

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
SAIPAN, MARIANA ISLANDS

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*register*

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PUBLIC NOTICE

PROPOSED AMENDMENT TO THE ELECTRIC SERVICE  
REGULATIONS OF THE COMMONWEALTH UTILITIES CORPORATION


The Commonwealth Utilities Corporation, pursuant to 1 CMC 9104(a), hereby gives notice to the public of its intention to adopt proposed amendments to the Electric Service Regulations relating to the following matters:

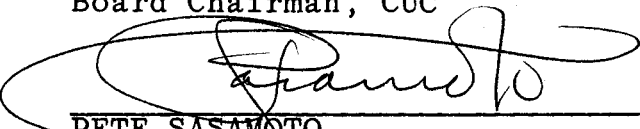
1. Definition of "NEC" and "service entrance equipment".
2. Application for electric service.
3. Line extension or extension of service.
4. Customer's installation.
5. Metering.
6. Temporary suspension for maintenance or repairs.
7. Separate meter for the same customer.
8. Payment of bills.
9. Fraud.
10. Rate schedules.
11. Responsibility.
12. Inspection.

The public may submit written comments and/or recommendations regarding the proposed regulations during the thirty (30) day period following this date of publication in the Commonwealth Register. Such comments and/or recommendations should be sent to the Executive Director of the CUC as follows:

Executive Director  
Commonwealth Utilities Corporation  
Lower Base  
Saipan, MP 96950

DATED this 11<sup>th</sup> day of April, 1989.

  
\_\_\_\_\_  
JOSE TAITANO  
Board Chairman, CUC

  
\_\_\_\_\_  
PETE SASAMOTO  
Executive Director, CUC

NOTICIAN PUBLICO

I Mapropone and Amendasion Pot Setbision Electricidad  
Regulasion I Commonwealth Utilities Corporation

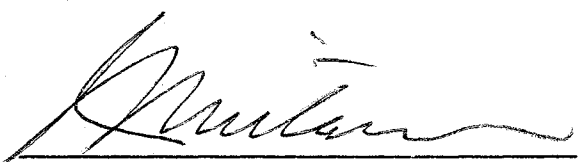
I Commonwealth Utilities Corporation, sigun i l CMC 9104(a), estaguiya na hana guahayi noticia para i publico pot i intensionna na para uadopta i mapropone na amendasion pot i Regulasion i Setbision Electricidad sigun i sigente siha:

1. I sustansian i "NEC" yan "Makanerian Setbision Entrada"
2. Aplicasion pot sebision electricidad.
3. Ma estended line pat ma estended setbisio.
4. Mana guahayi i customa
5. Ma meta
6. Temporario na masuspende pot para u maaregla yan marepea.
7. Separao na meta gi pareho na customa.
8. Ma apasen coblansa
9. Cuchinadas yan dinagi
10. Apas na para u matitiyi.
11. Responsablidad.
12. Mareconosi

I publico sina ma submitte commento yan osino recommendasion pot i mapropone na regulasion duranten i trenta (30) dias na tiempo despues de este na publicasion gi Commonwealth Register. Este na commento osino recommendasion debe de umanahanao guato para i Executive Director gi CUC:

Executive Director  
Commonwealth Utilities Corporation  
Lower Base  
Saipan, MP 96950

Mafecha guine gi dia de 11<sup>th</sup> Abrit, 1989.

  
JOSE TAITANO  
Board Chairman, CUC

  
PETE SASAMOTO  
Executive Director, CUC

ÓRONGRONG NGÁLIIR ARAMAS TOULAP

REEL IGHA RE MÁMÁNGII BWE REBWE LIWELII KAPASAL LÓLL  
ALLÉGHÚL COMMONWEALTH UTILITIES CORPORATION REEL YÁYÁL DENKI


Commonwealth Utilities Corporation, sáangi 1CMC 9104(a), ekki órongaar aramas toulap reel mángemángil bwe ebwe liweli me ebwe yááli mille e ffé tá reel kapasal allégh reel yáyál denki reel:

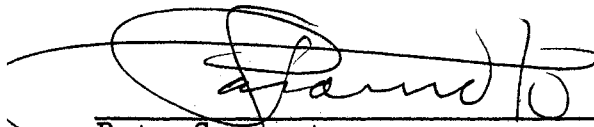
1. Faal mille "NEC" me "service entrance equipment"
2. Tingórol (application) bwe rebwe ngalégh denki
3. Rebwe tai denki me reel imómw bwe rebwe ámwetá ngáli iya
4. Ótotolongol denki reer aramas
5. Mita
6. Denki ebwe ghal lli ló mo bwe rebwe fééri mille e ffeir
7. Ebwe bwal yoor yéew mita
8. Óbwós
9. Iye aramas re ghal mis
10. Listaal llapal ghal óbwós
11. Meta yeel ubwe fééri
12. Iye rebwe toto ámweri (inspection)

Aramas toulap emwál rebwe ótotolong kapas reel mille re mámángii reel milikkal eliigh (30) rál sáangi igha e ótotowow órongrong yeel lóll Commonwealth Register. Ów iisch ngáli:

Executive Dierctor  
Commonwealth Utilities Corporation  
Lower Base  
Saipan, MP 96950

Wóol 11<sup>th</sup> reel Abrit, 1989.

  
Jose M. Taitano  
Board Chairman, CUC

  
Pete Sasamoto  
Executive Director, CUC

PROPOSED AMENDMENTS TO THE  
ELECTRIC SERVICE REGULATIONS OF  
THE COMMONWEALTH UTILITIES CORPORATION

Part 2. Definitions

2.1.17 NEC: American National Electric Code.

2.1.23 Service Entrance Equipment: The equipment usually consisting of a weatherhead, deadend insulator(s), mast conduit, meter socket, main disconnect and appurtenant wiring, or service lateral, intended to constitute the main supply, and means of cutoff of the main supply, to a building or structure.

Part 5. Application for Electric Service

5.6 Customers shall give the CUC written notice of the extent and nature of any increase in demand of electric service resulting from the change in size, character or extent of equipment or operations for which service was originally supplied. The notice shall be given before making any such change(s).

5.10.1 In instances involving the allocation of the cost of electric service to tenants where the tenants are metered, the meters must be ANSI (American National Standards Institute) rated C-12.1 with cyclometer dials.

Part 6. Line Extension or Extension of Service

6.2 CUC may impose a moratorium on providing new services to customers or increased service to existing customers, if it is determined that such services would over-burden the existing distribution or generation capacity. If a customer violates the conditions of the moratorium by increasing electric load, the customer shall be subject to disconnection.

Part 8. Customer's Installation

8.5.1 CUC shall require all commercial customers to provide design load calculations computed by a Registered Professional Electrical Engineer.

8.5.2 All main service disconnects shall be located on the outside of the building in a readily accessible location. The service disconnect shall be located no more than six feet from the electric meter unless otherwise approved by CUC. All service feeders, meter sockets, CT enclosures, disconnects, gutters, and

transfer switches shall be NEMA 3 rated and shall be surface mounted. None of the above mentioned equipment shall be enclosed within the wall of the building.

8.5.3 When a fuse disconnect is used as a main service protection device the wire size, line side and load side, must be of the same amperage capacity as the amperage rate of the disconnect.

8.6.1 The neutral conductor shall be the same size as existing phase wires, unless a design load has been professionally engineered and calculated by a Registered Professional Electrical Engineer.

#### Part 9. Metering

9.4 All service entrance equipment installed by the customer to accommodate CUC metering shall be constructed and installed in accordance with the current edition of the NEC. Panel boxes and meter boxes must have equal ratings. Equipment must be UL or ANSI (American National Standards Institute) approved.

#### Part 10. Temporary Suspension for Maintenance or Repairs

10.4 Any customer must have CUC test his electric meter. Tests shall be scheduled as meter tests are received and depending upon work load. A deposit shall be required from the customer to cover the reasonable cost of the test.

#### Part 15. Separate Meters for Same Customer

15.5 At its option, CUC may require only one meter to be installed at any commercial development site or apartment complex.

#### Part 16. Payment of Bills

16.2 If a customer does not receive a bill for electric service the customer continues to be obligated to pay for electric service received.

#### Part 19. Fraud

19.1 The CUC may refuse to provide service, or may discontinue existing service if the acts of the customer or the condition upon the customer's premises are such as to reasonably indicate an intent to defraud the CUC (e.g. meter tampering, connection without a meter, broken seals, etc.).

19.2 Persons who have connected illegally to CUC electric lines shall be subject to immediate disconnection. Before reconnection, the person must pay the estimated cost of electric service over the length of time the illegal connection was active plus other penalties which may be assessed. The person must file an application with CUC before being considered for reconnection of electric service.

