

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

CIVIC CENTER, SAIPAN, MARIANA ISLANDS

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The Commonwealth Register is editorially organized according to the Commonwealth or other agency issuing the documents published or having an immediate administrative or enforcement concern over them. Listing in these contents or publishing in the sections that follow in this manner is for public information and has no legal significance.

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COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

EMERGENCY EXECUTIVE ORDER OF THE GOVERNOR

EXECUTIVE ORDER NO. 13

July 6, 1979

GASOLINE ALLOCATION

WHEREAS, the Commonwealth of the Northern Mariana Islands is a developing area with increased needs for energy due to growth in tourism, commerce, number of registered vehicles, and standard of living; and

WHEREAS, the Commonwealth of the Northern Mariana Islands is currently being allocated motor gasoline in an amount 5% less than the corresponding month of 1978; and

WHEREAS, I have determined that the Commonwealth of the Northern Mariana Islands is experiencing a shortage of motor gasoline available for retail distribution, such that the public health, safety, or welfare is endangered; and

WHEREAS, although such shortage has not reached the critical level, over-reaction by the public has caused long lines at gasoline stations, hoarding of gasoline and its unsafe storage in and about residential and commercial buildings, and unnecessary multiple purchase of small amounts of gasoline to keep vehicle gas tanks as full as possible; and

WHEREAS, the proper functioning of our economy and our society requires a rational and coordinated system for the allocation of gasoline in order to provide continuity of supply and equity for all Commonwealth residents; and

WHEREAS, in order to minimize both waste and inconvenience, it is necessary that such a system be accompanied by conservation, restraint, and self-discipline on the part of the general public;

NOW THEREFORE, by virtue of the authority vested in me by the Constitution and Statutes of the Commonwealth of the Northern Mariana Islands and of the United States of America, and the authority delegated to me by the President of the United States by Executive Order 12140 of May 29, 1979, it is hereby ordered that a system of end-user allocation for motor gasoline is established for the Commonwealth of the Northern Mariana Islands, subject to the terms and conditions as set forth below:

(1) All motor gasoline retail sales outlets (gasoline stations) in the Commonwealth shall be open 7 days a week, beginning at 6:00 a.m. weekdays and 9:00 a.m. Saturdays, Sundays, and holidays. They shall remain open each day until they have sold $1/31$ of their monthly allocation available for retail customers. This fraction shall be $1/30$ for any month containing 30 days and $1/29$ or $1/28$ for February, as appropriate. Notwithstanding any other provision of this paragraph, gasoline stations shall not be required to remain open after 9:00 p.m. on any day.

(2) In order to compute their monthly allocation available for retail customers, gasoline stations may deduct from their total monthly allocation a volume of gasoline to be set aside for commercial use only. If a gasoline station chooses to provide for such set-aside, it shall dispense such gasoline either at a separate pump or at a separate time from general retail sales. Not more than $7/31$ (or other fraction determined as above) of such set-aside may be dispensed in any one week. After the 28th day of each month, each gasoline station providing a set-aside shall re-evaluate the volume of gasoline remaining in its total monthly allocation and insure that a reasonable balance is maintained between the amounts of gasoline available to both retail and commercial purchasers.

(3) All gasoline stations in the Commonwealth are required to supply with gasoline vehicles:

(a) which have a license plate number, the last digit of which is an even number, or where there are only letters on the license plate, the last letter of which is a letter in the first half of the alphabet (A-M), only on even days of the month; and

(b) which have a license plate number, the last digit of which is an odd number, or where there are only letters on the license plate, the last letter of which is a letter in the last half of the alphabet (N-Z), only on odd days of the month, provided that if the last day of the month is odd, any vehicle shall be supplied with gasoline on such day, regardless of license plate number or letter.

(4) No gasoline station shall refuse to fill to capacity the gas tank of the vehicle or boat of any bona fide purchaser, if so

requested by such purchaser. Purchasers of gasoline are encouraged to "fill up" each time they buy gasoline, and not return for an additional purchase until their tank is at least half empty. At any time on or after August 1, 1979, that the Director of Commerce and Labor, in consultation with the Environment and Energy Administrator, and any other appropriate agency, determines that long gasoline lines are resulting from the lack of voluntary compliance with this request, he is authorized to require purchasers to buy a specified minimum amount of gasoline, expressed in either gallons, fractions of gas tanks or dollars, as he may provide.

(5) In order that prospective purchasers of gasoline not wait on line without knowing whether a sufficient amount of gasoline remains to be dispensed to assure their being able to make a purchase, operators of gasoline stations shall estimate when the number of customers remaining in line will approximately exhaust that day's allocation. They will then place a sign inside the rear window of the last car indicating that no more gasoline will be pumped after that car has had its turn. The next day's allotment will then be adjusted up or down depending on the preciseness of the estimate. No person, other than the operator of the gasoline station, shall remove such sign from such vehicle. Such vehicle shall not leave the line without surrendering the sign to the gasoline station operator, nor shall any person enter the line ahead of such vehicle. Gasoline stations shall display signs or other devices sufficiently large to be readable from the road adjacent to such station, indicating whether the station is (a) open for retail sales, (b) open for commercial sales only, or (c) closed for gasoline sales. If signs or other devices are supplied for this purpose by the Director of Commerce and Labor, they shall be displayed in lieu of or in addition to any other such device posted by the station.

(6) In order to assure the public safety and provide sufficient gasoline for current necessary uses, no person (other than gasoline suppliers and wholesale purchaser end-users) shall be permitted to store more than 5 gallons of gasoline, except as provided in this paragraph. No supplier of gasoline shall dispense more than 5 gallons of gasoline into any one portable container, or to any one purchaser (other than another supplier or wholesale purchaser

end-user) in a single day. No person shall dispense or store gasoline in any glass, thin plastic, or other unsafe container, or any container without an adequate cap. Farmers and fishermen will be exempted from the 5-gallon limit for their farming and fishing use only, as certified by the Department of Natural Resources. Operators of off-the-road (construction) vehicles, pleasure boat operators, and others making a showing of need will also be exempted from the 5-gallon limit and documented by the Department of Commerce and Labor. Persons exempted from this limitation will, nonetheless, be required to comply with regulations promulgated by the Department of Commerce and Labor dealing with approved containers and safe storage of gasoline.

(7) Adequate statistics will be provided by each supplier of gasoline, as well as by each wholesale purchaser end-user, to the Director of Commerce and Labor in the form and degree of detail as the Director may provide. These statistics include, but are not limited to, weekly reporting of daily volumes of gasoline dispensed for retail purposes and commercial purposes, as well as the number of sales in each category. Wholesale suppliers and purchaser-resellers shall supply figures as to the total allocation for the Commonwealth or resale area, the specific allocation to each service station or non-retail end-user, how the allocation was computed (base period plus growth adjustment, if any), actual deliveries to each customer, and other information required by the Director.

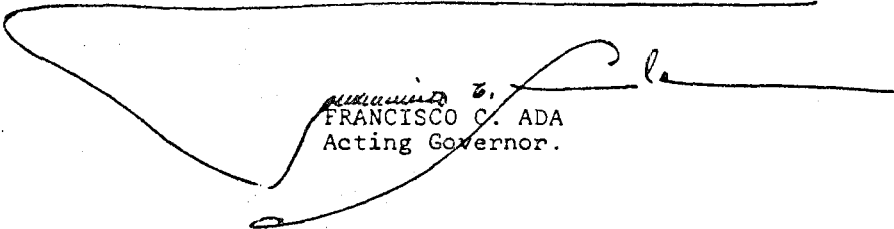
(8) Upon the request of the Mayor of any municipality, or on his own initiative, the Director of Commerce and Labor may modify or suspend the application of any provision of this Executive Order to such municipality, if he finds that such action would not be inconsistent with the purposes of this order.

(9) The Director of Commerce and Labor is hereby delegated the authority to promulgate rules and regulations to implement this order and may adopt such additional rules and regulations not inconsistent with the purposes of this order as he deems necessary. Such rules and regulations shall become effective upon delivery to affected suppliers of gasoline and shall be published in the next following issue of the Commonwealth Register. The Director shall make copies of such rules and regulations available to the public

in reasonable quantities during regular business hours. Each gasoline station shall post a copy of such rules and regulations at its place of business for inspection by the public. The Director of Commerce and Labor or his representative may enter upon the premises of any supplier or wholesale end-user of gasoline subject to the provisions of this order for the purpose of inspecting any pertinent records, equipment, storage facilities, or other devices and to otherwise assure compliance with this order. The Director of Public Safety or his representative, if he has a reasonable suspicion that the provision of paragraph (6) of this order relating to the storage of gasoline are being violated, may enter onto the premises of any person solely to make appropriate inquiries to determine compliance. Either Director, as appropriate, in consultation with the Office of the Attorney General, shall take all necessary legal steps to enforce the provisions of this order.

(10) An administrative penalty, not to exceed \$100 will be assessed for each violation of any provision of this order, except that a penalty not to exceed \$500 shall be assessed for storage of gasoline in violation of paragraph (6) of this order. The Director of Commerce and Labor shall assess, collect, and compromise any such penalty after an opportunity for a hearing.

(11) Except as otherwise provided herein, this order shall be effective beginning at 6:00 a.m., July 9, 1979, in Saipan, and July 11, 1979 elsewhere in the Commonwealth, and will remain in force until the termination of Presidential Executive Order 12140, unless otherwise modified or revoked.



FRANCISCO C. ADA
Acting Governor.



Commonwealth of the Northern Mariana Islands
Office of the Governor

Saipan, Mariana Islands 96950

Cable Address:
Gov. ANI Saipan

PUBLIC NOTICE

DEPARTMENT OF NATURAL RESOURCES
PROPOSED REGULATIONS ON LITTERING AND POSTING SIGNS

The Director, Department of Natural Resources, in accordance to Chapter 13, Sections 3(c), 3(g) and Section 5 of Public Law 1-8, and as further provided for in Chapter 9.24 of the Code of the Commonwealth of the Northern Mariana Islands, wishes to advise the public that regulations on littering and posting of signs in public land and property and enforcement thereof are hereby proposed for promulgation.

The proposed regulations on littering and posting signs include the following subjects:


1. Authority
2. Purpose
3. Littering
4. Posting of Signs
5. Definitions
6. Enforcement
7. Penalty for violation

Copies of the proposed regulations may be obtained from the Office of the Director, Department of Natural Resources, Saipan, CM.

The Department of Natural Resources solicits views, opinions, facts and data for or against the proposed Regulations from the General Public.

Anyone interested in commenting on the proposed Regulations may do so by submitting in writing to the Department of Natural Resources, Saipan, Commonwealth Marianas within 30 days from the date of this publication in the Commonwealth Register.

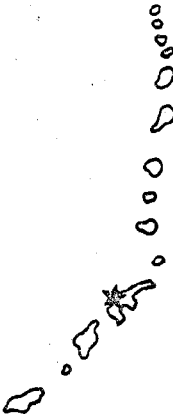
Dated this 6th day of June 1979.


 Pedro Q. Dela Cruz
 Director
 Department of Natural Resources



Commonwealth of the Northern Mariana Islands
Office of the Governor
Saipan, Mariana Islands 96950

Cable
Gov.



PROPOSED REGULATION
CODE OF COMMONWEALTH REGULATION

DIVISION OF PARKS AND RECREATION
DEPARTMENT OF NATURAL RESOURCES
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN, COMMONWEALTH MARIANAS 96950

A. Authority:

Pursuant to Chapter 13, Sections 3(c), 3(g) and Section 5 of Public Law 1-8, and as further provided for in Chapter 9.24 of the Code of the Commonwealth of the Northern Mariana Islands, subject Regulations are hereby approved and promulgated.

B. Purpose:

To establish regulations on littering and posting of signs in public land and property. These regulations shall apply to all persons and islands within the Commonwealth of the Northern Mariana Islands except the island of Medinilla.

C. Littering:

1. No person shall throw, place or put any rubbish, garbage, cans, bottles, debris or other litters upon any road, highway, or upon any public land within the Commonwealth of the Northern Mariana Islands, unless designated as a dumping area.
2. It is prohibited to overload government, business or private dump trucks and other vehicles, i.e. pick-up truck, flat bed truck, trailers, etc. thereby causing spillage of coral rocks, sand, aggregate, garbage, debris, trash or any other substance on public road, public highway, road shoulder or upon any public land.

D. Posting of Signs:

No person shall place any signs, advertisements, political notices:

1. On any public land

2. On government right of way
3. Upon any trees within public land
4. Upon telephone poles
5. On any public buildings and facilities thereby damaging, defacing or interrupting the normal situation of the above public property, except on approved bulleting boards and walls.

E. Definition:

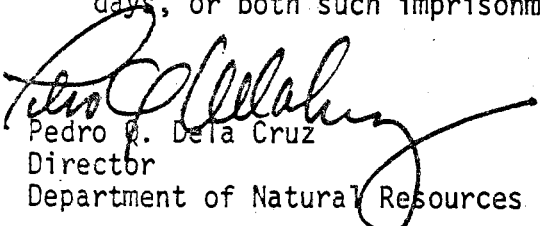
1. Dumping area - is the approved location for disposal of garbage, rubbish, bottles, cans, debris and other litters.
2. Litter - waste paper, garbage, straw, hay, leaves, twigs, tree branches, tree stumps, etc.

F. Enforcement:

The provisions of these regulations shall be enforced by the Department of Public Safety and/or special enforcement personnel of the Department of Natural Resources deputized by the CNMI.

G. Penalty for Violations:

Violators, upon conviction, shall be fined not more than one hundred dollars or imprisoned for a period of not more than thirty days, or both such imprisonment and fine.


Pedro G. Dela Cruz
Director
Department of Natural Resources

PUBLIC NOTICE

Proposed Rules and Regulations Governing the General Education
Development (GED) Testing Program

The Northern Marianas Board of Education is proposing to promulgate rules and regulations governing the General Education Development (GED) Testing Program.

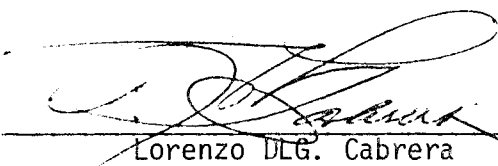
The proposed Rules and Regulations included the following subjects:

1. Title of Credential
2. Requirements for Issuance of Diploma
3. Minimum Age for Testing
4. Requirements for Retesting
5. Method of Applying
6. Official Transcripts
7. Fees
8. Administrator of GED Testing Program
9. Official GED Centers

Copies of the proposed Rules and Regulations may be obtained from the Student Assistance Office, Department of Education, Commonwealth of the Northern Mariana Islands, Saipan, CM 96950

Interested persons are invited to submit written comments, suggestions, and recommendations to the Student Assistance Office, Department of Education, Commonwealth of the Northern Mariana Islands, Saipan, CM 96950, within thirty (30) days from the date of this notice is published in the Commonwealth Register.

