COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS SAIPAN, MARIANA ISLANDS

VOLUME 10 NUMBER 11



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PUBLIC NOTICE

ADOPTED ELECTRIC SERVICE REGULATIONS OF THE COMMONWEALTH UTILITIES CORPORATION

These regulation have been adopted by the Board of Directors of the Commonwealth Utilities Corporation (CUC) pursuant to 4 CMC, Section 8157. These regulations and such other regulations as may be adopted by CUC from time to time shall have the force and effect of law and shall be binding on all persons and entities subject to the jurisdiction of the Commonwealth of the Northern Mariana Islands (CNMI).

The adopted regulations relate generally to the provisions of electric power service in the CNMI and include the following subject areas:

- 1. Right of way and right of access as a condition of receiving electric service;
- 2. General characteristics of electric service provided;
- 3. Application process for receiving electric service;
- 4, Line extension and extension of service;
- 5. Service connections:
- 6. Customer installations:
- 7. Metering;
- 8. Meter testing;
- 9. Adjustment of bills for meter error;
- 10. Temporary suspension for repairs or maintenance;
- 11. Power factor requirements;
- 12. Rendering of bills for electric service;
- 13. Separate meters for individual customers;
- 14. Payment of bills;
- 15. Nonpayment of bills;
- 16. Dispute resolution process;

- 17. Fraud;
- 18. Noncompliance with rate schedule;
- 19. Customer's request for discontinuance of service;
- 20. Restoration/reconnection charge;
- 21. Rate schedules;
- 22. Responsibility for facilities and equipment;
- 23. Interruption of service and liabilities;
- 24. Applicability of American National Electric Code;
- 25. Severability; and
- 26. Supercession of previous regulations.

The adopted regulations were published in the Commonwealth Register on September 15, 1988. The CUC Board of Directors adopted these regulations on October 28, 1988.

Jose M. Taitano, Chairman

Board of Directors

Date

NOTICIAN PUBLICO

I MAN MA ADOPTA NA REGULASION POT SEBISION ELECTRICIDAD GINEN I COMMONWEALTH UTILITIES CORPORATION

Este siha na regulasion man ma adopta nu i Cuetpon Directores i Commonwealth Utilities Corporation (CUC) sigun i 4 CMC, Sectiona 8157. Este siha na regulasion yan otro siha gi man mamamaila man gai fuetsa cumo lai ya debe de uma comple gi cada personat yan cuetpo nu i gaige gi halom i Commonwealth giya Northern Marianas (CNMI).

I man ma adopta na regulasion man tinitika heneratmento provision setbision makinan candit giya CNMI yan haincluso i sigente siha na banda:

- 1. I dinanche na chalan yan debe de u falofangue como condision yangin para unresibe setbision electricidad.
- 2. I henerat siha na provision yangin para un managuahayi setbision electricidad.
- 3. Condision application yangin para un resibe setbision electricidad.
- 4. Ma continuan setbisio osino para u ma estende i line.
- 5. Setbision connecsion.
- 6. Mapegayi i customa
- 7. Ma meta
- 8. Ma chagin i meta
- 9. Ma na dinanchin coblansa pot ginen linachin i meta.
- 10. Temporario na ma suspende pot para mareconosi yan maaregla.
- 11. I ginagagao na catga yan fuetsa nu i makena.
- 12. Coblansa pot setbision candit electricidad.
- 13. Separao na meta para cada individuat na customa.
- 14. Maapasen coblansa
- 15. Coblansa nu i ti ma apase
- 16. Condision osino chalan para u acomprende i ti umacomprende
- 17. Planu, atte, laime, yan kuchinadas anai para u dogeruyi i Gobetno.

- 18. Ti ma complin areglamenton apas;
- 19. Finaisen customa para mana paran setbisio;
- 20. Apas pot para umana agunguaha setbisio;
- 21. Areglamenton apas;
- 22. Responsablidad gi facilidad yan makiniria
- 23. Temporario na mautot osino manapara i setbisio yan cuenta;
- 24. Applicasion i American National Electric Code;
- 25. Macontinua ma enfuetsa i tetenan na regulasion yangin guaha un patte ti bumale;
- 26. Tibumale i manmalofan siha na regulasion.

I man maadopta siha na regulasion man mapublica gi Commonwealth Register gi Septembre dia 15, 1988. I CUC Board of Directors ha adopta este siha na regulasion gi Octobre dia 28, 1988.

Jose M. Taitano, Chairman

Board of Directors



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

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PUBLIC NOTICE

NOTICE OF ADOPTION OF AMENDMENT TO THE REGULATIONS FOR THE NUTRITION ASSISTANCE PROGRAM, DEPARTMENT OF COMMUNITY AND CULTURAL AFFAIRS.

The Director of the Department of Community and Cultural Affairs hereby adopts the amendment to the Regulations for the Administration of the Nutrition assistance Program in the Northern Marianas which were proposed in the Commonwealth Register, October 15, 1988 issue.