#### Part 23. Rate Schedules

23.5.1 Residential customers are those who purchase power for use in a single family house or an apartment. In the case of an apartment house which has one meter for the entire building or has one service for the entire building which is on a flat rate schedule, the building is considered a residential building and qualifies for the residential rate.

23.5.2 If a building has separately metered apartments, and part of the building is commercial which is separately metered or on a flat rate schedule, the apartments shall be classified residential.

23.5.3 An apartment building with one service entrance serving the entire building, whether the building is metered or on a flat rate schedule, where there is a commercial business located in the building, the entire building shall be classified as commercial.

23.5.4 Buildings which are used for housing workers (barracks or houses), where the power is purchased and paid for by a commercial business for profit, shall be classified as commercial. Buildings used by non-profit corporations and religious organizations shall be classified as commercial.

23.5.5 A residence which includes a commercial business shall be classified as commercial.

23.5.6 A commercial customer is defined as such if a business license is required for the business operation.

#### Part 24. Responsibility

24.4 By receiving electric service the customer assumes responsibility for the reasonable care and protection of CUC metering equipment and appurtenant apparatus.

#### Part 26. Inspections

26.2 All new electric service entrances must pass an inspection by CUC before connection to the utility lines. The first two



inspections of the customer's service entrance are provided to the customer at no expense. All subsequent inspections shall be charged to the customer based on a standard inspection fee.

26.3 Inspections shall be made in the order in which requests for inspections are received.


26.4 Discovery of an illegal service connection shall result in an immediate failure to pass an inspection with no further examination of the service entrance equipment.

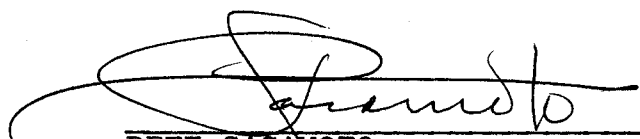
26.5 A customer whose service is disconnected for any reason shall have the service entrance inspected before it shall be reconnected.

26.5.1 Service connections made by CUC during disaster conditions (such as typhoons) may be made without inspections. CUC reserves the right to reinspect after the emergency to enforce code compliance. CUC shall not be held liable for damages for service connections made during disaster conditions.

26.6 CUC's responsibility for inspection includes the service entrance equipment but shall not extend beyond the main service disconnect switch or switches.

DATED this 11<sup>th</sup> day of April, 1989.

  
\_\_\_\_\_  
JOSE TAITANO  
Board Chairman, CUC

  
\_\_\_\_\_  
PETE SASAMOTO  
Executive Director, CUC

PUBLIC NOTICE

Proposed Regulations Governing the Issuance  
of License to Operate Garment Factories  
on Tinian (Second Senatorial District)

The Garment Factory Local Task Force (GFLTF) hereby gives public notice that it has developed and established proposed rules and regulations that will govern the procedures and criteria in the issuance of Garment Factory Licenses authorized for the island of Tinian in the Second Senatorial District. The rules and regulations to be promulgated are authorized pursuant to Tinian Local Law 6-4, the Tinian Garment Factory Act of 1988.

GFLTF hereby advises the general public that the proposed Tinian garment factory license rules and regulations are available at the GFLTF in San Jose Village, Tinian, MP 96952. Interested persons may obtain copies of the proposed rules and regulations for review and comment in writing, addressed to the Chairman, Tinian Garment Factory Local Task Force, care of Tinian Mayor's Office, San Jose Village, Tinian, MP 96952.

Anyone interested in commenting on the proposed regulations may do so within 30 days from the date this notice is published in the Commonwealth Register.

Dated this 21st day of March, 1989.

TINIAN GARMENT FACTORY LOCAL TASK FORCE

By: 

David Q. Maratita  
Chairman

NOTICIA PARA I PUBLIKO

I Ma Propopone na Areglamento yan Regulasion siha  
ni para uginobietna mo'na i malisensian faktorian magago  
ni ma-establesi giya Tinian (Second Senatorial District)

I Tinian Garment Factory Local Task Force (GFLTF) hanotitisia i publiko pot i mafatinas yan maestablesen i ma propopone na areglamento yan regulasion pot taimano siha i asunto para macho'gue ni para u linisensia i faktorian magago gi islan Tinian (Second Senatorial District). I areglamento yan regulasion ni ginagagao na uma establesi nui GFLTF inaturisa gi papa i Lai Tinian Numero 6-4, i "Tinian Garment Factory Act of 1988".

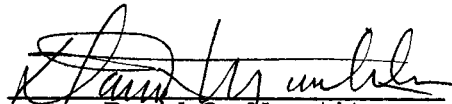
I GFLTF ha abibisa i publiko na i ma propopone na areglamento yan regulasion gaige gi ofisinan i GFLTF giya San Jose, Tinian, MP 96952. Todo man interesante pot este na areglamento yan regulasion sina mammanule copia para umarekonosi yan lokkue' ufan nahalom ideo ni matugi guato gi Chairman, Tinian Garment Factory Local Task Force, gi Oficinan Mayot Tinian, San Jose, Tinian, MP 96952.

Haye malago muna'halom ideo pot i ma propopone na areglamento yan regulasion debe di umatugi ya umasabniti gi halom trenta (30) dias desdi i fechan este na noticia despues de ma publika gi Commonwealth Register.

Ma fecha este gi mina 21 na haane gi Matso, 1989.

TINIAN GARMENT FACTORY LOCAL TASK FORCE

Pot si:

  
David Q. Maratita  
Chairman

REGULATIONS GOVERNING THE ISSUANCE OF LICENSE  
TO OPERATE GARMENT FACTORIES ON TINIAN  
(SECOND SENATORIAL DISTRICT)

SECTION 1. AUTHORITY. These regulations are promulgated and issued by the Tinian Garment Factory Local Task Force pursuant to the authority granted by Tinian Local Law No. 6-4, the "Tinian Garment Factory Act of 1988", enacted on January 23, 1989.

SECTION 2. PURPOSE. These regulations establish the criteria and conditions necessary to issue licenses to operate garment factories, authorized by law, and shall only apply to the island of Tinian in the Second Senatorial District.

SECTION 3. GARMENT FACTORY LOCAL TASK FORCE. The Garment Factory Local Task Force (GFLTF) shall consist of five (5) members:

- (1) Employee-in-Charge for Customs Division on Tinian and Aguiguan.
- (2) Resident Department Head, or his/her designee, for the Tinian Office of the Department of Commerce and Labor.
- (3) One person to be selected by the Mayor of Tinian and Aguiguan.
- (4) One person to be selected by the Tinian Municipal Council.
- (5) One person to be selected by the Tinian Joint Legislative Delegation.

Except for the Employee-in-Charge for Customs Division and the Resident Department Head (or his/her designee) of Commerce and Labor, in subsections (1) and (2) of this section, the members of the Garment Factory Local Task Force (GFLTF) shall be selected from among the qualified voters of Tinian. All members of the GFLTF shall serve terms of two years, with the exception of the Resident Department Head of Commerce and Labor. A chairperson and a vice-chairperson shall be elected from among the membership. Meetings of the GFLTF, during its initial stage of organization not exceeding six months, shall be held as often as necessary, but not less than once a month. Thereafter, the GFLTF shall meet not less than once a quarter, except as emergencies or special business may require additional meetings. GFLTF meetings shall be announced and open to the public, except in executive session. The chairperson, or any two members thereof, may call for a meeting of the GFLTF, in addition to those meetings regularly scheduled, provided that the presence of all members shall be required for any review to be made on a garment factory license application.

SECTION 4. DEFINITIONS. As defined in Tinian Local Law 6-4, and in these regulations:

(a) "Garment Factory" means a facility operated by any sole proprietorship, partnership, corporation, firm, association, or group or combination for the creation, production, or assembly of textiles or textile products.

(b) "Textiles or Textile Products" means manmade fibers, tops, yarns, piece goods, made-up articles, garments, and other textile manufactured products (which derive their chief characteristic from their textile components) made in whole or in part from any natural or manmade fiber or blend thereof, that are classified under schedule 3, part 6, parts 1, 4, 5, 7, or 13 of Schedule 7, part 1 of Schedule 8, or part 1 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202).

(c) "Garment Manufacturing" means use of a garment factory for the manufacture of textiles or textile products.

(d) "Local Hires" or "Local Workers" means permanent resident aliens and United States citizens permanently residing in the Commonwealth and available for employment in the manufacture or assembly of textiles or textile products.

(e) "Business License" means that license required to engage in or conduct business and issued by the Director of the Department of Commerce and Labor pursuant to 1 CMC §2453(d).

SECTION 5. LIMITATION ON NUMBER OF GARMENT FACTORIES. As provided by local law, not more than five (5) licenses shall be issued for the establishment and operation of garment factories on Tinian (Second Senatorial District). Only one license shall be issued to any one applicant approved by the GFLTF and is non-transferrable.

