COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

CIVIC CENTER, SAIPAN, MARIANA ISLANDS

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COMMONWEALTH PORTS AUTHORITY



Main Office: SAIPAN INTERNATIONAL AIRPORT P. O. BOX 1055 • SAIPAN • CM 96950

> Filed this day of

Office of Registrar of Corperations Commonwealth of the Northern Mariana Islands

PUBLIC NOTICE

Adoption of Regulations

NOTICE IS HEREBY GIVEN, pursuant to the provisions of 1 CMC §§9102 and 9105, 2 CMC §2122(j), and §4 of the Regulations of the Registrar of Corporations, 5 Commonwealth Register No. 5, p. 2148, that the Commonwealth Ports Authority has adopted and hereby publishes and promulgates and amendment to its Terminal Tariff. The text of the amendment, originally published at 6 Commonwealth Register No. 6, p. 2863, is set forth hereinbelow.

The said amendment takes effect ten days after this publication in the Commonwealth Register.

The undersigned hereby certifies that he is the official who is authorized by law to approve the adoption of the Rules and Regulations of the Commonwealth Ports Authority; that the Rules and Regulations referred to in this Notice were formally adopted by the Commonwealth Ports Authority; and that the original and one copy of the said Rules and Regulations have been filed with the Registrar of Corporations.

DATED, this 3044 day of November, 1984:

GUERRERO, Chairman

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COMMONWEALTH PORTS AUTHORITY



Main Office: SAIPAN INTERNATIONAL AIRPORT P. O. BOX 1055 • SAIPAN • CM 96950

AMENDMENT TO TERMINAL TARIFF

§ 1. Paragraph D of Part VI of the Terminal Tariff is hereby amended to read as follows:

"D. Home Port Fee. Rates and fees for vessels operating in the Territorial waters of the Commonwealth on a continuing and long-term basis may be established by agreement, exclusive of this Terminal Tariff, pursuant to the powers conferred upon CPA by law. In the absence of such an agreement, all of the rates and fees set forth in this Terminal Tariff and elsewhere in the Harbor Regulations shall apply, except that the dockage rates shall be as follows:

Overrall	length of Vessel i	n Feet: Charge per month
Over	But Not Over	or fraction thereof
0	25	\$15.00
25	75	\$25.00
75	100	\$75.00
100	150	\$100.00
150		Daily rates specified in Part V.D shall apply.

§ 2. This Amendment shall take effect upon its promulgation in the manner provided by law.

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Commonwealth of the Northern Mariana Islands

Department of Public Health & Environmental Services
Division of Environmental Quality
Saivan. Mariana Islands 96950



Cable Address: Cov. NMI Saipan Tel. 6984/6114

Office of Registrar of Corporations
ommonwealth of the Northern Mariana Islands

PUBLIC NOTICE

NOTICE OF ADOPTION
OF AMENDMENTS TO

UNDERGROUND INJECTION CONTROL REGULATIONS
FOR PUBLIC LAW 3-23

DEPARTMENT OF PUBLIC HEALTH & ENVIRONMENTAL SERVICES

The Director of the Department of Public Health and Environmental Services of the Commonwealth of the Northern Mariana Islands hereby amends the regulations establishing requirements for any underground injection of hazardous wastes of fluids used for extraction of minerals, oil, and energy, and of certain other fluids with potential to contaminate groundwater in order to protect underground sources of drinking water which were published in the Commonwealth Register Volume 6, Number 5, May 15, 1984, Page 2802-2813. These amended regulations are promulgated pursuant to the authority granted the Director of Public Health and Environmental Services under Public Law 3-23. The regulations prohibit deep injection of wastes, injection of hazardous wastes, injection of fluids associated with oil and gas mining, solution mining, and other categories identified in these regulations. They allow all other types of injection to exist, subject to applicable regulations. They do not apply to drinking water supply wells, water production wells, monitoring well drilling, development, and rehabilitation processes.

Copies of the regulations and amendments may be obtained from the Department of Public Health and Environmental Services, Division of Environmental Quality, located at Dr. Torres Hospital, Saipan, CM 96950. These regulations and amendments becomes effective within ten (10) days from the date this notice is published in the Commonwealth Register.

