#### COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

CIVIC CENTER, SAIPAN, MARIANA ISLANDS

VOLUME 8 NUMBER 2

PAGE 4205 to PAGE 4219

DATE OF PUBLICATION: FEBRUARY 17, 1986



# Commonwealth

# Register

Published monthly by the Registrar of Corporation Office of the Attorney General Saipan, Mariana Islands 96950

## TABLE OF CONTENTS

ADOPTED REGULATIONS:		
Amendment No. 71285 for Revenue and Taxation Regulations No. 8301	Page	4205
Regulations for Division of Procurement and Supply - Department of Finance	Page	4207
Amendments Regulations Providing for Distribution of Headnote 3(A) Production	Page	4216
PROPOSED REGULATIONS:		
User's Fees for Department of Education Facilities	Page	4213



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

FOR OFFICIAL USE CABLE ADDRESS GOV. NMI SAIPAN REPLY TO:

Rev. & Tax.

DEPT. or ACTIVITY

February 17, 1986

PUBLIC NOTICE

ADOPTED AMENDMENT NO. 71285
REVENUE AND TAXATION REGULATIONS NO. 8301

The Director of Finance, in accordance with 4 CMC §§1811 and 1818, and 1 CMC §2557, has published amendments to the rules and regulations identified as Revenue and Taxation Regulations No. 8301 of the Division of Revenue and Taxation.

The adopted amendments include the following subjects:

Section 1. Title and number of the amendment.

Section 2. Repealing §4.1707.1 of the regulations.

The amendments may be inspected at the Division of Revenue and Taxation, Central Office, Capitol Hill, Commonwealth of the Northern Mariana Islands, Saipan, CM 96950. These amendments are published in the Commonwealth Register. Copies of the register may be obtained from the Attorney General's Office.

Certified By:

TOMAS B ALDAN

Director of Finance

Date



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

FOR OFFICIAL USE CABLE ADDRESS GOV. NMI SAIPAN REPLY TO:

Rev. & Tax.

DEPT. or ACTIVITY

Febrero 17, 1986

NOTISIAN PUBLIKU

MA ADOPTA NA AMENDASION NO. 71285 AREGLAMENTO NUMERO 8301 PARA I REVENUE YAN TAXATION

I Direktot i Finansiat, segun i 4 CMC §\$1811 yan 1818, yan 1 CMC §2557, man publika amendasion gi areglamento yan regulasion ni ma rekognisa komo Revenue yan Taxation Regulasion No. 8301.

I ma adopta na amendasion ha-konsiste este siha:

Seksiona 1. Titulu yan numeron i amendasion.

Seksiona 2. Dinirogan i §4.1707.1 gi regulasion.

I amendasion gi regulasion sina ma rikonosi gi Ofisinan i Revenue yan Taxation gi Capitol Hill, Commonwealth of the Northern Mariana Islands, Saipan, CM 96950. Este na amendasion gi regulasion ma publika gi Commonwealth Register. Sina manule hao kopian este na publikasion gi Ofisinan i Abogadon Gobietno.

Sinettifika As:

TOMAS B. LDAN

Direktot i rinansiat

'echa

#### PUBLIC NOTICE

#### ADOPTED REGULATIONS

#### DIVISION OF PROCUREMENT AND SUPPLY, DEPARTMENT OF FINANCE

Authorit,

The Director of Finance in accordance with Title 1 section 2557 of the Commonwealth Code is authorized to adopt rules and regulations necessary to perform his duties and responsibilities which include the administration of the Division of Procurement and Supply pursuant to 1 CMC section 2553 (j).

Subject matter

The adopted Amendment to the CNMI Procurement Regulations modifies Article I Part A Section 1-105 of the CNMI Procurement Regulations as published July 22, 1985 and as effective August 1, 1985.

#### Effective date

These regulations shall take effect ten (10) days after publication.

Comas B. Alden

Director of Finance

#### CNMI Procurement Regulations

#### Amendment of Section 105

1. 105(a) Applicability of Resulations

Except as otherwise specified by law, these regulations apply to every expenditure of public funds irrespective of source, including federal assistance monies and Covenant funds, which are not subject to federal procurement requirements. These regulations do not apply to contracts between the government and its political subdivisions or other governments. Nothing in these regulations shall be construed to prevent any governmental body or political subdivision from complying with the terms and conditions of any grant, cooperative agreement or memoranda of understanding. 105(b) Exemetion. Notwithstanding section 1-105(a) or any other provision of the CNMI Procurement Regulations, or of law, the CNMI Procurement Regulations shall not apply to any expenditure for construction of the Commonwealth Health Center. This exemption shall terminate upon the architect's certificate of substantial completion of the Commonwealth Health Center.

