

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

CIVIC CENTER, SAIPAN, MARIANA ISLANDS

Volume 1 Number 1

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Commonwealth

Register

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Saipan, Mariana Islands 96950

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The Commonwealth Register is editorially organized according to the Commonwealth or other agency issuing the documents published or having an immediate administrative or enforcement concern over them. Listing in these contents or publishing in the sections that follow in this manner is for public information and has no legal significance.

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The Commonwealth Register is published on the fifteenth day of each month or on the next succeeding business day, by the Registrar of Corporations, Office of the Attorney General, Commonwealth of the Northern Mariana Islands, Saipan, Mariana Islands 96950. Distribution is made by the Registrar of Corporations, Office of the Attorney General, Commonwealth of the Northern Mariana Islands, Saipan, Mariana Islands 96950.

The Commonwealth Register provides a uniform system for making available to the public the regulations, rules, decisions, orders and notices issued by Commonwealth agencies and required to be published and other Commonwealth agency documents of public interest.

The Commonwealth Register will be furnished to subscribers for \$30.00 per Volume (12 issues), payable in advance. The charge for individual copies is \$3.00 for each part as actually bound. Remit check or money order made payable to the Treasurer, Commonwealth of the Northern Mariana Islands, to the Registrar of Corporations, Office of the Attorney General, Commonwealth of the Northern Mariana Islands 96950.

There are no restrictions on the republication of material appearing in the Commonwealth Register.

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
EXECUTIVE ORDER OF THE GOVERNOR

EXECUTIVE ORDER NUMBER ONE
JANUARY 12 , 1978

NORTHERN MARIANAS REGISTER

1. There is established the Commonwealth of the Northern Marianas Register, which is the successor to the Territorial Register. It shall be published daily, Sundays and Holidays excepted.
2. The Commonwealth Register shall contain the text of all laws, executive orders, proclamations, official rules and regulations, official notices, and related matters.
3. The Attorney General shall be responsible for publication of the Commonwealth Register. Copies shall be distributed to all elected officials, the senior officers of each branch, department head, and independent agencies.
4. Copies shall be available in one or more public places for public scrutiny and copies shall be available for public distribution.

Carlos S. Camacho
Governor

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
EXECUTIVE ORDER OF THE GOVERNOR

EXECUTIVE ORDER NUMBER TWO
JANUARY 12, 1978

ORGANIZATION OF THE OFFICE OF THE GOVERNOR

Section 1. Article III, Section 1 of the Constitution of the Northern Mariana Islands vests the executive power of the Commonwealth in the governor. To assure the timely and orderly conduct of the duties and responsibilities of the governor pursuant to the Constitution, it is essential to organize the office of the governor which for the purposes of Article III, Section 15 of the Constitution is not a principle department.

Section 2. The office of the governor shall consist of the immediate office, to consist of the governor and the immediate staff to the governor, including a secretary and executive assistant to the governor; and the executive office of the governor.

Section 3. The executive office of the governor shall include the following offices, units and positions and shall be internally administered pursuant to the direction of the governor or a person in the executive office designated by the governor:

- 3.1. Office for Carolinian Affairs
- 3.2. Office for Legislative Liaison Affairs
- 3.3. Office for Administrative Affairs

The Office for Administrative Affairs shall consist of the Chief Administrative Officer, who shall oversee day-to-day operations of the executive branch of the government; a deputy chief administrative officer with responsibility for facilitating, among his other assignments, the delivery of public services

on Rota and Tinian; and a training unit which shall coordinate all training activities of the executive branch and be headed by a training officer. Until otherwise provided by law, the Governor shall designate his personal representatives for the Municipality Rota and the Municipality of Tinian. Such representatives shall be under the general supervision of Chief Administrative officer and shall serve at the pleasure of the Governor.

Personnel presently employed as part of the office or resident commissioner's representatives for Rota and Tinian and any personnel presently employed in the former office of the resident commissioner who are not otherwise reassigned are assigned to and made a part of the office of the chief administrative officer until otherwise reassigned.

Office for Planning and Budgeting Affairs: This office shall include a planning-budgeting officer, who shall be responsible for Commonwealth planning functions, including development planning, and the coordination of planning activities by the departments, agencies and offices of the executive branch; and the budgeting duties and responsibilities of the governor pursuant to Article III, Section 9(a) of the Constitution.

There is transferred to the Office of Planning and Budgeting all personnel employed by the Office of Transition Studies and Planning which Office is made a part of the executive office of the governor. Any authority which has been vested in the Office of Transition Studies and Planning is transferred to the governor, who succeeds to the powers and duties of such Office his designee and such authority shall be exercised unless otherwise directed by the governor by the planning-budgeting officer.

The Office of Planning and Budgeting shall include a unit for federal programs coordination to be headed by a federal programs coordinator who shall report to the planning-budgeting officer.

Governor's Counsel - (Article VI, Section 5, Constitution)

Section 4. There is established in the executive office of the governor the governor's legislative program task force, to consist of persons appointed by the governor, which shall coordinate the development and scheduling for submission to the Northern Marianas Commonwealth Legislature the legislative recommendation of the governor. There may be assigned for temporary duty to the task force employees of the executive office of the governor or other persons in the executive branch.

Section 5. This executive order is effective as of January 9, 1978,

Section 6. Any executive order, memorandum, letter, organization chart, or directive issued by or pursuant to the direction of the former resident commissioner or district administrator that is not consistent with this executive order is of no force and effect.

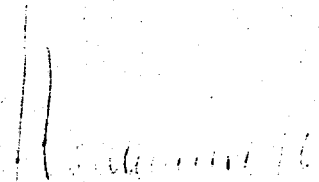
Carlos S. Camacho
Governor

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
EXECUTIVE ORDER OF THE GOVERNOR

EXECUTIVE ORDER NUMBER THREE
JANUARY 12, 1978

FEDERAL GRANT PROPOSALS

1. No official other than the Representative to the United States employee, department, office or agency or any board or commission of the government shall submit a preliminary or final proposal, a grant application, with respect to any federally funded program or activity without the approval in writing of the governor or the person appointed by him to the position of federal grants coordinator.
2. In the event a liaison officer is appointed to represent the interests of the Commonwealth with officials and agencies of Region IX of the federal government in San Francisco, he shall be a part of the executive office of the governor (federal grants coordination).



