

*1ST. DAY SPECIAL*  
FOURTH REGULAR SESSION, 1984

*J.G.O. Comm.*

## A BILL FOR AN ACT

To freeze and reduce the number of nonresident workers in the Commonwealth, to prohibit job transfers of nonresident workers, to adopt a ten year plan for the reduction of nonresident workers, to amend the Non-Resident Workers Act, Chapter 4, Division 4 of Title 3 of the Commonwealth Code, and the Entry and Deportation Act of 1983, P.L. 3-105, and for other purposes.

BE IT ENACTED BY THE FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 Section 1. Short Title. This act may be cited as the Nonresident  
2 Workers Amendments Act of 1984.

3 Section 2. Findings. The Commonwealth Legislature finds it is  
4 necessary to gradually reduce the number of nonresident workers in the  
5 Commonwealth so that the benefits of economic development flow more fully to  
6 Commonwealth citizens and residents.

7 Section 3. Limit on Number of Nonresident Workers. Upon the effective  
8 date of this act, the Director of Commerce and Labor shall authorize no  
9 increase in the absolute number of nonresident worker permits outstanding.

10 Section 4. Priorities for Nonresident Worker Categories.

11 (a) The Director of Commerce and Labor shall prioritize  
12 the work categories for which nonresident workers enter the  
13 Commonwealth. The categories shall include accountants, assistant  
14 and general managers, auditors, auto repair shop workers, bakers,  
15 bartenders, bookkeepers, carpenters, construction workers, cooks,  
16 electricians, entertainers, farmers, fishermen, garment workers,  
17 gasoline station service attendants, heavy equipment operators,  
18 janitors, landscapers, maids and domestic service workers, masons,  
19 mechanics, painters, plumbers, seamstresses, retail or other sales  
20 service clerks, and waitresses.

1 (b) If the number of nonresident worker permits sought  
2 exceeds the absolute number of nonresident worker permits that  
3 may be issued, the Director shall issue the nonresident worker  
4 permits according to the priorities established by this act and  
5 as supplemented by him from time to time by regulation.

6 (c) Priority in the issuance of nonresident workers' permits  
7 shall not be given to waitresses, entertainers, retail store  
8 service clerks, maids and domestic service workers, and gasoline  
9 station service attendants.

10 Section 5. Ten Year Plan to Reduce the Number of Nonresident Workers.

11 (a) The Director shall annually reduce the number of  
12 nonresident workers permitted to work and reside in the  
13 Commonwealth by no less than 100 per year so that as of  
14 January 1, 1995 there will be no more than 2,000 nonresident  
15 workers residing in the Commonwealth at any time.

16 (b) As of January 1, 1985, the Director shall report quarterly  
17 to the Governor and the presiding officers of the legislature upon  
18 the progress he is making to reduce the number of nonresident  
19 workers in the Commonwealth to 2,000 by January 1, 1995.

20 Section 6. Immediate Family Members Permitted Entry. The spouse and  
21 children of a nonresident worker may be permitted to temporarily reside in  
22 the Commonwealth only if the nonresident worker is:

23 (1) paid an annual salary of more than \$15,000 per  
24 year; and

25 (2) posts with the Chief a bond or other surety  
26 guaranteeing the repatriation of the family members for  
27 whom he seeks entry permits; and

1 (3) pays an annual permit fee of \$1,000 per  
2 family member.

3 Section 7. Amendments: Definitions. 3 CMC Section 4412 is amended as  
4 follows:

5 (a) A new definition "j" is added to read:

6 "(j) 'Professional' means physicians, attorneys,  
7 architects, engineers, certified public accountants, and  
8 any other occupation listed as professional by the  
9 Director of Commerce and Labor.

10 (b) Subsection (j) "Resident Workers", is relettered to read  
11 (k), and is further amended to add a new sentence after the last  
12 word "Commonwealth" to read as follows:

13 "However, unless the Chief certifies that the United  
14 States immigration laws grant reciprocal privileges to  
15 permanent residents of the Commonwealth, resident workers  
16 does not include aliens holding a United States green card  
17 or aliens who are otherwise permitted within the territory  
18 of the United States without restriction as to employment.  
19 For purposes of this subsection 'territory of the United  
20 States' shall not include the Commonwealth."

21 Section 8. Amendments: Procedures and Requirements: Approval of  
22 Contract by Director.

23 (a) 3 CMC Section 4434(a) is amended to read as follows:

24 "(a) Prior to entry of the nonresident worker into  
25 the Commonwealth for employment under the provisions of  
26 this chapter or, if the worker is already within the

1 Commonwealth, before commencing employment, the employer  
2 shall present to the Chief the affidavit described in  
3 subdivision (b), a fully executed employment contract  
4 between the employer and the nonresident worker which  
5 shall conform to the requirements of subdivision (c)  
6 and shall be contingent on: (1) approval by the Chief,  
7 (2) the payment of any required fee, and (3) the  
8 disclosure of any other information or document required  
9 pursuant to the employment agreement or departmental  
10 regulations.

11 (b) 3 CMC Section 4434(b) is amended to add a new clause and  
12 to read as follows:

13 "(5) If the Affidavit of the non-resident worker is  
14 not executed in the Commonwealth, it shall be attested as  
15 true by the employer or by the employee's Employment-  
16 Recruitment Agency if it is licensed to do business in  
17 the Commonwealth."

18 (c) 3 CMC Section 4434(c) is relettered to read (d).

19 (d) 3 CMC Section 4434(c) is added to read as follows:

20 "(c) The Contract between the employer and the  
21 nonresident worker shall include specific itemization  
22 of any deductions from the employee's salary. This  
23 itemization may include the following: Applicable  
24 taxes and fees, food, housing, health, medical and  
25 dental care, transportation, and any other deductions

1 as required by law. No deductions for expenses may  
2 be levied against a nonresident worker unless (1) the  
3 expenses are specifically included in the employment  
4 contract entered into between the employer and the  
5 nonresident worker and executed at the time of and  
6 place of recruitment of the nonresident worker and  
7 (2) the expenses are no more than the expenses  
8 actually incurred by the employer in providing the  
9 benefits. The contract shall specify which party is  
10 financially responsible for the cost of transportation  
11 to and from the Commonwealth and the country of origin  
12 for the worker and any accompanying family members.  
13 Regardless of who is contractually responsible for  
14 return transportation costs, the employer shall post  
15 a bond or other surety pursuant to Subsection (a) of  
16 Section 4435 of this Title."

17 Section 9. Amendments: Procedures and Requirements: After Contract

18 Approved.

19 (a) 3 CMC Section 4435(a) is amended to read as follows:

20 "(a) After receiving notice from the Chief that  
21 an employment contract has been approved, the employer  
22 shall deliver to the Chief proof of bond or other surety  
23 from a recognized insurance company in an amount and  
24 form acceptable to the Chief to secure the faithful  
25 performance of the duties and responsibilities of the  
26 employer under this act and the departure of the  
27 non-resident worker and any accompanying family members  
28 at the end of the worker's employment period.

1       Section 10. Amendments: Transfer of Employment.

2           (a) 3 CMC Section 4436(a) is amended to read as follows:

3               "A non-resident worker may not transfer from one  
4       employer to another or from one job to another. ~~SUBJECT~~  
5       ~~TO APPROVAL BY THE CHIEF PURSUANT TO REGULATIONS~~

6           (b) 3 CMC Section 4436, subsections (b), (c), (d), and (e),  
7       is repealed.

8       Section 11. Amendments: Restrictions and Obligations. 3 CMC Section  
9       4437(h) is amended to read as follows:

10           "(h) A non-resident worker shall not be required  
11       to leave the Commonwealth in order to maintain  
12       certification, or renewal of certification, ~~or transfer~~  
13       ~~of employment~~ pursuant to Section 7 of this Act.

14       Section 12. Amendments: Restrictions and Obligations: 3 CMC Section  
15       4437(b)(2) is repealed and reenacted to read as follows:

16           (2) Any final, non-appealable order or judgment  
17       in which the employer prevails on every claim  
18       shall cause the non-resident worker to depart the  
19       Commonwealth and the non-resident worker shall be  
20       precluded from re-entering the Commonwealth for a  
21       period of 5 years under any entry status. In  
22       addition, reentry into the Commonwealth shall not  
23       be allowed for a period of 5 years to any  
24       non-resident worker whose employment contract was  
25       terminated within the Commonwealth for cause, such  
26       as breach of contract by the non-resident worker.

1                   (3) Unless otherwise agreed, any non-resident  
2                   worker who voluntarily resigns or terminates his or  
3                   her employment before the expiration of his or her  
4                   employment contract or agreement shall bear his or  
5                   her repatriation expenses to point of hire or to  
6                   any destination of his or her choosing. If the  
7                   non-resident worker has insufficient funds to pay  
8                   such expenses, the employer shall pay the expenses.  
9                   If the employee and employer refuse to pay the  
10                  expenses, the Chief shall pay the expenses using  
11                  the bond or other surety required under Section  
12                  4435(a). In any event, the Chief shall require  
13                  the non-resident worker to leave the Commonwealth  
14                  20 days following such resignation or termination  
15                  of employment."

16               (b) 3 CMC Section 4437(g) is amended to read as follows:

17               "(g) Each employer shall give a copy of the  
18               approved employment contract, to his non-resident  
19               employee, and no employer shall withhold from a  
20               worker any identification certificate, passport,  
21               entry permit, or other document related to the  
22               status of the worker, except if the worker so  
23               expressly desires and requests the employer in  
24               writing to keep the employee's original labor work  
25               permit or immigration entry permit. In such event,  
26               the employer shall state in writing the acceptance

1 and receipt of the documents and shall provide the  
2 Chief with a copy of that writing, and the employer  
3 shall provide and give to the employee a copy of the  
4 work and entry permits withheld. Further, in the  
5 event that the nonresident worker negligently loses  
6 any documents required to be in his possession at all  
7 times, the cost of duplicates may be borne by the  
8 non-resident worker through payroll deduction if the  
9 employer bears the cost of duplication."

10 (c) 3 CMC Section 4437 is amended to add a new subsection (i)  
11 to read as follows:

12 "(i) (1) An employer may deduct from the worker's  
13 salary the actual cost for repatriation expenses of air  
14 transportation to the point of hire or any destination  
15 to which the nonresident worker chooses to return.  
16 This amount shall not exceed the actual cost of air  
17 transportation from the Commonwealth to the point of  
18 hire. These funds shall be placed in an interest  
19 bearing trust account in the employee's name but  
20 from which the employer shall have the right to  
21 deposit, or to withdraw with the prior written  
22 consent of the beneficiary. This amount shall only  
23 be used for the return air transportation cost of the  
24 non-resident worker whose employment is terminated  
25 before the expiration date of his employment contract.

