COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS SAIPAN MARIANA ISLANDS

VOLUME 19 NUMBER 03



MARCH 15, 1997

COMMONWEALTH REGISTER

COMMONWEALTH REGISTER: VOLUME 19, NUMBER 03 MARCH 15, 1997

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P.O. BOX 514, Saipan, MP 96950

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Froilan C. Tenorio Governor

Jesus C. Boria Lieutenant Governor

MaryLou Ada Sirok Corporate Director

Juan S. Tenorio Chairman

Oscar P.Q. Quitugua Vice Chairman

Secretary

Jesus D. Sablan Treasurer

Francisco B. Evangelista Director

NOTICE OF PROPOSED DEFINITION

BOARD OF DIRECTORS Pursuant to Public Law 8-41, Section 11, Governor Froilan C. Tenorio and the Northern Marianas Housing Corporation (NMHC) Board of Directors, hereby serve notice that the NMHC Board of Directors has adopted the proposed Definition of a First-time Homeowner, identifying the top priority applicants for a residential housing loan, pursuant Martin DLG. San Nicolas to the authority provided under Executive Order 94-3, Section 407 of the Re-organization Plan No. 2 of 1994, Directive No. 138, and the Administrative Procedures Act, 1 CMC 9101, et. seq. of the Commonwealth Code.

> The proposed definition will distinguish the applicants given top priority for assistance with limited residential housing loan funds.

> Copies of the proposed definition are available at the NMHC's Central Office, Garapan, Saipan and its field office on Tinian and Rota.

> NMHC urges the public to submit written comments and recommendations regarding the proposed definition within 30 days after the first publication in the Commonwealth Register to the following address:

> > Northern Marianas Housing Corporation P. O. Box 514, C.K. Saipan, MP 96950-0514

thday of March, 1997. Dated this

S. TENORIO

Chairman

Board of Directors

Corporate Director

Recorded by:

SOLEDAD B. SASAMOTO

Registrar of Corporations

COMMONWEALTH REGISTER VOLUME 19 NUMBER 03 MARCH 15, 1997 "NMHC is an equal employment and fair housing public agency"

15191

Rota Field Office: Tel. (670) 532-9410 Fax (670) 532-9441

Tinian Field Office: Tel. (670) 433-9213 Fax (670) 433-3690



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Froilan C. Tenorio Governor

Jesus C. Borja Lieutenant Governor

MaryLou Ada Sirok Corporate Director

BOARD OF DIRECTORS

Juan S. Tenorio Chairman

Oscar P.Q. Quitugua Vice Chairman

Martin DLG. San Nicolas Secretary

Jesus D. Sablan Treasurer

Francisco B. Evangelista Director

NUTUSIA PUT I PRINIPONE NA DEFINASION

Sigun gi Lai Pupbliku 8-41, Seksiona 11, i Gubetno as Froilan C. Tenorio yan i Board of Directors i Northern Marianas Housing Corporation (NMHC), ginen este manana'e nutisia na i NMHC Board of Directors ha adapta esta i Definasion i First-time Homeowner, ni ha aidentifika etmas munisisita na aplikante para u mana'fanayao salappe para residensia, sigun gi aturidat ni ma pribeni gi papa Otden Eksekatibu Numiru 94-3, Seksiona 407 gi Re-Organization Plan No. 2 of 1994, Direktibu Numiru 138, yan i Administrative Procedures Act, 1 CMC 9101 et. seq. gi Kodikun Commonwealth.

I ma propoponi na definasion para u distingge i aplikante siha ni manafanmas presisu para ayudu gi didide na fondon ayao salappe' para guma residensia.

Kopian i ma propoponi na definasion guaha gi NMHC's Central Office, Garapan, Saipan yan ofisinan-niha giya Tinian yan Luta.

I NMHC ha sosoyo' i pupbliku para u fana'halom tinige' siha put komentu yan rekomendasion put it ma propoponi na definasion gi halom trenta (30) dias despues di i primet na mapupblika este gi Rehistran Commonwealth guatu gi sigiente na adres:

Northern Marianas Housing Corporation P. O. Box 514, C.K. Saipan, MP 96950-0514

Ma fecha gi mina 4th na dia Matso, 1997.

JUAN|S. HENORIO

Chairman

Board of Directors

Ma rekot as:

SOLEDAD B. SASAMOTO

Rehistradoran Kotporasion siha

MARYLOU ADA SIROK

Corporate Director

Fecha

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COMMONWEALTH REGISTER VOLUME 19 NUMBER 03 MARCH 15, 1997 PAGE "NMHC is an equal employment and fair housing public agency"

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Froilan C. Tenorio Governor

Jesus C. Borja Lieutenant Governor MaryLou Ada Sirok

Corporate Director

ARONGORONGOL TOULAP REEL POMOL A WEEWEEL

BOARD OF DIRECTORS

Juan S. Tenorio Chairman

Oscar P.Q. Quitugua Vice Chairman

Martin DLG. San Nicolas Secretary

Jesus D. Sablan Treasurer

Francisco B. Evangelista Director Sa'ngi mereel Alle'ghu'l Toulap 8-41, Ta'lil 11, Gobenno Froilan C. Tenorio me Northern Marianas Housing Corporation (NMHC) Board of Directors, rekke arongaawow bwe a adapt-ta'a'li pomol **Aweeweel First-time Homeowner** e fiffiliir maas 10' reel scho'o'l tingo'rol selaapi reel mille, residential housing loan sa'ngi mereel bwa'ngil la elo faal Executive Order no. 138, bwal Administrative Procedure Act, 1 CMC 9101, et. seq. mereel Commonwealth Code.

Reel pomol aweeweel nge ebwe abwa'a'ri scho'o'l tingo'r ikka re lo bwe iir maas lo' reel alillis ikka e ghitighiit reel residential housing loan funds.

Kopiyaal pomol aweeweel, nge eyoor reel NMHC Bwulasiyo tomwo'gh, Arabwal, Seipe'l ebwal yoor mewo'o'l falu'w kkaal, Tchu'liyo'l bwal Luuta'.

NMHC ekke amwescha'liir toulap bwe rebwe ischilong yaar ma'ngema'ng ngare aiyegh reel pomol Aweeweel llo'l eliigh (30) ra'l takkelo'o'l mmwal arongolongol llo'l Commonwealth Register ngali address yeel:

Northern Marianas Housing Corporation P. O. Box 514, C.K. Saipan, MP 96950-0514

E ischitiw lo'l ral 4th maramal Mailap (March), 1997.

JUAN S. TENORIO

Chairman

Board of Directors

Isaliiyal:

SOLEDAD B. SASAMOTO

Registrar of Corporations

MARYLOU ADA SIROK

Corporate Director

Rá1

COMMONWEALTH REGISTER VOLUME 19 NUMBER 03 MARCH 15, 1997 PAGE 15193 "NMHC is an equal employment and fair housing public agency"

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DEFINITION OF A FIRST TIME HOME OWNER

"Any person residing in the Commonwealth, who does not currently, or in the last (10) years, has an ownership interest in a house, other than an interest created by the individual acting as a mortgagee, lien holder, or creditor of another who has an ownership interest in a house, and will occupy the property as his or her principal house.

The term "house" shall include condominiums, town houses, or any other permanent structure in which the individual or any person resides, or has used as a house in the last ten (10) years."

COMMONWEALTH REGISTER VOLUME 19 NUMBER 03 MARCH 15, 1997 PAGE 15194 "NMHC is an equal employment and fair housing public agency"

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Secretary

Jesus D. Sablan Treasurer

Francisco B. Evangelista Director

DIFINASION I FIRST-TIME HOMEOWNER

Maseha hayi na petsona ni sumasaga gi halom i Commonwealth, ni gi prisente osino gi halom i maloffan dies (10) anos guaha interes komu duenon guma, fuera ha' di i interes BOARD OF DIRECTORS ginen i indibiyuat ni mama'atmonedot, gumogo'te i direcho para u bendi i propriedat i mandidibi, pat akredot otro ni gai interest komu duenu gi gima yan para u ukupa i propiedat komu propriedat-na osino' prinsipat na guma'-na.

Martin DLG. San Nicolas I palabra "guma" ha engklusu "condominiums" "town houses", osino katkuet otro petmanente na estraktura ni amanu i indebiyuat pat kakuet petsona sumasaga, pat ha u'usa i gima gi halom i maloffan dies (10) anos.

COMMONWEALTH REGISTER VOLUME 19 NUMBER 03 MARCH 15, 1997 PAGE 15195 "NMHC is an equal employment and fair housing public agency"

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MEETA FAAL MILLE FIRST-TIME HOMEOWNER

Froilan C. Tenorio Governor

Jesus C. Borja Lieutenant Governor

MaryLou Ada Sirok Corporate Director "Inaamwo iyo, iye e lollo llo'l Commonwealth, iye ese, iyeey ngare llo'l seigh (10) ra'a'gh kkewe, ayoor tipal reel ebwe yoor iimwal, nge saabw reel akka'a'w interest ikka elo bwe mortgagee, lienholder, ngare i eschay creditor ngali eschay iye ayoor imwal me ebwe sche'e'sche'e'l imwal.

BOARD OF DIRECTORS

Juan S. Tenorio Chairman

Oscar P.Q. Quitugua Vice Chairman

Martin DLG. San Nicolas Secretary

Jesus D. Sablan Treasurer

Francisco B. Evangelista Director Mille "Iimw" nge e bwaltoolong milikka Condominiums, Town houses ngare akkaa'w iimw kka aramas yeel elollo llo'l, ngare a lollo llol iimw laal sangi seigh (10) ra'a'gh kkewe elo".

COMMONWEALTH REGISTER VOLUME 19 NUMBER 03 MARCH 15, 1997 PAGE 15196 "NMHC is an equal employment and fair housing public agency"

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Commonwealth of the Northern Mariana Islands

Division of Environmental Quality

P.O. Box 1304, Saipan, MP 96950



Tels.:(670) 234-6114/6984 Fax: (670) 234-1003

PUBLIC NOTICE PROPOSED AMENDMENT AND REVISIONS TO PESTICIDE REGULATIONS PROMULGATED UNDER THE AUTHORITY OF 2 CMC §§ 3101 to 3134 and 1 CMC §§ 2601 to 2605

by the DEPARTMENT OF PUBLIC WORKS

The Secretary of the Department of Public Works, of the Commonwealth of the Northern Mariana Islands (CNMI), in accordance with 2 CMC §§ 3101 to 3134 and 1 CMC §§ 2601 to 2605 proposes amendments and revisions to the existing Pesticide Regulations. The Division of Environmental Quality has reviewed the regulations and is proposing to restrict the use of thirty (30) specific pesticides. In addition, the Division of Environmental Quality is proposing to ban (5) herbicides in the CNMI that are known to leach to ground water.

Comments, suggestions, and concerns about the proposed amendments to the CNMI Pesticide Regulations are encouraged and welcomed. All comments concerning the proposed revisions must be submitted in writing to the Department of Public Works, Division of Environmental Quality, located on the third floor of the Morgen Building in San Jose, Saipan (P.O. Box 1304, Saipan, MP 96950), within thirty days of publication in the Commonwealth Register.



Commonwealth of the Northern Mariana Islands

Division of Environmental Quality

P.O. Box 1304, Saipan, MP 96950



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NUTISIAN PUPBLIKU I PRINIPONE SIHA NA AMENDASION YAN RIBISION REGULASION PESTICIDE NI MANMACHO'GUE SIGUN GI ATURIDAT 2 CMC §§ 3101 asta 3134 yan 1 CMC §§ 2601 asta 2605 ginen DIPATTAMENTON PUBLIC WORKS

I Sekretarian Dipattamenton Public Works, i Commonwealth i Sangkattan siha na Islas Marianas (CNMI), sigun gi aturidat 2 CMC §§ 3101 asta 3134 yan 1 CMC §§ 2601 asta 2605 ha propopone amendasion yan ribision para i prisente na Regulasion Pesticide. I Dibision Environmental Quality esta ha ina yan ha propoponi na u ma prohibi ma usan trenta (30) na klasen pesticides. Lokkue, i Dibision Environmental Quality ha propoponi para u prohibi singko (5) na klasen herbicides gi halom CNMI sa mimilalak halom gi hanom papa odda.

Komentu, rekomendasion yan interes put i mapropoponi siha na amendasion gi Regulasion CNMI Pesticide manma sosoyu. Todu komentu put i Public Works, Dibision Environmental Quality, gaige gi mina tres bibenda Morgen Building giya San Jose, Saipan (P.O. Box 1304, Saipan, MP 96950) halom trenta (30) dias di mapupbliku este gi Rehistran Commonwealth.

Kopian este i mapropoponi na amendasion para regulasion guaha para hayi interesao na petsona gi Ofisinan Division of Environmental Quality, tres bibenda Morgen Building giya San Jose, Saipan, MP 96950.