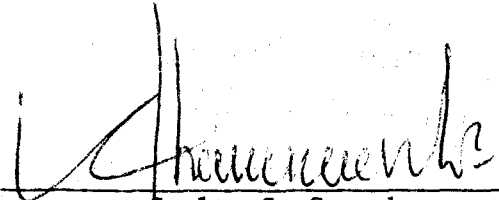
Carlos S. Camacho
Governor

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
EXECUTIVE ORDER OF THE GOVERNOR

EXECUTIVE ORDER NUMBER FOUR
JANUARY 12, 1978

PROPOSED LEGISLATION

1. Each director of a department office, or agency shall submit to the Governor any proposed legislation pertaining to his or her department office, or agency.
2. No draft bill, budget request or legislation proposal shall be submitted by any official, department, office or agency of the executive branch without the approval of the executive office of the Governor.



Carlos S. Camacho
Governor



Commonwealth of the Northern Mariana Islands

Office of the Governor

Saipan, Mariana Islands 96950

EXECUTIVE ORDER No. 5

January 13, 1978

Cable Address:
Gov. NMJ Saipan

COMMONWEALTH LEGISLATIVE EXPENDITURES

WHEREAS THE 5th Northern Mariana Islands Legislature on January 9th, 1978, terminated; and

WHEREAS, Public Law 5-3 appropriating funds for expenditures of the 5th Northern Marianas Legislature has no further effect and form after the termination of the 5th Northern Marianas Legislature, except for obligations created prior to the termination date; and

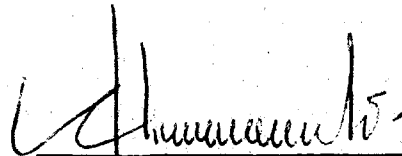
WHEREAS, in the transition of the Government of the Northern Mariana Islands to the Commonwealth of the Northern Mariana Islands certain obligations have been necessarily incurred by the Commonwealth of the Northern Mariana Islands Legislature; and

WHEREAS, there is no provision under existing law for the payment of such obligations;

NOW THEREFORE, it is hereby ordered that the Finance Officer is authorized to expend funds from the General Fund for the following purposes:

1. Personnel Staff salaries of employees which were working prior to January 9, 1978
2. Necessary travel and Normal Benefits for employees named in paragraph 1 above
3. Necessary expenses as listed in Public Law 5-3 Section 1 not to exceed amounts equal to that amount remaining in the respective categories according to Finance Officer accounts as of January 9, 1978, provided however that no expenditure shall be made for any expense related to the recruitment, salary, benefits or expense incurred by personnel hired after January 9, 1978.

This Executive Order shall be effective immediately upon execution and shall continue in effect until such time as the Commonwealth of the Northern Mariana Islands Legislature passes legislation making provision for the subject expenditures or until March 31, 1978 whichever comes first.



CARLOS S. CAMACHO
Governor Commonwealth of the
Northern Mariana Islands

EXECUTIVE ORDER OF THE GOVERNOR

EXECUTIVE ORDER NO. 6
JULY 10, 1978

NORTHERN MARIANAS COMMONWEALTH COUNCIL FOR IMPROVEMENT OF THE
CRIMINAL JUSTICE SYSTEM

WHEREAS, the government of the Commonwealth of the Northern Mariana Islands is committed to improve the scope and quality of criminal justice services to its people, including effective court administration, protection of juveniles in custody, prevention and detection of crimes, police and public safety, corrections and rehabilitation of adult offenders, and related matters; and

WHEREAS, the government of the Commonwealth of the Northern Mariana Islands agrees that the financial and technical resources of the Federal Government should be used to provide constructive aid and assistance to State and local governments in improving the scope and quality of criminal justice services to its people and in combatting the serious problem of crime; and

WHEREAS, representative citizen participation and harmony of purpose of governmental agencies are essential to the improvement of the system of criminal justice planning and administration; and

WHEREAS, the Commonwealth has applied for financial assistance from the United States Department of Justice, Law Enforcement Assistance Administration pursuant to the Omnibus Crime Control and Safe Streets Act of 1968, as amended; now, therefore,

1. There is established in the Department of Public Safety the Northern Marianas Commonwealth Council for Improvement of the Criminal Justice System (Council)

2. The Council shall be composed of not more than fifteen members chaired by a chair person to be elected by the council. The Council members shall include the Director of Public Safety, the Chief Judge of the Commonwealth Trial Court or the Associate Judge if so designated by the Chief Judge; the Public Defender; the Chief of Police; the Principal Probation or Parole Officer of the commonwealth as designated by the Governor; the Superintendent of Education; the Executive Assistant for Carolinian Affairs; the Chief Administrative Officer; the Planning and Budgeting Officer; five (5) citizen members to be appointed by the Governor and one (1) citizen member to be appointed jointly by the President of the Senate and the Speaker of the House of Representatives of the Northern Marianas Commonwealth Legislature. Citizen members shall be representative of the respective islands or groups of islands. Citizen members shall serve at the pleasure of the Governor. Vacancies of ex-officio and citizen members shall be filled in the same manner as original appointments. No member of the council shall be compensated for service on the Council except as may be authorized by the law but may be reimbursed for actual and necessary expenses in connection with service on the Council and within budgetary appropriations for such purpose.

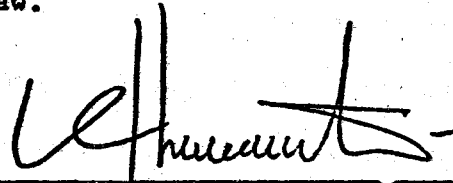
3. The executive director of the Council shall be the chief of police unless another designation is made by the governor.

4. The Council shall serve as the state criminal justice improvement and planning agency of the Northern Mariana Islands and function in a manner consonant with the constitution and statutes of the Northern Mariana Islands and the federal Omnibus Crime Control and Safe Streets Act of 1968, as amended.

5. The Council shall define goals and develop standards for the criminal justice system; conduct or authorize a criminal justice plan and annual revisions to it and other appropriate planning studies for the improvement of law enforcement and criminal justice, building on work already completed, including studies pertaining to the protection of juveniles in criminal proceedings; provide advice to the governor in the areas of its competence; identify, conduct, oversee or coordinate programs, including demonstration projects, for the prevention of crimes, effectiveness of criminal procedures, and the care, treatment and rehabilitation of offenders; monitor and assess criminal justice activities; and recommend legislation or regulations to the governor as may be appropriate. The Council shall serve in an advisory coordinative capacity to the branches and agencies of the government in its area of competence and may provide technical advice on request.

6. The Council shall prepare an annual report which shall be made public, and the governor shall transmit copies of it to the legislature.