June 24, 1979
Date


Lorenzo DLG. Cabrera
Chairperson
Northern Marianas Board of Education

GOVERNMENT OF THE NORTHERN MARIANA ISLANDS

DEPARTMENT OF EDUCATION

The General Education Development (GED) Testing Program

1. Title of Credential: Northern Mariana Islands High School Equivalency Diploma.

2. Requirements for Issuance of Diploma:

(a) Minimum Test Scores: A standard score of 35 on each of the five tests and an average standard score of 45 on all five tests.

(b) Minimum Age: 18, and applicant must have been out of school for at least six months prior to testing.

Exceptions:

(1) Candidates for admission to post-secondary schools, if the post-secondary school provides a letter requesting the candidate's GED scores;

(2) Applicants who are on active duty in the United States Armed Forces, upon a written request by an appropriate official; and

(3) Applicants who have been actively and continuously employed for two years immediately preceding the date of application for testing.

(c) Residence: Applicant must physically reside in the Northern Mariana Islands for thirty (30) days immediately prior to making application. Permanent residents of the Northern Mariana Islands who are serving in the U.S. Armed Forces are exempt from the foregoing residence

requirements.

3. Minimum Age for Testing: Same as 2-b.

4. Requirements for Retesting: Three months must have elapsed between initial testings and retests, or applicant must have demonstrated satisfactory completion of an adult education program.

5. Method of Applying: for tests, retests, and diplomas, the necessary forms may be acquired at the Office of the GED chief examiner of each island (Saipan, Tinian, and Rota) in the Commonwealth of the Northern Mariana Islands. GED tests are administered on schedules set by the GED chief examiner of each island.

6. Official Transcripts: Test scores are accepted as official only when reported directly by: (1) Official GED Centers; (2) Transcript Service of the Defense Activity for Non-Traditional Education Support; (3) (Veterans Administration hospitals and Centers; and (4) the GED Testing Service.

7. Fee:

(a) Testing at Official GED Centers: \$5.00 for complete test battery, payable at time application for testing is filed; \$1.00 for each single test. \$2.00 per single test for retesting, payable to the local testing center at time of retesting.

(b) Issuance of Diploma: \$2.50

8. Administrator of GED Testing Program: Herman T. Guerrero, Office of the Superintendent of Education, Department

of Education, Commonwealth of the Northern Mariana Islands,
Saipan, CM 96950.

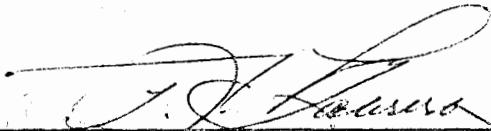
9. Official GED Centers:

Saipan: Susana T. Mafnas, Student Assistance
Office, Department of Education, Commonwealth
of the Northern Mariana Islands, Saipan, CM
96950.

Rota: Joaquin Manglona, Rota School, Commonwealth
of the Northern Mariana Islands, Saipan, CM 96951.

Tinian: Florence M. Hofschneider, Tinian Junior
High School, Commonwealth of the Northern Mariana
Islands, Tinian CM 96950.

June 24, 1979
Date


LORENZO DLG. CABRERA
Chairperson
Northern Marianas Board of Education



PUBLIC NOTICE

Proposed Customs Regulations No. 7901

The Director of Finance, in accordance with Public Law 1-08 and Public Law 1-21, is proposing to promulgate new regulations to be identified as Customs Regulations No. 7901 of the Division of Revenue and Taxation.

The proposed regulations included the following subjects:

1. General Provisions
2. Entry and Declaration of Imports Arriving by Freight
3. Arrivals/Departures
4. Freight Clearance
5. Inspections and Examinations of Arrivals/Departures
6. Request, Cancellation, Delay and Charges
7. Customs Exemption for Domestic Travelers

Copies of the regulations may be obtained from the Division of Revenue and Taxation, Central Office, Chalan Piao, Commonwealth of the Northern Mariana Islands, Saipan, CM 96950.

The Office of the Director of Finance is soliciting views, opinions, facts and data for or against the proposed Customs Regulations No. 7901 from the general public.

Anyone interested in commenting in the proposed Customs Regulations No. 7901 may do so by submitting in writing to the Director of Finance, Office of the Governor, Civic Center, Susupe, Commonwealth of the Northern Mariana Islands, Saipan, CM 96950, within thirty (30) days from the date this notice is published in the Commonwealth Register.

June 14, 1979
Date

S. A. Newman
Saul A. Newman
Director of Finance



PROPOSED CUSTOMS REGULATIONS
OFFICE OF THE DIRECTOR OF FINANCE
DEPARTMENT OF FINANCE
DIVISION OF REVENUE AND TAXATION

NO. 7901

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

PART 12.210. GENERAL PROVISIONS

Section 1. Authority. The authority for the promulgation and issuance of Customs Regulations No. 7901 is by virtue of Public Law 1-21 and Section 8, Chapter II of Public Law 1-8 (CNMI).

Section 2. Purpose. The purpose of the regulations is to establish policy and procedures to implement and provide uniform enforcement of excise tax laws and to require complete customs service to control imports of all articles, wares, or merchandise for the assessment and collection of excise taxes and for the interception of contraband.

Section 3. Administration and Enforcement. The Northern Marianas Customs Service shall consist of uniformed and trained men and women under the supervision of the Chief of the Division of Revenue and Taxation or his designee. The Chief of the Division of Revenue and Taxation, however, may utilize, by agreement, the personnel services and facilities of other agencies of the Northern Mariana Islands Government or other government agencies for proper enforcement of excise tax laws and these and other related regulations.

Section 4. Function.

(a) The Division of Revenue and Taxation of the Northern Mariana Islands shall administer and enforce all excise tax laws and shall intercept illicit imports of narcotics, nonregistered weapons and other contraband at the ports of entry, and is hereby authorized to develop procedures and policies including procedures and policies for

the purpose of conducting searches on persons, not covered by these regulations, necessary for the proper functioning of the Customs Service. All monies due pursuant to excise tax laws shall be collected by the Division of Revenue and Taxation and be deposited with the Treasurer of the Northern Mariana Islands Government.

(b) The Division of Revenue and Taxation of the Northern Mariana Islands shall maintain all records and documents associated with the administration and enforcement of excise tax laws and other related regulations. Only authorized employees of the Division of Revenue and Taxation shall have access to these records and documents. Employees of the Division of Revenue and Taxation are not authorized to furnish any information to any person regarding another person's records maintained pursuant to excise tax laws and these and other related regulations.

Section 5. Definitions.

(a) Normal Working Hours/Days - The term "normal working hours" or "normal working days" means the time between 0730 hour and 1630 hour from Monday to Friday except holidays falling on Monday through Friday.

(b) Overtime - All hours in excess of normal working hours/days.

(c) Overtime Pay - The term "overtime pay" means one and one-half ($1\frac{1}{2}$) times the basic rate of pay for overtime hours worked by each and every customs officer or inspector of customs rendering a service.

(d) Holiday Pay - The term "holiday pay" means the basic rate of pay of a customs officer rendering the service multiplied by two (2) for every hour worked.

(e) Customs Officer - Whenever the word "Customs Officer" is used in these regulations, it means Customs and Cargo Supervisor,

Customs Inspector, Revenue Officer, and any person authorized to perform the duties of a Customs Officer.

(f) Service - Whenever the word "Service" is used in these regulations, unless context otherwise requires, it shall mean the Customs Service of the Commonwealth of the Northern Mariana Islands.

(g) Bill of Lading/Airway Bill - Whenever the term "Bill of Lading" is used in these regulations it means documents prepared by the operator or agent of a carrier listing and describing the contents of the cargo carried on a vessel or aircraft consigned to a person. "Bill of Lading" shall also mean "Airway Bill."

(h) Manifest - The term "manifest," unless context otherwise requires, means summary list of passengers or cargo on board a carrier.

(i) Merchandise - The word "merchandise" means goods, wares and chattels of every description and includes merchandise the importation of which is prohibited or restricted.

(j) Manufacture - For purpose of these regulations, the term "manufacture" shall mean the art of making raw material into a product suitable for sale, lease or rental, and includes the techniques and methods of converting finished merchandise into another product for sale, lease or rental.

(k) Carrier - The word "carrier" as used herein, unless context otherwise requires, means any description of craft or other contrivance used, or capable of being used as a means of transportation on the water or in the air and includes pleasure vessels and private aircraft.

(l) Vessels - The word "vessel" includes every description of craft or other contrivance used, or capable of being used as a means of transportation on the water.

(m) Aircraft - The word "aircraft" means any contrivance used or capable of being used for flight in the air.

(n) Person - The word "person" means any individual, firm, corporation, association, or partnership.

(o) Domestic Travel - For purposes of customs, the term "domestic travel" means any travel originating from within the Northern Marianas and terminating in the Northern Marianas without transiting or traveling by way of any port outside of the Northern Marianas.

(p) International Travel - For purpose of customs, the term "international travel" means any travel originating from within the Northern Marianas and terminating at any port outside the Northern Marianas, or terminating at a port in the Northern Marianas by transiting or traveling by way of any port outside the Northern Marianas, or any travel originating from outside of the Northern Marianas and terminating at any port in the Northern Marianas.

(q) Customs Territory - For purposes of customs, "Customs Territory" means the islands and territorial waters which lie within the area north of 14° north latitude, south of 21° north latitude, west of 150° east longitude, and east of 144° east longitude.

(r) Official Customs Port of Entry - All vessels and aircraft on international travel and are authorized entry into the Customs Territory of the Commonwealth of the Northern Mariana Islands must enter and obtain customs clearance from any of the following official customs port of entry:

| <u>Islands</u> | <u>Official Customs Port of Entry</u> |
|----------------|--|
| Saipan | Tanapag Harbor (Charlie Dock) and Isley Field (Saipan International Airport) |

(e) The Director of Finance, by authority of Section 8, Chapter II of Public Law 1-8, shall impose a fifty dollars (\$50.00) penalty for every and each violation of this Section or twenty-five dollars (\$25.00) per hour or a fraction of an hour for each and every violation, whichever is greater, from the time of arrival until the appropriate documents are presented to the Service.

(f) All cargo, including ship's stores and operator's pouch mail or cargo, or U.S. Mail carried on the vessel or aircraft entering the Northern Marianas must be included on the manifests and related bills of lading. Willful failure to so include such cargo or mail or the presentation of a willfully falsified manifests shall be deemed to be a violation of these regulations and is subject to the penalty provisions of Section 14 of Public Law 1-21, and/or a penalty of ten dollars (\$10.00) for each line item not so included in the manifest.

(g) All passengers and crew members' baggage must be transported directly from the carrier to the arrival area at the port. All other cargo not part of any passenger or crew members' baggage must be transported directly from the carrier to the warehouse or place designated as the cargo storage area of the carrier.

(h) Upon arrival at the airport all passenger exit doors, cargo compartment doors, and galley service doors of the aircraft shall remain closed. At the request of the Service only one passenger exit door may be opened for the purpose of clearing the flight. All other doors may be opened for disembarkation of passengers and cargo only at the approval of the Service.

(i) Upon arrival at the pier no passenger or crew member may disembark or cargo be unloaded until approval to do so is granted by the Service.

Section 2. Sealing of Stores. Upon the arrival of a vessel from a port outside of the Northern Mariana Islands, or a vessel engaged in the foreign trade from a port within the Northern Mariana Islands,

Islands

Official Customs Port of Entry

Rota

Rota Harbors (East and West Docks) and
Rota International Airport

Tinian

Tinian Harbor and West Tinian Airport

A vessel or aircraft in distress may anchor or land at any port in the Northern Mariana Islands but shall immediately notify the nearest Customs Service office for immediate customs clearance.

(s) Customs Jurisdiction - All compounds of all ports listed in Subsection R of this Section shall be under the jurisdiction of the Customs Service for clearance purposes for international travel.

Section 6. Regulations Superseded. Regulations in this Chapter supersede Regulations Release 78-2, Regulations Release 78-3 (CNMI) and Parts 1 and 2 of Public Regulations, Release 10-73 (TTG), which superseded all previously issued Budget and Finance Regulations.

PART 12.211. ENTRY AND DECLARATIONS OF IMPORTS ARRIVING BY FREIGHT

Section 1. Entry of Imports - Requirement and Time. Except as otherwise provided, the consignee of imported merchandise shall make entry therefor either in person or by an agent authorized by him at the Division of Revenue and Taxation within four (4) days exclusive of Saturday, Sunday and holidays, after the entry of the importing carrier.

Section 2. Entry Documents.

(a) Entry may be made upon presentation to a customs officer of a non-negotiable copy of the bill of lading and vendor's invoices covering all merchandise arriving on one carrier and consigned to a consignee. If proper documents are not available within four (4) days after arrival of the merchandise the estimated tax shall be paid subject to adjustment when documents arrive. However, no release shall be authorized if the consignee has a prior unpaid tax liability.

(b) In addition to the non-negotiable copy of the bill of lading and vendor's invoices, each importer shall sign an Entry Certificate stating under penalty of perjury that the vendor's invoices are true and correct and that no alterations or changes have been made thereto. The Entry Certificate shall be obtained from a customs officer and signed at the time of entry.

(c) It shall be prohibited for any person with a valid import license to import merchandise for another business entity not authorized to import merchandise in its own behalf. If the Service determines that such a violation exists, the importer responsible for such violation shall be subject to the following actions:

(1) The importer shall be required to pay the applicable import license fee for every business entity which was intended to benefit from such import.

(2) Each import license fee required by Section 2(c)(1) of this Part shall be paid at the full rate of \$100.00 and shall not be prorated. The penalty of Section 202 of 77 TTC (CNMI) shall also be imposed for each and every single import license fee required.

(3) The import license fee collected pursuant to this Subsection shall be good only for the import made which violates this Subsection. No import license certificate shall be issued for this purpose.

(4) Each subsequent violation of this Section shall be treated separately and the provisions of this Section shall apply in each case.

(5) The provisions of this Subsection shall not apply to a licensed wholesaler or to a business which has a sole franchise for the importation and distribution of certain commodities. A franchise agreement may be requested by the Service for its review and determination.

Section 3. Damage or Nonreceipt. Any merchandise subject to tax which is not received by the importer or received in damaged condition may be exempted from taxation upon presentation of a certificate of damage or nonreceipt from the carrier or his agent. The carrier or his agent shall either deny the claim or furnish the certificate of damage or nonreceipt within fifteen (15) days after such damage or nonreceipt is reported by the importer. Terminal operators or the carrier of the imported merchandise shall not be required to open shipments for damage inspection. Importers may apply for a refund of taxes paid to the extent of losses incurred on damaged merchandise, nonreceipt, or manufacture defect where such damage was concealed. However, the damage shall be inspected by the customs officer and depending on his findings may authorize a tax rebate. No tax rebate shall be authorized for damage resulting from improper handling, inadequate or improper storage facility, prolonged storage, or other causes due to the importer's failure to provide such security or necessity. Also no tax rebate shall be authorized for merchandise with a factory deadline for use, sale or distribution which was not sold, used, or distributed before the required date.