The purpose of this amendment is to modify policies and procedures embodied in the NAP Manual of Operations which pertains to the following subject area:

- 1. Maximum Gross Income Guideline
- 2. Maximum Monthly Allotment Guideline

For a nominal fee, copies of the amended Regulations may be obtained from the Department of Community and Cultural Affairs, Nutrition Assistance Program Division, Lower Base, Saipan MP 96950

Date:

RAMON B. SANT

Director, DC&CA



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

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NUTISIAN PUBLIKU

ADAPTASION I AMENDASION PARA I REGULASION I PRUGRAMAN AYUDON NENGKANO'
DEPATTAMENTON I KUMINIDA YAN KOTTURA

I Direktot i Depattamenton Kuminida yan Kottura ha adapta i amendasion para i regulasion ni ginebebetna i ma'atministran Prugraman Ayudon Nengkano' gi halom i Sangkattan na Islan Marianas, ni ma pruponi gi Rehistan i Commonwealth gi Oktobre 15, 1988.

Este na amendasion para i NAP Manual of Operations ha sasangan i areglo siha yan taimanu ma'aplikana gi sigiente na patte:

- I ginagagao na hinalom salape' gi mes gi gima (Maximum Gross Income)
- 2. I ginagagao na benefisio gi mes na food stamp (Maximum Monthly Allotment)

Kopia siha para este na amendasion, sina mafahan gi officinan i Direktot gi Depattamenton i Kuminida yan Kottura, Lower Base, Saipan, MP 96950

FECHA:

RAMON B. SANTOS Direktot, DC&CA



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS **DEPARTMENT OF PUBLIC SAFETY**

Saipan, Mariana Islands 96950



Edward Manibusan

Gregorio M. Camacho Asst. to Director

Judie Degaille Chief, Admin. Div.

Vicente T. Seman Chief of Corrections

Jose S. Iba Chief of Fire

Jose SN. Babauta Chief of Police

PUBLIC NOTICE

NOTICE OF ADOPTION ΩF RULES AND REGULATIONS

DEPARTMENT OF PUBLIC SAFETY BUREAU OF MOTOR VEHICLES

The Director of the Department of Public Safety of the Commonwealth of the Northern Mariana Islands [CNMI] in accordance with 1 CMC Section 9104 and 9 CMC Div 1, Chapter 2 wishes to advise the general public that the Department of Public Safety Bureau of Motor Vehicles for the Commonwealth of the Northern Mariana Islands has published, in the Commonwealth Register, Vol. 10 No. 8, dated August 15, 1988, its proposed Rules and Regulations governing fees and the requirements of a CNMI dual plated system.

Notice is hereby given that the Director of the Department of Public Safety has adopted these Rules and Regulations as published, without changes on September 15, 1988.

The adopted Rules and Regulations for the CNMI Department of Public Safety Bureau of Motor Vehicles governing fees and the requirements of a CNMI dual plated system are available for inspection at the office of the Director of Public Safety and copies may be obtained

Facsimile - (670) 234-8531 and the office of the CNMI Attorney General.

Administrative Division (670) 234-6823/8536

Central Station

234-6333/7271/6431

Corrections Division 234-7254/8534

Fire Division 234-6222/9222/3437

Patrol Division

234-7271 Investigation Section

234-7208

234-9136

Motor Vehicle Bureau 234-6921/9137

Highway Safety Office

234-6021

Traffic Section 234-7212/7153

Boating Safety Office 234-7212

Training/Public Relations

^{98/8536}

cademy

Zu4-ud39

EMERGENCY - 911

.id:22/24

EDWARD MANIBUSAN

DIRECTOR OF PUBLIC SAFETY

October 6, 1988



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS DEPARTMENT OF PUBLIC SAFETY

Saipan, Mariana Islands 96950



Edward Manibusan Director

Gregorio M. Camacho Asst. to Director

Chief, Admin, Div

Vicente T. Seman Chief of Corrections

Jose S. Iba Chief of Fire

Jose SN. Babauta

ARONGORONG

ARONGORONG REEL AKKÁÁW AWEEWE KKA EBWE LLIIWEL MELLÖL DIPATAMENTOOL PULUSIIYA

Direcktoodul pulusiiya mellol Commonwealth of the Northern Marianas reel 1 CMC Section 9104 me 9 CMC Division 1, Chapter 2, e mwuschal bwe ebwe aghuleey ngaliir aramas towulap bwe Dipatamentool Pulusiiya raa ayoora me ngere fééruwow akkááw aweewe llol Commonwealth Register, Vol. 8 No. 8, sangi August 15, 1988 reel aweweel obwos me mwoghutughutul ngere obwe bweibwogh license plate.

Arongorong yeel nge tooto mereel Direktoodul Pulusiiya reel igha re adaptááli aweewe kkaal wóól September 15, 1988 nge esőőr milikka e lliiwel.

Aweewe kka re adaptáálil reel ghareeta, óbwósul me ngere meta sibwe féérú bwe sibwe taweey tipeer, nge aa yoor llól ofisinaal Direktoodul Pulusiiya me Attorney General ngere ow mwuschal bwe ebwe yoor yaami koopiya.

Facsimile - (670) 234-8531 Cable - c/o GOV. NMI Saipan

Administrative Division (670) 234-6823/8536

Central Station 234-6333/7271/6431

Corrections Division 234-7254/8534

Fire Division 234-6222/9222/3437

Patrol Division 234-7271

Investigation Section 234-7208

Juvenile Unit 234-9136

Motor Vehicle Bureau

234-6921/9137

Highway Safety Office 234-6021

Traffic Section 234-7212/7153

Boating Safety Office

234-7212

Training/Public Relations 198/8536

.cademy 234-0639

EMERGENCY - 911

EDWARD MANIBUSAN DIRECTOR OF PUBLIC SAFETY

DATE: 10-31-88



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS DEPARTMENT OF PUBLIC SAFETY

Saipan, Mariana Islands 96950



Edward Manibusan Director

Gregorio M. Camacho Asst to Director

Judie Degaille Chief, Admin, Div.

Vicente T. Seman Chief of Corrections

Jose S. Iba Chief of Fire

Jose SN, Babauta

NUTISIAN PUBLIKU

MA'ADAPTA NA NUTISIAN GI AREKLAMENTO YAN REGULASION

DEPATTAMENTON I PROTEKSION PUBLIKU
DIBISION GI BANDAN KARETA

I Direktot i Depattamenton i Proteksion Publiku (Pulisia) guini gi halom i Commonwealth gi San Kattan siha na isla (CNMI) segun gi l CMC Seksion 9104 yan i 9 CMC Dibision 1, Chapter 2 malago' para u abisa i publikon henerat na i Depattamenton i Pulisia gi bandan areklamenton kareta na esta monhayan mafa'tinas ma publisa gi Commonwealth Rehistra gi lepblon lai gi Vol. 19 No. 8 gi dia Agusto 15, 1988, i proposition lai yan areklamenton apas pot sisteman lisensian kareta siha.

Malago' lokkue i Direktot na u nutisia na esta ma'adapta este na lai yan areklamento sin hafa na tinulaika gi Septiembre 15, 1988.

I ma'adapta na lai yan areklamento para i CNMI, gi Depattamenton Proteksion i Publiko (Pulisia), gi bandan lisensian kareta ginagagao na sisteman CNMI na i lisensian kareta sina un chule' i kopia-mu para u ma ekspekta gi Ofisinan Pulisia yan sina manule' kopia-mu ginen i ofisinan i CNMI Attorney General.

Facsimite – (670) 234-8531 Cable – c/o GOV, NMI Salpan

Administrative Division (670) 234-6823/8536

Central Station 234-6333/7271/6431

Corrections Division 234-7254/8534

Fire Division 234-6222/9222/3437

234-7271 Investigation Section

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234-9136

234-7208 Juvenile Unit

Motor Vehicle Bureau 234-6921/9137

Highway Safety Office

Traffic Section 234-7212/7153

Boating Safety Office

Training/Public Relations

.cademy 234-5639

EMERGENCY - 911

Savaedheamhin 10-31-85

EDWARD MANIBUSAN
DIREKTOT, DEPATTAMENTON I
PROTEKSION PUBLIKU





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

TEL: 322-9311/9827/9457

CHAIRMAN Luis M. Limes

VICE-CHARMAN Juan B. Tudela

MEMBERS: Anicia Q. Tomokane-Saipan Raynaldo Cing-Tinian Jesus I. Taisaque-Rota

COMMISSIONER OF EDUCATION Henry I. Sabian

PUBLIC NOTICE

Adopted Rules and Regulations

CNMI Public School System

The Board of Education of the Northern Mariana Islands in accordance with Public Law 3-43 has adopted for the CNMI Public School System rules and regulations for the following subject area:

- 1. Amended Age of Entrance
- 2. Amended Attendance Zone
- 3. Amended Fundraising Policy (see attachment)

Copy of the rules and regulations was published on September 15, 1988, Volume 10, No. 9, in the Commonwealth Register. During the designated period for public comment, no comments were received by the Board of Education only on the fundraising policy, which was re-worded. No substantial changes were made. The policies on Age of Entrance and Attendance Zone are adopted as originally promulgated.

Date: Oct. 27, 1988

Anicia Quitugua Tomokane

Acting Chairperson, Board of Education

ATTENDANCE ZONE POLICY

Add:

307.4 Students must enroll in the school attendance zone where their parents or legal guardians are residing.

When needed legal guardianship documents must be submitted as proof before the student may be enrolled in the proper school.

POLICY 601 Age of Entrance

- 601.1 A child shall be admitted to the first grade of elementary school at the beginning of a school year if the child's sixth birthday occurs on or before December 31st of the school year for which entrance application is made.
- 601.2 A child shall be admitted to Kindergarten at the beginning of a school year if the child's fifth birthday occurs on or before December 31st of the school year for which entrance application is made.
- 601.3 A child shall be admitted to Kindergarten at the beginning of a school year if the child's fifth birthday occurs on or before December 31st of the school year for which entrance applications is made.

A child may be admitted to HeadStart at the beginning of a school year if the child's fourth birthday occurs on or before December 31st of the school year for which entrance application is made and if there is a Kindergarten in the child's attendance zone.

