

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
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VOLUME 11 NO. 05



MAY 15, 1989

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May 15, 1989

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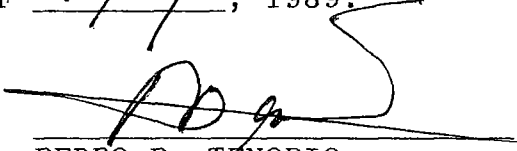
PUBLIC NOTICE

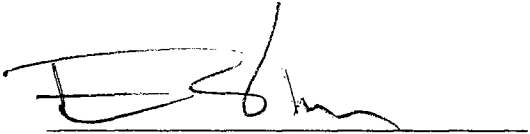
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NOTICE OF ADOPTION OF EMERGENCY REGULATION

Pursuant to 4 CMC 1811 and 1818, the Director of Finance has the authority, with the concurrence of the Governor, to promulgate regulations concerning the enforcement and collection of taxes through the use of liens and levies against property of taxpayers. The Director intends to amend Section 2.811.1 of the permanent Revenue and Taxation Regulations of the CNMI to clarify the powers of the Director with respect to tax liens and levies. To avoid any gap in the application of the proposed amendment before it becomes effective as a permanent regulation, the Director of Finance, with the concurrence of the Governor, finds that the public interest requires the proposed amendment to go into effect immediately as an emergency regulation. Consequently, the proposed regulation shall go into effect immediately as an emergency regulation on the date of the publication of this notice in the Commonwealth Register, and shall remain in effect for a period not to exceed 120 days thereafter. Copies of the complete text of this regulation can be obtained during regular business hours from the Director of Finance, Capitol Hill, Saipan, MP 96950.

DATED THIS 11<sup>th</sup> DAY OF May, 1989.

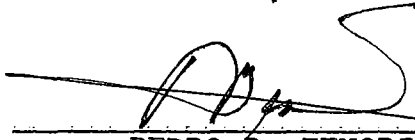
  
PEDRO P. TENORIO  
Governor

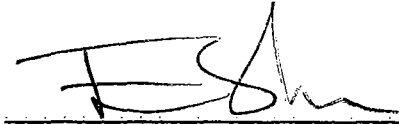
  
ELOY S. INOS  
Director of Finance

NOTISIAN I INADOPTAN I EMERGENCY NA REGULASION

Segun i 4 CMC §§1811 yan 1818, i Direktot i Finansiat guaha autoridatna, ginen i kinenfotman i Gobietno, para u deklaracion publikamente i regulasion siha pot autoridat yan koleksion i aduana siha gi manera na uma usa i "liens" yan "levies" i aduana kontra i propriedat i man man-apapase aduana (taxpayers). I Direktot ha intensiona para u amenda i Seksiona 2.811.1 ginen i petmanente siha na Regulasion i Retidu yan Aduanan i CNMI para u nina' klaro siha i podet i Direktot pot i bandan i "lien" yan "levies" i aduana. Para u suheta i ka'guan i aplikasion i ma intensiona na amendasion antes de u efektibu i para u petmanente i regulasion, i Direktot i Finansiat, yan i kinenfotman i Gobietno, ha-sodda na i interes i publiku ha nesesita i ma entensiona na amendasion na u efektibu ensegidas komo emergency na regulasion. Pues pot este na debi de u efektibu ensegidas i ma entensiona na regulasion gi fechan i ma publikana este na notisia gi Commonwealth Register, yan u efektibu sin mas de 120 dias despues de i ma publikana. I kumplidu na kopian este na regulasion sina ma chule ginen i Direktot i Finansiat, Capitol Hill, Saipan, MP 96950, gi duranten i regulat na oran chocho.

FECHAN ESTE NA HAANE I DIA 11<sup>th</sup> GI MES DE May, 1989.

  
PEDRO P. TENORIO  
Gobietno

  
ELOY S. INOS  
Direktot i Finansiat

EMERGENCY REGULATIONS

PUBLIC LAW NO. 6-22: SHOOTING GALLERY ACT

EMERGENCY: The Attorney General hereby finds under 1 CMC §9105(b) that the public interest requires the adoption of emergency regulations which set minimum standards and qualifications for shooting gallery licensees. Public Law No. 6-22 is a three year extension of a pilot project to study the safety and commercial viability of operating shooting galleries in the Commonwealth. The project began on July 25, 1985. Already almost one year has been lost from the extension period. Applicants are ready to meet the necessary requirements and some have expended large sums of money. Utilization of the emergency regulation procedures will avoid an additional two month delay before the shooting galleries can be put into operation. Application by orderly process would be impossible without an application form and specific criteria set out for the operation of a shooting gallery.

CONTENT: The regulations provide for the location of the business, its physical structure, rules of operation, types of weapons, record keeping, qualifications of licensees and employees, insurance and indemnity, revocation and application procedure.

PUBLIC COMMENTS: Comments on the content of these regulations may be sent to the Attorney General, 2nd Floor, Administration Building, Saipan, MP 96950. A public hearing may be requested by government agencies. All comments will be carefully considered.

AUTHORITY: The Attorney General is authorized and required to promulgate regulations under Section 4 of Public Law No. 6-22.