PART 12.212. ARRIVALS/DEPARTURES

Section 1. Master's Responsibility - Arrival.

(a) Immediately upon arrival, the master of a vessel or aircraft shall deliver to the customs officer two (2) copies of the manifests, bills of lading and general declaration and also deliver a true and correct copy of any correction of such manifests, bills of lading and general declaration filed on entry of his vessel or aircraft. If the master is aware of any error in the manifests or bills of lading or general declaration and did not make correction, he shall be guilty of perjury and shall also be subject to the penalty of Section 14, Public Law 1-21. The master and his vessel or aircraft, passengers and cargo aboard such vessel or aircraft shall be denied customs clearance

if these documents are not presented to the Service upon arrival. Clearance may be granted provided the penalty of Subsection (e) of this Section is agreed upon by the master of the vessel or aircraft and is subject to collection when actual assessment is made by the Service. Advance submission of copies of manifests and bills of lading to the Service shall not be authorized. The Service will accept manifests and bills of lading only at the time of arrival of the carrier.

(b) Carriers arriving in the Northern Marianas from more than one port of departure shall deliver to the Service, immediately upon arrival, separate passenger and cargo manifests for all passengers and cargo boarded at each port of departure regardless whether no passengers or cargo were boarded at any one particular port in the travel itinerary of the carrier.

(c) Passengers transiting on the same flight or voyage they arrived in the Northern Marianas must be clearly identified on the manifest by indicating in parenthesis the point of final destination immediately after the passenger's name.

(d) Passengers on a flight or voyage which terminates in the Northern Marianas and are discharged in the Northern Marianas for purposes of immediate connection on another flight or voyage for points outside of the Northern Marianas shall be reported to the Customs Service, immediately upon arrival of the carrier, in one of the following methods:

(1) File a separate manifest for each port of final destination of such passengers; or,

(2) Identify on the manifest such passengers by enclosing in parenthesis the point of final destination and the connecting flight or voyage number immediately after the name of the passengers.

seastores and ship's stores not required for immediate use or consumption on board while the vessel is in port and articles acquired abroad by officers and members of the crew, for which no permit to land has been issued, shall be placed under seal, unless the customs officer is of the opinion that the circumstances do not require such action. Customs inspectors in charge of the vessel, from time to time, as in their judgment and necessity requires, may issue stores from under seal for consumption on board the vessel by its passengers and crew.

Section 3. Boarding of Vessels and Aircrafts. The customs officer may board and examine any vessel or aircraft arriving in the Northern Mariana Islands when it is necessary to carry out the provisions of applicable laws of the Commonwealth of the Northern Mariana Islands, or any rule or regulation promulgated thereunder and require the master or captain thereof to exhibit for examination by the customs officer the manifest or any documents or papers, or any trunk, package or cargo on board, or any compartment, storage area, cabin, galley, cockpit, lavatory, or any section of the vessel or aircraft. The master or captain of the carrier shall ensure the safety of the customs employees from the time of boarding the vessel or aircraft until such employees disembark.

Section 4. Master's Responsibility - Departure.

(a) Prior to departure, the master of a vessel or aircraft shall deliver to the customs officer the following documents:

(1) One copy of the general declaration for the port of destination.

(2) One copy of passenger and cargo manifests for the port of destination. If the flight or voyage has intermediate stops before reaching its final destination, one copy of passenger and cargo manifests for each intermediate port.

(b) All vessels destined for ports outside of the Commonwealth of the Northern Mariana Islands, must obtain an Official

Customs Clearance Certificate prior to departure. A Customs Clearance Certificate must be requested at least twenty-four (24) hours prior to expected departure. If departure is anticipated on Saturday, Sunday or holidays, the Customs Clearance Certificate must be requested twenty-four (24) hours of the last regular working day.

(c) The requirements of Subsections A and B of this Section would not apply to private aircraft and pleasure vessels.

(d) Vessels and aircraft not complying with this Section may be denied future customs clearance upon arrival in the Commonwealth of the Northern Mariana Islands and may be subject to either one of the following penalties:

(1) The vessel or aircraft and all passengers, crew members and cargo on board may be returned to its point of origin or other port outside of the Northern Mariana Islands, or

(2) The master, owner or operator of the vessel or aircraft may pay a fine of five hundred dollars (\$500.00) per violation.

(e) Strictly domestic flights or voyages may be exempted from the requirements of this Section.

Section 5. Destination and Disembarkation.

(a) Terminating Passengers and Crew Members - Upon arrival at destination and upon approval to disembark, all passengers and terminating crew members must proceed directly from the carrier to the arrival area at the terminal, by way of passage designated for use by arriving passengers and crew members to gain access to the customs inspection area.

(b) Transit Passengers and Crew Members - All passengers and crew members transiting in the Northern Mariana Islands for points outside of the Northern Mariana Islands are permitted to:

(1) Disembark and proceed directly to the designated area at the terminal for embarking passengers for reboarding, or

(2) Disembark and proceed with terminating passengers to the customs inspection area and go through customs formalities which will authorize them access to other facilities at the port, or

(3) Remain on board.

(c) Transfer of Passengers and Crew Members' Baggage and Hand Carried Articles - Passengers and crew members' baggage and hand carried articles on international travel arriving in the Northern Mariana Islands and require immediate connection aboard another carrier to points outside of the Northern Mariana Islands may be waived customs inspections provided such baggage and hand carried articles are transferred to the connecting aircraft or vessel by the owner, agent, or operator of the carrier that brought such passengers and crew members' baggage and under the supervision of the Customs Service.

(d) Northern Islands Destination - Carriers, crew members, passengers, baggage and cargo on international travel, as defined in these regulations, destined for any islands north of Saipan are required to go through customs formalities at the Saipan international ports, Charlie Dock and Saipan International Airport, before continuing on the journey. After customs clearance in Saipan, the flight or voyage is classified domestic travel.

(e) International Travelers Boarding Domestic Flight or Voyage - All passengers and crew members, including their baggage and hand carried parcels on international travel aboard one carrier destined to another point in the Northern Mariana Islands with a stopover in Saipan, Rota or Tinian to board another carrier cruising or flying a domestic itinerary, require customs inspection and clearance immediately upon arrival at the first port of entry in the Northern Mariana Islands. The first port of entry arrived at in the Northern Marianas by

passengers and crew members in this type of situation is considered the port of destination for such passengers and crew members.

Section 6. Customs Entry and Declaration.

(a) All passengers and crew members regardless of citizenship must make a customs entry and declaration upon arrival in the Northern Mariana Islands. All articles or merchandise acquired abroad must be declared in writing. Written declaration must be signed and presented to the customs officer on duty before examination pursuant to inspection requirements of Part 12.214 Passengers, however, are not required to complete Part B of Form CS-1350 if the total value of articles or merchandise declared (price actually paid for or, if not purchased, fair retail value) is not more than the sum of one hundred dollars (\$100.00) per person. All information furnished by the passengers whether orally or in writing shall be testimonies provided under oath. Any person who shall willfully swear falsely on an examination before a customs officer shall be guilty of perjury and shall be punished in accordance with Section 1201, 11 TTC (CNMI) and Section 14 of Public Law 1-21 (CNMI).

(b) A single customs entry and declaration may be filed with the customs officer upon arrival for immediate family members if traveling together. For purposes of this Section, immediate family members are limited only to husband, wife, sons, and daughters. Parents, brothers, sisters, grandparents, grandchildren, nephews, nieces, uncles, aunts, married daughters, married sons, and all other persons must make separate customs entry and declaration.

(c) Children under the age of 12 traveling with friends or relatives may be claimed as immediate family members of the relatives or friends. The full name of the children must be written on the customs entry and declaration.

(d) Unaccompanied children under the age of 12 are required to make a customs entry and declaration. A customs officer

will render necessary assistance to minor children in making customs entry and declarations.

(e) Persons unable to read or write are required to seek the assistance of a customs officer in making customs entry and declarations. Persons unable to write may sign the prescribed customs entry and declaration form with an "X" mark and witnessed by the customs officer.

(f) Passengers boarding international flights or voyages from Tinian or Rota destined for Saipan or vice versa, do not require a customs entry or declaration. Such passengers would be required to obtain customs departure clearance at the point of embarkation.

(g) No passenger or crew member required by this Section to make customs entry and declaration may be cleared by a customs officer without completing the required form.

(h) All passengers and crew members on international travel boarding domestic carriers for continuation of their travel to other points in the Northern Mariana Islands must make customs entry and declarations at the first port of entry in the Northern Mariana Islands as required in Section 5.E. of this Part.

(i) To facilitate inspection the prescribed form for making customs entry and declaration may be printed in a foreign language in addition to English. However, all prescribed customs entry and declaration forms in a foreign language must be completed by the passengers and crew members in Roman characters only.

(j) Transit passengers and crew members are prohibited access to areas at the port other than those designated for transit passengers and crew members. Transit passengers and crew members are strictly prohibited from leaving the airport or wharf compound for any length of time prior to their departure from the Northern Mariana Islands without going through customs formalities.

Section 7. Samples. Passengers having saleable-sample merchandise for purpose of promoting future sales or determining the marketability of such merchandise are required to provide the Customs Service with a copy of the vendor's invoice. If the vendor's invoice is not available, the passenger is required to itemize and describe in detail all samples, along with the value and quantity of each item brought with him/her. Identification marks, place of manufacture, jewel number, or serial number of each item must be clearly shown. In the case where a permanent identification mark is not available, a clear color photograph of the item imported must be furnished to the Customs Service. In addition, the locations and addresses where the merchandise is to be displayed or advertised must be furnished to the Service. Samples intended to be exported or taken out of the Commonwealth after a brief period of time in the territory are required to be cleared by the Service at the time of exportation. A minimum security deposit of one hundred dollars (\$100.00) per one thousand dollars (\$1,000.00) or fraction thereof, worth of samples must be posted at the Division of Revenue and Taxation. The security deposit will be refunded to the passenger upon leaving the territory provided all samples brought in are in the possession of the passenger upon departure from the territory.

PART 12.213. FREIGHT CLEARANCE

Section 1. Payment and Release.

(a) Cargo shall be retained at the place of unloading until the tax has been paid or permission given by a customs officer for its release. Any cargo not released shall remain in the physical possession of the terminal operator or the operator of the carrier at the expense of the consignee but under technical customs custody until entry is made and the tax paid. An officer from the Customs Service will give permission for the release of cargo after payment of taxes in full by making the following notation on one of the two (2) copies of bills of lading submitted pursuant to these regulations.

"All excise taxes for the itmes included on this bill of lading have been paid. The merchandise may be released to the consignee."

Date

Customs Supervisor/Customs Officer

OR

"The merchandise included in this bill of lading/airway bill is not subject to excise tax. The merchandise may be released to the consignee."

Date

Customs Supervisor/Customs Officer

(b) A partial release of cargo may be authorized by a customs officer making the following notation on the bill of lading and by initialing each line item to be released. Items not initialed shall not be released.

"The merchandise identified by my initials on each line of this bill of lading may be released to the consignee."

Date

Customs Supervisor/Customs Officer

(c) Payments, inspections and releases of shipments may be made without any charge to the consignee, agent, postal service or operator of the carrier from 0730 hour to 1630 hour, Monday to Friday except holidays.

(d) For assessment and payment of taxes and inspection and release of merchandise on Saturday, Sunday or holidays, persons requiring such service must be assessed a Customs Service charge pursuant to the provisions of Part 12215 of these regulations.

Section 2. Release of Perishable Merchandise.

(a) The customs officer is authorized to permit the release and delivery, prior to formal entry thereof, of perishable articles, and other merchandise, the immediate delivery of which is considered necessary, such as where adequate holding or storage facilities are not available. Such merchandise shall remain under technical customs custody and no disposition of such merchandise by the consignee is authorized without payment of the tax or the execution of a promissory note executed pursuant to this Section. Promissory notes shall not be made longer than a period of ten (10) calendar days from the date the tax is assessed and shall be subject to the provisions of Sections 14, 15 and 16 of Public Law 1-21 (CNMI) if not paid at maturity.

(b) The requirement of a promissory note in this Section may be waived if the importer chooses to make a permanent deposit to guarantee payment of taxes due from dutiable merchandise. The minimum amount of the permanent deposit is shown in the Administrative Regulations 7901, Division of Revenue and Taxation.

Section 3. RESERVED FOR SECTION 10 OF PUBLIC LAW 1-21.

Section 4. Release of Merchandise Without Customs Clearance.

No carrier, agent, or terminal operator shall release or turn over to a consignee any merchandise or parcel being imported into the Northern Mariana Islands without prior approval of customs. In the event a release was made by the carrier, agent, or terminal operator without prior clearance of customs and the tax on the merchandise released cannot be paid by the consignee, the tax liability plus the penalty and interest imposed by Sections 15 and 16 of Public Law 1-21 shall become the liability of the carrier, agent, or terminal operator and shall continue to accumulate such penalty and interest until the tax liability is paid in full. The Service shall notify the carrier, agent, or terminal operator of the consignee's inability to pay and the determination of the Service to transfer such liability from the consignee to the carrier, agent, or terminal operator.

Section 1. Inspection of Baggage. The customs officer may inspect without warrant the baggage and hand carried parcels of any person arriving in the Northern Marianas in order to ascertain what articles are contained therein and whether taxable, prohibited, or restricted.

Section 2. Inspection of Cargo. The customs officer may inspect without warrant any cargo, packages, receptacles and aircrafts and vessels arriving in the Commonwealth of the Northern Mariana Islands, to seize prohibited or restricted article or merchandise including narcotics and other items of contraband.

Section 3. Inspection of Passenger. The customs officer may inspect without warrant any person arriving in the Northern Marianas, who such officer has probable cause to believe, is willfully violating the provisions of Public Law 1-21, the Controlled Substances Act, the Weapons Control Act, and/or these and other related regulations.

Section 4. Persons Required Inspection. All persons including passengers and crew members' baggage and hand carried articles on international travel regardless of their point of embarkation, shall be inspected by the Service prior to leaving or taken away from the port of entry.

Section 5. Departing or Prospective Passengers and Crew Members.

(a) Any person who voluntarily enters a security area at the airport or wharf is subject to customs inspections as provided for in Sections 1, 2, and 3 of this Part regardless of the purpose of the entry into the security area.

(b) Prospective passengers who enter a security area at the airport or wharf and later decide not to leave are required to go through customs inspection and clearance in the same manner as an arriving passenger on international travel.

Section 6. Oaths. The customs supervisor and all other authorized customs officers are empowered to administer any oaths required or authorized by these regulations in respect of any matter coming before such officers in the performance of their official duties. No compensation or fee shall be demanded or accepted for administering any oaths under the provisions of this Section.

