COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS SAIPAN MARIANA ISLANDS

VOLUME 19 NUMBER 10



OCTOBER 15, 1997

COMMONWEALTH REGISTER

COMMONWEALTH REGISTER VOLUME 19 NUMBER 10 OCTOBER 15, 1997

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COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS STATE BOARD OF EDUCATION PUBLIC SCHOOL SYSTEM

P.O. BOX 1370 CK **SAIPAN, MP 96950**



CNMI STATE BOARD OF EDUCATION NOTICE OF MEETING

COMMISSIONER OF EDUCATION WILLIAM S. TORRES

CHAIRMAN DON A. FARRELL

VICE-CHAIRPERSON

THOMAS B. PANGELINAN DANIEL O. QUITUGUA MARJA LEE C. TAITANO

PUBLIC SCHOOL TEACHER JOVITA K. MASIWEMAI

NON PUBLIC SCH. REP. REV. JOHN A. KINSELLA

STUDENT REP. f I . PATRINA SN. BORJA

LEGAL COUNSEL SEAN E. FRINK

Pusuant to Public Law, the CNMI Board of Education, hereby gives notice that the meeting of the Board of Education will be held at 10:00 a.m. Thursday, October 23, 1997 at the Nauru Building, Saipan.

The following items are on the agenda for the above referenced meeting:

PRELIMINARY MATTERS

- 1. Call to Order
- 2. Roll Call
- 3. Adoption of Agenda (August 28, 1997)

II. CAPITAL IMPROVEMENT PROJECT REPORT

- 1. 60 Classrooms Project
- 2. Dandan Elementary Construction
- 3. Kagman Elementary Construction
- 4. Tinian High School Status

III. CHAIRMAN'S REPORT

- 1. California Financial Services Loan Package
- 2. Reprogramming Authority
- 3. Continuing Resolution

PROGRAMS COMMITTEE REPORT IV.

- 1. High School Graduation Requirement
- 2. Bilingual Instruction Status
- Language Arts Action Plan Amendment

v . PERSONNEL COMMITTEE REPORT

- 1. Counselor's Contract
- 2. Substitute Teachers
- 3. Food & Nutrition Sevice Contracts
- 4. Salary Inequities

VI. **BUSINESS**

- 1. Review of performance of Commissioner Torres
 - a. Outcome of Review
 - b. Determination

VII. PUBLIC COMMENTS

VIII. ADJOURNMENT

All interested persons are welcome to attend and to submit written or oral testimony on the above agenda items.

COMMONWEALTH REGISTER VOLUME 19 NUMBER 10 OCTOBER 15, 1997 PAGE 15700 TEL: (670) 664-3770/3720 FAX: (670) 664-3798/664-3791/664-3792



COMMONWEALTH OF THE NORTHERN MARIANA ISLANOS STATE BOARD OF EDUCATION PUBLIC SCHOOL SYSTEM

P.O. BOX 1370 CK

September 22, 1997



CHAIRMAN DON A. FARRELL

VICE-CHAIRPERSON ESTHER S. FLEMING

THOMAS B. PANGELINAN DANIEL O. QUITUGUA MARJA LEE C. TAITANO

NON PUBLIC SCH. REP. REV. JOHN A. KINSELLA

STUDENT REP. PATRINA SN. BORJA

LEGAL COUNSEL SEAN E. FRINK

BOARD OF EDUCATION NOTICE OF MEETING

SAIPAN, MP 96950

COMMISSIONER OF EDUCATION WILLIAM S. TORRES

Pursuant to Public Law, the CNMI Board of Education, hereby gives notice that the special meeting of the Board of Education will be held on Wednesday, October 1, PUBLIC SCHOOL TEACHER 1997 at 12:00 noon at the Conference Room Nauru Building, Saipan

> The Following items are on the agenda for the abovereferenced meeting:

PRELIMINARY MATTERS I.

- 1. Call to Order
- 2. Roll Call
- 3. Adoption of Agenda

II. BUSINESS

- 1. Review of performance of Commissioner Torres
- a. possible grounds for termination
 - b. vote on termination
- III. PROGRAMS COMMITTEE REPORT
- IV. PUBLIC COMMENTS
- (EXECUTIVE SESSION) LEGAL COUNSEL'S REPORT

ADJOURNMENT

All interested persons are welcome to attend and to submit written or oral testimony on the above agenda items.

/s/ Don Farrell Chairman, Board of Education

/s/ Marja Lee Taitano BOE Member

/s/Thomas Pangelinan BOE Member

TEL: (670) 664-3770/3720 FAX: (670) 664-3798/664-3791/664-3792

Commonwealth of the Morthern Mariana Islands DEVELOPMENT APPEALS BOARD

Jose P. Cruz, Chairman Herman M. Atalig, Vice Chairman David Palacios Fred F. Camacho Diane P. Crisostomo Joaquin Sablan Henry H. San Nicolas Bonabe H. Maratita

Arlene A. Yamagata, Acting Administrative Assistant First Floor, Administration Building Caller Box 10007 Capitol Hill, Salpan, MP 96950 Telephone: (670) 664-2306 Facsimile: (670) 664-2210

NOTICE AND CERTIFICATION OF ADOPTION OF RULES REGARDING ORGANIZATION AND PROCEDURE

I, Jose P. Cruz, Chairman of the Development Appeals Board, which is promulgating the Rules regarding organization and procedure published in the Commonwealth Register Vol. 19 No. 5 on May 15, 1997 at pages 15324-15328, by signature below hereby certify that as published such rules are a true, complete and correct copy of the Rules regarding organization and procedure previously proposed by the Development Appeals Board which, after the expiration of appropriate time for public comment, have been adopted without modification or amendment. I further request and direct that this Notice and Certification of Adoption be published in the CNMI Commonwealth Register.

I declare under penalty of perjury that the foregoing is true and correct and that this Declaration was executed on the 14th day of October 1997 at Saipan, Commonwealth of the Northern Mariana Islands.

Jose P Cruz Chairman

Paradant to I Unio side as amended by Ph 1800 and approved as the form and legal sufficiency by the CNM1 Accorded Section of the

Dated this day of

Attorney General Acting)

By:

Assis at I At only General
Ellion A. Sattler

PUBLIC NOTICE OFFICE OF THE MAYOR MUNICIPALITY OF SAIPAN PROPOSED REGULATIONS

"Municipality of Saipan's Dog Control Rules and Regulations"

The Office of the Mayor, Municipality of Saipan, pursuant to the authority of Saipan Local Law 9-12, and in accordance with 1 CMC 9101 et. seq., hereby gives notice to the public of its intention to adopt the "Saipan Dog Control Rules and Regulations".

The rules and regulations adopt a procedure for the Saipan Mayor's Office to provide a system for the humane impounding, holding, and disposing of wild and/or stray dogs, as well as regulations pertaining to the licensing of dogs and a fee schedule governing the same.

All interested persons are hereby given the opportunity to submit data, views, and other comments in writing concerning the proposed regulations. Written comments must be submitted to the Office of the Mayor, PO Box 1457, Saipan, MP 96950, 1st Floor Afetna Square Building, San Antonio Village, no later than the close of business, thirty (30) calendar days following the date of publication to this notice.

ISSUED BY:

Pursuant to 1 CMC §2153 as amended by PL 10-50 the rules and regulations attached hereto have been reviewed and approved by the CNMI Attorney General's Office.

RECEIVED BY:

Hellian J. HullingOVERNOR'S DEFICE

10-11-97 DATE

FILED BY:

SOLEDAD B. SASAMOTO REGISTRAR OF CORPORATIONS 18/15/97 DATE

C:\08576190

NUTISIAN PUPBLIKU OFISINAN MAYOT MUNISIPAT IYA SAIPAN PRINIPONEN REGULASION

"Munisipat iya Saipan, Areklamento yan Regulasion Put Dinisponen Ga'lagu siha"

I Ofisinan Mayot, Munisipat iya Saipan, sigun gi aturidat ginen i Lai Pupobliku 9-12, yan sigun gi sinangan yan fuetsan 1 CMC 9101 et seq., ginen este manana'e nutisia put i intesion-na para u adapta i "Areklamento yan Regulasion Put Dinisponen Ga'lagu siha".

I Areklamento yan Regulasion ha adapta kinalamten gi halom Ofisinan Mayot Saipan para u prubeni i sistema put umanidat na minantieni, ma pongle, yan ma despuston i manmachalek yan i man atsadu siha na ga'lagu, yan lokkuew' komu regulasion put ma lisensian i ga'lagu yan listan apas ni para u gobietna i parehu-na siha.

Hayi interesante siha na petsona manma sosohyu yan na'e oputtunidat para u fana'halom komento pat rekomendasion gi tini'ge put i mapropopone na regulasion siha. I manma tuge' siha na komento siña manma satmiti guatu gi Ofisinan Mayot, P.O. Bo 1457, Saipan, MP 96950, gi Primet bibenda, Afetna Square, San Antonio Village, ti u mas atrasao di trenta (30) dias despues di mapupblika huyong este na nutisia.