Fecha 3/5/57

Edward M. De eon Guerrero, Secretary

_Dipattamenton Public Works

Fecha 3 5 9 7

John I. Castro, Jr., Direktot Division of Environmental Quality

Ma file as Fecha <u>3/10/47</u>

Soledad B. Sasamoto Rehistradoran Kotporasion

.Ma risibi gi Ofisinan Gubetno: Fecha **3-7-97**

Herman T. Guerrero



Commonwealth of the Northern Mariana Islands

Division of Environmental Quality

P.O. Box 1304, Saipan, MP 96950



Tels.:(670) 234-6114/6984 Fax: (670) 234-1003

ARONGORONGOL TOULAP
POMOL LLIIWEL ME FFÉÉR SEFÁÁL REEL ALLÉGHÚL PESTICIDE SANGI
BWÁNGIL ME AILEEWAL
2 CMC § 3101 ngáli 3134 me 1 CMC § 2601 ngáli 2605
mereel
Bwulasiyool Public Works

Samwoolul Bwulasiyool Public Works mellól Commonwealth Matawal Wóól Falúwal Marianas, sángi bwángil 2 CMC § 3101 ngáli 3134 me 1 CMC § 2601 ngáli 2605 nge ekke pomoli bwe ebwe ayoora lliiwel me fféér sefáál reel Alléghul Pesticide iyeey Division'nul Environmental Quality nge atakkal amweri fischiiy allégh kkaal nge ekke pomoli bwe ebwe akkayúúló yááyáál eliigh (30) tappal pesticide. Iwe bwal Division'nul Environmental Quality nge e bwal kka pomoli bwe ebwe ayúúwiló limwoow (5) herbicides mellól CNMI ikka re ghuleey bwe ebwe anngówa schalúl faal ppwel.

Mángemáng, afal, me tiip reel pomol lliiwel kka llól óutol Allégh CNMI Pesticide nge rekke tingór Alongal mángemáng kka reel pomol lliiwel kkaal nge rebwe ischiitiw nge ra afanga ngáli bwulasiyool Public works, Division'nul Environmental Quality iye elo ailuuwal bibenda mellól Morgen Building iye elo Oleai, Seipél (P.O. Box 1304, Saipan, MP 96950), eliigh (30) rál igha e arongowow milleel mellól Commonwealth Register.

Ebwal yoor kopiyaal allégh mellól Bwulasiyyol Environmental Quality, ailuuwal bibenda mellól Morgen Building iye elo Aleai, Seipel MP 96950.

Rá1 3/7/87

Edward M. Deléon Guerrero, Sekereteeri Bwulasiyool Public Works

Ó

Rá1 3/5/97

John I / tastro, Jr. Direktood Division-nul Environmental Quality

Isáliyal Rál *3/10/97*

Soledad B. Sasamoto Registrar of Corporation

Bwghiyal mellól Bwulasiyool Gobenno:

Rál 3-7-97

Herman T Cherrero

PART 10 RESTRICTING AND BANNING OF PESTICIDES

Restricting of Pesticides. DEQ may restrict any use, sale, distribution, and import of any pesticide to application by a certified applicator or a person acting under the supervision of a certified applicator when misuse by non-certified applicators has produced or is deemed likely to produce substantial adverse effects on human health or the environment. Any pesticide listed below or any pesticide identified by the EPA as 'restricted use pesticide' shall be labeled as CNMI Restricted Use Pesticide.

Table 10.1 CNMI RESTRICTED USE PESTICIDES

COMMON NAME	PESTICIDE TYPE	FORMULATIONS					
Alachlor	Herbicide	All formulations					
Aldicarb	Nematicide, Insecticide	Granular formulation					
Atrazine	Herbicide	All manufacturing and end use formulation					
Azinphosmethyl	Insecticide	All liquids with a concentration greater than 13.5% and all other formulations on a case by case basis					
Bendiocarb	Insecticide	Granular/wettable powder					
Carbofuran	Nematicide Insectide	All formulations except pellets and tablets					
Chlorophacinone	Rodenticide	Inside buildings					
Chloropicrin	Fumigant, Fungicide, Rodenticide	All formulations greater than 2 % and and all formulation for rodent					
Cypermethrin	Insecticide	All formulations					
Diazinon	Insecticide	All formulations					
Dichloropropene	Fumigant	All formulations					
Dicrotophos	Insecticide	All liquid formulations 8% and greater					

Dursban TC Termicide Liquid

Endrin Insecticide 9.4% liquid

Ethion Insecticide emulsifiable concentrate (EC)

Ethoprop Insecticide EC's 40% greater (aquatic)

All granular and fertilizer formulation

Fenamiphos Nematicide EC's 35% and greater

Fenvalerate Insecticide EC (30%)

Isazofos Insecticide All formulations

Isofenphos Insecticide 65% Liquid formulation

Lambda cyhalothrin Insecticide All formulations

Lindane Insecticide All formulations for various use

Magnesium phosphide Insecticide All formulations

Fumigant

Methomyl Insecticide As sole active ingredient in 1% to 2.5%

baits (except % fly bait), all concentrated solution formulations and 90% wettable

powder formulation

Methyl Bromide Fumigant All formulations

Mevinphos Insecticide EC's 2% dust

Oxamyl Insecticide Liquid formul-

Nematicide ation, granular

Oxydemeton methyl Insecticide All formulations

Paraguat Herbicide All formulations and concentrate

Parathion, ethyl Insecticide All formulations

Permethrin Insecticide All formulation

Pronamide Herbicide All 50% Wettable Powders

Rotenone Fish control 2.5 & 5.0 EC,

5.0% & 20% WP

Sodium Cyanide Rodenticide All capsules & bait formulations

Sodium methyl **Fumigant** 32.7% anhydrous

dithio-carbamate

Sulfuryl fluoride **Fumigant** All formulation

10.2 Banning of Pesticides. DEQ may prohibit the importation, sale, distribution, and use of any pesticide or prohibit a specific use or uses of any pesticides when such use or uses has produced or is deemed likely to produce substantial adverse effects on human health or the environment. For the purposes of these regulations, any EPA pesticide use suspension, cancellation, or unregistration, and the herbicides listed below, are banned in the CNMI.

Banned Herbicides in the CNMI

10.2.1 Atrazine

10.2.2 Simazine

10.2.3 Cyanizine

10.2.4 Metolachlor

10.2.5 Alachlor

DEPARTMENT OF FINANCE

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

P.O. Box 5234, Saipan, MP 96950 Telephone: (670) 664-1100 * Facsimile: (670) 664-1115

PUBLIC NOTICE

NOTICE OF ADOPTION OF AMENDMENTS TO THE RULES AND REGULATIONS FOR THE OPERATION OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS LOTTERY

The Acting Secretary of Finance, pursuant to the authority vested in him by 1 CMC 9301 et seq, and Executive Order 94-3, hereby adopts as permanent regulations for the operation of the CNMI Lottery those proposed amendments which were published in the Commonwealth Register, Volume 19, pages 14852-14877. No comments were received in response to the publication of the proposed regulations.

These regulations, for games entitled "Oz Lotto" and "Powerball", expand the number and types of Lottery games available within the Commonwealth. Copies of the regulations may be obtained from the Office of the Secretary of Finance, Capitol Hill, Saipan, NMI.

These regulations become effective March 21, 1997.