Certified by: Martin Lounges for  
JOHN F. BIEHL  
Acting Attorney General

5/15/89  
Date

Concurred by: [Signature]  
PEDRO F. TENORIO  
Governor

5/15/89  
Date

[Signature]  
Registrar of Corporations

5/15/89  
Date

EMERGENCY NA AREKLAMENTO

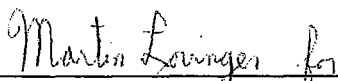
PUBLIC LAW NO. 6-22: SHOOTING GALLERY ACT

EMERGENCY: I Abugadun Henerat hasoda gi papa i CMC §9105(b) na i enteres i publiku hanisisita na uma adopta i areklamento siha niha plaplanta i minimum standards yan kualifikasion siha para i shooting gallery na licensia. I Public Law No. 6-22 guiya este i tres anos na ena-nakko planu ni para uma-estudiaye ni safo yan manea-an i shooting galleries guine gi Commonwealth. Este na planu matutuhon desde Julio 25, 1985. Esta kana un ano malingo ginen i extension este na tiempo. Aplicante siha man listo ni para uma meet i necessario siha na requirements and guaha siha man mausa dangkulo na salape. I ma usan i emergency regulasion na manera siempre a-necesisita additional dos mesis na inatrasao ni para i shooting galleries nae sina ma operate. Aplikation gi areklao na manera sina ha ti pomosible yangin tima fotma i aplikation yan kabales na infotmasion ni para un manea i shooting gallery.


SINAHGUAN: I areklamento siha hana guguaaha para lugat i business, i mauleg na estroktura, areklon i maneanti, klasen atmas siha, leblon nota, kualifikasion siha para licensia yan emplehao siha, insurance yan kompensasion, deneroga yan sisteman aplikasion.

KONTENTON I PUBLIKU: Kueston siha ginen esta na areklamento sina mana hanao guato gi Ofisinan i Abugadun Henerat, 2nd Floor, Administration Building, Saipan, MP 96950. I enekungok i publiku sina ma rekuesta ni eyensian i gobietno. Todo kueston siha siempre ufan ma konsidera.

ATURIDAT: I Abugadun Henerat ma aturisa para uproponi este na areklamento siha gi papa Sectiona 4 gi Public Law 6-22.

Settifika as:  Date: 5/15/89  
JOHN F. BIEHL  
Acting Attorney General

Kinenfotme as:  Date: 5/15/89  
PEDRO P. TENORIO  
Governor

 Date: 5/15/89  
REHISTRAN I CORPORATIONS

SHOOTING GALLERY REGULATIONS  
ARTICLE I. GENERAL PROVISIONS

Part A - GENERAL

Section 1-101. Purposes.

(1) Interpretation. These regulations shall be construed and applied to promote their underlying purposes and policies and supplement the language and requirements of the Shooting Gallery Act found at 6 CMC § 2251 et seq.

(2) Purposes and Policies. The underlying purposes and policies of these regulations are:

(a) Shooting galleries will provide an additional attraction for the growing tourist industry in the Northern Mariana Islands.

(b) There has been a serious and alarming increase in the number of crimes committed with firearms and steps must be taken to prevent improper access to firearms by unauthorized persons.

(c) Accidents associated with the mishandling of firearms have injured and killed both adults and juveniles in the Commonwealth.

(d) The noise created by shooting firearms if not carefully regulated may create a public nuisance.

(e) Safeguards must be provided in the operation of

galleries to protect the residents of the Commonwealth from accidental or intentional injury from the use of firearms therein.

Section 1-102. Authority.

6 CMC § 2254 requires the Attorney General to promulgate regulations for the licensing and the safe operation of shooting galleries. These regulations are based on 6 CMC § 2251 et seq. as amended by Public Law 6-22.

Section 1-103. Requirement of Good Faith.

These regulations require all parties, including government employees, to act in good faith regarding the awarding of shooting gallery licenses and enforcement of these regulations.

Section 1-104. Severability.

If any provision of these regulations or any application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of these regulations which can be given effect without the invalid provision or application, and to this end, the provisions of these regulations are declared to be severable.



Section 2-102. Application Submittal.

All Applications will be submitted to the Department of Commerce and Labor at the Government Center on Capitol Hill, Saipan.

Section 2-103. Award.

Licenses will be awarded by the Department of Commerce and Labor to applicants who have properly completed the application form and who have proven that they qualify under the criteria set by these regulations.

An applicant must meet the following criteria to qualify for a license:

1. Properly and completely fill out the required application form.
2. Pay the \$5,000 fee, or pro rata portion in the first year, to the Department of Revenue and Taxation.
3. Provide proof of having obtained liability insurance in the amount of at least Three Hundred Thousand Dollars (\$300,000.00) for the shooting gallery as required under Section 7-101 of these regulations.
4. Sign an agreement as required under Section 7-103 of these regulations to defend all suits and indemnify the Government for losses due to the negligent operation of the shooting gallery.
5. Have a building or premise that qualifies under the

requirements of these regulations as a shooting gallery.

6. Meet all requirements under Article 8 of these regulations.

Section 2-104. Oversight Committee.

No award will be made without prior consultation of the Director of Commerce and Labor with the Attorney General and the Director of the Department of Public Safety. Together, they or their representatives will constitute an oversight committee for the award and renewal of shooting gallery licenses.

Section 2-105. Number of Shooting Galleries.

(1) There shall be a maximum of five (5) shooting galleries on each of the following islands in the Commonwealth:

- (a) Rota
- (b) Saipan
- (c) Tinian

(2) No licenses for shooting galleries shall be issued for any other islands in the Commonwealth.

(3) Under no circumstances shall more than fifteen (15) shooting gallery licenses total be issued.