#### NUTISIAN PUPBLEKU

#### MA'ADOPTA NA AREKLAMENTO

#### DIBISION I PROCUREMENT AND SUPPLY, DIPATTAMENTO FINANSIAT

#### Aoturidat

I Dipattamenton Fainanciat sigun gi Titulu I Seksiona 2557 gi Kodigon Commonwealth ma'aoturisa para u fanadopta areklamento osea rigulasion anai nisisario na u cho'gue i che'cho' yan responsapblidat-ña siha ni ha kukubre i ma'admenistran i Dibision i Procurement and Supply para i 1 CMC seksiona 2553 (j).

#### Asunton suhetu

I ma'adopta na amendasion para i Rigulasion <u>CNMI Procurement</u> ha na'guaha tinilaika gi Attikulu I Patte A Seksiona 1-105 gi Rigulasion <u>CNMI Procurement</u> ni mapupblika gi Julio 22, 1985 ya umifektibu gi Agosto 1, 1985.

#### Umifektibon i fecha

Este siha na rigulasion u ifektibu dies (10) dias despues di mapuplika.

Tomas B. Aldan Direktot Fainansiat

#### REGULASION CNMI PROCUREMENT

#### Amendasion i Seksiona 105

Fuera ha' di ottro manera ni ha sasangan i lai, este siha na rigulasion ha aplilika guato gi maseha hafa na gasto ni ginen i fondon pupbliku, kinikibre i salappe' ayudon fiderat yan fondon Covenant, ni ti tinitika i ginagagao na areklamenton fiderat. Este siha na rigulasion ti inaplilika contrata gi entalo' gubietnamento yan i dulente-ña patten i dibision pulitika pat ottro gubietnamento. Taya' gi este siha na rigulasion u ma'eksplika put para u chanda maseha hafa kuetpon gubietnamento pat patten i dibision pulitikat gi ginagagao na tiempo yan kondision maseha hafa na ayudon salappe. dinanña, ni aprebao na kontrata pat aseptao na kontrata.

105(b) Mafa'sahnee. Sinembatgo i seksiona 1-105(a) pat maseha ottro prubision i rigulasion <u>CNMI Procurement</u>, pat i lai, i rigulasion <u>CNMI Procurement</u> ti u inaplika gasto put i makahat i Commonwealth Health Center. Este na fina'sahnge u uttemo ha' ya u para ha' gigon humuyong i settifikasion i kumakahat i Commonwealth Health Center.

#### ARONGORONGOL TOWLAP

#### MWEIMWEIYIL ALLEGH

Bwulasiyool Procurement me Supply, Depattementool Finance

#### Lemelem:

Sángi Title 1 tálil 2557 mellol Commonwealth Code nge Samwoolul Finance emmwel ngáli bwe ebwe mweiti allegh me mwóghutughut kka ebwe ghatch reel meta kka ebwe feerú me lemelem ikka e lo llól administration-ul bwulasiyool Procurement me Supply ikka e allegh lo mellól 1 CMC tálil 2553 (j).

### Lemelemil Meta:

Adopted amendment ngali CNMI <u>Procurement Regulations</u> e liiwel lo mellol <u>article I</u> ailetil A talil 1-105 mellol <u>CNMI Procurement</u>
Re•ulations iwe e toowow wool Uliyo 22, 1985 me e ffat lo wool Ogosto 1, 1985.

## Raalil ye e ffat lo:

Allegh yeel nge ebwe allegh lo llol seigh ral mwiril igha ebwe orongorongwow.

Thomas B. Aldan Samwoolul inance

#### ALLEGHUL PROCUREMENT LLOL CNMI

Liiwil llol talil 105

1. 105 (a) allegh

Ngare schagh e ttaf lo sangi laay, allegh yeel nge emmwel schagh ebwe yaaya ngali towlap inaamwo iyo, bwal salapiyal federood me Covenant funds, ikka e selo llol alleghul Federal Procurement. Allegh yeel nge ese bwal aschischi ngali contracts kka re ghal ghulefengal me gobenno me poliitica me akkaaw gobenno. Esoor meta mellol allegh yeel emmwel ebwe ffeer bwe ebwe tepengi inaamwo iya reel gobenno me ngare,

105(b) Sassal. Llol aweweel allegh kkaal 1-105(a) me alongal alleghúl llol Commonwealth reel Procurement nge ese yaaya ngali mwoghutughutul salaapiyal CNMI Health Center mwu ekke ekkayuta. Sassal yeel nge ebwe mwutchulo llol takkelool Commonwealth Health Center yeel.



