

TITLE 1: GOVERNMENT
DIVISION 2: EXECUTIVE BRANCH

§ 2551. Department of Finance.

There is in the Commonwealth government a Department of Finance, to be headed by a Director of Finance.

Source: PL 1-8, tit. 1, ch. 11, § 1, modified.

Commission Comment: Executive Order 94-3, the “Second Reorganization Plan of 1994” (effective August 23, 1994), reorganized the Commonwealth government executive branch, changed agency names and official titles and effected numerous other revisions. According to Executive Order 94-3, §§ 307 and 405:

Section 307. Department of Finance.

(a) **Lottery Commission.** The Commonwealth Lottery Commission is abolished and its functions transferred to the Department of Finance. The Secretary of Finance shall consult with the Secretary of Commerce and the Attorney General as necessary for the effective administration of such functions.

(b) **Procurement.**

(1) To the extent that any provision of law may be interpreted to authorize the Civil Service Commission or the Personnel Officer to exercise any function relating to the procurement of services from outside contractors, that function is transferred to the Secretary of Finance. The function of deciding whether it is in the public interest for the government to obtain professional services by employing more people to work for the government (either in the classified Civil Service or the Excepted Service as determined by the Personnel Officer) or by procuring such services from the private sector is allocated to the Office of the Governor, the Marianas Public Land Trust, and the various boards and commissions.

(2) In order to implement any transfer or allocation made by paragraph (1) of this subsection, existing law is affected, for clarification purposes only, to interpret 1 CMC § 8131(a)(2) henceforth to apply to government employees and not to outside contractors.

(3) In order to further implement any transfer or allocation made by paragraph (1) of this subsection, existing law is affected by changing the definition of “employee” in 1 CMC § 8243 to exclude, rather than include, independent service contractors, consultants, and professional services contractors.

(c) **Government Health and Life Insurance.** Any function of the Personnel Office relating to administration of group health or life insurance programs for government officials or employees is transferred to the Department of Finance. The Public Auditor shall conduct an audit of such programs in connection with such transfer and shall report the results of such audit to the Governor, the Legislature, and the public.

. . . .

Section 405. Taxation Task Force. The Task Force on Income and Sales Taxation and Business Tax Incentives is abolished and its records, property, facilities, equipment, and supplies transferred to the Department of Finance.

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