

P.L. 11-109



GOV. COMM.
(HOUSE)

11-625

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

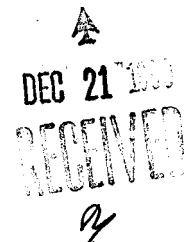
Pedro P. Tenorio
Governor

Jesus R. Sablan
Lt. Governor

Caller Box 10007
Saipan, MP 96950
Telephone: (670)664-2200
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The Honorable Paul A. Manglona
President of the Senate
Eleventh Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

DEC. 21 1999



and

The Honorable Diego T. Benavente
Speaker, House of Representatives
Eleventh Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Mr. President and Mr. Speaker:

This is to inform you that I have signed into law Senate Bill 11-155, entitled, "To vacate all provisions and impact of Executive Order 94-3 relative to the Commonwealth Ports Authority and Coastal Resources Management program and reestablish each as the same existed, and under the provisions of law then in effect, immediately prior to the effective date of Executive Order 94-3; and for other purposes," which was passed by the Eleventh Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 11-109**. Copies bearing my signature are forwarded for your reference.

Sincerely,

PEDRO P. TENORIO

CC: Commonwealth Ports Authority
Coastal Resources Management
Secretary, Department of Public Works
Special Assistant for Programs & Legislative Review



The Senate
NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
P.O. Box 129
Saipan, MP 96950

PUBLIC LAW NO. 11-109

DEC. 07 1999

Honorable Pedro **P.** Tenorio
Governor
Commonwealth of the Northern
Mariana Islands
Saipan, MP 96950

Dear Governor Tenorio:

I have the honor to transmit herewith for your action one (1) original copy of Senate Bill No. 11-155, entitled, "An Act to vacate all provisions and impact of Executive Order 94-3 relative to the Commonwealth Ports Authority and Coastal Resources Management program and reestablish each **as** the same existed, and under the provisions of law then in effect, immediately prior to the effective date of Executive Order 94-3; and for other purposes," which was passed by the Senate and the House of Representatives of the Eleventh Northern Marianas Commonwealth Legislature.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward U. Maratita", written over a horizontal line.

EDWARD U. MARATITA
SENATE LEGISLATIVE SECRETARY

Attachment

REC-12/7/99

THE SENATE
ELEVENTH NORTHERN MARIANAS COMMONWEALTH
LEGISLATURE

PUBLIC LAW NO. 11-109
SENATE BILL NO. 11-155

AN ACT

To vacate all provisions and impact of Executive Order 94-3 relative to the Commonwealth Ports Authority and Coastal Resources Management program and reestablish each as the same existed, and under the provisions of law then in effect, immediately prior to the effective date of Executive Order 94-3; and for other purposes.

Offered by Senator(s): Pete P. Reyes

DATE: October 4, 1999

SENATE ACTION

Standing Committee Report No.: None
Second and Final Reading: November 12, 1999

HOUSE ACTION

Standing Committee Report No.: None
First and Final Reading: November 26, 1999


EDWARD U. MARATITA
SENATE LEGISLATIVE SECRETARY

**ELEVENTH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE**

PUBLIC LAW NO. 11-109
**SENATE BILL
NO. 11-155**

FOURTH REGULAR SESSION, 1999

AN ACT

To vacate all provisions and impact of Executive Order **94-3** relative to the Commonwealth Ports Authority and Coastal Resources Management program and reestablish each as the same existed, and under the provisions of law then in effect, immediately prior to the effective date of Executive Order **94-3**; and for other purposes.

**BE IT ENACTED BY THE ELEVENTH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 Section 1. Findings. The Legislature finds that the reorganization of the
2 government pursuant to Executive Order **94-3** ("E.O. **94-3**") unnecessarily and
3 arguably unconstitutionally reallocated functions and duties of previously
4 autonomous or independent agencies of government into executive branch
5 departments. One such autonomous agency is the Commonwealth Ports Authority
6 ("CPA") which was allocated for the purposes of administration and coordination to
7 the Department of Public Works; another such independent agency is the Coastal
8 Resources Management Council and Coastal Resources Management Office ("CRM")
9 which was transferred to the Department of Lands and Natural Resources. The
10 Legislature further finds that the reorganization of these entities pursuant to E.O. **94-3**
11 is inconsistent with their respective mission and duties.

12 It is the purpose of this Act to return CPA, and CRM to the state in which they
13 existed prior to August **23, 1994**, the effective date of E.O. **94-3** and to reenact, to the
14 extent necessary, all provisions of law concerning CPA and CRM, affected by E.O.
15 **94-3**. Therefore, the Legislature intends that this Act vacate each and every provision
16 or application of E.O. **94-3** which affects in any manner whatsoever the functions,
17 locations, and duties of CPA, and CRM.

1 Section 2. Repealer.

2 (a) Section 206 of Executive Order **94-3** is hereby vacated in its
3 entirety.

4 (b) Section **304(a)** of Executive Order **94-3** is hereby vacated in its
5 entirety.

6 Section 3. Coastal Resources Management Program. All provisions of Public
7 Law **3-47** and Public Law **7-3** in effect immediately prior to the effective date of
8 Executive Order **94-3** are to the extent affected by said executive order hereby
9 restored to effect as they existed immediately prior to the effective date of said
10 executive order. Chapter **5** of Division 1 of Title **2** of the Commonwealth Code is
11 hereby reenacted in its entirety to restore any and all provisions of said chapter
12 affected by Executive Order **94-3**. Any functions, records, funds, property or
13 personnel transferred pursuant to Sections **503, 504**, and/or **505** of Executive Order
14 **94-3** are hereby transferred back and returned to the Coastal Resources Management
15 Office and Coastal Resources Management Advisory Council, as appropriate.

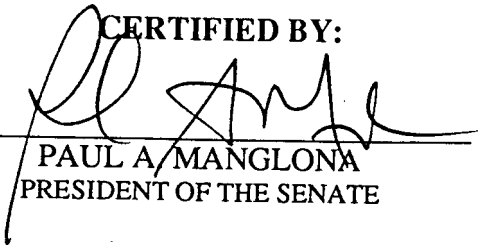
16 Section 4. Commonwealth Ports Authority. Chapter 1 of Division **2** of Title **2**
17 of the Commonwealth Code is hereby reenacted in its entirety to restore any and all
18 provisions of said chapter affected by Executive Order **94-3**. Any functions, records,
19 funds, property or personnel transferred pursuant to Sections **503, 504**, and/or **505** of
20 Executive Order **94-3** are hereby transferred back and returned to the Commonwealth
21 Ports Authority.

22 Section 5. Reactivation. Subject to other requirements or provisions of law,
23 any agencies requiring reactivation as a result of this Act shall be reactivated in the
24 manner described by the Governor in his approval letter for Public Law **11-47**.

25 Section 6. Severability. If any provision of this Act or the application of any
26 such provision to any person or circumstance should be held invalid by a court of
27 competent jurisdiction, the remainder of this Act or the application of its provisions to
28 persons or circumstances other than those to which it is held invalid shall not be
29 affected thereby.

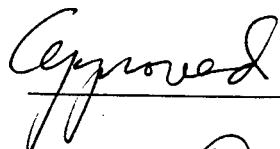
1 Section 7. Effective Date. This Act shall take effect upon its approval by the
2 Governor or upon its becoming law without such approval.

CERTIFIED BY:


PAUL A. MANGLONA
PRESIDENT OF THE SENATE

ATTESTED BY:


EDWARD U. MARATITA
SENATE LEGISLATIVE SECRETARY

 Approved this 21st day of December, 1999


PEDRO P. TENORIO
GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS