

**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN, TINIAN, ROTA, & NORTHERN ISLANDS**



**COMMONWEALTH REGISTER
VOLUME 25 NUMBER 09**

October 15, 2003

COMMONWEALTH REGISTER

**VOLUME 25
NUMBER 9
OCTOBER 15, 2003**

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COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

OCT 08 2003

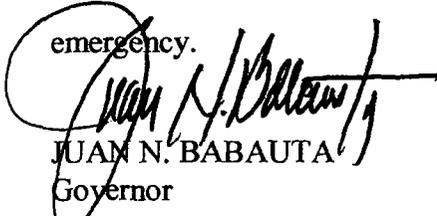
Diego T. Benavente
Lieutenant Governor

DECLARATION OF EMERGENCY

Volcanic Eruption on Anatahan

I, JUAN N. BABAUTA, by the authority vested in me as Governor pursuant to Article III, Section 10 of the Commonwealth Constitution and 3 CMC §5121, and in accordance with the recommendations of the Emergency Management Office, Commonwealth of the Northern Mariana Islands and US Geological Survey (attached hereto and incorporated herein by this reference) hereby declare a further 30-day extension of the May 13, 2003 Declaration of Emergency for the island of Anatahan and the declaration that the island of Anatahan as unsafe for human habitation and further do hereby restrict all travel to said island with the exception of scientific expeditions. Therefore, the provisions of the May 13, 2003 Declaration of Emergency remain in effect maintaining the off-limits zone from 30 nautical miles to 10 nautical miles.

This Declaration shall become effective upon signature by the Governor and shall remain in effect for thirty (30) days unless the Governor shall, prior to the end of the 30-day period, notify the Presiding Officers of the Legislature that the state of emergency has been extended for a like term. The Governor shall give reason for extending the emergency.


JUAN N. BABAUTA
Governor

Cc: Lt. Governor
Senate President
House Speaker
Mayor of the Northern Islands
Director of Emergency Management
Commissioner of Public Safety
Attorney General
Secretary of Finance
Special Assistant of Management and Budget
Acting Special Assistant for Programs and Legislative Review



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
Emergency Management Office
Office of the Director



Juan N. Babauta, Governor
Diego T. Benavente, Lt. Governor

Rudolfo M. Pua, Director
Mark S. Pangelinan Dep., Director

MEMORANDUM

To: Governor
From: Acting Director
Subject: Declaration of Emergency

OCT 07 2003

The EMO seismic staff and USGS, has done an over flight to Anatahan volcano yesterday and once again with close consultation has informed me that Anatahan volcano occasionally steaming and releases gaseous vapors. In addition, tremors and seismic energy release are at their lowest levels caused by the volcanic activity are frequently recorded by the seismograph at EMO office.

Therefore, we are once again respectfully soliciting your assistance in extending the **Declaration of Emergency** for the island of Anatahan for another thirty (30) days and to maintain the *off limits zone from 30 nautical miles to 10 nautical miles* around Anatahan until further notice. Under these conditions, restriction of entry to the said island should continue except for scientific expedition until a thorough scientific study is done and that the findings suggest otherwise. The current **Declaration of Emergency** will expire on October 08, 2003.

Should you have any question or concern, please call our office at 322-9528/29.

Sincerely,


Mark S. Pangelinan

Xc: LT. Governor
SAA
Mayor, NI

Attachment:

Proced 10/8/03


Anatahan summary for September 21-30, 2003

Dick Moore arrived Saipan on 9/18. Trusdell, Sako, Ewert and Schilling arrived on Saipan on 9-21. A tropical depression formed over the CNMI the next day and heavy rains from the 22nd through 26th mobilized the May-July airfall deposits on steep slopes resulting in some impressive debris flow seismic signatures on the ANAT station. Much of the rest of the seismic record for this time period is dominated by high frequency signals indicative of heavy rain and strong wind.

The first field work took place on Saturday the 27th. Trusdell, Sako, and Ewert spent the entire day trying to find the EC-5 instrument station on the SW rim of the western caldera, near the ANAT seismic station. The meter-thick tephra deposit and the changed landscape conspired to keep the mark hidden despite 5 hours of spirited excavation. Poor weather on the 28th grounded us. Fieldwork on the 29th by Sako, Trusdell and Schilling resulted in the discovery of mark EC-4 on the north side of the caldera. High wind and cloud prevented a return to the EC-5 site. As of this writing on the 30th, Sako, Trusdell and Moore were at Anatahan digging diligently. The forecast is for more unsettled weather.