SECTION 6. CRITERIA FOR CONSIDERATION IN ISSUANCE OF LICENSE. In reviewing applications for license to operate garment factories on Tinian, the GFLTF shall take into consideration the following:

(a) Minimum Capital Investment. A minimum of \$2 million capital investment is required by local law. Included within this minimum investment will be the cost of acquiring land, construction of facilities, purchase of equipment, mobilization costs for acquiring employees, and other costs of setting up and operation incidental to garment factory activities. This minimum capital investment must be maintained during the life of the garment factory license issued pursuant to local law. The Tinian Department of Commerce and Labor, as its responsibility under law, shall ascertain compliance to this minimum capital investment and may require, at licensee's own expense, to provide a statement from a certified public accountant chosen by the Department certifying that licensee has indeed provided and actually invested \$2 million in its garment factory operation. Provided, that with regard to such minimum investment on acquisition

of land, the cost must be based on the amount as called for in the monthly rental accruing within a cumulative five (5) year period.

(b) Private Land Lease Secured. Preference shall be given to an applicant who has already secured a lease of private land for the purpose of building and operating a garment factory.

(c) Minimum Garment Factory Experience. Applicant must demonstrate at least five (5) years previous experience in garment factory operation, accumulated within or without the Commonwealth.

(d) Other Criteria or Conditions. In addition to the above considerations, the GFLTF shall base its approval on the criteria or conditions including, but not limited to the following:

(1) The number of local hires to be made by the licensee, including provisions on increasing the employment of local workers.

(2) The number of foreign workers to be hired by the licensee, including provisions on their replacements by local hires. (Not more than 350 non-resident workers shall be allowed.)

(3) The wages offered to local hires.

(4) The degree of local ownership offered to citizens of the Northern Marianas in the garment manufacturing or factory business.

(5) The extent of benefits offered to employees, including but not limited to profit sharing plans, medical benefits, maternity leaves, vacation, length of work week, group life insurance, retirement plan.

(6) Training programs offered to employees to advance their skills, including the development of a definite time schedule for position advancement.

(7) The number of local workers to be placed in management positions, including development of a definite time schedule for such placements.

(8) Where they may have already been granted CNMI business licenses, that applicants for a license to operate a garment factory demonstrate that they have successfully maintained such a valid business license.

(9) The timeframe in which the licensee will initiate construction of the factory building and start manufacturing operation.

(10) The degree to which the applicant will improve

infrastructure and supply its own power, water, and other utility needs.

(11) Commitment by the applicant not to locate its factory inside the main village of San Jose and subdivision, or on any other village homesteads, on lots originally secured through the village homestead program.

(12) Commitment by the applicant to landscape its factory surrounding to a standard acceptable in the community, especially on property abutting frontal residential and potential tourism-related areas.

(13) The extent of participation in activities that will promote community and youth-oriented programs, such as libraries, scholarship support, youth summer employment and other benefits contributing to the social development of Tinian.

SECTION 7. CONDITION OF LICENSING. A license considered in section 6 shall be issued on the conditions that:

(a) Licensee shall be restricted to just garment manufacturing activities, and not enter into any other business or commercial activities of any sort whatsoever.

(b) Licensee must locate its facilities on private land.

(c) Licensee shall employ not more than a total of three hundred fifty (350) alien laborers in its operation.

(d) Licensee shall, within two hundred forty (240) days after issuance of its license, begin construction and operation of the garment factory.

(e) Licensee shall not sell or transfer the license issued thereunder.

SECTION 8. APPLICATION FOR LICENSE. Application for a garment factory license, pursuant to Tinian Local Law 6-4, shall be made containing the name and other information required of the applicant on form prescribed by the GFLTF, attached hereto as Appendix "A", together with a non-refundable application fee of \$500.00 payable to the Commonwealth Treasurer, to be submitted in accordance with section 9 of these regulations. Applicant must be the name of the operator of the garment factory proposed to be licensed.

SECTION 9. ANNOUNCEMENT AND REVIEW OF APPLICATIONS. The GFLTF shall announce all licenses available for operation of garment factories.

(a) A public notice shall be issued for a period of thirty (30) days announcing the availability of the initial five (5) garment factory licenses for applications. Application is required to be made on the prescribed form, accompanied by the application fee, to the

Tinian Resident Department of Commerce and Labor within the time specified. The Resident Department Head shall date or caused to be dated the application and numbered on the order it was received.

(1) Within five (5) work days after the closing of the announcement period, all applications received by the Resident Department Head shall be forwarded to the GFLTF for review.

Review of the applications shall be made within 60 days from date of receipt by the GFLTF. When there is competition for the five available garment factory licenses, the GFLTF shall apply the criteria in Section 6 in selecting the best licensee, ranking them in ascending order. Considering all things equal between the applicants making their ranking difficult to select, the GFLTF may by unanimous decision grant the licenses either on a first-submission basis, or by drawing of lot.

(2) Within five (5) work days after review by the GFLTF, the findings shall be communicated to the Resident Department Head with direction to take appropriate action accordingly. Garment factories approved shall have its licenses issued. Unsuccessful applicants will be notified including the reasons for disapproval.

(b) At any time that a garment factory license became available by voluntary surrender or cancellation by a licensee, or upon revocation of the license from a licensee, the GFLTF shall not later than five (5) work days after the availability of such license make a public announcement indicating the number of license available with the same application procedures as provided in subsection (a) of this section.

SECTION 10. SUSPENSION OR REVOCATION OF LICENSE. Garment factory licenses granted may be suspended or revoked, subject to Section 12 of Tinian Local Law 6-4, if:

- (a) The application is found to have contained false or fraudulent information.
- (b) The licensee bribed or otherwise unlawfully influenced any member of the GFLTF.
- (c) The licensee presented false or fraudulent information to the GFLTF.
- (d) The licensee violates any of the provisions of public and local law, or regulations issued applicable thereunder, or any condition or term imposed in the license.

Upon recommendation of the GFLTF that a license be revoked, the Tinian Resident Department of Commerce and Labor, shall proceed with action as provided by local law.



SECTION 11. EFFECT OF REGULATIONS WITH COMMONWEALTH-WIDE LAWS AND REGULATIONS ON THE REGULATIONS OF GARMENT FACTORIES. The requirements of these regulations are in addition to those found in Tinian Local Law 6-4. Any Commonwealth-wide laws and regulations applicable to the garment industry, consistent with the intent and purpose of this local law, are hereby adopted and incorporated herein by reference in these regulations.

SECTION 12. SEVERABILITY. If any provision of these regulations shall be held invalid by a court of competent jurisdiction, all valid portions are severable and shall remain in effect.

(GFLTF Form 1)

Commonwealth of the Northern Mariana Islands  
MUNICIPALITY OF TINIAN AND AGUIGUAN  
TINIAN, MP 96952

APPLICATION FOR GARMENT FACTORY LICENSE

(INSTRUCTIONS: FILE WITH THE GARMENT FACTORY LOCAL TASK FORCE, IN CARE OF TINIAN RESIDENT DEPARTMENT OF COMMERCE AND LABOR, SAN JOSE VILLAGE, TINIAN, MP 96952. SUBMIT IN FIVE SETS. ALL INFORMATION REQUESTED MUST BE PROVIDED. ATTACH ADDITIONAL SHEETS WHERE NEEDED. ATTACH A CHECK FOR \$500.00 AS NON-REFUNDABLE APPLICATION FEE, PAYABLE TO THE COMMONWEALTH TREASURER.)

Pursuant to Tinian Local Law 6-4, "Tinian Garment Factory Act of 1988", and its regulations thereunder, the undersigned hereby makes application to operate a garment factory business on Tinian. In consideration of the issuance of such license, the applicant hereby provide the following information:

1. Applicant's Full Name (To be licensed) \_\_\_\_\_ Citizenship \_\_\_\_\_

2. Address and telephone: \_\_\_\_\_

a) In CNMI

b) Outside CNMI

3. Name, title, and address of person to be contacted regarding this application: \_\_\_\_\_

4. Form of Business: (Check one) \_\_\_\_\_

/ Sole Proprietorship

/ Partnership (attach partnership agreement)

/ Corporation; CNMI ( ), Foreign ( ) Country \_\_\_\_\_  
(attach articles of incorporation & by-laws)

/ Association (attach by-laws)

/ Other specify: \_\_\_\_\_

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8. Manpower:

- a. Number of local hires to be employed, including provisions on increasing the employment of local workers.
- b. Number of foreign workers to be hired, including provisions on their replacements by local hires. (Note that 350 maximum alien workers shall be permitted only.)
- c. Wages offered to local hires.
- d. Extent of benefits offered to employees, including but not limited to profit sharing plans, medical benefits, maternity leaves, vacation, length of work week, group life insurance, retirement plan.
- e. Training programs offered to employees to advance their skills, including the development of a definite time schedule for position advancement.
- f. Number of local workers to be placed in management positions, including development of a definite time schedule for such placements.

