
AN ACT

To amend the Northern Mariana Islands Social Security Act to: increase the contribution and benefit base amount, the earnings test exempt amount, and retirement, disability, and survivors benefit amounts; to modify the provisions regarding disability benefits, survivors benefits for children, and the life of applications to make them more like those in the U.S. Social Security Act, and to clarify the starting date for purposes of determining fully insured status.

BE IT ENACTED BY THE NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 Section 1. Subsection (4) of Section 3 of the Northern Mariana
2 Islands Social Security Act is repealed and reenacted to read as follows:
3 "(4) 'Wages' shall mean remuneration paid subject to the
4 provisions of this Title, including the cash value of all remuneration
5 paid in any medium other than cash and remuneration accruing to a
6 self-employed person. Remuneration accruing to a self-employed person
7 shall be deemed to be twice the amount paid to the highest-paid employee
8 reported by the self-employed person in a quarter subject to a maximum
9 of \$1,200 per quarter effective July 1, 1976, a maximum of \$9,075 per
10 calendar year effective January 1, 1978, and a maximum of \$13,350 per
11 calendar year effective January 1, 1979. Prior to January 1, 1979,
12 remuneration accruing to a self-employed person who has no covered
13 employees shall be deemed to be 2.5 percent per quarter of the gross
14 revenue of his business for the previous calendar year, subject to a
15 maximum of \$1,200 per quarter effective July 1, 1976, a maximum of \$9,075
16 per calendar year effective January 1, 1978, and a maximum of \$13,350
17 per calendar year effective January 1, 1979. For quarters ending prior
18 to July 1, 1976, the maximum amounts applicable are equal to the
19 quarterly maximum amounts in effect for such quarters under the Trust
20 Territory Social Security Act. Remuneration paid for any service which
21 is more or less than a whole dollar shall, as may be prescribed by

1 regulations, be computed to the nearest dollar. Wages shall not include:

2 "(a) That part of remuneration in excess of a maximum of
3 \$13,350 paid in a calendar year after 1978 by one employer. Prior to
4 January 1, 1979, but after December 31, 1977, wages shall not include
5 that part of remuneration in excess of a maximum of \$9,075 paid in a
6 calendar year by one employer. Prior to January 1, 1978, but after
7 June 30, 1976, wages shall not include that part of remuneration in
8 excess of a maximum of \$1,200 paid in a quarterly reporting period by
9 one employer. Prior to July 1, 1976, the maximum amounts applicable in
10 a quarterly reporting period are equal to the maximum amounts in effect
11 for such quarters under the Trust Territory Social Security Act.

12 "(b) Any payment on account of sickness or accident
13 disability, or medical or hospitalization expenses made by an employer
14 to or on behalf of an employee;

15 "(c) Any payment made to or on behalf of an employee or
16 to his beneficiary from a trust or annuity;

17 "(d) Remuneration paid in any medium other than cash to
18 an employee for service not in the course of the employer's trade or
19 business or for domestic service in a private home of an employer;

20 "(e) Remuneration paid for casual or intermittent labor
21 not performed in the course of the employer's trade or business when
22 such employment does not exceed employment in more than one week in each
23 calendar month of each quarterly reporting period."

24 Section 2. Subsection (5) of Section 3 of the Northern Mariana
25 Islands Social Security Act is repealed and reenacted to read as follows:

1 "(5) (a) The term 'quarter' and the term 'calendar quarter'
2 shall mean a period of three calendar months ending on March 31, June
3 30, September 30, or December 31.

4 "(b) The term 'quarter of coverage' shall mean a quarter
5 in which the individual has been paid \$50 or more in wages in employment
6 subject to this Title, except that:

7 "(i) no quarter after the quarter in which such
8 individual died shall be a quarter of coverage, and no quarter any part
9 of which was included in a period of disability (other than the initial
10 quarter and the last quarter of such period), shall be a quarter of
11 coverage;

12 "(ii) if the wages paid to any individual in any
13 calendar year equal the maximum amount of wages in that year as
14 specified in subsection (4), each quarter of such year shall (subject
15 to (A)) be a quarter of coverage; and

16 "(iii) no quarter shall be counted as a quarter of
17 coverage prior to the beginning of such quarter."