Scanned paper topo maps (vintage DMA) were registered and GPS locations can now be plotted in their proper positions. Oddly enough, the DMA printed the maps with the UTM graticule oriented correctly, but the underlying maps are oriented to magnetic north. The upshot of this mapping system is that GPS points plot further askew from reality as one moves northward on the map, eventually resulting in errors of as much as 0.5 km.

Problems with the DSL line continue to plague the Earthworm system. The need for USGS duty seismologists to access the data stream 24/7 combined with computer security constraints imposed by our organization appear to make the solution to this problem neither simple nor inexpensive.

Visual Observations:

9/22-9/26 Rain.

On the 27th we observed the east crater from the helicopter. Figure 1 shows the active area. Distinct odor of sulfur dioxide was present, and blue fume apparent.

On the 29th geysering through the lake was seen and odor of hydrogen sulfide was present in addition to that of sulfur dioxide. On neither day were any new deposits or features obvious.



Image 1: This picture was taken on Sept. 08, 2003, east crater floor. View from the south looking to the north.



Figure 2. View of western caldera looking NW.

PUBLIC NOTICE
**EMERGENCY ADOPTION OF RULES AND REGULATIONS ESTABLISHING A
MECHANISM FOR THE REALLOCATION OF NONRESIDENT WORKERS IN THE
GARMENT INDUSTRY**

This amendment is promulgated in accordance with the Administrative Procedure Act, 1 CMC § 9101, et seq. The Office of the Attorney General is adopting rules and regulations establishing a mechanism for the reallocation of nonresident workers in the garment industry.

Citation of

Statutory Authority:

The Office of Attorney General is authorized to promulgate regulations for entry and deportation of aliens in the Commonwealth of the Northern Marianas pursuant to Executive Order 03-01 and 3 CMC § 4312(d). The Department of Labor is authorized to promulgate regulations under P.L. 11-76 as amended by P.L. 12-11 for establishing a mechanism for the reallocation of Garment workers among manufacturers

Short Statement of

Goals and Objectives:

The emergency regulations establish a mechanism for the reallocation of worker positions among garment manufacturers while maintaining the industry-wide ceiling of 15,727 nonresident workers in the garment industry.

Brief Summary of the

Proposed Regulations:

These emergency regulations are promulgated to:

- (1) Suspend Schedule A of P.L. 11-76 as amended to allow the hiring of garment workers presently in the Commonwealth based on need while strictly maintaining the ceiling of 15,727 nonresident workers in the industry;
- (2) Establishes a reallocation fee and provides for the Department of Labor approval of any worker employed pursuant to a reallocation;
- (3) Provides for the Department and the Office of the Attorney General to review the reallocation of nonresident workers and determine what action may be necessary in the future to regulate employment in the Commonwealth while assisting the needs of the manufacturers;

For Further

Information Contact:

Kevin A. Lynch, Assistant Attorney General, Office of the Attorney General, telephone (670) 236-0910 or facsimile (670) 236-0992.

**Citation of Related
and/or Affected Statutes,
Rules and Regulations,
and Orders:**

The emergency regulations implement P.L. 11-76 as amended by P.L. 12-11.

Dated this 19th day of September, 2003.

Submitted by:



DAVID W. HUTTON
Acting Deputy Attorney General



DR. JOAQUIN A. TENORIO
Secretary of Labor

**PUBLIC NOTICE OF EMERGENCY REGULATIONS AND NOTICE OF
INTENT TO ADOPT RULES AND REGULATIONS ESTABLISHING A MECHANISM
FOR THE REALLOCATION OF NONRESIDENT WORKERS IN THE GARMENT
INDUSTRY**

EMERGENCY: The Commonwealth of the Northern Mariana Islands, Office of the Attorney General (AGO) and Department of Labor (DOL) find that under 1 CMC § 9104(b), the public interest requires the passage of regulations to modify the individual employer allocations of nonresident workers within the Garment Industry. These regulations are promulgated pursuant to the authority given the Secretary of Labor under P.L. 12-11. AGO and DOL further find that the public interest mandates adoption of these regulations upon fewer than thirty (30) days notice, and that these regulations shall become effective immediately after filing with the Registrar of Corporations, subject to the approval of the Attorney General and the concurrence of the Governor, and shall remain effective for 120 days.