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9. Social and Community Programs:

- a. Provision for community related social services such as beautification programs, libraries and scholarship support.
- b. Provision for youth-oriented programs such as summer employment, and other benefits.

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10. Lease of Private Land (factory to be located on private land only):

- a. If lease of private land is already secured, name of lessor \_\_\_\_\_, effective date \_\_\_\_\_, location \_\_\_\_\_, lot number \_\_\_\_\_, and size \_\_\_\_\_. (attach lease agreement).
- b. If no lease yet, show date lease is anticipated \_\_\_\_\_, name of proposed lessor \_\_\_\_\_, location \_\_\_\_\_, lot number \_\_\_\_\_, and size \_\_\_\_\_.

Applicant must demonstrate commitment not to locate its garment factory inside the main village of San Jose and subdivision, or any other village homesteads, on lots originally secured through village homestead program.

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11. Experience in Garment Factory Operation (5 years minimum):

- a. Indicate years of experience: in CNMI \_\_\_\_\_, outside CNMI \_\_\_\_\_.  
If outside CNMI, location where gained \_\_\_\_\_.

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5. If applicant presently operating a business in CNMI, indicate location, type of business and number of general business license issued:

<u>Location</u>	<u>Type Business</u>	<u>License #</u>
<u>   </u> / <u>   </u> / Rota	_____	_____
<u>   </u> / <u>   </u> / Tinian	_____	_____
<u>   </u> / <u>   </u> / Saipan	_____	_____
<u>   </u> / <u>   </u> / N. Islands	_____	_____

---

6. Investment Information:

- a. Detailed investment analysis of the \$2 million minimum capital investment required, which included cost of acquiring land, facilities construction, equipment purchase, employee mobilization, and costs involved in set-up and operation incidental to garment factory activities. (Note that in determining such minimum investment on land, the cost of acquisition must be based on amount accrued on the monthly rental within a cumulative 5-year period.)
- b. Detailed analysis of gross revenues and gross expenditures for first 3 years following issuance of license.
- c. Anticipated and proposed marketing scheme.
- d. Extent of local participation in the investment, or degree of local ownership offered to local citizens in the garment factory operation.

---

7. Financial Responsibility:

- a. A certified balance sheet, profit and loss statement for most recent 12 month period.
- b. Bank's letter certifying availability of funds for proposed business of garment factory and copy of applicant's latest bank statement.
- c. If sole proprietorship or partnership, personal financial statement.

12. Proposed date of initial construction and start of factory operation  
(required within 240 days from date license issued):

13. Degree to which applicant will improve infrastructure and supply its  
own power, water, and other utility needs:

14. Applicant's plan for landscaping its factory surrounding:

15. Any other information which the applicant deems to be necessary in  
support of the application.

16. Applicant Certification

I/we declare under penalty of perjury that the statements above are true  
and correct, and that I/we agree that the garment factory license to be issued  
will be granted and accepted upon the terms and conditions as required by  
Tinian Local Law 6-4, and its rules and regulations.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,

(Applicant)

By: \_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Type Name and Title

----- FOR OFFICE USE ONLY -----

Application Received: \_\_\_\_\_  
Date Number Assigned

By:

\_\_\_\_\_  
(Resident Department Head or Authorized Employee)

Application Fee (\$500.00) Paid: \_\_\_\_\_  
Receipt No. Date

By: \_\_\_\_\_  
Cashier (Revenue Division)

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PUBLIC NOTICE OF PROPOSED REGULATIONS**

The Board of Trustees of the Northern Mariana Islands Retirement Fund hereby proposes to promulgate the following regulations to amend the Fund's Administrative Rules and Regulations, pursuant to its authority under 1 CMC 8314(f), and the Administrative Procedures Act, 1 CMC 9101, *et. seq.*

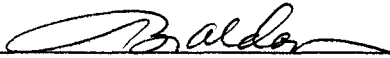
The Board of Trustees hereby redesignates Part 11 of its Administrative Rules and Regulations as Part 12 and adopts the proposed amendment as a new Part 11, with respect to administrative appeal process.


Copies of the proposed regulations are available at the Fund's office on the ground floor of the Nauru Building, Susupe, Saipan, and its offices on Rota and Tinian.

The Fund urges the public to submit written comments and recommendations regarding the proposed regulations within 30 days after the first publication in the *Commonwealth Register*, to the following address:

*NMI Retirement Fund  
P.O.Box 1247  
Saipan MP 96950*

Dated this 10<sup>th</sup> day of April, 1989.

  
Teresita B. Aldan  
Chairperson, Board of Trustees

  
Tomas B. Aldan  
Administrator

## NOTICIAN PUBLIKO POT I MA PROPOPONE NA REGULASION

I Board of Trustees i Northern Mariana Islands Retirement Fund ha propone i sigente na regulasion para u amenda i Administrative Rules and Regulations, sigun gi atoridat gi papa i 1 CMC 8314(f), yan lokue gi papa i Administrative Procedures Act, 1 CMC 9101, et. seq.

I Board of Trustees ha agun designa i Part 11 gi Administrative Rules and Regulations komo Part 12, ya ha adopta esti a mapropopone na regulasion komo nuebo na Part 11, pot bandan ma apela i disision siha nui ina fefekta i miembro.

Copian esti na regulasion guaha gi ofisinan i Retirement Fund gi Nauru Building, Susupe, Saipan, yan lokue gi ofisinan i Retirement Fund giya Luta yan Tinian.

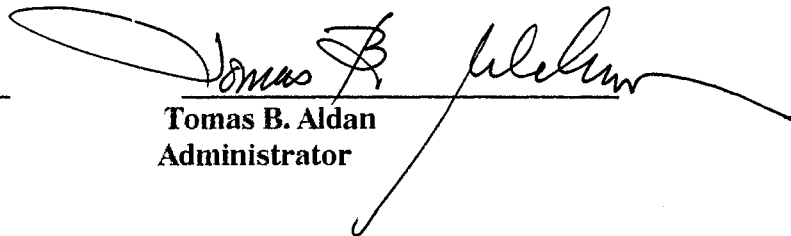
I Retirement Fund ha sosojo i publiko para ufan satmiti comments osino rekomendasion pot esti i mapropopone na regulasion gi halom trenta (30) dias despues de finenena na ma publikana gi *Commonwealth Register*, para i sigente na adres:

*NMI Retirement Fund  
P. O. Box 1247  
Saipan MP 96950*

Ma fecha gi dia 10<sup>th</sup>, Abrit, 1989.



**Teresita B. Aldan**  
Chairperson, Board of Trustees



**Tomas B. Aldan**  
Administrator



## PROPOSED REGULATIONS

The Board of Trustees of the Northern Marina Islands Retirement Fund hereby proposes to promulgate the following regulations pursuant to its authority under 1 CMC §8314(f) and 1 CMC §9101, *et seq.*

The Board of Trustees of the Northern Marina Islands Retirement Fund hereby redesignates Part 11 of its Administrative Rules and Regulations as Part 12 and adopts the following as a new Part 11:

### PART 11 - APPEALS

11.1 Appeal From Decision of Administrator. Any person aggrieved by a decision of the Administrator of the Retirement Fund may appeal the decision to the Board by filing a written notice of appeal with the Board within 30 days of the date of the Administrator's decision. A failure to file a timely appeal will result in its dismissal.

11.2 Contents of the Notice of Appeal. The notice of appeal shall contain:

(a) the name of the party appealing;

(b) a brief statement of any disputed factual matters in the decision of the administrator; and

(c) a brief statement of any disputed legal issues in the decision of the administrator.

11.3 Hearing on Appeal.

(a) After reviewing the notice of appeal, the Board may then, at its discretion, in accordance with 1 CMC §9109, either: (1) preside at the taking of evidence; or (2) appoint a hearing officer to preside at the taking of the evidence. No hearing officer will be appointed where the aggrieved party in its notice of appeal does not dispute any factual findings of the administrator, or raise any new factual issues.

(b) In accordance with 1 CMC §9110, if a hearing officer is appointed, the hearing officer shall initially decide the case in accordance with the procedures outlined in 1 CMC §9109.

(c) In accordance with 1 CMC §9110, if the Board presides at the initial hearing, the Board shall decide the case in accordance with the

procedures outlined in 1 CMC §9109. Any further appeal of the Board's decision shall be made to the Commonwealth Trial Court in accordance with 1 CMC §9112(b).

11.4 Appeal to the Board From a Decision of the Hearing Officer.

(a) Any person aggrieved by a decision of the hearing officer may appeal the decision to the Board by filing a written notice of appeal within 15 days of the date of the hearing officer's decision. A failure to file a timely appeal will result in its dismissal.

