

TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

_____ Session, 2023

H. B. 23-94

A BILL FOR AN ACT

To require the staff of the Department of Public Works' Building Safety Division to be in the Civil Service System; and for other purposes.

BE IT ENACTED BY THE 23RD NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 **Section 1. Findings and Purpose.** The Legislature finds that the Building
2 Safety Division, under the Department of Public Works, is a government entity that
3 is responsible for enforcing and upholding all applicable Building Safety Code
4 regulations. Furthermore, such division consists of architects, engineers, and other
5 related technical officers, inspectors and/or administrative staff that are required to
6 accomplish the intent and purposes of the Building Safety Code. To effectively
7 perform their duties as public servants, Building Code employees have gone
8 through numerous job-related training to enhance their knowledge, skills and
9 abilities. Despite their accomplishments and acquired work experience, many of
10 them continue to feel insecure about their work job knowing that they can easily be
11 separated from employment due to their temporary status and worst yet, political
12 interference. To promote a sense of job security among the Division of Building

1 Code employees, the legislature finds that it is in the best interest to allow all the
2 employees of the division other than the architects and engineers to be placed under
3 the Civil Service System. The permanent employment of these employees will
4 promote continuity in the delivery of public service.

5 **Section 2. Repeal and Reenact.** 2 CMC §7122(b) is hereby repealed and
6 reenacted to read as follows:

7 **“§ 7122. Powers and Duties of the Building Safety Official.**

8 (b) Deputies. In accordance with prescribed procedures, the building
9 safety official shall select a qualified chief plans examiner, who shall
10 be a registered architect or engineer licensed to practice in the
11 Commonwealth or certified by the International Conference of
12 Building Officials, the selection of employees to fill related
13 technical officers, inspectors, or administrative positions to support
14 the building safety official shall be made through the civil service
15 merit recruitment system. Only the registered architect or licensed
16 engineer shall be exempted from the Commonwealth Civil Service
17 Act, 1 CMC § 8101 et seq. Apart from exempt architects and
18 engineers, all employees of the Building Safety Division shall be in
19 the Civil Service System. The Secretary of Public Works shall work
20 with the Director of Personnel to ensure that all affected employees
21 within the Division of Building Safety Code shall go through the

1 conversion and assessment process from excepted service to civil
2 service. Upon conversion, the adjustments of pay levels and steps
3 shall be consistent to the civil service classification guidelines based
4 on education, work experience and training. The Salaries shall be
5 adjusted based on the salary schedule established under Public Law
6 19-83.”

7 **Section 3. Severability.** If any provisions of this Act or the application of
8 any such provision to any person or circumstance should be held invalid by a court
9 of competent jurisdiction, the remainder of this Act or the application of its
10 provisions to persons or circumstances other than those to which it is held invalid
11 shall not be affected thereby.

12 **Section 4. Savings Clause.** This Act and any repealer contained herein
13 shall not be construed as affecting any existing right acquired under contract or
14 acquired under statutes repealed or under any rule, regulation, or order adopted
15 under the statutes. Repealers contained in this Act shall not affect any proceeding
16 instituted under or pursuant to prior law. The enactment of the Act shall not have
17 the effect of terminating, or in any way modifying, any liability, civil or criminal,
18 which shall already be in existence on the date this Act becomes effective.

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

Prefiled: 1/8/2024

Date: _____

Introduced by: _____

Rep. Angelo A. Camacho

Reviewed for Legal Sufficiency by:

Joseph D. Day
House Legal Counsel

The image contains two handwritten signatures. The first signature, located above the 'Introduced by' line, is a stylized signature that appears to be 'A. Camacho'. The second signature, located below the 'Rep. Angelo A. Camacho' text and to the right of the 'Reviewed for Legal Sufficiency by' line, is a signature that appears to be 'Joseph D. Day'. There are also some scribbles and marks near the second signature.