7. It is the intent of this executive order that there be a single multi-membered participatory and planning or advisory body in the Department of Public Safety. The governor may assign additional duties and responsibility to the Council consistent with the Commonwealth law.

A handwritten signature in black ink, appearing to read "Dr. Carlos S. Camacho", written over a horizontal line.

Dr. Carlos S. Camacho
Governor

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

EXECUTIVE ORDER OF THE GOVERNOR
EXECUTIVE ORDER NUMBER SIX-A
JULY 13, 1978

MARITIME INDUSTRY SYSTEM PROCEDURES

The Maritime Industry System Procedure for the Commonwealth of the Northern Mariana Islands shall be defined into two categories: Inter-Island Shipping and Overseas Shipping. The Maritime Industry System shall be comprised of the combined routings of all common carriers operating on the basis of regular and published schedules. This System shall be established and administered as follows:

1) Authority:

The authority to grant entry assurance for carriers to call on Ports in the Northern Mariana Islands, pursuant to Department Order No. 2902, as amended.

2) Administration:

The administrative responsibility for the development, implentation and surveillance of the Maritime Industry is delegated to the Chief, Economic Development Division. The Chief, Economic Development Division shall regulate, and administer, and oversee the Maritime Industry for the Northern Mariana Islands.

3) Entry Assurance:

Entry assurance to call on port on specific routes will be issued on the basis of proposals for services submitted to the Chief. Entry assurance can be granted for a specified period of time and the terms and conditions shall be specified by the Governor. Entry assurance shall be required of all carriers calling on Northern Marianas Ports for the purpose of disembarking and embarking cargoes/ revenue passenger.

Entry Assurance shall be revoked if any carrier fails to perform under the terms and conditions of said assurance and/or violates International Shipping Regulations or fails to perform in accordance with internationally accepted shipping operation procedures and/or fails to comply with all applicable laws of the Commonwealth and the Federal Maritime Commission's Regulations and/or fails to comply with and submit all reporting requirements specified of the Entry Assurance to the Chief, Economic Development Division.

4) Definition of Coastal Shipping: (Inter-Island Shipping)

Inter-Island Shipping is defined as the carriage of goods, and/or passenger, for hire or reward by sea from ports within the Northern Mariana Islands to other ports within the Mariana Islands. Within the context of the Inter-Island Shipping definition, the Port of Guam is a port within the Mariana Islands.

- a) The provision of Inter-Island Shipping Service shall be subject to licensing by the Commonwealth of the Northern Mariana Islands.
- b) Inter-Island Shipping Service should be provided only by U. S. citizens as defined in the Covenant of permanent resident of, or by Northern Mariana Islands citizens or residents or corporations having a majority ownership held by citizens or permanent residents of, the Commonwealth of the Northern Mariana Islands.
- c) A licenses to provide Coastal Shipping Service may be issued to a person or corporation other than those defined in Section 4(b) above, only in the event that coastal shipping service being provided in the opinion of the Commonwealth of the Northern Mariana Islands, are inadequate to meet the needs of the community.

5) Overseas Shipping:

Overseas Shipping is defined as the carriage of goods/ or passenger, for hire or reward by sea to ports within from other ports outside of, and from ports within to other ports outside of, the Northern Mariana Islands. All overseas carriers are subject to licensing.

6) Proposal submitted will be processed in the following manner:

- a. A special committee shall be appointed by the Governor to analyze the proposals to determine whether or not they are technically sound and whether or not they would contribute to the overall improvement of the shipping system in the Northern Mariana Islands, and the short and long term effect on the economy. The Chief, Economic Development Division shall chair this special committee.
- b. If a proposal is technically sound, the Chief shall submit it to the Governor for issuance of Entry Assurance to subject carrier calling or preparing to provide shipping service to the area.

7) Content of Proposal:

A proposal for Overseas Shipping Services to the Northern Mariana Islands shall include the following:

Operations:

- a. Intended route to be service/cargo volume forecast;
- b. Frequency of service;
- c. Type of vessel and equipment to be employed;
- d. Mode of cargo handling (containers, palletized, breakbulk, etc.);
- e. Nationality of crew and potential for hiring of local Marianas citizens;
- g. Special shore equipment arrangements if necessary;
- h. Period of time requesting for entry assurance to justify investment proposed; and
- i. Tariff to be initially employed/or regular tariff;

8) Criteria for Approval:

- a. Type of and frequency of service to be provided.
- b. Employment of and Tariff charge to be effectuated in the area.
- c. Capitalization or investment shall be sufficient to adequately provide a continued service.

9) Conditions of Awards:

Routing awards shall be based on the volume of cargo movements to and from the ports of the Northern Marianas. In some cases, a route may be awarded to only one carrier and as volume increases necessitating additional carrier, another carrier may be awarded based on the review as to the volume of increases to a point which can sustain the addition of another carrier. Conversely, if the volume decreases on a route served by more than one carrier the number of carriers on that route may be reduced after a thorough analysis of the route and complete review of the type and quality of services being provided.

It is expected that carriers should operate a service that meets the economic needs of the Commonwealth on each route with proper equipment and frequency of services particularly the island of Rota of which docking facility is not available and inadequate port equipment.

It is required that all tariff and amendment thereto be approved by the Chief and published thirty days before the effective date of subject tariff. Additionally, said tariff must be approved by the Federal Maritime Commission prior to its implementation. The Government will seek to protect the interest of the shipping public and the consumers from any unfair or illegal practices conducted by the carrier and to assure that the transportation needs of the islands are sufficiently met. All shipping scheduled must be publicized for the information of the general public. Violation of this regulation as well as failure on the part of the carrier which have been spelled out by the Government

to implement improvements in its operation that would reduce costs or improve service, subject entry assurance may be altered, suspended or revoked.

It is the Government's interest to provide for a continuing dialogue and cooperation between carriers and the shipping public for a positive resolution of providing for an improvement of the Maritime Industry in order to facilitate for a sound economic, social and political development of the Commonwealth.

10) Tariffs and Schedules:

All carriers will be required to issue and abide by a published and approved tariff by the Commonwealth and the U.S. Maritime Commission. Scheduled tariffs must be filed with the Chief 60 days prior to being placed into effect. The Government has 45 days to either approve or disapprove the subject tariffs. In the event that subject tariff is not considered by the Government, subject tariff shall become effective without obtaining approval from the Government, provided, of course, that it is approved by the U.S. Maritime Commission.

In the event that carriers is also required to be filed to a country other than the Commonwealth, acceptance of a tariff by that country shall not constitute fulfillment of the requirement to file with the Commonwealth.

