

AN ACT

To clarify the intent of Public Law 10-76 for providing a lump sum salary bonus for civil service employees frozen on Step 12 for at least two years; and for other purposes.

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

Section 1. Purpose. The Legislature finds that there has been some misunderstanding relative to the procedural mechanism for providing the lump sum salary bonus intended for civil service employees frozen on Step 12 for two years as enacted in House Bill 10-407 (Public Law 10-76). This Act is intended to clarify the process by providing that the 5% bonus, based on the employee's base salary, is provided to the employee as a lump sum payment every two years once the employee is frozen at Step 12.

Section 2. Step 12 Civil Service Employees; Five Percent Bonus Clarified. 1 CMC 8248(d), as enacted by Section 1 of Public Law 10-76, is hereby redesignaed as Section 8213(e) and amended to read:

"(e) Notwithstanding any other provision of law, this salary act shall allow all civil service employees from grade levels 1 through 35, who are frozen on Step 12 for at least two (2) years, and who have maintained satisfactory performance during such time, a lump sum bonus equal to 5% of the base salary of the employee so affected. Upon continued satisfactory performance, the employee is entitled to such bonus once every two (2) years thereafter using the same formula, provided that the bonus shall only apply if the necessary funding is available by appropriation or lawful reprogramming; and 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 bonus:

- 1) Name of employee
- (2) Pay Level and Step
- (3) Annual salary

- (4) Date since last increase
- (5) Position
- (6) Amount of bonus

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, that if federal funds are unavailable for the said bonus, this section shall authorize expenditure for such, if funds are otherwise available by appropriation or lawful reprogramming."

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

CERTIFIED BY:

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

ATTESTED BY:

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

Approved this 10th day of February, 1999

/s/ Pedro P. Tenorio
PEDRO P. TENORIO
Governor
Commonwealth of the Northern Mariana Islands