Section 7. Persons Waived Inspection. Persons on domestic travel, as defined, may be waived inspection. However, the Service may, at any time, require inspection of any and all persons on any domestic travel when such inspection is deemed necessary. Diplomats of any foreign country on official travel with proper U.S. visa to enter the Northern Marianas may be waived inspection.

Section 8. Domestic Travellers - Required Inspection. All persons on domestic travel, as defined, who enters or passes through a customs jurisdiction at the ports during the process of clearing international travellers, are required to go through all customs formalities except the requirements of Section 5 of Part 12.212 of these regulations.

Section 9. Inspectors Required. In every inspection conducted by the Service there shall be a minimum of two (s) inspectors. The senior of the two (2) inspectors assigned shall assume full responsibility to ensure adequate and efficient service is rendered. When there is a seizure, the senior inspector shall perform the seizure and the other inspector shall be the primary witness. The senior inspector shall submit to the Service a narrative report justifying all seizures in addition to incident reports required for use by the police and the courts.

Section 10. Penalty. The master of a carrier, other crew members, operator of the carrier or its agent, and all persons who willfully aid a passenger to conceal any item brought on board with the intention to violate any of the provisions of Public Law 1-21 and/or these and other related regulations shall be penalized in accordance with Section 14, Public Law 1-21.

Section 11. Unclaimed Baggage. Passenger's or crew member's baggage not claimed at the customs inspection area shall be retained by the carrier and secured in a safe place within the inspection area at the port. Unclaimed baggage which is required to be stored in another location due to inadequate storage facilities within the inspection area at the port may be transferred by an authorized representative of the carrier liable for the security of the unclaimed baggage, PROVIDED, HOWEVER, the representative of the carrier obtains the approval of the Customs Service. The Customs Service shall have the right to take into custody any part of or all unclaimed baggage which, such officer has probable cause to believe contains dutiable, prohibited, or restricted merchandise. The Customs Service may open and inspect such baggage without the presence of the passenger or crew member but in the presence of a representative of the carrier.

Section 12. Confiscating of Merchandise. Prohibited or restricted merchandise imported into the Northern Marianas and found during inspection shall be confiscated by the Service and turned over to an appropriate Northern Marianas Government agency within a reasonable time for proper disposition. Merchandise on which the tax is not collected shall also be confiscated. Merchandise confiscated by the Service due to nonpayment of tax must be claimed and the tax paid by the owner or consignee within ten (10) days from the date the merchandise was confiscated.

Section 13. Unclaimed Merchandise. Merchandise confiscated by the Service due to nonpayment of the tax due may be sold at auction if no claim was made pursuant to Section 12 of this Part, provided however;

(a) the Service notified the owner or consignee in writing that the provision of Section 12 of this Part for making a claim has expired and the owner or consignee will be given additional ten (10) days to claim the merchandise and pay the tax due plus related penalty and interest.

(b) if the merchandise is not claimed and the tax liability is not paid at the end of the period allowed in Subsection (a) of this Section, the Service will send a final written notice to the owner or consignee of the merchandise advising that the merchandise will be sold at auction if not claimed in ten (10) days commencing from the date of the final written notice.

(c) after the expiration of the final notice and the merchandise is still not claimed and the tax liability is still not paid, the owner or consignee shall not be allowed to claim the merchandise once the merchandise has been processed and advertised for auction.

Section 14. Auction. The Service shall advertise to the public in any local newspaper for three (3) consecutive weeks, that merchandise on which excise taxes remain unpaid will be sold at auction. Proceeds from the sale shall be used as follows:

(a) To pay the tax liability.

(b) To pay applicable penalty and interest charges imposed by Public Law 1-21 and these regulations.

(c) To reimburse the Service for advertising, storage and other related expenses.

(d) To pay part or all of any other outstanding tax liabilities, fees, penalties or interests.

(e) Pay to the owner or consignee any amount left which is one dollar (\$1.00) or more. Amounts less than one dollar (\$1.00) may be paid to the owner or consignee provided the owner or consignee requests payment and arranges to obtain the fund at the Division of Revenue and Taxation.

Section 15. Payments. All taxes, except where other provisions of these regulations govern, shall immediately become due and must be paid in cash, or by U.S. Postal Money Order, or check drawn at a bank in the Northern Mariana Islands, a bank in any of the States of the United States of America or any territory of the United States of America. Any check returned by the bank due to insufficient funds must be replaced by either cash, U.S. Postal Money Order, or certified check. Any tax paid by a check and returned by the bank due to insufficient funds is construed to have not been paid when due and the owner or consignee shall be assessed and collected the penalty and interest of Sections 15 and 16, Public Law 1-21, in addition to all charges arising as a result of the check being returned, i.e., bank service charge for returned checks. The Division of Revenue and Taxation shall have the right to reject any or all personal checks and demand payment in the form of cash, U.S. Postal Money Order, or certified check.

Section 16. Spectators. Persons not directly associated with the enforcement of the laws of the Northern Mariana Islands or applicable laws of the Federal Government and administered at the ports of entry in the Northern Marianas, the maintenance and service of a carrier, or arriving passengers or arriving crew members shall not be permitted entry into any area between the carrier and the customs inspection area including all ramps, aprons, gangplanks, escalators, elevators, stairways, walkways, and all passageways and lavatories

accessible and used by arriving passengers and crew members; and all areas accessible and used by the operator of a carrier for transporting cargo from the carrier to the operator's warehouse or storage facility. Unauthorized persons found in any of these areas shall be deemed to be in violation of this Section and shall be punished in accordance with Section 14 of Public Law 1-21.

PART 12.215. REQUEST, CANCELLATION, DELAY AND CHARGES.

Section 1. Request Requirement. All air and sea carriers and other persons whose operation require the service of customs officers of the Commonwealth of the Northern Mariana Islands are required to make a request for such service. The request must be made on a form prescribed by the Customs Service.

(a) Blanket Request - All carriers and other persons operating on a planned schedule must make a request to the Customs Service at least thirty (30) days before the effective date of their schedule of operation. A single request will be sufficient for the duration of one set of schedule. Any unforeseen changes in a set of schedules would require a special request to the Service at least twenty-four (24) hours before the occurrence of such change. If such change is to occur during weekends and holidays, the request must be made twenty-four (24) hours of the last normal working day. All carriers and other persons making a permanent change in their schedule are required to submit a new blanket request at least thirty (30) days before the effective date of the new schedule.

(b) Special Request - All carriers and other persons operating on unscheduled flights or operating a charter, technical stop or extra flight or voyage are required to make a special request at least twenty-four (24) hours of the last normal working day before arrival. All sea carriers are required to submit a special request for customs clearance.

Section 2. Failure to Make a Request. When a carrier, its master, operator, owner or authorized agent fails to make a request as required by Subsections (a) and (b) of Section 1 of this Part, upon arrival of such carrier, one or all of the following shall apply:

(a) During normal working hours, the Service will arrange for clearance based on the availability of personnel and the number of blanket and special requests for the day. If Customs Service cannot be rendered during normal working hours, clearance would be furnished after regular working hours provided the carrier agrees and pays customs overtime charge as provided for in Section 5 of this Part prior to rendering such service.

(b) All vessels, including pleasure boats, on international travel arriving after regular working hours are prohibited to anchor at the pier until cleared by the Service. They must remain out in the harbor until the next regular working day except for emergencies as determined by the Customs Service. While anchored out in the harbor, crew members and passengers including their baggage are prohibited to disembark. Cargo on board shall not be unloaded.

(c) Air carriers arriving after normal working hours may be denied customs clearance unless adequate customs personnel are readily available and the carriers pay the necessary customs overtime charge. Passengers and crew members including their baggage and hand carried articles and all cargo on board are prohibited to disembark or to be unloaded until cleared by the Service.

Section 3. Cancellation and Delay of Arrivals. The operator of a carrier or its agent shall notify the Service of all cancellations and/or delays of arrivals at least four (4) hours of the normal working day before the initial schedule of the arrival being cancelled or delayed. In the absence or delay of such notification, the charge to be imposed shall be in accordance with Section 5 of this Part.

Section 4. Storage Charge.

(a) Unclaimed baggage not properly stored by the carrier liable for the security of same may be taken custody, and shall be released to the carrier only upon payment to the Service by the carrier a storage charge of five dollars (\$5.00) per day or a fraction of a day for each piece stored. Unclaimed baggage in the custody of the Service may be claimed by the carrier during regular working hours only, from 0730 hour to 1130 hour and from 1230 hour to 1630 hour, Monday thru Friday. Passengers or crew members shall not be authorized to claim any unclaimed baggage in the custody of the Service. The Service shall not be liable for damages to the container or damages and/or loss of the contents.

(b) Unclaimed baggage in the custody of the carrier may be released to the passenger or crew member only after inspection and clearance by the customs officer.

(c) Unclaimed baggage in the custody of the carrier or the Service not claimed within ten (10) days shall be opened and inspected by a customs officer and shall be released to the carrier for storage at another location the carrier wishes to utilize, provided, the storage charge in Subsection (a) of this Section is paid.

Section 5. Compensation for Services Rendered.

(a) All air and sea carrier and other persons whose operation require the service of customs officer of the Government of the Northern Marianas after normal working hours and on Saturdays and Sundays shall be charged with the overtime pay of the customs officers rendering the service, plus ten percent (10%) for administrative overhead. Service of less than two (2) hours for each arrival shall be charged with the minimum of two (2) hours overtime, plus ten percent (10%) thereof for administrative overhead. Any fraction of an hour in

excess of the two (2) hours minimum is charged a full hour. The charge shall commence thirty (30) minutes prior to the scheduled arrival time of a carrier or from the time the customs officer leaves his home and shall terminate thirty (30) minutes after the officer left the post of duty. For persons requiring the service of customs officer, the charge shall accumulate from the time the customs officers leave their home or office until they return thereto. On legal holidays falling on Mondays through Fridays, the charge shall be the holiday pay of the customs officers rendering the Service during the first eight (8) hours of work performed, plus ten percent (10%) thereof for administrative overhead. Any time in excess of eight (8) hours shall be charged at overtime pay, plus ten percent (10%) administrative overhead. Each legal holiday shall be on 24-hour day, 0001 hour to 2400 hour.

(b) When a customs officer is assigned to any vessel or aircraft for the purpose of conducting an inspection and clearance during the journey, the master of the carrier, owner, or agent must furnish such officer the accommodations usually supplied to passengers. In addition, the master, owner or agent shall furnish all air or sea transportation required in order for the customs officer to board such aircraft or vessel. The customs service charge to be imposed shall be in accordance with Subsection (a) of this Section.

(c) Nonperformance of Requested Service - If services have been requested for which employees have reported but are not performed by reason of circumstances beyond the control of the employees concerned, compensation shall be in accordance with Subsection (a) of this Section.

(d) Broken Periods - When overtime services are rendered to two (2) or more carriers registered to a single owner or operator, arriving two (2) or more hours apart, each arrival shall be treated separately and the minimum charge of two (2) hours overtime, plus ten

percent (10%) administrative overhead charge shall apply for each arrival. On holidays falling on Mondays through Fridays, the charge shall be in accordance with Subsection (a) of this Section.

(e) Continuous Periods - When overtime services are rendered to two or more carriers registered to a single owner or operator arriving less than two (2) hours apart, the charge shall be treated as though the services had been continuous. The charge shall be computed on a continuous basis and a minimum of two (2) hours overtime, plus ten percent (10%) administrative overhead if the total overtime service rendered is less than two (2) hours. For holiday charge, refer to Subsection (a) of this Section. Two or more arrivals within a two (2) hour period for carriers with different owners or operators shall be treated separately and the services rendered to each carrier shall be computed separately and in accordance with Subsection (a) of this Section.

(f) Personnel Benefit - All charges imposed for personnel services shall be subject to personnel benefits and shall also be charged in addition to all provisions of this Section.

(g) Interest of eight percent (8%) per annum shall be imposed on all unpaid charges imposed by this Part.

PART 12.216. CUSTOMS EXEMPTION FOR DOMESTIC TRAVELLERS (§ 404 , CHAPTER 13, 33 TTC (CNMI)

Section 1. Duty-Free Purchase. Passengers and crew members on domestic travel as defined, and passengers and crew members boarding a carrier on international travel in Saipan, Rota, Tinian and other islands in the Commonwealth, or vice-versa and destined for any port in the Northern Mariana Islands without traveling by way of any port outside of the Northern Marianas may bring with them not more than two fifths of a wine gallon of distilled alcoholic beverages and not more

than three cartons of cigarettes into the port of destination in the Northern Marianas, if such beverages and cigarettes were purchased from a duty-free retail concession at the port of embarkation in the Northern Marianas.

Passengers and crew members bringing alcoholic beverages and cigarettes in excess of the amount authorized in this Section shall be assessed excise tax in accordance with ~~the~~ provisions of Section 4 (a) and (e) of Public Law 1-21.

PART 12.217. EFFECTIVE DATE. These regulations governing the policies and procedures for Customs Services in the Commonwealth of the Northern Marianas shall be effective retroactive to January 12, 1979.

June 14, 1979
Date

S. A. Newman
Saul A. Newman
Director of Finance



Commonwealth of the Northern Mariana Islands
Office of the Governor

Saipan, Mariana Islands 96950

Cable Address:
Gov. Saipan

PUBLIC NOTICE

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF AGRICULTURE ADOPTED RULES & REGULATIONS

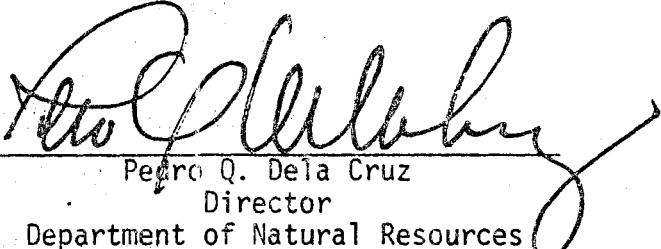
The Director, Department of Natural Resources, in accordance with Public Law 1-8 wishes to advise the public that new Rules and Regulations to be identified as Rules and Regulations Governing Plant & Animal Quarantine Inspection and Inspection Procedures, Personal Conduct and Dress, Agriculture Division, Department of Natural Resources have been adopted.

The adopted Rules & Regulations include the following subject.

1. Authority
2. Purpose
3. Inspection of crew and passenger baggage and personal belongings
4. Inspection of Air Freight and Surface Cargo
5. Disposal of restricted, contraband or prohibited entry items intercepted and confiscated
6. Personal conduct and dress code
7. Penalty for violation of any provision of the Quarantine Rules and Regulation

Copies of the adopted Rules & Regulations may be obtained from the Department of Natural Resources, Saipan, CM.

Dated this 15th day of May, 1979.