All carriers are required to abide with published schedules issued on a bi-weekly basis. Service schedule must be publish on a public media and a copy of subject scheduled be provided the Chief's Office.

11) Capital Investment and Financial Capability:

A certified copy of the latest Financial Statement of the company submitting proposal be attached to the proposal as part of the submission requirement. A letter from the company's bank certifying availability of funds to support all future shipping operation with a duplicate copy of latest bank statements be also attached to the proposal as a supporting document.

12) Management:

- Location of operations office.
- If carrier is not anticipating to establish local operating office, who will provide agency service and under what arrangement.
- If joint venture is planned, outline basic input by each party.
- The degree of employment of Northern Marianas citizens and U.S. citizens as defined by the Constitution of the Northern Marianas.

13) Local Operation Office:

Carriers holding entry assurance in the Northern Marianas are allowed to establish their own office in any port for which entry assurance is granted. It is encouraged that carriers utilized or appoint local companies who are knowledgeable in the field to serve as their agent. Agency capability on the island is available.

14) Terminal Operation:

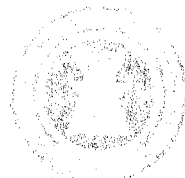
The Saipan Charlie Dock Terminal Operation is provided by a Private Corporations license under the Commonwealth Government. Terminal operations is not a franchised operation.

Terminal operation in Tinian and Rota are presently being provided by Government personnel. It is anticipated that the terminal operation for these two islands will be turned over to a private operation.

15) Foreign Corporation - Non-Domestic Corporation:

Foreign Corporations engaging in shipping independently or through a joint venture operating agreement with U.S. citizen or U.S. citizens wholly owned corporation, are not required to obtain a Foreign Business Permit under Title 33, Trust Territory Code, as amended, but must file with the Registrar of Corporation as a Foreign Corporation. All carriers must comply to all licensing requirements pursuant to all licensing laws now in effect for the Commonwealth, such as the Public Utilities license pursuant to Title 77, Trust Territory Code, and all other

licensing requirements effecting this type of service.



Approved this _____ day of _____, 1978.

Carlos S. Camacho
Governor

EXECUTIVE ORDER NO. _____

SUBJECT: Establishment of the Northern Mariana Disaster Control Program

WHEREAS, the existing and increasing possibility of the occurrence of disasters or emergencies of a magnitude and character which would result in the destruction of life and property and the disruption of the normal life of the Northern Mariana Islands and the need to provide for the safety and to preserve the life and property of the Northern Mariana Islands, it is hereby found and declared to be necessary:

- (a) to establish Disaster Control Program for the Northern Mariana Islands;
- (b) to authorize the establishment of such organizations and the taking of such steps as are necessary and appropriate to carry out the provisions of this program; AND;
- (c) to provide for the rendering of mutual aid with other territories, and to cooperate with the Federal Government with respect to carrying out disaster control functions; and
- (d) to confer upon the Governor and, at his discretion, to delegate to other officials of the Commonwealth of the Northern Mariana Islands the emergency powers provided herein;

-7-

WHEREAS, it is further declared to be the purpose of this program and the policy of the Commonwealth of the Northern Mariana Islands that all functions of the Commonwealth of the Northern Mariana Islands be coordinated to the maximum extent with the comparable



Commonwealth of the Northern Mariana Islands
Office of the Governor

Saipan, Mariana Islands 96950

Cable Address:
Gov. NMI Saipan

DATE July 13, 1978

EXECUTIVE ORDER NO. 7

SUBJECT: Establishment of the Northern Marianas
Disaster Control Program.

WHEREAS, the existing and increasing possibility of the occurrence of disasters or emergencies of unprecedented size and destructiveness resulting from the vicissitudes of nature, and in order to insure that preparations of the Northern Mariana Islands will be adequate to deal with such disasters or emergencies and generally to protect the public peace, health and safety and to preserve the lives and property of the Northern Mariana Islands, it is hereby found and declared to be necessary:

(a) to establish Disaster Control Program for the Northern Mariana Islands;

(b) to confer upon the Governor and, at his discretion, to delegate to other officials of the Commonwealth of the Northern Mariana Islands the emergency powers provided herein;

(c) to provide for the rendering of mutual aid with other territories, and to cooperate with the Federal Government with respect to carrying out disaster control functions; and

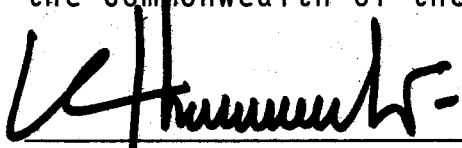
(d) to authorize the establishment of such organizations and the taking of such steps as are necessary and appropriate to carry out the provisions of this Program. AND,

WHEREAS, it is further declared to be the purpose of this Program and the policy of the Commonwealth of the Northern Mariana Islands that all functions of the Commonwealth of the Northern Mariana Islands be coordinated to the maximum extent with the comparable

functions of the Federal Government including its various departments and agencies and of private agencies of every type, to the end that the most effective preparation and use may be made of the manpower, resources, and facilities of the Northern Mariana Islands and of the United States for dealing with any disaster that may occur. AND,

WHEREAS, the expedient enactment of this law is considered to be of major importance in safeguarding the peace, health, safety and preservation of life and property in the Northern Mariana Islands against the ravages of natural or manmade disaster;

NOW THEREFORE, pursuant to the executive powers vested in the Office of the Governor of the Commonwealth of the Northern Mariana Islands, it is hereby directed through Executive Order that the attached Disaster Control Program become law under the Constitution of the Commonwealth of the Northern Mariana Islands.



CARLOS S. CAMACHO
GOVERNOR



**Commonwealth of the Northern Mariana Islands
Office of the Governor**

Saipan, Mariana Islands 96950

Cable Address:
Gov. NMJ Saipan

August 12, 1978

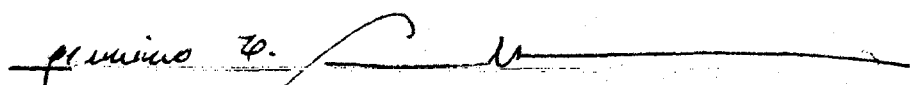
EXECUTIVE ORDER NO. 8

SUBJECT: Disaster Emergency Declaration

WHEREAS, extensive flooding and water damage has occurred on the islands of Saipan, Tinian and Rota; and

WHEREAS, current weather forecasting from Fleet Weather Central, Guam indicates a continuation of heavy showers and tropical storm development for the Northern Mariana Islands,

NOW, THEREFORE, pursuant to the executive power vested in the Governor, I hereby declare that a disaster area exists in the Northern Mariana Islands and direct the execution of the Commonwealth of the Northern Mariana Islands' **DISASTER EMERGENCY PLAN**.