18 Section 3. Paragraph (a) of subsection (6) of Section 3 of the
19 Northern Mariana Islands Social Security Act is repealed and reenacted
20 to read as follows:

21 "(a) 'Fully insured individual' shall mean:

22 "(i) any individual who has not less than one
23 quarter of coverage for each year beginning after December 31, 1978, or
24 for each year after attaining the age of twenty-one, whichever is later,
25 and up to but excluding the year in which he attained retirement age, or

1 became disabled, or died, whichever first occurred.

2 "(ii) in no case shall an individual be a fully
3 insured individual unless he has at least 8 quarters of coverage."

4 Section 4. Subsection (9) of Section 3 of the Northern Mariana
5 Islands Social Security Act is repealed and reenacted to read as follows:

6 "(9) 'Earnings test' shall mean:

7 "(i) prior to January 1, 1978, that an individual
8 who receives a retirement, disability, or survivor's benefit under this
9 Title and who works in covered or noncovered employment shall have his
10 quarterly benefit reduced by \$1 for each \$2 earned in a quarter, except
11 there shall be no reduction for the first \$100 earned in a quarter
12 before July 1, 1976, the first \$200 earned in a quarter after June 30,
13 1976, and before January 1, 1977, and the first \$300 earned in any
14 quarter after December 31, 1976, and before January 1, 1978. The
15 reduction shall be applied in the subsequent quarter in which the
16 earnings were paid and shall be prorated for each month;

17 "(ii) effective January 1, 1978, that an individual
18 who receives a retirement, disability, or survivor's benefit under this
19 Title and who works in covered or noncovered employment shall have his
20 benefits reduced by \$1 for each \$2 of annual earnings in excess of
21 \$1,860; PROVIDED, however, that regardless of the individual's total
22 annual earnings, no reduction shall be made in the benefit payable for
23 any month in which he did not engage in self-employment and did not
24 render services for wages of more than \$155;

25

1 "(iii) effective January 1, 1979, that an
2 individual who receives a retirement or survivor's benefit (except a
3 benefit payable to a disabled child age 18 or older whose disability
4 began before age 22) under this Title and who works in covered or
5 noncovered employment shall have his benefits reduced by \$1 for each
6 \$2 of annual earnings in excess of \$2,520; PROVIDED, however, that
7 regardless of the individual's total annual earnings, no reduction
8 shall be made in the benefit payable for any month in which he did
9 not engage in self-employment and did not render services for wages
10 of more than \$210."

11 Section 5. Subsection (10) of Section 3 of the Northern Mariana
12 Islands Social Security Act is repealed and reenacted to read as follows:

13 "(10) (a) 'Disability' means:

14 "(i) inability to engage in any substantial
15 gainful activity by reason of any medically determinable physical or
16 mental impairment which can be expected to result in death or has
17 lasted or can be expected to last for a continuous period of not less
18 than 12 months; or

19 "(ii) blindness; and the term 'blindness' means
20 central visual acuity of 20/200 or less in the better eye with the use
21 of correcting lens. An eye which is accompanied by a limitation in
22 the field of vision such that the widest diameter of the visual field
23 subtends an angle no greater than 20 degrees shall be considered for
24 purposes of this paragraph as having a central visual acuity of 20/200
25 or less; or

1 "(iii) in the case of an individual who has
2 attained the age of 55 and is blind (within the meaning of 'blindness'
3 as defined in subparagraph (ii), inability by reason of such blindness
4 to engage in substantial gainful activity requiring skills or abilities
5 comparable to those of any gainful activity in which he has previously
6 engaged with some regularity and over a substantial period of time.

7 "(b) For purposes of this subsection, a 'physical or
8 mental impairment' is an impairment that results from anatomical,
9 physiological, or psychological abnormalities which are demonstrable
10 by medically acceptable clinical and laboratory diagnostic techniques.

11 "(c) The Social Security Administrator shall by
12 regulations prescribe the criteria for determining when services
13 performed or earnings derived from services demonstrate an individual's
14 ability to engage in substantial gainful activity. Effective January 1,
15 1979, no individual who is blind shall be regarded as having demonstrated
16 an ability to engage in substantial gainful activity on the basis of
17 earnings that do not exceed the annual exempt amount applicable in that
18 year under Section 3(9). An individual whose services or earnings meet
19 such criteria shall, except for purposes of Section 3(13) be found not
20 to be disabled."