JESUS DELEON GUERRERO

LINAKNOS AS:

July 9, 199

FECHA

Sigun gi sinangan yan fuetsan 1 CMC §2153 ni inamenda ni Lai Pupbliku 10-50 i areklamento yan regulasion ni chechetton guine esta manma ina yan apreba ni Ofisinan Attorney General giya Saipan.

Ma fecha gi mina' 15th na dia guine na mes October , 1997.

ATTORNEY GENREAL(ACTING)

ELLIOTT A. SATTLER

As: ROBERT B. DUNLAP II

RINISIBI AS:

OFICINA NIGURETNO

10-15-97

FECHA

NUTISIAN PUPBLIKU OFISINAN MAYOT MUNISIPAT IYA SAIPAN PRINIPONEN REGULASION

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LINAKNOS AS:

NUTISIAN PUPBLIKU OFISINAN MAYOT MUNISIPAT IYA SAIPAN PRINIPONEN REGULASION

"Munisipat iya Saipan, Arekiamento yan Regulasion Put Dinisponen Ga'iagu siha"

I Ofisinan Mayot, Munisipat iya Saipan, sigun gi aturidat ginen i Lai Pupobliku 9-12, yan sigun gi sinangan yan fuetsan I CMC 9101 et seq., ginen este manana'e nutisia put i intesion-na para u adapta i "Areklamento yan Regulasion Put Dinisponen Ga'lagu siha".

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JESUS DELEON GUERRERO

LINAKNOS AS:

July 9, 199

FECHA

Sigun gi sinangan yan fuetsan 1 CMC §2153 ni inamenda ni Lai Pupbliku 10-50 i areklamento yan regulasion ni chechetton guine esta manma ina yan apreba ni Ofisinan Attorney General giya Saipan.

Ma fecha gi mina 15th na dia guine na mes Ochber 1997.

ATTORNEY GENREAL(ACTING)

DELLIOTT A. SATTLER

As:______ROBERT B. DUNLAP II

RINISIBI AS

OFISINAN GUBETNO

10-15-97

-MIA FILE

SOLEDAD B. SASAMOTO REHISTRADORAN KOTPORASION FECHA

COMMONWEALTH REGISTER VOLUME 19 NUMBER 10 OCTOBER 15, 1997 PAGE 15705

ARONGORONGOL TOULAP BWULASIYOOL MEEYA MUNISIPOODUL SEIPEL POMWOL FFEERUL ALLEGH

"<u>Munisipóódul</u> Seipél Reel Alléghúl Lemelemil Ghulóógh"

Bwulasiyool <u>Meeyaal</u>, <u>Munisipóódul</u> Seipél, sángi bwángil Alléghúl Toulap ye 9-12, me bwal iye 1 <u>CMC</u> 9101 et seq., nge ekke arongaar toulap igha a <u>adptááli</u> mille "Alléghúl Lemelil Ghulóógh" mewóól Seipél.

Allégh kkaal nge ebwe <u>adaptaalong</u> llól Bwulasiyool <u>Meeya</u> igha e ayoora afalafalal me mwóghútúl reel mille umwuumwul, isiisil me akkááschelóól ghulóógh mwóscho meikka re mwet fetál ebwal weewe schagh me alléghúl igha eyoor loumw <u>lisensiyaal</u> loumw ghulóógh, eweewe schagh reel abwósul.

Alongeer aramas kka re tipeli rebwe ischilong yaar mangemang me akkaaw tiip, afal bwelle reel pomwol allégh yeel emmwel schagh rebwe isch ngali Bwulasiyool Meeya, reel P.O. Box 1457, Saipan MP 96950, 1st floor Afetna Square Building, Apilomwol Ghafeetiya(San Antonio) nge essóbw luuló ótol Angaang, eliigh(30) rál mwiril takkelóól toolongol arong yeel.

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Rál ye 15-fa liól maramal Ochbo	<u>u</u>	_, 1997		
Attorney Gene	ral (Acting	g)		

Robert B. Dunlap II

Bwughiyal:

Bwulasiyool Gobenno

10-15-97

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Isaliyal:

ARONGORONGOL TOULAP BWULASIYOOL MEEYA MUNISIPOODUL SEIPÉL POMWOL FFÉÉRÚL ALLÉGH

"Munisipóódul Seipél Reel Alléghúl Lemelemil Ghulóógh"

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Attorney G	eneral (Acting)
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Bwughiyal: JUMPU J. Juury Bwulasiyool Gobenno	10-15-97 Rái
Soledad B. Sasamoto Registrar of Corporation	10/15/97 Rail

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ARONGORONGOL TOULAP BWULASIYOOL MEEYA MUNISIPOODUL SEIPEL POMWOL FFÉERÚL ALLEGH

"Munisipóódul Seipél Reel Alléghúl Lemelemil Ghulóógh"

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Attorney General (Acting)

Mereel ELLIOTT A. SATTLER

To Robert B. Dunlap II

Bwughiyal:

Bwulasiyool Gobenno

Rál

Tsaliyal:

Merrel:

Soledad B. Sasamoto Registrar of Corporation 10/15/97

DOG CONTROL RULES and REGULATIONS

1.01 Established.

There shall be provided a suitable enclosure or place for the purpose of keeping and safely holding animals impounded, which shall be designated as the animal shelter, provided, that one or more suitable enclosures or places may be provided for the purpose of keeping and safely holding animals impounded, which places shall be designated as branches of the animal shelter and shall be included within the meanings of the words animal shelter wherever the name may appear in this title.

1.02 Supervisor designated.

Whenever in this title the words "Supervisor" or "Supervisor of animal shelter" are used, they shall mean the Supervisor of the animal regulation division of the office of the Mayor of Saipan.

1.03 Impoundment--Authority.

The Supervisor shall take up, impound and safely keep any and all of the animals enumerated in this chapter and found running at large, pastured, herded, staked or tied in any street, park, or other public place, or upon any private property, in violation of any of the provisions of this title.

1.04 Impoundment-Dogs.

It shall be the duty of the Supervisor and his employees to take up and deliver to the animal shelter any dog found upon any public or private property within the Municipality in violation of any of the provisions of this title.

1:05 Impoundment -- Care of animals.

The Supervisor shall safely keep all dogs, or other animals impounded at the animal shelter and shall furnish the same all necessary food and water, and shall give the same ordinary attention as may appear to be reasonably required for the welfare of such animals.

1.06 Impoundment -- Voluntary

The owner of a dog or cat may, with the consent of the Supervisor, place the custody of such

animal with said official for the purpose of obtaining his assistance in procuring a new owner for the animal under such terms and conditions as that official, in his sole and absolute discretion, shall determine. The act of the owner in so placing the custody of the animal with the Supervisor shall, in no event and under no circumstances, obligate that official of the Municipality to procure a new owner for the animal and, in the event such official so determines, the animal may be destroyed and disposition made of the carcass. The owner of any other small animal may, with the consent of the Supervisor, place the custody of such animal with said official for the purpose of disposing of the animal as that official so determines. By placing the animal in the custody of the Supervisor in accordance with this section, the owner thereof relinquishes and conveys to the Municipality all his right, title and interest in and to the animal and to the proceeds of any sale of the animal thereafter made, and neither the Municipality nor the official shall be required to make an accounting for any such proceeds. If the Supervisor elects to accept the custody of the animal, he shall require the owner thereof to evidence in writing his knowledge and acceptance of the provisions of this section. Notwithstanding anything in this section to the contrary, in the event the Supervisor has not procured a new owner for the animal and the same has not been destroyed, the person so placing the animal in custody may redeem and reclaim it from the custody of the Municipality upon the payment of a fee therefor established by the Mayor by regulation. The owner of the unwanted animal may deliver the animal to the Supervisor at the animal shelter without charge or, at the owner's request, that official will pick up the animal at a fee established therefor by the Mayor by regulation.

1.0 Nonpayment; abandonment

The refusal or failure of the owner of any such dog to pay the fee and charges after due notification shall be held to be an abandonment of the dog by the owner.

1.08 Impoundment -- disposal

Prior to disposing of an impounded dog, the Supervisor shall contact any and all local animal welfare/protection groups that have registered with the Supervisor, and who the Supervisor has found ready, willing, and able to place abandoned or wild dogs with responsible owners, to determine if the group is willing to take the dog in an attempt to place the dog with a willing owner. If the group is so willing, then the Supervisor shall release the dog to the group after the expiration of the one hundred twenty (120) hour holding period and/or after the expiration of any notice period as set forth below. The Supervisor shall maintain a viewing area for potential adopters to view the animal placed for adoption.

Prior to placing the dog with an animal welfare/protection group, or disposing of a dog, the Supervisor shall attempt to contact the owner of the dog. If the dog is wearing a tag issued by the Municipality, or a tag that provides the Supervisor with information sufficient for him to determine the identity of the owner of the dog, then notice that the dog has been impounded and

may be destroyed, or given to a new owner, shall be given to the owner, either by personal service, or by certified mail. The dog may not be disposed of, or given away, prior to the owner receiving seventy-two (72) hours notice if by personal service, or one hundred twenty (120) hours notice, if by certified mail or publication. For the purposes of determining the running of the notice period for notices serviced via certified mail or publication, the one hundred twenty (120) hour notice period will begin to run upon the Supervisor's delivering the letter to the post office or by publication, at 8:00 a.m. on the first day of publication.