1        The employer must notify the Office of Immigration  
2        and Department of Commerce and Labor of any  
3        termination of employment within 10 days. In the  
4        case of a termination by an employer, the employee  
5        may request an administrative hearing from the  
6        Division of Labor to determine whether good cause  
7        for the termination exists. A finding that good  
8        cause exists for the termination shall authorize  
9        the employer to use the trust funds for the  
10       employee's transportation from the Commonwealth.  
11       A good cause termination may also constitute a  
12       failure to comply with the requirements or  
13       conditions of entry and shall be grounds for  
14       deportation under P.L. 3-105, Section 17(e).  
15       Any balance from this trust account or the entire  
16       amount plus interest, if the contract is completed,  
17       shall be the property of the employee and shall be  
18       returned to the employee. If the terminated  
19       employee has not worked a sufficient period of  
20       time for the total cost of the air transportation  
21       to accrue in the trust account, the amount required  
22       to repatriate the employee may be offset against  
23       any amount owing to the employee as wages.

24       Section 13. Amendment. 3 CMC Section 4444(e)(4) is amended to add a  
25       Proviso at the end thereof to read as follows:

26       "Provided, that any employer who has been found in  
27       violation of this act on two or more occasions or

1           in two or more employment contracts during any five  
2           year period shall be disqualified from using any  
3           nonresident labor for five years."

4           Section 14. Amendments: Definition. Section 3, Subsection q(2) of  
5: of Public Law 3-105, the Commonwealth Entry and Deportation Act of 1983, is  
6 amended to read as follows:

7           "(2) A visitor for business or pleasure (other  
8           than one coming for the purpose of study or of  
9           performing skilled or unskilled labor or as a  
10          representative of foreign press, radio, film, or other  
11          foreign information media coming to engage in such  
12          vocation) having a residence in a foreign country  
13          which he has no intention of abandoning and who is  
14          visiting temporarily for business or for pleasure.  
15          Visitor shall not include non-resident workers but  
16          shall include any accompanying family member or  
17          dependents of a non-resident worker."

18          Section 15. Anendment: Denial, Duration, Extension, and Modification  
19 of Entry Permit: Duration of Stay, Extension and Modification of Permit.

20 Clause 4 of Subsection (b) of Section 10 of Public Law 3-105, the Commonwealth  
21 Entry and Deportation Act of 1983, is amended to read as follows:

22          "(4) No person shall be required to leave the  
23          Commonwealth as a condition of obtaining any extension,  
24          modification, renewal or change of non-immigrant  
25          classification pursuant to this Section 10 except  
26          persons applying for a change from a classification  
27          based on a Department of Commerce and Labor  
28          certification to a classification which is not based  
29          on such a certification."

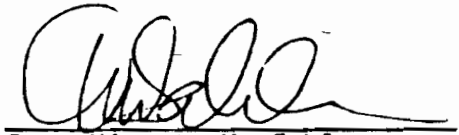
1 Section 16. Regulations. Within 60 days from the effective date of  
2 this act, the Director shall promulgate regulations to implement 3 CMC  
3 Section 4424 and this act.

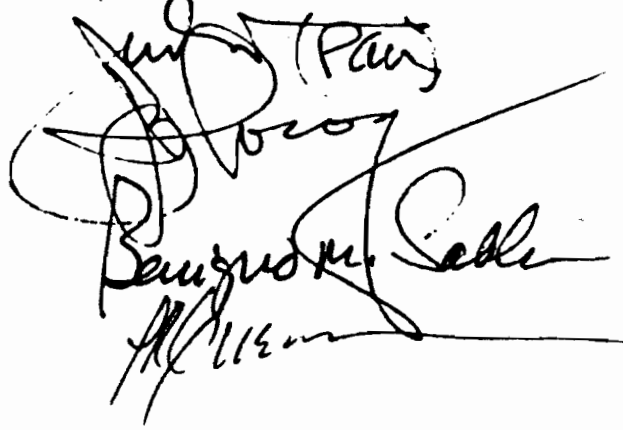
4 Section 17. Repealer. Section 4436, subsections (b), (c), (d), and  
5 (e) are repealed.

6 Section 18. Severability. If any provision or clause of this Act or  
7 application thereof to any person or circumstances is held invalid, such  
8 invalidity shall not affect other provisions or applications of this Act  
9 which can be given effect without the invalid provision or application, and  
10 to this end the provisions of this Act are declared to be severable.

11 Section 19. Effective Date. Upon approval by the Governor or upon its  
12 becoming law without such approval, this act shall take effect on February 1,  
13 1985.

Date: 11/20/84

Introduced by:   
Rep. Vicente M. Sablan

  
The block contains several handwritten signatures and initials. One signature appears to be 'Vicente M. Sablan' written in a cursive style. There are also other initials and signatures, some of which are partially obscured or crossed out.



Commonwealth of the Northern Mariana Islands  
Office of the Mayor  
MUNICIPALITY OF ROTA  
ROTA, CM 96951

December 18, 1984

Representative Benigno M. Sablan  
Vice-Chairman, House Committee on  
Resources & Development  
Northern Marianas Commonwealth Legislature  
Saipan, CM 96950

Dear Representative Sablan:

I have reviewed House Bill No. 180, the nonresident workers Amendment Act of 1984, which proposes to limit and gradually reduce the number of nonresident workers in the Commonwealth. While I strongly favor reducing the alien labor force, I don't agree with certain sections of this bill. Instead of having the Director of Commerce and Labor be solely responsible for adopting and implementing the plan for the reduction of nonresident workers, a committee or task force should be formed. This committee shall conduct an intensive study of the alien labor situation and recommend ways to deal with the alien labor problem more effectively.

Sincerely,

A handwritten signature in cursive script, appearing to read "Prudencio T. Manglona".

Prudencio T. Manglona

xc: Special Assistant for Programs and  
Legislative Review



House of Representatives

FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. Box 586  
Saipan, Mariana Islands 96950

Phone: 6295/6284/6618

**SPEAKER**

Vicente M. Sablan

**VICE SPEAKER**

Juan B. Tudela

**FLOOR LEADER**

Pedro T. Nakatsukasa

**SAIPAN & ISLANDS NORTH**

Jose C. Cabrera  
Benigno R. Fitial  
Ignacio DLG. Demapan  
Juan DLG. Demapan  
Juan T. Guerrero  
Pedro R. Guerrero  
Jose R. Lifoifoi  
Pedro T. Nakatsukasa  
Benigno M. Sablan  
Gregorio C. Sablan  
Vicente M. Sablan  
Juan S. Torres  
Juan B. Tudela

**TINIAN & AGUIGUAN**

Francisco T. Cabrera

**ROTA**

Victor B. Hocog

December 17, 1984

TO: ALL MEMBERS RESOURCES AND DEVELOPMENT COMMITTEE

FROM: COMMITTEE CONSULTANT

SUBJECT: CHANGE OF SCHEDULE FOR ROTA PUBLIC HEARING

Due to nonavailability of flights to Rota tomorrow, Tuesday December 18, 1984, the Chairman has rescheduled the hearing to Thursday December 20, 1984. Departure to Rota will be 7:30 a.m.

Because the Committee is not able to Travel to Rota, instead a Public Hearing is being scheduled for Tinian, Tuesday December 18, 1984. The Committee will leave to Tinian Tomorrow afternoon by Freedom Air. The legislation to be heard in Tinian is same for Rota. Please make sure that you take your copies with you.

Pedro O. Dela Cruz

cc: Chairman, R and D Committee

H.B. 128  
H.B. 144



**Small Business Association, Inc.**

December 14, 1984

The Honorable Pedro R. Guerrero  
Chairman  
Committee on Resources and Development  
Fourth Northern Marianas Legislature  
Saipan, CM 96950

Dear Mr. Chairman:

Thank you very much for your invitation to testify on House Bill No. 180.

As a general comment, Small Business Association, Inc. would like to say that this legislation is long over due. All countries in the world, including the United States, exercise stringent control on immigration. To our knowledge, the Northern Marianas is the only jurisdiction that has, in practice, an open door immigration policy. What motivated our political leaders in the past to establish such a policy is something we simply do not understand.

The first and primary obligation of the Northern Marianas Government is to promote and protect the interests of its citizens, not aliens. We are, therefore, gratified that the Legislature is moving to establish control on alien labor and immigration in the Northern Marianas.

At the same time, the Small Business Association would like to serve notice to the Legislature that if no legislation is enacted within the next three months, we will launch a popular initiative to control alien labor and immigration.

Instead of making comments on specific provisions of this legislation, the Small Business Association wishes to state its position on the various aspects of alien labor and immigration:

1. Foreign Investor Welcome. We encourage and welcome the presence of serious foreign investors who make a substantial and positive contribution to the economic and social development of the Commonwealth. In fact, we believe that any foreigner who contributes or invest at least \$250,000 in the Commonwealth should be allowed to stay here as long as he maintains his business.

2. Tax/Fee on Alien Labor. At the current rate of development of the Northern Marianas, alien labor is a necessary "evil" that we have to live with. However, we don't think it is a good or realistic policy to eliminate alien labor altogether. Instead, we propose that a tax or fee on alien labor be imposed on employers, including the government, who import alien labor. The tax, which should be \$1,000 or 25% of gross wages per person, should be earmarked and deposited in a special "Domestic Manpower Development Fund" to be used in training and educating local residents for jobs now held by alien labor.

3. Minimum Wage not to apply to Alien Labor. We believe that the NMI minimum wage should not apply to alien labor. Alien labor should be paid according to market conditions in their home countries. Applying NMI minimum wage to alien labor is inflationary and further distorts trade balance with labor exporting countries if alien labor is required to repatriate a major part of their wages to their home country. In short, applying minimum wage to alien labor only means more money will be taken out of the economy and spent elsewhere.

4. Employee/Recruitment Agency to guarantee Employee Qualification and Competency. Many alien laborers, particularly from the Philippines, do not live up to qualifications and competency indicated in their applications. Employment/Recruitment agencies should be liable for any employee who does not measure up to qualifications. We propose that recruitment agencies guarantee, through posting of a bond, the qualifications and competency of their clients.

5. Transfers prohibited and length of stay to 5 years. Transfer of alien employees among employers should be stopped and the length of alien labor stay should be limited to 5 years. No alien employees, except professionals, should be allowed to stay in the NMI for more 5 years, either in one continuous stay or in commulative periods.

6. Employee/Attorneys to pay for expenses of employer in lawsuits. It appears that alien labor and certain attorneys in the islands are making it a big business to sue employers. The employee and his attorney should be required to pay the expenses of the employers in the event they lose the lawsuit.