A child shall be admitted to HeadStart at the beginning of a school year if the child's fifth birthday occurs on or before December 31st and if Kindergarten is not within the child's attendance zone.

601.4 The Commissioner may make exceptions to this Policy in the event that the Commissioner determines that, because of particular circumstances the application in a particular case would be in the best interest of the child and would not be detrimental to the Public School System.

Adopted Amendment to Fundraising Policy:

Existing fundraising policy will be amended as follows:

 Delete all references to Department of Education and Superintendent and replace with Public School System and Commissioner of Education as appropriate.

Add:

- 703.6: No sale or drinking of alcoholic beverages shall take place at any school related activity regardless of where it is held. Sale of food items prior to breakfast or lunch time in the schools will not be allowed unless approved by the Commissioner of Education. Any other fundraising activity that will hamper the operations of the schools or will take away instructional time from the students will not be allowed. Fundraising activity involving students as candidates for queens will be approved if a majority of the PTA members of respective schools and the principal agree.
- 703.7: Two accounts: PTA and School accounts, shall be established by the Central Office Fiscal Staff. Accounts will be opened at a bank approved by the Board of Education. 40% of the PTA funds raised for every fundraising activity shall be placed in the school account.
- 703.6: The <u>quarterly</u> financial status reports for the Public School System shall include the status report of all funds raised by PTAs, students and individual schools. Donations of any kind will also be a part of the report.
- 703.9 A certificate authorizing fundraising will be issued by the Commissioner and will be posted at the fundraising site at all times during the fundraising.
- 703.10 Any violation of this policy will result in termination of fundraising authorization and possible legal action will be taken by the PSS.

PUBLIC NOTICE

PROPOSED AMENDMENTS TO RULES AND REGULATIONS
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF FISH AND WILDLIFE

The Director of the Department of Natural Resources pursuant to the authority vested in him by Public Law 2-51, codified at 2 CMC Section 5104, is proposing to amend the rules and regulations for the Division of Fish and Wildlife.

The proposed amendments are published in this <u>Commonwealth</u> <u>Register</u> at the same time as this notice.

The Director is soliciting comments on the proposed amendments from the general public.

Anyone interested in commenting on the proposed amendments may do so by submitting comments in writing to the Chief of the Division of Fish and Wildlife within the Department of Natural Resources, Lower Base, Saipan MP 96950. The comments must be received within thirty (30) days from the date this notice appears in the Commonwealth Register.

Date: /0/20/88

NICOLAS M. LEON GUERRERO Director, Department of Natural Resources

NUTISIA PARA I PUBLIKU

Propositon amendasion para i areklamento yan regulasion i depattamenton i Natural Resources - Dibision i Fish and Wildlife

I Direktot i depattamento i Natural Resources komo ma atorisa nu i Lahen Publiku 2-51, ha proposito para hu amenda i areklamento yan regulasion para i Dibision Fish and Wildlife.

I ma'amenda i proposito esta ma publisa gi Commonwealth Register, chumagigo anai malaknos este na notisia.

Para i man interisao manna'i opinion pot i ma'amenda i proposito, submite i opinion-mu gi tinige' guato gi ma'gas i Dibision i Fish and Wildlife gi depattamento i Natural Resources, Lower Base, Saipan, MP 96950. Todo opinion debi di u marisibe gi halom trenta dias despues di i fecha ni mapuplika gi Commonwealth Register.

/0/20/88 Fecha

Micolas M. Leon Guerrero Director of Natural Resources

ARONGORONG

AMMENDMENTS KKA RE MANGI BWE EBWE SSIIWELL MELLOL RULES AND REGULATION-UL DIPATAMENTOOL NATURAL RESOURCE DIVISION-UL FISH ME WILDLIFE

Direktoodul Dipattamentool Natural Resource, reel igha eyoor bwangil ngere igha ii samwool, sangi lai ye (Public Law 2-51) llol 2 CMC Section 5104, ekke mangi bwe ebwe ssiiwelilo akkaaw aleugh ka aleughul Divisionnol Fish me Wildlife.

Ammendments kkaal nge e yoor llol Commonwealth Register, ngere etoowow arongorong yeel.

Direktood yeel e mwuschal bwe ebwe rongorong sangiir mwo aramas towulap meta re mangi me ngere tipali.

Aramas kka re mwuschal bwe rebwe apasaawow meta aaer mangemang me ngere tipeer, nge rebwe iisch ngali Chief of the Division of Fish and Wildlife mellol Dipattamentool Natural Resource, me Lower Base, Saipan MP 96950. Iisch kkaal nge ebwe atotoolong llol eliigh ral (30 days) sangi igha e toowow arongorong yeel mellol Commonwealth Register.

Ral: /

Nicolas M. Leon Guerrero

Director of Natural Resources

PROPOSED AMENDMENTS RULES AND REGULATION DIVISION OF FISH AND WILDLIFE DEPARTMENT OF NATURAL RESOURCES

The Director of Natural Resources after consultation with the Chief of the Division of Fish and Wildlife proposes the following underlined amendments and notice of deletions to the rules and regulations for the Division of Fish and Wildlife.