FRANCISCO C. ADA
Acting Governor
Commonwealth of the Northern Mariana Islands



Commonwealth of the Northern Mariana Islands
Office of the Governor

Saipan, Mariana Islands 96950

Cable Address:
Gov. NM Saipan

September 4, 1978

EXECUTIVE ORDER NO. 09

SUBJECT: Disaster Emergency Declaration

WHEREAS, Typhoon (Typhoon Faye) has occurred in Alamagan, Pagan and Agrihan.

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, I hereby declare that a disaster area exists in Northern Islands (NMI) and direct the execution of the Commonwealth of the Northern Mariana Island's DISASTER EMERGENCY PLAN.

A handwritten signature in black ink, appearing to read "Carlos S. Camacho", written over a horizontal line.

Carlos S. Camacho
Governor
Commonwealth of the Northern Mariana Islands

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
EXECUTIVE ORDER OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 10
OCTOBER 3, 1978

NORTHERN MARIANAS REGISTER

SUBJECT: Amending Executive Order No. 1 - Publication of
Commonwealth of the Northern Marianas Register

Part I. Purpose. The purpose of this order is to establish the Commonwealth of the Northern Marianas Register, which shall be entitled "Commonwealth Register" and succeeds the Trust Territory of the Pacific Islands Territorial Register.

Part II. Authority.

Section 1. The Commonwealth of the Northern Marianas Register shall be published monthly.

Section 2. The Commonwealth of the Northern Marianas Register shall contain the text of all executive orders, decisions, proclamations, proposed and adopted rules and regulations, official notices, and related matters.

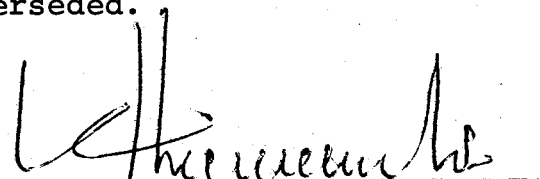
Section 3. The Attorney General shall be responsible for publication of the Commonwealth Register.

Section 4. Copies of the Commonwealth Register shall be distributed to all elected officials, the senior officers of each branch of government, executive department heads, and independent agencies.

Section 5. Copies shall also be made available in one or more public places for public scrutiny and copies shall be available for public distribution.

Section 6. Prior Order. Executive Order No. One of January 12, 1978 is hereby superseded.

Date: October 4, 1978


Carlos S. Camacho
Governor, Northern Marianas

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
EXECUTIVE ORDER OF THE GOVERNOR

EXECUTIVE ORDER NO. 11
OCTOBER 5, 1978

SUBJECT: Office of Civil Defense Director

WHEREAS, Section 10 of Article III of the Constitution of the Northern Mariana Islands empowers the Governor with emergency authority in the case of invasion, civil disturbance, natural disaster or other calamity to mobilize available resources to respond to that emergency; and

WHEREAS, it is in the best interests of the people of the Commonwealth, in this thermonuclear age, to provide a system of civil defense for the protection of life and property from attack, to establish procedures and plans to mobilize and utilize all available resources; and

WHEREAS, following a thorough review and consideration of the needs and available resources of the Commonwealth, it is hereby concluded that civil defense activities can be accomplished most promptly, effectively and efficiently through performance by the regular departments and agencies of the government of those civil defense functions relating to their established roles and capabilities by coordinating and delegating the authority to administer and provide those activities through a single office with a full-time director,

NOW THEREFORE,

Section 1. Office. There is established in the Executive Branch in the Office of the Governor in the Office of the Emergency Operations Coordinating Officer, the Office of Civil Defense Director.

Section 2. Director. The Office of Civil Defense Director shall be administered by a Director to be appointed by the Governor. The Director may employ such staff as is required to assist him in his duties.

Section 3. Functions and Duties. The Director is authorized in order to carry out the above-mentioned purposes, to:

A. Prepare an adopt an administrative plan for the civil defense and emergency needs of the

Commonwealth which will comply with the Federal Civil Defense Act of 1950, as amended, U.S. Public Law 920-81st U.S. Congress, 50 U.S.C.A. Sections 2251-2297, Code of Federal Regulations (35 CFR, Chapter XVIII), and all applicable federal laws, which shall include but not be limited to the following:

(1) That it will be in effect throughout the insular areas of the Commonwealth and administered and supervised by the single Office of Civil Defense Director.

(2) Provides for the development of civil defense operational plans pursuant to standards approved by the Director.

(3) The Director shall be a full-time employee of the Commonwealth.

(4) The establishment and maintenance of personnel standards in accordance with federally prescribed standards.

(5) Submission of an annual program paper and such other reports that may be required by the U.S. Defense Civil Preparedness Agency (U.S.D.C.P.A.) Regional Director.

(6) Retain and make available to the U.S.D.C.P.A. Director and the U.S. Comptroller General all books, records and papers pertinent to the program for audit purposes.

(7) Establish and maintain a financial management, monitoring and performance reporting system for federal grant supported activities.

(8) Establish and maintain property management systems and systems for the procurement of supplies, equipment, construction and other services in accordance with federally prescribed standards.

(9) Provide for the disbursement of federal funds of an appropriate share to subgrantees.

(10) Provide for the Commonwealth Government's supervision and review.

B. The Director shall adopt methods of administration which shall be followed in order to conduct the Civil Defense program in accordance with Title VI of the Civil Rights Act of 1964, U.S.D.C.P.A. regulations and U.S. Department of Defense regulations concerning equal employment.

C. The Director may delegate to the several departments and agencies of the Commonwealth Government appropriate civil defense responsibilities, and review and coordinate their activities with each other and with the territories, states and the Federal Government.

D. The Director shall make appropriate provision for necessary civil defense communications and for the dissemination of information, warnings of enemy attacks or emergencies to the people of the Commonwealth.

E. The Director shall study and develop civil defense measures and conduct, arrange or contract for training programs for the instruction of civil defense officials and other persons in the organization, operation and techniques of civil defense.