11. 1935 Date

DR. JOSE T. VILLAGOMEZ, Director Department of Public Health and

Environmental Services

Commonwealth of the Northern Mariana Islands

Department of Public Tealth & Environmental Services Division of Environmental Quality Saipan, Mariana Islands 96950



Cable Address: Cov. NMI Saipan Tel. 6984/6114

Corporations

NOTISIAN PUBLIKO

Office of the Northern Mariana Islands
Commonwealth of the Northern Mariana Northern NOTISIAN MA ADOPTA NA AMENDASION MADULOK PAPA' TANO' NA AREKLAMENTO SIHA PARA I LAI PUBLIKO 3-23 GINEN I DEPATTAMENTON HINEMLO" PUBLIKO YAN ENVIRONMENTAL NA SETBISIO

> I Direktot i Depattamenton Hinemlo' Publiko yan i Environmental na Setbisio gi Commonwealth gi sankattan siha na isla ha adopta amendasion areklamento para uma establesi maseha hafa na klasen madulok papa' tano' pot peligrosu na trompeson, fluids para mana' suhan i minerals, lana, energy yan pot otro metton na fluids ni sina pumesible para u tatme i hanom papa' tano' ni para u prinitehi i hale' papa' tano' pot hanom magimen ni ma proklama gi Commonwealth Register, Vol. 6, Numeru 5, May 15, 1984, pahina 2802-2813. Este na areklamento siempre uma propone pinetsigi para i ma na'i na atoridat i Direktot i Depattamenton Hinemlo' yan Environmental na Setbisio para i lai Publiko 3-23. I areklamento ha prohibi taddong na madulok trompeson, madulok fluids ni dumadanna' yan lana, minan gasilina, minan diritiyon, madulok piligrosu na trompeson, yan otro siha na katigurat ni ma aidentifika gi areklamento. Ma petmiti todu otro na klasen dinilok para i gagaige, sigun gi areklamento. Ti ha aplilika i suplika na hanom tupo' yan produkto na hanom tupo', pat i mamanenea na madulok tupo' development, yan rehabilitation processes.

Kopian i ma adopta na regulasion yan i amendasion siha sina machule' ginen i Depattamenton Hinemlo Publiko yan Setbision Environmental, Dibision i Kualidat Environmental, Dr. Torres Hospital, Saipan, CM 96950, gi halom 10 dias na tiempo desde i ha'ani anai este na notisia ma publika gi halom i Commonwealth Register.

Depattamenton Hinemlo' yar

Setbision Environment.

Filed this Die day January 1985. Office of Registrar of Corporations PUBLIC NOTICE Commonwealth of the Northern Mariana Islands

PROPOSED AMENDMENTS TO THE

NUTRITION ASSISTANCE PROGRAM REGULATIONS DEPARTMENT OF COMMUNITY AND CULTURAL AFFAIRS

The Director of the Department of Community and Cultural Affairs is proposing amendments to regulations governing the administration of the Nutrition Assistance Program in the Northern Marianas.

These amendments to the NAP Manual of Operations pertain to policies and procedures in the areas of:

> 1. Fair Hearing

> > 12/3//

- Fraud Hearing
- Application Processing (Additional Requirement, Social Security Number)
- Household Concept
- Voluntary Changes

The proposed amendments are available for review during regular working hours, Monday through Friday, at the Department of Community and Cultural Affairs, NAP Division, Lower Base, Saipan, CM 96950.

Anyone interested in commenting on the proposed amendments may do so by submitting comments in writing to the Director, DCCA, Lower Base, Saipan, CM 96950 within thirty (30) days from the date this notice is published in the Commonwealth Register.

GILBERT C. ADA

Director, C&CA

Office of Registrar of Corporations

Commonwealth of the Northern Mariana Islands

NUTISIAN PUPBLEKU

MAPRUPONI NA AMENDASION PARA I REGULATION I PRUGRAMAN AYUDON NENGKANNO' DEPATTAMENTON I COMMUNITY YAN CULTURAL AFFAIRS

I Direktot i Depattamenton Community and Cultural Affairs man prupononi amendasion para i regulasion ni ginebebetna i ma'atministran Prugrama Ayudon Nengkanno' gi halom i Sangkattan na Islan Marianas.

Este siha na amendasion para i NAP Manual of Operations has sasangan i areklo siha yan taimanu ma'aplika'na gi sigiente siha na patte:

> Husto na Inekkungok 1.

Ti Husto na Inekkungok

- Macho'quen i Aplikasion (Mata'luyi na Ginagao, Numiron i Social Security)
- Kinemprende pot Membron gi Gima'

Buluntat na Tinilaika 5.

I mapruponi na amendasion mana quaha para u ma'ina gi duranten i oran cho'cho' gubenamento, Lunes asta Betnes, gi Depattamenton Kuminida yan Kottura, Dibision NAP, Lower Base, Saipan, CM 96950.

Haye enterasao mana'i ayudu para i mapruponi na amendasion sina ha na'halom i tinige'-na pot i ma sangan na amendasion guato gi Direktot i DCCA, Lower Base, Saipan, CM 96950 gi halom i trenta (30) dias desde i fechan i mapupblika na gi lepblon i Commonwealth Register.