7. Female alien employees who get pregnant. There is growing evidence that many female alien employees are purposefully getting pregnant while in the Northern Marianas in order to stay in the NMI. There should be a law to deport any female employee who is not a professional who gets pregnant. The NMI should not be used as some sort of birth factory.

8. Children born in NMI of Alien parents. Children who are born of alien parents should not be used as sponsors of parents unless he is an adult, or at least 18 years old.

9. Male alien employees who father children by local women or who enter into a relationship with local women. Such men should be required by law to provide financial support to their children and to the women they live with.

10. Costs of Education and Medical Care. Alien employees or their employers should be required to pay the actual costs of public education to children of alien employees and costs of medical care to alien labor and dependents.

Mr. Chairman, these are but some of issues of importance to the Small Business Association. We express these views, not because we are anti-alien labor but out of a deep concern that unless something is done soon, we may face unfortunate consequences of uncontrolled alien labor, backlash against alien labor, take-over by the federal government of our immigration, and a reduction of covenant funding.

Again, Mr. Chairman, I would like to state for the record that SBA is prepared to launch an initiative on this serious public issue unless the Legislature takes an appropriate and immediate to action to control alien labor. Thank you very much.

Sincerely,

*P. C. Arriola*

Pedro Arriola  
Treasury

Date : December 13, 1984

To : Congressman Benigno M. Sablan  
Vice-Chairman, House Committee on Resources & Development

From : Don L. Conner, Secretary of Tinian Stevedores, Inc. &  
President of Tinian Center, Inc., Tinian

Subject: Written Testimony on House Bill No. 180

Due to our late knowledge of Public Hearing on the aforementioned bill, December 13, 1984, to be exact, it is impossible for me to personally appear at this Hearing. Therefore, please admit this written testimony on behalf of the Boards of Directors of Tinian Stevedores, Inc. and Tinian Center, Inc.

Tinian Stevedores, Inc. employed on October 31, 1984 approximately 40 aliens, 25 Micronesians, 20 CNMI and 2 U.S. Citizens. The primary purpose of employment is for transshipment of tuna in Tinian harbor. Even though, we have tried to recruit more CNMI residents, we have had many problems in retaining CNMI employees. The reasons for this problem are as follows.

1. Nearly all dependable people on Tinian have easier or more consistent employment.
2. Of more than 200 people hired from Saipan since February 1983 only 10 remained.
3. Most of the people hired within the CNMI want to work only for short periods and to be paid immediately which is not feasible or necessary in businesses employing so many people.
4. Though our Micronesian employee turnover was higher than for aliens, neither exceeded 20 per cent. Whereas CNMI employment turnover was more than 70 per cent in 1984, not to mention 1983.
5. Two CETA trainees were hired during 1984, neither of which worked more than two weeks.

In summary, I must say that to lure CNMI citizens and residents to Tinian has not been a problem. However, none want to stay long because the population is small and recreational activities limited. In addition, with Tinian's closeness to Saipan, most young people prefer the life style of Saipan.

We never turn away CNMI residents who have not been problem employees in the past or new applicants who accept our terms.

Rec'd  
12/14/84

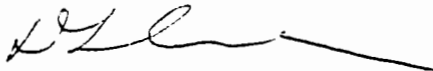
Page 2

At present, Tinian Center, Inc. employs only 5 alien and 5 resident employees. However we expect to expand. We are constantly trying to hire more qualified employees or trainees who can meet our standards within the CNMI. But, again, because of Tinian being so small, most younger people do not wish to return after receiving their educations.

Therefore, the Board of Directors of both Tinian Stevedores, Inc. and of Tinian Center, Inc. feel that with the growing pains the Commonwealth is now experiencing, limiting alien labor at this time would be very detrimental to the private sector within the CNMI.

However, we feel that all other aspects of this Bill, putting control of alien labor back into the hands of the CNMI and employers, with restrictions, is well warranted.

We, therefore, support all area, except limitation of importation of Alians.

A handwritten signature in black ink, appearing to read 'D. Conner', with a long horizontal line extending to the right.

Don L. Conner

House Clerk

P.O. Box 212  
Saipan, CM 96950

TESTIMONIES RELATIVE TO  
H. B. No. 180

December 14, 1984

Honorable Benigno M. Sablan  
Vice-Chairman  
House Committee on Resources and  
Development  
Northern Marianas Legislature  
Saipan, CM 96950

Dear Mr. Vice-Chairman:

The Northern Marianas Women's Association is grateful that this Committee takes recognition on the need to enact a law for the control of non-resident workers in the CNMI.

It is apparent that a major effort would need to be devoted to developing procedures and regulations to ensure that a proper and effective control system is in place.

The Association realizes the need to have alien workers on our island that would help contribute to a healthy development. However, we would like to see our economy prosper without exploitation. We want a development that is healthy and can be controlled so that we remain master of our own house.

As of October 1984, NMI Social Security registered 7,500 aliens. Filipinos and Koreans comprised 4,800 of these figures. This is an alarming number of aliens in the CNMI and further justifies the need to establish laws to restrict, control, and monitor their existence in the CNMI.

House Bill No. 180 is an attempt to correct the deficiencies of the present laws. We believe however, that more problems, and fighting among ourselves would result from its attempt to correct such deficiencies.

The setting of an absolute number of non-resident workers, a planned reduction of 100 non-resident workers annually, and establishing job priorities, are not the solutions needed at this time.

We need answers to the following:

1. What is the absolute number of non-resident workers to be established as of 1/1/85?
2. Who should decide what is the fair and correct absolute number to start with? What basis will be used to determine the absolute number?

3. Which is more important, to reach the absolute number of non-resident workers or to fill prioritized jobs? Priority of job categories will have no effect in the absence of a quota. Also, this will not fulfill the intention of the law to reduce the numbers of non-resident workers because the Director may issue beyond the absolute number. For example, 400 work certificates issued above the absolute number - decreased by 100 per law, result - an annual increase of 300.
4. Where does the 100 annual reduction fit in this scheme of absolute number and prioritized jobs?
5. Which employer is the first to suffer the loss of employees when the 100 annual reduction goes into effect? Everyone's needs would be magnified and no one can measure and decide who needs who most.
6. Which employer would have the best chance to fill the slots of prioritized jobs? Present system does not process applicants on first submission basis. This system will continue thus resulting in someone not receiving equitable treatment.

The above questions would make the present problems between employer and employees seem small in comparison to the guaranteed arguments and fight to arise over rights and opportunities to be allowed to import non-resident workers in the years to come.

We therefore recommend the deletion of the absolute number and the prioritizing of job categories. We would favor an open market to allow as many workers as needed to come in. However, impose the requirements, controls, and monitors on the employers.

The requirements should be made (a) VERY DIFFICULT (b) VERY STRICT (c) VERY EXPENSIVE and (d) VERY RESTRICTIVE to hire non-resident workers.

- (a) Very Difficult - Each employer's request should be studied and analyzed on the merit, the need and ability to carry the terms of the contract before a permit is issued.
- (b) Very Strict - Set up controls to monitor the continuing needs, the continuing abilities to afford the presence of the non-resident workers, the continuing merit to the Commonwealth of these non-resident workers and the employer's attempts to locate local replacements of job vacancies.
- (c) Very Expensive - Enforce the requirement of a refundable return fare deposit or bond of each non-resident certificate issued to assure the return of the non-resident worker to his/her country of origin at the end of his/her contract when the employer cannot find it.

In addition there should be an initial and subsequent annual, non-refundable fee of \$500 for every non-resident worker's certificate issued. This money could be the penalty fee assessed to the employer for the privilege of hiring non-resident workers. This money could be earmarked to train local people in trade or technical schools or pay for scholarships to local individuals who want a higher education but cannot afford it. Because it is easy to bring in a non-resident alien to work guaranteeing the employer a big savings in wages, benefits, and convenience, no employer would actively work or cooperate toward the training of local people. The local market, supposedly, are not trained, capable, consistent, diligent in their work and they, in most cases, demand a higher salary. These are the reasons given which make the employer prefer to hire non-resident workers. This \$500 fee would force the employer to train locals or find local persons to replace the non-resident workers to avoid these exorbitant fees. The goal for a qualified local person in the job market would have a chance of materializing and the goals and aims to train local persons would have funding available to enable it to function for a future realization.

- (d) An annual inspection should be conducted to check for any violations by employers not living up to the terms of their contracts with the non-resident workers. It may be ~~discerning~~ discriminatory, and restrictive to impose these measures, but we feel it is very much needed. We are experiencing overcrowding and problems from non-resident workers because everyone applying for a non-resident worker gets approval.

We also request the clarification that the employer is not responsible and liable for medical and dental treatment of illnesses of long standing that the non-resident workers have. The employer should be responsible only for accidental injury during working hours. Injuries sustained during days off would be the non-resident workers responsibility.

We support all the other Sections and Amendments reflected on this bill. We urge this committee to pursue for the enactment of this legislation taking into considerations the inputs from this public hearing.

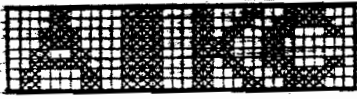
Thank you.

Sincerely,



Rosa T. Palacios (Chailang)  
President, Northern Marianas Women's  
Association

*House Clerk*



**AMERICAN INTERNATIONAL KNITTERS CORPORATION**

P. O. BOX 1280, SAIPAN CM 96950  
TEL. 9886  
TELEX: 678 TRAMCO SPN

SECTION 7

[b] The bill should reconsider to allow U.S. Permanent Resident Cardholder to work in the Commonwealth as it is accounted very minimal. Most of the U.S. Permanent Resident cardholders are dependants of U.S Citizen.

*Page 2...*

SECTION 12

[c] Interest rate should bear at the rate of saving account with local banks.

SECTION 13

We do not agree with this provision because for big companies like ours with large number of nonresident workers at the same time we have employed 35-40% local workforce to be penalized if we violate more than two occasions by not allowing for using any nonresident labor force. We prefer a monetary penalty in this section in a very minimal amount.

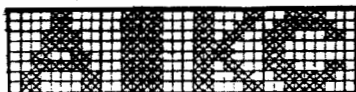
We thank you for giving us an opportunity for allowing us to share our comments in the House Bill 180.

MERRY CHRISTMAS AND HAPPY NEW YEAR.

Sincerely yours,

AMERICAN INTERNATIONAL KNITTERS CORPORATION

*Willie Tan*  
WILLIE TAN  
VICE PRESIDENT/GENERAL MANAGER



# AMERICAN INTERNATIONAL KNITTERS CORPORATION

P. O. BOX 1280, SAIPAN CM 96950  
TEL 9886  
TELEX: 678 TRAMCO SPN

December 13, 1984

Honorable Speaker Vicente M. Sablan  
FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE  
Saipan, CM 96950

Dear Speaker Sablan :

First of all, we would like to express our thanks for allowing us to make our comments on House Bill No. 180.

