

TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

PUBLIC LAW NO. 10-30

H.B. NO. 10-73, SD2

FIRST REGULAR SESSION, 1996

AN ACT

To amend 4 CMC Section 9246 to shorten the statute of limitations for actions brought under the Minimum Wage and Hour Act and Nonresident Workers Act; and for other purposes.

BE IT ENACTED BY THE TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Title. This Act may be referred to as “The Workers’ Claims Statute of Limitations Amendment Act of 1996.”

Section 2. Legislative Findings; Policy. The Legislature finds that it is in the best interest of the Commonwealth to shorten the time periods under 4 CMC Section 9246 under which workers in the Commonwealth may bring claims under the Minimum Wage and Hour Act, 4 CMC Section 9211, et. seq., and the Non-Resident Worker Act, 3 CMC Section 4411, et. seq..

Section 3. Amendment. 4 CMC Section 9246 as amended is hereby amended to read:
“§ 9246. Limitation of Actions.

(a) Except as provided in subsection (b), any action commenced on or after the effective date of this amendment, to enforce a cause of action for unpaid wages, unpaid overtime compensation, or liquidated damages under the Minimum Wage and Hour Act, 4 CMC Section 9211 et. seq., or any other cause of action under the Non-Resident Worker Act, 3 CMC Section 4411 et. seq., must be commenced within six months after the cause of action accrued, and every action shall be forever barred unless commenced within six months after the cause of action accrued, except that a cause of action arising out of a willful violation may be commenced within one year after the cause of action accrued.

(b) Any cause of action which accrued prior to the effective date of this amendment and which would otherwise be barred by subsection (a) of this section, may nevertheless be brought if commenced on or before a date six months after the effective date of this amendment or two years after the cause of action accrued, whichever is earlier, or if arising out of a willful violation, on or before a date one year after the effective date of this amendment or three years after the cause of action accrued, whichever is earlier.”

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 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. 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
House of Representatives

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

Approved this 4th day of October, 1996.

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