

ELEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

PUBLIC LAW NO. 11-2

H.B. NO. 11-32, SD1

FIRST REGULAR SESSION, 1998

AN ACT

To allow retirees to reenter the work force as classroom teachers, doctors, nurses and other medical professionals without losing their retirement benefits for a period not to exceed two years by amending 1 CMC Section 8392 and for other purposes.

BE IT ENACTED BY THE ELEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Short Title. This Act may be cited as the “Retiree Re-employment Amendment Act of 1998”.

Section 2. Purpose. The purpose of this Act is to allow retirees to return to government service as classroom teachers, doctors, nurses and other medical professionals without losing their retirement benefits.

Section 3. Findings. The Legislature finds that the number of classroom teachers, doctors, nurses and other medical professionals is insufficient to meet the demands of the Commonwealth. The Legislature finds that there are local retirees who could fill these positions who are reluctant to do so because government re-employment would terminate their retirement benefits. The Legislature further finds that Senate Legislative Initiative No. 10-4 allowing for a constitutional amendment to permit for this type of legislation was favorably passed by the voters of the Commonwealth.

Section 4. Amendment. 1 CMC Section 8392 is hereby amended by adding a new subsection (d) to read as follows:

“(d) Retirees are allowed to return to government employment as classroom teachers, nurses, doctors and other medical professionals for a period not to exceed two years without losing their retirement benefits. However, no such re-employed retiree shall have their retirement benefits recomputed based on any re-employment during which retirement benefits are drawn, but every such re-employed retiree shall nevertheless be required to contribute to the retirement fund during the period of re-employment, at the same rate as other government employees.”

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HOUSE BILL NO. 11-32, SD1

Section 5. 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 6. 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 7. 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/ Diego T. Benavente

DIEGO T. BENAVENTE

Speaker

House of Representatives

/s/ Evelyn C. Fleming

EVELYN C. FLEMING

House Clerk

Approved this 12th day of February, 1998.

/s/ Pedro P. Tenorio

PEDRO P. TENORIO

Governor

Commonwealth of the Northern Mariana Islands