The entire set of regulations have been renumbered to provide clarity. Therefore, Part 1 is now Part 10; Part 1, Section 1 is now noted Part 10.1.

PART 10 GENERAL PROVISIONS

1. SECTION 10.1 Authority

The Division of Fish and Wildlife of the Department of Natural Resources was created by Commonwealth Public Law No. 2-51 on October 19, 1981, to provide for the conservation of fish, game, and endangered species. Pursuant to 2 CMC §§ 5104(b)(7), 5104(c), 5108, and 5109, the Director of the Department of Natural Resources is authorized to issue regulations necessary to carry out the purposes of P.L. 2-51.

- 2. SECTION 10.3 (a) "Act" means CNMI P.L. 2-51, "The Fish, Game, and Endangered Species Act", 2 CMC §5101.
- 3. SECTION 10.3 (o) "Protected Wildlife" includes all species of resident and migratory birds and mammals not listed in Section 10.2. It is illegal to kill, capture or harass protected wildlife, their offspring, nests or eggs. Protected wildlife includes such groups as native forest birds, waterfowl, shorebirds, seabirds, and marine mammals (porpoises and whales).
- 4. SECTION 10.3 (s) "Subsistence Hunting" means the taking of wildlife to provide sustenance for the taker and his or her family when no other reasonable means of providing sustenance is available. See Section 30.5(b) for examples and clarification.

5. SECTION 10.5 Penalties

Violations of fish and wildlife regulations shall be penalized in accordance with P.L. 2-51, Section 10, $\underline{2}$ CMC § 5109.

- SECTION 20.1(a) ii. 6. In consideration of the privilege of fishing or hunting, regardless of whether a permit is required, any person engaged in fishing or hunting, or having in his or her possession fish or game taken in CNMI, shall upon request and upon being shown proper identification, permit a conservation officer to inspect any fish or game taken by or under control of the person and any tackle, weapon, device, substance, bait, boat, blind, weir, weir, net, trap, or other article used in such fishing or hunting.
- 7. Formerly, PART 2 SECTION $\underline{12}$ (a) (13). The following is deleted:
 - "Green Turtle" Green Turtle (Haggan betde) Chelonia Mydaa
- 8. SECTION 20.1 b. Application and Issuance of Licenses

Licenses for taking of fish and game listed in Sections 30 and 40 et seq. shall be issued by the Division or any of its agents upon written application in the form prescribed by the Division, and payment of a fee as hereinunder provided. Any false statement or information rendered shall invalidate the license issued and subject the individual making the false statement to punishment and penalty or both as prescribed in 2 CMC § 5109. A person who has resided in the Commonwealth for one (1) year or longer may apply as a resident; all others must apply as non-resident. A person need not apply for a license in order to possess game taken by another person, but a "Certificate of Origin" letter signed by a valid license holder must accompany the game animal or parts thereof at all times (see Section 30.1).

A person may not be issued a license if that person:

- has been convicted of any violation of these regulations or any other law relating to the taking of any fish and game within the previous one-year period;
- 2. has failed to provide the information required to issue a license or has made false statements in his application;
- 3. has not returned Hunter Report Cards within the legal period during the preceding two (2) years; and/or
- 4. has not furnished for inspection a valid CNMI identification card allowing him to possess firearms, if he is applying for a hunting license.
- 9. SECTION 20.1 (c) Type of License [Deleting Green Turtle]

Nonc	ommercial	Resident	Non-Resident
1.	Marianas Fruit Bat	closed	closed
2.	Sambar Deer - Per Seaso	n\$5.00	\$20.00
3.	Wild Goat and/or Pig	5.00	20.00
4.	Doves (all 3 species) .	5.00	20.00
5.	Trochus	5.00	20.00
6.	Land Crab	5.00	20.00
7.	Coconut Crab	5.00	20.00
8.	Net		20.00
9.	All Species		100.00
Comm	ercial		
11.	Precious Corals		\$100.00
12.			
13.			
14.	Fish Weir		
15.	Scientific Research		

10. SECTION 20.1 (d) Duration of License

A license shall be valid from 0000 hour of January 1, until 2400 hour of December 31, regardless of the date of its issuance. The license shall be valid to hunt the species during this period, including each part of any "split" seasons. The Chief may suspend, revoke, modify, or cancel any license or permit issued upon conviction in addition to any other penalty provided under the Act.

11. Part 2, SECTION 1 (d) deletes the following language:

"No person, upon the request of an officer, shall refuse to show his license or withhold permission to inspect his fish, game, bag, creel, container, hunting coat or jacket, or carrier or vechicle of any kind where fish or game might be concealed".

12. SECTION 20.1 (f) Display of License

A person to whom a license has been issued as provided in <u>Section 20.1(a)</u> may not permit any other person to carry, display, or use the license in any way. Every person to whom a license has been issued shall carry the license upon his person when hunting or fishing, and shall show the license upon demand of any officer authorized to enforce the Fish and Game laws of the CNMI.