The notice shall include the day and time that the dog was impounded, the daily impound fee, any other fees that the owner must pay to regain possession of the dog, and any procedures the owner must follow to regain possession of the dog.

If an impounded dog is not wearing a tag that would provide the Supervisor with the ability to determine the owner's identity, or if the owner does not respond to the notice issued by the Supervisor, then the Supervisor may dispose of, or give the dog away to an animal welfare/protection group, or to any individual that the Supervisor deems to be ready, willing, and able to care for the dog, at the expiration of the one hundred twenty (120) hour holding period, or at the end of the notice period, whichever is later.

If the Supervisor deems that the dog can be sold and thereby generate revenue for the Municipality, the Supervisor may sale the dog rather than give the dog to an animal welfare/protection group, or to an individual. The adoption criteria that the Supervisor shall adopt as a policy shall govern adoptions. Such criteria shall be established after consultation and input from the animal welfare protection groups.

At the time of sale or placement with an individual of any dog, a spay and neuter deposit shall be required from the purchaser/new owner. Such deposit shall be established by the Mayor by regulation. All such deposits shall be deposited as special account for the Municipality for animal control. A purchased/placed dog under six months of age at the time it is sold/placed shall be spayed or neutered within six months or the deposit shall be deemed unclaimed and forfeited to the Municipality. Any dog six months of age or over, at the time it is sold/placed, shall be spayed or neutered within sixty days or the deposit shall be deemed unclaimed and forfeited to the city. If a written statement is obtained by the purchaser/new owner from a veterinarian that the dog is not suitable for surgery the deposits shall not be deemed forfeited.

The Supervisor may, without waiting for such five-day period to elapse, cause any impounded animal to be destroyed when that official reasonably determines, upon the advice of a veterinarian, that such animal is unfit for further use by reason of its having been injured, having become infected with a dangerous or communicable disease, having become incurably crippled or having become infirmed on account of advanced age. Such official may likewise so destroy any impounded animal upon receiving the written report of a duly licensed veterinarian that such animal is afflicted with a painful and incurable disease.

Wherever, by these regulations, a dog is to be disposed of, such disposal shall be performed by a either a preapproved veterinarian or other qualified person or group, also who have been preapproved.

Disposal shall be by incinerator.

1.09 Impoundment--Redemption by owner.

The owner or person entitled to the possession of any impounded dog or other animal shall have the right to redeem and have the possession of the same at any time prior to the sale or destruction thereof upon payment to the Supervisor of the costs and charges incident to the impounding, taking and keeping thereof, upon satisfactory proof of the ownership and right to possession of the dog or other animal being made to the Supervisor and, if sold, to receive all of the net proceeds of such sale in excess of the costs and charges for the taking, impounding, keeping and expenses of sale thereof. As an incident to the redemption of any dog, the owner or other person shall also pay the license and other fees, plus any penalty, for any dog for which a license tag has not been issued for the current year.

1.10 Interference with officers or shelter.

No person shall conceal or attempt to conceal, rescue, or attempt to rescue any dog or any of the animals mentioned in this title from the Supervisor, or from any other officer authorized to enforce any of the provisions of this title, while engaged in the capture or in conveying to the animal shelter any such dog or animal, or to interfere in any manner with said persons in the performance of any duty incident to their office, or to rescue or attempt to rescue any dog or other animal which has bene impounded in the animal shelter.

DOG LICENSING

2.01 Tag--Required.

No person shall own or have in custody or control any dog, male or female, over the age of four months, without at all times having upon such dog a Collar or harness to which shall be securely fastened a tag as provided in these regulations. Said tag may be issued at any time during the calendar year and may be issued for a period of twelve months or longer period. The tag shall be obtained from the Supervisor or designated office, inscribed with the letters and words "Saipan Dog License" and with the serial number of the tag. The tag shall be sufficient only during the period for which the tag is issued. These regulations shall authorize the Supervisor to issue a

license for one or more years up to a maximum of five years, subject to the fee schedule attached to these regulations.

2.02 Application

Each application of a dog license tag shall state the age, sex, color, and breed of the dog for which the license is desired and the address of the owner.

2.03 Endorsement of Tag Number

All applications which have been endorsed shall be kept on file in the office of the Supervisor open to public inspection.

2.04 Spayed or neutered dog; reduction in fee

Whenever dog license tags are issued pursuant to this division, any such tag shall be issued at a reduced fee required for a dog, if a certificate is presented from a licensed veterinarian that the dog has been spayed or neutered

2.05 Penalty.

Violation of or failure to comply with any provision of these regulations constitutes an infraction punishable by a fine of not more than one hundred dollars for the first offense and not more than two hundred dollars for the second offense within a twelve-month period.

2.06 Tag Issuance--Records.

The Supervisor of the animal regulation division in consultation with the Mayor is authorized and directed to procure on an as needed basis such quantity of tags as may be required for dogs in the Municipality, which tags shall be plainly inscribed as set forth in this chapter, and shall be valid for only the period for which they are issued. The Supervisor, his assistants, and deputies shall furnish such tags to the owners and persons in control of dogs in the Municipality for the fees established by these regulations for each unaltered dog and for each altered dog whose spaying or neutering is verified by a certificate from a licensed veterinarian. The Supervisor shall keep a register wherein shall be entered the name of every person to whom a dog tag has been issued, together with the serial number, and the period for which it is valid, the date of issuance, the address of applicant, and any other data deemed pertinent. Such tag shall be good only for use upon the dog described in such application.

2.07 Tag--Replacement.

In case of loss or destruction of any tag required by the provisions of this chapter, a duplicate shall be issued by the Supervisor upon request and upon the payment of the fee established by these regulation.

2.08 Exemptions.

No license fee or tax shall be required for the issuance of a tag for any dog certified as being duly and properly trained to aid or assist disabled persons when such dog is actually being used by a person for the purpose of aiding or assisting such disabled person, and the Supervisor shall annually issue tags free of charge to owners or persons having the custody and control of such dogs.

2.09 Tag -- Counterfeit prohibited.

No person shall imitate or counterfeit any tag, receipt, or registration certificate required or issued pursuant to this chapter or use any imitation or counterfeit of any such tag, receipt or certificate.

2.10 Exhibit of receipt or tag required.

No person owning or having in his control any dog subject to license under this chapter shall refuse to show upon demand to the Supervisor, or any police officer, the receipt for a license tag fee or the license tag for any duly registered dog.

2.11 Unlawful killing, injuring or impounding

Except as otherwise provided in this division, it is unlawful for any person to kill, injure, or impound any dog, if the owner of the dog has complied with the provisions of this division.

2.12 Female in heat; permitting to run at large

It is unlawful for any person to permit any female dog which is owned, harbored, or controlled by him, to run at large at any time during the period when the dog is in heat or breeding condition.

RABIES CONTROL

3.00 [Reserved]

ANIMAL REGULATION

4.01 Dog Leash Required

No person owning, having a proprietary interest in, harboring or having the care, charge, control, custody or possession of a dog, shall permit such dog to be in or upon any public street, park, beach or other public place unless such dog is upon a secure leash not more than eight feet long held continuously in the hands of a responsible person capable of controlling the dog, or unless the dog is securely confined within an automobile, or in or upon any unenclosed lot or premises, unless the dog is securely leashed upon the unenclosed lot or premises; provided, however, that this section shall not apply to any such person who is in possession or operating within the terms of a valid, unrevoked permit from the Municipality for the conduct of obedience or other types of trial or show of dogs in or upon any public place.

4.02 Possession without owner's consent.

No person, not the owner thereof, and without the consent of the owner thereof, shall hold or retain in his possession any dog within the Municipality for any period longer than twenty-four hours unless such person reports the same, with the true description thereof, to the Supervisor.

4.03 Enforcement.

The Supervisor and any employee designated by the Mayor shall have the duty to enforce this act.

4.04 Refunds.

In the event the Supervisor or the Supervisor's designee determines after the sale of an animal that the animal bites, or that an examining veterinarian has determined that the animal is ill and there are sufficient facts and circumstances which indicate that the illness was incurred by the animal prior to the sale, the Supervisor or the Supervisor's designee may authorize the refund of the purchase price, inoculation fee, licensee fee, and any other fees or charges paid by the purchaser to the Municipality in connection with the sale of the animal; provided, that the purchaser of the animal files a written request for the refund with the Supervisor within fifteen

(15) days after the date of the sale of the animal.

4.05 Vicious animals--Defined.

"Vicious animal" is any animal which bites or attempts to bite any human or animal without provocation, or which has a disposition or propensity to attack, bite or menace any human or animal without provocation and endangers the health and safety of any person.

Any animal who bites or attempts to bite a person or other animal that is unlawfully on its owner's premises, or which has been provoked or teased, or which is otherwise performing its duties as a police dog, shall not be deemed to be a vicious animal.

