus Labor and Business Reform Act of 2000.

Section 2. Findings and Purpose. The Legislature finds that over the past several years, many laws have been enacted that unduly restrict the ability of people to do business. We do not believe that it is in the interests of the Commonwealth to stifle commerce by enacting restrictive laws, especially when our economy is in great need of revitalization. The Legislature further finds that although there is a need to protect jobs for our local residents, if there is no qualified local person to fill a business need, then the government should adopt policies to help business otherwise meet staffing needs. Finally, the Legislature recognizes the need to encourage new business development, and this should be done with as little government intrusion or regulation as necessary.

Section 3. Amendments with respect to the licensing of garment manufacturers.

. . .

d. Date of Compliance. Garment manufacturers shall comply with the percentage requirements for resident workers in supervisory and/or management positions set forth under this section within 180 days after the effective date of this Act.

. . .

Section 8. 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 9. 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

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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.

PL 14-82 was enacted on August 2, 2005 and contained the following findings and purpose, compliance, and regulations provisions, in addition to severability and savings provisions and an amendment to 4 CMC § 5611(c):

Section 1. Findings and Purpose. The Legislature finds that the current period of adjustment within the garment industry in the CNMI presents a necessity for relaxing the wholesale prohibition on the transfer of business licenses under Title 4 of the Commonwealth Code. The Legislature, however, is mindful that strict criteria and conditions must be established to insure that only such relaxation does not result in the violation of the moratorium on the number of qualified garment manufacturers established in Public Law 11-76, as amended. The Legislature further recognizes the need to maintain compliance with the 15,727 ceiling on the number of garment workers within the CNMI. Therefore, the Department of Finance in consultation with the Office of Attorney General is instructed to establish criteria and conditions that implement the intent of this Act within 30 days of its effective date.

The purpose of this legislation is to stimulate economic growth by allowing the Department of Finance to transfer business licenses for purposes of garment manufacturing to new investors or existing garment manufacturers listed in Schedule A of Public Law 11-76 under certain conditions.

...

Section 4. Compliance. Nothing in this Act shall modify the requirement for strict adherence to 4 CMC § 5708, "Garment Manufacturing Industry Cap and Non-Resident Worker Quota." 4 CMC § 5708(c) shall be used to reallocate garment workers to a garment manufacturer licensed pursuant to 4 CMC § 5611(c) and in accordance with rules and regulations promulgated by the Department of Labor.

Section 5. Regulations. The Department of Labor and Department of Finance shall promulgate emergency regulations for the implementation of this Act within 30 days of its effective date. The Attorney General shall provide legal assistance to accomplish this deadline.

\* 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.