



Commonwealth of the Northern Mariana Islands  
Office of the Governor  
Saipan Mariana Islands 96950

Cable Address  
Gov N M I Saipan

JUN 09 1981

The Honorable Joaquin I. Pangelinan  
Speaker, House of Representatives

and

The Honorable Pedro P. Tenorio  
President, The Senate  
Second Northern Marianas Commonwealth  
Legislature  
Saipan, CM 96950

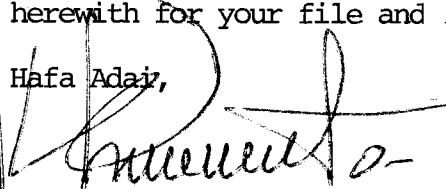
Dear Speaker Pangelinan and President Tenorio:

I am pleased to inform you that I have signed into law this date House Bill No. 136, H.D.2, S.D.1, C.D.1, which was passed by the Second Northern Marianas Commonwealth Legislature, Third Regular Session, 1981.

House Bill No. 136, H.D.2, S.D.1, C.D.1, is "An Act to amend Public Law 1-43 and for other purposes". This Bill becomes Public Law No. 2-18.

Certified copy of this Bill bearing my signature is forwarded herewith for your file and ready reference.

Hafa Adai,

  
CARLOS S. CAMACHO  
Governor

SECOND NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

THIRD REGULAR SESSION, 1981

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AN ACT

To amend Public Law 1-43 and for other purposes.

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Date: May 22, 1980

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House Action

Referred to: Committee on Judiciary and Governmental Operations

Standing Committee Report No. 2-72; Conference Committee Report No. 2-97

First Reading: January 7, 1981

Second Reading: January 8, 1981  
May 29, 1981

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Senate Action

Referred to: Committee on Judiciary, Government and Law

Standing Committee Report No. 2-91; Conference Committee Report No. 2-7

First Reading: January 22, 1981

Second Reading: April 22, 1981  
June 3, 1981

  
Esteban I. Pangelinan  
Clerk  
House of Representatives

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AN ACT

To amend Public Law 1-43 and for other purposes.

BE IT ENACTED BY THE NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1       Section 1. Subsection (c) of Section 3 of Public Law 1-43 is  
2 hereby amended to read as follows:

3       "(c) 'Employee' shall mean--

4           (1) any person in the employment of the Northern Mariana  
5 Islands Government at any time in all positions classified in  
6 the Civil Service System; or

7           (2) any person in the employment of the Northern Mariana  
8 Islands Government at any time in a position unclassified or  
9 exempted from the Civil Service System, or holding an elected  
10 office or a position appointed by the Governor with the advice  
11 and consent of the Senate; or

12          (3) any person who is included as a citizen of the United  
13 States in paragraphs (a), (b) or (c) of Section 8 of the Schedule  
14 on Transitional Matters of the Constitution of the Northern Marianas  
15 Islands who is in the employment of the Trust Territory of the  
16 Pacific Islands Government on or after October 1, 1980; or

17          (4) any person who is included as a citizen of the United  
18 States in paragraphs (a), (b) or (c) of Section 8 of the Schedule  
19 on Transitional Patters of the Constitution who completed twenty  
20 years of cumulative service before October 1, 1980 on behalf of  
21 the Government of the Trust Territory of the Pacific Islands,

1 including any employment or office with any chartered municipal  
2 government, or the Government of the United States, its  
3 departments, agencies and instrumentalities; Provided, that such  
4 service or employment was rendered for the Trust Territory of the  
5 Pacific Islands."

6 Section 2. Subsection (d) of Section 3 of Public Law 1-43 is  
7 hereby amended to read as follows:

8 "(d) 'Member' shall mean--

9 (1) any employee as defined by paragraphs (1) and (4) of  
10 subsection (c) of this Section; or

11 (2) any employee as defined by paragraph (2) of subsection  
12 (c) of this section: Provided, that such employee exercises the  
13 option provided in Section 7(d)(1) of this Act; or

14 (3) any employee as defined by paragraph (3) of subsection  
15 (c) of this section: Provided, that such employee exercises the  
16 option provided in Section 7(d)(2) of this Act."

17 Section 3. Section 7 of Public Law 1-43 is hereby amended as  
18 follows:

19 (a) Subsection (c) of such section is hereby amended by striking  
20 "An" and inserting in lieu thereof "Notwithstanding any other provision  
21 of this section, an".

22 (b) Subsection (d) of such section is hereby amended to read as  
23 follows:

24 "(d) (1) Notwithstanding any other provision of this  
25 section, an employee as defined by paragraph (2) of subsection (c)

1 of Section 3 of this Act shall have the option of accepting  
2 or rejecting membership and shall become a member only upon  
3 submission of a written request to the Board for membership.

4 (2) Notwithstanding any other provision of this section,  
5 an employee as defined by paragraph (3) of subsection (c) of  
6 Section 3 of this Act shall become a member only upon submission  
7 of a written request to the Board for membership: Provided,  
8 that such person makes the contributions to the Fund required by  
9 Section 19(a) of this Act by allotment of salary in such amount  
10 in favor of the Fund, and the Trust Territory of the Pacific  
11 Islands, or such employee by allotment, makes a contribution for  
12 credit to the Employer's Contribution Reserve established by  
13 Section 38(b) of this Act in amounts equivalent to that portion  
14 of the total contributions required by Section 20 of this Act  
15 which is attributable to the membership of such person."