4.06 Impoundment of vicious animal.

Any law enforcement or animal control officer of the Municipality shall have the authority summarily and immediately to impound a dog or other animal where there is evidence it is vicious within the meaning of this chapter.

Whenever necessary to make an inspection to enforce any of the provisions of this chapter, such official may enter private property at all reasonable times to inspect same or to perform any duty imposed by this chapter, provided, that if such private property is occupied, such official shall first present proper credentials and demand entry. If entry is refused, or if the owner or other person having control of such property is not present to permit entry, such official shall have recourse to every remedy provided by law to secure entry at a later time.

If the dog or other animal cannot be safely taken up and impounded, it may be destroyed forthwith by such law enforcement or animal control officer.

4.07 Vicious animal hearing.

Where there exists evidence sufficient to give rise to the suspicion that a dog or other animal is vicious, the Supervisor shall conduct a hearing for the purpose of determining whether the dog or other animal is a vicious animal. The Supervisor shall notify the owner of the animal, and may notify any interested parties of the time and place of hearing. At such hearing the owner and any interested party shall be given the opportunity to present any evidence relevant to the issue. After such hearing the Supervisor is empowered to declare such dog or other animal to be a vicious animal. All hearings shall be conducted in accordance with the APA.

4.08 Disposition of vicious animals.

Any dog or other animal declared to be a vicious animal may, at the discretion of the Supervisor, be humanely destroyed. Such humane destruction shall occur no earlier than ten days following notice given to the owner of such animal of intention to destroy, or if a hearing is held, no earlier than ten (10) days after a decision has been issued in the same and after all rights to appeal have been exhausted.

4.09 Issuance of rules and regulations-- Summary destruction.

If, after the hearing provided in this chapter, it is determined that the dog or other animal is vicious, the Supervisor, if he elects not to destroy the animal, may, through the issuance of an order, place conditions pertaining to the keeping and containing of such animal.

If such dog or other animal is thereafter determined to be in violation of any of the terms of an order issued by the Supervisor pertaining to the keeping and containing of an animal found to be vicious, such animal shall be impounded and thereafter subject to destruction pursuant to 4.07 and 4.08 after any and all hearings and appeals have been taken.

4.10 Fees

The attached schedule A shall be the initial fee schedule for any and all fees authorized by these regulations. The Supervisor, subject to the approval of the Municipal Council, is hereby authorized to add or change fees to said schedule which may be necessitated by unforseen circumstances. Provided however, that the said schedule of fees may not be increased until they are in effect for at least one (1) year.

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FEE SCHEDULE

This fee schedule is authorized by the regulations promulgated pursuant to Saipan Local Law No. 9-12.

LICENSE FEES

	Non Altered	Altered	Senior Citizen
1 Year	\$20.00	\$11.00	\$9.00
2 Year	\$37.00	\$19.00	\$17.00
3 Year	\$56.00	\$30.00	\$27.00
4 Year	\$75.00	\$40.00	\$37.00
5 Year	\$92.00	\$50.00	\$45.00

^{**}Senior Citizens must be 60 years of age and own an altered dog.

REDEMPTION FEES (within a 12 month period)

	<u>Impound</u>	Board (per day)
1st Impound	\$16.00	\$5.00
2 nd Impound	\$32.00	\$5.00
3 rd Impound	\$47.00	\$5.00
Special Impound (after hours)	\$47.00	\$5.00
Penalty Fee	\$20.00	

^{**}Senior Citizen with an altered animal: Impound fee is 50% of applicable impoundment fee plus \$5.00 per day board.

ADOPTION FEES

DOGS OVER 4 MO	<u>NTHS</u>	DOGS UNDER 4	<u>MONTHS</u>
Adoption Fee	\$20.00	Adoption Fee	\$20.00
Alter Deposit	\$20.00	Alter Deposit	<u>\$20.00</u>
Parvo Deposit	<u>\$10.00</u>		\$40.00
	\$50.00		

**Deposits: Alter Deposit-\$15.00 refundable upon proof of alter.

Parvo Deposit-\$10.00 refundable upon proof of vaccination.

**Refunds: Proof of alter and/or vaccination must be provided within 30 days of adoption

in order to receive a refund.

**A License must be purchased for any dog over four months of age.

OWNER ANIMAL TURN-IN

Alive

\$26.00

Dead

\$16.00

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PUBLIC NOTICE

NOTICE OF PROPOSED AMENDMENTS TO THE RULES AND REGULATIONS OF THE DEVELOPMENT CORPORATION DIVISION OF THE COMMONWEALTH DEVELOPMENT AUTHORITY

The Commonwealth Development Authority (CDA) of the Commonwealth of the Northern Mariana Islands hereby notifies the general public of its intent to adopt certain amendments to the Rules and Regulations of its Development Corporation Division (DCD).

Pursuant to 4 CMC §10203(a)(2), 4 CMC §10305(b)(1), and 1 CMC §9104, the CDA Board of the Directors proposes to amend the DCD Rules and Regulations which were published, in their entirety, on May 15, 1994, in the Commonwealth Register, Volume 16, Number 05, and adopted, on August 15, 1994, in the Commonwealth Register, Volume 16, Number 8.

The DCD Rules and Regulations are a guideline to aid the Board of Directors in their review and deliberation of loan packages and applications, and as an easy reference for all borrowers and potential applicants. At this time, it is proposed that the current rules and regulations be amended for the general purpose of shaping them to better address the emerging trends, current banking procedures, and the demands of our growing community.

The proposed amendments follow this notice and are published herewith. Copies of the proposed amendments are also available at the CDA, Wakin's Building, Gualo Rai, Saipan, MP 96950.

The Executive Director of the CDA urges the general public to submit to the CDA any and all written comments and/or recommendations regarding the proposed amendments. Comments should be sent to: Executive Director, Commonwealth Development Authority, P.O. Box 2149, Saipan, MP 96950; or the Executive Director may be reached at: phone, 234-6245; facsimile, 234-7144. All comments must be received by the CDA within thirty (30) days from the date of this notice is published in the Commonwealth Register.

Dated this 10th day of September 1997.

James H. Ripple, Executive Director

Date Received in the Office of the Governor

overnor's Authorized Staff

Page of Filing With Registrar Registrar of Corporations.

Registrar of Corporations attached hereto have been reviewed. roved as to form and legal sufficiency by the CNMI Attorney General's Office.

NUMBER 10

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NUTISIAN PUPBLIKU

NUTISIA PUT I PRINIPONEN AMENDASION GI REGULASION YAN AREKLAMENTON I DEVELOPMENT CORPORATION DIVISION I COMMONWEALTH DEVELOPMENT AUTHORITY

I Development Corporation Division (DCD) i Commonwealth Development Authority (CDA) gi halom i Commonwealth i Sangkattan siha na Islas Marianas, ginen este ha nutitisia i pupbliku hinerat nu i entension-ña na esta ha adapta unos kuantos na amendasion siha gi Regulasion yan Areklamento para i Development Corporation Division (DCD).

Sigun gi sinangan i 4 CMC §10203(a)(2), 4 CMC §10305(b)(1), yan 1 CMC 9104, i CDA Board of Directors ha propoponi para u amenda i Regulasion yan Areklamento siha ni manma pupblika interu gi Mayu 15, 1994, gi Rehistran Commonwealth, Baluma 15, Numiru 05, ni ma adapta, gi Agusto 15, 1994, gi Registran Commonwealth, Baluma 16, Numiru 8.

I Regulasion yan Areklamenton DCD para u guiniha mona i Board of Directors yanggen para u ma eksamina yan entrega' huyong paketen ina'yao yan aplikasion siha, yan una libianu komu testimoniu para todu aplikante siha ni para u fan ayao. Este na momentu ma propopone na i prisenti siha na regulasion yan areklamento u fanma amenda para u mas klaru yan factu put i para u ma ayuda mona muna maolek i kinalamten bangku yan i ginaga'gao' nisisidat i komunidat ni esta mas ma aomenta.

I priniponin amendasion siha u tinatiyi ni este na nutisia yan u ma pupblika guine. Kopian este siha na priniponen amendasion guaha gi ofisinan CDA, Wakin's Building giya Gualo Rai, Saipan, MP 96950.

I Direktot Eksekatibu i CDA ha sosohyu todo i pupbliku hinerat para u ma satmiti komentos osino rekomendasion put I manma propopone siha an amendasion. I komentus siha debi u fanma tuge' ya u mana'hanao guato gi Executive Director, Commonweatlh Development Authority, P.O. Box 2149, Gualo Rai, Saipan, MP 96950, osino siña maagan i Direktot gi numiru 234-6245; facsimile 234-7144. Todu i komentu siha debi di u ma risibi ni ofisinan CDA gi halom trenta (30) dias despues di ma fecha este na nutisia yan ma pupblika gi Rehistran Commonwealth.

Mafecha gi mina dies na dia Septiembre 1997.