(b) The Board may also on its own review any decision of the hearing officer.

(c) Any appeal to the Board from a party aggrieved by a decision of the hearing officer shall state the following in writing:

(1) the name of the party appealing;

(2) a brief statement of any disputed factual matters in the decision of the hearing officer; and

(3) a brief statement of any disputed legal issues in the decision of the hearing officer.

(d) Subject to the Board's discretion, the Board may:

(1) affirm the judgment of the hearing officer without further hearing; or

(2) reverse the judgment of the hearing officer without further hearing; or

(3) hold a further hearing limited to specified legal and factual issues.

(e) Any further appeal of the Board's decision shall be made to the Commonwealth Trial Court in accordance with 1 CMC §9112(b).

## PUBLIC NOTICE

### Proposed Adoption of Public School System Policies

The Board of Education of the Northern Mariana Islands, in accordance with Public Law 6-10, is proposing to adopt school policies:

The proposed rules and regulations include the following subject areas:

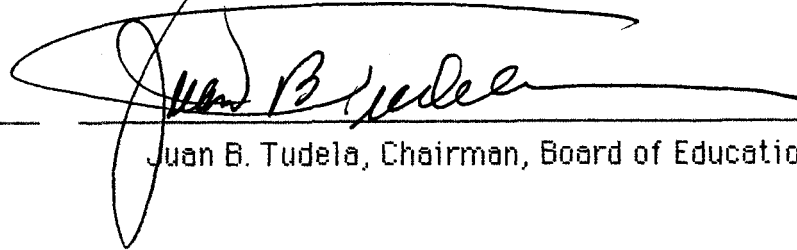
#### 1. Amendment General Rules on Travel

Copies of the proposed regulation may be obtained from Elizabeth D. Rechebei, BDE Technical Assistant, Public School System, Lower Base, Saipan, MP 96950.

Anyone interested in commenting on the proposed policy may do so by submitting comments in writing to the Chairman, Board of Education, P.O. Box 1370, Saipan, MP 96950, within thirty (30) days from the date this notice is published in the Commonwealth Register.

4/11/89

Date



Juan B. Tudela, Chairman, Board of Education

## NUTISIAN PUPBLIKU

I Manmaprupoponi siha na Planon Minaneha gi Sistemán Eskuelan Pupblíku

Sigon gi Attekulu XV gi Konstitusion i Sangkattan siha na Islan Mariana yan i Lai Pupblíku Nuntíru 6-10, i Commonwealth of the Northern Mariana Islands Board of Education ginen este na nutisia ha prupoponi muna'guahe Planon Minaneha, Areklamento yan Regulasion gi sigente siha na suhetu:

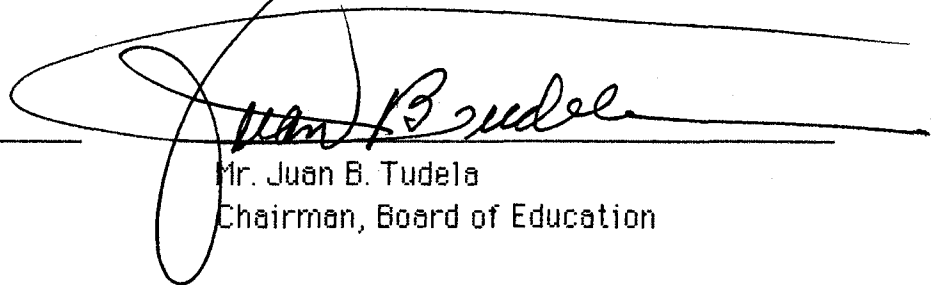
### 1. Amendasion i Hinerat na Areklamenton Bumiahi

Kopian i manmaprupoponi siha na regulasion sina manmachule' gi ufisinan i Public School System Board of Education, Lower Base, Saipan, MP 96950.

Rekomendasion siha put i manmaprupoponi na planon minaneha sina manmatuge' ya u fanmasatmiti guatu gi Board of Education sino' u mana'fanhanao i Post Office gi halom sobri ni mamatka, Attention: Board of Education, P.O. Box 1370, Saipan, MP 96950, gi halom trenta (30) dias despues di i fecha ni mapupblika este na nutisia gi halom i Rehistran Commonwealth.

4/11/89

Fecha



Mr. Juan B. Tudela  
Chairman, Board of Education

## ARONGORONGOL TOWLAP

### AMMWOGHUTUL ALLEGHUL PUBLIC SCHOOL SYSTEM

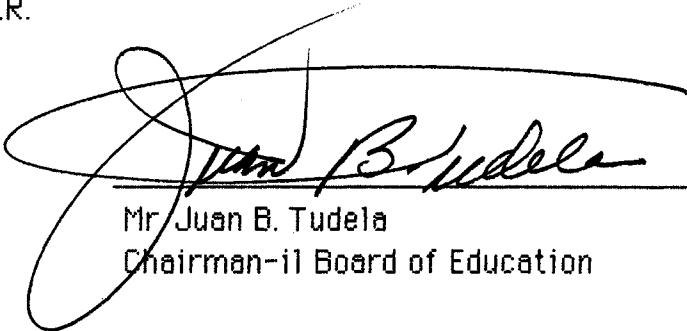
SANGI OWTOL XV IWE LLOL APPILUGHULUGHUL NORTHERN MARIANA ISLANDS  
ME ALLEGH YE 6-10, NGE BOARD OF EDUCATION KKA LLOL NORTHERN  
MARIANAS, COMMONWEALTH, EKKE FFEER BWE EBWE ARONGAAWOW  
ALLEGHUL MWOGHUTUGHUTUL MIKIKKA E TATTALETIW:

#### 1. Ssiwelil Alleghil Faaragh

KOPIYAAL ALLEGH KKAAL EMMWEL SCHAGH UBWE TINGOR ME BWULAASIYOOL  
PUBLIC SCHOOL SYSTEM BOARD OF EDUCATION, LOWER BASE, SAIPAN, MP  
96950.

NGARE EGHAL YOOR TIPOMW REEL ALLEGH KKA AA FFEER IISCH NGALIIR  
BOARD OF EDUCATION NGARE AFANGA LLOL POST, NGE UBWE IKKAISUL,  
ATTENTION: BOARD OF EDUCATION, P.O. BOX 1370, SAIPAN, MP 96950,  
ELIIGH (30) RAL SANGI RAL YE E TOOWOW ARONGORONG YEEL MELLOL  
COMMONWEALTH REGISTER.

4/11/89  
Moram, ral, raagh

  
Mr. Juan B. Tudela  
Chairman-il Board of Education

**Proposed** Amendment GENERAL RULES ON TRAVEL

To amend number 4 under General Rules on Travel for the Public School System the following (underlined):

4. A. Out of CNMI travel shall be requested by the Commissioner and approved by the Chairman of the Board of Education.
- B. All travels by the Commissioner, BOE key staff, and BOE members other than the Chairman of the Board of Education shall be signed by the traveler as requestor and the Chairman of the Board or his designee as the approving officer.
- C. All travels by the Chairman of the Board shall be requested by the Chairman of the Board and approved by the Vice-Chairman of the Board of Education.

The following information must be attached to the TA before presented to the Chairman of the Board and to the Commissioner as appropriate:

- a. Justification memorandum for the trip.
- b. Document of invitation and/or agenda
- c. Specific Purpose
- d. Itinerary (schedule of departure, arrival and destinations)
- e. Estimated Cost



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
OFFICE OF THE CIVIL SERVICE COMMISSION  
P.O. BOX 150, CHRB  
SAIPAN, CM 950

Phone: 6925/7327

PUBLIC NOTICE

PROPOSED AMENDMENTS TO EXCEPTED SERVICE AND  
PERSONNEL SERVICE SYSTEM RULES AND REGULATIONS

The Northern Mariana Islands Civil Service Commission,  
pursuant to the Northern Mariana Constitutional Amendment  
No. 41, and in accordance with the provisions of 1 CMC  
S9104(a) and S2153(f), hereby gives notice to the public  
of its intention to adopt the amendments to the Excepted  
Service and Personnel Service System Rules and Regulations.

Dated this 11th day of April, 1989.

GONZALO Q. SANTOS  
Chairman, Civil Service Commission

JESUS P. MAFNAS  
Personnel Officer



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
OFFICE OF THE CIVIL SERVICE COMMISSION  
P.O. BOX 150, CHRB  
SAIPAN, CM 950

Phone: 6925/7327


NOTISIA PARA I PUBLIKU

I MANMAPROPOSITU SIHA NA AMENDASION PARA I EXCEPTED  
SERVICE SYSTEM NA REGULASION YAN AREKLO SIHA

I Komision Setbision Sibit gi Sankanttan Na Marianas,  
sigon gi amendasion Constitution numiru 41, yan i probision  
lai numiru 1 CMC S 9104 (a) yan S 2153 (f), ginen pago  
ha nana i notisia i publiko pot intension i ma adaptan  
i amendasion siha para i Excepted Service yan Personnel  
Service System na regulasion yan areklo siha.