21 Section 6. Subsection (11) of Section 3 of the Northern Mariana
22 Islands Social Security Act is repealed and reenacted to read as follows:

23 "(11) (a) 'Period of disability' means a continuous period
24 beginning and ending as hereinafter provided in this subsection during
25 which an individual was under a disability, but only if such period is

1 of not less than 5 full calendar months' duration or such individual
2 was entitled to disability insurance benefits for one or more months
3 in such period.

4 "(b) No period of disability shall begin as to any
5 individual unless such individual files an application for a disability
6 determination with respect to such period; and no such period shall
7 begin as to any individual after such individual attains retirement
8 age. In the case of a deceased individual, the requirement of an
9 application under the preceding sentence may be satisfied by an
10 application for a disability determination filed with respect to such
11 individual within 3 months after the month in which he died.

12 "(c) A period of disability shall begin --

13 "(i) on the day the disability began, but only if
14 the individual is fully and currently insured in the quarter in which
15 the disability began; or

16 "(ii) if such individual does not satisfy the
17 requirements of subparagraph (i) on such day, then on the first day of
18 the first quarter thereafter in which he satisfies such requirements.

19 "(d) A period of disability shall end with the close
20 of whichever of the following months is the earlier:

21 "(i) the month preceding the month in which the
22 individual attains retirement age, or

23 "(ii) the second month following the month in which
24 the disability ceases."

25

1 Section 7. Section 3 of the Northern Mariana Islands Social
2 Security Act is amended by adding the following new subsection:

3 "(12) 'Waiting period' means, in the case of any application
4 for disability insurance benefits, the earliest period of 5 consecutive
5 months --

6 "(a) throughout which the individual with respect to
7 whom such application is filed has been under a disability, and

8 "(b) (i) which begins not earlier than with the first
9 day of the seventeenth month before the month in which such application
10 is filed if such individual is insured for disability insurance benefits
11 in such seventeenth month, or

12 "(ii) if he is not so insured in such month, which
13 begins not earlier than the first day of the first month after such
14 seventeenth month in which he is so insured."

15 Section 8. Section 3 of the Northern Mariana Islands Social
16 Security Act is amended by adding the following new subsection:

17 "(13) (a) 'Period of trial work', with respect to an
18 individual entitled to benefits on the basis of disability under Section
19 104 or Section 105(2), means a period of months beginning and ending as
20 provided in paragraphs (c) and (d).

21 "(b) Any services rendered by an individual during a
22 period of trial work shall be deemed not to have been rendered by such
23 individual in determining whether his disability has ceased in a month
24 during such period. For purposes of this subsection the term 'services'
25 means activity which is performed for remuneration or gain or is

1 determined by the Social Security Administrator to be of a type
2 normally performed for remuneration or gain.

3 "(c) A period of trial work for any individual shall
4 begin with the month in which he becomes entitled to disability
5 insurance benefits, or, in the case of a child entitled to survivor's
6 benefits on the basis of disability before age 22 who has attained the
7 age of 18, with the month in which he becomes entitled to such benefits
8 or the month in which he attains the age of 18, whichever is later.
9 Notwithstanding the preceding sentence, no period of trial work may
10 begin for any individual prior to the beginning of the month following
11 the month in which this paragraph is enacted; and no such period may
12 begin for an individual in a period of disability of such individual in
13 which he had a previous period of trial work.

14 "(d) A period of trial work for any individual shall
15 end with the close of whichever of the following months is earlier:

16 "(i) the ninth month, beginning on or after the
17 first day of such period, in which the individual renders services
18 (whether or not such nine months are consecutive); or

19 "(ii) the month in which his disability ceases (as
20 determined after application of paragraph (b) of this subsection).

21 "(e) In the case of an individual who becomes entitled
22 to benefits under Section 104 for any month as provided in paragraph (b)
23 of that section, the preceding provisions of this subsection shall not
24 apply with respect to services in any month beginning with the first
25 month for which he is so entitled and ending with the first month

1 thereafter for which he is not entitled to benefits under Section 104."