James H. Ripple, Executive Director

Och. 15, 199 7
Fecha ni Ma risibi Gi Ofisinan Gubetno

Fecha ni Ma File gi Rehistradora

I Ma Aturisa na Staff Gubetno

Rehistradoran i Kotporasion

ARONGORONGOL ARAMAS TOULAP

ARONGORONG REEL POMWOL IGHA EBWE ALLÉGHÚL LLÓL <u>DEVELOPMENT CORPORATION</u> MELLÓOL BWULASIYOOL <u>COMMONWEALTH DEVELOPMENT AUTHORITY</u>

<u>Commonwealth Development Authroity (CDA)</u> mellól <u>Commonwealth</u> Metawal Wóól Kka Faluw <u>Marianas</u> ekke <u>adopt-taay</u> akkááw llííwel kkaal reel alleeghul <u>Development Corporation</u> <u>Division (DCD)</u>.

Sangi autol 4 CMC § 10203(a)(2), 4 CMC §10305(b)(1), me 1 CMC § 9104, CDA Board of Directors ekke pomwol ebwe liweli alongal Alléghul llól DCD ikkewe a arongaawow llól maramal Ghúuw (May) 15, 1994 mellol Commonwealth Register, Volume 16, Number 05, me a adopted lo llól maramal Eluwel (August) 15, 1994, llól Commonwealth Register, Volume 16, Number 8.

Alleghul <u>DCD</u> nge eew <u>guidline</u> reel ebwe tepengiir <u>Board of Directors</u> reel igha rebwe review me <u>deliberation</u>-nul <u>loan packages</u> me <u>applications</u> me ebwe lo bwe eew <u>reference</u> ngaliir alongeer school tongor me <u>aplikanti</u> kka reghi auscheeyaaló. Iyeey reel pomwol igha ebwe lliiwel lo allégh kkaal nge ebwe maas affataalo me alillis lo mmwal reel abew ghatch ló mwóghutughutul <u>banking</u> me meeta kka tingoreeyal aramas toulap.

Imwu ebwe toowow arong yeel reel pomwol igha ebwe lliiwel allegh kkaal <u>Kopiyaal</u> pomwol lliiwelil allegh kkaal nge eyoor reel <u>CDA</u>, <u>Wakin's Building</u>, Amairaw <u>(Gualo Rai)</u>, <u>Saipan. MP</u> 96950.

Executive Director mereel CDA ekke tongor ngaliir aramas toulap rebwe isiisilong yaar agheyegh ngare aiyegh bwelle reel pomwol lliiwelil allégh kkaal ngali <u>ofisinaal CDA</u> Ebwe akkafang ngali, <u>Executive Director</u>, <u>Commonwealth Development Authority</u>, <u>P.O. Box</u> 2149, <u>Saipan, MP</u> 96950, ngare eew ffaingi <u>Executive Director</u> reel numorool telephone yeel 234-6245, <u>facsimile</u> 234-7144. Alongal agheyegh me aiyegh nge ebwe toolong llól <u>CDA</u> nge essobw luulo llól eliigh (30) rál sangi yaal toowow arong yeel mereel <u>Commonwealth Register</u>.

Ráal ye 10th llól maramal Maan (September) 1997.

James H. Ripple, Executive Director

Rál ye bwughiyal Bwulasiyool Gobenno

Rál ye e isiisilong llol Registrar

Governor's Authorized Staff

Registrar of Corporations

AMENDMENTS TO THE RULES AND REGULATIONS OF THE DEVELOPMENT CORPORATION DIVISION OF THE COMMONWEALTH DEVELOPMENT AUTHORITY

CHAPTER IV. THE DCD BOARD SHALL HAVE THE FOLLOWING DUTIES.

Section D is amended as follows:

To make decisions on loan applications, and on other proposals for funding of programs and projects, where the aggregate liability of the applicant to CDA, if the application were approved, would remain at or below \$500,000. Loan applications, and other proposals for funding of programs and projects, where the aggregate liability of the applicant to CDA, if the application were approved, would exceed \$500,000 shall be analyzed by DCD, but shall be forwarded to the CDA Board for a final decision.

CHAPTER VI. OFFICERS.

Chapter VI. Officers is amended as follows:

The officers of CDA shall also serve as the officers of DCD, and such officers shall also exercise those duties and powers given them under 4 CMC §10306 for the benefit of DCD.

CHAPTER VII. LOAN ELIGIBILITY REQUIREMENTS AND FINANCIAL MATTERS

Section A is amended as follows:

Second paragraph, first sentence: Applicants for Farmer, Rancher, or Fishermen loans must truly be, by definition and occupation, Farmers, Ranchers, or Fishermen.

Second paragraph, last sentence: For example, said restriction disqualifies sport-fishermen from qualifying for fishing loans, but does not necessarily disqualify them from applying for commercial loans.

Subsection 1, fourth sentence: Over the road vehicles such as trucks and pick-ups may be included in the loans; however, such vehicles must be used at least sixty percent (60%) of the time (hours) for farming activities on the farm or on the ranch.

Subsection 2, fourth sentence: Over the road vehicles such as trucks and pick-ups may be included in the loans, however, such vehicles must be used at least sixty percent (60%) of the time (hours) for fishing activities, such as the launching or dry storing of fishing boats.

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Section B is amended as follows:

DCD shall not make any direct loan, if at the time for approval, such particular loan would exceed twenty-five percent (25%) of the total uncommitted cash then available to DCD loan applicants under the particular category of DCD loans for which the applicant applied, and DCD shall not guarantee any loan or participate in any loan guarantee if, at the time for approval, the cash reserve requirement of Chapter VIII, Section B(1), would exceed twenty-five percent (25%) of the total uncommitted cash then available to DCD loan applicants under the particular category of DCD loans for which the applicant applied.

Section D is amended as follows:

In exceptional cases exceeding the twenty-five percent (25%) limit, where the loan has been determined by CDA to be of high economic benefit to the Commonwealth, DCD may enter into a syndicated financial arrangement with other financial institutions, domestic or foreign, in an effort to limit the exposure of DCD to twenty-five percent (25%) of its then uncommitted cash, as more fully explained in Section B of this Chapter.

Section E is amended as follows:

The DCD Board shall review and consider each loan application only after the loan application is complete. A loan application shall not be considered complete until all necessary documents, including collateral documents and government permits, have been obtained and all applicable fees have been paid. The DCD Board may, however, review and consider an incomplete loan application if the loan application is only lacking evidence of clear title or other necessary land reports due to the prohibitive cost of such titles or reports. Consequently, the DCD Board may conditionally approve a loan application, if: (1) the DCD Board specifically states what must be fulfilled before final approval can be given; and (2) any expenditures related to the fulfillment of the conditions be paid by the applicant or included in the approved loan amount.

All applications shall be stamped "RECEIVED _______ (date] _____ " upon receipt by DCD. The Loan Manager shall then review each application, and shall advise the applicants of any deficiencies, omissions, etc. Applications deemed to be incomplete shall be returned to the applicant. Upon receiving a completed application with no deficiencies, the Loan Manager shall enter the application into the loan processing tracking system.

Section P is amended as follows:

The repayment period of any DCD loan shall not exceed twenty (20) years, including any grace period. The maximum period of twenty (20) years may be granted an applicant if the loan is secured by a first mortgage of real property. The repayment period of a DCD loan

secured only by a second mortgage of real property may not exceed seven (7) years, including any grace period. The repayment period of a DCD loan secured only by a chattel mortgage may not exceed three (3) years. When determing repayment periods, the DCD Board shall also consider the following:

CHAPTER VIII. LOAN GUARANTY AND PARTICIPATION LOAN.

<u>Section B.</u> Add a Subsection 6. All loans guaranteed by DCD shall be assessed a one percent (1%) per annum interest rate in addition to any interest rate imposed by the bank or financial institution. The bank or financial institution shall collect and remit the one percent (1%) per annum interest rate to DCD on a quarterly basis.

CHAPTER X. CREDIT UNDERWRITING.

<u>Section A.</u> Subsection 6: No loan applicant shall be granted a loan, if said applicant was a controlling shareholder or a manager of an association or a corporation that, at any time during the three (3) years immediately preceding the filing of the loan application and during the period of control or management by the applicant, had been adjudicated, bankrupt, filed for bankruptcy or been placed under receivership.

CHAPTER XI. SECURITY.

Section B. The DCD Board, in determining the sufficiency of any real or personal property offered as security shall use the current market value of the property, and may require a complete appraisal report or letter of appraisal (curbstone appraisal) by an appraiser acceptable to the Board. Loan applications in excess of \$25,000.00 shall be accompanied by a complete appraisal report. The Board shall examine the qualifications of the appraiser to determine whether or not his work product is acceptable. Where appropriate, appraisal reports on real property shall be done by a real estate appraiser whose work product is acceptable to a financial institution in the Commonwealth of the Northern Mariana Islands other than the DCD.

CHAPTER XII. DISBURSEMENTS.

Section B. Subsection 4, First Sentence: In the event an approved loan is for a construction project and the contractor is not bonded, the standard ten percent (10%) of the project cost maybe increased at the discretion of the DCD. With each increment payment an amount equal the approved percent but not less than ten percent (10%) of the incremental payment shall be withheld or at least ten percent (10%) of the project cost, then at the discretion of the DCD Board with each increment payment, an amount equal to a minimum of ten percent (10%) of the incremental payment shall be withheld to assure that all subcontractors,

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materialmen and suppliers have been paid. Such retained portion shall be released after the project has been completed, upon a finding by the Chairman of DCD or his designee that all the materialmen, subcontractors and other suppliers have been paid.