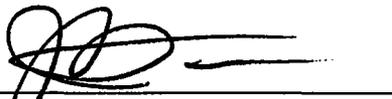
REASONS FOR EMERGENCY: AGO and DOL have determined that the dynamics of the garment industry have changed since the enactment of PL 11-76 in 1999. Some employers have ceased operations while others desire to expand. Many employers have demonstrated interest in modifying the quotas established in Schedule A to accommodate changes in their economic circumstances. The suspension of the quotas established in the Moratorium on Nonresident Alien Worker Hiring will allow the employment market to stabilize based on the actual employee requirements of the employers rather than an estimate of the number of workers made by the AGO and DOL. However, it is important that the Secretary retain some control over the reallocation of the workforce among employers to adhere to the statutory requirement that the total number of workers in the garment industry not exceed 15,727 nonresident workers, and to maintain the quality of the CNMI as a workplace for both employers and employees. The number of recent mergers, acquisitions and bankruptcies of manufacturers prompts the AGO and DOL to take this emergency action to provide a mechanism for the reallocation of nonresident workers among manufacturers. Further, despite the absence of regulations as required under P.L. 12-11, AGO and DOL are aware that workers were previously reallocated to only certain factories. Therefore, it is necessary to immediately enact regulations providing all manufacturers access to such reallocations. As required under P.L. 11-6, it is the intention of AGO and DOL to make certain that any nonresident worker currently present in the Commonwealth is lawfully employed prior to the entry of new workers from abroad. The following regulations are adopted to implement the authority of the Secretary of Labor to “establish a mechanism for the reallocation of non-resident workers among employers based on need.” PL 12-11 (4 CMC § 5708).

INTENT TO ADOPT: It is the intent of AGO and DOL to adopt these emergency regulations establishing a mechanism for the reallocation of nonresident workers in the garment industry, pursuant to 1CMC § 9104(a)(1) and (2). Accordingly, interested persons may submit written comments on these emergency recommendations to Dr. Joaquin A. Tenorio, Secretary of Labor, Afetnas Square, 2nd Floor, San Antonio, Saipan, MP 96950 or Clyde Lemons, Jr., Deputy Attorney General, Office of the Attorney General, Second Floor, Juan A. Sablan Memorial Bldg, Capitol Hill, Saipan MP 96950.

Submitted by:


DAVID W. HUTTON.
Acting Deputy Attorney General

9-19-03
Date


DR. JOAQUIN A. TENORIO.
Secretary of Labor

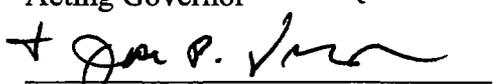
9/19/03
Date

Concurred by:


DIEGO T. BENAVENTE
Acting Governor

9/19/03
Date

Received by:


THOMAS A. TEBUTEB
Special Assistant for Administration

9/19/03
Date

Filed and Recorded by:


BERNADITA B. DE LA CRUZ
Commonwealth Registrar

9-19-03
Date

Pursuant to 1CMC §2153, as amended by Public Law 10-50, the emergency 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 19th day of September, 2003.


DAVID W. HUTTON
Acting Deputy Attorney General

PROPOSED EMERGENCY REGULATIONS ESTABLISHING A MECHANISM FOR THE REALLOCATION OF GARMENT WORKER POSITIONS

AGO and DOL have determined that the dynamics of the garment industry have changed since the enactment of PL 11-76 in 1999. Some employers have ceased operations while others desire to expand. Many employers have demonstrated interest in modifying the quotas established in Schedule A to accommodate changes in their economic circumstances. The suspension of the quotas established in the Moratorium on Nonresident Alien Worker Hiring will allow the employment market to stabilize based on the actual employee requirements of the employers rather than an estimate of the number of workers made by the AGO and DOL. However, it is important that the Secretary retain some control over the reallocation of the workforce among employers to adhere to the statutory requirement that the total number of workers in the garment industry not exceed 15,727 nonresident workers, and to maintain the quality of the CNMI as a workplace for both employers and employees. The number of recent mergers, acquisitions and bankruptcies of manufacturers prompts the AGO and DOL to take this emergency action to provide a mechanism for the reallocation of nonresident workers among manufacturers. Further, despite the absence of regulations as required under P.L. 12-11, AGO and DOL are aware that workers were previously reallocated to only certain factories. Therefore, it is necessary to immediately enact regulations providing all manufacturers access to such reallocations. As required under P.L. 11-6, it is the intention of AGO and DOL to make certain that any nonresident worker currently present in the Commonwealth is lawfully employed prior to the entry of new workers from abroad. The following regulations are adopted to implement the authority of the Secretary of Labor to "establish a mechanism for the reallocation of non-resident workers among employers based on need." PL 12-11 (4 CMC § 5708).

