



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Benigno R. Fitial
Governor

Timothy P. Villagomez
Lieutenant Governor

Executive Order No. 2006 - 006

SUBJECT: Zoning Board Reorganization Plan No. 1 of 2006

AUTHORITY: Constitution, Article III, Section 15

WHEREAS, the intent of the Legislature was that the Zoning Board be an independent regulatory commission with all the protections required by the NMI Constitution;

WHEREAS, the Zoning Board's mission involves technically complex matters and requires careful, often time-consuming, deliberation;

WHEREAS, the Zoning Board may have been erroneously allocated to the Department of Lands and Natural Resources (DLNR) for administration and coordination;

WHEREAS, the respective missions of the Zoning Board and DLNR are different enough that such allocation may impede the Zoning Board from carrying out its critical mission;

WHEREAS, the Zoning Board has been allocated resources to engage technically competent staff and other assistance and therefore requires the ability to directly manage its resources; and

WHEREAS, allocating the Zoning Board to the Office of the Governor for administration and coordination will comport with the treatment of other independent agencies.

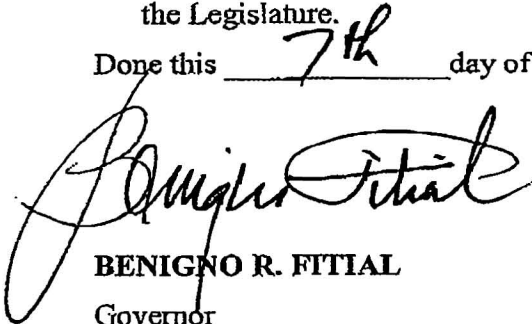
NOW, THEREFORE, to comport with the mandate of the Constitution, the requirements of CNMI law, and to promote efficient administration, it is hereby

ORDERED

1. That the following provisions shall constitute the Zoning Board Reorganization Plan No. 1 of 2006 (Executive Order).

2. The Zoning Board is an independent regulatory agency whose members I appoint. The Zoning Board shall be and is hereby allocated by this Executive Order to the Office of the Governor for purposes of administration and coordination. All prior such allocations of this agency, to the extent they may be lawful and effective, are hereby repealed.
3. I delegate to the Zoning Board Chairperson the expenditure power and authority necessary to budget, obligate, and spend money and to further delegate such power and authority to the Zoning Administrator as the Chair finds necessary and appropriate.
4. Severability. The provisions of this Executive Order are severable. If any provision of this Executive Order or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Executive Order or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.
5. Savings Clause. This Executive Order and any repealer contained herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes. Repealers contained in this Executive Order shall not affect any proceeding instituted under or pursuant to prior law. The enactment of the Executive Order shall not have the effect of terminating or in any way modifying any liability, civil or criminal, that shall already be in existence on the date this Executive Order becomes effective.
6. Effective Date. In accord with the N.M.I. Constitution, Article III, Section 15, this Executive Order shall take effect 60 days after submission to the Legislature, unless specifically modified or disapproved by a majority of the members of each house of the Legislature.

Done this 7th day of August, 2006.



BENIGNO R. FITIAL

Governor