Section 4. Insignia. The Director may prescribe insignia, arm bands, and other distinctive articles which may be obtained by, manufactured for or possessed or worn by persons engaged in civil defense activities pursuant to rules and regulations established by the Director adopted by the Administrator of the Federal Civil Defense Administration. Section 204 of the Federal Civil Defense Act of 1950, as amended, provides for a fine of not more than \$1,000.00 or imprisonment of not more than one year or both, for the manufacture, possession or wearing of any such insignia, arm band, or other distinctive article otherwise than in accordance with such rules and regulations.

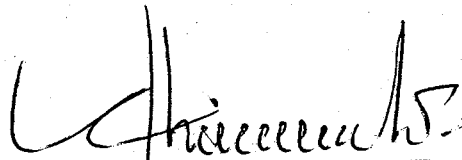
Section 5. Emergency Authority. During the existence of a state of emergency the Director is hereby delegated the same authority and ability to utilize federal and Commonwealth property, departments, facilities and agencies, immunity from

suit and waiver of federal and Commonwealth Administrative Procedure Acts as may be provided to or delegated by the Administrator of the Federal Civil Defense Administration by Title III, Sections 301-306 of the Federal Civil Defense Act of 1950, as amended. The provisions of this section shall terminate immediately upon the termination of the state of emergency.

Section 6. Loyalty Oath. In accordance with Section 403 of the Federal Civil Defense Act of 1950, as amended, before entering upon any civil defense duties the Director and any employee serving in this program shall take the written oath in a form similar to that provided in said Section 403.

Date:

October 5, 1978



Carlos S. Camacho
Governor

PUBLIC NOTICE

Proposed Regulations Concerning

Public Law 5-58

To Provide for a Tax Credit to Manuel S. Villagomez

The Acting Chief Division of Revenue and Taxation in accordance with Public Law 5-58 is proposing to promulgate new Regulations to be identified as Rules and Regulations of the office of Division of Revenue and Taxation.

The proposed Regulations included the following subjects:

1. Proof of Loss
2. Forms

Copies of the Regulations may be obtained from the Division of Revenue and Taxation.

The office of Division of Revenue and Taxation is soliciting views, opinions, facts and, data for or against the proposed Regulations from the general public.

Anyone interested in commenting in the proposed regulations may do so by submitting in writing to the Division of Revenue and Taxation, Central Office, Chalan Piao, Commonwealth of the Northern Mariana Islands, Saipan, Mariana Islands, 96950, within 30 days from the date this notice is published in the Commonwealth Register.

Oct. 16, 1978

Date

J. L. Evangelista
J. L. Evangelista
Acting Chief
Division of Revenue and Taxation

To Provide for a Tax Credit to Manuel S. Villagomez

Section 1: Authority: Pursuant to Section 2 of Public Law 5-58, these rules and regulations are hereby approved and promulgated.

Section 2: Purpose: To effectively administer and enforce PL 5-58.

Section 3: Proof of Loss: The following documents, records and details must be submitted to the Division of Revenues to justify and establish a maximum tax credit pursuant to Public Law 5-58:

A. Provide a statement indicating the action taken to limit the extent of the fire loss, the date the fire occurred, and any photographs of the building before and after the fire loss.

B. An inventory of merchandise, by class of goods shown below, on hand before the fire, indicating the date the inventory was taken, whether it was a physical or a book inventory and the FOB dollar value of the merchandise supported by invoices.

- | | |
|--------------------------|-----------------------------------|
| (1) Foodstuffs | (6) Beer |
| (2) Cigarettes | (7) Distilled Alcoholic Beverages |
| (3) Tobacco | (8) Wine |
| (4) Perfumery, Cosmetics | (9) All others |
- and Toiletries
- (5) Soft Drinks

C. An inventory of merchandise taken or recovered after the fire.

D. A list of the insurance companies and face value of each policy insuring the premises and contents of the store; a copy of each policy shall be submitted.

E. A copy of letters of claim and supporting documents submitted to each insurance company.

F. Copies of letters from each insurance company indicating rejection or approval of the claim, showing the amount of reimbursement under each policy.

Section 4: Periodic Transmission of Reports to the Northern Mariana Islands Legislature: The Governor shall transmit to the Northern Mariana Legislature a complete and up-to-date report showing all tax credits granted on a quarterly basis, to wit on or before October 15, 1978, January 15, April 15, and July 15, 1979, until all credit is exhausted.

Section 5: Forms: The form and manner of the application of the credit shall be prescribed by the Division of Revenues, Commonwealth of the Northern Mariana Islands.

Section 6: Method of Allowing Credit: Upon completion of the proof of loss the Division of Revenues will advise Mr. Manuel S. Villagomez of the maximum allowable tax credit. No tax credit shall be given for import tax losses compensated by insurance.

The tax credit will be allowable until exhausted as an offset only to excise taxes properly due the Commonwealth of the Northern Mariana Islands.

Section 7: These regulations will expire after the tax credit has been fully utilized.

PUBLIC NOTICE

Proposed Regulations Concerning
Application and Procedures Regarding
issuance of Certificates of Identity

Pursuant to Public Law 1-6

The Chief of Immigration in accordance with Public Law 1-6 proposing to promulgate new Regulations to be identified as Rules and Regulations to be identified as Rules and Regulations of the office of Immigration and Naturalization, Part 301.

The proposed Regulations included the following subjects:

1. Procedures to identify and determine persons for interim citizenship.
2. Forms, applications and processing fees.
3. Administrative procedures
4. Penalties

Copies of the proposed Regulations may be obtained from the office of Immigration and Naturalization.

The office of Immigration and Naturalization is soliciting views, opinions, facts and, data for or against the proposed Regulations from the general public.

Anyone interested in commenting in the proposed Regulations may do so by submitting comments in writing to the office of Immigration and Naturalization and the office of the Attorney General, Commonwealth of the Northern Mariana Islands, Saipan Mariana Islands, within 30 days from the date this notice is published in the Commonwealth Register.

October 10, 1978

Date



Frank C. Castro
Chief Immigration

PART 301 GENERAL PROVISIONS

301.1 Authority. The authority for the promulgation and issuance regulations is Certificate of Identity Act of 1978, Public Law 1-6

301.2 Purpose. The purpose of the regulations is to establish policy and procedures to govern the issuance of Certificate of Identity to persons who will derive United States citizenship, on the effective date of Section 301, of the covenant and to facilitate travel into the United States by persons from the Northern Mariana Islands, entitled to receive the privileges and immunities under Section 304 of the Covenant.