We have found out that the bill is necessary to bring in only skilled workers into the Commonwealth in order to continue our economic development. However, we feel that there should be some modification in the said bill such as follow :

## SECTION 3

The bill stated that the Director of Commerce and Labor shall have no authority to increase the number of non-resident workers. Should we decide to introduce a new industry to the Commonwealth, will this be subjected to the restriction of this bill? We feel that this will mean a freeze in the economic development in the Commonwealth. We prefer the Director has authority by law to approve additional non-resident workers for any new businesses which will improve the economic development of the Commonwealth.

## SECTION 4

[b] and [c], the Bill should specify the procedure of priority as it will create discrimination to whom should nonresident workers be granted. The bill should create a formula who should be qualified to be entitled for getting the nonresident workers.

## SECTION 5

We object the Ten Year Plan to reduce number of Nonresident workers without a valid reason as definitely it will freeze our economic development. We cannot tell the investor to invest in our territory at the same time, we are restricting the actual skilled workers to be brought here in the Commonwealth which is a investors' requirement and criteria.

## SECTION 6

[3] USD1,000 per family member fee for annual permit for defendant is too expensive. USD100.00 seems logical and reasonable.

CABLES JOETEN SAIPAN  
TELEX 783609  
TELEPHONES  
WHOLESALE 6444 OFFICE 6445  
ACCOUNTING 6446 DEPT STORE 6447  
AUTOMOTIVE 7250 HARDWARE 6448  
CONSTRUCTION 6133

# J.C.TENORIO ENTERPRISES, INC.

*Import and Export*

DEPARTMENT STORE · SUPERMARKET · WHOLESALE · RETAIL

JOETEN CENTER  
P.O. BOX 137  
SAIPAN, C.M. 96950

December 6, 1984

The Honorable Vicente M. Sablan  
Speaker of the House of Representatives  
Fourth Northern Marianas Commonwealth Legislature  
Saipan, CM 96950

**COPY**

Re: HB 180.

Dear Speaker Sablan:

I have studied HB 180 and have great concerns regarding the provisions of the bill which attempt to "freeze and reduce the number of non-resident workers in the Commonwealth". While I concur with you that there is present problem with the number of aliens being recruited into the Commonwealth, I do not believe that the underlying basis for the situation can be solved by legislation.

The general existing problem stems for (1) lack of technical skills by local applicants and/or (2) positions are viewed as socially unacceptable. As such employers have to seek applicants from outside our environment. This is neither expedient nor less costly, but the only avenue open in order to fill the positions.

Legislation, requiring a cap be placed on the number of existing non-resident worker certificates available, and further, requiring that the number permitted to work in the Commonwealth be reduced annually, will certainly be a negative factor toward economic development not only for future employers, but also for the existing business community.

I suggest that the market place is the best environment to establish priorities for the non-resident worker categories we need. To artificially make such determinations by Commerce and Labor will only add to the bureaucracy subjecting employers to uncertainties as to whether or not they will have a sufficient work force. Furthermore, the requirement, that the Director of Commerce and Labor report quarterly to the Governor and the Legislature on his progress in limiting the number of non-resident workers, could potentially subject him to political pressures.

This is a longterm problem that can be solved only through longterm programs. The solution or basis for attacking this problem rests on the Commonwealth being able to sustain real economic growth and development. I can assure you that our island will only be able to create such an environment by offering to entrepreneurs an easy place to do business which allows him easy access to labor, material and other essential factors of production.

I have visited with many U. S. businessmen in the past few months and I see great opportunities for the CNMI. We possess many attributes that place us in an enviable position as compared to Guam and other jurisdictions. One of the most important is our ability to control and administer immigration. I urge the House not to do anything which will erode this advantage. Placing a freeze and restricting the number of non-resident workers available to employers sends a clear signal to investors and future employers that the CNMI is not growth orientated. We need to be clear in this area and not present uncertainties which deter future investment that create viable jobs for the people of the Commonwealth.

The solution here is to develop more jobs and at the same time create vocational educational opportunities through our schools and college. Additionally, tax incentives could be made available to employers who provided on-the-job training or other vocational education.

Since the Commonwealth is experiencing budgetary problems, new funding for vocational education programs may be difficult to obtain. I suggest that a modest occupational tax, specifically earmarked for vocational education, might be a solution. Such a tax assessed on all employees and employers in the CNMI would not be overly burdensome. I have seen such taxes implemented in the U. S. I suggest a rate of one dollar per month withheld from each employee by the employer which they match to create a combined tax of two dollars per month per each employee working in the CNMI. These monies could be turned over to the Northern Marianas College or other qualified entities to run programs to enhance job skills of the CNMI citizens thereby making them more employable.

Currently, I know of no light manufacturing industries which would consider coming to the Commonwealth if their ability to access the labor markets in Southeast Asia were in doubt. The problem here is to attract suitable industry that is willing to make a permanent contribution to our island. To do this, we first have to provide a business environment conducive to them. In other words, they need good business reasons or ~~justification~~ to consider us as a potential location. At the same time, we can make demands on them to set-up on-the-job training, apprentice programs, etc. We also could provide tax incentives such as jobs credits for local hire and/or training. These inducements could also be tied to EDLF loans.

In summary, I wish only to emphasize that our fragile developing economy cannot afford to take a protectionist approach toward solving our social problems. If the people of the Commonwealth are to achieve a higher standard of living, it will only be accomplished through a dynamic economy providing expanding employment opportunities.

Very truly yours,



Bruce M. MacMillan  
Vice President-Finance/Controller



**NORTHERN MARIANAS COLLEGE**

BOX 1280, SAIPAN, CM 96901  
Phone: 7542/7842/2212/5932

December 13, 1984

The Honorable Benigno M. Sablan  
Vice-Chairman  
Committee on Resources and Development  
Fourth Northern Marianas Legislature  
Saipan, CM 96950

Dear Vice-Chairman Sablan,

Northern Marianas College appreciates the opportunity to comment on House Bill 180: the proposed Non Resident Workers Amendment Act of 1984.

We agree that there are many concerns that bear comment regarding the presence and use of alien workers in the CNMI. We shall, however, confine our comments to those directly relating to the College.

We note that the original legislation on this subject, now codified as Chapter 4, Division 4 of Title 3 of the Commonwealth Code, as well as Section 4(b)(2)(C) (page 2) of the present bill, both refer to training, apprenticeship and internship programs. In fact, in the Code, development of such programs are required to have been developed "not later than 150 days after the date of enactment of this chapter," or approximately five months after January 1, 1984 (if one takes the date the Code became effective as that date).

Northern Marianas College has been designated, in PL 3-43, as the state agency for "post secondary education and other adult training and education needs of the Commonwealth" (emphasis added). We would expect, therefore, that such training programs would be offered, arranged and coordinated through the College. We stand ready to do this, for we are firmly committed to meeting the education and training needs of the Commonwealth, and to promoting its economic welfare. We wish to point out, however, that to the best of our knowledge no funding source has been identified, and no funds appropriated, to support development and implementation of such training programs.

As you may know, our Adult Basic and Continuing Education Program already offers a number of courses designed to upgrade the abilities of our people to perform on the job. The GED classes leading to a high school degree are offered on a continuing basis; we have provided specialized training in police work and fire

science; we also offer courses in conversational English and Japanese, and in such office skills as typing.

Our Vocational Education Program has just successfully completed the first formal vocational education training programs to have been offered by the College: 10 weeks of intensive training in carpentry and electricity to 16 NMI students. Similar courses will now be offered on a regular basis.

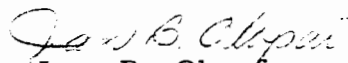
The programs envisioned in this bill, and in existing law are, however, far more extensive. To be effective, training programs that will enable us to meet, through local employees, the growing demand for carpenters, auto mechanics, electricians, masons, plumbers and the like, will have to be on a far larger scale. They will require more planning and more instructors, and more facilities, materials and equipment than present College resources can provide.

Thus, we would like to recommend that specific funding be provided so that these necessary training programs can be developed and implemented. Without such training the need for alien labor will continue to exist and even to grow. But without funding, such training programs will not even come into existence.

We believe at least one additional aspect of the work scene must be reconsidered if the intent of the legislation - to be able to replace the number of alien workers required in the Commonwealth by our own people - is to be met. We should place such job categories under the provisions of the minimum wage laws. It is not realistic to expect even the best of training programs to recruit trainees if all they can look forward to upon completion are jobs that pay less than the minimum wage. That is not an incentive for them to enroll in the training programs. We believe that without the assurance that they will earn a decent wage, few, if any, of our people can be expected to participate in the training needed to enable us to replace alien workers with our own people.

Thank you for the opportunity to offer our testimony before your committee. If we can be of further assistance, we will be happy to do so.

Sincerely,

  
Jean B. Olopai  
Acting President

*House Clerk*



# AFADAI BEACH HOTEL

P. O. Box 338  
Saipan, Mariana Islands  
96950

Telex No. 783-616  
Tel. No. 6495-6-7-8  
Cable: SAIHOTEL

December 14, 1984

The Honorable Rep. Benigno M. Sablan  
Chairman  
Resources and Development Committee  
Northern Marianas Commonwealth Legislature  
P.O. Box 586  
Saipan, CM 96950

Dear Chairman Sablan:

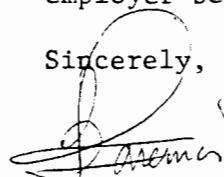
Thank you for the opportunity to bring to your end our comment on House Bill No. 180, "to freeze and reduce the number of non-resident workers in the Commonwealth, to prohibit job transfers of non-resident worker from one employer to another."

We agree with the proposed bill however, private sectors are very concern especially in the field of hotelier business who usually depends on some employees that are competent and qualified employees to do their assigned jobs, most especially we depend on those who can be of good service to our customers who mostly tourist coming from Japan and other countries. Attendance is very much important in the hotel business and these are the main reasons why we hire some but not all outsiders coming from outside the Commonwealth, we have 75 percent local residents and 25 percent alien employees working mostly as waitresses, bartenders and cooks.

The undersigned feels that as a Personnel Manager wants to have and hire local residents but have not enough to meet our demand, like for every 10 employees we hired only 2 employees are dependable, then we have to hire again they quit after a week time only.

I fully support employees on alien status to be sent back upon completion of the employment contract and that no transferring to another employer be allowed and/or permitted.