(4) Shareholders, directors and officers of one shooting gallery shall have no legal interest in any other shooting gallery.

Section 2-106. Eligibility.

Licenses may be granted only to interim U.S. citizens, U.S. citizens, or permanent residents as defined by Public Law No. 5-11.

Section 2-107. Fee.

A license fee of Five Thousand Dollars (\$5,000.00) is due on January 2 of each year. For the first year the fee shall be apportioned to reflect the number of days remaining in the calendar year. The fee must be paid to the Department of Revenue and Taxation at the Civic Center Office in Susupe, Saipan, prior to applying for a shooting gallery license.

ARTICLE 3. LOCATION OF SHOOTING GALLERY

Section 3-101. Location.

A shooting gallery shall be located in an uninhabited or sparsely populated area so that the safety and tranquility of other persons may be preserved. In determining whether to award or renew a shooting gallery license, the Oversight Committee defined above under Section 2-104 will utilize as an overriding principle that a location will be deemed unacceptable if it poses a threat of physical harm to any person in its proposed location or the noise created would constitute a public nuisance.

## ARTICLE 4. SHOOTING GALLERY PREMISES

### Section 4-101. Buildings.

An inside shooting gallery shall be comprised only of one building and shall meet the requirements of the Model Code for Gallery Shooting Ranges. (Attached hereto as Exhibit "A")

### Section 4-102. Ranges.

Outdoor shooting ranges must meet the minimum standards set by the National Rifle Association and must be enclosed by berms.

### Section 4-103. Range Rules.

Each shooting gallery must adopt range rules approved by the National Rifle Association.

### Section 4-104. Emergency Power.

There shall be emergency lights to cover all shooting positions, each doorway, the entrance and the armory that will turn on automatically should there be any power failure.

### Section 4-105. Restrictions of Visibility.

(1) No shooting activity shall be visible to the public outside of the shooting gallery.

(2) No guns or ammunition shall be visible to the public outside of the shooting gallery.

Section 4-106. Sign Restrictions.

(1) All signs on the premises must be visible to the public. The minimum acceptable size of lettering on signs is three (3) inches in height.

(2) All signs posted must be in English, Chamorro and Carolinian.

Section 4-107. Parking Areas.

All parking areas adjacent to the shooting gallery shall be kept clean of trash and other debris.

Section 4-108. Alcoholic Beverages.

(1) No person who appears to be under the influence of intoxicating liquor or narcotic drug shall be allowed in the shooting gallery section of the building.

(2) No alcoholic beverages may be sold, given away, brought into or upon or consumed within the shooting gallery or range.

Section 4-109. Food and Beverages.

No eating or drinking will be allowed in the booths or on the firing range.

Section 4-110. Entrance.

There shall be at least one entrance and one exit to the shooting gallery. The business must post a security guard, who

shall possess a valid weapons identification card as required in 6 CMC §2204, at the entrance of the shooting gallery section of the building to ensure that:

- (1) sections 4-108 and 4-109 are observed,
- (2) no one under the age of 21 years is admitted, and
- (3) no weapons or ammunition of any type may be brought in without prior approval of the management and then only as permitted by law and these regulations.

Section 4-111. Waiting Area.

The waiting area shall be located in a safe area and constructed in a manner that ensures the safety of the persons located therein. The security guard shall ensure that no persons are allowed to loiter in the waiting area without any legitimate purpose.

Section 4-112. Booths, number.

No shooting gallery shall have more than seven (7) shooting booths.

Section 4-113. Hours of Operation.

The shooting gallery shall be opened to the public no earlier than 8:00 a.m. and shall close by 10:00 p.m.

Section 4-114. Age Limit.

No person under the age of twenty-one (21) years shall be admitted to the shooting gallery area. A sign warning of this restriction shall be conspicuously posted at the entrance.

ARTICLE 5. WEAPONS

Section 5-101. Type.

The shooting gallery may not use nor may the owners, employees or patrons possess any handgun, automatic weapon or rifle larger than .22 caliber and .410 gauge shotgun. The weapons and ammunition that may be utilized within the shooting gallery are those firearms permitted under Chapter 2 of Title 6 of the Commonwealth Code. Firearms training of CNMI law enforcement officers is exempted from this provision.

Section 5-102. Number of Weapons.

No business may possess more than seven (7) principal rifles/-shotguns and seven (7) replacement rifles/shotguns unless good cause is shown for a greater number.

Section 5-103. Inspection.

All weapons being utilized at the shooting gallery must be certified in writing to be in a safe and operable condition by a certified National Rifle Association instructor or licensed gunsmith every thirty (30) days.

Section 5-104. Identification.

The business operating the shooting gallery shall submit the manufacturer's serial number of each firearm to the Office of the Attorney General.

Section 5-105. Storage.

All weapons and ammunition must be safely stored on the premises in a fireproof safe which is set in concrete. Weapons shall be taken from the safe only to be inventoried, cleaned, repaired, fired by a patron or an employee in the shooting gallery, certified to be in good condition, or inspected by a representative of the Attorney General or the Department of Public Safety.

Section 5-106. Inventory.

An inventory of all weapons by manufacturer's serial number and of all ammunition shall be completed and signed at the end of each day. The Attorney General or designee is authorized to inspect these records at any time. A monthly inventory report shall be submitted to the Department of Public Safety and a copy thereof shall be provided to the Attorney General's Office.

Section 5-107. Lost Weapons.