14/2/14

GILBERT C. ADA Direktot, C&CA

AMENDMENT NO. 1-85

AMENDMENTS TO CERTAIN SECTIONS OF THE NAP MANUAL OF OPERATION.

Please amend the NAP Manual of Operation as follows:

1. Section V. Eligibility of Households

Section V A. Household Concept, paragraph 1 is amended to read as follows:

1. Eligibility for participation in the program shall be determined on a household basis. A household is defined as an individual or group of individuals who commonly purchase food and prepare meals for home consumption. Members of a household who is 55 years or older, or disabled and receiving SSI shall be treated as separate from the household if there are other adult members of the household.

2. Section V. Eligibility of Households

Section V H. Voluntary Changes in HH Circumstances is amended to read as follows:

An applicant household which changes its household circumstances as described in the application for the purpose of rendering it eligible in a subsequent application submitted within 30 days following a State agency determination of ineligibility shall be penalized as follows:

- 1. If new or reopen case, disqualification from participation in the program for one month beginning with the date of the notice of ineligibility.
- 2. If recertification case, disqualification from participation in the program for three months beginning with the date of the notice of ineligibility.

The changes in household circumstances which shall be construed as deliberate acts calculated to circumvent the initial determination of the household's ineligibility shall include but are not limited to:

- 1. Departure or removal of working members from the household in order to meet the income eligibility guidelines.
- 2. Inclusion of grandchildren or other relatives in the household in order to meet the income eligibility guidelines.
- 3. Transfer or conversion of liquid resources in order to meet the resource eligibility guidelines.

Applications submitted after 30 days of the date of the notice of ineligibility shall be processed as any other new application.

When households are disqualified from participation in the program as a result of this provision, the State agency shall indicate in the written notice the inclusive dates of the period of disqualification. The notice of disqualification shall be prepared and sent to the household the same day the subsequent application submitted within 30 days following a State agency determination of ineligibility is received by the EW.

3. Section VI. Certification of Households

Section VI A. Application Process, paragraph 4 shall be re-numbered as paragraph 5. The new paragraph 4 shall read as follows:

4. Social Security Number. Each member of the household must have a social security number in order to participate in the NAP. The head of the household or the applicant must ensure that a social security number is indicated for each member in the NAP application form.

4. Section VI. Certification of Households

Section VI C. Verification, paragraph 1 is amended by adding item c which shall read as follows:

1. Mandatory Verification.

c. Social Security numbers shall also be verified prior to certification of the household. At initial certification, the applicant shall be required to present a social security card or aceptable alternate documentation from the Social Security Office which would verify the social security number of each household member. Members added to the household during subsequent recertification shall be required to present a social security card or acceptable alternate documentation from the Social Security Office to verify their social security number.

5. Section VI. Certification of Households

Section VI N. Fair Hearing, paragraph 4 shall be amended to read as follows:

- 4. The NAP Administrator shall not deny or dismiss requests for an agency conference or hearing unless:
 - a. The request is not received within the time period specified in paragraph N 2 above; or
 - b. The request is withdrawn in writing by the household or its authorized representative.
- 6. Section VI N. Fair Hearing, paragraph 9 shall be amended to read as follows:

9. Attendance at hearing. The hearing shall be attended by representatives of the State Agency which initiated the action being contested and by the head of household and/or its representative. The hearing may also be attended by friends or relatives of the household if the household desires. If the household member or its authorized representative cannot be located or fails to appear at the hearing without good cause, the hearing shall be conducted and a decision made without the household represented. If it is later determined that the household or its authorized representative had good cause for not appearing, the hearing shall be rescheduled if requested by the household or its authorized representative within 5 days from the date of the hearing decision. The hearing official who originally ruled on the case may conduct the new hearing.

7. Section VI. Certification of Household

Section VI N. Fair Hearing, paragraph 12 shall be amended to read as follows:

12. Participation while awaiting a hearing. A pending hearing shall stay an involuntary allotment reduction. It shall not affect the household's right to be certified and participate in the program. The State agency shall determine the eligibility and benefit level of the household in the same manner it would be determined for any other household. The household must be informed however that if the hearing decision is adverse to the household, it would be required to pay NAP the allotment received during the pendency of a hearing decision.

8. Section VI. Certification of Households

Section VI N. Fair Hearing. Add paragraph 14 which shall read as follows:

14. The State agency shall request a separate fraud hearing if in the course of the fair hearing evidence surfaced which strongly suggests that fraud had been committed. The hearing official shall not determine fraud in a fair hearing. A determination of fraud can only be reached by the State agency as a result of a fraud hearing.

