

TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

H. B. NO. 10-407

FIRST SPECIAL SESSION, 1997

AN ACT

To amend 1 CMC § 8248 to create a new subpart (d); and for other purposes.

BE IT ENACTED BY THE TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Amendment 1 CMC § 8248, as amended, is hereby amended with the addition of a new subpart (d) to read as follows:

"(d) Notwithstanding any other provision of law, this salary act shall allow all civil service employees who are frozen on Step 12 for at least two (2) years, and who perform with satisfactory performance during such time, a 5% pay differential salary adjustment using the base salary of the employees so affected, and, only upon continued satisfactory performance such increase shall continue every two (2) years thereafter using the same formula, provided that the aforementioned increases shall only apply if the necessary funding is available by appropriation or lawful reprogramming. Provided further that each department shall submit and report to the (OMB) Office of Management and Budget the following with regard to any employee that is awarded such differential:

- a. Name of employee
- b. Pay Level and Step
- c. Per annual salary
- d. Date since last increase
- e. Position
- f. amount of increase

and the above information must be included in the annual budget submission of the Governor. The above provision will also apply to all Commonwealth government employees in federally funded positions applying the Commonwealth Civil Service classification and compensation scales; provided, further that if federal funds are

unavailable for the said pay differential this chapter shall authorize expenditure for such, if they are otherwise available by appropriation or lawful reprogramming."

Section 2. 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 3. 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herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes.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 4. 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/ Jesus T. Attao

JESUS T. ATTAO

Acting Speaker
House of Representatives

/s/ Evelyn C. Fleming

EVELYN C. FLEMING

House Clerk

Approved this 24th day of December, 1997.

/s/ Froilan C. Tenorio

FROILAN C. TENORIO

Governor
Commonwealth of the Northern Mariana Islands