## Commonwealth of the Northern Mariana Islands

OFFICE OF THE SUPERINTENDENT DEPARTMENT OF EDUCATION SAIPAN. CM 96950

Phone: 9812/9823/9827/9311



Gov. NMI Saipan

### **PUBLIC NOTICE**

Proposed Adoption of Department of Education Rules and Regulations

The Board of Education of the Northern Mariana Islands, in accordance with Public Law 3-43, is proposing to adopt rules and regulations.

The proposed rules and regulations include the following subject area:

1. User's Fees for Department of Education Facilities

Copies of the proposed regulations may be obtained from Henry I. Sablan, Superintendent of the Department of Education, at Lower Base, Saipan, CM 96950.

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

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

Date: 2/13/86

Acting Chairperson, Board of Education



# Commonwealth of the Northern Mariana Islands

OFFICE OF THE SUPERINTENDENT DEPARTMENT OF EDUCATION SAIPAN, CM 96950

Phone: 9812/9823/9827/9311



### NUTISIA PARA I PUBLIKU

I MAPROPOPONI NA RIPARASION POT I REGULASION GI HALOM I DEPATTAMENTON EDUKASION

Sigun gi Lain Pupbliku numiru 3-43, i Board of Education i san kattan siha na Islas Marianas, ha propoponi rumipasa i regulasion.

l manmapropoponi siha na regulasion ni para u fanmaripasa ha inklulusu i manatatte siha na arean suhetu:

1. Apas para i manmanu'usa kossas Dipattamenton Edukasion

I kopian i manmapropoponi siha na regulasion sina manmachule' ginen as Sinot Henry I. Sablan, Superintendent i Depattamenton Edukasion, gi ufisinan i Lower Base, Saipan, CM 96950.

I Board of Education lokkue' ha solilista opinion, fakto, yan enformasion siha para osino kontra i manmapropoponi siha na regulasion ginen i pupbliku hinerat.

Todu ayu siha i manenteresao manmanlaknos rekomendasion pot i mapropoponi na tinilaika gi regulasion siha, sina manmangge' guatu gi Superintendent i Edukasion, Lower Base, Saipan, CM, gi halom i trenta (30) dias desde i fecha ni manpupblika este na nutisia gi Commonwealth Register.

Fecha: 9/13/86

Rabet D. Rubbin Acting Chairperson, Board of Education

### FACILITY USE BY OUTSIDE PERSONS AND/OR AGENCIES

No public school building, equipment or property shall be used for any non-Department of Education activity except with the expressed approval of that school building's principal.

All requests for the use of public school facilities shall be made in writing on a designated form available in the principal's office to the school principal at least three days in advance of the proposed usage.

Each request must state the purpose and nature of the proposed use, and the name(s) of the responsible party. For the use of a building, the requestor must state the approximate time involved, the estimated number of people to be in attendance, and any other pertinent information requested by the principal.

The school principal shall have the authority to grant such approval, provided no approval whatsoever shall be granted for any use which will impose on or adversely affect the school's normal operations. However, the Superintendent has the right to overrule the principal's decision if, in his opinion, it is in the interests of the CNMI government.

Any persons or agency using a public school building, equipment or property for a non-Department of Education activity shall be responsible for any damages, losses, repairs, etc., incurred as a result of that usage. The requesting party is solely responsible for returning the facilities or equipment to its previous condition after its usage. A statement of liability shall be signed by the requesting party prior to the actual usage of the public school facilities or equipment.

In the event a school is declared by the Governor to be a typhoon shelter, the persons occupying the school shall be responsible for cleaning and restoring the facility to its previous condition.

Fees covering the usage of facilities, busses, equipment, or property shall be promulgated by the Superintendent. A \$50 deposit is required for the rental of such equipment or facilities fully refundable if no damages are incurred.

#### PROPOSED FEES

<u>ITEM</u>	<u>DAILY RATE</u>
Classroom	\$25
Auditorium	40
The Outside Campus	20
Sedan/Pick-Up	30
School Bus	60 (plus driver overtime)
Video Taping Equipment	50
Movie Projector	25
Overhead Projector	10
Picnic Table	5
Chair	2

#### PUBLIC NOTICE

#### ADOPTED REGULATIONS

Providing For Amendments to Regulations Providing For Distribution of Headnote 3 (A) Production under the Limited Waiver Provided by Administrative Arrangement.

The Director of Finance, under his customs authority, as provided by 1 CMC §§ 2553 (1) and 2557, hereby adopts amendments to the Rules and Regulations For Distribution of Headnote 3 (a) Production as amended published in Vol 7 No. 7 of the Commonwealth Register on July 22, 1985. The substance and description of these proposed amendments was published in the Commonwealth Register in January, 1986

These regulations, which are attached, shall take effect in 10 days following their publication.