GABRIEL DLC CAMACHO

Acting Secretary of Finance

Filed By:

SOLEDAD B. SASAMOTO

Registrar of Corporations

Received By and Certified For Compliance With Directive No. 183:

HERMAN T. GUERRERO

Executive Assistant to the Governor

Governor's Office

Date: 3/6/

Date: 3-6-97

NUTISIAN PUPBLIKU

NUTISIA PUT INADAPTAN AMENDASION GI AREKLAMENTO YAN REGULASION PUT OPERASION I COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS LOTTERY

I Acting Secretary of Finance, sigun gi aturidat ni mana'i ginen 1 CMC 9301 et seq, yan Otden Eksekatibu numiru 94-3, ginen este ha adapta komu petmanente siha na regulasion put operasion i CNMI Lottery ayu i manmaproponi na amendasion ni manma pupblika gi Rehistran Commonwealth, Baluma 19, pahina 1452-14877. Taya komentu ma risibi komu ineppen i mapupblikan; manma proponi siha na regulasion.

Este siha na regulasion para i "Oz Lotto" yan "Powerball" na huego siha ha aomenta i numiru yan klasen huegon Lottery ni guaha gi halom Commonwealth. Kopian i regulasion siha siña manma chule' ginen i Ofisinan Sekretarion Finance, giya Capitol Hill, Saipan, NMI.

Este na Regulasion para u efektibu gi Matso 21, 1997.

GABRIEL DLC. CAMACHO

recn

echa: 3-3-97

Acting Secretary of Finance

Ma File as:

SOLEDAD B. SASAMOTO Rehistradoran Kotporasion Fecha: 3/6/97

Fecha 3-6-97

Ma Risibi yan Settifika para u akonfotma yan i Otden "Directive" No. 183:

HERMAN T. GUERRERO

Executive Assistant para Gubetno

Ofisinan Gubetno

DEPARTMENT OF FINANCE

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

P.O. Box 5234, Saipan, MP 96950 Telephone: (670) 664-1100 * Facsimile: (670) 664-1115

CERTIFICATION

REGULATIONS FOR THE OPERATION OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS LOTTERY

I, Gabriel DLC Camacho, Acting Secretary of the Department of Finance, who is publishing the "Notice of Adoption of Amendments to the Rules and Regulations for the Operation of the Commonwealth of the Northern Mariana Islands Lottery", by my signature below, certify that the "Rules and Regulations" is a true, correct, and complete copy of the regulations adopted by the Department of Finance. I further request and direct that this certification and the "Notice of Adoption of Amendments to the Rules and Regulations for the Operation of the Commonwealth of the Northern Mariana Islands Lottery" be published in the Commonwealth Register.

I declare under penalties of perjury that the foregoing is true and correct and that this declaration was executed on the 3rd day of Mach, 1997, at Saipan, Commonwealth of the Northern Mariana Islands.

GABRIEL DLC CAMACHO Acting Secretary of Finance

SETTEFIKASION

REGULASION OPERASION I COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS LOTTERY

Guahu, si Gabriel DLC. Camacho, i Tahguen Sikritarion i Depattamenton Fainansiat, ni puiblika i "Nutisian Adapsion Amendasion gi i Areklamento yan Regulasion siha para i Operasion i Commonwealth of the Northern Mariana Islands Lottery", entre i fitma-ku gi sampapa, hu settefika na i "Areklamento yan Regulasion siha" manmagahet, dinanche yan komplidu na kopian i regulasion siha ni manma adapta nu i Depattamenton Fainansiat. Put mas hu rikuesta yan dirihi na este na settefikasion yan i "Nutisian Adapsion Amendasion siha gi Areklamento yan Regulasion para "Operasion i Commonwealth of the Northern Mariana Islands Lottery" u ma pupblika gi halom i Rehistrasion Commonwealth.

Hu diklara na gi papa' i penan chatmanhula' na i manmofo'na magahet yan dinanche yan este na diklarasion ma cho'gue gi mina' na dia gi Matsu, 1997, giya Saipan, Commonwealth i Sangkattan Siha Na Islas Marianas.

GABRIEL DLC. CAMACHO Acting Secretary of Finance

BWULASIYOOL FINANCE COMMONWEALTH METAWAL WOOL FALUWAL MARIANAS P.O BOX: 5234, SAIPAN, MP. 96950

Telephone: (670) 664-1100 Facsimile: (670) 664-1115

ARONGORONGOL TOULAP

ARONGORONG REEL <u>ADOPTION</u>-NUL LLIIWEL NGALI ALLÉGH KKAAL MEWÓÓL <u>COMMONWEALTH METAWAL WÓÓL FALÚWAL MARIANAS</u> REEL AMMWÓGHÚTÚL MILLE <u>LOTTERY</u>

Liwelil(Acting) Sekereteeriil Finance, sangi mereel bwangil ye sangi autol 1 CMC 9301 et seq. me Executive Order 94-3, mereel mille a adoption-nul allegh kkaal reel mwoghutul Lottery mellol CNMI, pomol lliiwel kka a arongowow llol Commonwealth Register, Volume 19, peigh 14852-14877. Esoor mangemang me aiyegh kka e toolong reel arongorongol pomol allegh kkaal.

Allégh kkaal, reel itillapal ukkur ye " Oz Lotto " me " Powerball ", ebwe lapalo numoro me tappal ukkurul Lottery kka ayoor mellól Commonwealth. Kopiyaal allégh kkaal nge eyoor llól Bwulasiyool Sekereteriil Finance, Capitol Hill, Seipél, NMI.

Allégh kkaal nge ebwe alléghéló llól maramal Mailap (March) 21, 1997.

Gabriel DLC Camacho
Liwelil(Acting) Sekereteeriil Finance

Soledad B. Sasamoto
Registrar of Corporation

Bwughiyal me Appelughulool bwelle reel <u>Directive No.</u> 183:

Lerwan Jelen 27

Herman T. Guerrero

Executive Assistance ngáli Gobenno

Bwulasiyool Gobenno

BWULASIYOOL FINANCE COMMONWEALTH METAWAL WOOL FALUWAL MARIANAS P.O BOX 5234, SAIPAN, MP. 96950 TELEPHONE: (670) 664-1100 FACSIMILE: (670) 664-1115

APPELÚGHÚLÚGH

ALLÉGH REEL AMMWÓGHÚTÚL MILLE <u>LOTTERY</u> MELLÓL <u>COMMONWEALTH</u> METAWAL WÓÓL FALÚWAL <u>MARIANAS</u>.

Ngaang, Gabriel DLC Camacho, Liwelil(Acting) Sekereteeriil Bwulasiyool Finance, iye e arongaawow "Arongorong reel Adoption-nul Lliiwel ngáli Allégh kkaal reel Ammwóghútúl mille Lottery mellól Commonwealth Metawal Wóól Falúwal Marianas ", reel isch ye yááy faal, e apelúghúúw bwe "Allégh "kkaal nge e ellet, welewel me schééschéél kopiyaal allégh kka a adopted mereel Bwulasiyool Finance. I tingór me afala bwe appelúghúlúgh yeel me "Arongorong reel adoption-nul Lliiwel ngali Allégh kkaal reel Ammwóghútúl mille Lottery mellól Commonwealth Metawal Wóól Falúwal Marianas "ebwe arongolong llól Commonwealth Register.