1. Once an employer in the garment industry has reconciled its records of the number of nonresident workers in its employ with those of the Department of Labor, the employer may begin hiring additional workers pursuant to these regulations.
2. An employer may hire workers whom presently reside within the Commonwealth unrestricted by the allocations specified in the Moratorium on Nonresident Alien Worker Hiring, Schedule A of 3 CMC §4601 *et seq.*
 - a. Employers within the garment industry may acquire these workers subject to the following conditions:
 - I. The worker must be an individual who has a valid CNMI Labor permit and must be presently within the Commonwealth; or
 - II. The worker must possess a Memorandum or Administrative Order from the Department allowing them to seek permanent employment;
 - III. The worker is eligible for employment by any qualifying employer in any job category for which they are qualified regardless of the specific job category indicated on their Entry Permit or LIIDS data.

- IV. Payment of the fee for the application for a Labor Identification Certificate and Immigration entry permit as established by the Department, plus a nonrefundable, nontransferable fee of \$50.00 to offset the cost of increased administration. Fees previously paid to the Department with the expectation of securing a worker from outside the CNMI may be transferred to an application made for an on-island worker pursuant to these regulations, or may be refunded by the Department if the off-island worker cannot be employed as a result of the operation of these regulations;
- V. Approval by the Department of an employer's agreement and employment contract for each worker hired pursuant to these regulations;
- VI. Advertising for the position is waived provided the worker will become employed within the same job classification except for trimmers, packers, security guards, maintenance workers, and office workers.
- VII. An employer who desires expedited processing of the documents required to employ a nonresident worker pursuant to these regulations may receive expedited processing by paying an additional nonrefundable fee of \$150.00. "Expedited processing" means that after submission of all required documents by the employer, and the Department finding that all documents have been submitted and the application is otherwise complete, the Department shall prepare the labor permit within a period not to exceed fourteen (14) days. However, the Director of Labor may, after giving notice to the prospective employer prior to payment of any expedited processing fee, inform the employer of a different time period if the demand for expedited processing exceeds the ability of the Section to guarantee processing of the permits within the 14 day period.

b. Workers employed under a reallocation shall be considered to be "New" employees for purposes of the application and processing, and not an officially transferred employee for replacement purposes.

3. Replacement employees may be hired in conformity with existing laws, PL 11-6 as amended by PL 11-76 §5, provided however that no replacement will be granted that would cause the total number of nonresident workers in the garment industry to exceed 15,727 as established in PL 11-76 §6(a). After September 12, 2003 any employer showing available positions after completion of the fiduciary audit may replace those workers with off-island hires.

4. Workers not to be assessed fees or costs:

A nonresident worker may not be assessed any fee or cost of any kind by any person relating to a reallocation or transfer to the receiving employer. The attempt to collect or the collection of a fee or other consideration from a nonresident worker constitutes a violation of the Nonresident Workers Act and may subject the violator to the penalties therein. An employer may offer an

incentive to an employee to accept employment if such incentive is included in the employer's agreement and the approved employment contract.

5. Reporting of numbers of employees:

On June 1 and December 1 of each year each employer shall report to the Department of Labor the number of nonresident workers employed. Failure to submit the required report shall result in a sanction of one thousand dollars (\$1000.00) for each seven (7) days the report is late. Failure to submit the report within fourteen (14) days may result in a suspension of the processing of any of the employer's labor-related documents by the Department plus the sanction until the report is filed with the Department.

6. Biannual review of nonresident garment worker count:

Upon receipt of the reports required by Section 5 above which were submitted on June 1, 2004 and every six (6) months thereafter, the Secretary of Labor and the Attorney General shall review the placement of nonresident workers in the garment industry to determine whether to reinstate an nonresident worker allocation system similar to that previously adopted in Schedule A of the Moratorium on Nonresident Alien Worker Hiring, 3 CMC §4601 *et seq.*

7. The Division of Immigration, the Department of Labor and the LIIDS Section of the Office of the Governor shall monitor the number of workers in the garment industry no less than once every fourteen days to ensure that the total number of nonresident workers in the industry does not exceed 15,727. This monitoring may be accomplished in any manner that will give an accurate total of the number of workers.