Sincerely,



Jesus Barcinas  
Personnel Manager

*Rec'd  
12/14/84*

Date : December 13, 1984

To : Congressman Benigno M. Sablan  
Vice-Chairman, House Committee on Resources & Development

From : Don L. Conner, Secretary of Tinian Stevedores, Inc. &  
President of Tinian Center, Inc., Tinian

Subject: Written Testimony on House Bill No. 180

Due to our late knowledge of Public Hearing on the aforementioned bill, December 13, 1984, to be exact, it is impossible for me to personally appear at this Hearing. Therefore, please admit this written testimony on behalf of the Boards of Directors of Tinian Stevedores, Inc. and Tinian Center, Inc.

Tinian Stevedores, Inc. employed on October 31, 1984 approximately 40 aliens, 25 Micronesians, 20 CNMI and 2 U.S. Citizens. The primary purpose of employment is for transshipment of tuna in Tinian harbor. Even though, we have tried to recruit more CNMI residents, we have had many problems in retaining CNMI employees. The reasons for this problem are as follows.

1. Nearly all dependable people on Tinian have easier or more consistent employment.
2. Of more than 200 people hired from Saipan since February 1983 only 10 remained.
3. Most of the people hired within the CNMI want to work only for short periods and to be paid immediately which is not feasible or necessary in businesses employing so many people.
4. Though our Micronesian employee turnover was higher than for aliens, neither exceeded 20 per cent. Whereas CNMI employment turnover was more than 70 per cent in 1984, not to mention 1983.
5. Two CETA trainees were hired during 1984, neither of which worked more than two weeks.

In summary, I must say that to lure CNMI citizens and residents to Tinian has not been a problem. However, none want to stay long because the population is small and recreational activities limited. In addition, with Tinian's closeness to Saipan, most young people prefer the life style of Saipan.

We never turn away CNMI residents who have not been problem employees in the past or new applicants who accept our terms.

**MEMORANDUM**

TO : Vice-Chairman  
House Committee on Resources and Development

DATE: 12/06/84

FROM : Chief, Immigration and Naturalization

BWS  
12/11/84

SUBJECT: Written Testimony, House Bill No. 180, Nonresident Workers  
Amendments Act of 1984

Immigration has reviewed the proposed House Bill (No. 180) and finds it generally consistent with the goals of the Commonwealth in reducing the number of nonresident workers in the Commonwealth. Following are comments on the specific sections dealing with immigration.

Section No. 6 (2):

Immigration agrees with the wording and intent of this section. It is incumbent upon the primary sponsor of immediate family members to assure repatriation costs for those family members. In no case should the Commonwealth assume the burden of repatriation costs.

Section No. 9 (c):

As stated in the comment on Section 6(2), the repatriation cost(s) must be assumed by either the employer or employee in order to relieve the Commonwealth of the financial burden of repatriation if the employee claims to be destitute. Employer bond, as delineated in this section, provides that assurance.

Section No. 12 (b)(3):

Comments for this section are consistent with the two sections previously cited.

Section No. 12 (f):

Comments for this section are consistent with the previous statements relating to financial responsibility.

Section No. 12 (f)(3):

Provisions for deportation under this section are presently in operation and pose no problem or difficulty to immigration.

Section No. 12 (j):

Entry provisions of Public Law 3-105 presently requires that all aliens (not permanent residents of the Commonwealth) comply with the existing requirements for entry. This amendment is consistent with existing law.

Section No. 14 (2):

The amendment to this section of P. L. 3-105 strengthens the existing provisions for visitor entry.

12/06/84

Page 2

Section No. 15:

Comments regarding this amendment are consistant with those made on Section 14(2).

Section No. 16:

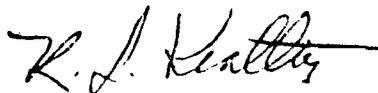
Amendment wording further improves the requirements of the existing law.

Section No. 17:

This section requires re-wording to include a waiver of entry application fee's if it is thought to be in the best interest of the Commonwealth. Additionally, the words "or business" should be inserted between the words "commerce" and "shall", line 16, page 19. The word chief in this section should be followed by "of immigration" in order to be consistant with the rest of the bill. Subsection (2) appears to be in conflict with subsection (1) regarding fees.

Section No. 18:

Immigration fully agrees to the inclusion of this amendment.



Richard J. Keatley

cc: File

# SAFARI BEACH HOTEL

P. O. Box 338  
Saipan, Mariana Islands  
96950

Telex No. 788-616  
Tel. No. 6495-6-7-8  
Cable: SAIHOTEL

December 14, 1984

The Honorable Rep. Benigno M. Sablan  
Chairman  
Resources and Development Committee  
Northern Marianas Commonwealth Legislature  
P.O. Box 586  
Saipan, CM 96950

Dear Chairman Sablan:

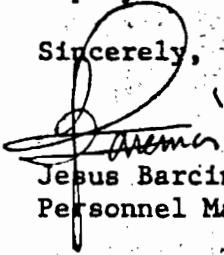
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We agree with the proposed bill however, private sectors are very concern especially in the field of hotelier business who usually depends on some employees that are competent and qualified employees to do their assigned jobs, most especially we depend on those who can be of good service to our customers who mostly tourist coming from Japan and other countries. Attendance is very much important in the hotel business and these are the main reasons why we hire some but not all outsiders coming from outside the Commonwealth, we have 75 percent local residents and 25 percent alien employees working mostly as waitresses, bartenders and cooks.

The undersigned feels that as a Personnel Manager wants to have and hire local residents but have not enough to meet our demand, like for every 10 employees we hired only 2 employees are dependable, then we have to hire again they quit after a week time only.

I fully support employees on alien status to be sent back upon completion of the employment contract and that no transferring to another employer be allowed and/or permitted.

Sincerely,

  
Jesus Barcinas  
Personnel Manager

Rec'd  
12/14/84



## Small Business Association, Inc.

---

December 14, 1984

The Honorable Pedro R. Guerrero  
Chairman  
Committee on Resources and Development  
Fourth Northern Marianas Legislature  
Saipan, CM 96950

Dear Mr. Chairman:

Thank you very much for your invitation to testify on House Bill No. 180.

As a general comment, Small Business Association, Inc. would like to say that this legislation is long over due. All countries in the world, including the United States, exercise stringent control on immigration. To our knowledge, the Northern Marianas is the only jurisdiction that has, in practice, an open door immigration policy. What motivated our political leaders in the past to establish such a policy is something we simply do not understand.

The first and primary obligation of the Northern Marianas Government is to promote and protect the interests of its citizens, not aliens. We are, therefore, gratified that the Legislature is moving to establish control on alien labor and immigration in the Northern Marianas.

At the same time, the Small Business Association would like to serve notice to the Legislature that if no legislation is enacted within the next three months, we will launch a popular initiative to control alien labor and immigration.

Instead of making comments on specific provisions of this legislation, the Small Business Association wishes to state its position on the various aspects of alien labor and immigration:

1. Foreign Investor Welcome. We encourage and welcome the presence of serious foreign investors who make a substantial and positive contribution to the economic and social development of the Commonwealth. In fact, we believe that any foreigner who contributes or invests at least \$250,000 in the Commonwealth should be allowed to stay here as long as he maintains his business.

2. Tax/Fee on Alien Labor. At the current rate of development of the Northern Marianas, alien labor is a necessary "evil" that we have to live with. However, we don't think it is a good or realistic policy to eliminate alien labor altogether. Instead, we propose that a tax or fee on alien labor be imposed on employers, including the government, who import alien labor. The tax, which should be \$1,000 or 25% of gross wages per person, should be earmarked and deposited in a special "Domestic Manpower Development Fund" to be used in training and educating local residents for jobs now held by alien labor.

3. Minimum Wage not to apply to Alien Labor. We believe that the NMI minimum wage should not apply to alien labor. Alien labor should be paid according to market conditions in their home countries. Applying NMI minimum wage to alien labor is inflationary and further distorts trade balance with labor exporting countries if alien labor is required to repatriate a major part of their wages to their home country. In short, applying minimum wage to alien labor only means more money will be taken out of the economy and spent elsewhere.

4. Employee/Recruitment Agency to guarantee Employee Qualification and Competency. Many alien laborers, particularly from the Philippines, do not live up to qualifications and competency indicated in their applications. Employment/Recruitment agencies should be liable for any employee who does not measure up to qualifications. We propose that recruitment agencies guarantee, through posting of a bond, the qualifications and competency of their clients.

5. Transfers prohibited and length of stay to 5 years. Transfer of alien employees among employers should be stopped and the length of alien labor stay should be limited to 5 years. No alien employees, except professionals, should be allowed to stay in the NMI for more 5 years, either in one continuous stay or in commulative periods.

6. Employee/Attorneys to pay for expenses of employer in lawsuits. It appears that alien labor and certain attorneys in the islands are making it a big business to sue employers. The employee and his attorney should be required to pay the expenses of the employers in the event they lose the lawsuit.

7. Female alien employees who get pregnant. There is growing evidence that many female alien employees are purposefully getting pregnant while in the Northern Marianas in order to stay in the NMI. There should be a law to deport any female employee who is not a professional who gets pregnant. The NMI should not be used as some sort of birth factory.

8. Children born in NMI of Alien parents. Children who are born of alien parents should not be used as sponsors of parents unless he is an adult, or at least 18 years old.

9. Male alien employees who father children by local women or who enter into a relationship with local women. Such men should be required by law to provide financial support to their children and to the women they live with.

10. Costs of Education and Medical Care. Alien employees or their employers should be required to pay the actual costs of public education to children of alien employees and costs of medical care to alien labor and dependents.

Mr. Chairman, these are but some of issues of importance to the Small Business Association. We express these views, not because we are anti-alien labor but out of a deep concern that unless something is done soon, we may face unfortunate consequences of uncontrolled alien labor, backlash against alien labor, take-over by the federal government of our immigration, and a reduction of covenant funding.

