

EIGHTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

HOUSE BILL NO. 8-3 13

FIFTH REGULAR SESSION, 1993

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AN ACT

To amend Chapter 3, Sections 8431 (c) and (d) and 8434 (a) and (b) of Public Law 8-1 1; and for other purposes.

BE IT ENACTED BY THE EIGHTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1           Section 1. Findings. The Legislature finds that every employee  
2 shall be free from political coercion or harassment. No person shall be  
3 prohibited. from endorsing a candidate for public office, provided,  
4 however, that such endorsement or statement of support is freely  
5 made.

6           The Legislature finds that the present Civil Service Act (1 CMC  
7 Section 1801, et sea.) extensively regulates the political activities of  
8 public employees. That Act further provides that any violation of its  
9 provisions shall be referred to the Civil Service Commission.

10          The Legislature also finds that since the birth of the political  
11 parties in the Commonwealth, the public school facilities have served  
12 as the meeting places for such groups. The people assembled to  
13 discuss many issues pertaining to their candidates, issues, political  
14 status, etc. One of the main reasons for assembling in the public

1 school facilities was and is still that such facilities represent the place  
2 where knowledge is acquired. It is part of the culture of the people of  
3 the Commonwealth to have political meetings in any public school  
4 facilities. To maintain, the present prohibition of such activity in  
5 Public Law 8- 11 will result in continued conflict with the people's  
6 culture.

7 Section 2. Amendment. Section 843 1 (c) and (d) of Public Law  
8 8-11 are repealed in their entirety.

9 Section 3. Amendment. The title and subsections (a) and (b) of  
10 Section 8434 are amended to read as follow:

11 "Restraints on Use of Public Supplies, Services, Time, and  
12 Personnel for Campaign Activities.

13 "(a) A public official or public employee shall not use  
14 public funds, time or equipment for the public official or public  
15 employee's private gain or that of another unless the use is  
16 authorized by law."

17 "(b) A public official or public employee shall not use  
18 public funds, time personnel, or equipment for political or  
19 campaign activity unless the use is:

20 (1) authorized by law: or

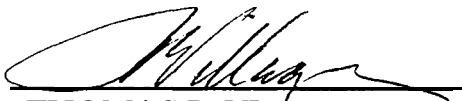
21 (2) properly incidental to another required or  
22 authorized by law."

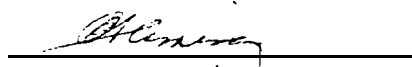
1       Section 4. Severability. If any provision of this Act should be  
2 declared invalid by a court of competent jurisdiction, the remainder of  
3 this Act shall not be affected thereby.

4       Section 5. Effective Date. This Act shall take effect upon its  
5 approval by the Governor, or upon its becoming law without such  
6 approval.

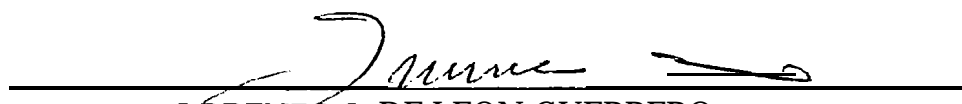
CERTIFIED BY:

ATTESTED BY:

  
THOMAS P. VILLAGOMEZ  
Speaker of the House

  
EVELYN C. FLEMING  
House Clerk

APPROVED this 13<sup>th</sup> day of SEPT., 1993

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