FIFTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

FIRST REGULAR SESSION, 2006

PUBLIC LAW NO. 15-31 SENATE BILL NO. 15-06, SD1, HD1, HS1

AN ACT

To give a CNMI Government retiree who is subsequently re-employed with the government the option to waive their salary and instead continue receiving their retirement benefits; and for other purposes.

BE IT ENACTED BY THE FIFTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. <u>Purpose</u>. The purpose of this Act is to extend the option granted elected officials under P.L. 10-88 to any Commonwealth Government retiree wishing to return to government service, and to provide that waived salaries of elected officials are paid into the Scholarship Fund and that waived salaries of non-elected employees are paid into the Retirement Fund.

Section 2. <u>Amendment</u>. Chapter 9, of Part 3, Division 8, Title 1 of the Commonwealth Code is hereby repealed and reenacted to read as follows:

"CHAPTER 9.

Waiver of Salaries

§ 8441.	Re-employed Retirees
§ 8442.	Waived Salaries.

Re-employed Retirees.

Notwithstanding any other law or regulation to the contrary, a Commonwealth Government retiree, upon re-employment with the Commonwealth Government, shall have the option to waive salary and instead continue to receive retirement benefits, if they would be otherwise entitled to retire and receive such

benefits.

§ 8441.

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§ 8442. Waived Salaries.

- (a) All salaries of elected officials that are waived under the provisions of this chapter shall be re-appropriated and transferred to a Scholarship Trust Account and funds from said account may be spent for scholarship purposes only, without further appropriation, and without fiscal year limitation.
- (b) All salaries of non-elected employees that are waived under the provisions of this chapter shall be remitted to the Retirement Fund quarterly to satisfy the government employer contributions. The Secretary of Finance shall be responsible for transmitting the funds in a timely manner to the Retirement Fund."

Section 3. <u>Severability</u>. 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. <u>Effective Date</u>. This bill shall take effect upon its approval by the Governor or upon its becoming law without such approval.

CERTIFIED BY:

PETE P. REYES

Acting President of the Senate

ATTESTED BY:

MARIA FRICA T. PANGEVINAN

Senate Legislative Secretary

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BENIGNO R. FITIAL

Governor

Commonwealth of the Northern Mariana Islands