

NINTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

H. B. NO. 9-70

FIRST REGULAR SESSION, 1994

AN ACT

To amend 4 CMC Section 3216(c); to repeal 4 CMC Section 3216(d) and to amend 4 CMC Section 3217(f); and for other purposes.

BE IT ENACTED BY THE NINTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Short Title. This Act may be referred to as the "Board of Professional Licensing Amendments Act of 1994".

Section 2. Findings and Purposes. The Legislature finds that the Board of Professional Licensing has examined its administrative policy as set forth in 4 CMC Division 3 (Businesses and Professions) Chapter 1 (Board of Professional Licensing) in order to determine ways to increase its efficiency and effectiveness. The Legislature further finds that amendment to 4 CMC Section 3217(f) is necessary to provide for a full two year duration of certificates of registration for professional engineers, architects, land surveyors and landscape architects, instead of the current provision whereby said certificates all expire on April 30 of each even-numbered year following issuance of renewal. This amendment is more fair to the registrants and allows the Board of Professional Licensing to better administer the law. The purpose of this Act is to make the statutory amendments necessary to accommodate the recommendations of the Board of Professional Licensing.

Section 3. Amendment. 4 CMC Section 3216(c) is amended to read:

"(c) Except as provided in the Commonwealth Constitution, Schedule on Transitional Matters, no person shall be eligible for registration as a professional engineer, architect, land surveyor, or landscape architect who is not of good character and reputation. Notwithstanding any other provision of this section, no person shall be eligible for registration as an engineer under the provisions of subsection (2) or (3) of this section unless such person shall first have passed the Principles of Engineering Examination (P.E.) or a written or oral examination, or both, prescribed by the Board."

Section 4. Amendment. 4 CMC Section 3217 (f) is amended to read:

"Every certificate of registration expires two years following its issuance or renewal and becomes invalid after that date unless renewed. The secretary of the board shall mail, at

least one month in advance of the date of expiration of the certificate of registration, a notice to every person registered hereunder giving the date of expiration and the amount required for the renewal thereof. The Board shall by regulation fix the fee for renewal certificate. Certificates of registration which have expired for failure to pay renewal fees on or before the date hereinabove required may be reinstated within one year of the expiration date upon payment of the renewal fee fixed by the Board, plus a penalty, in such amount as the Board shall fix by regulation, for each calendar month or fraction thereof until the renewal of the fee is paid."

Section 3. Repealer. 4 CMC Division 3 Section 3216(d) is hereby repealed in its entirety.

Section 4. Severability. If any Section 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 5. 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 affect any liability civil or criminal, which shall already be in existence at the date this Act becomes effective.

Section 6. Effective Date. This Act shall take effect upon its approval by the Governor or upon its becoming law without such approval.

CERTIFIED BY:

ATTESTED BY:

/s/ Diego T. Benavente
DIEGO T. BENAVENTE
Speaker of the House

/s/ Joan P. Kaipat
JOAN P. KAIPAT
Acting House Clerk

Approved this 27th day of March, 1995

/s/ Froilan C. Tenorio
FROILAN C. TENORIO
Governor
Commonwealth of the Northern Mariana Islands