PUBLIC NOTICE

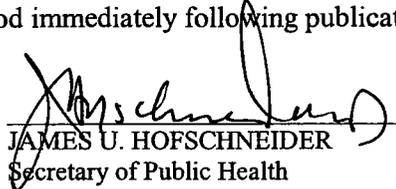
DEPARTMENT OF PUBLIC HEALTH COMPREHENSIVE STATE-BASED TOBACCO PREVENTION AND CONTROL PROGRAM

PROPOSED REGULATIONS GOVERNING PROTOCOL FOR MINOR-ASSISTED UNDERCOVER PURCHASES OF TOBACCO PRODUCTS

The Secretary of the Department of Public Health hereby notifies the general public of proposed Regulations. These Regulations establish a procedure for securing and utilizing the voluntary assistance of minors to conduct undercover investigations against persons or businesses engaged in selling, giving, or otherwise providing tobacco products to minors.

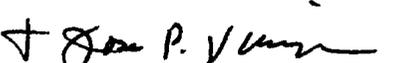
It is the intent of the Department of Public Health to adopt the proposed Regulations as permanent, pursuant to 1 CMC §9104(a)(1) and (2) of the Administrative Procedures Act. The publication of these proposed Regulations in the Commonwealth Register provides notice and opportunity for the public to comment. If necessary, a public hearing will be provided. All interested persons may submit written comments on the proposed amendments to James U. Hofschneider, Secretary of the Department of Public Health, PO Box 409, CK, Saipan, MP 96950 or by fax to (670) 234-0930, during the thirty-day period immediately following publication of the proposed amendments.

Submitted by:


JAMES U. HOFSCHEIDER
Secretary of Public Health

10/06/03
Date

Received by:


THOMAS A. TEBUTEB
Special Assistant for Administration

10-10-03
Date

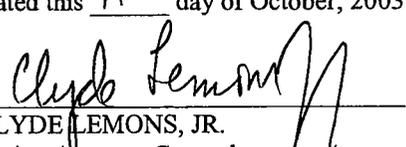
Filed and Recorded by:


BERNADITA B. DE LA CRUZ
Corporate Register

10-10-03
Date

Pursuant to 1 CMC §2153, as amended by Public Law 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 14th day of October, 2003.


CLYDE LEMONS, JR.
Acting Attorney General

PUBLIC NOTICE
DEPARTMENT OF PUBLIC HEALTH
COMPREHENSIVE STATE-BASED TOBACCO PREVENTION AND
CONTROL PROGRAM

Citation of Statutory Authority: The Department of Public Health is authorized to promulgate these regulations governing protocol for minor-assisted undercover purchases of tobacco products pursuant to Public Law 11-75, Section 15(a).

Short Statement of Goals and Objectives: To secure and utilize the voluntary assistance of minors to conduct undercover investigations against persons or businesses engaged in selling, giving, or otherwise providing tobacco products to minors, and to facilitate enforcement of the CNMI's tobacco laws.

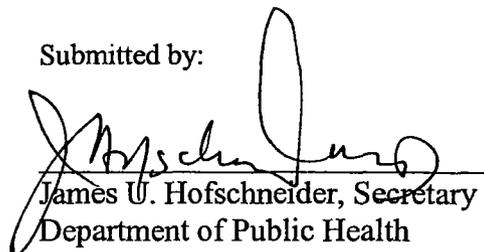
Brief Summary of the Proposed Regulations: These proposed regulations seek to achieve their objective by establishing procedures governing: selection of minors; parental consent; training of minors; monitoring of minors' purchase ; procedures to follow during purchase; reporting of incident afterwards.

For Further Information Contact: Brian R. Caldwell, Assistant Attorney General, Office of the Attorney General, Civil Division. Telephone (670) 664-2341 or facsimile (670) 664-2349.

Citation of Related And/or Affected Statutes, Rules and Regulations And Orders: Public Law 11-75, Sections 15 and 16. Department of Commerce, Alcohol Beverage and Tobacco Control Division, Regulations. Commonwealth Register Volume 24, Number 10. October 30, 2002, 19615 through 19621.

Dated this 6th day of October, 2003.