LAW OFFICES OF  
MICRONESIAN LEGAL SERVICES CORPORATION

ATTORNEYS AND MICRONESIAN COUNSELORS

CABLE ADDRESS: MICROLEX

THOMAS G. MATTSO  
EXECUTIVE DIRECTOR

MARCIA R. BELL  
DEPUTY DIRECTOR

EUGENIA C. CEPEDA  
ASSISTANT DIRECTOR

JOHN SILK  
EXECUTIVE ASSISTANT

THOMAS BRUCE  
MAIL BRUCE

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MARCIA K. SCHULTZ  
R. BREWSTER THOMPSON  
BENJAMIN D. TURED  
RISON WAKUK  
MARK WEHRLY

CENTRAL OFFICE  
POST OFFICE BOX 269  
SAIPAN, MARIANA ISLANDS 96950  
TELEPHONE 6471 OR 6472

PALAU OFFICE  
POST OFFICE BOX 57  
KOROR, PALAU  
WESTERN CAROLINE ISLANDS 96940  
TELEPHONE 473

MARSHALLS OFFICE  
POST OFFICE BOX 188  
MAJURO  
MARSHALL ISLANDS 96960  
TELEPHONE 2227

TRUK OFFICE  
POST OFFICE BOX D  
MOEN, TRUK  
EASTERN CAROLINE ISLANDS 96942  
TELEPHONE 597

PONAPE OFFICE  
POST OFFICE BOX 129  
KOLONIA, PONAPE  
EASTERN CAROLINE ISLANDS 96941  
TELEPHONE 404

MARIANAS OFFICE  
POST OFFICE BOX 828  
SAIPAN, MARIANA ISLANDS 96950  
TELEPHONE 6243

YAP OFFICE  
POST OFFICE BOX 208  
COLONIA, YAP  
WESTERN CAROLINE ISLANDS 96943  
TELEPHONE 2913

KOSRAE OFFICE  
POST OFFICE BOX 38  
LELU, KOSRAE  
EASTERN CAROLINE ISLANDS 96944  
TELEPHONE 3032

PLEASE REPLY TO Marianas Office

December 14, 1984

Representative Benigno M. Sablan  
Vice-Chairman  
House Committee on Resources  
and Development  
CNMI Legislature  
P.O. Box 586  
Saipan, CM 96950

Re: House Bill 180

Dear Rep. Sablan and Members of the Committee on Resources and  
Development:

Thank you for requesting the comments of Micronesian Legal  
Services on this important piece of legislation. We support the  
passage of House Bill 180. Based on the number of requests for  
legal assistance that we receive in this area, we believe that  
the overwhelming societal and legal problems resulting from the  
number of nonresident workers currently in the Commonwealth is  
beyond the capacity of this society to control.

At the present time the number of nonresident workers in  
the Commonwealth exceeds the number of Carolinians. This  
unchecked growth rate is a threat to the very fiber of your unique  
cultural heritage. The social problems that result threaten not  
only the local population, but the well-being of the nonresident  
workers as well. We see no solution but to freeze the number of  
nonresident workers and gradually reduce their numbers to a level  
that reflects a society concerned for its own cultural heritage,  
quality of life, and the well-being of other of the world's  
citizens.

We have a few comments on specific sections of the bill.  
First, we strongly support the addition to 3 CMC Section 4434 (c)

Rep. Sablan and Members of the Committee on Resources  
and Development  
December 14, 1984  
Page 2

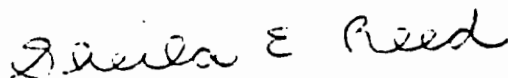
(page 5 of the Bill) mandating that no deductions that are not specifically itemized in the employment contract may be levied against a nonresident worker and that the contract must be executed at the time of and place of recruitment. This clause protects both the employer and employee by insuring that the deduction agreement is in writing. Obviously, complete and properly executed documents will greatly reduce needless litigation to determine what was understood by both parties to the employment agreement.

We oppose the amendment to 3 CMC Section 4437 (g) (pages 9 and 10 of the Bill) allowing the employer to hold a workers identification certificate, passport, entry permit, or other documents if the worker expressly desires and requests the employer in writing. With their unequal bargaining power many employees could be forced to sign such agreements. The only possible reason for an employer to retain such private documents is to intimidate the employee. If employees are concerned about loss of such documents they can make arrangements for personal safety deposit boxes. There is simply too much room for abuse in this provision.

MLSC supports the amendment to 3 CMC Section 4444 (e) (4) (page 12 of the Bill) mandating that any employer who has been found in violation of this act on two occasions during any five year period shall be disqualified from using any nonresident labor for five years. In the past, this government's failure to punish abusive employers has made a mockery of the labor laws and placed a black mark on the Commonwealth. This amendment is a great step in the right direction.

Again, thank you for requesting the comments of  
Micronesian Legal Services.

Sincerely,



Sheila E. Reed  
Directing Attorney  
Marianas Office



OFFICE OF THE ATTORNEY GENERAL  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

5TH FLOOR, NAURU BUILDING

SAIPAN, CM 96950

PHONE: 6207-7111

REXFORD C. KOSACK  
ATTORNEY GENERAL

December 11, 1984

Rep. Benigno M. Sablan  
Vice-Chairman,  
House Committee on Resources  
& Development  
Fourth Northern Marianas  
Commonwealth Legislature  
P.O. Box 586  
Saipan, CM 96950

RE: House Bill No. 180

Dear Representative Sablan:

This bill would go a long way toward giving the Commonwealth realistic control over the influx of aliens. Now aliens can use legal loop holes to obtain a de facto permanent residency. This bill would close many of these loop holes.

For instance, too many alien workers will pool their resources and then form a corporation to hire them as nonresident workers. Since their own corporation will never fire them and will always "need" them, they obtain a de facto permanent residency. This bill would eliminate this possibility (Section 10).

Most of this bill meets with our approval with one major exception and a few minor ones:

°The major problem with this bill is Section 3 which would freeze the total number of work permits. This could be disastrous for our economy. If the economy begins to expand rapidly (for instance several new hotels get built and other construction increases) we will need to be able

*Handwritten note:* 12-15-84

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Minor Problems:

°We suggest adding the following language to 3 CMC 4434(c):

Nothing in this section will prohibit the employee and employer from agreeing to modify the contract so that deductions can be made for medical benefits or retirement, subject to approval by Labor.

°The last clause of Section 9(a) is unclear.

°We suggest adding a prohibition against an employer from retaliating against an employee for cooperating with the Labor Department.

°Section 13 is too harsh. It disqualifies an employer from using nonresident labor for five years after two violations. This section is mandatory. A large business with over 100 employees will find it hard to stay in business under this section. We would suggest that upon a third violation an employer with over ten employees will lose twenty percent of his nonresident permits; fourth violation thirty percent; etc. Employers with less than ten employees will lose a permit for each violation after the second violation. There should be a point system

Rep. Benigno M. Sablan  
December 11, 1984  
Page 3

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Sincerely,



ROBERT O'CONNOR  
Acting Attorney General

cc: SAPLR  
Committee Members

Ref: AG84-181

# MEMORANDUM

TO : Vice Chairman, House Committee on  
Resources & Development

DATE: 12/11/84

FROM : Administrator, DYS

SUBJECT: Comments on House Bill No. 180

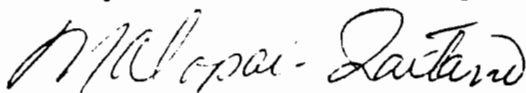
Thank you for the opportunity to comment on House Bill No. 180.

In view of the non-employment rate of the CNMI residents and the influx of non-resident workers into the Commonwealth, I am very grateful that such a bill is finally introduced. Although a great many business establishments may be affected by such a bill, a high priority must be placed with the Commonwealth residents in terms of employment opportunities.

In section 5 (b) page 3, at the reduction of non-resident workers in the CNMI by no less than 100 per year and 500 at subsequent years. This particular section does not specify on what measures the reduction of non-resident workers could be made, however, it would be helpful to the Director of Commerce & Labor that such measures are specified.

With a thorough review of the content of said bill, I am proposing for its approval on January 1, 1985.

Thank you.



Margarita Olopai-Taitano

*Rec'd*  
*12/13/84*

P.O. Box 242  
Saipan, CM 96950

December 14, 1984

Honorable Benigno M. Sablan  
Vice Chairman  
House Committee on Resources and  
Development  
Northern Marianas Legislature  
Saipan, CM 96950

Dear Mr. Vice-Chairman:

The Northern Marianas Women's Association is grateful that this Committee takes recognition on the need to enact a law for the control of non-resident workers in the CNMI.

It is apparent that a major effort would need to be devoted to developing procedures and regulations to ensure that a proper and effective control system is in place.

The Association realizes the need to have alien workers on our island that would help contribute to a healthy development. However, we would like to see our economy prosper without exploitation. We want a development that is healthy and can be controlled so that we remain master of our own house.

As of October 1984, NMI Social Security registered 7,500 aliens. Filipinos and Koreans comprised 4,800 of these figures. This is an alarming number of aliens in the CNMI and further justifies the need to establish laws to restrict, control, and monitor their existence in the CNMI.

House Bill No. 180 is an attempt to correct the deficiencies of the present laws. We believe however, that more problems, and fighting among ourselves would result from its attempt to correct such deficiencies.

The setting of an absolute number of non-resident workers, a planned reduction of 100 non-resident workers annually, and establishing job priorities, are not the solutions needed at this time.

We need answers to the following:

1. What is the absolute number of non-resident workers to be established as of 1/1/85?
2. Who should decide what is the fair and correct absolute number to start with? What basis will be used to determine the...

In addition there should be an initial and subsequent annual, non-refundable fee of \$500 for every non-resident worker's certificate issued. This money could be the penalty fee assessed to the employer for the privilege of hiring non-resident workers. This money could be earmarked to train local people in trade or technical schools or pay for scholarships to local individuals who want a higher education but cannot afford it. Because it is easy to bring in a non-resident alien to work guaranteeing the employer a big savings in wages, benefits and convenience, no employer would actively work or cooperate toward the training of local people. The local market, supposedly, are not trained, capable, consistent, diligent in their work and they, in most cases, demand a higher salary. These are the reasons given which make the employer prefer to hire non-resident workers. This \$500 fee would force the employer to train locals or find local persons to replace the non-resident workers to avoid these exorbitant fees. The goal for a qualified local person in the job market would have a chance of materializing and the goals and aims to train local persons would have funding available to enable it to function for a future realization.

- (d) An annual inspection should be conducted to check for any violations by employers not living up to the terms of their contracts with the non-resident workers. It may be discerning, discriminatory, and restrictive to impose these measures, but we feel it is very much needed. We are experiencing overcrowding and problems from non-resident workers because everyone applying for a non-resident worker gets approval.

We also request the clarification that the employer is not responsible and liable for medical and dental treatment of illnesses of long standing that the non-resident workers have. The employer should be responsible only for accidental injury during working hours. Injuries sustained during days off would be the non-resident workers responsibility.

We support all the other Sections and Amendments reflected on this bill. We urge this committee to pursue for the enactment of this legislation taking into considerations the inputs from this public hearing.

Thank you.

