

TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

PUBLIC LAW NO. 10-13  
H. B. NO. 10-158, SS1, CS1

FIRST REGULAR SESSION, 1996

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AN ACT

To increase the Commonwealth's minimum wage to \$3.05 per hour; to establish a minimum wage of \$2.90 per hour for the garment and construction industries; and for other purposes.

**BE IT ENACTED BY THE TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:**

Section 1. Amendment.

(a) Notwithstanding Section 5 of Public Law 9-73, 4 CMC § 9221 is hereby repealed and reenacted as follows:

"§ 9221. Minimum Wages.

(a) Every employer, other than a garment or construction business, and except as the Secretary may provide under section 9234 of this chapter, shall pay to each employee employed by him or her, a minimum wage as follows:

- (1) Beginning January 1, 1995, at the rate of \$2.75 per hour;
- (2) Beginning July 1, 1996, at the rate of \$3.05 per hour.

(b) Every employer who qualifies as a garment or construction business, except as the Secretary may provide under section 9234 of this chapter, shall pay to each employee employed by him or her, a minimum wage as follows:

- (1) Beginning January 1, 1995, at the rate of \$2.75 per hour;
- (2) Beginning July 1, 1996, at the rate of \$2.90 per hour.
- (3) Beginning July 1, 1997, at the rate of \$3.05 per hour."

(b) Effective July 1, 1997, 4 CMC § 9223(b) is amended to read:

"(b) Special Minimum Wage for Exempt Categories. Pursuant to the authority of the Department to adopt rules and regulations under section 9236 of this chapter, the Director shall establish a special minimum wage for each exempt category of employment set forth in subsection (a) of this section. The special minimum wage shall be no less than 40 and no more than 60 percent of the statutory minimum wage prevailing at the time; Provided, however, that any person employed in a job category pursuant to paragraph (3), (9), or (10) of subsection (a) of this section shall be paid not less than \$300 per month, and shall not be required to work more than 12 hours per day, or 72 hours per week, without overtime compensation."

(c) A new subsection (c) is added to 4 CMC § 9223(c) to read as follows:

"(c) Exemption for Existing Employment Contracts. The provisions of

section 9221(a)(2) and 9221(b)(2) do not apply for the duration of the contract, with respect to any employee employed under a valid contract of employment on May 6, 1996; Provided, that the employee is paid the wages required by the contract and such wages are at least \$2.75 per hour. This exemption shall expire July 1, 1997."

Section 2. Repealer. Section 5 of Public Law 9-73 is repealed.

Section 3. 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 4. 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 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.

Section 5. Effective Date. Except as provided by its terms, 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  
House of Representatives

/s/ Evelyn C. Fleming  
EVELYN C. FLEMING  
House Clerk

Approved this 15th day of June, 1996

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