Pedro Q. Dela Cruz
Director
Department of Natural Resources



Commonwealth of the Northern Mariana Islands
Office of the Governor
Saipan, Mariana Islands 96950

ADOPTED REGULATION
CODE OF COMMONWEALTH REGULATION

DIVISION OF AGRICULTURE
DEPARTMENT OF NATURAL RESOURCES
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN, COMMONWEALTH MARIANAS 96950

15 MAY 1979

A. Authority:

Pursuant to Chapter 13, Section 5, of Public Law 1-8, subject Rules and Regulations are hereby adopted and promulgated.

B. Purpose:

To established Rules and Regulations governing Plant & Animal Quarantine Inspection Procedures, Personal Conduct and Dress Code in the Commonwealth of the Northern Mariana Islands. These Rules and Regulations shall apply to all Agricultural Inspectors for Plant and Animal Quarantine, Division of Agriculture, at all ports of entry in the Commonwealth of the Northern Mariana Islands.

C. Inspection of crew and passenger baggage and personal belongings

1. All crew and passenger baggage, luggage, suitcases, boxes, containers, hand-carries, and personal belongings shall first be inspected by a Customs Inspector, making certain that no contraband material or quarantinable items are

present therein. If a contraband material or a quarantinable item is found by the Customs Inspector, the Quarantine Inspector shall be notified immediately of such finding, and he shall then inspect and examine said material or item, and shall make the proper disposition thereof. The Quarantine Inspector may, at his own option, examine any crew or passenger baggage or personal belongings if he so deems it to necessary and in the best interest of the Commonwealth Government.

2. All Quarantine Inspectors are encouraged to offer to the public an explanation as to why they have to undergo inspection of their baggage and personal belongings; i.e. to prevent the entry of plant and animal pests and diseases which we do not have now or are attempting to control or eradicate.
3. Each passenger or crew member shall be asked to open his or her own baggage and other personal belongings. A Quarantine Inspector may, however, offer his or her assistance at any time if needed.
4. Any passenger or crew member who refuses to open for inspection his or her luggage and other personal belongings shall and must be directed to leave their baggage and personal belongings in the baggage claims area until they receive proper inspection by Customs and Quarantine. If

any such person desires to ship his personal belongings back to their place of origin, he may elect to do so at his own expense, under the supervision of a Quarantine Inspector, provided that they all be placed and returned on the same carrier that brought them in.

5. No favoritism of any kind whatsoever shall be practiced or allowed to Quarantine employees, members of their immediate families, relatives, guests, friends, or to crew members, and to all other passengers.
6. Diplomats with diplomatic passports and certain other dignitaries as approved by the Director of Natural Resources and the Chief of Agriculture Division, whose names shall appear on an official list, shall not be required to open their luggage and other personal belongings for Quarantine inspection. They shall be asked, however, if they have any fresh fruits, vegetables, meat, animal by-products, or other quarantinable items in their possession. All such restricted or prohibited entry items shall and must be surrendered and confiscated, and must be returned back to their place of origin.

D. Inspection of Air Freight and Surface Cargo:

No air freight and surface cargo shall be released until inspected by a Customs Inspector in the presence of a Quarantine Inspector. Any contraband or quarantinable material found by the Customs Inspector shall be referred immediately to the Quarantine Inspector for determination and proper disposition. The

Quarantine Inspector may, at his own option, reinspect any piece of freight/cargo if he so deems it to be necessary and in the best interest of the Commonwealth Government. An official Quarantine stamp "INSPECTED & RELEASED" must be stamped on each piece of cargo released by the Quarantine Inspector with the initials of the Quarantine Inspector involved, and dated properly.

E. Disposal of restricted, contraband or prohibited entry items intercepted and confiscated:

1. All restricted, contraband or prohibited entry items that are intercepted and confiscated shall be placed in strong, waterproof plastic bags and properly labelled. These items must be returned to their place of origin by the carrier that transported them into the Northern Marianas since there is no USDA-approved disposal facility available at the present time. While awaiting for their return shipment, these items must be properly secured and accounted for.

F. Personal conduct and dress code:

1. All Quarantine inspectors are to report for duty right on time. Airline and shipping schedules must be checked periodically for any change in arrival times of surface vessels and aircrafts as previously scheduled.
2. There shall be no smoking during inspection of crew and passenger baggage and personal belongings.
3. No gift(s) of any kind from any passenger or crew member shall be taken or accepted by a Quarantine inspector.

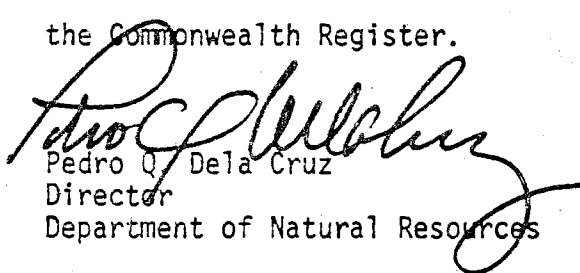
4. No Quarantine inspector shall take or accept anything from any passenger or crew member for delivery to any person, firm, corporation, etc.
 5. Sampling or eating of any intercepted and confiscated food items are prohibited and strictly forbidden.
 6. All quarantinable and restricted or prohibited entry items that are intercepted and confiscated are to be properly identified, secured and returned promptly and safely to their place of origin. No such item(s) shall leave the Quarantine Office at the port of entry.
 7. No personal business of any kind shall be conducted by a Quarantine Inspector during working hours.
 8. All Quarantine Inspectors shall wear clean, white shirts, and shall display an official quarantine badge at all times. They shall keep themselves neat and clean, and be quite presentable to the public.
 9. Any and all possible or clear violation of Quarantine laws or the rules and regulations shall be promptly reported and investigated.
 10. Any violation of the above rules and regulations must be immediately reported to the Chief of Agriculture Division for investigation and clarification.
- G. Penalty for violation of any provision of the Quarantine rules and regulations:

1. Any Quarantine Inspector found to be in violation of any of the provisions of the above rules and regulations will be subject to any of the following penalties, depending upon the nature and severity of the violation as will be determined by the Chief of Agriculture Division:

- a. Letter of reprimand;
- b. Immediate suspension from official duty and loss of pay;
- c. Transfer to another job within the Division of Agriculture;
- d. Demotion and a reduction in pay level;
- e. Termination of employment.

Date: 5/15/79

These Rules and Regulations shall be effective upon publication in the Commonwealth Register.


Pedro Q. Dela Cruz
Director
Department of Natural Resources

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Board of Parole

Saipan, CM 96950

PUBLIC NOTICE

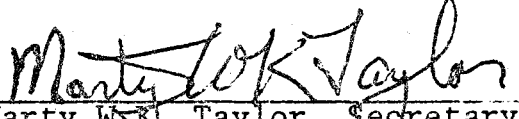
ADOPTED FORMS, RULES, REGULATIONS
AND PROCEDURES OF THE BOARD OF PAROLE

The Secretary of the Board of Parole, on behalf of the Chairperson, wishes to advise the general public of the adoption of the following forms, rules, regulations and procedures of the Board of Parole, Commonwealth of the Northern Mariana Islands.

ARREST AND DETENTION WARRANT
CERTIFICATE OF PAROLE
NOTICE OF PAROLE DECISION
NOTICE OF WARNING
NOTICE OF CHANGE IN PAROLE CONDITIONS
FINDING AND ORDER OF PAROLE VIOLATION HEARING
AUTHORIZATION TO DISCHARGE PAROLEE
FINAL DISCHARGE FROM PAROLE
APPEAL
PAROLE VIOLATION REPORT
CONDITIONS OF PAROLE
PAROLE REVOCATION
PAROLE OFFICE DUTIES
NOTICE OF PAROLE DECISION TO CHIEF OF POLICE
NOTIFICATION OF PAROLE HEARING
NOTIFICATION TO THE PETITIONER OF PAROLE HEARING
NOTIFICATION OF PAROLE HEARING
MONTHLY REPORT ON PAROLEE

Copies of the adopted Rules, Regulations, Procedures and Forms may be obtained from the Secretary of the Board of Parole at P.O. Box 690, Saipan, CM. 96950.

DATED: July 13, 1979


Marty W. Taylor, Secretary
Board of Parole

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Board of Parole

PUBLIC NOTICE

PROPOSED:
CONDITIONS OF PAROLE
NOTIFICATION OF PAROLE HEARING
NOTIFICATION TO THE PETITIONER OF PAROLE HEARING
PUBLIC NOTIFICATION OF PAROLE HEARING
NOTICE OF PAROLE DECISION (CHIEF OF POLICE)
NOTICE OF PAROLE DECISION (PETITIONER)
RULES FOR APPEAL
CERTIFICATE OF PAROLE
AUTHORIZATION TO DISCHARGE PAROLEE
FINAL DISCHARGE FROM PAROLE
NOTICE OF WARNING
NOTICE OF CHANGE IN PAROLE CONDITIONS
PAROLE VIOLATION REPORT
ARREST AND DETENTION WARRANT
PAROLE REVOCATION
FINDING AND ORDER PAROLE VIOLATION HEARING
PAROLE OFFICER DUTIES
MONTHLY REPORT ON PAROLEE

The Secretary, Board of Parole, Commonwealth of the Northern Mariana Islands on behalf of the Chairperson and in accordance with Public Law 1-8, Title I, Chapter 8, Commonwealth of the Northern Mariana Islands, Rules and Regulations adopted by the Board of Parole and other applicable laws of the Commonwealth, is proposing to promulgate the above stated forms and procedures for the orderly operation of the Board of Parole.

The Proposed Conditions of Parole include the following subjects:
General and Special conditions of parole, Change of Special conditions while on parole and the Interstate compact for the Supervision of Parolees.

The Proposed Parole Revocation includes the following subjects:

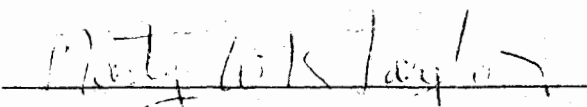
Grounds for revocation, procedure for arrest, final revocation hearing, when held, it's purpose, the procedure, continuances, witnesses and format.

Copies of the proposed forms and procedures may be obtained from the Secretary, Board of Parole, P. O. Box 690, Saipan, CM. 96950.

The Board of Parole is soliciting views and opinions, facts and data for or against the proposed forms and procedures from the general public.

Anyone interested in commenting on the proposed forms and procedures may do so by submitting in writing to the Board of Parole, P. O. Box 690, Saipan, CM. 96950, within 30 days from the date this notice is published in the Commonwealth Register.

April 7, 1979


Marty W. K. Taylor, Secretary
Board of Parole

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Board of Parole

CONDITIONS OF PAROLE

A. PAROLE CONDITIONS

Parole allows an inmate to remain in the community as long as he adheres to certain conditions imposed by the Board. These conditions are set forth in the parole certificate which is signed by the inmate.

His signature indicates acceptance of these conditions and acknowledgement that noncompliance may result in return to the Prison.

Conditions are of two varieties: those uniformly imposed on all parolees, and those imposed on a case by case basis according to the needs of the individual offender.

1. General Conditions are:

- a. I will comply with all laws.
- b. I will report promptly and regularly to my parole officer, as instructed.
- c. Before I change my residence, I will report to my parole officer in person and inform him of my new address.
- d. I will make a diligent effort to maintaining gainful employment unless excused by the Board of Parole.
- e. I will report to my parole officer in person before I change my employment; and if terminated, I will promptly notify my parole officer.
- f. I will obtain permission from my parole officer prior to leaving the Island of Saipan or the Northern Mariana Islands. Should I leave the Commonwealth of the Northern Mariana Islands without permission or over stay when permission has been given to leave and return by a date certain, I do hereby waive extradition to the Commonwealth of the Northern Mariana Islands from any jurisdiction in or outside the United States where I may be found and also that I will not contest any effort by any jurisdiction to return me to the Commonwealth of the Northern Mariana Islands.
- g. I agree that upon being arrested, detained, or questioned by a law enforcement officer I will identify myself as a parolee by presenting to the Officer my Parole Identification Card, which I will carry at all times. I also agree to advise my parole officer of this contact within 24 hours.

2. Special Conditions vary, but in imposing them the Board is guided by the following criteria:

- a. reasonable relationship between the condition imposed and the inmate's previous conduct, present situation and capabilities;
- b. reasonable balance between the parolee's liberty, expression, association and the community's safety, and
- c. Sufficient specificity to aid in supervision and conduct.

B. CHANGE OF SPECIAL CONDITIONS WHILE ON PAROLE

Either the Board of Parole, the parole officer or the parolee may initiate, in writing, a request for a change in Special conditions.

If the parole officer feels that a special condition should be added to the parole certificate, the parole officer shall notify both the Board of Parole and the parolee of the new condition. Notice to the parolee shall be in writing and shall include an explanation of the procedure for appeal; the parolee shall be asked to sign this notice, acknowledging his understanding of the new condition and the right to appeal its imposition. While the parole officer may temporarily impose this condition, the final decision is made by the Board of Parole.

If a parolee desires clarification of a condition or change in condition, he may apply to his parole officer or directly to the Board of Parole for consideration of a change in condition. If a parolee applies directly to the Board, his parole officer will be asked to comment on the parolee's request.

C. INTERSTATE COMPACT FOR THE SUPERVISION OF PAROLEES

The Commonwealth of the Northern Mariana Islands is authorized to enter into compacts with other participating states and territories for supervision of parolees. The Commonwealth may be either a sending or receiving state. The Compact prescribes rules for the transfer, retaking, and receiving of parolees.

In WITNESS WHEREOF, the undersigned have executed these Conditions of Parole this _____ day of _____, 1979

Rita C. Cabrera, Chairperson

Victor B. Hocog, Vice Chairperson

Marty W. K. Taylor, Secretary

Hedwig V. Hofschneider

David H. Marciano

Fermin C. Maratita

Jose T. Villagomez

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

BOARD OF PAROLE

SAIPAN, MARIANA ISLANDS

NOTIFICATION OF PAROLE HEARING

TO: THE CHIEF OF POLICE, COMMONWEALTH OF THE NORTHERN MARIANA IS
OR HIS AUTHORIZED REPRESENTATIVE.

Please be advised that the Board of Parole has received an ap-
plication for parole from _____,
incarcerated in _____, Mariana Islands.

Accordingly, the Board has set the date of _____
at _____ am/pm for a hearing of this request. You are hereby
requested to deliver at that time and date, _____

_____ together with his incarceration records, the
police investigation reports on the offense(s) which resulted
in his incarceration, and any other information you consider
relevent, to _____.

SECRETARY,
BOARD OF PAROLE

I certify that a copy of this notification of parole hearing
was delivered to the Chief of Police, CNMI or his authorized
representative on _____ day of _____ 1979 at _____ am/pm.

PAROLE OFFICER

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

BOARD OF PAROLE

SAIPAN, MARIANA ISLANDS

NOTIFICATION TO THE PETITIONER OF PAROLE HEARING

TO: _____

Please be advised that the Board of Parole has received your parole petition. Having met, the Board has set the date of _____ day of _____, 1979 at _____ am/pm, for hearing any and all evidence you may wish to present to the Board in support of your petition. Please bring with you any and all materials, statements, and witnesses you wish to have present. The location of the meeting will be at _____
_____ on the above day and time.

