

TITLE 1: GOVERNMENT
DIVISION 2: EXECUTIVE BRANCH

§ 2097. Placement in the Office of the Governor.

All administrative duties and authority with regards to developmental disabilities is hereby placed within CNMI Governor's Developmental Disabilities Council the Office of the Governor, his designee, and any funds, records, property and personnel transferred pursuant to E.O. 94-3, § 305(b) shall revert hereto.

Source: PL 12-10, § 3.

Commission Comment: PL 12-10 that created this section took effect August 3, 2000. PL 12-10 contained findings, repealer, severability, and savings clause provisions as follows:

Section 1. Findings. The Legislature finds that, it is the responsibility and commitment of the Commonwealth to ensure that persons with developmental disabilities receive the care, treatment, and other services necessary to enable them to achieve their maximum potential through a system which coordinates, monitors, plans and evaluates those services and which ensures the protection of the legal and human rights of persons with developmental disabilities; and the fulfillment of these responsibilities is dependent upon the cooperation and coordination among all levels of government, among agencies of state government and between the public and private sectors of the Commonwealth. The Legislature believes that these goals can best be met by repealing E.O. 94-3 §(b) and returning the administrative responsibilities to the Office of the Governor.

Section 2. Repealed. E.O. 94-3 §305 (b) is hereby vacated in its entirety.

...

Section 4. Severability. If any provision of this Act 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 Act or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

Section 5. Savings Clause. This Act 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herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes.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 Act shall not affect any proceeding instituted under or pursuant to prior law. The enactment of this Act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence at the date this Act becomes effective.

Executive Order 94-3, § 305(b) that was repealed by PL 12-10, § 2 reads as follows:

Section 305. Department of Public Health.

...

(b) **Federally-Mandated Councils**. The State Planning Council on Developmental Disabilities and the State Rehabilitation Advisory

TITLE 1: GOVERNMENT
DIVISION 2: EXECUTIVE BRANCH

Council are allocated to the Department of Public Health for the purposes of administration and coordination. [**This subsection 305(b) VACATED by PL 12-10, § 2**]

The full text of Executive Order 94-3 is set forth in the commission comment to 1 CMC § 2001.