If any weapon or ammunition is lost, the Department of Public Safety shall be notified within a reasonable time which under no circumstances shall exceed twenty-four (24) hours from the time of discovery.



Section 5-108. Personal Weapon.

No personal weapon may be used within the shooting gallery, except by CNMI law enforcement officers authorized to do so by the Director of the Department of Public Safety at a time when no private patrons are using the shooting gallery.

ARTICLE 6. SAFETY

Section 6-101. Targets.

Targets must be fixed and located in an area where there is sufficiently strong backdrop to ensure no penetration and no ricochet.

Section 6-102. Earmuffs.

Patrons and employees must wear earmuffs while on the firing line.

Section 6-103. Range Master.

There shall be a training range master qualified by the National Rifle Association on the firing line at all times to ensure that firing is conducted in an orderly and safe manner.

Section 6-104. Supervision of Day-to-Day Operations.

There must be employed a rangemaster or basic firearms instructor certified by the National Rifle Association to supervise

the day-to-day operations of the shooting gallery. This person must be on the premises of the gallery continually during business hours. This employee must maintain the inventory previously described in Section 5-106 above.

## ARTICLE 7. INSURANCE

### Section 7-101. Insurance.

Each shooting gallery applicant, prior to applying for a license, must obtain liability insurance in an amount of at least Three Hundred Thousand Dollars (\$300,000.00) to cover the acts and omissions of its employees, owners, agents, patrons, and the Commonwealth Government. This insurance must be kept in effect at all times after a shooting gallery license is issued. Termination of this insurance coverage will result in immediate revocation of the shooting gallery license.

### Section 7-102. Hold Harmless.

No patron shall be allowed to use the shooting gallery without first signing a proper legal agreement written in either English, Chamorro, or Carolinian which waives all claims of liability against the gallery and the government that may arise out of use of the gallery. The waiver must be translated into the language of the patron.

Section 7-103. Defense of Suits and Indemnity.

The licensee shall sign an agreement to defend all suits against the Government at his or her own expense and shall indemnify the Government for all loss it sustains as a result of negligence in conducting his or her business. No license shall be granted without this agreement in writing.

ARTICLE 8. QUALIFICATIONS

Section 8-101. Qualifications.

All operators and employees of a licensed shooting gallery must:

(1) receive special permission from the Office of the Attorney General to possess and otherwise use firearms/ammunition owned by the gallery;

(2) possess no felony criminal convictions;

(3) be a U.S. citizen, interim U.S. citizen or a Public Law No. 5-11 permanent resident; and

(4) possess at least fifty (50) hours of training in the safety, use and handling of firearms and ammunition. The training must be conducted by an instructor certified by the National Rifle Association.

## ARTICLE 9. RECORDS

### Section 9-101. Patrons.

The management of a shooting gallery is required to maintain a list of the names of people who use the weapons, expend ammunition and the date and time of such use. These reports shall be filed with the Office of the Attorney General every thirty (30) days.

### Section 9-102. Shift Reports.

All security guards must write a shift report for each shift detailing their activities and any incident during their shifts.

### Sectin 9-103. Training Reports.

A report on the training of each employee shall be kept in his or her personnel file.

### Section 9-104. Financial Audit.

A financial audit shall be done annually by a professional accounting firm to standards set by the Public Auditor on costs, gross receipts and net profits.

## ARTICLE 10. SANCTIONS

### Section 10-101. License Revocation.

Each license is good for only one year. A license may be revoked before that time for a violation of any law or regulation;

provided, however, that such revocation shall only be had after a hearing is conducted. A shooting gallery license will be revoked if any firearms are missing or unaccounted for through the negligence of the licensee or any gallery employee.

Section 10-102. Additional Penalties.

In addition to the revocation of the shooting gallery license there will be a civil penalty of Five Thousand Dollars (\$5,000) assessed against the licensee by the Attorney General if any firearms are missing or unaccounted for through the negligence of the licensee or any gallery employee. This penalty shall be paid by the licensee within ten (10) days of its assessment.

ARTICLE 11. ADVERTISING

Section 11-101. Restrictions on Advertising.

Advertising indicating that firearms which are illegal under the Commonwealth Weapons Control Act or the Shooting Gallery Act are in use in a shooting gallery is strictly prohibited.

ARTICLE 12. MISCELLANEOUS

Section 12-101. Annual Review.

The Department of Commerce and Labor shall report on or before December 15 of each year to the Legislature on the safety and

commercial viability of each shooting gallery on an annual basis prior to renewal of the license.

(1) The licensee must provide the financial audit report referred to in Section 9-104 above to the Department of Commerce and Labor in regards to the commercial viability of the shooting gallery. Failure to do so will result in non-renewal of the business license.

(2) The Department of Public Safety must certify that the shooting gallery passed a safety inspection prior to the report to the Legislature.

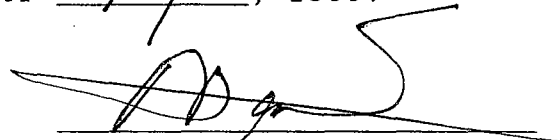
Section 12-102. Emergency.

Upon request of the Attorney General in an emergency, the shooting gallery shall promptly close until allowed to re-open.