2 Section 9. Section 3 of the Northern Mariana Islands Social
3 Security Act is amended by adding the following new subsection:

4 "(16) (a) 'Child' means:

5 "(i) the child or legally adopted child of an
6 individual;

7 "(ii) a stepchild who has been such stepchild for
8 not less than 9 months immediately preceding the day on which such
9 individual died; and

10 "(iii) a person who is the grandchild or
11 stepgrandchild of an individual or his spouse but only if:

12 "(A) there was no natural or adoptive parent
13 (other than such a parent who was under a disability) of such person
14 living at the time such individual died, or if such individual had a
15 period of disability which continued until such individual died, there
16 was no natural or adoptive parent of such person living at the time
17 such individual's period of disability began; or

18 "(B) such person was legally adopted after
19 the death of such individual by such individual's surviving spouse in
20 an adoption that was decreed by a court of competent jurisdiction and
21 such person's natural or adopting parent or stepparent was not living
22 in such individual's household and making regular contributions toward
23 such person's support at the time such individual died.

24 "(b) For purposes of paragraph (a), a person who is not
25 the stepchild of an individual shall be deemed the stepchild of such

1 individual if such individual was not the parent or adopting parent of
2 such person and such individual, and the parent or adopting parent of
3 such person went through a marriage ceremony resulting in a purported
4 marriage between them, which, but for a legal impediment described in
5 Section 105(3) (b) (i) or (ii), would have been a valid marriage."

6 Section 10. Section 4 of the Northern Mariana Islands Social
7 Security Act is amended to read as follows:

8 "Section 4. Exemption of benefits, contributions, and funds
9 from legal process - - Nonassignability of benefits. The
10 benefits, the contributions, and the assets of the Northern
11 Mariana Islands Social Security Retirement Fund shall not be
12 subject to execution, attachment or garnishment and shall be
13 nonassignable except as specifically provided in this Title."

14 Section 11. Section 5 of the Northern Mariana Islands Social
15 Security Act is amended to read as follows:

16 "Section 5. Penalties for violation. Any person who
17 knowingly makes any false statement or who falsifies any
18 report to or record of the Northern Mariana Islands Social
19 Security Retirement System in an attempt to defraud the
20 system shall be guilty of a misdemeanor, and upon conviction
21 thereof shall be imprisoned for a period of not more than
22 one year, or fined not more than \$2,000, or both. Effective
23 April 1, 1977, these penalties shall apply to any attempt to
24 defraud the system in any matter other than one subject to
25 Section 154 (relating to the contributions payable under

1 "(3) has filed application for disability
2 insurance benefits, and
3 "(4) is under a disability shall be entitled
4 to a disability insurance benefit
5 "(a) for each month beginning with the
6 first month after his waiting period
7 in which he becomes so entitled to
8 such insurance benefits or
9 "(b) for each month beginning with the
10 first month during all of which he
11 is under a disability and in which
12 he becomes so entitled to such insurance
13 benefits, but only if he was entitled
14 to disability insurance benefits which
15 terminated, or had a period of disability
16 which ceased within the 60 month period
17 preceding the first month in which he is
18 under such disability, and ending with
19 the month preceding whichever of the
20 following months is the earliest: the
21 month in which he dies, the month in
22 which he attains retirement age, or the
23 third month following the month in which
24 his disability ceases. No payment under
25 this section may be made to an individual

1 Sections 151, 152, and 155 of this Title)."

2 Section 12. The table of contents for Chapter 5 of the Northern
3 Mariana Islands Social Security Act is amended to read as follows:

4 "Chapter 5

5 "COVERAGE AND BENEFITS -- PAYMENTS

6 "Sections.

7 101. Who is covered.

8 102. Agreement for coverage of employees of the
9 Government of the Trust Territory.

10 103. Old-age insurance benefits -- Eligibility.

11 104. Disability insurance benefits -- Eligibility.

12 105. Survivors' insurance benefits -- Eligibility.

13 106. Retirement and disability insurance
14 benefits -- Amount.

15 107. Survivors' insurance benefits -- Amount.

16 108. Lump-sum benefits.