EMERGENCY REGULATIONS

The Attorney General for the Commonwealth of the Northern Mariana Islands hereby promulgates regulations for the registration of aliens under the authority of sections 24(a) and 5(b)(1) of Public Law No. 3-105 and section 1601 of Title 4 of the Commonwealth Code. Attorney General hereby finds that there is a need to immediately promulgate regulations and that it is in the public interest that these regulations take effect prior to public notice and public hearing under Section 9105(b)(2) of Title 1 of the Commonwealth Code. A period of forty (40) days would cause the regulations to take effect after the registration process is completed during 1985. is necessary to establish accurate records of aliens who are presently in the Commonwealth and the extent of their immigration permits. There are presently no systematic records in this area. Annual registration can collect in a systematic manner the required information. Annual registration has been conducted in past years during the month of January so is expected to be conducted during January of 1985.

The authority to collect registration fees is provided for in section 1601 of Title 4 of the Commonwealth Code. However, that section requires such regulations to be submitted to the legislature for approval.

. . . unless such regulation is disapproved within 60 days from the date of its submission to the Legislature for affirmative vote of either house of the Legislature.

This type of legislative veto has been struck down as constitutionally infirm in Immigration and Naturalization Service v. Chadha, 103 S.Ct. 2764 (1983) We have similarly opined that such a legislative veto is invalid under Commonwealth laws in AG Opinion 84-131 on September 4, 1984 (holding that legislative submission of Coastal Resource Management regulations is unconstitutional and therefore unnecessary). For that reason, these regulations will be promulgated only under the Administrative Procedures Act.

These regulations shall become effective upon filing with the Registrar of Corporations and shall remain in effect for 120 days.

ILIXFORD C. KUSACK

Attorney General

Concurred by:

PEDRO P. TENORIO Governor

Registrar of Corporations

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IMMIGRATION REGISTRATION

Section 101. Purpose. These regulations shall provide for a system of annual registration as required by Section 24 of Public Law No. 3-105.

Section 102. Definitions. The words and phrases used in these regulations have the meanings ascribed to them in Section 3 of Public Law No. 3-105.

Section 103. Registration.

- Every alien who remains in the Commonwealth longer than ninety (90) days shall register with the Office of Immigration and Naturalization.
- Every alien who is present in the Commonwealth on the first day of a calendar year shall register with forty-five (45) days with the Office of Immigration and Naturalization. This is a continuing obligation which must be renewed annually.
- Parents and legal guardians are responsible for the registration of aliens under the age of 18.

Section 104. Registered Alien Card.

- Aliens who file the required documents, pay the required fee, and who are legally present in the Commonwealth shall receive a Registered Alien Card.
- The Registered Alien Card shall have the alien's photograph on one side and the signature of the Immigration and Naturalization Officer or a Registrar on the other side. The card shall also include a physical description, the name and address of the alien's employer, the expiration dates of the entry permit, passport, and labor certificate, as well as the alien's local address. The front of the card shall have the seal of the Commonwealth of the Northern Mariana Islands printed in the background.
- Any alien 18 years old or older shall keep his or her Registered Alien Card in their personal possession.
- Section 105. Registration Fee. No Registered Alien Card shall issue until the alien has paid a ten dollar (\$10.00) application processing fee to the Treasurer of the Commonwealth of the Northern Mariana Islands. Any alien issued a card without payment of the fee shall not be deemed to have registered as required by law.

Section 106. Application.

The alien must complete an Alien Registration Application and sign it under penalty of perjury before a Registrar.

b. Any alien who is a nonresident worker must submit a completed Affidavit of Employer of Nonresident Worker. The affidavit must be signed under penalty of perjury.

Section 107. Examination.

- a. Upon registration the alien must appear before a registrar in the Office of Immigration and Naturalization.
- b. The registrar shall require the alien to take an oath under penalty of perjury that the information submitted is true and correct and witness the alien's signature to that effect upon the Alien Registration Application. In addition, the alien must answer under oath questions relevant to the application and the alien's immigration status.

Section 108. Not Evidence of Legal Status.

- a. The purpose of the Alien Registration Card is to provide the alien with acceptable identification.
- b. The purpose of the application is to provide the government of the Commonwealth of the Northern Mariana Islands with background information on each alien, statistical data for the purpose of analyzing immigration in the Commonwealth, and a means of a detecting overstays among aliens.
- c. The issuance of a Registered Alien Card is not an adjudicatory act determining the legality of an alien's status. It is evidence only of the receipt of information for the above purposes.
- Section 109. Immigration Processing. The Immigration and Naturalization Officer shall cause the information received to be recorded on computer. In addition, a current file system shall be established with a file for each alien containing, at the minimum, the application forms and a photograph of the alien.
- Section 110. Effective Date. These regulations shall apply to registration during 1985. However, those aliens who have registered prior to the notice of these regulations shall be deemed to have validly registered if they have submitted the required documents, the Commonwealth Treasurer retains their application fee and they have been issued an Alien Registration Card.