NOTICE OF INTENT TO AMEND PERMANENT REGULATION

Pursuant to 4 CMC 1811 and 1818, the Director of Finance has the authority, with the concurrence of the Governor, to promulgate regulations concerning the enforcement and collection of taxes through the use of liens and levies against property of taxpayers. The Director intends to amend Section 2.811.1 of the permanent Revenue and Taxation Regulations of the CNMI to clarify the powers of the Director with respect to tax liens and levies. A copy of the complete text of the proposed amended regulation can be obtained during regular business hours from the Director of Finance, Capitol Hill, Saipan, MP 96950. Comments by the public on this proposed amended regulation may be made within the next thirty (30) days to the Director of Finance. This amendment to the permanent regulation will become effective ten (10) days after notice of its adoption is published in the Commonwealth Register.

DATED THIS 11<sup>th</sup> DAY OF May, 1989.



PEDRO P. TENORIO  
Governor

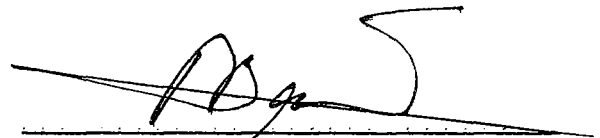


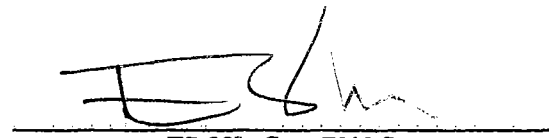
ELOY S. INOS  
Director of Finance

NOTISIAN I INTENSION PARA U MA AMENDA I PETMANENTE NA REGULASION

Sigun i 4 CMC §§1811 yan 1818, i Direktot i Finansiat guaha autoridatna, ginen i kinenfotman i Gobietno, para u deklaracion publika-mente i regulacion siha pot i autoridat yan koleksion i aduana siha gi manera na uma usa i "liens" yan "levies" kontra i propriedat i man-man-apapase aduana (taxpayers). I Direktot ha intensiona para u amenda i Seksiona 2.811.1 gi petmanente siha na Regulacion i Retidu yan Aduanan i CNMI para u nina' klaro siha i podet i Direktot gi bandan i "liens" yan "levies" i aduana. I komplidu na kopian i ma intensiona na regulacion ni ma amenda, sina ma chule gi duranten i regulat na oran chocho ginen i Direktot i Finansiat, Capitol Hill, Saipan, MP 96950. I matugi na opinion i publiku nu este i ma intensiona na regulacion ni ma amenda, sina u mana'halom gi halom i 30 dias deste pago guato gi Direktot i Finansiat. Este na amendasion para i petmanente na regulacion u efektibu gi halom dies (10) dias despues de i ma publikana i notisia gi Commonwealth Register.

FECHAN ESTE NA HAANE I DIA 11<sup>th</sup> GI MES DE May, 1989.

  
PEDRO P. TENORIO  
Gobietno

  
ELOY S. INOS  
Direktot i Finansiat



SECTION 2.811.1. REVENUE & TAXATION REGULATIONS NO. 8301

Section 2.811.1 Lien and Levy Procedure. By virtue of 4 CMC 1811 and 1818, the Director has authority to issue regulations concerning the enforcement and collection of taxes through the use of liens and levies upon property belonging to taxpayers. For purposes of Title 4, Division 1 of the Commonwealth Code, the Director has adopted Sections 6321, 6322, 6323, 6325, 6331, 6332, 6333, 6334, 6335, 6336, 6337, 6338, 6339, 6340, 6341, 6342, and 6343 of the Internal Revenue Code of 1986. Tax liens against property shall be recorded/filed in accordance with Commonwealth law.

SEKSIONA 2.811.1. REGULASION SIHA PARA RETIDU & ADUANA  
NUMERU 8301

Seksiona 2.811.1. Dinirihin "Lien" yan "Levy." Ginen i bittut i 4 CMC §§1811 yan 1818, i Direktot guaha autoridatna para u na'huyung regulasion siha pot pudet yan koleksion i aduana siha gi manera na uma usa i "liens" (ma tasan i propriedat, tano pat personat, para apas debin aduana) yan "levies" (ma rekohen i ma tasa na kantida) gi propriedat i man man-apapase aduana (taxpayers). Pot propositun i Titulu 4, Dibision 1 gi Kodikun i Commonwealth, i Direktot ha adopta siha i Seksiona 6321, 6322, 6323, 6325, 6331, 6332, 6333, 6334, 6335, 6336, 6337, 6338, 6339, 6340, 6341, 6342, yan 6343 gi Kodikun i Internal Revenue i 1986. I "liens" i aduana kontra i propriedat uma nota yan uma "filed" sigun gi lai i Commonwealth.



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
 DEPARTMENT OF COMMERCE AND LABOR  
 SAIPAN, MARIANA ISLANDS 96950

TEL. 322-8711/4

NOTICE OF ADOPTION

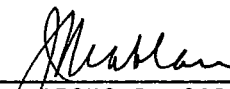
ADOPTION OF REGULATIONS AMENDING REGULATIONS  
 RESTRICTING THE ISSUANCE OF BUSINESS LICENSES  
 TO GARMENT MANUFACTURERS AND THE PROCESSING OF  
 APPLICATIONS FOR WORK CERTIFICATES FOR ALIEN GARMENT WORKERS

The Directors of Commerce and Labor and Finance and the Chief of Immigration, pursuant to the authority conferred by 1 CMC 2453(d) and 2553(d), 3 CMC 4435(d), and 3 CMC 4311(3) and 4331, hereby give notice of its adoption of the amendments to the Regulations Restricting the Issuance of Business Licenses to Garment Manufacturers and the Processing of Applications for Work Certificates and Entry Permits for Alien Garment Workers.