Submitted by:


James U. Hofschneider, Secretary
Department of Public Health

**DEPARTMENT OF PUBLIC HEALTH
COMPREHENSIVE STATE-BASED TOBACCO PREVENTION AND
CONTROL PROGRAM**

**Proposed Regulations Governing Protocol For Minor-Assisted
Undercover Purchases of Tobacco Products**

1.0 Introduction

Section 1.1 Authority

The authority for the promulgation and issuance of these Department of Public Health Regulations is derived from Public Law 11-75, Section 15(a).

Section 1.2 Purpose

The purpose of these Department of Public Health Regulations is:

- (a) to establish a protocol for using minors for undercover purchases of tobacco products;
- (b) to assist with federal reporting requirements under 45 C.F.R. §96.130;
- (c) to further assure the CNMI's continued receipt of federal block grant funds pursuant to 45 USCS §300x-26; and
- (d) to facilitate enforcement of Public Law 11-75.

Section 1.3 Definitions

- (a) "Licensee" means any person, business entity, or organization licensed to sell tobacco products in the Commonwealth of the Northern Mariana Islands (CNMI) by the Department of Commerce, Alcohol Beverage and Tobacco Control Division.
- (b) "Minor" means an individual under the age of Eighteen (18) years.
- (c) "Tobacco Product" means any tobacco preparation, including but not limited to, chewing tobacco, cigars, cigarettes, any cigarette products, or snuff;
- (d) "Undercover Purchase" means an attempted purchase of tobacco products by a minor carried out in a manner that is reasonably designed to provide a reliable and realistic assessment of how a licensee reacts when presented, in the usual course of business, with typical young persons attempting to purchase tobacco products.

2.0 Prerequisites For Using A Minor To Conduct An Undercover Purchase

Section 2.1 Parental Consent

The signed, written consent of a parent or guardian shall first be obtained for each minor used to purchase tobacco products undercover. Department of Public Health, Comprehensive State-Based Tobacco Prevention and Control Program ("DPH") shall prescribe a form for such written consent.

Section 2.2 Training

- (a) Before a minor conducts an undercover purchase of tobacco products, such minor shall first be trained by an employee of DPH.
- (b) Such training will be conducted with the aim towards instructing the minor on how to act in a manner that is reasonably designed not to reveal to a licensee that the attempted purchase of tobacco products is pursuant to an undercover purchase.
- (c) Such training shall be to the extent necessary to reasonably ensure that the minor is able to perform an undercover purchase in a competent and confident manner. To this end, such training shall include role-plays.

Section 2.3 General Selection Criteria For Minors Used

- (a) DPH shall confirm that each minor selected is under the age of 18.
- (b) Each minor selected shall not appear to be older or younger than the average person of his or her age, shall dress in a manner reasonably appropriate to his or her age group, and shall not alter his or her appearance with the intent of appearing older or younger.
- (c) Minors selected may (but are not required to) include otherwise suitable persons who have previously used or currently use tobacco products.

Section 2.4 Voluntary Participation

- (a) No minor shall be offered monetary compensation to participate in the undercover purchase program.
- (b) Nothing in this Section shall be construed as prohibiting DPH from offering volunteers items of *de minimis* value as a show of appreciation for their assistance.

- (c) DPH may advertise the undercover purchase project to the public at large.
- (d) At all times, a minor's performance of an undercover purchase is strictly voluntary, and such voluntary relationship between the minor, the minor's parent(s) and DPH may be terminated by any party without notice or cause.
- (e) No minor may assist or be requested to so assist DPH as a condition of probation or in connection with a minor's disposition or sentencing in juvenile delinquency proceedings.

3.0 Conduct of Undercover Purchases

Section 3.1 Required Items

When an undercover purchase begins, the minor shall possess a sum of money sufficient to pay for the tobacco product that the minor shall attempt to purchase.

Section 3.3 Adult Supervision

The minor shall be accompanied to the store that will be the subject of the undercover purchase by a person who is at least Twenty One (21) years old, and is an agent for DPH. That person shall supervise the minor as closely as circumstances permit without suggesting to store employees that the minor is accompanied. Department of Commerce, or Department of Public Safety staff may serve as agents for DPH for purposes of this Section.

Section 3.4 Procedure For Purchase

- (a) The minor shall enter the store alone.
- (b) The minor shall approach the counter, or secured area where tobacco products are maintained, and request from the cashier a single package of tobacco product. The brand requested shall vary among undercover purchases. If the store sells cigarettes in packages of less than twenty sticks, the minor shall purchase such a package.
- (c) The minor shall place on the counter enough money to purchase the tobacco product.
- (d) If the cashier asks the minor his or her age, the minor shall respond that he or she is eighteen.
- (e) If the cashier requests ID, the minor shall state that he or she does not have an ID in his or her possession but is old enough to buy cigarettes.