CHAPTER XIII. INSURANCE.

First three paragraphs labeled **Section A**.

Add: <u>Section B</u>. All fishing and agricultural borrowers are required to maintain adequate life insurance in an amount equal to or greater than the outstanding balance of their DCD loan principal, interest and fees. Depending on the planned use of loan proceeds and/or the risks involved in other business ventures, DCD may also require general commercial loan borrowers to maintain life insurance in amounts DCD deems sufficient to adequately cover the loan proceeds and/or the risks involved. On all life insurance policies covering DCD loans, DCD shall be named as the first or primary beneficiary.

- 1. Upon approval of a loan application, the Loan Manager shall inform the borrower of the aforementioned life insurance requirement.
- 2. In the event the borrower has an existing life insurance policy, with coverage in excess of the loan amount, the borrower may assign the benefits of the existing policy to DCD to satisfy the life insurance requirement.
- 3. In the event existing life insurance policies are insufficient to cover the loan principal, interest, and fees, then additional life insurance coverage is required.
- 4. No loan proceeds shall be disbursed by DCD to any borrower, until he or she has obtained the requisite life insurance, and until the first year's premium has been paid in full.
- 5. Borrowers may, at their option, purchase life insurance from any one of several life insurance firms currently providing term declining balance insurance to DCD borrowers. DCD shall keep a list of such firms for easy reference. Should a borrower choose to purchase life insurance from one of the firms on the list, the following shall apply:
 - a. Upon approval of the borrower's life insurance application by the insurance firm, the first year's premium shall be paid, at the time of closing of the loan, out of the first disbursement of loan proceeds.
 - b. Subsequent yearly premiums shall be paid by the borrower in accordance with the life insurance policy terms and conditions.

- c. Should a borrower fail to pay any of the subsequent yearly premiums, DCD may pay such premium on behalf of the borrower.
- d. Should DCD pay such premium, on behalf of a borrower, then the borrower's loan shall be restructured to include the premium payment by DCD, and any related fees, in the principal amount owed. In the event a loan is restructured, the borrower shall be advised by DCD of the new monthly payment amounts.
- 6. Borrowers may, at any time during the term of their loans, select a different life insurance firm, as long as the newly selected life insurance firm can satisfactorily meet the life insurance requirements of DCD.
- 7. The life insurance firm and the borrower are required to notify DCD, in a timely manner, when a life insurance policy is in danger of expiring due to unpaid premiums; and when a life insurance policy lapses due to nonpayment.
- 8. In the event any borrower fails to maintain or obtain a life insurance policy, resulting in a lapse of insurance coverage or a lack of insurance coverage, then the borrower shall be called in to meet with the Loan Manager, and the following shall apply:
 - a. The Loan Manager shall inform the borrower that unless the life insurance policy is reinstated or a policy is obtained, the DCD loan requiring the insurance policy will be declared to be in default;
 - b. If the borrower is unable to reinstate or obtain the required insurance policy on his own, then the borrower may select a life insurance firm from the list of those providing term declining balance insurance to DCD borrowers;
 - c. Upon approval of the borrower's life insurance application by the insurance firm, DCD may pay the first year's premium, on behalf of the borrower, and the loan may be restructured to reflect the new principal amount including the premium paid by DCD.

CHAPTER XIV. SERVICING OF LOAN.

<u>Section B.</u> First Paragraph, First and Second Sentence: All loans shall require at least an annual or semi-annual financial report from the borrowers together with a status report on the business. For loans in excess of \$200,000.00, the Executive Director may require a borrower to submit annual financial statements audited by a certified public accountant or other documentation displaying the financial condition of the borrower.

Second Paragraph, First Sentence: Borrowers shall be required to meet with the Executive Director, or his designee, as often as the Executive Director deems it necessary, to discuss loan problems and/or review business records.

CHAPTER XV. COLLECTIONS AND FORECLOSURES.

Section A. Subsection 1: If any payment is not received by the thirtieth (30th) day after the due date, then the Executive Director, or his designee, shall contact the delinquent borrower by telephone or by written letter informing them of the payment default.

The Executive Director, or his designee, shall also send out any default notices or other letters required under the terms and conditions of the borrower's loan documents.

Subsection 2. If any payment is not received by the sixtieth (60th) day after the due date, the Executive Director, or his designee, shall contact the borrower by telephone or by written letter informing them of the payment default.

Subsection 3. If any payment is one hundred twenty (120) days or more delinquent, the matter shall be forwarded to an attorney for collection. The attorney shall be informed of the status of the delinquency, whether it is one hundred twenty (120) days or more overdue. For loans that are one hundred twenty (120) days overdue, the attorney shall contact the borrower with a letter demanding payment.

Subsection 4. If any payment has been referred to an attorney for collection and the attorney has already contacted the borrower by a demand letter as shown above, and any payment is more than one hundred twenty (120) days delinquent, the Executive Director, or his designee shall direct the attorney to send the borrower a Notice of Default to the borrower in accordance with the Commonwealth Real Estate Mortgage Law (2 CMC §4511 et.sec.) Such notice shall be written in the English Language and in either the Chamorro or Carolinian language, and shall state that if the amount due is not paid within thirty (30) days from the date the notice is received, the borrower shall be declared in default, and proceedings shall be commenced to foreclose any mortgages.

Subsection 5. If, after the Notice of Default is sent to the borrower, and the delinquency of one hundred twenty (120) days persists, the Executive Director or his designee shall direct the attorney to file a lawsuit to collect the loan and foreclose upon the mortgage.

Subsection 7. Upon entry of Judgement in the lawsuit, a copy of the Judgement shall be served upon the borrower. If the borrower has not paid the entire outstanding loan balance plus accrued interest and attorneys fees within three (3) months from the time borrower is served the copy of Judgement, all properties mortgaged as security for the loan shall be noticed for sale. The notice shall provide that the minimum bid is the total principal. Interest,

attorney's fees and costs of sale, or the appraised value, whichever is greater. In the event of multiple real properties being noticed for sale, the Executive Director or his designee shall apportion the minimum bid for any sale of property in a manner so to maximize the likelihood of sale and to maximize the possibility of recovery of all amounts owed CDA.



Office of the Secretary Department of Finance

P.O. Box 5234 CHRB SAIPAN, MP 96950

TEL. (670) 664-1100 FAX: (670) 664-1115

PUBLIC NOTICE

DEPARTMENT OF FINANCE

PROPOSED AMENDMENTS TO DEVELOPER TAX REGULATION NO. 1600

Governor Friolan C. Tenorio and Lt. Governor Jesus C. Borja, through the Acting Secretary of the Department of Finance hereby provide public notice of the Proposed Amendments to Developer Tax Regulation No. 1600. The purpose of these amendments is to provide procedures and provisions for the enforcement of Public Law 8-23, the Developer Infrastructure Tax Act of 1993, and Public Law 9-14, an amendment to Public Law 8-23, to exempt non-profit religious and educational organizations from the Infrastructure Tax. The Proposed Amendments to Developer Tax Regulation No. 1600 are promulgated by virtue of the authority and directions given to the Acting Secretary of Finance as set forth in the Commonwealth Code 1 CMC §2553, 1 CMC §2557, 4 CMC §1946, and the Commonwealth Administrative Procedures Act, 1 CMC §9101 et seq.

The proposed amendments are published in the Commonwealth Register. Copies of the proposed amendments may be obtained from the Office of the Secretary of Finance, located at the Joeten Commercial Building, Dan Dan or by mail at P.O. Box 5234, CHRB, Saipan, MP 96950.

Anyone interested in commenting on these proposed amendments may do so in writing addressed to the Acting Secretary of Finance, Commonwealth of the Northern Mariana Islands, at the above-referenced address not later than thirty (30) days from the date of their publication in the Commonwealth Register.

Issued by:

GABRIEL DLC. CAMACHO
ACTING SECRETARY OF FINANCE

Received by:

HERMAN T. GUERRERO

OFFICE OF THE GOVERNOR

Filed and
Recorded by:

SOLEDAD B. SASAMOTO
REGISTRAR OF CORPORATIONS

PURSUANT TO 1 CMC §2153 AS AMENDED BY PL 10-50 THE RULES AND REGULATIONS ATTACHED HERETO HAVE BEEN REVIEWED AND APPROVED AS TO FORM AND LEGAL SUFFICIENCY BY THE CNMI ATTORNEY GENERAL'S OFFICE.

