

TITLE 4: ECONOMIC RESOURCES
DIVISION 8: UTILITIES

§ 8111. Short Title.

This chapter may be cited as the Commonwealth Utilities Corporation Act of 2008.

Source: PL 4-47, § 1 (§ 8111); amended by EO No. 2006-04, § 4(8111); repealed and reenacted by PL 16-17 § 10(8111), modified.

Commission Comment: PL 4-47 took effect October 1, 1985.

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, § 304(b):

Section 304. Department of Public Works.

. . . .

(b) Commonwealth Utilities Corporation. The Commonwealth Utilities Corporation is allocated to the Department of Public Works for purposes of administration and coordination.

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

Executive Order No. 2006-04, which reorganized the Commonwealth Utilities Commission, took effect on July 4, 2006 (sixty after its submission to the Legislature on May 5, 2006, without disapproval or modification) and contained the following effective date provision in addition to severability and savings clauses.

7. **Effective Date.** In accord with Article III, Section 15 of the Commonwealth Constitution, this Executive Order shall become effective 60 days after submission to the legislature, unless specifically modified or disapproved by a majority of the members of each house of the legislature.

The Commission replaced “this act” with “this chapter” in this section pursuant to the authority granted by 1 CMC § 3806(d).

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7. **Effective Date.** In accord with Article III, Section 15 of the Commonwealth Constitution, this Executive Order shall become effective 60 days after submission to the legislature, unless specifically modified or disapproved by a majority of the members of each house of the legislature.

Public 16-17 was enacted by override on October 1, 2008. In addition to the code amendments set forth in this chapter and the short title, findings and pur-

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pose, severability and savings clause provisions (see comment to 4 CMC § 8191), PL 16-17 contained the following:

Section 12. Transition. In order to provide for an orderly transition under this Act, the following provisions shall apply until their expiration by operation of law on January 1, 2009:

(a) For the first eight Board members appointed and confirmed only, the nominees shall be confirmed by a majority of the members of both houses of the Legislature. Thereafter, Board members shall be confirmed according to the process in § 8131 of Section 10 of this Act.

(b) The Executive Director of CUC shall remain in his position until a quorum of Board members is in place and shall serve thereafter at the pleasure of the Board. The Executive Director shall issue an invitation for bids pursuant to Section 3(e) and (f) of this Act within ninety (90) days of its effective date.