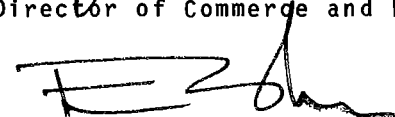
A copy of the adopted amendments to the regulations may be obtained from the Registrar of Corporations, Office of the Attorney General, 2nd Floor, Administration Building, Capitol Hill, Saipan, MP 96950, or the same may be reviewed at the Office of the Director, Department of Commerce and Labor, First Floor, Administration Building, Capitol Hill, Saipan, MP 96950.

The said amended regulations shall take effect ten (10) days after this publication in the Commonwealth Register.

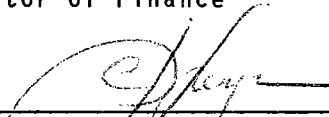
5/9/89  
DATE

  
 \_\_\_\_\_  
 JESUS R. SABLAN  
 Director of Commerce and Labor

5/9/89  
DATE

  
 \_\_\_\_\_  
 ELOY S. INOS  
 Director of Finance

5/9/89  
DATE

  
 \_\_\_\_\_  
 CHARLES P. REYES  
 Acting Chief of Immigration

DCL-PN-05-89  
 4/28/89



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
 DEPARTMENT OF COMMERCE AND LABOR  
 SAIPAN, MARIANA ISLANDS 96950

TEL. 322-8711/4

NUTISIAN I MANMAADOPTA

I MANMAADOPTA NA REGULASION SIHA NI PARA UFAN MAAMENDA  
 I AREKLAMENTO PARA MARESTRICATAN I MALAGNOS LICENSIA  
 PARA I FACTERIAN I GARMENT YAN PARA I MACHOQUENIA I APPLIKASION  
 PARA I SERTIFIKUN HOTNALERU PARA I ALIEN NA HOTNALERU GI GARMENT

I Depattamenton Commerce yan Labor, Finance yan i Chief Immigration man'nanae nutisia pot i maadopta ni maamenda na areklamento pot para uma restricta i malagnos i sertifikun para machochu yan humalom gi factorian i garment sigun gi attoridat ni manmanae gi 1 CMC 2453(d) yan 2553(d), 3 CMC 4435(d) yan 3 CMC 4311(3) yan 4331 gi halom i lihen i Commonwealth.

Copian este siha na tinelaika gi regulasion ni manmaadopta sina manmachule gi oficianan i Registrar of Corporations gi oficianan i Attorney General, segundo bibienda, Administration Building, Capitol Hill, Saipan, MP 96950 osino sinaha' maexamina gi oficianan i Direktot, Depattamenton Commerce yan Labor, primet bibienda gi Administration Building, Capitol Hill, Saipan, MP 96950.

Este na regulasion effectibu dies dias despues di este namapublika.

5/9/89  
Date

JESUS R. SABLAN  
Director of Commerce and Labor

5/9/89  
Date

ELOY S. INOS  
Director of Finance

5/9/89  
Date

CHARLES P. REYES  
Acting Chief of Immigration

DCL-PN-05-89  
4/28/89

ADOPTION OF REGULATIONS AMENDING REGULATIONS  
RESTRICTING THE ISSUANCE OF BUSINESS LICENSE  
TO GARMENT MANUFACTURERS AND THE PROCESSING OF  
APPLICATIONS FOR WORK CERTIFICATES FOR ALIEN GARMENT WORKERS

Section 1. Authority. These regulations are issued: (1) under the authority of the Director of Commerce and Labor to issue business licenses conferred by 3 CMC §2453(d) and to issue work certificates for alien workers conferred by 3 CMC 4435(b); (2) under the authority of the Director of Finance to regulate customs conferred by 1 CMC §2553(d); and (3) under the authority of the Chief of Immigration to regulate the issuance of entry permits for non-immigrant aliens conferred by 3 CMC §4311(3) and §4331.

Section 2. Purpose and Findings. The Directors of Commerce and Labor, Finance, and the Chief of Immigration find that the continuance of reasonable regulatory controls imposed by the prior moratorium is in the public interest pending long term statutory controls. These regulations are designed to maximize utilization of the Commonwealth-wide non-immigrant alien garment worker quotas by redistributing or reallocating unused or unfilled quotas to qualified garment manufacturers and to require all garment manufacturers to prepare and implement a training plan. The amendments will not have a significant impact on Commonwealth utilities.

Section 3. Amendment. Section 4(b) of the Regulations Restricting the Issuance of Business License to Garment Manufacturers and the Processing of Applications for Work Certificates for Alien Garment Workers (hereinafter "the Regulations") filed with the Registrar of Corporations on January 18, 1988 are hereby amended as follows:

"(b) Issuance of Work Certificates. No employee of the Department of Commerce and Labor shall issue or cause to be issued the work certificate defined in 3 CMC 4435(b) to or on behalf of a non-immigrant alien to be employed as a garment worker except upon a written finding by the Director of Commerce and Labor or his designee that the applicant is: (1) renewing an existing employment contract; (2) recruited to replace a non-immigrant alien worker whose contract of employment with a qualified garment manufacturer has terminated or will terminate within fifteen (15) days; (3) recruited to fill an alien garment labor employment quota previously authorized by administrative findings pursuant to regulations; or (4) recruited to fill an additional quota granted under this section.