- (f) The minor shall not attempt to persuade the cashier to sell the tobacco product by taking steps other than those expressly set forth herein.
- (g) If the cashier provides the requested tobacco product, the minor shall pay for it, obtain the receipt and whatever change is owed, and promptly leave the store.
- (h) If the cashier declines to make the sale, the minor shall leave the store.
- (i) The person described in Section 3.3 above, who accompanied the minor to the licensee's store, shall promptly meet the minor as soon as the minor leaves the store to determine whether tobacco products were purchased and to obtain them and the receipt from the minor if they were. An enforcement exemption from Section 2(c) of P.L. 11-75 is granted to all minors who participate in the undercover purchase program.
- (j) Such tobacco product shall be retained by DPH for a period of at least six months and shall thereafter be destroyed, unless the tobacco product is to be used in connection with any prosecution or administrative procedure arising from the undercover purchase.
- (k) Any remaining money provided to a minor in connection with an undercover purchase shall be turned over by the minor to the adult referenced in Section 3.3.

4.0 Citations and Reports

Section 4.1 Citation Issuance

- (a) If a violation of P.L. 11-75 occurred during the course of an undercover purchase, an agent of DPH, including any agents from Department of Commerce, or Department of Public Safety, shall issue to the licensee a Violation Citation on a form to be prescribed by DPH within three business days after the violation.
- (b) For purposes of determining the number of a licensee's violations pursuant to Section 16 of P.L. 11-75, a one-year period shall run from June 1 of each year to May 31 of the following year, whereupon the violation number shall start over again.
- (c) A licensee who accumulates four violations of Section 2(a) of P.L. 11-75 within any 12 month period, shall, in addition to penalties provided by law, cause DPH to recommend in writing to the Department of Commerce, Alcohol Beverage and Tobacco Control Division, that the licensee's renewal application to sell tobacco be denied.

Section 4.2 Report of Incident

Immediately following each undercover purchase, the minor, with the assistance of any accompanying person, shall complete a report that includes, at a minimum, the following information:

- (a) The minor's name, sex and date of birth;
- (b) The date and time of the undercover purchase;
- (c) The location or address of the licensee checked;
- (d) The name or a brief description of the cashier involved
- (e) The type and brand of tobacco product requested;
- (f) Whether the clerk asked the minor his / her age;
- (g) Whether ID was requested;
- (h) Whether ID was presented;
- (i) Whether the tobacco products requested were purchased;
- (j) Comments regarding any noteworthy aspects of the transaction.

Section 4.3 Report To Be Provided To Licensee

A copy of the report described in Section 4.2 shall be sent or provided to the licensee.

Section 4.4 Retention of Citations and Reports

DPH shall retain for at least five years all citations and reports, together with receipts, and any accompanying relevant paperwork.

NOTISIAN PUPBLIKU

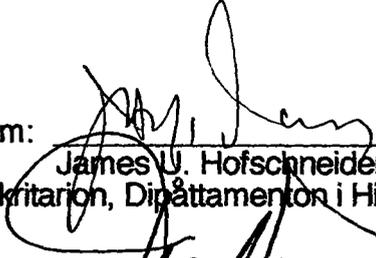
DIPÁTTAMENTON I HINEMLO' PUPBLIKU PROGRÁMAN PROBENSÍÓN YAN SUHETUN CHUPA GI COMPREHENSIVE STATE BASED

MA PROPONI REGULASÍÓN SIHA NI A GOBIEBETNA I KINANDUKTAN MANHOBEN NI MAN SIKRETU YA MA A'ADU I FINÁHÁN CHUPA YAN PRODUKTON CHUPA SIHA.

I Sekretáron i Dipáttamenton i Hinemlo' Pupbliku ma notisia i pupbliku henerát ni ma proponi na regulasíón siha. Este na regulasíón siha a establisi i minaneha para i asiguridad yan i inisan i baluntário na inasisten i manhoben para u ma kondukta i sikretu na imbestigasióon siha kontra i petsona siha pat bisnis siha ni a enggáansa gi binende, man ná'i, pat sino probeniyi produkton chupa siha para i manhoben siha.