I ffailó faal mwuttaal ruturut bwe alongal meeta nge e ellet me schééschéél me yaay ffailó yeel ebwe appelúghúló wóól 3 rálil mao'+50, 1997. mewóól Seipél, Commonwealth Metawal Wóól Falúwal Marianas

Gabriel DLC Camacho

Liwelil(Acting) Sekereteeriil Finance

DEPARTMENT OF FINANCE

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

P.O. Box 5234, Saipan, MP 96950

Telephone: (670) 664-1100 * Facsimile: (670) 664-1115

Lottery Administration

RE: Statement for Review for Compliance with Directive #183 - Final Regulations Adding Additional Games to those Played by the CNMI Lottery

Statutory Authority: 1 CMC 9301 et seq, and Section 307 (a) of Executive Order

93-3.

Goals and Objectives: The Department of Finance is obligated by its agreement

with the CNMI Lottery Operator to support the introduction of new and additional games to be played in the CNMI

Lottery.

Summary of Rule: The amendments to the Lottery Regulations provide the rules

for playing new games described as "Oz Lotto" and

"Powerball".

For Further

<u>Information Contact</u>: Robert Florian, Lottery Adminstrator, Telephone: 664-1108,

or Fax: 664:1115.

Submitted by: Da

GABRIEL DLC CAMACHO
Acting Secretary of Finance

Date: 3-3-97



COMMONWEALTH HEALTH CENTER OFFICE OF THE SECRETARY

GOVERNMENT OF THE NORTHERN MARIANA ISLANDS DEPARTMENT OF PUBLIC HEALTH-ENVIRONMENTAL SERVICES

PUBLIC NOTICE

NOTICE OF ADOPTION OF THE REGULATIONS FOR THE IMPLEMENTATION OF THE SLIDING FEE SCALE PROGRAM FOR THE MEDICALLY INDIGENT PATIENT

NOTICE IS HEREBY GIVEN that the Secretary of the Department of Public Health of the Commonwealth of the Northern Mariana Islands, in accordance with the authority vested in him pursuant to 1 CMC §2605, adopts the Regulations for the Implementation of the Sliding Fee Scale Program for the Medically Indigent Patient. These Regulations were originally published in the October 15, 1996 Commonwealth Register, Volume 18, Number 10, pages 14375-14382. .

At the time the proposed Regulations were published, the public was asked to provide comments and make suggestions for the modification or improvement of the Regulations. Written comments were received and considered by the Department of Public Health administration. Copies of these written comments received in response to the prior public notice are available for inspection at the Department of Public Health during regular business hours. As a result of this review of the comments, several changes were made to the Regulations as originally proposed. The amended Regulations are therefore published herein in their entirety.

Copies of the Regulations for the Implementation of the Sliding Fee Scale Program for the Medically Indigent Patient may be obtained from the Office of the Secretary of the Department of Public Health, located on the ground floor of the Commonwealth Health Center. These adopted Regulations shall take effect on June 1, 1997.

DR. ISAMU J. ABRAHAM Secretary

Department of Public Health

Filed By: ______SOLEDAD B. SASAMOTO

Registrar of Corporations

Received By:

COMMONWEALTH REGISTER

. Governor's Office

Date: 3-6-77

MARCH 15, 1997

Certification for Compliance With Directive No. 183:

Herman J. Suerren

Herman T. Guerrero

Executive Assistant To The Governor

PAGE 15210

VOLUME 19 NUMBER 03





GOVERNMENT OF THE NORTHERN MARIANA ISLANDS DEPARTMENT OF PUBLIC HEALTH-ENVIRONMENTAL SERVICES

NUTISIAN PUPBLIKU

NUTISIA PU MA ADAPTAN I REGULASION PARA I MA IMPLEMENTAN I SLIDING FEE SCALE NA PRUGRAMA PARA I MANATSAGA SIHA NA MANMALANGU

NUTISIA MA NANA'I GINEN ESTE na i Sikretarion i Dipattamenton Public Health Commonwealth i Sangkattan siha na Islas Mariana komu onsiste yan i aturidat ni ma entrega gue sigon gi 1 CMC s2605, ha adapta i Regulasion Para u ma Implementa i Sliding Fee Scale na Prugrama para i Manatsaga siha na ManmaLangu sin amendasion. Este siha na Regulasion orihinatmente manma pupblika gi halom i Oktubre 15, 1996 na Rehistran Commonwealth, Baluma 18, Numiru 10, pahina 14375 asta 14382. Taya' komentu manma risibi komu ineppe para i pinepblika put i manma propoponi siha na Regulasion.

Anai ma pupblika i ma proponi na Regulasion, mafaisen i pupbliku para u fanmama'tinas rekomendasion pot para u mas maolek o sino u mas gai adilanto esti na Regulasion. Guaha siha rekomendasion ma resibe yan ma konsidera ni i Dipattamenton Public Health. Kopian esti siha na rekomendasion ni manmaresibe ha respoponde i nutisian pupbliku pot i ma proponi na Regulasion, ya sina ma rekonisa gi i Dipattamenton Public Health gi duranten i regulat na oran ofisina. Guaha siha tinulaika manmafa'tinas gi Regulasion ni ma proponi ginen i rekomendasion siha ni manmaresibe. I ma amenda na regulasion ma publilika gi kinabales-na.

Kopian i Regulasion Para i ma Implementan i Sliding Fee Scale na Prugrama i Manatsaga Manmalangu Siha sina manma chuchule' ginen i Ofisinan i sikretariun Depattamenton Public Health gi primet na bibendan i Commonwealth Health Center. Este i manma adapta siha na Regulasion para u fanefektibu gi Junio 01, 1997.

DR. ISAMU J. ABRAHAM

Sekretaria

Dipattamenton Public Health

Ma file as:

SOLEDAD B. SASAMOTO Rehistradoran Kotporasion

Rinisibi as:

DONNA J. CRUZ Ofisinan Gubetno Fecha: 2-26~

Fecha: 3/

Fecha: 3-6-97

Settifikasion Para I Makumple i Directive No. 183:

Herman T. Guerrero

Executive Assistant i Ofisinan Gubetno

Fecha: 3-6-97



COMMONWEALTH HEALTH CENTER

GOVERNMENT OF THE NORTHERN MARIANA ISLANDS DEPARTMENT OF PUBLIC HEALTH-ENVIRONMENTAL SERVICES

OFFICE OF THE SECRETARY

CERTIFICATION OF ADOPTION OF THE REGULATIONS FOR THE IMPLEMENTATION OF THE SLIDING FEE SCALE PROGRAM FOR THE MEDICALLY INDIGENT PATIENT

I, Dr. Isamu J. Abraham, the Secretary of the Department of Public Health which is promulgating the Regulations for the Implementation of the Sliding Fee Scale Program for the Medically Indigent Patient, published in the October 15, 1996 Commonwealth Register Volume 18, Number 10, at pages 14375-14382, by signature below, hereby certify that the attached Regulations for the Implementation of the Sliding Fee Scale Program for the Medically Indigent Patient, as amended, are a true, complete, and correct copy of the Regulations now adopted by the Department of Public Health. I further request and direct that this Certification be published in the Commonwealth Register and then be attached by both the Office of the Registrar of Corporations and by the Office of the Governor to the Regulations for the Implementation of the Sliding Fee Scale Program for the Medically Indigent Patient.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on the 26 hday of FFB , 1997 at Saipan, Commonwealth of the Northern Mariana Islands.