16 Section 4. Section 9 of Public Law 1-43 is hereby amended as  
17 follows:

18 (a) The introductory paragraph of such section is hereby amended  
19 by revising the proviso to read "Provided, that service rendered such  
20 agency or instrumentality of the United States was rendered in the  
21 Northern Mariana Islands ."

22 (b) The first sentence of Subsection (a) of such section is  
23 hereby amended to read "In the case of any member who has made any  
24 contribution to any retirement fund in connection with service for  
25 which he is entitled to prior service credit, and who has received

1 any refund of such contribution, the allowance of prior service credit  
2 shall be conditioned upon such person making a contribution to the Fund  
3 in the full amount of such refund."

4 (c) Subsection (d) of such section is hereby amended by striking  
5 "or who is on an approved leave of absence on such date" and insert in  
6 lieu thereof "and who is not on an approved leave of absence on such  
7 date".

8 Section 5. Section 10 of Public Law 1-43 is hereby amended by  
9 adding at the end thereof a new sentence as follows: "Any annuity  
10 under this Act which is based in whole or in part on service before  
11 the operative date shall be reduced by an amount equivalent to any  
12 payment from any other employee retirement fund to which the annuitant  
13 is entitled by virtue of such service."

14 Section 6. Section 11 of Public Law 1-43 is hereby amended by  
15 adding at the end thereof a new subsection as follows:

16 "(e) No person shall receive credit towards retirement for  
17 any period of service, rendered after the operative date, during  
18 which such employee was not a member."

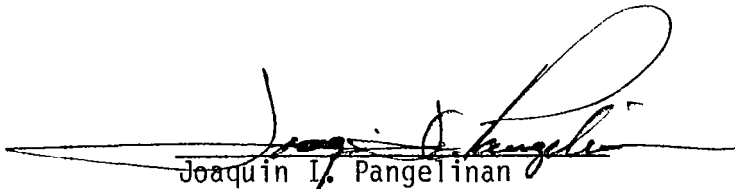
19 Section 7. Section 14(a) of Public Law 1-43 is hereby amended  
20 by inserting after the first comma thereof the following: "or upon  
21 withdrawal from membership or failure to make any required contribution  
22 by any person who is a member pursuant to Section 7(d)(2) of this Act,".

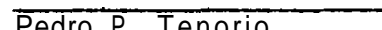
23 Section 8. Any person who is eligible to become a member of the  
24 Northern Mariana Islands Retirement Fund pursuant to Subsection (c) or  
25 (d) of Section 7 of Public Law 1-43, and who applies for his membership

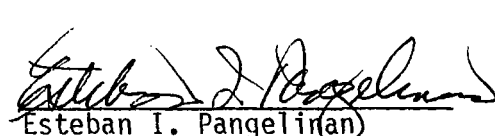
1 to be effective as of October 1, 1980, shall be admitted to membership  
 2 as of such date: Provided, that such person, within 60 days after the  
 3 date of enactment of this Act, deposits or arranges for the deposit  
 4 with the Board of Trustees of such Fund any contribution required  
 5 pursuant to Section 19(a) of Public Law 1-43 for the period from  
 6 October 1, 1980, through the pay period preceding the one in which  
 7 regular contributions are withheld or allotted from the salary of  
 8 such person. Any such person who did not make a written request  
 9 to the Board for membership prior to the date of enactment of this  
 10 Act, and who does not apply for membership within 60 days after  
 11 such date, shall, without application, receive a refund from the  
 12 Fund of all contributions withheld from the salary of such person  
 13 for payment to the Fund. The Board shall make such refund within  
 14 180 days after the date of enactment of this Act.

15 Section 9. Applicability. The amendments to Public Law 1-43  
 16 made by this Act shall apply retroactively to October 1, 1980.

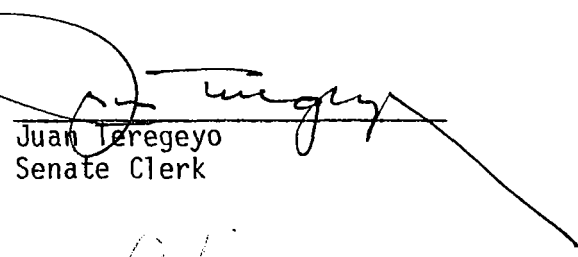
17 Section 10. This Act shall take effect upon its approval by the  
 18 Governor, or upon its becoming law without such approval.

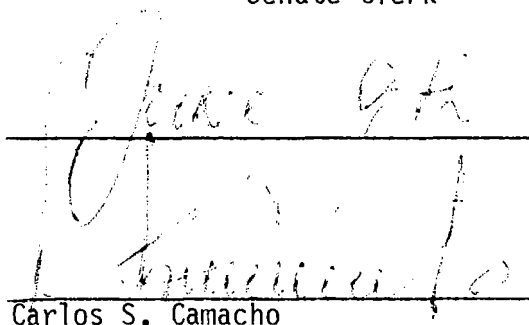
  
 Joaquin I. Pangelinan  
 Speaker of the House

  
 Pedro P. Tenorio  
 President of the Senate

  
 Esteban I. Pangelinan  
 House Clerk

ATTEST:

  
 Juan Teregeyo  
 Senate Clerk

  
 \_\_\_\_\_, 1981

Carlos S. Camacho  
 Governor  
 Commonwealth of the Northern Mariana Islands