Mafecha gi Abrit dia Onci, 1989.

  
\_\_\_\_\_  
GONZALO Q. SANTOS  
Chairman, Civil Service Commission

  
\_\_\_\_\_  
JESUS P. MAFNAS  
Personnel Officer





COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
OFFICE OF THE CIVIL SERVICE COMMISSION  
P.O. BOX 150, CHRB  
SAIPAN, CM 950

Phone: 6925/7327

ARONGORONGOL TOWLAP

FFÉÉRÚL SSIWEL NGÁLI ÓWTOL TILIIGHIYAL ALLEGH  
ME MWÓGHÚTÚGHÚTÚL EXCEPTED SERVICE ME PERSONNEL  
SERVICE SYSTEM REEL SÓWBWUNG

Northern Mariana Islands Civil Service Commission, sáangi  
Ssiwelil Aweeweel ALLÉGH ye llól ówtol Northern Marianas  
iye Numuro 41 me sáangi aisiisil l CMC S 9104 (a) me  
S 2153 (f), e arongaawow reer towlap ágheyághil fféérul  
ssiwel ngáli ówtol tiliighiyal allégh me mwóghútúghútúl  
Excepted Service reel Sówbwung.

Alúghúlúghló llól Seigh me Eew ráll Abrit 1989.

GONZALO Q. SANTOS  
Chairman-il, Civil Service Commission

JESUS P. MAENAS  
Personnel Officer

I.5 B. SEPARATIONS

~~(1) Without Cause Separation.~~ Any Separation, without cause, from duty station shall be effective upon arrival of employee at his place of residence after travel by the most direct route from the duty station, adjusted for en route stop-overs, not to exceed more than three (3) days, for the convenience of the employee. Should the employee decide to go some place other than his place of residence at the time of hire, his separation date will be computed ~~on the basis of~~ using his return to the place of hire, as a maximum. If any additional cost is involved in his travel to the place of choice, it is borne by the employee. If the termination date is to be advanced ahead of the date shown on the appointment form by the government, the government shall provide a minimum of two (2) weeks advance written notice.

~~(2) Classroom Teacher Personnel. Classroom teachers will be employed for the school year plus a short period of orientation and other activities prior to the commencement of school and a short period after the completion of the school year to provide the teacher's work. Wednesday is classroom teacher may be hired to work through the summer if there are bona fide teaching duties appropriate for the teacher to perform.~~

---

I.7 C. The employee's workday and workweek may vary from time to time according to the needs of the government. Every effort shall be made to maintain a reasonable five (5) day, forty (40) hour workweek. Pursuant to 1 CMC §8131 (2), excepted service employees shall be deemed executive, administrative or professional personnel. Therefore, an excepted service employee shall not qualify for overtime, compensatory time off, or standby rates of pay unless the Civil Service Commission certifies an exception to the Governor and Presiding Officers of the Legislature pursuant to PL 4-32 as codified at 1 CMC §8249.

---

I.8 F. Annual Leave. Annual Leave, or vacation, shall be granted for the purpose of rest and relaxation. Employees who have less than three (3) years of creditable service shall earn annual leave at the rate of four (4) hours per pay period; except that newly appointed employees shall undergo a waiting period of ninety (90) calendar days before being credited with annual leave. Employees with three (3) but less than six (6) years of creditable service

PROPOSED AMENDMENTS TO THE EXCEPTED SERVICE PERSONNEL REGULATIONS

shall earn annual leave at the rate of six (6) hours per pay period. Employees who have six (6) or more years of creditable service shall earn annual leave at the rate of eight (8) hours per pay period.

Annual leave accrual rate per pay period for excepted service employees in the Department of Public Health and Environmental Services, Gubernatorial appointees (personal secretaries and special assistants of Governor and Lt. Governor), Legal Profession practitioners, Resident Department Heads, and Principal Boards and Commissions shall be:

- (1) Determined at the time of the initial employment by the appointing authority and the Personnel Officer;
- (2) Specific to each employee;
- (3) Based upon (a) the critical need to fill the position; (b) the availability of qualified applicants; and (c) the amount and quality of related training and experience possessed by the employee; as determined by the Personnel Officer;
- (4) Between four (4) and eight (8) hours; and
- (5) On a scale that provides a maximum of eight (8) hours to an employee who is maximally qualified and 7, 6, 5 and 4 hours to an employee with maximal to minimal qualifications.

Employees occupying Excepted Service positions shall accrue annual leave at the appropriate rate set forth above for each biweekly pay period in which they are in pay status for the entire ten days; otherwise there shall be no accrual for such period.

Annual leave requests for more than three (3) working days must be made in advance on a leave request form. All annual leave requests must be approved by the employee's division head upon recommendation of such employee's immediate supervisor. In smaller organizations where divisions may not exist, the heads of such organizations shall approve annual leave. A denial of request for annual leave is subject to employees' Grievance Rights.

Employees serving on government boards and commissions and who elect to take leave without pay during such performance on a board or commission shall accrue annual leave for that service time.

An employee permanently separated from Excepted Service employment for any reason shall receive a lump-sum payment

PROPOSED AMENDMENTS TO THE EXCEPTED SERVICE PERSONNEL REGULATIONS

for all annual leave accrued to his or her credit at the time of separation and payable to his or her credit at the time of separation and payable to him or her at the next regular pay period. However, where an offer and acceptance for a new period of employment with the government is agreed upon under a new employment contract, all accrued and unused annual leave credits from the prior contract shall be carried over under such employment contract, or may be paid to the employee at the next regular pay period upon the employee's request. The lump-sum payment for such carried over accrued and unused annual leave credits shall be paid at the salary rate at which they were earned.

(The following is deleted retroactive to September 15, 1986)

~~The maximum accumulation of annual leave for Excepted Service employees shall be three hundred and sixty (360) hours accrued annually. Any excess of 360 hours shall be converted to sick leave.~~

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I.10 C. Code of Ethics. All persons in government service must comply with the Code of Ethics published in the Commonwealth Register, Volume 6, No. 7 and provided under Part V.C of the Personnel Service System Rules and Regulations.

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II.1 PURPOSE.

This part provides the regulations appropriate to the several categories of excepted service appointments prescribed by 1 CMC §8181 and Amendment Number 25 of the Constitution of the Northern Mariana Islands.

II.2 EMERGENCY APPOINTMENTS AND TEMPORARY POSITIONS FOR 90 DAYS.

A. 1 CMC §8131(43). Positions of a temporary nature needed in the public interest where certified by the Personnel Officer and when the need for the same does not exceed 90 days. If a major disaster is declared by the Governor, the Personnel Officer may extend the 90-day period for a maximum of an additional 180 days for positions engaged in relief, repair, or rehabilitation as a result of such disaster.





# COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

BOARD OF EDUCATION  
PUBLIC SCHOOL SYSTEM  
P.O. BOX 1370 CK  
SAIPAN, MP 96950

TEL: 322-9311/9827/9457

## PUBLIC NOTICE

### ADOPTED RULES AND REGULATIONS

#### CNMI PUBLIC SCHOOL SYSTEM

The Board of Education of the Northern Mariana Islands in accordance with Public Law 6-10 has adopted for the CNMI Public School System Rules and Regulations for the following subject area:

1. Budget Policy
2. Travel Rules and Regulations
3. Procurement Rules and Regulations
4. Personnel Regulations
5. Vision and Hearing Policy

Copy of the rules and regulations was published on February 15, 1989, Volume 11, No. 02 in the Commonwealth Register. During the designated period for public comment, no comments were received by the Board of Education. No substantial changes were made. The policies are adopted as originally promulgated on March 27, 1989.

Date: 3/28/89

  
Juan B. Tudela

Acting Chairman, Board of Education



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
OFFICE OF THE CIVIL SERVICE COMMISSION  
P.O. BOX 150, CHRB  
SAIPAN, CM 950

Phone: 6925/7327

NOTICE OF ADOPTION

ADOPTION OF AMENDMENTS TO THE EXCEPTED SERVICE PERSONNEL  
REGULATIONS AND PERSONNEL SERVICE SYSTEM RULES AND REGULATIONS  
OF THE EXECUTIVE BRANCH

The Northern Mariana Islands Civil Service Commission, pursuant to Northern Marianas Constitutional Amendment No. 41, and in accordance with the provisions of 1 CMC S9104(a) and S2153(f), hereby gives notice to the public of its adoption of the amendments to the Excepted Service Personnel Regulations and to the Personnel Service System Rules and Regulations for the Executive Branch. The next text of the amendments, which were originally published in the February 15, 1989 Commonwealth Register, Volume 11, Number 02, follows.

The said amendments take effect 10 days after this publication in the Commonwealth Register.

Dated this 11<sup>th</sup> day of April, 1989.

SUBMITTED BY:

  
JESUS P. MAFNAS  
PERSONNEL OFFICER  
CIVIL SERVICE COMMISSION

APPROVED BY:

  
for GONZALO Q. SANTOS  
CHAIRMAN  
CIVIL SERVICE COMMISSION



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
OFFICE OF THE CIVIL SERVICE COMMISSION  
P.O. BOX 150, CHRB  
SAIPAN, CM 950

Phone: 6925/7327

NUTISIAN ADAPTASION

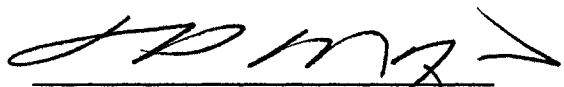
MA'ADAPTAN I AMENDASION I REGULASION MANSAHNGE NA SETBISION  
EMPLEHAO YAN I AREKLAMENTO YAN REGULASION I SISTEMAN  
SETBISION EMLEHAO SIHA GI EKSAKATIBU NA DEPATTAMENTON  
GUBIETNO

I Ufisinin i Northern Mariana Islands Civil Service  
Commission, sigun gi Amendasion Konstitusion i Sangkattan  
na Islas Mariana Numiru 41, konsiste yan i prubision  
siha gi 1 CMC S9104(a) yan S2153(f), ginen este ha nutitisia  
i publiku hinerat put i ha adapta na amendasion siha  
guato gi Regulasion i Mansahnge na Setbision Emplehao  
yan i Areklamento yan Regulasion Sistemán Setbision  
Emplehao siha gi Eksekatibu na Depattamenton Gubietno.  
I nuebo na frasan i amendasion siha, ni mapupblika urihinatmente  
gi halom i Febreru 15, 1989 na Rehistran Commonwealth,  
Baluma 11, Numiru 02, u tinatiye.

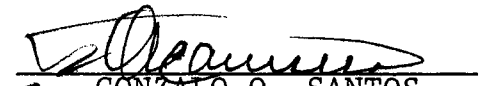
I manmasangan na amendasion siha para u efektibu dies  
(10) dias despues di mapupblika este gi halom i Rehistran  
Commonwealth.

Mafecha guine gi mina' 11<sup>th</sup> na ha'ani gi Abrit, 1989.

MASATMETI AS:

  
\_\_\_\_\_  
JESUS P. MAFNAS  
PERSONNEL OFFICER  
CIVIL SERVICE COMMISSION

MA'APREBA AS:

  
\_\_\_\_\_  
706 GONZALO Q. SANTOS  
CHAIRMAN  
CIVIL SERVICE COMMISSION





COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
OFFICE OF THE CIVIL SERVICE COMMISSION  
P.O. BOX 150, CHRB  
SAIPAN, CM 950

Phone: 6925/7327

ARONGORONGOL BWEIBWOGHUL FFEÉR

BWEIBWOGHUL FFEÉRUL AMENDMENTS MELLÓL SEDBISYOOL PERSONNEL REGULATIONS ME PERSONNEL SERVICE SYSTEM RULES ME REGULATIONS MELLÓL EXECUTIVE BRANCH.

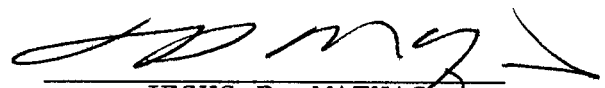
Bwulasiyool Civil Service Commission mellól Northern Marianas reel ówutol Northern Marianas Constitutional Amendment No. 41 reel igha rebwe attabweey tingor ye llól provision ye 1 CMC S9104(a) me S2153(f), re mwuschál rebwe arongaar aramas towulap reel adaptionul amendment mellól Excepted Service Personnel System Rules me Regulations mellól Executive Branch.

Sóbwosóbwul amendments, nge re feéru llól Febreero 15, 1989 nge e lo llól Commonwealth Register, Volume II.

Amendments kkaal nge ebwe ffeér 10 rál sáangi arongorong mellól Commonwealth Register.

Rááilil ye 11<sup>th</sup> Abrid, 1989.

ATOLONGOOYAL:

  
JESUS P. MAFNAS  
PERSONNEL OFFICER  
CIVIL SERVICE COMMISSION

APREBALIYAL:

  
GONZALO Q. SANTOS  
CHAIRMAN  
CIVIL SERVICE COMMISSION

ADOPTION OF AMENDMENTS TO  
EXCEPTED SERVICE PERSONNEL REGULATIONS

PART I.4            SEARCH FOR QUALIFIED PERSONS

- A.     Upon receipt of a Request for Personnel Action from an authorized management official who seeks to fill a vacant position, the Personnel Officer will initiate a search for available and qualified persons to fill the vacancy. The Personnel Officer shall use the examining system provided for under PART III.A of the Personnel Service System Rules and Regulations.
- B.     A position is deemed to be vacant upon expiration of the present employment contract. The position shall be announced sixty (60) days before the termination of such contract before the incumbent is offered the position. The appointing authority may request that the Personnel Officer waive announcement of the position.

PART I.8N           Differential

Excepted service employees who are certified as timekeepers shall be entitled to a differential of ten percent (10%) of base salary while timekeeping is an additional duty.

PART I.13           PERFORMANCE EVALUATION

All excepted service employees other than gubernatorial, mayorial, board and commission appointee, staff physicians, dentists, veterinarians, and attorneys shall be subject to the Performance Evaluation System described in PART VIII of the Personnel Service System Rules and Regulations, except that PART VIII.H shall not apply.

ADOPTION OF AMENDMENTS TO  
PERSONNEL SERVICE SYSTEM RULES AND REGULATIONS

PART II.A            PERSONNEL MANAGEMENT

1. Personnel management is the responsibility of all Commonwealth Government executives, managers and supervisors who direct the work of others.

PART III            STAFFING  
(Add second paragraph)

Appointing Authorities are Executive Department, Activity Heads and other public officials who are authorized to expend appropriated funds pursuant to law. Non-Commonwealth employees shall not be delegated the authority to effect changes in Personnel Actions.

PART III.A16

- C. The selecting official shall justify, in writing, to the Personnel Officer the non-selection of any Eligible with a higher rating than the candidate selected. Such requirement creates no special standing for the candidate(s) with a higher rating.

PART III.A20

- A. When the position has promotional potential, the first option shall be to fill the position under the provision of the Merit Promotion Program.
- B. When the position to be filled does not have promotional potential, the selecting officer may request certification from the appropriate reemployment priority list or eligible list or choose to redefine the position at a lower level and fill it through the Merit Promotion Program. If the position is in an established career ladder, it must be filled at the entry level unless there are overriding reasons not to do so. The Personnel Officer is authorized to grant exceptions to this procedure upon proper justification. Promotional examinations and Open examinations may be announced concurrently but the promotional list will be used

first. Appropriate records of such approvals and associated material shall be maintained by the Personnel Officer.

PART III.B3

- A. Probationary Appointment. An appointment in which the appointee is selected from an eligible list resulting from an open examination to fill a permanent position. The appointee shall serve a period of six (6) months from the beginning of the probationary appointment and shall demonstrate the capacity for 26 consecutive weeks of satisfactory performance before being eligible to be converted to a permanent appointment. Separations during a probationary appointment are not processed under adverse action procedures or reduction-in-force (RIF).
  
- B. Permanent Appointment. An employee who has been appointed to a permanent position and who has satisfactorily completed a probationary period is entitled to the full benefits of these Regulations. Permanent appointment may be made to less than full-time positions with a regularly scheduled tour of duty.
  
- C. Limited-Term Appointment. A Limited-Term appointment is one in which the appointee is appointed for a period of not more than one (1) year. An employee serving a limited-term may serve in either a full-time or part-time position. Any person given a limited-term appointment must meet the minimum qualifications for the class of position to which appointed. Appointing authorities shall justify, in writing, to the Personnel Officer, requests for new Limited-Term Appointments following the expiration of one (1) year appointments. Limited-Term Appointments may be converted to Permanent Appointments at the end of one year, if the position has been found to be permanent, provided that the employee has demonstrated the capacity for 52 consecutive weeks of satisfactory performance.

PART III.B8      ORIENTATION

New employees shall receive a standardized orientation to government service as soon as is practical after being appointed, and at least within one month of appointment.

PART III.D1

- B.      Exit Interview. An exit interview shall be scheduled and conducted during working hours by the Personnel Officer or his designee for employees upon notice of resignation or retirement. Such interview shall include questions on the reasons for separation and counseling on benefits. The Personnel Officer or his designee shall not process exit documents until the interview is completed. If circumstances make such interview impractical, an employee may ask the Personnel Officer to waive this requirement.