17 109. Overpayments and underpayments.

18 110. Totalization agreement.

19 111. Application for monthly insurance benefits."

20 Section 13. Section 104 of the Northern Mariana Islands Social
21 Security Act is repealed and reenacted to read as follows:

22 "Section 104. Disability insurance benefits -- Eligibility.

23 Every person who:

24 "(1) is fully and currently insured,

25 "(2) has not attained retirement age,

1 who would not meet the definition of
2 disability in Section 3(10)(a) except
3 for subparagraph (iii) thereof for any
4 month in which he engages in substantial
5 gainful activity. In the case of a
6 deceased individual, the requirement of
7 subsection (3) may be satisfied by an
8 application for benefits filed with
9 respect to such individual within 3
10 months after the month in which he died."

11 Section 14. Subsection (2) of Section 105 of the Northern Mariana
12 Islands Social Security Act is repealed and reenacted to read as follows:

13 "(2) Every surviving child of an individual who dies a
14 fully or currently insured individual who was dependent on such insured
15 individual at the time of death (or, if such individual had a period
16 of disability which continued until he became entitled to old-age or
17 disability insurance benefits or until the month of his death, was
18 dependent at the beginning of such period of disability or at the time
19 he became entitled to such benefits) upon filing for child's survivor's
20 insurance benefits shall be entitled to a child's survivor's insurance
21 benefit, subject to the earnings test as defined in this Title, for
22 each month beginning with the month of January 1976 or the month of
23 death of the individual, if later, and ending with the month preceding
24 whichever of the following first occurs:
25

1 "(a) Attainment of age 18 years, except the benefits
2 are payable until the month before the attainment of age 22 so long
3 as the beneficiary is a bona fide student, and except that benefits
4 are payable during the disability of a child who was under a disability
5 before he attained age 22;

6 "(b) Marriage; or

7 "(c) Adoption (except for adoption subsequent to the
8 death of the individual upon whom the child was dependent by a
9 stepparent, grandparent, aunt, or uncle).

10 "(3) (a) In determining whether an applicant is the child of
11 a fully or currently insured individual for purposes of this section,
12 the Social Security Administrator shall apply such law as would be
13 applied in determining the devolution of intestate personal property
14 of the insured individual. Applicants who according to such law would
15 have the same status relative to taking intestate personal property as
16 a child shall be deemed such.

17 "(b) If an applicant is a son or daughter of a fully or
18 currently insured individual but is not (and is not deemed to be) the
19 child of such insured individual under paragraph (a), such applicant
20 shall nevertheless be deemed to be the child of such insured individual
21 if such insured individual and the mother or father, as the case may
22 be, of such applicant went through a marriage ceremony resulting in a
23 purported marriage between them which, but for a legal impediment --

24 "(i) resulting from the lack of dissolution of a
25 previous marriage or otherwise arising out of such previous marriage or

1 its dissolution, or

2 "(ii) resulting from a defect in the procedure
3 followed in connection with such purported marriage, would have been
4 a valid marriage.

5 "(c) An applicant who is the son or daughter of a fully
6 or currently insured individual, but who is not (and is not deemed to
7 be) the child of such insured individual under paragraph (b), shall
8 nevertheless be deemed to be the child of such insured individual if:

9 "(i) such individual before his death --

10 "(A) had acknowledged in writing that
11 the applicant is his son or daughter,

12 "(B) had been decreed by a court to be
13 the father of the applicant, or

14 "(C) had been ordered by a court to
15 contribute to the support of the applicant because the applicant
16 was his son or daughter, or

17 "(ii) such insured individual is shown by
18 evidence satisfactory to the Social Security Administrator to have
19 been the father of the applicant, and such insured individual was
20 living with or contributing to the support of the applicant at the
21 time such insured individual died.

22 "(4) A child shall be deemed dependent upon his parent or
23 adopting parent unless, at the time specified in subsection (2), such
24 parent or adopting parent was not living with or contributing to the
25 support of such child and --

1 "(a) such child is neither the legitimate nor adopted
2 child of such individual, or

3 "(b) such child has been adopted by some other
4 individual. For purposes of this subsection, a child deemed to be a
5 child of an individual pursuant to Subsection (3)(b) or (c) shall be
6 deemed to be the legitimate child of such individual.