Certified by

Tomas B. A dan

Director of Finance

Date

AMENDMENTS TO REGULATIONS PROVIDING FOR DISTRIBUTION OF HEADNOTE 3 (A) PRODUCTION UNDER THE LIMITED WAIVER PROVIDED BY ADMINISTRATIVE AGREEMENT AS PUBLISHED IN THE JUNE, 1985 EDITION OF THE 1985 COMMONWEALTH REGISTER AND AS THEREAFTER AMENDED

#### Findings

are in the best interest of regulations and in the best interest of Commonwealth the Sweater manufacturing industry. Unless these regulations are adopted it appears probable that two of the three manufacturers will go out of business in 1986 and close to 200 jobs (75 local) will be lost in 1986 and the potential employment of many more local workers under the graduated requirements of these regulations will be Substantial future tax revenues will also be lost. forfeited. The closure of these businesses will have a far-reaching effect on the Commonwealth's ability to attract foreign investment. these regulations are adopted the industry can survive, continue to employ local people and contribute both to the private sector economy and to the tax revenues of the Commonwealth.

It is desirable in allocating a limited quota, to provide incentives to businesses to produce more and to hire more local employees. These regulations provide that incentive and reward past contributions to the industry.

The failure of the industry to use its full quota in 1985 adversely affected the industry and contributed to its inability to obtain a substantial increase in that quota for 1986. One of the manufacturers substantially closed down operation in 1985 and only recently has rehired 22 employees 8 of which were local workers.

Section 202 is amended to read as follows:

Section 202. Eligibility for Certificate

- (a) An applicant is eligible for a waiver certificate upon proof of:
  - (1) incorporation in the Commonwealth of the Northern Mariana Islands prior to January 30, 1985;
  - (2) a valid license to conduct a sweater manufacturing business prior to January 30, 1985;
  - (3) full time employment of at least twenty (20) workers employed in the operation of the garment factory, at the time the application is submitted.

- (4) full time employment (40 hours per week) of workers in garment manufacturing operation who are either United States citizens, certificate of identity holders, Public Law No. 5-11 permanent residents, or Trust Territory citizens who comprise the following percentages of the company's labor force:
  - (i) after January 1, 1986 30%, and;
  - (ii) before January 1, 1987 40%.
- (b) Beginning in 1986, all applications for waiver certificates must be made by October 15 of each year.
  - (5) Failure to maintain the minimum requirements of 202 (a) (3) and 202(a) (4) any time during the year shall cause a certificate to be suspended until proof of compliance.

Section 203 is amended as follows:

Section 203. Duration of Certificate

A waiver certificate shall be valid until modified by the issuance of a new waiver certificate pursuant to the allocation in Section 207.

Section 207 is amended as follows:

Section 207 . Allocation of Shares.

- (a) Rationale. The division of shares of the waiver provides an incentive for each manufacturer to employ local workers and to produce sweaters that will maximize the commonwealth's tax collection. The division also recognizes the manufacturer's past production and its tax revenue contribution.
- (b) Each of the three sweater manufacturers shall be allocated a base share of 10,000 dozen. The three categories upon which the allocations above this 10,000 figure shall be based are set forth in this subsection. The waiver shares in each category shall be awarded based upon the applicant's proportionate share of each category. For the allocation of 1986 shares, the period of reference for all three categories below shall be for calendar year 1985.
  - (1) Total payroll paid to non-aliens as defined in Public Law No. 3-105 (during the preceding calendar year)......60%
  - (2) Past sweater production level by assembly and knitting (number of dozens exported in 1985).....20%
  - (3) Total export sales dollar.... 20%

- (c) The sources for the figures used to ascertain shares pursuant to section 207 (b) shall be the following:
  - (1) For figures used in 207(b) (1) an employers created form reconciled with Employer's Income Tax Quarterly Withholding Return (Form: Os-3705, Rev. 3/85).
  - For figures used in 207(b) (2) The Certificate of Origin for all sweaters exported.
  - For figures used in 207(b) (3) Quarterly gross revenue tax forms.
- The division of shares of any waiver in excess of the 73,500 dozen agreement, and the division of any increase, bonus or additional amount authorized by the federal government, shall be by the formula in Section 207.
- No salary amount in excess of \$50,000 will be counted toward the total figure in Section 207 (b) (1).
- Each manufacturer shall be notifed within 20 days from the effective date of these regulations as to his allocation of shares for 1986. Any waiver certificate already issued in 1986. will be modified by this notification.

bellen Pated: 2 34/86

Tomas B. Aldan

Director of Finance