



Commonwealth of the Northern Mariana Islands
Office of the Governor
Capitol Hill, Saipan MP/USA 96950



23 JUL 1993

Phone: (670) 322-5091/2/3
Telefax: (670) 322-5096/99
Telex: 783-622 Gov. NMI

The Honorable Thomas P. Villagomez
Speaker, House of Representatives
Eighth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

and

The Honorable Juan S. Demapan
Senate President
Eighth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Mr. Speaker and Mr. President:

This is to inform you that I have signed into law House Bill No. 8-130, H.D.1, to provide vesting service credit for overtime and compensatory time worked, which was passed by the Eighth Northern Marianas Commonwealth Legislature.

The bill recognizes the need to provide fairness to those public employees who are required to perform work in excess of the total normal hours of 2,080 per annum. Crediting of overtime or compensatory time for retirement purposes is viewed as "fair and logical" by the Retirement Fund Board.

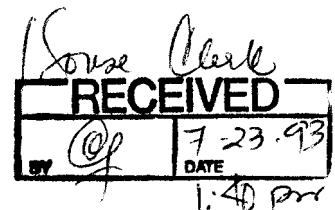
Although the intent of the bill is clear, as expressed in Section 1, it would be advisable to reword Section 2 to maintain consistency in that intent, and avoid any future misinterpretation. As it is written, Section 2 could be read to mean that only overtime or compensatory time in excess of 2,080 hours would be credited. In other words, there will be no "vesting service" for the first 2,080 hours of overtime or compensatory time performed each year. As I am sure this is not the intent of the Legislature, I am confident an amendment will be expedited to address this needed clarification.

This bill becomes Public Law No. 8-24. Copies bearing my signature are forwarded for your ready reference.

Sincerely,


LORENZO I. DE LEON GUERRERO
Governor

CC: Director, Department of Finance
Administrator, Retirement Fund



HOUSE OF REPRESENTATIVES

**EIGHTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
FIFTH SPECIAL SESSION, 1993**

PUBLIC LAW NO. 8-24

HOUSE BILL NO. 8-130, H.D.1

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AN ACT

To amend 1 CMC Division 8, by adding new sections 8333 and 8334, and for other purposes.

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Offered by Representatives: Jesus P. Mafnas, Joaquin H. Borja, Antonio M. Camacho,
Herman T. Guerrero, Mametto U. Maratita and Herman T. Palacios

Date: June 26, 1992

HOUSE ACTION

Referred to Committee on Ways and Means

Standing Committee Report: None

First and Final Reading: January 14, 1993

SENATE ACTION

Second and Final Reading: June 22, 1993


Evelyn C. Fleming
House Clerk

Recd. 7/13/93

EIGHTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

H.B. NO. 8-130, H.D.1

THIRD SPECIAL SESSION, 1992

AN ACT

To amend 1 CMC Division 8, by adding new sections 8333 and 8334, and for other purposes.

BE IT ENACTED BY THE EIGHTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 Section 1. Findings. The Legislature finds that employees of the public service who
2 performed more than forty (40) hours a week pay and contribute to the Retirement Fund
3 without receiving service credit for work performed in excess of forty (40) hours a week
4 or two thousand eighty (2,080) hours a year. In calendar years 1990 and 1991, the total
5 overtime and compensatory time hours paid to public services employees were 228,500 and
6 322,700 respectively. It is the policy of the Commonwealth Government to be fair to those
7 employees who are required to work in excess of the normal total hours.

8 Section 2. 1 CMC Division 8, is amended by adding a new Section 8333 as follows:

9 "Section 8333. Overtime or Compensatory Time Worked Service Credit.

10 Vesting service credit shall be given for overtime or compensatory time performed
11 in excess of 2,080 hours per annum."

12 Section 3. 1 CMC Division 8 is amended by adding a new Section 8334 as follows:

13 "Section 8334. Requirement for Overtime or Compensatory Time Worked

14 Service Credit. The Director of Finance or the Executive Director of the
15 autonomous agency shall certify to the Board of Trustees the total excess hours

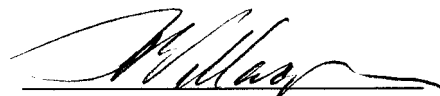
1 performed by such member at the end of each calendar year. The Board shall
2 compute and add such credit to the member's total service.

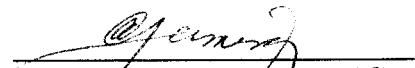
3 Section 4. Severability. If any section of this Act should be declared invalid by a
4 court of competent jurisdiction, the remainder of this Act shall not be affected thereby.

5 Section 5. Effective Date. This Act shall take effect upon its approval by the
6 Governor, or upon its becoming law without such approval, provided however, that it shall
7 be retroactive to January 1, 1985.


CERTIFIED BY:

ATTESTED BY


THOMAS P. VILLAGOMEZ
Speaker
House of Representatives


EVELYN C. FLEMING
House Clerk

APPROVED on this 23rd day of July, 1993


LORENZO I. DE LEON GUERRERO
Governor
Commonwealth of the Northern Mariana Islands