

AN ACT

To authorize the Secretary of Labor and Immigration to expend funds from the deportation fund to repatriate and compensate nonresident workers who have been awarded damages which are uncollectable; and for other purposes.

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

Section 1. Title. This bill shall be known as the Commonwealth Nonresident Worker Relief Act of 1999.

Section 2. Legislative Findings. The Legislature finds that there are a number of nonresident workers in the Commonwealth who have been awarded monetary damages pursuant to Administrative Orders, which remain uncollected. This is creating an extreme hardship on these workers. The legislature feels that it is necessary to cover a portion of these awards, and repatriate these unemployed workers.

Section 3. Authorization. The Secretary of the Department of Labor and Immigration is hereby authorized to expend funds from the nonresident workers deportation fund (PL. 10-1) in an amount not to exceed three (3) months salary and air fare to place of hire, or \$3,000 per worker including air fare, which ever is greater, to repatriate unemployed nonresident workers who are holding administrative awards for back wages or other related damages.

Section 4. Rules and Regulations. The Secretary of Labor and Immigration shall promulgate rules and regulations consistent with the purposes as set forth herein.

Section 5. Qualifications. Receipt of the funds authorized to be paid by this Act shall be conditioned upon assignment by the recipient to the Commonwealth government of the recipient's rights under the administrative order in an amount equal to the funds paid to or on behalf of the recipient. The Commonwealth government shall have the authority to collect such administrative awards on behalf of itself and the recipient, and amounts so collected shall

be first used to reimburse the government for amounts paid pursuant to this Act and any remaining funds collected promptly paid over to the worker.

Section 6. Reprogramming Authority. Notwithstanding any other provisions of law, the Governor is hereby authorized to reprogram funds from any source into the deportation fund to meet the needs set forth herein.

Section 7. 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 8. 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 on the date this Act becomes effective.

Section 9. 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 19th day of February, 1999

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