

TWENTY-SECOND NORTHERN MARIANAS COMMONWEALTH
LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

Session, 2021

H. B. 22-_____

5

A BILL FOR AN ACT

To amend 1 CMC §20175 to include additional members to serve on the Planning and Development Advisory Council (PDAC); and for other purposes.

**BE IT ENACTED BY THE 22ND NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 **Section 1. Findings and Purpose.** The Legislature finds that pursuant to
2 Public Law 20-20, the Office of Planning and Development (OPD) was established
3 to improve the planning process in the CNMI, to increase the effectiveness of
4 government and private actions, to improve coordination among different
5 agencies and levels of government, to provide for wise use of the CNMI's
6 resources, and to guide the future development of the CNMI. Public Law 20-20
7 also mandates that OPD create the CNMI Comprehensive Sustainable
8 Development Plan, which shall provide short and long-range guidance for
9 the economic, infrastructure, and physical development of the CNMI, and
10 which shall contain a statement of development objectives, standards, and
11 principles with respect to the most desirable use of land within the CNMI

1 for residential, recreational, agricultural, commercial, industrial, and other
2 uses completely serviced by an access and circulation network and
3 infrastructure consistent with proper protection to enhance the quality of
4 the environment and preserve the CNMI's natural beauty and historical
5 heritage; and that ensures that such new developments can be accommodated
6 by the current infrastructure of the islands and will not unduly burden such
7 infrastructure in the years come. Additionally, OPD is responsible for working with
8 identified planning partners to create a Comprehensive Sustainable Development
9 Plan and implementation procedures that ensure the protection of the scarce resources
10 including land, natural resources, and human resources.

11 Furthermore, the specified Public Law established the Commonwealth
12 Planning and Development Advisory Council (PDAC) within the Office of
13 Planning and Development (OPD) which consists of department secretaries, agency
14 directors, administrators, and representatives from various government agencies
15 and organizations to assist in the preparation of the Comprehensive Sustainable
16 Development Plan. The plans formulated by the Office of Planning and
17 Development are intended to help stimulate the CNMI's economy as well as ensure
18 effective and coordinated implementation of planning elements. Since OPD's
19 inception, and following numerous planning meetings with the PDAC and the
20 community, there was a recognition of the need to include additional stakeholders
21 to take part in the planning discussions necessary for the creation of the

1 Comprehensive Sustainable Development Plan to ensure the coordination and
2 efficacy objectives outlined in Public Law 20-20.

3 Therefore, the purpose of this Act is to amend 1 CMC §20175 to include
4 additional members to serve on the Advisory Council for Planning and
5 Development.

6 **Section 2. Amendment.** 1 CMC §20175 is hereby amended to read as
7 follows:

8 **“§ 20175. Advisory Council for Planning and Development.**

9 (a) In the Commonwealth Office of Planning and Development,
10 there shall be a Commonwealth Planning and Development Advisory
11 Council to be chaired by the Council member voted on by a majority vote
12 of the members of the Council and shall be comprised of the following
13 members:

- 14 (1) Director of the Office of Planning and Development;
- 15 (2) Administrator of the ~~Office~~ Bureau of Environmental and
16 Coastal Quality;
- 17 (3) Secretary of the Department of Public Works;
- 18 (4) Secretary of the Department of Public Lands;
- 19 (5) Secretary of the Department of Lands and Natural Resources;
- 20 (6) Secretary of the Department of Commerce;
- 21 (7) Zoning Administrator;

- 1 (8) Executive Director of the Commonwealth Utilities Corporation;
- 2 (9) Managing Director of the Marianas Visitors Authority;
- 3 (10) A representative from the Office of the Mayor of Rota;
- 4 (11) A representative from the Office of the Mayor of Tinian and
- 5 Aguiguan;
- 6 (12) A representative from the Office of the Mayor of Saipan;
- 7 (13) A representative from the Office of the Mayor of the Northern
- 8 Islands;
- 9 (14) ~~Chairperson~~ President of the Saipan Chamber of Commerce;
- 10 and
- 11 (15) ~~Chairperson of the Governor's Strategic Economic~~
- 12 ~~Development Council.~~ Chairperson of the Governor's Council of Economic
- 13 Advisors;
- 14 (16) Chief Executive Officer of the Commonwealth Healthcare
- 15 Corporation;
- 16 (17) Secretary of the Department of Finance;
- 17 (18) Executive Director of the Commonwealth Ports Authority;
- 18 (19) Chairperson of the Marianas Alliance of Non-Governmental
- 19 Organizations;
- 20 (20) A representative of the Education System;

1 (21) Special Assistant of the Commonwealth Bureau of Military

2 Affairs;

3 (22) Secretary of the Department of Community and Cultural

4 Affairs; and

5 (23) Commissioner of the Department of Public Safety.

6 (b) The Commonwealth Planning and Development Advisory Board
7 consisting of ~~fifteen~~ twenty-three voting members shall have at least two
8 female members and two members who are of Carolinian descent.”

9 **Section 3. Severability.** If any provision of this Act or the application of
10 any such provision to any person or circumstance should be held invalid by a court
11 of competent jurisdiction, the remainder of this Act or the application of its
12 provisions to persons or circumstances other than those to which it is held invalid
13 shall not be affected thereby.

14 **Section 4. Savings Clause.** This Act and any repealer contained herein
15 shall not be construed as affecting any existing right acquired under contract or
16 acquired under statutes repealed or under any rule, regulation or order adopted
17 under the statutes. Repealers contained in this Act shall not affect any proceeding
18 instituted under or pursuant to prior law. The enactment of this Act shall not have
19 the effect of terminating, or in any way modifying, any liability civil or criminal,
20 which shall already be in existence at the date this Act becomes effective.

1 **Section 5. Effective Date.** This Act shall take effect upon its approval by
2 the Governor or upon its becoming law without such approval.

Prefiled: Jan. 26, 2021

Date: _____

Introduced by: _____

Rep. Rep. Joseph Leepan T. Guerrero

Reviewed for Legal Sufficiency by:

Joseph D. Jany
House Legal Counsel