SECRETARY
BOARD OF PAROLE

I certify that I have served a copy of the above notice of parole hearing to the petitioner named above at _____ am/pm on _____ day of _____, 1979.

Parole Officer

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

BOARD OF PAROLE

SAIPAN, MARIANA ISLANDS

NOTIFICATION OF PAROLE HEARING

Notice is hereby given to all interested parties that a hearing will be held on the _____ day of _____, 1979 at _____ am/pm for the purposes of considering a request for parole made by _____ . Any person wishing to make a statement to the Board of Parole on this matter is requested to be present at _____ , at the date and time noted above. Any statements made to the Board should be written with seven copies.

SECRETARY,
BOARD OF PAROLE

I certify that a copy of the above notice was delivered to/
posted at _____ .

Parole officer

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

BOARD OF PAROLE

NOTICE OF PAROLE DECISION

TO: The Chief of Police, Commonwealth of the Northern Mariana Islands or his authorized representative.

WHEREAS, _____, a prisoner in the Commonwealth jail on _____, Mariana Islands has applied for parole with this body as provided for in the Constitution of the Commonwealth of the Northern Mariana Islands and,

WHEREAS, the Board of Parole has met and considered the application of _____ and made a decision to grant parole to said applicant.

NOW THEREFORE, you are directed to release _____ from custody immediately and without unnecessary delay. This document shall serve as adequate notice of parole to you and said prisoner must be released from the jail no later than twentyfour (24) hours from the time this document is delivered to the Office of the Chief of Police, Commonwealth of the Northern Mariana Islands or his authorized representative.

Dated this _____ day of _____, 1979.

Secretary, Board of Parole

I certify that a copy of this Notice of Parole decision was delivered to the Office of the Chief of Police, CNMI at Susupe, Saipan, Mariana Islands on _____ day of _____, 1979 at _____.

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Board of Parole

NOTICE OF PAROLE DECISION

Date _____

To: _____ Inst. & No. _____

The Commonwealth of the Northern Mariana Islands, Board of Parole has on this _____ day of _____, 19____ given your case consideration and has arrived at the following decision:

- _____ 1. That you be paroled.
- _____ 2. That you be paroled, subject to placement by the Parole Officer.
- _____ 3. That you be paroled, subject to the following special conditions:

_____ 4. That your case be continued to _____.
- _____ 5. That you be denied parole, because of the following:

If you wish to appeal this decision, see the Parole Officer and he will provide you a copy of the procedure for appeal.

The Board of Parole is a separate entity created by Law to parole or revoke parole at this prison. The official of the prison where the Board of Parole holds its hearing act in an advisory capacity only and have no control over the decisions of the Board.

Secretary, Board of Parole

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Board of Parole

APPEAL

No sooner than 60 days after a parole decision is rendered by the Board of Parole, on the basis of newly discovered evidence, an inmate may petition the Board for a rehearing. The petition shall include a summary of the new evidence to be relied upon by the inmate at the rehearing and shall be submitted to the Chairperson of the Board of Parole at least one week prior to a regularly scheduled meeting of the Board. The members shall vote on whether to reconsider the inmate's case, and if the decision is to reconsider, the Board of Parole shall schedule a rehearing date and notify the inmate. If the decision is not to reconsider, the inmate shall be so notified, stating the reasons for the Board's decision not to reconsider.

IN WITNESS HEREOF, the undersigned have executed these Appeal rules and regulations this _____ day of _____, 1979.

Rita C. Cabrera, Chairperson

Hedwig V. Hofschneider

Victor B. Hocog, Vice Chairperson

David H. Marciano

Marty W. K. Taylor, Secretary

Fermin C. Maratita

Jose T. Villagomez

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Board of Parole

CERTIFICATE NO.

CERTIFICATE OF PAROLE

I, _____, in consideration of the granting of parole by the Board of Parole, agree to comply with the following parole release conditions:

1. I will comply with all laws.
2. I will report promptly and regularly to my parole officer, as instructed.
3. Before I change my residence, I will report to my parole officer in person and inform him of my new address.
4. I will make a diligent effort to maintain gainful employment unless excused by the Board of Parole.
5. I will report to my parole officer in person before I change my employment; and if terminated, I will promptly notify my parole officer.
6. I will obtain permission from my parole officer prior to leaving the Island of Saipan, or the Northern Mariana Islands. Should I leave the Commonwealth of the Northern Mariana Islands without permission or over stay when permission has been given to leave and return by a date certain, I do hereby waive extradition to the Commonwealth of the Northern Mariana Islands from any jurisdiction in or outside the United States where I may be found and also that I will not contest any effort by any jurisdiction to return me to the Commonwealth of the Northern Mariana Islands.
7. I agree that upon being arrested, detained, or questioned by a law enforcement officer I will identify myself as a parolee by presenting to the Officer my Parole Identification Card, which I will carry at all times. I also agree to advise my parole officer of this contact within 24 hours.
8. I will comply with the following conditions:

I will comply with any additional special conditions imposed by the Board of Parole or by my parole officer with approval of the Board of Parole.

I have read, or had read to me, and understand the above Conditions. I realize that failure to abide by any of the Conditions may result in my return to the prison as a parole violator.

WITNESS _____ SIGNED _____

In consideration of, and subject to, the above conditions, the Board of Parole, acting under the laws of the Commonwealth of the Northern Mariana Islands, hereby grant the privilege of Parole to

_____, an inmate of _____
such parole to become effective on _____

in effect until _____, and continued

or until such inmate is discharged in accordance with the laws of the Commonwealth of the Northern Mariana Islands.

Date _____ Board of Parole

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Board of Parole

AUTHORIZATION TO DISCHARGE PAROLEE

To _____
Director, Warden or Superintendent

WHEREAS, _____, No. _____ a
parolee from the _____ in the
opinion of the Board of Parole, is no longer in need of super-
vision, you are hereby authorized to discharge the said,
_____, from custody, and a discharge
certificate shall be issued.

Given under my hand, this
_____ day of _____, 19__.

Secretary of Board of Parole
COMMONWEALTH OF THE NORTHERN
MARIANA ISLANDS

REASON FOR DISCHARGE:

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Board of Parole

FINAL DISCHARGE FROM PAROLE

An individual's parole is terminated on his parole discharge date, which is mathematically determined in accordance with sentence and institutional good conduct deductions. A prisoner paroled on a life sentence must successfully complete ten years of supervision before discharge. However, the Board may otherwise discharge a parolee before his parole discharge date if it appears that the person is no longer in need of supervision. Either the parole officer or the parolee may request that the Board grant an early discharge by contacting the Board of Parole in writing stating the reasons for such request.

Normally, the Board will not discharge a parolee unless he successfully abides by the conditions of his parole for a period of at least one year. The Board considers discharges in less than one year under special circumstances.

Once a decision is made granting early discharge, the Board of Parole shall notify the appropriate institution of the discharge.

IN WITNESS HEREOF, the undersigned have executed this Final Discharge From Parole this _____ day of _____, 1979.

Rita C. Cabrera, Chairperson

Hedwig V. Hofschneider

Victor B. Hocog, Vice Chairperson

David H. Marciano

Fermin C. Maratita

Marty W. K. Taylor, Secretary

Jose T. Villa gomez

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Board of Parole

NOTICE OF WARNING

Date _____

To: _____ Inst. & NO. _____

I here by acknowledge that I have been warned today by my Parole Officer that the matters listed below are possible violations of parole and are contrary to my own interest, the interest of the community and the rules and regulations governing parole.

I understand the nature and intent of this warning and agree to comply fully with the instructions of my supervising officer so as to avoid the possibility of return to prison as a parole violator.

Witness:

Parole Officer

Parolee

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Board of Parole

PAROLE VIOLATION REPORT

TO: CHAIRPERSON, BOARD OF PAROLE

FROM:

SUBJECT:

_____, duly appointed and authorized
Parole Officer, alleges that _____
who was paroled from the prison on _____, 19____
and to which institution _____ was
sentenced to a term of _____ for the offense
of _____
has no violated the terms and conditions of his/her parole as
follows:

Dated:

Parole Officer

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Board of Parole

ARREST AND DETENTION WARRANT

(Pursuant to Public Law 1-8, Title I, Chapter 8, Commonwealth of the Northern Mariana Islands)

To any Parole Officer, or to any State Police, Sheriff or other Police Officer authorized to serve criminal process and to _____ of the _____

. WHEREAS

No. _____ an inmate of the Northern Mariana Islands Prison situated at Saipan, Northern Mariana Islands lawfully committed thereto from _____, Northern Mariana Islands by the

Court, after conviction and sentence for the crime(s) of _____

AND WAS, on _____ day of _____, 19____ released on parole by the Board of Parole from the institution aforesaid and;

WHEREAS, satisfactory evidence has been presented to an officer of the Board of Parole, that the said _____

as violated the conditions of his parole, the undersigned, _____ Officer of the Board of Parole, hereby orders the issuance of this Warrant of Arrest of said _____

wherever found in your jurisdiction and, in accordance with Public Law 1-8, Title I, Chapter 8, Commonwealth of the Northern Mariana Islands, take him/her safely to a jail to be detained until a hearing is held by the Board of Parole to determine if the parole of said _____ shall be revoked or otherwise dealt with as to law and justice.

Given under my hand this

_____ day of _____, 19____

Officer, Board of Parole

(The following to be completed when parolee is confined at the time of service of warrant)

I, _____ (Officer or Jail Keeper) certify that on _____, 19____, I presented a copy of the within Warrant to _____

Witness _____ Signed _____

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Board of Parole

PAROLE REVOCATION

A. GROUND FOR REVOCATION

The Board of Parole may revoke parole when it finds that the parolee has violated one or more conditions set forth in his parole certificate.

If the alleged violation is a pending criminal charge, it is the policy of the Board of Parole, absent exigent circumstances, to defer the revocation hearing until the charge has been disposed of by the court. "Exigent circumstances" exist when, in the opinion of the parole officer, the parolee poses a serious threat of imminent harm to himself or the community. Once a parolee is convicted, however, the conviction is sufficient basis for revocation.

B. PROCEDURE

1. Summary: The procedure adhered to by the Board of Parole is as follows: Upon the issuance of a parole violation warrant and the parolee's subsequent arrest on the warrant, a hearing is held before the Board of Parole for final adjudication of charges. The procedure is outlined in detail below.

2. Arrest: The parole revocation process is initiated upon arrest of the alleged parole violator upon warrant of arrest, or any other arrest by the parole officer or any other law enforcement officer. The parole officer may arrest a parolee without a warrant in appropriate cases; however, if the parole officer does not obtain approval from any officer of the Board of Parole for a warrant by the close of the next business day, he must release the parolee from custody by mid-night.

3. Final Revocation Hearing: a. When Held. Whenever a parolee is arrested on a warrant issued for an alleged violation or pursuant to any other lawful arrest, a hearing shall be held within a reasonable time after the arrest of the parolee at or near the place of the alleged violation. If the hearing is not held within 10 days, the parolee shall be released from custody, without bail, on the same terms and conditions as were in effect at the time of arrest and also agreeing to appear before the Board of Parole at its next scheduled meeting. The date, time and place shall be given to the parolee upon his release.

b. Purpose. The final hearing shall determine (1) Whether the alleged violator has in fact committed an act(s) which constitute(s) a violation of of the conditions of parole, (2) Whether the act(s) is (are) of such a nature as to warrant revocation of parole .

c. Procedure. The alleged violator shall be given a copy of the form entitled, "Final Hearing Notice. This notice informs the parolee of the time and place of the hearing, the violations alleged against him, his right to confront and present witnesses and right to introduce documentary evidence.

d. Continuances. If the alleged parole violator desires a continuance, he shall appear at the scheduled hearing and notify the Board of Parole in person that he desires a continuance.

e. Witnesses. If the parolee elects to be confronted by adverse witnesses, he shall be given the names of those witnesses at least three days prior to the Board of Parole hearing, if possible. If the parolee elects to call witnesses on his own behalf, it is his responsibility, (or the responsibility of counsel, if any, to notify them of the hearing, although if requested, the Board will undertake to do so in emergency situations.

The Board of Parole has the power to subpoena witnesses.

f. Format of Hearing. The Board of Parole tape records violation hearings, which are in two phases:

(1) Adjudicatory Phase. (Proof of Violation). Proof of violation of criminal law shall be sufficient if an official record of conviction is received into evidence. If the parolee elects to confront adverse witnesses designated above shall be permitted to testify. Rebuttal witnesses may be called. All witnesses shall be subject to examination by members of the Board of Parole, the parole officer, and the parolee or his counsel. If the parolee waives confrontation by adverse witness(es), official parole violation reports and other official records may constitute proof of violation without testimony from the parole officer or other witness(es).

After prosecution and defense presentations have been concluded, the Board of Parole shall deliberate in executive session and announce its finding(s). If the Board of Parole finds that a violation has been committed, it shall state orally and in writing the reasons for violation. In addition, within 10 days the Board of Parole shall send the inmate a memorandum restating in more detail the reason for finding the violation.

(2) Dispositional Phase. The Board will receive into evidence official records concerning new conviction or non-criminal violation of parole conditions and oral and written statements from the parolee, his counsel and other persons having information relative to the case.

The range of dispositional alternatives include: (a) sustaining parole; (b) denying time served; (c) denying the parolee a specified period of time; (d) continuing the hearing until the expiration of a concurrent criminal code sentence when the inmate is again eligible for parole; (e) discharging the parolee to begin serving a new sentence, either immediately or after a specified period of time.

IN WITNESS WHEREOF, the undersigned have executed this Parole Revocation, this _____ day of _____, 1979.

Rita C. Cabrera, Chairperson

Hedwig V. Hofschneider

Victor B. Hocog, Vice Chairperson David H. Marciano

Marty W. K. Taylor, Secretary

Fermin C. Maritita

Jose T. Villagomez

Board of Parole

FINDING AND ORDER
PAROLE VIOLATION HEARING

To: _____

1. You have been charge with violation of parole. The alleg-
ation(s) as to violation is (are) as follow:

2. At the Board of Parole hearing on _____, 1979,
held at _____, the following witness(es)
and counsel appeared: _____

3. After hearing the Board of Parole found you in/not in
violation of parole on the following basis (bases): _____

4. As a result of its findings, the Board of Parole made the
following disposition: _____

5. In determining disposition, the Board of Parole considered
the following factors: _____

Dated: _____

Board of Parole

PAROLE OFFICER DUTIES

It is the duty of the Parole Officer of the Commonwealth of the Northern Mariana Islands to:

1. Supervise all persons on parole in the Commonwealth of the Northern Mariana Islands.
2. Work with those individuals to analyze their needs and aid them with appropriate action, referrals, and supervision to satisfy those needs and achieve a successful period of parole.
3. Take appropriate action when necessary, to provide discipline to the parolee in order that the parolee can avoid violating the terms of parole.
4. Help the Parole Board in setting up the individual conditions of parole for each parolee and to make recommendations, as necessary, to modify those conditions.
5. Report on a monthly basis to the Secretary of the Parole Board on the status of each parolee in the Commonwealth. This report shall include but not be limited to the following;
 - (a) Name and address of the parolee, noting particularly any changes of address.
 - (b) The length of the parole term and the amount of the term remaining to be served.
 - (c) Notation of any and all contacts with the parolee during the past month.
 - (d) Notation of any and all referrals to other programs or agencies.
 - (e) Evaluation of the parolee's current home and work environment.
 - (f) Evaluation of the parolee's behavior during the past month.
 - (g) Indication of any and all written or verbal warnings given to the parolee and the reasons for said warnings.
 - (h) Any suggestions to the Board of Parole concerning the modification of the parolee's terms of parole and the reasons for that modification.
 - (i) Any recommendations to the Board concerning partial or total revocation of the parolee's parole and the rationale for the revocation.

