

THIRTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SECOND SPECIAL SESSION, 2002

*Public Law 13-20*  
**H. B. NO. 13-118**

---

---

**AN ACT**

To amend 3 CMC § 4434(i)(1)(B) of Public Law 12-34 to provide the Department of Public Works with the same expiration date granted to the other governmental departments and agencies listed; and for other purposes.

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

**Section 1. Findings and Purpose.** The Legislature finds that Public Law 12-34 extended the sunset provision posed by Public Law 10-4 for the Department of Public Health, Northern Marianas College, and the Commonwealth Utilities Corporation to September 30, 2005. The Legislature also finds that the Department of Public Works (DPW) was the only department/agency on this list that was given an expiration date of September 30, 2002. The Legislature's social policy mandates that the Commonwealth Government reduce and eventually phase out its reliance on nonresident labor, but recognizes that these departments may require additional time to realize their comprehensive manpower training and education plan goals.

The Legislature further finds that DPW has submitted an education and training plan in order to comply with the current requirements of Public Law 12-34. However, as the expiration date of September 30, 2002 is quickly approaching, DPW requests that they be granted the same expiration date as other departments in an attempt to accomplish their ultimate goal of phasing out nonresident workers.

**Section 2. Amendment.** 3 CMC § 4434(i)(1)(B) is hereby amended to change the expiration date.

“(1)(B) Department of Public Works. Technical and professional positions such as engineers and architects in the Technical Services Division, provided, that such nonresident professionals meet the licensing requirements of their country of origin in addition to satisfying the professional qualification

and experience standards established by the Secretary of the Department of Public Works and Office of Personnel Management. This subsection shall expire on September 30, 2003, and no non-resident workers may be employed in the covered positions after this date. No contract may be entered into pursuant to this subsection that provides for a termination of the contract after September 30, 2003.”

**Section 3. Severability.** If any provisions 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 the 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 5. Effective Date.** This Act shall take effect upon its approval by the Governor, or it becoming law without such approval.

**CERTIFIED BY:**

**ATTESTED TO BY:**

/s/ \_\_\_\_\_

**HEINZ S. HOFSCHEIDER**  
SPEAKER OF THE HOUSE

/s/ \_\_\_\_\_

**EVELYN C. FLEMING**  
HOUSE CLERK

**APPROVED this 15th day of August, 2002**

/s/ \_\_\_\_\_

**JUAN N. BABAUTA**  
**GOVERNOR**  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS