



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Benigno R. Fitial
Governor

Timothy P. Villagomez
Lieutenant Governor

The Honorable Oscar M. Babauta
Speaker, House of Representatives
Fifteenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

AUG 01 2007

The Honorable Joseph M. Mendiola
Senate President, The Senate
Fifteenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Mr. Speaker and Mr. President:

I am transmitting with this letter Executive Order No. 07-09, Re-organization Plan No. 01 of 2007.

This executive order is issued under the authority of the Governor to reorganize the government pursuant to Article II, Section 15 of the Commonwealth Constitution and unless rejected or modified by a vote of each House of the Legislature, will become law in sixty days.

Sincerely,

A handwritten signature in black ink, appearing to read "Benigno R. Fitial".

BENIGNO R. FITIAL

Attachments

cc: Lt. Governor
Governor's Special Legal Counsels
Lt. Governor's Legal Counsel
Attorney General
Special Assistant for Programs and Legislative Review



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Benigno R. Fitial
Governor

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EXECUTIVE ORDER NO. 07- 09

SUBJECT: Re-organization Plan No. 01 of 2007

AUTHORITY: Constitution, Article III, Section 15

WHEREAS, Section 15 of Article III of the Constitution requires that Executive Branch offices, agencies and instrumentalities of the Commonwealth Government be allocated among and within not more than fifteen principal departments, groups as far as practicable according to major purposes; and

WHEREAS, pursuant to that section, regulatory, quasi-judicial, and temporary agencies may be so allocated, but need not be; and

WHEREAS, the Governor may make changes in the allocation of offices, agencies and instrumentalities, and in their functions and duties, as necessary for efficient administration; and

WHEREAS, such changes may affect existing law; and

WHEREAS, the existence of a multitude of offices, agencies, and instrumentalities outside of the principal departments has resulted in duplication of functions, overlaps of responsibility, lack of coordination, and other forms of inefficient administration; and

WHEREAS, the power of the Governor to reorganize the Executive Branch has been affirmed and upheld by the Superior Court of the Commonwealth of the Northern Mariana Islands in its Decision and Judgment dated June 23, 1994, in the case of *Marianas Visitors Bureau v. Commonwealth*, Civ. No. 94-0516 (Memorandum Decision and Judgment);

NOW, THEREFORE, to comply with the mandate of the Constitution and to promote efficient administration, it is hereby

ORDERED:

That the following provisions shall constitute Re-organization Plan No. 01 of 2007:

PART 1. OFFICE OF THE ATTORNEY GENERAL: DIVISION OF
IMMIGRATION

Section 101. Labor and Immigration Identification System Office. The Labor and Immigration Identification System Office within the Office of the Governor is transferred to the Office of the Attorney General, Division of Immigration for organizational purposes but shall continue to provide critical resource data to the Department of Labor.

Section 102. Passports and Certificates of Identity. All functions of the Office of the Governor relating to Certificates of Identity or United States passports are transferred to the Office of the Attorney General, Division of Immigration.

PART 2. GENERAL PROVISIONS

Section 201. Definition of Agency. As used in this part, the term "agency" means any office, division, bureau, board, commission, authority, corporation, instrumentality, or other entity or component of the Commonwealth Government, other than one within the Legislative or Judicial branches.

Section 202. Legal and Regulatory References. All references in law or regulation to any agency or official re-designated by this plan shall be deemed to be a reference to such agency or official as so re-designated. In addition, references to an agency and to the head of such agency are used interchangeably in this plan as regards the authority or a function thereof.

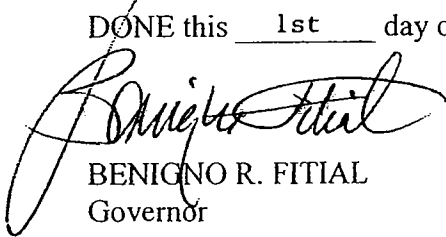
Section 203. Transfer of Records, Property, and Personnel. All records and property (including office equipment) of the various agencies, and all records and property used primarily in the administration of any function transferred by this plan and, except as otherwise provided, all the personnel used in the administration of such agencies and functions (including employees whose chief duties relate to such administration) are hereby transferred to the respective departments or other agencies concerned for use in the administration of the agencies and functions transferred by this plan.

Section 204. Transfer of Funds. So much of the unexpended balances of appropriations, allocations, allotments, or other funds available for the use of any agency in the exercise of any function transferred by this plan, or for the use of the head of any department or other agency in the exercise of any function so transferred, shall be transferred to the department or other agency concerned for use in connection with the exercise of the function so transferred. In the transfer of such funds, an amount may be included for the liquidation of obligations incurred prior to the transfer. The Governor may reprogram any portion of such balances not so transferred.

Section 205. Codification of Changes. The Law Revision Commission shall codify the designations, allocations, and changes in existing law affected by this plan.

Section 206. Effective Date. In accordance with the Constitution, this plan shall become effective sixty days after submission to the Legislature, unless specifically modified or disapproved by a majority of the members of each house of the Legislature, provided that in case it shall appear to the Governor that the interests of economy or management require that any transfer, consolidation, or abolishment be delayed beyond the date of this plan becomes effective, the Governor may, in his discretion, fix a later date therefore, and he may for like cause further defer such date from time to time.

DONE this 1st day of August, 2007.



BENIGNO R. FITIAL
Governor

FILE

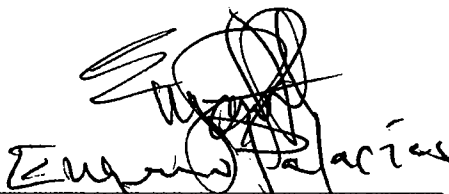


COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
OFFICE OF THE GOVERNOR

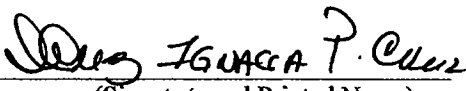
ACKNOWLEDGEMENT OF RECEIPT OF HAND-DELIVERED DOCUMENT(S)

DOCUMENT DESCRIPTION:

Governor transmitting Executive Order No. 07-09, Re-organization Plan No. 1 of 2007, dated August 1, 2007.

RECEIVED BY: 
(Signature and Printed Name)
Office of the Senate President
The Senate, 15th CNMI Legislature

12:45
8/2/07
Date/Time

RECEIVED BY: 
(Signature and Printed Name)
Speaker, House of Representatives
The Senate, 15th CNMI Legislature

8/2/07 12:50 p.m.
Date/Time

DELIVERED BY: 
(Signature and Printed Name)
OFFICE OF THE GOVERNOR

8-3-07 12:50 p.m.
Date/Time