The Parole Officer shall respect as much as possible the privacy of the parolee. He shall make home and work visits only as frequently as they are necessary to ensure that the parolee is following the conditions of his parole. Further, the Parole Officer shall not release any personal information on the parolee that he has gathered in the course of his duties without first obtaining the written permission of the Secretary of the Parole Board and then only when the requestor has a valid reason for the information.

BOARD OF PAROLE
SAIPAN, MARIANA ISLANDS

TO: SECRETARY BOARD OF PAROLE

FROM: PAROLE OFFICER

DATE: _____

SUBJECT: MONTHLY REPORT ON PAROLEE

NAME: _____ AGE: _____

ADDRESS: _____

PAROLED ON: _____ RELEASE DATE: _____

MONTHLY CONTACTS:

REQUIRED: _____

ADDITIONAL (including reason): _____

EMPLOYEMENT:

NAME OF EMPLOYER: _____

PLACE OF WORK: _____

EVALUATION:

PAROLEE BEHAVIOR IN GENERAL: _____

WORK: _____

DISCIPLINARY ACTION IF ANY, AND REASONS: _____

RECOMMENDATIONS TO BOARD, IF ANY: _____

PAROLE OFFICER



Board of Elections Northern Mariana Islands

P.O. Box 470
Saipan, Mariana Islands 96950

Joaquin S. Torres, Chairman
Saipan

Jose S. Dela Cruz, Vice-Chairman
Saipan

Juan M. Diaz, Member
Saipan

Felicitas P. Abraham, Member
Saipan

Rosita A. Hocog, Member
Rota

Fidel M. Manglona, Member
Rota

Alfonso S. Borja, Member
Tinian

Francisco Iba, Member
Tinian

Lorenzo L.G. Cabrera,
Executive Officer

PUBLIC NOTICE

Adopted Rules and Regulations for the conduct of elections in the Northern Mariana Islands

The Chairman of the Northern Mariana Islands Board of Elections wishes to advise the general public of the adoption of the following rules and regulations of the Board of Elections, Commonwealth of the Northern Mariana Islands.

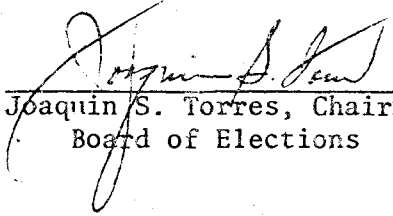
THE ADOPTED RULES AND REGULATIONS INCLUDES THE FOLLOWING SUBJECTS:

1. GENERAL ELECTIONS
2. REGISTRATION
3. POLLING PLACES
4. VOTING
5. POLL OFFICIALS
6. ABSENTEE VOTING
7. CONDUCT OF ELECTION
8. PENALTIES
9. EFFECTIVE DATE

Please take notice that there are two typographical errors appearing on page 11 of the following Rules and Regulations. The first error is with regard to the two sections appearing on that page. The latter section which reads "Section 4" should read "Section 5". The Second error appearing on line three from the top after the words "no later than midnight" the phrase "5 days after election" which follows immediately thereafter should read "on election day". Anyone obtaining a copy of the following Rules and Regulations should make the necessary corrections as described above.

Copies of the adopted Rules and Regulations may be obtained from the Board of Elections' Office in Garapan, P.O. Box 470, Saipan, CM 96950.

Dated: July 16, 1979


Joaquin S. Torres, Chairman
Board of Elections



Board of Elections Northern Mariana Islands

P.O. Box 470
Saipan, Mariana Islands 96950

J. S. Torres, Chairman
Saipan
S. Dela Cruz, Vice-Chairman
Saipan
M. Diaz, Member
Saipan
as P. Abraham, Member
Saipan

PUBLIC NOTICE

Proposed Regulations Concerning Election Registration and Voting in the Northern Marianas Islands Pursuant to Public Law 5-19

The Chairman of the Northern Mariana Islands Board of Elections in accordance with Public Law 5-19 is proposing to promulgate new Regulations to be identified as Rules and Regulations of the Northern Mariana Islands Board of Elections.

The proposed Regulations included the following subjects:

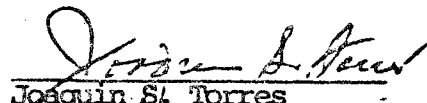
1. General Elections
2. Registration
3. Polling Places
4. Voting
5. Poll officials
6. Absentee Voting
7. Conduct of Election
8. Penalties
9. Effective Date

Copies of the proposed Regulations may be obtained from the office of the Board of Elections.

The office of the Board of Elections is soliciting views, opinions, facts and, data for or against the proposed Regulations from the General public.

Anyone interested in commenting in the proposed Regulations may do so by submitting in writing to the office of the Board of Elections, Garapan, Saipan, Mariana Islands 96950, within thirty (30) days from the date of this notice is published in the Commonwealth Register.

5-15-79
Date


Joaquin S. Torres
Chairman
Board of Elections



Board of Elections Northern Mariana Islands

P.O. Box 470
Saipan, Mariana Islands 96950

Ferris, Chairman

De Guis, Vice-Chairman

De Guis, Member

De Guis, Member

Rosita A. Hocog, Member

Rota

Fidel M. Manglona, Member

Rota

Alfonso S. Borja, Member

Tinian

Francisco Iba, Member

Tinian

ELECTION RULES AND REGULATIONS

PART I. GENERAL ELECTIONS

- Section 1. Authority. The following rules and regulations are hereby adopted and promulgated by the Northern Mariana Islands Board of Elections in accordance with Public Law 5-19 and shall have the full force and effect of law.
- Section 2. Purpose. The purpose of these rules and regulations is to provide for a fair and impartial treatment of all qualified voters and to insure the orderly and efficient conduct of all general and special elections in the Northern Mariana Islands.
- Section 3. Definitions. Unless the context clearly requires a different interpretation, the following terms shall have the following meanings:
- (a) "Board" shall mean the Northern Mariana Islands Board of Elections.
 - (b) "Examiner" shall mean the registration clerk or other persons authorized by the Board to register voters.
 - (c) "He" shall mean the male or female gender.
 - (d) "General Register of Voters" shall mean the official list of registered voters.
 - (e) "Affidavit" shall mean the affidavit on application for registration duly executed by the registrant.

PART II. REGISTRATION

Section 1. Form. The affidavit on application for registration of voters shall be in a form as prescribed by the Board and shall be sworn to before an officer or person authorized by law, rules and regulations issued by the Board of Elections to administer oath.

Section 2. Date, Time, and Location. The date, time and location for the registration of all eligible voters shall be as determined by the law, rules and regulations of the Board.

Section 3. Registrant Qualifications. Qualifications for registration to vote shall be as determined by law.

Section 4. Registration By Mail. All eligible voters who are not physically located in the Northern Mariana Islands may register by mail. The application form shall be the same as that prescribed in PART II, Section 1 of the regulations. All mail registrations must be notarized by a notary public or by a commissioned officer authorized to administer oath; or in the case of students by a school counselor where the student is currently enrolled accompanied by a school seal or stamp on the registration.

Section 5. Challenges.

(1) If a registration clerk or any other person authorized by the Board to register voters is examining a registrant pursuant to Section 7 (c) of Public Law 5-19 and reasonably doubts the registrant's qualifications, then the affidavit, once executed shall be forwarded to the Board pursuant to Section 7 (d) of Public Law 5-19 together with a written explanation as to why the examiner questions the registrant's qualifications.

(2) When in doubt, the examiner may request documentary proof or other evidence to support the registrant's contention that he meets all qualifications. The examiner may not refuse to register a person seeking to register.

(3) The Board shall make a final decision as to the qualifications of all registrants and the propriety and sufficiency of all information contained in the application for registration.

6 The Board may, on its own initiative, review all applications for registration before they are entered in the general register of voters.

7 The Board may strike a voter's name in the general register of voters or refuse to enter a person's name in the same if, in its review of the application for registration, the registrant is clearly not qualified to vote.

8 In case of a questionable affidavit, the Board shall conduct a formal or informal hearing to ascertain the information contained therein and to determine the registrant's qualifications. The registrant shall have the right to a two day's notice of a hearing, right to be represented by counsel if he so chooses and at his own expense, and to present evidence to the Board regarding the information contained in the affidavit. An affirmative vote of 3/4 of the members present shall be required to strike a voter's name from the general register.

9 The Board may, at its discretion, assemble and make available to the registrant, for his review, all evidence relied on to support the Board's decision.

PART III. POLLING PLACES

Section 1. 10 There shall be sixteen (16) voting places in the Northern Mariana Islands and the following shall be the polling places.

Election District No. 1

(1A.) San Antonio Village Meeting Hall -

For all voters residing at Chalan Piao, south of the Cock-pit and all those residing south of the Agriculture Station Road all the way to Saipan International Airport including the Kobler Airfield area and San Antonio Village.

(1B.) San Vicente Village Community Hall -

For all voters residing at As Perdido, Fina Sisu, Dr. Torres Hospital area, Chalan Dandan, and all those residing north of the Agriculture Station Road all the way to the Saipan International Airport including San Vicente Village, Laulau and Kagman area, except those residing north of the Kagman Road.

B. Election District No. 2

- (2) Round House in Chalan Kanoa -
For all voters residing in Municipal District District No. 4 and in part of Municipal District No. 3, beginning at the corner of Tobias Muna's house, south to Donicio Torres' house, west to the corner of Chalan Kanoa School Auditorium, then south to the Agriculture Station then west to Beach Road, up north then west to the Cock-pit.

C. Election District No. 3

- (3A.) Lobby, Municipal Building -
For all voters residing in Municipal District No. 2 and in part of Municipal District 1, beginning at the corner of Texas Road (Jose Pangelinan's house), east to Jesus Palacios' house, then north to the corner of Francisca Chargualaf's house then east to Jose C. Camacho's house, then northeast to Susupe Lake.

- (3B.) Susupe Community Hall -
For all voters residing north of the road from Sugar Dock, directly east to Susupe Lake, all the way to the Marianas Legislature Building in Susupe, then east south to Lake Susupe.

D. Election District No. 4 -

- (1) Chalan Kanoa School Auditorium -
For voters residing in part of Municipal District Nos. 1 and 3, beginning at the corner of Juan Cepeda's house then west to Texas Road to the Agriculture Station Road, then east to Juan Mendiola's house at As Perdido, then due north to Susupe Lake, then southwest to the corner of Jose C. Camacho's house, then west to the corner of Francisca Chargualaf's house, then south to the corner of Jesus Palacios' house, then west to Texas Road (Jose Pangelinan's house), then due north to the corner to Margarita A. Sanchez's house, then west to Juan Cepeda's house, the point of beginning.

E. Election District No. 5

- (5A.) San Jose Village Community Hall -
For all voters residing north of the Marianas
Legislature Building, east south to Susupe
Lake, at the San Jose Village proper, Chalan
Kiya, Chalan Laulau, and those areas immediately
south of Gualo Rai.
- (5B.) Garapan School Auditorium -
For all voters residing at Gualo Rai, Garapan,
Rapugao, Puerto Rico, and Sadog Tase area,
West of Capital Hill Road.
- (5C.) Residence of Saipan Municipal Representative
on Alamagan.
- (5D.) Residence of Saipan Municipal Representative
on Pagan.
- (5E.) Residence of Saipan Municipal Representative
on Agrigan.

F. Election District No. 6

- (6A.) Tanapag Community Hall (Beach) -
For all voters residing north of Kagman Road,
including the Samoan Housing, As Teo, I Denni,
all of Capital Hill, As Mahetog, Lower Base,
and Tanapag Village proper.
- (6B.) San Roque School Auditorium -
For all voters residing at Achugao and San
Roque Village.

G. Election District No. 7

Tinian Resident Commissioner Representative's Office -
For all voters on Tinian.

H. Election District No. 8

Rota Court House - For all voters on Rota.

Board of Elections Office

The Board of Elections' Office in Susupe, Saipan, Mariana Islands, is hereby designated the polling place for all registered voters of Rota, Tinian, and the islands north of Saipan, who will be on Saipan on election day.

- Section 2. A guard-rail rope or other barricade shall be constructed to surround the polling places and only those persons who are receiving, preparing or depositing their ballots, or any other persons authorized by the Board to be present, shall be permitted to be within the barricade.
- Section 3. Every polling place, during the voting hours, shall be attended by at least two (2) poll workers and two poll supervisors.
- Section 4. After all voting is completed, all ballot boxes shall be secured and locked. The locked boxes and all other supplies provided to the polling places by the Board shall be collected by the election officials and delivered to the Board or its duly authorized representative by the safest and most expeditious means available and be certified to the Board that the ballots so delivered were cast in accordance with the provisions of the Northern Marianas Election Act of 1977 and or applicable regulations.

PART IV. VOTING

- Section 1. (a) On receiving his ballot the voter shall forthwith dip his right index finger (if he has one otherwise any finger will do) in an indelible ink provided for that purpose, and without leaving the enclosed area, retire alone to one of the spaces, booths, or tables provided to prepare his ballot.
- Section 2. Booths shall not be occupied by more than one person at a time. Voters shall not remain in or occupy a booth longer than is necessary to prepare his ballot which shall not exceed five minutes.
- Section 3. (a) In voting, the voter must place an (X) or a check (✓) mark in a square before the name of each candidate for whom he intends to vote; provided that a voter shall not place voting marks in excess of the number of candidates who are to be elected. Ballots containing written vulgar or profane words shall be rendered as void votes. The validity of any other markings other than those stipulated herein shall be determined by the Board.

- b. For purposes of the election with the Northern Mariana Islands for any elective office, a registered voter may write-in a candidate for any office to be voted on by either actually writing in, stamping on, or placing a label with the candidate's full legal name thereon within the write-in box provided for the office in the election ballot.
- c. In cases where a named candidate is listed also in the spaces provided for write-in, for counting purposes, that name must be construed as being not that person listed in the ballot provided that the square before the name of the candidate is marked pursuant to Section 3 (a) of PART IV.