7 "(5) A child shall be deemed dependent upon his stepparent
8 if, at the time specified in subsection (2), the child was living with
9 or was receiving at least one-half of his support from such stepparent.

10 "(6)(a) A child who is a child of an individual under
11 subparagraph (iii) of subsection (16) of Section 3 and is not a child
12 of such individual under subparagraphs (i) or (ii) of such subsection
13 shall be deemed not to be dependent on such individual at the time
14 specified in subsection (2) unless:

15 "(i) such child was living with such individual
16 and receiving at least one-half of his support from such individual:

17 "(A) for the year immediately before the
18 month in which such individual died, or

19 "(B) if such individual had a period of
20 disability which continued until he died, for the year immediately
21 before the month in which such period of disability began, and

22 "(ii) the period during which such child was
23 living with such individual began before the child attained age 18.

24 "(b) In the case of a child who was born in the 1-year
25 period during which such child must have been living with and receiving

1 at least one-half of his support from such individual, such child shall
2 be deemed to meet such requirements for such period if, as of the close
3 of such period, such child has lived with such individual and received
4 at least one-half of his support from such individual for substantially
5 all of the period which begins on the date of such child's birth.

6 "(7) A child's survivor's insurance benefit shall be paid
7 to the person upon whom the child is currently dependent."

8 Section 15. Section 106 of the Northern Mariana Islands Social
9 Security Act is amended by (a) redesignating subsection (4) as subsection
10 (5) and adding the following new subsection (4) to read as follows:

11 "(4) Benefits payable in or after October 1978. The
12 monthly old-age retirement benefit or disability benefit
13 payable to an individual under this Title shall be in an
14 amount as determined under the following table. Cumulative
15 covered earnings shall not include wages for employment or
16 self-employment income received in the year of commencement
17 of benefits; wages for employment and self-employment income
18 received in the year of commencement of payments for old-age
19 or disability insurance benefits or in later years shall be
20 included in benefit calculations upon subsequent application
21 for benefits, but such wages and self-employment income shall
22 be applicable for benefits for months after the calendar year
23 in which such earnings were received."

24 and (b) by repealing and reenacting new subsection (5) to read as
25 follows:

1 "(5) If a person entitled to a disability insurance
 2 benefit under this Title is receiving a periodic workmen's
 3 compensation benefit, the amount of the monthly disability
 4 benefit determined under subsections (1), (2), (3), or (4)
 5 shall be reduced by the excess of the sum of the workmen's
 6 compensation benefit for that month and the disability
 7 insurance benefit for that month over 80 percent of
 8 one-twelfth of the highest annual covered wages in the
 9 period consisting of the year in which the disability
 10 occurred and the preceding 5 years. If a workmen's
 11 compensation benefit was payable in periodic benefits
 12 but was commuted to a lump sum, for purposes of this
 13 subsection it will be considered that the periodic
 14 benefit originally available was paid in each month that
 15 it would have been paid if the commutation had not occurred.
 16 "If an individual's cumulative The Monthly Benefit Amount
 17 covered earnings are ...

	<u>At least --</u>	<u>But not more than --</u>	<u>shall be --</u>
18			
19	\$ 0	\$ 3,200	\$ 65.50
20	3,201	3,800	67.30
21	3,801	4,400	69.80
22	4,401	5,000	72.30
23	5,001	5,600	74.70
24	5,601	6,200	77.20
25	6,201	6,800	79.70

1	6,801	7,400	82.20
2	7,401	8,000	84.70
3	8,001	8,600	87.10
4	8,601	9,200	89.60
5	9,201	9,800	92.10
6	9,801	10,400	93.70
7	10,401	11,000	94.50
8	11,001	13,400	95.40
9	13,401	15,800	97.00
10	15,801	18,200	98.60
11	18,201	20,600	100.30
12	20,601	21,800	101.60
13	21,801	22,100	101.90
14	22,101	22,700	102.90
15	22,701	23,300	104.60
17	23,301	23,600	105.90
18	23,601	24,200	107.40
19	24,201	24,800	109.00
20	24,801	25,400	110.60
21	25,401	26,000	111.80
22	26,001	26,200	113.50
23	26,201	26,800	114.50
24	26,801	27,400	115.90
25	27,401	28,000	117.40

1 54,001 55,900 159.50"

2 Section 16. Section 107 of the Northern Mariana Islands Social
3 Security Act is amended by adding the following new subsection:

4 "(4) Benefits payable in or after October 1978.