Bv:

DR. ISAMU J. ABRANAM

SECRETAR

Department of Public Health

REGULATIONS IMPLEMENTING THE SLIDING FEE SCALE PROGRAM

Section I. PURPOSE

It is the intent of the Department of Public Health to provide quality medical care to the residents of the Commonwealth of the Northern Mariana Islands regardless of their ability to pay. Therefore, the Department of Public Health hereby establishes these Regulations for a Sliding Fee Scale Program to assist patients whose extenuating circumstances make it difficult to pay medical services rendered at the Commonwealth Health Center, Rota Health Center, and Tinian Health Center.

The Sliding Fee Scale is a schedule of discounts that allows for differing abilities of patients to pay for medical services. The ability to pay for services is determined by the patient's income and family size. (See Section 6 for the Sliding Fee Scale Table.) The patient whose family income from all sources falls within the income levels and family sizes set forth in the Tables is entitled to a discount on his or her medical charges. The patient will be billed his or her portion of medical charges after the appropriate discount rate, which ranges from 75%, 50%, and 25%, is deducted from the patient's share of the medical bill.

It shall be the responsibility of the recipient of medical services, or his or her representative, to request and substantiate eligibility to qualify under the Sliding Fee Scale Program. The Sliding Fee Scale Program is intended to be the last resort for the payment of medical services for patients who cannot themselves pay for medical services because of inadequate income and who are not covered by medical insurance or other responsible third party payor.

Section 2 - Medical Coverage and Exclusions

Sliding Fee Scale Discounts shall apply towards bills for medical services (outpatient, inpatient, and emergency department), ancillary services, dental services, and prescription drugs considered medically necessary for the treatment or diagnosis of a disease, injury, or condition for which the patient is personally liable to pay.

- ii) employment within the CNMI;
- iii) whether the patient maintains an abode in the CNMI;
- iv) enrollment in a CNMI school;
- v) possession of a valid CNMI driver's license;
- vi) current postal address within the CNMI;
- vii) filing of personal income tax returns with the Department of Finance for prior years;
- viii) enrollment in other CNMI welfare programs such as the Medicaid program, Food Stamps, or Low Income Housing Energy Assistance Program; and
- ix) any other evidence considered as indicative of residency within the CNMI such as rental receipts, bank account statements, Social Security number, telephone number, cable TV subscription, etc.

b. Income Limitations

In order to qualify under the Program, the total income from all sources of the applicant and dependent family members shall not exceed the established Sliding Fee Scale standards set forth in the Sliding Fee Scale Tables.

For purposes of these Regulations, total income from all sources shall include, but not be limited to, annual gross wages and salaries and other sources of income such as public assistance supplementary payments, social security, unemployment and workmen's compensation, alimony, child support, all forms of pensions, income from dividends, interests, rents, royalties, income from estates or trusts, etc.

"Dependent family members" for purposes of these Regulations is defined as those person(s) who are members of the applicant's household for at least one year and who fall within the following categories:

* spouse (including common-law);

The Sliding Fee Scale shall not apply to the following services:

- 1) Cosmetic Surgery;
- 2) Personal comforts and conveniences;
- 3) Non-emergency use of the Emergency Department;
- 4) Fertility procedures;
- 5) Over-the-counter drugs and supplies;
- 6) More than one routine or annual physical examination per year;
- 7) Medical services or supplies provided free of charge under Public Health Programs;
- 8) Substance abuse treatment on an outpatient basis;
- 9) Morgue;
- 10) Prosthetic devices and durable medical equipment; and
- 11) Any services or items which are not medically required for the diagnosis or treatment of a disease, injury, or condition.

The Sliding Fee Scale Program is intended to be the last resort for the payment of medical services for patients who cannot themselves pay for medical services because of inadequate income and who are not covered by medical insurance or other responsible third party payor.

Section 3 - Eligibility Criteria

To be eligible for consideration for participation in the Sliding Fee Scale Program, the applicant must satisfy the following eligibility requirements:

a. Residency Requirements

The patient must be a United States citizen residing in the Commonwealth of the Northern Mariana Islands, or other individual who has established legal residence in the CNMI. For purposes of these Regulations, "residence" shall mean "the place where a person maintains an abode, with the intention of remaining permanently, or for an indefinite period of time." It shall be the responsibility of the patient, or patient representative, to demonstrate residence in the CNMI as required by these regulations.

In determining the residence of the patients, the Business Office staff shall consider the patient's overall situation in the CNMI, including the following:

i) the number of days spent in the CNMI each year;

- * children including natural children, step children, legally adopted children, children under legal guardianship;
- * father and mother;
- * father-in-law and mother-in-law;
- * grandparents and grandparents of spouse; and
- * grandchildren.

Section 4 - Procedures for Verifying Validity and Eligibility

The applicant's percentage of Sliding Fee Scale Discount is based on the supporting income documents and family size. The patient or patient representative shall have the burden of providing verifiable documentation to support eligibility to qualify under the Sliding Fee Scale Program. To apply, the applicant must:

- a. Complete the Sliding Fee Scale Discount application form available at the Business Office Registration Desks.
- b. Provide proof of identification (birth certificate, certificate of identity, marriage licence, Alien Registration Card, Entry Permit, passport, etc.)
- c. Provide employment verification and proof of current income including, at minimum, the last three pay check stubs and previous year's tax returns filed with the Division of Revenue and Taxation.
- d. Provide proof of residency.
- e. Submit copy of Social Security Card of applicant and each dependent family member.

Section 5 - Procedures for Processing Applications

1

The staff of the Department of Public Health shall follow the procedures set forth below:

- a. Advise indigent patients of possible qualification for Medicaid Program or Sliding Fee Scale Program. The applicant must be screened for and agree to apply for Medicaid, if potentially eligible, prior to being considered for eligibility in the Sliding Fee Scale Program.
- b. Advise applicants to submit and complete documents required in Section 4 within five (5) working days from date of service.
- c. Process the application and determine eligibility in the Program within fifteen (15) working days from the date all required supporting documents are received.
- d. Notify applicant by letter of the approval or denial of application. If approved, advise applicant of the total percentage of discount allowed and the percentage of his or her liability. Advise applicant that his or her share of medical charges must be paid after each encounter. Failure of the applicant to pay for his or her share of medical bills may result in reverting his or her account to a 100% pay status. If approved, coverage under the Program will be effective from the date the application was submitted.
- e. Issue a Program Card to the qualified applicant, listing all eligible family members.
- f. Advise applicant that changes of circumstances must be immediately reported and that a redetermination of qualifications shall be made where necessary. Eligibility is for one year and the account will be reviewed and redetermined annually.
- g. As a condition for eligibility, applicant and/or eligible members of the family may be required to authorize release of information from their employers or other agencies/institutions for purposes of verifying the validity of supporting documents submitted.