Section 4. Before leaving the booth, a voter shall fold his ballot in such manner as not to display his vote and shall then deposit his ballot in the ballot box.

Section 5. When a voter declares that:

- (a) He cannot read or write, or
- (b) by reason of physical disability he is unable to mark his ballot, he shall receive the assistance of both poll supervisors.

Section 6. Any voter who spoils a ballot may return it to the poll supervisors and shall receive another in its place, one at a time, but not to exceed three in all.

Section 7. Except as provided in Section 5, PART IV, no person shall ask another person at a polling place as to which person he intends to vote for.

PART V. POLL OFFICIALS

Section 1. The officials at the polls shall immediately cancel all the spoiled ballots returned by drawing an (X) upon the face in ink or pencil; these spoiled ballots and the ballots not distributed to the voters shall be returned together with the register and all other documents/materials provided by the Board.

- Section 2. Every voter who does not cast the ballot delivered to him shall, before leaving the polling place, return it to the poll supervisors for deposit in the ballot box.
- Section 3. Poll supervisors shall account for the ballots delivered to them by returning a sufficient number of unused ballots to make up when added to the number of official ballots cast and the number of spoiled ballots returned, the number of ballots charged. The Board upon receiving returned ballots shall require such an accounting.
- Section 4. Unless otherwise authorized by the Board, no person shall remove any ballot from any polling place before the closing time of the polls.
- Section 5. Immediately upon the closing of the polls, and before any ballot is taken from any of the ballot boxes, the election officials of each polling place shall, in the presence of at least three (3) authorized persons, proceed to deface all unused ballots by drawing an (X) on the face and shall place all defaced ballots within an envelope and seal the envelope and majority of the election officials of a polling place shall sign their names thereon. The locked ballot boxes and all other election materials shall be delivered to the Board for counting and tabulation.

PART VI. ABSENTEE VOTING

- Section 1. Any registered voter shall be entitled and enabled to vote by absentee ballot if:
- (a) he is confined to his home or hospital by reason of such illness or physical disability as will prevent him from attending the polls; or
 - (b) he is prevented from voting by reason of absence from the Northern Mariana Islands, or
 - (c) Emergency absence; or

- (d) Any registered voter within the Northern Marianas Islands who shall be prevented from voting at his or her appropriate polling place on the day of election because of emergency reasons as determined by the Board, may apply to the Board to vote at a polling place designated by the Board; provided that application made under this section is made no later than one (1) day prior to the date of election.

An absentee ballot is an official ballot which is authorized by the rules and regulations to be voted outside of any designated polling place prior to the date of the election or on election day.

Section 2. Any registered voter under category (a), supra, shall be entitled to vote by absentee ballot on election day under the conditions set forth below:

- (1) Requesting personally or through a member of his family or guardian for an absentee ballot from poll officials where he is registered not less than two (2) hours before the closing of the polls;

- (2) Filing an "AFFIDAVIT OF ABSENTEE VOTER" as prescribed by the Board in the regulations;
- (3) Attaching the "AFFIDAVIT OF ABSENTEE VOTER" with the ballot and mailing it to:

BOARD OF ELECTIONS
Northern Mariana Islands
P.O.Box 470
Saipan, Commonwealth 96950

or handing the same to election officials
authorized by the Board to receive the same.

Provided, that any absentee ballot must reach the Board no later than eight o'clock p.m. on the day of election.

When it appears that the individual who is requesting an absentee ballot on account of illness or physical disability cannot mark the ballot, the two special poll officials shall provide assistance in marking the ballot in accordance with Section 5 of PART IV.

Section 3. Registered voters under categories (b) and (c) supra, may vote by absentee ballot under the following conditions:

- (1) Filing an application for absentee ballot with the Board not more than 60 days nor less than 10 days before election day for category (b) and one (1) day prior to the election day for category (c);
- (2) Filing an "AFFIDAVIT OF ABSENTEE VOTER" as prescribed by the Board;
- (3) Attaching the "AFFIDAVIT OF ABSENTEE VOTER" with the ballot and mailing it to:

BOARD OF ELECTIONS
Northern Mariana Islands
P.O.Box 470
Saipan, Commonwealth 96950

Provided that bonafide students abroad shall not be required to file an "AFFIDAVIT OF ABSENTEE VOTER" sworn to before a notary public or a commissioned officer authorized to administer oath but may file an "AFFIDAVIT" signed by a school counselor, dean,

principal, or president with a school seal, said "AFFIDAVIT" and ballot to be mailed and postmarked no later than midnight, 5 days after election (Saipan time) and must be received by the Office of the Board of Elections no later than the close of business five days after the election.

Section 4. Upon the receipt of the envelope marked "Absentee Ballot Enclosed" within the period prescribed in Section 3 of this PART from any person voting under the provisions of this PART, the Board, or its appointee, shall open it, remove the ballot envelope and examine the statement as to its proper execution and compare the signature of the voter on the application for absentee ballot with that on the affidavit and the registration. If the Board or its duly authorized representative determine that the person is qualified to vote by absentee ballot, the ballot envelope shall be deposited unopened in a container retained for the purpose. The container shall be securely sealed except for an opening sufficient to permit deposit of ballot envelopes and shall be marked with the name and official title of the Board, or its appointee, and the words "This container holds absentee ballots and must be opened only pursuant to Regulation". The Board, or its appointee, shall safely keep each container in its office until the day of election and at such time the Board or its appointee shall publicly open the container, extract and segregate the ballot envelopes and deliver such envelopes and ballots to the Counting and Tabulating Committee. Absentee ballots received after election day shall be safely kept opened and counted in the same manner as those received before election day at a time and place determined by the Board.

Section 5. In case the statement is found to be insufficient or in case the signatures do not correspond, or in case the voter has not complied with the requirements of PART IV of these Regulations or is not a duly qualified voter or the ballot envelope is open or has been opened and resealed, the ballot envelope shall not be opened and the Board or its appointee shall mark across its face "Rejected" giving the reason therefor, and shall preserve the same in the manner provided by law or rules and regulations provided herein.

Section .6 If the ballot is received after the time fixed in Section 3 PART VI, the ballot envelope shall be endorsed by the Board or its appointee with the day and hour of receipt and it shall be safely kept un-opened by the Board or its appointee for the period of time required for the preservation of ballots used at such election, and shall then, without being opened, be destroyed in accordance with applicable law, rules and regulations. If upon receiving the ballot envelope from the Board or its appointee, it is found that the voter has already voted, either official shall immediately cancel the ballot envelope and write "Rejected" across its face, giving the reason thereof and shall preserve the same in the manner provided by law, or rules and regulations.

PART VII. CONDUCT OF ELECTION

Section 1. The Board shall ensure that polling places are supervised by the poll supervisors and such other officials as the Board shall deem necessary, who must be present at the designated polling places during the election. Public schools and other public places shall be utilized insofar as practicable as polling places.

Section 2. At exactly seven o'clock a.m., of the day of the election, a poll supervisor shall proclaim aloud at each polling place that the polls are open, and shall be kept open until seven o'clock p.m., of the same day, after which time the polls shall be closed; PROVIDED, that, if, at the hour of closing there are any other voters in the polling place, or in line at the door, who are qualified to vote and have not been able to do so since appearing, the polls shall be kept open a sufficient time to enable them to vote, PROVIDED FURTHER, that if all registered voters appearing on the general register of voters for any polling place have voted, the polling place may close but upon approval of the Chairman of the Board or his authorized representative irrespective of the time of day.

Section 3. Any person appearing at the polling place to vote shall report his legal name, in full, and his date of birth to the election officials. An election official shall clearly and audibly announce them. Another election official shall then check the register of voters as to whether or not the person appearing is a registered voter, and if so, shall announce the name and date of birth appearing in the register. At this point a challenge may be interposed on the grounds that the ballot is subject to challenge under law or regulations issued by the Board. Voting shall then proceed in accordance with procedures prescribed by the Board, however, all voting shall be by secret ballot.

Section 4. No campaigning shall be conducted within one hundred feet of a polling place on election day and no alcoholic beverages shall be sold, or otherwise provided to any person in the Northern Marianas during election day while the polls are open. No candidate or political posters, signs, or any other writings containing pictures or expressions of political parties or candidates shall be allowed within one hundred feet of any ballot box except that the candidate shall be allowed within the area for the purpose of casting his ballot. There shall be no campaigning on election day.

Section 5. An independent candidate shall be entitled to have not more than one (1) poll watcher at each polling place.

PART VIII. PENALTIES

Section 1. Any person who violates any of the rules and regulations promulgated herein for which a penalty is not otherwise provided, shall be punished by a fine not to exceed \$500.00 or imprisonment for not more than three (3) months, or both.

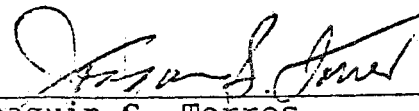
| |
|----------------------------------|
| Filed this <u>10</u> day |
| of <u>March</u> , 19 <u>79</u> . |
| <u>[Signature]</u> |
| Clerk of Courts |
| Northern Marianas Islands |

PART IX

Section 1. These Rules and Regulations shall take effect upon final publication in the Northern Marianas Commonwealth Register.

Date: _____

5-15-79



Joaquin S. Torres
Chairman
Board of Elections

PUBLIC NOTICE

Nondiscrimination Policy Statement

Pursuant to the rules and regulations governing the implementation of Title IX of the Education Amendments of 1972, the following notice is being disseminated:

Notice is hereby given by the Northern Marianas Board of Education to all applicants for admission and employment, students and parents of elementary and secondary schools, Department of Education employees, and all sources of referral of applicants for admission and employment that it does not discriminate on the basis of sex in the educational programs or activities which it operates, and that is required to and does give notice of such non-discrimination because of a requirement to such effect by Title IX of the Education Amendments of 1972 (Secs. 901, 902, Education Amendments of 1972, 86 Stat. 374, 20 U.S.C. 1681, 1982).

In compliance with the Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964 (P.L. 88-352), Section 504 of the Rehabilitation Act of 1973 (P.L. 93-112, as amended), and Title II (Vocational Education) of the Education Amendments of 1976 (P.L. 94-482), the Northern Marianas Board of Education gives the following notice of its Non-Discrimination Policy Statement for the Commonwealth of the Northern Mariana Islands Department of Education.

It is the policy of the Northern Marianas Board of Education that no person be subjected to discrimination on the basis of race, color, national origin, religion, sex, age, handicap, political belief or affiliation, or marital status in any program, service, or activity for which the Northern Marianas Board of Education is responsible. The Board will comply with the requirements of Commonwealth and federal laws concerning non-discrimination and will strive by its actions to enhance the dignity and worth of all persons.


To provide its employees and students with an avenue for review of a grievance, a Title IX/Equity Coordinator has been designated as follows:

Herman T. Guerrero
Title IX/Equity Coordinator
Department of Education
Commonwealth of the Northern Marianas
Saipan, CM 96950
Telephone: 9311 or 9812

This Antidiscrimination Policy Statement shall take effect upon final publication in the Northern Marianas Commonwealth Register.

Approved by the Northern Marianas Board of Education on March 22, 1979.

7 22 77
Date



Joaquin S. Mangiona, Vice-Chairperson
Northern Marianas Board of Education

The Office of Coastal Zone Management (CZM) hereby announces to the general public a series of Public Hearings will be held on the CZM Coastal Land and Water Use Plan (CLWUP). The hearings are scheduled to be held as follows:

- 1) August 2, 1979; 7:30 PM Municipal Building, Tinian
- 2) August 3, 1979; 7:30 PM Commonwealth Court, Rota
- 3) August 6, 1979; 7:30 PM Chalan Kanoa School, Saipan
- 4) August 7, 1979; 7:30 PM Garapan School, Saipan

Copies of the CLWUP will be available as follows:

- 1) five copies of the plan will be on file at each office of the Mayor on Saipan, Tinian, and Rota for on-site inspection, and
- 2) Further copies will be available on request for on-site inspection or on loan basis at the CZM office, 5th Floor, Nauru Building, Saipan, Phone number 6623.

The hearing format is designed to take public comment on the draft CLWUP which comments will be considered prior to final adoption of the CLWUP by the Commonwealth of the Northern Mariana Islands government. At the hearings, the public's written and oral comments will be received.

All interested parties are encouraged to prepare themselves for a hearing by reviewing the draft CLWUP and by attending and commenting on the document.

DATE: , 1979.

David G. Bortz
Acting Coordinator, CZM



Board of Elections Northern Mariana Islands

PA-001-79

P.O. Box 470
Saipan, Mariana Islands 96950

June 22, 1979

Joaquin S. Torres, Chairman

Saipan

Jose S. Dela Cruz, Vice-Chairman

Saipan

Juan M. Diaz, Member

Saipan

Felicitas P. Abraham, Member

Saipan

Rosita A. Hocog, Member

Rota

Fidel M. Manglona, Member

Rota

Alfonso S. Borja, Member

Tinian

Francisco Iba, Member

Tinian

Miguel Sablan

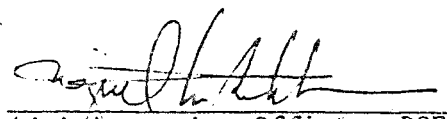
Admin. Officer

PUBLIC ANNOUNCEMENT

THE BOARD OF ELECTIONS' OFFICE WISHES TO ADVISE THE GENERAL PUBLIC OF A PROVISION IN THE ELECTION LAW REQUIRING REREGISTRATION OF VOTERS. AS DETERMINED BY THE OFFICE OF THE ATTORNEY GENERAL, SECTION 7, SUBSECTION (f) OF PUBLIC LAW 5-19 REQUIRES THAT ANY PERSON WHO HAD BEEN REGISTERED TO VOTE DURING THE LAST GENERAL ELECTION WILL BE REQUIRED TO RE-REGISTER IN ORDER TO VOTE IN THE NOVEMBER 4, 1979 GENERAL ELECTION IF ANY OF THE FOLLOWING APPLIES IN HIS OR HER SITUATION.

- (1) WAS REGISTERED BUT DID NOT VOTE DURING THE THE LAST GENERAL ELECTION HELD ON DECEMBER 1977.
- (2) CHANGE OF VOTER'S NAME OR IDENTIFICATION AFTER THE LAST GENERAL ELECTION.
- (3) CHANGE OF RESIDENCY AFTER THE LAST GENERAL ELECTION.

PERSONS WHO MIGHT BE AFFECTED BY ANY OF THE ABOVE ARE ENCOURAGED TO VISIT THE BOARD OF ELECTIONS' OFFICE SO THAT NECESSARY ACTION MAY BE TAKEN TO MAINTAIN ELIGIBILITY TO VOTE IN THE NOVEMBER 1979 GENERAL ELECTION.



Administrative Officer, BOE

Concurred: 

Attorney General's Office