(Reletter "B" to "C"; "C" to "D"; "D" to "E".)

PART III.E4F

Retention Standing. Retention standing is derived by allotting one (1) point for each year of creditable service, and two (2) points for each exceptional overall rating of 4.2 or better. In competing with other employees for retention in a competitive level, the individual with lowest retention standing shall be released first. (See PART VIII.E.)

PART IV.B5      PROMOTIONS

An employee who is promoted from a position on one class to an existing position in a higher class shall be compensated at the lowest step in the new pay level which at least equals the amount of two (2) step increases in the old pay level. The rate of compensation cannot exceed the rate of the maximum step in the higher pay level. The effective date of the promotion shall be the new service anniversary date for the promoted employee. An employee shall not be promoted into a supervisory position until and unless such employee has satisfactorily completed the "Performance Standards and Appraisal Workshop" conducted by the Personnel Office, and has completed training in workshops sanctioned by the Personnel Office in the areas of Basic and/or Advanced Supervisory Management. Retroactive promotions shall not be made except when directed by a decision of the Civil Service Commission pursuant to an employee's appeal.

- F. A former employee reemployed with a break in service is assigned and begins a new waiting period for a within-grade increase. No credit will be given toward the completion of this new waiting period for any time served under a former waiting period prior to the break in service.
- G. Time served during provisional status shall not be counted toward the required waiting period in receiving a within-grade step increase.

PART IV.B16B

- (6) Timekeeping duties shall be accomplished during regular working hours. Overtime shall not be authorized for timekeeping.

PART IV.B18 USE OF NON-STANDARD WORK WEEK

Non-standard work weeks may be used to provide continuity of service or to fulfill other needs of the public interest. Schedules for non-standard work weeks shall be devised, in advance, by the appointing authority, not to exceed forty (40) hours per week. When it becomes necessary to change an employee from a standard work week to a non-standard work week, the employee shall be given notice ten (10) working days in advance of the effective date of the change. If an employee is not given the required notice of change in schedule of work, the employee shall be compensated at the overtime rate for those days worked within the first ten (10) working days which do not fall within the standard work week.

PART IV.B21

- F. Special Medical. A Medical Officer or Dental Officer who occupies a position with duties predominantly clinical, as opposed to administrative in nature, shall receive, in addition to the base salary, a Special Medical Differential of thirty percent (30%) of the base salary for the pay level and step of the position. If such employee elects to leave the Civil Service, they shall be compensated at a rate of not less than \$45,000 per year.
- G. Advanced Professional. An employee who has achieved advanced professional preparation through obtaining an L.L.B. or J.D. Degree, a Doctorate in Medicine or Dentistry, or an

earned doctorate in any other field from an accredited United States university or any other university accredited in the United States, and who is employed in a position having a requirement for such degree, shall receive, in addition to the base salary, a premium of fifty percent (50%) of the base salary for the pay level and step of the position.

- H. Civil Service Commission employees who are certified as timekeepers shall be entitled to a ten percent (10%) differential while their duties include timekeeping.

PART IV.B25

- B. Duty of the Timekeeper: Each timekeeper will be responsible for recording and certifying time and attendance records of the assigned employees. Timekeeping duties shall be accomplished during regular working hours. Overtime shall not be authorized for timekeeping. The timekeeper will also record and certify leave time taken by any assigned employee. The method of recording and certifying time, attendance and leave shall be prescribed by the Personnel Officer and the Director of Finance.

Time and attendance records, kept by the Timekeeper, are subject to audit by the Personnel Officer or his designee at least once a year. Non-compliance to this part shall subject the Timekeeper to immediate decertification and appropriate disciplinary action(s).

PART VII.A4

- E. Training and Educational Leave. Leaves for the purpose of job-related training and education may be granted employees on permanent status for a period not to exceed one (1) year, by the Personnel Officer with the recommendation of the appointing authority. No Training and Educational Leave, outside of the CNMI, shall be approved if such training is available locally. shall be subject to immediate decertification and appropriate disciplinary action(s).

PART VII.A10

- D. Lump Sum Leave Payment Upon Separation.  
When an employee is separated from the Personnel Service, the employee is entitled to the payment of unused annual leave in a lump sum. However, lump-sum leave payment shall not be processed for an employee who has not completed the requirements of PART III.D1.B.

PART VIII.C POLICY

Quarterly, commencing at the employee's employment date, the supervisor will make a written rating of the employee's performance. The rating shall be made using the five (5) levels of performance appraisal judgment established in the Performance Standards and Appraisal System. The quarterly evaluation shall be completed by the supervisor for each permanent, probationary, and limited-term employee, signed by the employee (with an indication "Disagree" if the employee disagrees with any of the performance appraisal ratings), and certified by the appointing authority on forms provided by the Personnel Officer.

Non-Commonwealth employees shall not be delegated the authority to supervise employees of the Commonwealth.

PART VIII.E (add as last paragraph)

An employee with a current official rating of "outstanding/exceptional" has an additional two (2) points of retention credits for reduction-in-force purposes.

PART VIII.F PERFORMANCE APPRAISAL RATING

A completed Performance Standards and Appraisal Worksheet (CSC-P-07A) must be submitted along with the Performance Rating Form (CSC-O-07B) to the Personnel Office on a quarterly basis for appropriate action.

PART VIII.G RATING PROBATIONARY EMPLOYEES

The final rating (for the 4th, 5th, and 6th months of probationary employment) shall be completed for probationary appointees no later than the end of the fifth month of the probation period. For employees serving a new probationary period, the review must be completed at least two (2) weeks before the end of that probation period.



EXTERNAL TRAINING

1. Training courses given by agencies outside the Commonwealth will be utilized as necessary and to the extent the budget will permit. All appointing agencies wishing to engage in special training, formal short-term training, and other academic programs for their employees outside the Commonwealth must submit to the Personnel Officer the names of employees to be given such training, for evaluation at least thirty (30) days prior to sending an employee abroad for training. All such requests shall be made on Form CSC-P-01 (Request for Personnel Action) and on Form CSC-P-T-66 (Training Agreement).

WITHIN-GRADE INCREASE

- A. Within-grade increases may be granted to employees upon completion of fifty-two (52) consecutive calendar weeks of satisfactory performance.
- B. Employees who are included under the Personnel Service System and assigned to work part-time will be eligible for a within-grade increase only at such time as the cumulative total of all hours worked equates to a standard work year of 2,080 hours and such work has been satisfactory. Employees who are employed on an intermittent basis are not eligible to receive within-grade increases.
- C. The effective date of a within-grade step increase shall be the first day of the first pay period following completion of the required waiting period.
- D. For all positions, approved leave in a non-pay status (LWOP) and/or unapproved leave (AWOL) not to extend eighty (80) hours, is creditable toward the waiting period for a within-grade increase. Unapproved leave (AWOL) and leave without pay (LWOP) of more than eighty (80) hours will extend the waiting period by at least one pay period or by the amount of time such AWOL or LWOP exceeds the eighty (80) hours, whichever is greater.
- E. Time served in a LWOP status for purposes of job related education or training is credited toward within-grade increases, the same as if the employee had been in a pay status for that period of time on LWOP, provided that the employee is a registered or enrolled student. To be creditable toward the waiting period, the education program in which the employee is enrolled must be clearly and directly applicable to the employee's present position or one to which the employee may reasonably aspire, and for which the employee is released from full-time status and placed in an approved leave without pay (LWOP) status, and in which the employee performs satisfactorily as determined by management and the Personnel Officer.

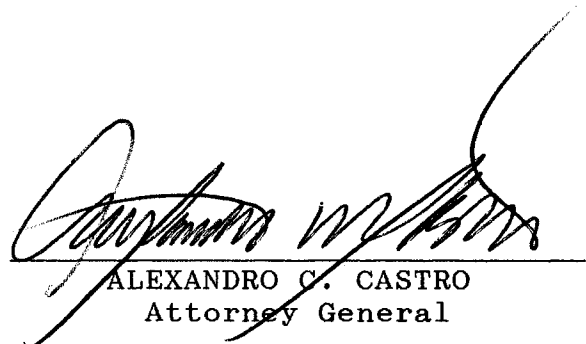
**PUBLIC NOTICE**

**A.G. OPINIONS PUBLISHED**

March 15, 1989 - April 15, 1989

<b>Number</b>	<b>Date</b>	<b>Subject</b>
89-02	03/15/89	Validity of Executive Order 6A establishing Maritime Industry System Procedures
89-03	04/12/89	Legality of Governor Pedro P. Tenorio seeking a third term as Governor of the Commonwealth
89-04	04/14/89	Constitutional Amendment 25 and the Mayor of Rota's ability to seek a Fourth Consecutive Term

Date: April 15, 1989

  
ALEXANDRO C. CASTRO  
Attorney General