- (1) Garment Worker Pool. There is hereby established a garment worker pool which shall consist of five hundred (500) additional quota and all unused or unfilled non-immigrant alien garment worker positions within the quota of a manufacturer. The term "unused or unfilled non-immigrant alien garment worker position" shall mean that portion of a qualified garment manufacturer's quota, as established by a three-member cabinet ranking panel appointed by the Director of Commerce and Labor (the Textile Panel), for which a garment manufacturer has not filed with the Division of Labor complete application to employ non-immigrant alien workers for two successive quarters after the effective date of this regulations.
- (2) Statement or Report Required. Every qualified garment manufacturer shall file a semi-annual report with the Director of Commerce and Labor. The report shall contain a complete, true and correct statement listing the names, permit numbers, expiration dates of permits issued for all non-immigrant alien garment workers and such other information as may be required or prescribed by the Director of Commerce and Labor. All unused or unfilled non-immigrant alien garment worker quotas shall revert to the Garment Worker Pool for reallocation to qualified garment manufacturers.

The first report required under this subparagraph shall be filed on or before the last working day of December 1989 and subsequent reports shall be made every six (6) months thereafter.

Failure to file the statement or report required herein shall constitute default and the Director or his designee shall make such finding within thirty (30) days of such failure. In the event of default, the Director or his designee shall determine the unused or unfilled quota based on the records available to the Department and shall reduce the quota of the manufacturer which has defaulted by twice the number of unused or unfilled quota for reallocation to other eligible garment manufacturers. A garment manufacturer losing workers under this section may apply for additional workers (up to the level of its previously authorized quota) under the provisions of the following Subparagraph (3) of this section. A manufacturer which has defaulted with no unused or unfilled quota shall not be allowed to replace or renew workers for a period of three months beginning as of the date of default.

(3) Request for Pool Garment Worker. Any qualified garment manufacturer may apply for additional workers, not to exceed seventy (70) workers, from the Garment Worker Pool provided that the applicant meets all of the criteria enumerated below as of the date of the application:

- a. Applicant is a holder of a certificate of origin issued by the Division of Customs and has exported textile products during the last three months.
- b. Applicant has substantially begun construction or has completed construction of a factory to accommodate the request for additional workers.
- c. Applicant has purchased capital equipment (sewing machines) for the requested additional workers, which equipment shall be in place in the Commonwealth or in transit for delivery prior to the date that such requested workers contract is to begin.
- d. Applicant has available living quarters to accommodate the additional workers.
- e. Applicant provides its own power and water for any additional workers requested herein unless the Commonwealth Utilities Corporation certifies to the Director or his designee that there is a surplus of electrical power and water and that the applicant has been granted use of such utilities.
- f. Applicant's resident work force is comprised of at least two management and three supervisory staffs at wages of not less than \$1,200.00 per month and \$900.00 per month respectively for a 40-hour workweek. The number shall increase by one in each category until such time that management and supervisory full-time resident work force comprise 75 percent of the manufacturer's work force. The employer may hire a resident worker who does not meet the occupational qualification for the position on a six-month probationary basis at wages of not less than thirty (30) percent of the amounts enumerated herein. The employee must demonstrate satisfactory performance before being converted to a permanent employment. The term "management" and "supervisory" shall have the same meaning as those contained in PL 5-32.

- g. Applicant's full-time work force is comprised of 14 percent resident workers or whatever the current percentage required by 3 CMC 4436(a), which percentage shall include the additional number of workers requested under this section.
  - h. Submission of a training plan in accordance with Paragraph 5.
- (4) Application. Applications for pool garment workers shall be limited to cutters and sewing or linking machine operators.
  - (5) Exemption for Training Program. Notwithstanding any other provisions of these regulations, all garment manufacturer shall employ not more than four (4) instructors for resident worker training which shall not be counted against the manufacturer's alien worker quota.

The resident worker training shall be designed to provide knowledge or skills essential to the full and satisfactory performance of duties and responsibilities of the job, provide opportunities for career advancement, and reduce the employer's reliance on non-immigrant alien garment workers. The training plan shall be submitted for approval to the Chief of Employment Service or the Director's designee within sixty (60) days of the effective date of the regulations. Approval of the application for pool garment worker shall be granted only upon approval of the training plan. No labor identification certificate for renewal or replacement may be issued after ninety (90) days of the effective date of the regulations without an approved training plan.

Recruitment of instructors under this subparagraph is deemed to be in the public interest, and the Director, may in his discretion waive all or part of the publication requirements under 3 CMC 4431.

- (6) Notification of Available Pool Workers. The Director or his designee shall send written notice to all qualified garment manufacturers informing them of the availability of garment workers in the Garment Worker Pool. The notice shall prescribe the deadline for submitting applications for workers from the Garment Worker Pool, the deadline for bringing in the non-immigrant alien garment worker, and quota forfeiture.



- (7) Receipt of Application. Upon receipt of a complete application for additional workers, the Textile Panel shall review the application for compliance with these regulations and other applicable laws or regulations and shall determine the number of available workers in the Garment Worker Pool. The available workers shall be allocated equally among applicants or if a lesser number is requested, that number shall be granted, provided that the applicant meets all of the criteria enumerated under Paragraph 3 above. In the event that the total number applied for exceeds the number available, the pool workers shall be divided among the applicants proportionally. The Textile Panel shall make its determination within forty-five (45) calendar days.
- (9) The Director or his designee may suspend, modify, revoke or withdraw approval of requests for workers from the pool whenever the approval is issued in error, or on the basis of incorrect, false, or misleading information."