DATED THIS 14 DAY OF CHURCH 19 97

ATTORNEY GENERAL [ACTING]
ROBERT B. DUNI AD II

BY:

ASSISTA VI ATTORNEY GENARAL
ELLIOTT A. SATTLER

NUTISIAN PUPBLIKU DIPATTAMENTON FAINANSIAT I PRINIPONEN AMENDASION GI REGULASION DEVELOPER TAX NO. 1600

I Gubetno as Froilan C. Tenorio yan i Segundon-na Jesus C. Borja, entre i Tahguen Sekretariun Dipatamenton Fainansiat ginen este ha nutitisia i pupbliku put i Mapropopone na Amendasion gi Regulasion Developer Tax Numiru 1600. I propositun este siha amendasion i para u na guaha kondision yan prubinsion para u ma enfuetsa i Lai Pupbliku 8-23, i Developer Infrastructure Tax Act of 1993, yan i Lai Pupbliku 9-14. ni inamenda ni Lai Pupbliku 8-23, para u na fansahnge i otginasion non-profit religious yan educational ginen i Infrastructure Tax. I Priniponen Amendasion gi Regulasion Developer Tax No. 1600 manma chogue' ginen meritu yan aturidat yan dinirihi ni mana'e' i Tahguen Sekretariun Dipatamenton Fainasiat sigun gi sinangan i Kodikun Commonwealth 1 CMC \$2553. 1 CMC \$2557, 4 CMC \$1946, yan i Commonwealth Administrative Procedures Act, 1 CMC9101 et seq.

I priniponen amendasion manmapupblika gi Rehistran Commonwealth. Guaha kopian i mapropopone na amendasion para hayi interesao manule guatu gi Ofisinan Sekretariun Fainasiat, ni gaige gi Joeten Commercial Building giya Dandan osino ginen mail P.O. Box 5234. CHRB. Saipan. MP 96950.

Hayi interesao mamatinas komento put i manma propoponi siha na manedasion siña ha' matuge papa ya u ma adres guatu para i Tahguen Sekretariun Dipatamenton Fainansiat, Commonwealth i Sangakattan siha na Islas Marianas, gi ayu na adres i gaige gi sanhilo'. Este siha na komento debi di u fanhalom ti u atraso di trenta (30) dias despues di mapupblika huyong este na nutisia gi Rehistran Commonwealth.

Linaknos as Sulmobic Commun	10-9-97
GABRIEL DLC. CAMACHO	Fecha
TAHGUEN SEKRETARUIN FAINANSIAT	
Rinisibi as Helley J. Lucy	16-15-97
HERMAN T GUERRERÔ	Fecha
OFISINAN GUBETNO	
Ma file yan Rinekod as	10/10/197
SOLEDAD B. SASAMOTO	Fecha
REHISTRADORAN KOTPORASION	

Sigun gi 1 CMC \$2153 ni inamenda ni Lai Pupbliku 10-50 i chechetton siha na areklamento yan regulasion guine esta manma eksamina yan apreba komu para u fotma yan sufisiente na ligat ginen i Ofisinan CNMI Attorney General.

Ma fecha gi mina' 15th na dia guine na mes i Oct. 1997

ATTORNEY GENERAL (ACTING)
ROBERT B. DUNLAP II

ELLIOTT A. SATTLER

AYUDANTEN ATTORNEY GENERAL ELIOTT A SATTLER

ARONGORONGOL ARAMAS TOULAP BWULASIYOOL FINANCE EFFÉÉR LLIIWEL REEL ALLÉGHÚL DEVELOPER TAX NO. 1600.

Gobenno Friolan C. Tenerio me Lt. Gobenno Jesus C. Borja, sangi Acting Sekereteriil Bwulasiyool Finance ekke arongaar aramas toulap reel Fféérétáál Lijiwel Alléghúl Developer Tax. #1600. Aweeweel llijwel kkaal nge ebwe avoora alléghúl me afalafalal autol Alléghúl Toulap 8-23, Developer Infrastructures, Tax Act of 1993, me Alléghúl Toulap 9-14, eew lliiwel mellól Alléghúl Toulap 8-23 ebwe liimweilo non-profit religouse me educational organization sángi mille Infrastructures Tax. Reel Pomwol Lliiwel kkaal reel alléghúl Development Tax #1600 alongal a ffééréló sángi aileewal bwángil me afalafalal iye elo reel Acting Secretary of Finance iye elo llól Commonwealth Administration Procedure Act, 1 CMC § 9101 et. seq.

Reel sféérétáál lliiwel kkaal nge imwu ebwe arongolong llól Commonwealth Register. Kkopiyaal fféérétáál lliiwel kkaal nge emmwel ubwe bweibwogh mereel Bwulasiyool Sekereteriil Finance, iye elo Joeten Commercial Building. DanDan ngare afengá ngali P.O.Box: 5234, CHRB, Saipan, MP. 96950.

lyo e tipeli ebwe isisilong yaal mangemang ngare aiyegh bwelle reel fféérétáál lliiwel ebwe féérú schagh, nge ebwe ischi ngáli Sekereteriil Finance Commonwealth Metawal Wool Faluw Kka Marianas reel address ye elo weiláng, nge essőbw luuló eliigh(30) rál sángi toolongol arong yeel llól Commonwealth Register.

Mereel: Gabriel DLC. Camacho Acting Sekereteriil Finance	10-9-97 Rai
Bwughiyal: Hellian V. Luerro Bwulasiyool Gobenno	10-15-97 Rái
Isaliyal:Soledad B. Sasamoto	10/15/97

Sángi bwángil autol I CMC § 2153 a lliiwel ló mercel PL. 10-50 Reel alleegh Kkaal Igha E Appaschetá Nge Atakkal Amweri Sefáálil Me Apelúghúlúghúlw Igha Ebwe Ayoora Me Ebwe Fil Maaselo Ngáliir CNMI Attorney General's Office.

Pálye 15th Hól maramal Dohbar 1997	Attorney General (Acting) Robert B. Dunlap II. ELLIOTT A. SATTLER
%	Assistant Attorney General. Ln: Elliot A. Sattler

Registrar of Corporations



Office of the Secretary Department of Finance

P.O. Box 5234 CHRB SAIPAN, MP 96950

TEL. (670) 664-1100 FAX: (670) 664-1115

CERTIFICATION

DEPARTMENT OF FINANCE

PROPOSED AMENDMENTS TO DEVELOPER TAX REGULATION

NO. 1600

I, Gabriel DLC. Camacho, Acting Secretary of the Department of Finance who is publishing the "Proposed Amendments to Developer Tax Regulation No. 1600", by signature below hereby certifies that the Proposed Amendments to Developer Tax Regulation No. 1600 is a true, correct, and complete copy of the regulations proposed amended by the Department of Finance. I further request and direct that this certification and the "Proposed Amendments to Developer Tax Regulation No. 1600" 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 grand day of october, 1997, at Saipan, Commonwealth of the Northern Mariana Islands.

GABRIEL DLC. CAMACHO
Acting Secretary of Finance

BY:

PURSUANT TO 1 CMC §2153 AS AMENDED BY PL 10-50 THE RULES AND REGULATIONS ATTACHED HERETO HAVE BEEN REVIEWED AND APPROVED AS TO FORM AND LEGAL SUFFICIENCY BY THE CNMI ATTORNEY GENERAL'S OFFICE.

DATED THIS Not DAY OF Olfber 19 97

ATTORNEY GENERAL [ACTING] ROBERT B. DUNLAP II

ELLIOTT A. SATTLER

ASSISTANT ATTORNEY GENERAL ELLIOTT A. SATTLER



Office of the Secretary **Department of Finance**

P.O. Box 5234 CHRB SAIPAN, MP 96950

TEL. (670) 664-1100 FAX: (670) 664-1115

PROPOSED AMENDMENTS TO DEVELOPER TAX REGULATION NO. 1600

- 1. Section 1600.14 is renumbered as Section 1600.15.
- 2. A new Section 1600.14 is inserted to read as follows:

Tax-Exempt Organizations. Section 1600.14

- (a) Education or Religious. Pursuant to Pub. L. 9-14, new development undertaken by a nonprofit religious or educational organization where the structure is to be used primarily for religious or educational purposes is exempt from the infrastructure tax. In order to qualify for this exemption, the organization must follow the procedure specified in subsection (b).
- In order to qualify for an exemption from the infrastructure tax as <u>Application Process.</u> provided in this section, the organization must comply with each of the following requirements:
 - present to the Building Safety Official a copy of the letter issued by the CNMI Division of Revenue and Taxation granting the organization tax-exempt status as a religious or educational organization;
 - present to the Building Safety Official a written request for the structure to be (2)exempt from the infrastructure tax as a religious or educational organization; and
 - present to the Building Safety Official a written statement signed under penalties of perjury by an authorized and knowledgeable representative/agent of the organization containing all facts which support that the structure will be used primarily for religious or educational purposes.

While an application for tax-exempt status is pending with the Division of Revenue and Taxation, the organization is not exempt from taxes imposed under Chapter 4, Division 10, of Title 4 of the Commonwealth Code; however, if the organization is later determined by the Division of Revenue and Taxation to be exempt from taxation, the person may apply pursuant to the procedures established by the Building Safety Official and the Department of Finance for a refund for all taxes imposed under Chapter 4, Division 10, of Title 4 of the Commonwealth Code imposed after (but not before) the person submitted its application to the Division of Revenue and Taxation.