5 "(a) The monthly benefit payable to a surviving
6 spouse under this Title shall be in an amount equal to 70 percent of
7 the retirement insurance benefit calculated for the deceased spouse
8 at the date of death. If the surviving spouse is eligible for a
9 monthly benefit under this Title based on his or her own wages the
10 monthly survivor's insurance benefits shall be reduced by the amount
11 of his or her monthly benefit.

12 "(b) The monthly benefit payable to a surviving child
13 under this Title shall be in an amount equal to 60 percent of the
14 retirement insurance benefit calculated for the deceased parent as
15 of the date of death.

16 "(c) In no event shall the total survivors' benefits
17 paid to a spouse and/or children under this Title exceed 150 percent
18 of the retirement insurance benefit calculated for the decedent as
19 of the date of death.

20 "(d) In no event shall the monthly benefit payable in
21 or after October 1978 to a sole surviving spouse or a sole surviving
22 child be less than \$46.50."

23 Section 17. Chapter 5 of the Northern Mariana Islands Social
24 Security Act is amended by adding the following new section:

25

1 "Section 111. Application for monthly insurance benefits:

2 "(1) An individual who would have been entitled to
3 a benefit under Section 103, 104, or 105 for any month had he filed
4 application therefor prior to the end of such month shall be entitled
5 to such benefit for such month if he files application therefor prior
6 to the end of the twelfth month immediately succeeding such month.

7 "(2) An application for any monthly benefits under
8 this section filed before the first month in which the applicant
9 satisfies the requirements for such benefits shall be deemed a valid
10 application only if the applicant satisfies the requirements for such
11 benefits before the Social Security Administrator makes a final
12 decision on the application. If upon final decision by the Social
13 Security Administrator, or decision upon judicial review thereof, such
14 applicant is found to satisfy such requirements, the application shall
15 be deemed to have been filed in such first month."

16 Section 18. Effective Date. This Act shall take effect upon
17 its approval by the Governor, or upon its becoming law without such
18 approval; PROVIDED, however, that the amendments made by this Bill
19 shall be as follows:

20 (a) The amendments made by Sections 1, 2, 4, 8, 10,
21 and 11 shall be effective January 1, 1979;

22 (b) The amendment made by Section 3 shall be effective
23 for monthly benefits payable for months after June 1977;

24 (c) The amendments made by Sections 5, 6, 7, 12, 13,
25 and 17 shall be effective January 1976 except that enactment of these

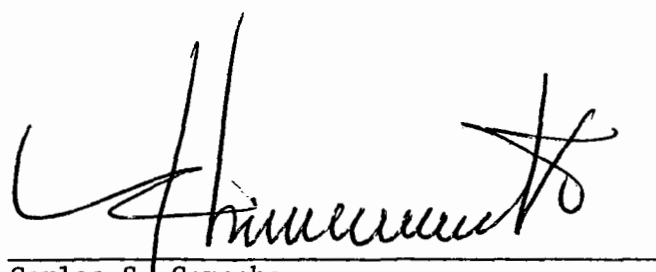
1 sections shall not render erroneous any payments made before enactment
2 nor shall any monthly benefit be payable or increased as a result of
3 enactment of these sections for months before October 1978;

4 (d) The amendments made by Sections 9 and 14 shall be
5 effective with respect to applications filed in or after the month of
6 enactment or on which, on the date of enactment, notice of a final
7 decision by the Social Security Administrator has not been given. No
8 monthly benefit shall be payable or increased as a result of enactment
9 of these sections for months before October 1978;

10 (e) The amendments made by Sections 15 and 16 shall be
11 effective with respect to benefits payable in or after October 1978.

12
13
14
15
16
17
18
19
20
21
22
23
24
25

MARCH 16, 1979



Carlos S. Camacho
Governor
Commonwealth of the Northern Marianas