13. SECTION 20.2 (b) Persons Requiring License

(1) A person conducting research on wild or feral animals in the CNMI or captive populations of such animals must have a scientific research license unless excepted by Section 20.2(b)(2)(A) and (B).

14. SECTION 30.1(c) License or "Certificate of Origin" letter to be in Possession

A person must have a valid CNMI hunting license on his person while hunting. Any in possession of a game animal, mounted specimen, antlers, skin, meat or any part thereof must have, in lieu of a valid CNMI hunting license, a letter or statement (receipt, certificate of origin, etc.) signed by a valid CNMI license holder and stating:

1) species and sex of animal; 2) date killed;

3) hunting license number and date issued;

4) person to whom given; and 5) animal part and amount given.

SECTION 30.1(e) Legal Hunting Age

Only persons who may legally possess firearms, bows, or cross bows may hunt game with firearms, bows or cross bows. A valid gun registration

number is required on the license of all hunters who intend to use firearms to take wildlife. Individuals 16 years of age or under may be issued hunting licenses for species that may be legally taken without the use of firearms or bows.

16. SECTION 30.1 (g) Prohibited Activities

The following activities are prohibited:

It is illegal to:

- (1) Hunt while under the influence of alcohol or a narcotic or other disabling drug.
- 17. SECTION 30.1(9) Harm, kill or possess any species of Protected Wildlife or any part thereof without a valid scientific collecting permit.
 - (10) Start a fire in a designated Wildlife Area or Wildlife Sanctuary.
- 18. SECTION 30.2. Hunting Seasons and Harvest Limits for Game Animals

The species of wildlife listed in Table 1 are game animals in the CNMI and may be legally hunted during the hunting seasons specified by individuals in possession of a valid hunting license unless otherwise stated. Consult Table 1 for information on hunting seasons and harvest limits. Unprotected Wildlife may be taken year-round without a hunting license.

TABLE I (Changing dates of many seasons)

	Bag <u>Limit</u>	Season <u>Limit</u>	Season
19. Deleting Sambar Deer	(everywhere	but Rota)	
Sambar Deer (Rota) Wild Goat (Aguijan) Wild Goat (every where	1 10	1 50	9/1-11/30 9/1-11/30
& Pig but Āguijan)	No Limit		Open
Philippine Turtle Dove (Saipan/Aguijan) (Tinian/Rota)	5 1 5	20 50	4/15-5/31 4/15-5/31

Turtle Dove and Fruit Dove			
(Saipan/Aguijan)	10	20	10/1-11/30
(Tinian/Rota)	15	50	10/1-11/30
White Throated Ground Dove	3	9	10/1-11/30
Coconut Crab (every where but			
Saipan)	10	30	9/1-11/30
Coconut Crab (Saipan)	5	15	9/1-11/30
Land Crab	No	Limit	4/1-6/30
			10/1-12/31

- 20. Deleting Section 3(b)(4) "A coconut crab may not be possessed in any form other than alive or cooked".
- 21. Deleting entire Section 3(c) governing green sea turtle.
- 22. SECTION 30.4. Authorized Means of Taking Game Animals
 - (a) Only firearms meeting current CNMI caliber/gauge and registration requirements and cross bows and long bows of 40 pound draw or more may be used to harvest game animals except for live capture as otherwise provided herein for specific species.
- 23. SECTION 4(a) deletes the phrase"...with the exception of sea turtles, coconut crab and..."
- 24. SECTION 30.5(b)(2) deletes the words "in these regulations".
- 25. SECTION 30.5 (b) (3) Permanent residents of the northern islands may legally offer game taken as subsistence to legitimate off-island guests during mealtime. Such game must be consumed by the guest on the premises and may not be transported off-island. Off-island residents may not legally take game in the northern islands except in accordance with normal season and license provisions.
- 26. SECTION 30.6 (d) Special permits will be issued free of charge by the Chief for a specified period of time. A full report including the measures taken, personnel involved, and the number and kind or wildlife killed or captured must be submitted thirty (30) days following the expiration of the special hunting permit. Compliance with reporting requirements will be a significant consideration in the consideration of renewal or extension of special permits.

27. SECTION 30.7(a)

The Director, in accordance with the Chief, may acquire and designate land and/or aquatic habitats or easements as Wildlife Sanctuaries. Wildlife Sanctuaries are created to protect important wildlife populations and their habitat. It is illegal to take or attempt to take wildlife in designated sanctuaries.

28. SECTION 30.7 (b)

The islands of Guguan, Uracas, Maug and Asuncion are designated as wildlife sanctuaries. Landing on these islands is prohibited without prior approval from the Chief except in the case of actual emergency. [The word "is" replaces the word "are".]