Sincerely,



Rosa T. Palacios (Chailang)  
President, Northern Marianas Women's  
Association

House Clerk

LAW OFFICES OF  
MICRONESIAN LEGAL SERVICES CORPORATION  
ATTORNEYS AND MICRONESIAN COUNSELORS  
CABLE ADDRESS: MICROLEX

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CENTRAL OFFICE  
POST OFFICE BOX 269  
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KOROR, PALAU  
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EASTERN CAROLINE ISLANDS 96944  
TELEPHONE 3032

PLEASE REPLY TO Marianas Office  
December 14, 1984

Representative Benigno M. Sablan  
Vice-Chairman  
House Committee on Resources  
and Development  
CNMI Legislature  
P.O. Box 586  
Saipan, CM 96950

Re: House Bill 180

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OFFICE OF REPRESENTATIVE PEDRO R. GUERRERO  
HOUSE OF REPRESENTATIVES  
FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. Box 586  
Saipan, Mariana Islands 96950

Phones: 6195/6284/6618

CHAIRMAN:

Resources & Development  
Committee

MEMBER:

Appropriation Committee  
Federal Programs  
Judiciary & Government  
Operation

November 21, 1984

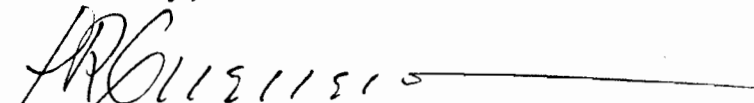
MEMORANDUM

TO : All Committee Members, R&D  
FROM : Chairman, Resources & Development  
SUBJECT : House Bill 180

Attached please find House Bill No. 180, entitled,  
"Nonresident workers amendment act" for your  
review and comments.

I would appreciate meeting with you on Friday,  
November 23, 1984, at 9:00 a.m. in the House of  
Representatives Chamber in order that we discussed  
this amendment thoroughly.

Sincerely,

  
Rep. Pedro R. Guerrero

Attachment

xc: House Clerk  
Speaker

# Pacific Daily News

A Gannett Newspaper

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## Government workers top private sector

It would be inconceivable in any other U.S. state that the number of government workers exceed those working in the private sector.

Yet that is the situation on Guam. And it isn't getting any better, despite claims of financial cutbacks and talk about lessening dependence upon government.

The latest quarterly statistics, recently released by the Department of Commerce, show the number of GovGuam employees has risen from 9,600 during the first half of 1984 to 9,810.

Federal employees, the other half of this potent work force has risen from 6,450 to 6,610. That brings the total working for government to 16,420.

Figures released show that the number of GovGuam workers did drop considerably from March to June 1983, but has risen steadily since then.

At the same time close to 2,000 foreign laborers, H-2 workers, are on Guam holding down jobs which could be filled by local people.

The high incidence of government jobs here can be justified slightly by the fact that GovGuam operates many facets of the community not normally run by government.

Still it is hard to justify the fact that one fourth of the total island work force is employed by the local government.

Is there any way to end such dependence? Nobody expects politicians to conduct mass firings, especially not in an election year. But, cutting down government employment by attrition should be easy enough. If somebody retires or resigns because of health, or because they are leaving, then that position should be left vacant.

Stateside, the normal average is close to 10 percent government employment. On Guam, that figure is 25 percent. We don't seem to be making any progress at all in our efforts to lessen the people's near-total dependence upon the government as an employment agency.

If the construction industry on Guam heats up, we'll probably resort to bringing in more H-2 workers, just as we have always done. Cutting back government as a



OFFICE OF THE ATTORNEY GENERAL  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

5TH FLOOR, NAURU BUILDING  
SAIPAN, CM 96950

PHONE: 6207-7111

REXFORD C. KOSACK  
ATTORNEY GENERAL

December 11, 1984

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Vice-Chairman,  
House Committee on Resources  
& Development  
Fourth Northern Marianas  
Commonwealth Legislature  
P.O. Box 586  
Saipan, CM 96950

RE: House Bill No. 180

Dear Representative Sablan:

This bill would go a long way toward giving the Commonwealth realistic control over the influx of aliens. Now aliens can use legal loop holes to obtain a de facto permanent residency. This bill would close many of these loop holes.

For instance, too many alien workers will pool their resources and then form a corporation to hire them as nonresident workers. Since their own corporation will never fire them and will always "need" them, they obtain a de facto permanent residency. This bill would eliminate this possibility (Section 10).

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*Rec'd 12-12-84*

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Rep. Benigno M. Sablan  
December 11, 1984  
Page 3

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Sincerely,

A handwritten signature in dark ink, appearing to read "ROBERT O'CONNOR", with a long, sweeping underline.

ROBERT O'CONNOR  
Acting Attorney General

cc: SAPLR  
Committee Members

Ref: AG84-181

## MEMORANDUM

TO : Vice Chairman, House Committee on  
Resources & Development

FROM : Administrator, DYS

SUBJECT: Comments on House Bill No. 180

DATE: 12/11/84

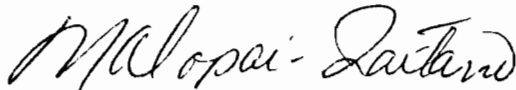
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With a thorough review of the content of said bill, I am proposing for its approval on January 1, 1985.

Thank you.



Margarita Olopai-Taitano

Reed  
12/13/84

*House Clerk*

DUTY FREE SHOPPERS LIMITED  
P.O. BOX 528  
SAIPAN, CM 96950

December 3, 1984

Speaker Vicente Sablan  
House of Representatives  
Commonwealth Legislature  
Saipan, CM 96950

RE: HOUSE BILL NO. 180 H.D.1

Dear Speaker Sablan:

I appreciate the opportunity to review proposed House Bill No. 180, to freeze and reduce the number of non-resident workers in the Commonwealth.

I understand the intent behind House Bill No. 180, is to provide for increased involvement of resident workers in the Commonwealth's employment opportunities. However, I am concerned with the effect House Bill No. 180 will have on the tourist and construction industries in the Commonwealth, and my comments are directed solely towards those concerns.

I understand House Bill No. 180, if enacted, will impose a freeze on the outstanding number of non-resident workers certificates, as of January 1, 1985.

Note that there are a total of 30 job categories, which the Director of Commerce & Labor is given the permission (not required) to prioritize. The following jobs subject to this possible prioritization, involve non-resident workers and affect directly the tourism and construction areas.

- Accountants
- Assistant and General Managers
- Auditors
- Bakers
- Barbers
- Bartenders
- Beauticians
- Bookkeepers
- Carpenters
- Construction Workers

Cooks  
Electricians  
Entertainers  
Heavy Equipment Operators  
Janitors  
Landscapers  
Maids  
Masons  
Mechanics  
Painters  
Plumbers  
Retail or other Sale Service Clerks  
Waitresses

The proposed legislation further provides that if the number of non-resident workers to be sought by Commonwealth employers exceeds the number of certificates that may be issued as of January 1, 1985, non-resident worker certificates shall be issued according to the priorities established by the Director.

As the CNMI economy is experiencing excellent growth, applications for non-resident workers certificates in the tourism and construction industries can be expected to exceed the number as frozen on January 1, 1985, thus the continued need for new employees.

The proposed JAL and Diamond Hotels are expected to begin construction sometime within the next year. These two projects will place significant demands on the construction industry and will lead to a tremendous number of new job opportunities in tourism, and related industries whether for residents or non-residents. Also of greater importance will be the added economic opportunities for local entrepreneurs as in restaurant and gift shop businesses.

The bill further provides that in reviewing new non-resident job applications the director must consider:

- (a) The degree to which each job category contributes to the economic development of the Commonwealth. I believe that each of the job categories listed above is crucial to tourism and construction and contributes substantially to economic development.
- (b) The degree to which local workers are available. If local workers are available, then non-resident workers should not be placed in the job categories to be prioritized. It is important to focus on this

December 3, 1984

The plan to reduce the number of non-resident workers by 100 a year (or by the freeze), in and of itself, with no provision or procedure for local workers to fill those reductions could be devastating to the local tourist and construction industries and the local economy.

I feel that the logical and proper way to protect resident workers and begin involving them more in tourism and construction jobs, is not to freeze the number of non-resident workers by a certain amount per year. A more reasonable approach would be to have a flexible plan to reduce the number of non-resident workers over a period of time. This plan would call for a mutual agreement between employers and the Department of Commerce and Labor for employers to train resident workers to eventually replace non-resident workers in these job categories. Resident workers could be enticed to the targeted job positions through gradual increases in wage structures over time. The result of this approach would be a gradual phase out of the non-resident workers and a phase-in of trained and highly skilled resident workers.

I agree with the intent of Section 11 of the proposed Act. This section will make it difficult for non-resident workers, once admitted to the Commonwealth for employment, from operating businesses or commercial establishments, employing others, or engaging in any commercial activity. This provision seems to allow non-resident workers on Saipan but restricts their activities to those which are most needed by the Commonwealth.

In summary, I do not believe that placing a freeze on non-resident workers, or reducing the number of non-resident workers on a yearly basis will provide increased employment opportunities for resident workers. It will, on the contrary, create a vacuum of job positions, which may not be filled by resident workers. It may preclude the construction of new hotels in the Commonwealth, as there simply will not be enough resident workers available in needed job categories. In other words the result would be just the opposite; very slow economic growth and few economic opportunities for the local population.

I appreciate the concern of the legislature to involve local residents in the tourist and construction industries. I respectfully believe however, that it may be a better approach to the problem to work with the tourist and construction industries, to develop a plan of training and cooperation, so that without

Page 5

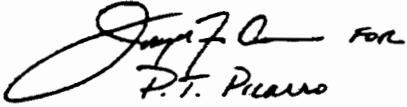
December 3, 1984

adverse economic impact, resident workers may be absorbed and within a certain period of time, the need for non-resident workers would be reduced.

Thank you for your consideration of these comments, and I wish to assure you we stand ready, willing and able to work with you for the purposes of assisting in the development of such a plan.

Sincerely yours,

DUTY FREE SHOPPERS LIMITED

 for  
F. T. Picarro

F. Thomas Picarro  
President  
Saipan Division

December 3, 1984

The plan to reduce the number of non-resident workers by 100 a year (or by the freeze), in and of itself, with no provision or procedure for local workers to fill those reductions could be devastating to the local tourist and construction industries and the local economy.

I feel that the logical and proper way to protect resident workers and begin involving them more in tourism and construction jobs, is not to freeze the number of non-resident workers by a certain amount per year. A more reasonable approach would be to have a flexible plan to reduce the number of non-resident workers over a period of time. This plan would call for a mutual agreement between employers and the Department of Commerce and Labor for employers to train resident workers to eventually replace non-resident workers in these job categories. Resident workers could be enticed to the targeted job positions through gradual increases in wage structures over time. The result of this approach would be a gradual phase out of the non-resident workers and a phase-in of trained and highly skilled resident workers.