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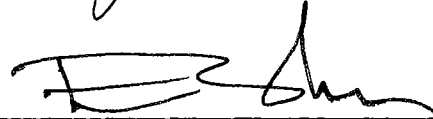
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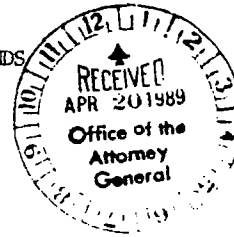
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 DIRECTOR OF COMMERCE AND LABOR


 \_\_\_\_\_  
 DIRECTOR OF FINANCE


 \_\_\_\_\_  
 ACTING CHIEF OF IMMIGRATION



P R O C L A M A T I O N

SECRETARIES WEEK - APRIL 24-28, 1989

WHEREAS, secretaries play increasingly important roles and assume greater responsibilities than ever before in both the public and private sectors; and

WHEREAS, most successful managers consider secretaries as equals and partners in the working environment; and

WHEREAS, many of the best examples of hard work, efficiency, patience and public relations can be found in our secretaries; and

WHEREAS, secretaries are the valued recorders and managers of important information without which no office could function; and

WHEREAS, secretaries assist in the efficient time management for employers to maximize work output and reduce waste; and

WHEREAS, in addition to technical skills, the secretary must be able to deal politely and effectively with management, other employees and the general public; and

WHEREAS, in keeping with the best traditions of their profession, today's secretaries are ever expanding their knowledge and skills so that they may be of greater value to their employers, particularly through the use of computers; and

WHEREAS, many secretaries' hard work, efficiency, commitment, loyalty and public relations are vital to the success of their employers and their office; and

WHEREAS, the quality of the operations in any office is a direct reflection of the skills of the secretary in that office; and

WHEREAS, despite their great value as important members of any office team, the efforts of these skilled professionals and their many contributions to the progress of the Commonwealth do not always receive the recognition they obviously deserve; and

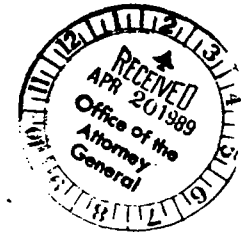
WHEREAS, in order to honor the secretaries of the Commonwealth and to encourage others to enter this challenging field, it is essential that we acknowledge the importance and capable assistance of the modern secretary;

NOW, THEREFORE, I, PEDRO P. TENORIO, Governor of the Commonwealth of the Northern Mariana Islands, do hereby proclaim the week of April 24-28, 1989 as SECRETARIES WEEK, and I urge all citizens, particularly those in managerial positions, to give due recognition to all secretaries throughout the Commonwealth, paying special attention to Secretaries Day on April 26, 1989.

IN WITNESS WHEREOF, I have hereunto set my hand on this 17<sup>th</sup> day of April 1989.

  
PEDRO P. TENORIO, Governor

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
OFFICE OF THE GOVERNOR  
SAIPAN, MP 96950



P R O C L A M A T I O N

CNMI LAW ENFORCEMENT WEEK  
MAY 1-7, 1989

WHEREAS, the future of the Northern Mariana Islands lies in the quality of  
of life enjoyed by all age levels of our society; and

WHEREAS, the safety and protection of all lives and property within our  
society is a key factor determining quality of life; and

WHEREAS, law enforcement in the Commonwealth of the Northern Mariana  
Islands continues to demonstrate positive growth and improvement for the betterment  
of our community; and

WHEREAS, law enforcement must be supported and contributed to by all levels  
of our society in order to be effective; and

WHEREAS, law enforcement plays an important role in our society, and a  
period of time is required to be set aside to recognize those who contribute  
their lives toward the protection of life and property of others; and

WHEREAS, increased awareness, support and communication is essential  
between law enforcement and the communities it serves; and

WHEREAS, there is a need to reinforce the mission of the law enforcement  
community and provide the opportunity for law enforcement and the communities it  
serves to reach out to each other;

NOW, THEREFORE, I, PEDRO P. TENORIO, Governor of the Commonwealth of the  
Northern Mariana Islands, do hereby proclaim the week of May 1-7, 1989 as CNMI  
LAW ENFORCEMENT WEEK. I appeal to all citizens and organizations of the Commonwealth  
observe this week by participating in programs and activities which will contribute  
to the betterment of both the law enforcement community and the public it serves  
to promote a healthy environment for future growth. CNMI LAW ENFORCEMENT WEEK  
will provide an opportunity to clearly identify and bring together all areas of  
law enforcement in the Commonwealth, South Pacific, the Nation, and internationally  
and enhance their ongoing relationships and nurture the morale of those individuals  
whose chosen careers fall within the law enforcement framework.

IN WITNESS WHEREOF, I have hereunto set my hand on this 20<sup>th</sup> day of  
April 1989.

  
PEDRO P. TENORIO, Governor

PUBLIC NOTICE

**A.G. OPINIONS PUBLISHED**  
April 15, 1989 - May 15, 1989

| <u>Number</u> | <u>Date</u> | <u>Subject</u>   |
|---------------|-------------|--|
| 89-05         | 05/08/89    | Applicability of Public Law<br>No. 6-23 (Commonwealth Salary<br>Act of 1988) |

Date: May 15, 1989



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JOHN F. BIEHL  
Acting Attorney General