29. SECTION 30.10 (a) Random Selection of Hunters

The Director or the Chief shall have the authority to <u>limit the number of hunters by selecting</u> among eligible hunters through a random selection method. <u>The selection procedure shall use the following criteria:</u>

- 30. SECTION 3.11 Deletes the following phrase: "The procedure limiting the number of hunters through a random method shall reflect, but not limited to a consideration of the following:"
- Part 3, SECTION 12 NORTHERN ISLANDS deletes the 31. following: "All vessels travelling to the Northern Islands from any port including Saipan, Tinian, Rota and Guam must notify the Division of Fish and Wildlife prior to their arrival. Captain of the vessel, person in charge, or boat owner shall be responsible for compliance with this subsection. Upon return of the vessel from the Northern Islands to Saipan, Tinian, or Rota the Division of Fish and Wildlife must be immediately notified for purpose of inspection. the vessel is transporting game taken from the Northern Islands, game may not be landed in Saipan, Tinian or Rota until the vessel has been inspected by the Division of Fish and Wildlife. Business hours of the Division are from 7:30 a.m. to 4:30 p.m., Monday through Friday. If the arrival of the vessel in Saipan, Tinian or Rota is expected to occur at a time other than normal

business hours, the vessel must notify the Division of Fish and Wildlife by radio or otherwise during the Division's normal business hours to enable the Division to be adequately staffed for inspection. Failure to notify the Division shall constitute a violation of this subsection."

- 32. SECTION 30.12 replaces Part 3, Section 12.
 - (a) All vessels travelling from any port to the Northern Islands must:
 - Notify the Division of Fish and Wildlife prior to sailing;
 - ii. Return to CNMI for inspection by the Division of Fish and Wildlife at a CNMI port;
 - iii. Notify Division of Fish and Wildlife upon docking if during normal business hours; otherwise all vessels will contact the Division by radio or other form of comunication before arrival to ensure inspection of the vessel upon arrival; and
 - iv. Be inspected for transportation of any fish, game, or wildlife.
 - b. The captain, person in charge, or owner of the vessel shall be responsible for compliance with Section 30.12(a).
 - c. Failure to comply with any requirements of Section 30.12(a) will be deemed a violation.
 - d. Bag limits as promulgated in Section 30.2 shall be in effect for the Northern Islands.
 - e. Season limits as promulgated in Section 30.2. shall be in effect.
 - f. Taking or hunting of any animal on Uracas, Guguan, Asuncion and Maug is prohibited. §\$ 30.7.

PART 40 FISHING REGULATIONS

SECTION 40.1. General Regulations

a. Legal Fishing Time:

It shall be legal to fish during all hours of the day and during all days of the year.

b. Fishing License Required:

No license is required when taking fin fishes with rod and reel, line tackle or with spear.

c. Fishing Age:

Persons of all ages may fish.

SECTION 40.2. <u>Use of Explosives, Chemicals, Poisons, and</u> Electric Shocking Devices.

a. Prohibitions:

The use of explosives, chemicals, poisons, and electric shocking devices is prohibited in the taking of any fish or wildlife.

- No person shall place or cause to be placed, in any waters of the Commonwealth, explosives, poisons, chemicals, electric shocking devices, or other substances with the intent to kill fish, game, marine or other aquatic life.
- No person shall take any fish, game or other marine or aquatic life by means of explosives, poison, chemicals, electric shocking devices or other substances.
- 3. No person shall possess, sell, or purchase any fish, game, marine or other aquatic life taken by means prohibited in this section.

b. <u>Definitions</u>:

- 1. The terms "Poisons", "Chemicals", include but are not limited to Hypochlorus Acid or any of its salts, including bleaches commonly sold under various trade names such as Clorox and Purex and bleaching powders, preparations containing Rotenone, Tephrosin, or plant materials from Baringtonia asiatica, Coculus ferrandianus, Hura drepitans, Piscidia erythrina, Derris spp., Tephorosia purpurea, and Wikstremia.
- The term "Electric Shocking Device" means a device that either maims, stuns or kills fish or wildlife by generating an electric current.
- 3. The term "Explosives" means the use of dynamite, hand grenade, gelignite or other substance capable of violent expansion of gases and the liberation of relatively large amounts of thermal energy.

SECTION 40.3. Use of Nets for Fishing

a. Mesh Size

The use of nets for fishing with a stretched mesh dimension of less than one and one-half (1½) inches in linear measure is prohibited; Provided, however, that the traditional methods of catching fish by the use of such nets as talaya, chenchulu and lagua shall be exempted from this provision.

b. License Required

A license shall be required for fishing with the use of a net.

c. Definitions

Fishing nets covered by these regulations include but are not limited to the following:

33. SECTION 40.3 (d)

- (4) Placed nets found in violation of these provisions shall be confiscated by conservation officers and are subject to forfeiture pursuant to 2 CMC \$5109 (f) (3).
- 34. SECTION 40.3 (d)
 - (5) Any fish or marine plant taken by any dragnet or beach seine and not intended for consumption shall be returned to its proper natural habitat, if alive, or disposed of lawfully, if dead.
- 35. Part 4, SECTION 3 (d)(5) deletes the phrase "the water or removed from the beach and disposed of at the public dump so as not to create a public nusiance."
- 36. Part 4, SECTION 3(e) deletes the following:

Commerce in Nets

It shall be unlawful to sell import or possess with the intent to sell nets whose stretched mesh dimension is less than one and one-half (1½) inches in linear measure; Provided, that this provision shall not apply to the sale of talaya, chenchulu and lagua. Nets violating these provisions shall be removed from sales areas and disposed of outside the Commonwealth or in some other manner.