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

NOTICE OF ADOPTION OF THE AMENDMENTS TO THE SCHEDULE OF MEDICAL AND OTHER RELATED FEES DEPARTMENT OF PUBLIC HEALTH

The Secretary of the Department of Public Health (DPH) notifies the Public that DPH has adopted the amendments to the Schedule of Medical and Other Related Fees. The amendments to the Schedule of Medical and Other Related Services were published in the Commonwealth Register Volume 19, Number 06, dated June 15, 1997. The adoption is pursuant to Title 1 CMC Division 2, Chapter 12, and in particular 1 CMC SS2605 (j). Copies of the adopted amendments to the Schedule of Medical and Other Related Fees may be obtained from the Office of the Secretary of Public Health located at the ground floor of the Commonwealth Health Center.

Department of Public Health

Filed By:

Ms. Soledad Sasamoto Registrar of Corporations

Received By:

Office of the Governor

Pursuant to 1 CMC 2153 as amended by PL 10-50, the rules and regulations attached hereto have been reviewed and approved by the CNMI Attorney General's Office.

Robert B. Dunlop Attorney Genera

Assistant Attorney General

Elliot A. Sattler



COMMONWEALTH HEALTH CENTER

OFFICE OF THE SECRETARY

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

CERTIFICATION OF ADOPTION OF THE AMENDMENTS TO THE SCHEDULE OF MEDICAL AND OTHER RELATED FEES DEPARTMENT OF PUBLIC HEALTH

I, Dr. Isamu J. Abraham, am the Secretary of the Department of Public Health, the Department which is promulgating the Amendments to the Schedule of Medical and Other Related Fees, published in the Commonwealth Register on June 15, 1997 at pages 15391 to 15393. By signature below I hereby certify that the amendments published in the Commonwealth Register are a true, complete, and correct copy of the Amendments to the Schedule of Medical and Other Related Fees formally 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 Registrar of Corporations and the Office of the Governor to the Schedule of Medical and Other Related Fees as referenced above.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 11th of September, 1997 at Saipan, Commonwealth of the Northern Mariana Islands.

Signature:

DR. ISAMUJ. ABRAHAM

SECRETARY

DEPARTMENT OF PUBLIC HEALTH

Pursuant to 1 CMC 2153 as amended by PL 10-50 the rules and regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General's Office.

Dated this Under of Cetal 198

Robert B. Dunlop II
Attorney General (Acting)

Assistant Attorney General Elliot A. Sattler

1997

PAGE 15734



RETIRENENT FUND

P.O. Box 1247, Saipan, MP 96950
Telephone: (670) 234-7228 / Fax: (670) 234-9624
e-mail: nmi.retirement@saipan.com

NOTICE OF ADOPTION OF THE GOVERNMENT GROUP HEALTH AND LIFE INSURANCE RULES AND REGULATIONS

Pursuant to Section 11 of Public Law 8-41, Governor Froilan C. Tenorio and NMI Retirement Fund Board of Trustees hereby serve notice that they have adopted the proposed rules and regulations for the Government Group Health and Life Insurance program as published in the *Commonwealth Register*, Volume 19, Number 8, dated August 15, 1997, as amended herein.

DATED this 8th day of October, 1997.	- Author
Edward H. Manglona	Vicente C. Camacho
Administrator	Chairman, Board of Trustees
Received by: Herman T. Guerrero Office of the Governor	0 cf 15, 1997 Date 10/11/97
Soledad Sasamoto	Date
Registrar of Corporations	_
Pursuant to 1 CMC 2153 as amended by P.L. hereto have been reviewed and approved as a Attorney General's Office. DATED this	



Northern Mariana Oslands

P.O. Box 1247, Saipan, MP 96950 Telephone: (670) 234-7228 / Fax: (670) 234-9624 e-mail: nmi.retirement@saipan.com

NOTISIA POT MA ADAPTAN AREKLAMENTO YAN REGULASION I GOVERNMENT GROUP HEALTH AND LIFE INSURANCE

Sigun gi Seksiona 11, Lai Publiko 8-41, i Gobietno as Froilan C. Tenorio yan i NMI Retirement Fund Board of Trustees, man nanae' notisia na esta ma adapta i ma propone na arelekramento yan regulasion i Government Group Health and Life Insurance na programa nui ma publika gi Commonwealth Register, Volume 19, Number 8, nui ma fecha gi Agosto dia 15, 1997, inkluso I amendasion guine na noticia.

Ma fecha gi dia 8th, de Octubre, 1997.	ΙΛ.
Dry any	Saluttu -
Edward H. Manglona	Vicente C. Camacho
Administrator	Chairman, Board of Trustees
Received by:	
Herman J. Luevor	oct. 15, 1997 Date
Herman T. Guerrero	Date
Office of the Governor	
my	10/1/197
Soledad Sasamoto	Date
Registrar of Corporations	
Pursuant to 1 CMC 2153 as amended by P.L.	— — — — — — — — — — — — — — — — — — —
Attorney General's Office.	
Attorney General's Office.	_,1997.
Attorney General's Office. DATED this 10th day of October Robert B. Dunlap II	
Attorney General's Office. DATED this 10th day of Choker	
Attorney General's Office. DATED this 10th day of October Robert B. Dunlap II	



RETIRENENTFUND

P.O. Box 1247, Saipan, MP 96950
Telephone: (670) 234-7228 / Fax: (670) 234-9624
e-mail: nmi.retirement@saipan.com

ARONGORONGOL REBWELE AFFATAALÓ ALLÉGHÚL INSURANCE REEL SUMWAAY ME MAA YE RE GHAL IRE BWE GROUP HEALTH ME LIFE INSURANCE

Sengi Telil 11 llól Alléghúl Towlap 8-81, Gobietno Froilan C. Tenorio me NMI Retirement Fund Board of Trustees, rekke arongaar towlap sumway me máá, ye re ghal ira bwe Group Health me Life Insurance nge raa atolingel llól Commonwealth Register, Volume 19, Numero 8, wóól Agosto 15, 1997, ye eyoor siwel mellól.

volume 19, Numero 8, wool Agosto 13, 1997, ye eyool siwel mellol.	
Llól rálil yeel 8th Oktubre, 1997.	10 1 -
mm mr	
Edward H. Manglona	Vicente C. Camacho
Administradod	Samwolul, Board of Trustees
Received by:	
Herwan Vi Luevaro	oct 15, 1997
Herman T. Guerrero	Ráal
Bwulasiyool Gobietno	 -
D.W. alasiyoor Gobletiic	
Jumps	18/18/97
Soledad Sasamoto	Ráál
Registrar of Corporations	
6-2	
Pursuant to 1 CMC 2153 as amended by P.L. 10-5	60 the rules and regulations attached
hereto have been reviewed and approved as to form	
Attorney General's Office.	
•	
DATED this 10th day of October	97.
•	
Robert B. Dunlap II	
Attorney General (Acting)	
•	
FIT ICHM A: CAMPE	
By: ELLICTT A. SATTLER	
Assistant Attorney General	

NORTHERN MARIANA ISLANDS RETIREMENT FUND

Adopted Amendments To The Group Health Insurance Program as published in the Commonwealth Register, Volume 19, Number 8, dated August 15, 1997.

Having considered the written comments received, the Board of Trustees, hereby adopts the following amendments on final reading:

Article 2, Rule 2.36 is hereby amended to read as follows:

2.36 "Reasonable and Customary Charge" means the charge allowed pursuant to the Commonwealth Health Center's (CHC's) fee schedules. However, if CHC does not provided the required service, the Reasonable and Customary Charge will be the charge or portion of the charge made by the Provider for Covered Benefits that is determined by the Administrator to be appropriate when compared with charges ordinarily made for similar Services provided in the same or similar geographic location, under similar conditions, to persons in similar circumstances. If the Provider's actual charge is less than the Reasonable and Customary Charge, the actual charge will be considered the Reasonable and Customary Charge."

Article 7, Rule 7.05 is hereby amended to read as follows:

7.05 "Physical and Occupational Therapy and Chiropractic Limitations. The Program will pay the maximum amount of \$60 per physical and occupational therapy visit or chiropractic visit for a maximum of 10 such visits per Enrollee per Plan Year. If, however, an Enrollee's treating Doctor makes specific written instructions for an additional visit or visits, the Program will pay the maximum amount of \$60 per visit for the additional visit or visits."

Article 8, Rule 8.01(B)(43) is hereby amended to read as follows:

43. "Occupational Therapy, except as otherwise specifically provided in the Plan Document."

day of October, 1997.

Vicente C. Camacho

Chairman, Board of Trustees

Administrator



Parthern Mariana Oslands ETIRENENTFUND

P.O. Box 1247, Saipan, MP 96950 Telephone: (670) 234-7228 / Fax: (670) 234-9624 e-mail: nmi.retirement@saipan.com

CERTIFICATION

By signature below, I hereby certify that the proposed Rules regarding the CNMI Group Health Insurance Program as herein amended are true, correct and complete Amended Rules regarding the CNMI Group Health Insurance Program adopted by the NMI Retirement Fund Board of Trustees. I further request and direct that this Notice and Certification of Adoption be published in the CNMI Commonwealth Register.

Edward H. Manglona

Administrator

NMI Retirement Fund