SECTION 6

DEPARTMENT OF PUBLIC HEALTH 1996 SLIDING FEE SCALE TABLE

ANNUAL INCOME LEVEL¹

FAMILY	DISCOUNT		DISCOUNT		,	DISCOUNT			
UNIT	7 5%		5 0%			2 5%			
SIZE		*]				_		1
1	0	to	8,910	8,911 to	11,138		11,139	to	13,365
2	0	to	11,920	11,921 to	14,900		14,901	to	17,880
3	0	to	14,930	14,931 to	18,663		18,664	to	22,395
4	0	to	17,940	17,941 to	22,425		22,426	to	26,910
5	0	to	20,950	20,951 to	26,188		26,189	to	31,425
6	0	to	23,960	23,961 to	29,950		29,951	to	35,940
7	0	to	26,970	26,971 to	33,713		33,714	to	40,455
8	0	to	29,980	29,981 to	37,475		37,476	to	44,970
9	0	to	32,990	32,991 to	41,238		41,239	to	49,485
10	0	to	36,000	36,001 to	45,000		45,001	to	54,000
11	0	to	39,010	39,011 to	48,763		48,764	to	58,515
12	0	to	42,020	42,021 to	52,525		52,526	to	63,030
13	0	to	45,030	45,031 to	56,288	j	56,289	to	67,545
14	0	to	48,040	48,041 to	60,050		60,051	to	72,060
15	0.	to	51,050	51,051 to	63,813		63,814	to	76,575

^{*} For family units of more than 15 members, add \$3,010 for each additional member.

¹ The maximum annual income levels used in the Tables are based on the 1996 Hawaii Poverty Guidelines published in the Federal Register dated March 4, 1996.



Commonwealth Utilities Corporation



PUBLIC NOTICE

ADOPTED AMENDMENTS TO THE ELECTRIC SERVICE REGULATIONS OF THE COMMONWEALTH UTILITIES CORPORATION

Pursuant to Public Law 8041, Section 11, Governor Froilan C. Tenorio and Lt. Governor Jesus C. Borja, through the Board of Directors of the Commonwealth Utilities Corporation, hereby give notice to the public that it has adopted the amendments to the Electric Service Regulations of the Commonwealth Utilities Corporation, regarding its Security Deposit Policy, as published in Volume19, Number 01, dated January 15, 1997, of the Commonwealth Register.

Dated this 14th day of March, 1997:

BENJAMIN AJSABIAN

Chairman

Received by:

HERMAN T. GUERRERO
Executive Assistant, Office of the Governor

Date:

TIMOTHY P. VILLAGOMEX
Executive Director

Filed by:

Kerne dio fu. Haelman
SOLEDAD B. SASAMOTO
Registrar of Corporations

Date: 3/15/97



Commonwealth Utilities Corporation



NOTISIAN PUBLIKO POT I MA ADOPTA NA TINILAIKA GI REGULASION SETBISIUN ELEKTRISIDAT PARA I COMMONWEALTH UTILITIES CORPORATION

Sigun gi Lai Pupbliku 8-41, Seksiona 11, I Gobietno as Froilan C. Tenorio yan Segundo Gobietno as Jesus C. Borja, enteri i Commonwealth Utilities Corporation Board of Directors, ginen este man infofotma na esta ha adapta i tinilaika gi Regulasion Setbisiun Elektrisidat, put Areklamenton Apas Siguritat, para i Commonwealth Utilities Corporation, ni mapupblika gi Baluma 19, Numiru 01, ya ma fecha dia 15 Ineru 1997, gi halom Rehistran Commonwealth.

BENJAMIN A SABLAN

Chairman

Rinisibi as:

Ma file as:

HERMAN T. GUERRERO

Executive Assistant, Offisinan Gobietno

MAR 15 1997

Fecha:

BENJAMIN A SABLAN

TIMOTHY P. VILLAGOME

Executive Director

Ma file as:

SOLEDAD B. SASAMOTO

Rehistradoran Kotporasion

Fecha:

MAR 15 1997

Fecha:

BENJAMIN A SABLAN

TIMOTHY P. VILLAGOME

Executive Director

Ma file as:

SOLEDAD B. SASAMOTO

Rehistradoran Kotporasion



Commonwealth Htilities Corporation



ARONGORONG REEL ADAPTÁÁL ALLÉGHÚL LLÓL COMMONWEALTH UTILITIES CORPORATION

Sángi Alléghúl toulap ye 8-41, Tálil 11, nge Gobenno Froilan C. Tenorio me aruuschayil Lt. Gobenno Jesus C. Borja, sángiir schóól <u>Commonwealth Utilities Corporation Board of Directors</u>, nge rekke arongaawow bwe a adaptááli' Alléghúl mille <u>Security Deposit</u> iwe a takkai toowow Ilól <u>Volume</u>19, Numoro 01, wóól rállil ye Schoow (Ineru) 15, 1997, mellól <u>Commonwealth Register</u>.

Commonwealth Register.	
Efféér Ilól ráálil ye 14, maramal Mailap (Ma	atso), 1997:
BENIZMIN A SARLAN	TIMOTHY PIVILLAGOMEZ
Chairman	Executive Director
Bwughiyal:	Bwughiyal:
Herman Vi Lucy	Remedio In. Halluda fr: SOLEDAD B. SASAMOTO
HERMAN T. GUERRERO Bwulasiyool Gobenno	Registrar of Corporations
Rál: 15 1997	Rál: 3/15/97



Commonwealth Utilities Corporation



Office of the Executive Director

CERTIFICATION OF AMENDMENTS TO THE ELECTRIC SERVICE REGULATIONS OF THE COMMONWEALTH UTILITIES CORPORATION

I, TIMOTHY P. VILLAGOMEZ, Executive Director of the Commonwealth Utilities Corporation, which is promulgating Amendments to the Security Deposit Policy of its Electric Service Regulations, hereby certify that the preceding Amendments is a true, complete and correct copy of such Amendments to the Electric Service Regulations adopted by the Board of Directors of the Commonwealth Utilities Corporation.