301.3 A p p l i c a t i o n .

- a) Form CI-301. An application for a Certificate of Identity by or on behalf of a person who claims he will derive citizenship of the United States upon termination of the United States Trusteeship Agreement under Section 301 of the Covenant to establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States shall be submitted on Form CI-301 in accordance with the instructions thereon, accompanied by a fee of \$5.00.
- b) The Chief of Immigration shall designate qualified members of his staff from the Immigration Service as examining Officers to conduct examinations; each examining Officer shall have the authority to administer oaths or affirmations.

301.4 Examination upon Application.

- a) Personal appearance of claimant and parents or guardian.

Each claimant, when notified to do so, and his parent or guardian if one is acting in his behalf, shall appear in person before an assigned officer for examination under oath or affirmation upon the application. At the examination the claimant and the acting parent or guardian shall present testimony and evidence pertinent to his claim and shall have the right to meet any evidence adverse thereto and to cross examine witnesses called by the Government, and shall be advised by the hearing officer of the right to full representation by an Attorney of choice. The waiver of right to counsel may be in writing.

- b) Claimant who is outside Northern Mariana Islands.

Each claimant who is at the time of application, residing outside the limits of the Northern Mariana Islands but within the United States shall mail his application and documentary evidence directly to the office of the Immigration Service, of the Office of the Governor of the Northern Mariana Islands, Civic Center, Susupe, Saipan Mariana Islands

96950, after the application has been duly notarized.

- c) Proof. The burden of proof shall be upon the claimant or his parent or guardian if one is acting in his behalf to establish his claim by a preponderance of the evidence. In the course of examinations to establish entitlement to a Certificate of Identity pursuant to the provision of this Act all pertinent evidence, subject to the right of examination or cross examination, shall be admissible without regard to the formal rules of evidence and the formal rules or procedure of the Commonwealth Trial Court. The Notice of Hearing will call upon the respondent to appear before the Examination Officer for hearing at a time and place stated in the notice, not less than 7 days, after the service of such notice, except that where the issuing officer, in his discretion, believes that the public interest, safety, or security so requires, he may provide in the order for a shorter or longer period.

- d) Report and Decision.

At the conclusion of the examination the examining officer shall prepare a report containing his findings and his recommendation relative to the eligibility of the applicant to receive a Certificate of Identity. The report and recommendation along with the record of proceedings requires by Section 9 of the said act shall be submitted to the Chief of Immigration who upon review shall approve or disapprove the recommendation of the examining officer. Upon receipt of the report and recommendation, the Chief of Immigration shall serve his decision on the applicant. This decision shall contain a notice of the right to appeal as prescribed by the regulations. The criteria used for determining interim definition of citizenship in the Northern Mariana Islands, by the Government of the Northern Mariana Islands shall include but is not limited to schedule of transitional matters, section 8 and Section 1 of Article VII of the Constitution, Article X Sections 1001(a), and Section 301 of the Covenant and the Secretarial Order No. 2989 dated March 26, 1976.

301.5 Denial of Application and Appeal.

If the decision of the Chief of Immigration is that the application shall be denied, the applicant shall have the right to appeal to the Attorney General within 20 days after the service of the notification of decision accompanied by a supporting brief if desired and a fee of \$25.00 by filing a notice of appeal. The notice of appeal shall not be in any set form. For good cause shown, the time within which the brief may be submitted may be extended.

A proceeding authorized under this Act may be reopened or the decision made therein reconsidered for proper cause upon motion made by the party affected and granted by the officer who has jurisdiction over the proceeding or who made the decision. If the applicant is a moving party, a motion to reopen or a motion to reconsider shall be filed in duplicate and a fee of \$25.00 with the Chief of Immigration. When an officer of the Immigration Service is the moving party, a copy of the motion shall be personally served on the applicant and the motion together with the prove of service shall be filed directly with the Immigration Service. The party opposing the motion shall have 10 days from the date of the service thereof within which he may submit a brief, which period may be extended. If the officer who originally recommended the case is unavailable the motion may be referred to another officer. A motion to reopen shall state the new facts to be proved at the reopened proceeding and shall be supported by affidavit or other evidentiary material. A motion to reconsider shall state the reasons for reconsideration and shall be supported by such precedent decisions as are pertinent. Motion to reopen or reconsider shall state whether the validity of the order has been or is the subject of any judicial proceeding and if so the nature and date thereof, the court in which such proceeding took place or is pending, and its result or status. Ruling upon motions to reopen or motions to reconsider shall be by written decision.

301.7 Service of Notification, decision, and other papers by the Service.

This section states authorized means of service on parties and on attorneys and other interested persons of notices, decisions and other papers in administrative proceedings before service Officer as provided in the Act.

a) Definitions.

- 1) Routine Service. Routine service consists of mailing a copy by ordinary mail addressed to a person at his last known address.
- 2) Personal Service. Personal Service, which shall be performed by the Government employee, consists of any of the following, without priority or preference:
 - 1) Delivery of a copy at a persons dwelling house or usual place of abode by leaving it with some person of suitable age who is a member of the immediate family of the person involved.

II) Delivery of a copy personally to the claimant or his attorney; and

III) Delivery of a copy at the business office of the claimant's attorney by leaving it with, in the event the claimant's lawyer is absent, the lawyer's secretary.

301.8 Penalties.

- a) Whoever, in any matter connected with an application for a Certificate of Identity, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or uses any false, fictitious or fraudulent statements or representations, or make or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall, upon conviction, be fined not more than \$3,000.00 or imprisoned not more than three years or both.
- b) Whoever, contrary to law, knowingly procures or attempts to procure a Certificate of Identity or whoever, whether for himself or another person not entitled thereto, knowingly issued a Certificate of Identity, shall upon conviction be fined not more than \$5,000.00 or imprisoned not more than five years or both.
- c) Whoever knowingly and unlawfully uses or attempts to use a Certificate of Identity, or copies or duplicate thereof, issued to another persons, or in a fictitious name or in the name of a deceased person as showing United States citizenship, shall upon conviction be fined not more than \$5,000.00 or imprisoned not more than five years or both.
- d) Whoever unlawfully sells or disposes of a Certificate of Identity or copies or duplicated other documentary evidence of Certificate of Identity shall upon conviction be fined not more than \$5,000.00 or imprisoned not more than five years or both.
- e) Whoever, having taken an oath before an officer or person, in any case in which a law of the Government of the Northern Mariana Islands authorizes an oath to be administered, that he will testify, declare, depose or certify truly or that any written testimony, declaratio, deposition, or certification, is true; willfully and contrary to such oath states or subscribes any material which he does not believe to be true, is guilty of perjury and shall be fined not more than \$2,000.00 or imprisoned notmore than five years or both.
- f) Whoever procures another to commit any perjury is guilty of subornation of perjury, and shall be fined not more than \$2,000.00 or imprisoned not more than five years or both.

