

THIRTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

THIRD SPECIAL SESSION, 2002

H. R. NO. 13-051

A HOUSE RESOLUTION

To support the application of the special industry committee system of the Federal Fair Labor Standards Act to determine a fair and appropriate minimum wage in the Northern Mariana Islands; and for other purposes.

1 WHEREAS, Section 701 of the Covenant to Establish a Commonwealth of the Northern
2 Mariana Islands in Political Union with the United States of America sets the goal of achieving “a
3 progressively higher standard of living for [the people of the Northern Mariana Islands] as part of
4 the American economic community...;” and

5 WHEREAS, an attribute of the American standard of living is a minimum wage that
6 provides workers with sufficient compensation given the economic context in which they labor;
7 and

8 WHEREAS, the United States Fair Labor Standards Act of 1938, as amended, 29 USC
9 §201 et seq., sets out a special industry committee system for determining minimum wage that
10 has been used successfully in other insular areas, and is used to this day in American Samoa; and

11 WHEREAS, the goal of the special industry committee, as defined by the Act, is “to
12 reach as rapidly as is economically feasible without substantially curtailing employment the
13 objective of the [US minimum wage]...;” and

14 WHEREAS, the special industry committee system sets a minimum wage based on
15 extensive economic analysis, industry-by-industry, at least every two years, considering
16 “competitive conditions as affected by transportation, living and production costs...;” and

17 WHEREAS, a special industry committee for the Northern Mariana Islands would be
18 composed of residents of the Northern Mariana Islands as well as other residents of the United
19 States appointed by the United States Secretary of Labor; and

1 WHEREAS, Section 503 of the Covenant provides that the minimum wage provisions of
2 the Fair Labor Standards Act shall not apply to the Northern Mariana Islands “except in the
3 manner and to the extent made applicable to them by the Congress...;” and

4 WHEREAS, it is the finding of the Northern Marianas House of Representatives that
5 application of the special industry committee system of the Fair Labor Standards Act would affect
6 no other provision of the Covenant nor any local statute, except the specific minimum wage
7 levels set by 4 CMC §§ 9221, 9222 and 9223; now, therefore,

8 BE IT RESOLVED, by the House of Representatives, Thirteenth Northern Marianas
9 Commonwealth Legislature, that the US Congress is urged to apply the special industry
10 committee provisions of the Fair Labor Standards Act to the Northern Mariana Islands for the
11 purpose of setting the minimum wage in the Northern Mariana Islands; and

12 BE IT FURTHER RESOLVED, that the Speaker of the House of shall certify, and the
13 House Clerk shall attest to the adoption of this Resolution and thereafter transmit certified copies
14 to the Honorable Edward M. Kennedy, Chairman of the Senate Health, Education, Labor &
15 Pensions Committee; the Honorable Pedro A. Tenorio, Resident Representative to the United
16 States and the Honorable Juan N. Babauta, Governor of the Commonwealth of the Northern
17 Mariana Islands.

Date: May 7, 2002

Introduced By: /s/ Rep. Manuel A. Tenorio

/s/ Rep. Andrew S. Salas