Executive Director

Commonwealth Utilities Corporation



Commonwealth Utilities Corporation



Board of Pirectors

RESOLUTION 96-8

Whereas, the Commonwealth Utilities Corporation is a community-owned utility; and

Whereas, the Board of Directors and management are accountable to the public, and

Whereas, the community has overwhelmingly requested that the Board of Directors consider adopting a reconnection fee that reflects the average salary and community standards; and

Whereas, the Governor and Lt. Governor have acknowledged the need for the utility to reach full-cost recovery and identified this as the Corporation's most important priority; and

Whereas, the Governor and Lt. Governor acknowledge the Board of Directors has the primary responsibility regarding regulation of fees and prices; and

Whereas, the Governor and Lt. Governor have indicated that the Board of Directors is fulfilling its regulatory requirements; and

Whereas, the Governor and Lt. Governor have respected the autonomy of the Board of Directors by allowing it to reach full-cost recovery, improve internal controls and its policies and procedures in the best interest of its customers; and

Whereas, the CNMI Legislature has further acknowledged and respected the autonomy of the public agency; and

Whereas, the CNMI Legislature has requested, through House Joint Resolution 10-20, that the Corporation reduce its reconnection fee from \$150 to \$75; and

Whereas, the actual costs related to each electrical disconnection and reconnection is \$518.52, the Corporation's efforts to reach full-cost recovery will not be hampered with improved customer collections and adherence to strict corporate policies; and

P.O. Box 1220, Saipan, MP 96950 Tel: 322-6020 • Hax: 322-4323 Now Therefore Be It Resolved, that the Board of Directors instructs the Executive Director to reduce Corporation liabilities and risks by improving monthly customer collections and by monitoring the strict adherence to all policies; and further direct that the reconnection fee for residential customers shall be reduced from \$150 to \$75 upon adoption by the Board of Directors and pursuant to final publication in the Commonwealth Register. Commercial reconnection fees will remain the greater of \$150 or ten percent (10%) of the monthly bill.

Dated this 30th day of December, 1996:

BENJAMIN A. SAE

JOSE S. RIOS Uce Chairman

WANG DELA COLIZ

Secretary



Commonwealth Htilities Corporation



The 1994 1996 Revision of Policy Regarding Security Deposits

Part 6: Security Deposits

- 6.1 The Commonwealth Utilities Corporation shall collect from every customer account a two (2) month security deposit.
- 6.2 The CUC Engineering Division shall be responsible for calculating the actual cost of the customer's deposit based on a sliding scale of estimated kilowatt usage. Customers may be required to provide blueprints, electrical load calculations or building code certificates.
- 6.2.1 The security deposit shall be payable when the customer is notified by CUC that the application is complete and <u>after</u> the property has passed inspection. Customers shall not be required to pay the deposit before CUC is prepared to connect the customer. If CUC does not fails to connect the customer within two (2) weeks of receipt of the deposit, the customer may request a refund. If the customer receives a refund, he shall be required to pay a new deposit prior to connection to the CUC system.
- 6.2.2 CUC shall not expend funds (beyond administrative costs and the cost of inspection) in anticipation of connecting a customer until a security deposit has been paid.
- 6.3 After a customer has utilized the CUC full time for a period of one (1) year, the customer will have established a credit history with the Corporation. At that time, the customer may request his deposit be recalculated based on actual kilowatt usage rather than the sliding scale.
- 6.4 After one year of established use, and annually thereafter, the CUC may also recalculate the security deposit.
- 6.5 All adjustments to the original security deposit shall be calculated by averaging the two (2) highest months of actual kilowatt usage during the one year period. In the event that the actual customer usage is fifteen (15) percent higher or lower than the estimate used in rule 6.2, then the Corporation shall adjust, either higher or lower, any the security deposit based on the new calculations.
- 6.6 Adjustments in the customer's security deposit shall appear on the regular monthly bill either in the form of a credit or in the form of an additional payment required by the customer.
- 6.7 Customers who are found to owe an additional security deposit are obligated to pay such amount or their services are subject to disconnection as with any past due bill.

Part 6.8: Accountability of Security Deposits

6.8.1 The Corporation shall be liable for all security deposits received and shall ensure that all commercial security deposits are deposited into a secured, interest-earning account and that such account shall be separate from all other Corporation accounts.

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- 6.8.2 The Corporation may use the balance in the security deposit account to credit all existing customers who (a) terminate their account; (b) customers who qualify for a refund; or (c) customers whose accounts are past due and scheduled for disconnection but for no other purposes not specifically mentioned or related to security deposits.
- 6.8.2.1 In the event that a customer's deposit is used in lieu of payment, the customer must reestablish a deposit, pursuant to rule 6.1, prior to reconnection.
- 6.8.3 The Corporation's Comptroller and other individuals who have access to said account shall be held liable for any misuse or misappropriation of any and all money deposited. Liability shall include employee termination, reimbursements and/or criminal charges.
- 6.8.4 The Corporation's Comptroller shall prepare for the Board of Directors a monthly report which explicitly details deposits and withdrawals and categorizes account action.

Part 6.9: Refunding the Security Deposits

- 6.9.1 Upon the termination of the commercial utility account, and if applicable, the customer shall receive a full, cash refund of any remaining deposit.
- 6.9.2 Partial refunds may shall be made prior to the termination of utility services for commercial customers who have previously paid a three (3) month deposit, if (a) they have established a good credit history, and (b) the Board of Directors has determined that funds are available for that purpose (b) as determined by the Board of Directors one month after this revision becomes regulation.
- 6.9.3 Upon determination of funding availability, the Board may return partial security deposits to qualifying customers (up to an amount which will leave the equivalent of the security deposit which would be required pursuant to the rules set forth in Part 6.1-6.6) either in the form of a credit on the utility account or in cash.
- 6.9.4 No portion of this policy is retroactive. Customers may not disconnect utility services in order to reconnect under the new policy. If they attempt to do so, they will be subject to the old policy requiring a three (3) month security deposit as well as a re-connection fee. After five (5) years of established 24-hour use, and if there is evidence of a good credit rating, the customer may request a refund of his deposit.
- 6.9.5 The Corporation reserves the right to investigate the credit rating of all customers requesting refunds and shall make the determination of a good credit history based on, but not limited to, these factors: years of service, on-time payments, no disconnection notices, no disconnections, no promissory notes, credit reports, bank references and guarantees, etc.
 - 6.9.6 The refunds may be made in the form of credits or cash on the account.
- 6.9.7 Customers who have established the five (5) year good credit history may apply for a security refund at such time that the Corporation Security Deposit Account averages a balance of \$3,000,000 and/or upon a Resolution by the Board of Directors.
- 6.9.8 Pending a refund of Commercial security deposits, the Corporation shall pay each commercial customer the going interest rate based on an average of local bank rates. The interest shall be paid in the form of either cash or credit once a year and shall be issued to the customer no later than one month after the close of each fiscal year. Interest shall start accumulating one month

after this revision becomes regulation.

6.9.9 No portion of this policy is retroactive. Customers may not disconnect utility services in order to reconnect under the new policy. If they attempt to do so, they will be subject to the old policy requiring a three (3) month security deposit as well as a reconnection fee.