301.9 Effective Date.

These regulations shall become effective upon final publication in the Northern Marianas Commonwealth Register.

Date:

October 11, 1978



**Frank C. Castro
Chief of Immigration
Government of the Northern
Mariana Islands, Saipan**

PUBLIC NOTICE

Proposed Regulations Concerning
Traffic Violations of Mariana
Islands Airport Authority

The Manager of the Mariana Islands Airport Authority in accordance with Public Law 6-58 is proposing to promulgate new Regulations to be identified as Rules and Regulations of the Mariana Islands Airport Authority.

The proposed Regulations included the following subjects:

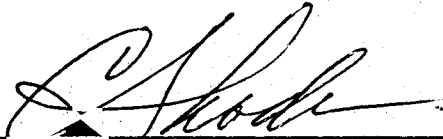
1. Notice of Violations
2. Denials of Liability and Offer of Compromises
3. Fines

Copies of the Regulations may be obtained from the Manager of the Mariana Islands Airport Authority.

The office of the Mariana Islands Airport Authority is soliciting views, opinions, facts and, data for or against the proposed Regulations from the general public.

Anyone interested in commenting in the proposed Regulations may do so by submitting in writing to the Mariana Islands Airport Authority, Saipan, Mariana Islands 96950, within 30 days from the date this notice is published in the Commonwealth Register.

10/10/78
Date


Carlos A. Shoda
Manager
Mariana Islands Airport Authority



MARIANA ISLANDS AIRPORT AUTHORITY

SAIPAN INTERNATIONAL AIRPORT

P.O. BOX 1055 • SAIPAN • MARIANA ISLANDS 96950
TELEPHONE 6558

RULES AND REGULATIONS - Directive #3.

The following rules and regulations concerning violations of Parts 2.1 through 2.7, inclusive, of the rules and regulations of the Mariana Islands Airport Authority are hereby established pursuant to the provisions of Section 17[5] of the Public Law No. 6-58.

[a] Notice of violation. Any person violating any of the provisions of Parts 2.1 through 2.7, inclusive, of the rules and regulations of the Mariana Islands Airport Authority shall be given written notice thereof by a duly authorized employee of the Authority.

[b] Same; form of notice. The written notice shall be in the form attached hereto as Appendix A. The form shall be prepared in duplicate, with the original copy being served upon the violator in the manner provided herein, and the duplicate copy being returned to the Office of the Manager.

[c] Same; manner of service. Service of the Notice of Violation shall be served upon the violator as follows: If the violator is physically present at the scene of the violation, the Notice of Violation shall be served upon him personally. If the violator is not so present, service may be effected by leaving the Notice of Violation upon the windshield of the offending vehicle, or alternatively upon any other prominent place upon such vehicle.

[d] Same; who may serve. Persons authorized to serve the Notice of violation provided for herein are the Airport Manager, any employee of the Department of Public Safety of the Government of the Northern Mariana Islands, and any security officer of the Mariana Islands Airport Authority.

[e] Denial of liability. Any person against whom a violation of any of the provisions of Parts 2.1 through 2.7, inclusive, of the rules and regulations of the MIAA is alleged shall have ten [10] days to deny liability therefore, by offering a compromise to the Airport Manager, or by paying the fine as established herein. The Notice of Violation shall state that failure to pay the fine assessed within the ten [10] day period may result in collection of said fine through the High Court of the Trust Territory, or its successor Court.

[f] Compromise. Offers of compromise made to the Manager pursuant to the provisions hereof must be made in writing. Such offer shall not be accepted except with the concurrence of the Board. Failure of the Board to accept any such offer of compromise within the ten [10] day period shall be deemed a rejection of such offer. Upon the expiration of the ten [10] day period, or upon the earlier written rejection by the Board, the Authority may proceed to exercise any lawful remedy which it may possess for the collection of the fine assessed.

[g] Schedule of fines. The schedule of fines to be assessed for the violation of those parts of the Rules and Regulations of the Authority covered by these Rules and Regulations shall be as follows:

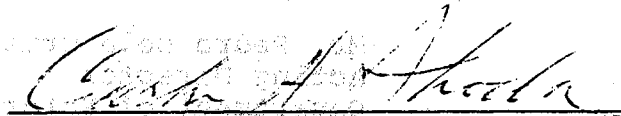
Part 2.3: \$20.00

Parts 2.1, 2.2, 2.4, 2.5, and 2.6: \$10.00

Part 2.7: \$5.00 plus towing charges

[h] Effective date. These rules and regulations shall take effect in accordance with Section 18 of Public Law No. 6-58.

DATED, this 7th day of December, 1976:



CARLOS A. SHODA, Manager
Mariana Islands Airport Authority

PUBLIC NOTICE

TO AUCTION THE M/V DOLPHIN

Pursuant to the decision of the Northern Marianas Economic Development Loan Fund Board, the Department of Natural Resources hereby announces that the M/V Dolphin with all its equipments and supplies will be publicly auctioned at the Office of the Northern Marianas Chief of Police on Monday, November 6, 1978 at 9:00 a.m. The minimum auction bid will be \$18,000 (U.S. money) and the highest bidder must place a deposit of 10% of the auction price in cash or by certified check payable to the Northern Marianas Economic Development Loan Fund and the balance will be payable seventy-two (72) hours later. / In the event that the highest bidder fails to pay the balance of the purchase within seventy-two (72) hours, the Northern Marianas Economic Development Loan Fund Board reserves the right to declare a forfeit of the 10% deposit.

The M/V Dolphin is a 42 feet fiberglass - reinforced plastic (FRP) fishing vessel which was purchased by the Rota Fishing Cooperative Association in 1975 from Japan. The vessel is available for inspection at the Port Control (Saipan) Monday-Friday from 7:30 a.m. - 11:30 a.m. and from 12:30 p.m. - 4:30 p.m. permission must be requested from the Port Control Division to inspect the M/V Dolphin. The general public is welcome to attend. For further information contact:

Mr. Pedro Dela Cruz
Acting Director
Department of Natural Resources
Commonwealth of the Northern Mariana Islands
Saipan, M.I. 96950 (Telephone No. 6561)

OR

Mr. Joaquin P. Villagomez
Mariane Resources Development
Department of Natural Resources
Commonwealth of the Northern Mariana Islands
Saipan, M.I. 96950 (Telephone No. 6197)