37. SECTION 40.5. Harvest of Trochus niloticus (Aliling tulompo This section is amended by adding the word "as" and deleting the word "open".

a. Harvesting

- 1) No trochus may be taken except during season as declared by the Director.
- 2) No trochus shall be taken whose shell is less than three (3) inches in diameter at the base.

- 38. Part 4, SECTION 5(c) deletes the words "shall hereby be" and as outlined below and is amended to read as follows:
- 39. SECTION 40.5(c) License

Commercial harvesting, buying, or selling of <u>Trochus</u> is subject to licensing and reporting as follows:

40. SECTION 40.7(a)(2) is amended by adding the word "and":

Impose such conditions on the face of the license as are necessary so as not to: unjustly restrict the fishing of others; impact adversely on the survival needs of fishes; or, violate other provisions of these regulations; and

41. SECTION 40.8. Dredging or Dragging for Precious Corals

It shall be unlawful to dredge or drag for any species of precious coral in the waters of the Commonwealth without first obtaining a license from the Chief and authority to use the submerged lands. A fee of Five Hundred Dollars (\$500.00) shall be paid for each license. The license shall expire at the end of the calendar year regardless of when issued.

42. SECTION 40.9 (1) deletes the word "fishery" and is amended to read:

The purpose of this section is to provide for the conservation of <u>fishing resources</u>. <u>The Chief is authorized</u> to declare a moratorium on the issuance of additional commercial fishing licenses to conserve the resource.

Additionally 40.9(a)(ii) is renumbered to Section 40.9(a)(c).

43. SECTION 50.1 (a) Authority

> In accordance with 2 CMC §§ 5323(c) and 5324, P.L. 2-51 and P.L. 4-55, the Director of Natural Resources promulgates these regulations.

- 44. SECTION 50.1 (c) Only the animals listed in (b) of this section may be lawfully imported into the Commonwealth. It shall be unlawful to import any species of amphibian, reptile, bird, or mammal not on the list in (b) of this section. All animals presented for importing into the Northern Marianas that are not on this list shall be refused entry except as provided in Sections 50.1(b) and 50.2.
- 45. SECTION 50.1 (e) Licensed business establishments may apply to import animals not on the list in (b) of this section for the purpose of public display at the business establishment. Each such application must be approved by the Chief of the Division of Fish and Wildlife and by the Chief of the Division of Animal Health and Industry. The Chiefs may prescribe conditions of the import and later maintenance of such animals. Bonds may not be imposed as conditions of entry. The animals may never be sold or resold but must be disposed of outside the Commonwealth. The animals must be available for inspection on the premises by Conservation Officers.
- 46. The Division will accept applications SECTION 50.1 (f) for additions to the list of admissable animals in Section 50.1 (b).
- 47. SECTION 50.1 (f) (1)
 - (i) common and scientific name and native range of species;
- 48. SECTION 50.1 (f)(2) The Chief will, upon consultation with the Chief, Division of Animal Health and Industry, review the application and inform the applicant as to his findings within thirty (30) days after receipt of a complete application. If the application is approved, the Chief will furnish the Chief, Quarantine Division a revised list of admissible animals (b) within seven (7) days and submit to the legislature an amendment to the "Regulations for Fish and Game" reflecting the addition (s) within one (1) year.

49. SECTION 50.2 (b) The Division shall document all instances of illegal or accidental introduction; further, the Division shall take all efforts necessary to extirpate the introduced species. Persons responsible for introductions are liable for the cost of eradication including but not limited to personnel salaries, transportation, and equipment. The captain and owner of a vessel are responsible for all animals carried thereon.

50. All of Part 60 is new.

Part 60

MISCELLANEOUS

SECTION 60.1 Severability

Should any section, paragraph, sentence, clause or application of any provision of these rules and regulations be declare invalid or unconstitutional by a court of competent jurisdiction, the remainder of these rules and regulations shall not be affected in any way against any person, instrumentality, and circumstance.

SECTION 60.2 Saving

The repeal of any Division of Fish and Wildlife Rules and regulations does not release or extinguish any penalty, forfeiture, or liability incurred or occurred under this The regulation shall be treated as remaining in full force and effect for the purpose of sustaining any proper action or prosecution for the enforcement or the right, penalty, sanction, or forfeiture.

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PUBLIC NOTICE

A.G. OPINIONS PUBLISHED

October 15, 1988 - November 15, 1988

Index

Number	<u>Date</u>	Subject
88-07	10/27/88	Whether the Commonwealth Utilities Corporation is subject to the CNMI General Excise Tax and Liquid Fuel Excise Tax.
88-08	11/10/88	Whether the thirty (30) day time limitation for filing Complaints by Nonresident Workers affect the power of the Department of Commerce and Labor to initiate investigations and bring actions on behalf of Nonresident Workers.

Date: November 15, 1988

ALEXANDRO C. CASTRO Attorney General