
AN ACT

To provide for the orderly transition of executive power upon the election of a new Governor and for other purposes.

BE IT ENACTED BY THE NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 Section 1. Title. This Act may be cited as the "Executive
2 Transition Act."

3 Section 2. Office of the Governor-elect. There is hereby
4 established the Office of the Governor-elect. The office shall come
5 into being on the date upon which the Board of Elections certifies
6 the election of a Governor who does not succeed himself in office.
7 For purposes of this section, an Acting Governor who is elected
8 Governor under a law enacted pursuant to Article III, Section 7 of
9 the Constitution shall be considered as succeeding himself in office.

10 Section 3. Employees and Duties. The Office of the
11 Governor-elect shall be staffed by such temporary employees as
12 are appointed by the Governor-elect. The Office shall work together
13 with the incumbent Governor and Executive Branch officials to provide
14 for the orderly transfer of executive power from one administration
15 to the next. The incumbent Governor and Executive Branch officials
16 shall cooperate with the Office of the Governor-elect to the maximum
17 extent practical.

18 Section 4. Access to Information. To further such cooperation,
19 the head of each department, office, board, commission, instrumentality,
20 or other entity of the Executive Branch, and the head of each
21 independent entity of the Commonwealth Government including any

1 government corporation, shall upon request:

2 (a) make available all files and records, except personal
3 working files, any confidential files of persons appointed by
4 the Governor, and any files, such as tax records, to which
5 access is prohibited by law.

6 (b) extract information from such files and records in
7 response to reasonably specific requests;

8 (c) respond to questions regarding official operations and
9 activities;

10 (d) make available sufficient staff to carry out these
11 duties within a reasonable time period and serve as liaison to
12 the Office of the Governor-elect; Provided, that the
13 Governor-elect or his designee may request that specific
14 individuals be assigned for such purpose, but that the
15 final decision regarding such assignment shall rest with
16 the head of the entity.

17 Section 5. Inauguration Ceremonies. The Office of the
18 Governor-elect shall provide for the inauguration of the new Governor
19 and Lieutenant Governor in appropriate ceremonies.

20 Section 6. Committee on Transition.

21 (a) For the purpose of carrying out the duties of the
22 Office of the Governor-elect, the Governor-elect may establish
23 a Committee on Transition, the members of which shall be
24 appointed by and serve at the pleasure of the Governor-elect.

25

1 (b) Any branch, office, agency, board, commission,
2 instrumentality, or other entity of the Commonwealth Government
3 which employs any person appointed to the committee may assign,
4 as available without substantial interference with the routine
5 administration of government, the person on reimbursable or
6 non-reimbursable detail to the committee for such time as the
7 Governor-elect may request. While so detailed, the employee shall
8 be responsible only to the Governor-elect for the performance of
9 his duties; PROVIDED, that any employee so detailed shall continue
10 to receive the compensation provided pursuant to law for his
11 regular employment, and shall retain the rights and privileges
12 of his employment without interruption. Such persons shall not
13 receive any additional compensation by virtue of their service
14 on such committee.

15 (c) Any person appointed to the Committee who is not
16 subject to detail pursuant to subsection (b) of this section may
17 be compensated pursuant to short-term employment contracts for
18 service actually rendered at an appropriate rate to be determined
19 by the Governor-elect pursuant to budgetary appropriation. No
20 such person shall become a member of the Civil Service by virtue
21 of such appointment.

22 (d) The Committee may be assisted by persons of its own
23 choosing who shall not be compensated for their services, but who
24 may be reimbursed for reasonable and necessary expenses incident
25 to their assistance.

1 (e) The Governor may make clerical and administrative staff
2 available to the Office of the Governor-elect on the same basis
3 as provided in subsection (b) of this Section.

4 Section 7. Employees. The Office of the Governor-elect may
5 engage the services of private firms, experts, consultants, and other
6 professionals and may employ such staff as necessary to carry out the
7 purposes of this Act. No person employed under this section shall
8 become a member of the Civil Service by virtue of such employment.

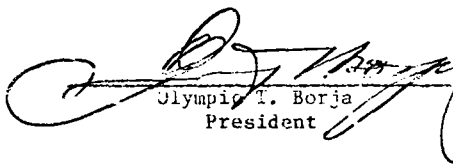
9 Section 8. Facilities. Special Assistant for Administration may
10 provide, upon request, when such is available, to the Office of the
11 Governor-elect for use in connection with the preparation for the
12 assumption of official duties as Governor, necessary services and
13 facilities, including suitable office space appropriately equipped
14 with furniture, furnishings, and office supplies as determined by
15 the Special Assistant for Administration after consultation with the
16 Governor-elect, within the government complex. In the event office
17 space is not provided, the Governor-elect may execute a short-term
18 lease agreement for office space.

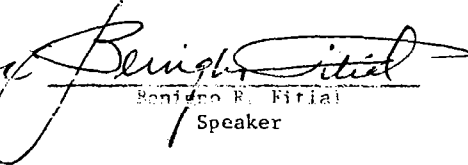
19 Section 9. Termination of Activities. The Office of the
20 Governor-elect shall cease operations upon the inauguration of the new
21 Governor; PROVIDED, that the staff shall prepare and submit a financial
22 summary and activities report to the Governor and Legislature 30 days
23 after the inauguration.

24 Section 10. Appropriations and Reprogramming. The Governor shall
25 include in his budget submission to the Legislature, for each fiscal

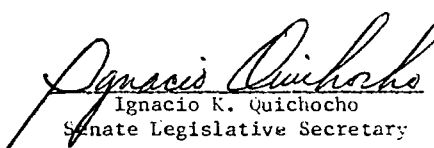
1 year in which his regular term of office will expire, an identified
2 appropriation for carrying out the purposes of this Act. The funds
3 subsequently appropriated for use under this Act shall remain
4 available for any one gubernatorial transition during the fiscal
5 year in which the transition occurs. The Director of Finance is
6 authorized to expend all funds necessary to carry out the purposes
7 of this Act. In the event the Legislature fails to appropriate
8 the necessary funds to carry out the purposes of this Act, the
9 Governor shall reprogram resources appropriated to executive
10 departments, agencies, boards, and commission so that the purposes
11 of this Act may be achieved.

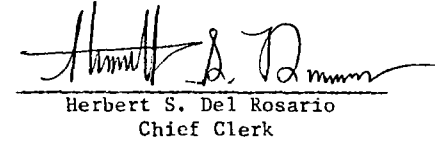
12 Section 11. Effective Date. This Act shall take effect upon its
13 approval by the Governor, or upon its becoming law without such approval.


Olympic I. Borja
President

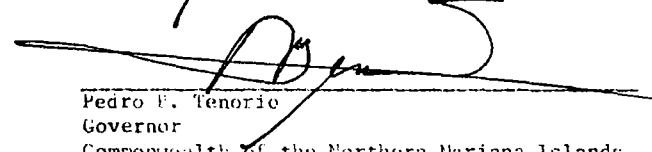

Benigno E. Firial
Speaker

ATTEST:


Ignacio K. Quichocho
Senate Legislative Secretary


Herbert S. Del Rosario
Chief Clerk

March 31, 1983.


Pedro F. Tenorio
Governor
Commonwealth of the Northern Mariana Islands