I agree with the intent of Section 11 of the proposed Act. This section will make it difficult for non-resident workers, once admitted to the Commonwealth for employment, from operating businesses or commercial establishments, employing others, or engaging in any commercial activity. This provision seems to allow non-resident workers on Saipan but restricts their activities to those which are most needed by the Commonwealth.

In summary, I do not believe that placing a freeze on non-resident workers, or reducing the number of non-resident workers on a yearly basis will provide increased employment opportunities for resident workers. It will, on the contrary, create a vacuum of job positions, which may not be filled by resident workers. It may preclude the construction of new hotels in the Commonwealth, as there simply will not be enough resident workers available in needed job categories. In other words the result would be just the opposite; very slow economic growth and few economic opportunities for the local population.

I appreciate the concern of the legislature to involve local residents in the tourist and construction industries. I respectfully believe however, that it may be a better approach to the problem to work with the tourist and construction industries, to develop a plan of training and cooperation, so that without

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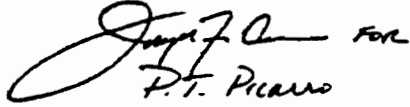
December 3, 1984

adverse economic impact, resident workers may be absorbed and within a certain period of time, the need for non-resident workers would be reduced.

Thank you for your consideration of these comments, and I wish to assure you we stand ready, willing and able to work with you for the purposes of assisting in the development of such a plan.

Sincerely yours,

DUTY FREE SHOPPERS LIMITED

 FOR  
P.T. Picarro

P. Thomas Picarro  
President  
Saipan Division



## Saipan Chamber of Commerce

P. O. Box 806, Saipan, C.M. 96950

Honorable Pedro R. Guerrero  
Chairman - Resources and Development Committee  
Fourth CNMI Legislature  
P.O. Box 586  
Saipan, CM 96950

12-14-84

re: HD-180 NONRESIDENT WORKERS AMENDMENTS ACT OF 1984

Dear Mr. Chairman:

I am afraid sections 1 thru 6 of this bill will cause concern to many members of the chamber.

The bill attempts to correct an economic problem with legislation. It may have the opposite effect in the community.

By reducing the supply of certain skills the cost of these skills may go up. In the case of business I must assume these increases will be passed on to the consumer.

Where rules and regulations are fluid future investment in the CNMI may take a very short sighted approach. Existing investment may stay at its present level or reduce.

It maybe possible to form a "task force" in which business and government work together to accomplish the intent of the bill.

Sections 7 thru 22 appear to more clearly define the position of the non-resident worker or are of a housekeeping nature. These would not appear to have a drastic economic effect on the members of the chamber.

Thank you for the opportunity to comment.

Regards

A handwritten signature in cursive script, appearing to read "J. Mickelson".

J. Mickelson  
Co-Chairman  
Government Relations Committee



House Clerk

**MEMORANDUM**

TO : Vice-Chairman  
House Committee on Resources and Development

DATE: 12/06/84

FROM : Chief, Immigration and Naturalization

SUBJECT: Written Testimony, House Bill No. 180, Nonresident Workers  
Amendments Act of 1984

Immigration has reviewed the proposed House Bill (No. 180) and finds it generally consistent with the goals of the Commonwealth in reducing the number of nonresident workers in the Commonwealth. Following are comments on the specific sections dealing with immigration.

Section No. 6 (2):

Immigration agrees with the wording and intent of this section. It is incumbent upon the primary sponsor of immediate family members to assure repatriation costs for those family members. In no case should the Commonwealth assume the burden of repatriation costs.

Section No. 9 (a):

As stated in the comment on Section 6(2), the repatriation cost(s) must be assumed by either the employer or employee in order to relieve the Commonwealth of the financial burden of repatriation if the employee claims to be destitute. Employer bond, as delineated in this section, provides that assurance.

Section No. 12 (b)(3):

Comments for this section are consistent with the two sections previously cited.

Section No. 12 (f):

Comments for this section are consistent with the previous statements relating to financial responsibility.

Section No. 12 (f)(3):

Provisions for deportation under this section are presently in operation and pose no problem or difficulty to immigration.

Section No. 12 (j):

Entry provisions of Public Law 3-105 presently requires that all aliens (not permanent residents of the Commonwealth) comply with the existing requirements for entry. This amendment is consistent with existing law.

Section No. 14 (2):

The amendment to this section of P. L. 3-105 strengthens the existing provisions for visitor entry.

200 12-5-84

12/06/84

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Section No. 15:

Comments regarding this amendment are consistant with those made on Section 14(2).

Section No. 16:

Amendment wording further improves the requirements of the existing law.

Section No. 17:

This section requires re-wording to include a waiver of entry application fee's if it is thought to be in the best interest of the Commonwealth. Additionally, the words "or business" should be inserted between the words "commerce" and "shall", line 16, page 19. The word chief in this section should be followed by "of immigration" in order to be consistant with the rest of the bill. Subsection (2) appears to be in conflict with subsection (1) regarding fees.

Section No. 18:

Immigration fully agrees to the inclusion of this amendment.



Richard J. Keatley

cc: File

# Influx of outsiders unnerving islanders

All but a handful of islanders living in Samoa, Tonga and other Pacific Islands are getting concerned about the influx of overseas workers and businessmen about the potential health of their islands.

At a Sunday conference in Papeete, Samoa, a meeting of the islanders and their government officials for the Pacific states of Tuvalu, Samoa, Tonga, and the Federated States of Micronesia, all proposals of foreign labor for the states of Micronesia were discussed.

While officials agreed with the need for foreign labor, it was noted that a total restriction to bringing in needed outside skills would be destructive to the overall development of the young nation.

Samoa's parliament agreed with the saying, "We conceivably could do for ourselves, but we are not doing so for ourselves."

Under Samoa's present constitution, local workers must be employed first. Local workers can be used for social activities, and local workers can be used for construction work. Local workers can be used for any kind of construction work. Local workers can be used for any kind of construction work. Local workers can be used for any kind of construction work.

The same situation is taking place in other Pacific states. Gregorio C. Sebastian has called for immediate suspension of foreign workers until the government has a plan to deal with the influx of non-resident workers. He is seeking quotas on foreign labor and says the Commonwealth of the Northern Mariana Islands is in imminent danger of being unable to control the influx of non-resident workers.

Non-resident workers are flooding into the entertainment sector. Many islanders think that they can bring in foreign workers to do the heavy dirt work and that would be fine. But they don't realize that these workers are going to be getting foreigners



## Pipe Dreams

By Joe Murphy

eyes on the local girls.

This is a two-way street, too. Many girls are being pulled from the Philippines, Korea and other places. They are needed as maids and other things. They, too, and local boys, naturally.

What is happening here is tremendous mixing of the population, a blurring of the culture, that will make all the islands like Guam or Hawaii. I'm not saying that is bad or good, just that it is happening and happening very swiftly.

Another change is waiting in the wings. Once the free association compact for the islands becomes a reality, the islanders of Palau, French Polynesia and others will be able to come to Samoa with no restrictions at all. Just as they will be in the other islands like Samoa and Hawaii.

Apparently what will be a two-way street. Section 2 of the compact says that U.S. citizens or nationals can move to Micronesia to live or work. U.S. citizenship and voting status is still a question. In Hawaii, there are 214,832 Caucasians, about 20 percent of the entire state population.

While it is not anticipated that we will see islanders to the islands after the compact is approved, it could happen. Right now, low wages would draw away Americans. It would be much more likely that Chinese, Koreans and Filipinos would be more interested in setting up in the islands.

The sea, a part of all this is that the islanders

themselves seem to have control of the situation. I don't see how we can have any control of them. For now, add Hawaii or not at least for the next 100 years.

Quite the compact there will be limited control on the islanders will still want modern things like concrete construction, medical services, TV, other entertainment, education and most of these skills are in the hands of outsiders. I guess the workers just getting into small to worry about borders and boundaries. Skin color and ethnic groups.

Those East Coast hurricanes like the recent Diana, always susceptible to be because the people living there have an option that we don't have on Guam.

They can evacuate. We can't. In most coastal areas, especially in the lowlying Carolinas or Virginia and Florida where the highest points are 60 feet above sea level, the residents simply board up their houses, load up their cars, pets and jewelry in their family car and head for the interior. They drive an ample of hundreds of miles and camp or stay with relatives or in hotels waiting for the storm to end. When they go back and look at the damage.

On Guam, we're forced to lead and interpret all the people during a typhoon. We've got nowhere to go.

Fifty years ago, in 1974, when we all wanted to pass lines on Guam, it was considered that in a few years we would be doing around in battery-powered vehicles, electric cars, it never happened, although one guy did convert to a electric car here.

When all we want for a breakdown, the people may have done just that. The new electric cars may be catching on here. There is no noise with these new cars, and no exhaust. They run on a top speed of over 60 mph and have an operating range of 100 miles in normal city driving at a steady 25 mph.

The breakthrough came in new technology batteries that have a life expectancy of 10,000 and can go through at least 500 recharge cycles.



House Clerk



# House of Representatives

FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. Box 586  
Saipan, Mariana Islands 96950

Phone: House 6284 / 6195 / 6618

**BENIGNO M. SABLAN**  
Representative

February 22, 1985

**COMMITTEES:**  
Judiciary & Governmental Operations  
Chairman  
Resources & Development  
Vice Chairman  
Federal Program  
Member  
Health, Education & Welfare  
Member

MEMORANDUM

TO : Chairman, Resources & Development

FROM : Chairman, JGO

SUBJECT: H.B. No. 65 H.B. No. 90 & H.B. No. 180,  
H.B. No. 119

Transferring the above mentioned House Bills as it falls more appropriately under the Committee on Resources and Development.

If you have any question, please let me know.

*Benigno M. Sablan*  
Rep. Benigno M. Sablan

xc: Speaker  
House Clerk  
Legal Counsel



House of Representatives  
FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. Box 586  
Saipan, Mariana Islands 96950

Phone 6295/6284/6000

**SPEAKER**  
Vicente M. Sablan

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**VICE SPEAKER**  
Juan B. Tudela

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**FLOOR LEADER**  
Pedro T. Nakatrakaa

**SAIPAN & ISLANDS NORTH**

- Jose C. Cabrera
- Benigno R. Fitial
- Ignacio DLG. Demapan
- Juan DLG. Demapan
- Juan T. Guerrero
- Pedro R. Guerrero
- Jose R. Lifaifoi
- Pedro T. Nakatrakaa
- Benigno M. Sablan
- Gregorio C. Sablan
- Vicente M. Sablan
- Juan S. Torres
- Juan B. Tudela

8 Copies of H.B. 180  
For R & D Comm

**TINIAN & AGUIGUAN**  
Francisco T. Cabrera

**ROTA**  
Victor B. Hooog

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DATE : 2/28/85  
TIME : 10:30

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