I intension i Dipáttamenton i Hinemlo' Pupbliku para u adopta i man ma proponi na regulasíón siha put para u petmanente, sigun para i 1 CMC Seksiona 9104 (a)(1) yan (2) ginen i Akton i Administrative Procedures. I Publikasíón este man ma proponi na regulasíón siha gi Rehistran i Commonwealth ma probeniyi notisia yan oppotunidát para i pupbliku ni para u fan na'halom opinion. Todu man interesao na petsona siha siña man na'halom opinion tinige' siha put i man ma proponi na amendasíón siha para si James U. Hofschneider, Sekretáron i Dipáttamenton i Hinemlo' Pupbliku, gi P.O.Box 409, C.K., Saipan, M.P. 96950 pat fax para (670) 234-8930, duranten i trenta diha na tiempo imidiamente tinatituyi i publikasíón i man ma proponi na amendasíón siha.

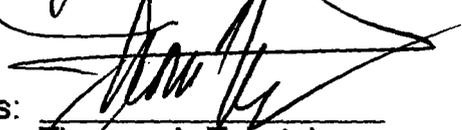
Nina'halom:


James U. Hofschneider
Sekretáron, Dipáttamenton i Hinemlo' Pupbliku

10-10-03

Fecha

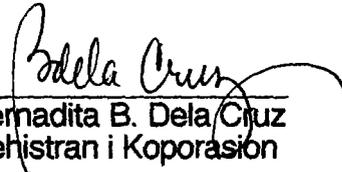
Ma risibi as:


Thomas A. Tebuteb
Espisiát na Ayudánte Para i Atministrasióon

10-10-03

Fecha

Pine'lo yan Rinikot:


Bernadita B. Dela Cruz
Rehistran i Koporasíon

10-10-03

Fecha

Sigun i 1 CMC Seksiona 2153, ni inamenda ginen i Lai Pupbliku 10-50, i areklamento yan regulasi3n siha ni man checheton guine man ma ribisa yan aprueba put para u fotma yan ligat suficiente ginen i Ofisinin Abugádo Henerát gi CNMI.

Ma fecha este mina _____ na diha gi Oktubre, 2003.

Clyde Lemons, Jr.
Acting para Abugádo Henerát

Trinansladan:
Charlene S. Cruz
Transladoran Chamorro
CCLPC

Trandlated By:
Charlene S. Cruz
Chamorro Traslator
CCLPC

NOTISIAN PUPBLIKU

DIPÁTTAMENTON I HINEMLO' PUPBLIKU

PROGRÁMAN PROBENSIÓN YAN SUHETAN CHUPA GI COMPREHENSIVE STATE BASED

SITASIÓN I

ATURIDÁT I LAI: I Dipáttamenton i Hinemlo' Pupbliku ma aturisa para u establisi este na regulasiÓN siha ni ginibiebetna i konduktan i manhoben ni man sikretu ya ma a'adu i fináhán Chupa yan i produktun Chupa siha sigun i Lai Pupbliku 11-75, Seksiona 15 (a).

KADA'DA' NA MENSÁHE PUT I GOALS YAN OBJECTIVES:

Para u asigura yan u usa i baluntáriu na ayudu para u kondukta i sikretu na imbestigasiÓN siha kontra i petsona siha pat bisnis siha ni a enggagansa gi binende, para niná'e, pat sino' probeniya produktun chupa siha para i manhoben, yan para u alibia (facilitate) i minaneha gi Lain Chupa siha gi CNMI.

KADA'DA' NA MENSÁHE PUT I MAN MA PROPONI NA REGULASIÓN SIHA:

Este man ma proponi na regulasiÓN siha ma aliligao para u gánna i objective ginen i ma establisi na minaneha ni ginibiebetna : inayek i manhoben; konsenten mañaina; finanáguen i manhoben; inadu i fináhán i manhoben; minaneha put para u tatiyi duranten i fináhán; rinipot i sinisede an munháyan.

PARA MÁŠ INFOTMASIÓN:

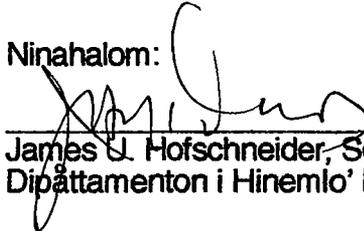
Brian R. Caldwell, Ayudánten i Abugádo Henerát, Ofisinan i Abugádon Henerát Dibision Sibet Tilifon (670) 664-2349 pat facsimile (670) 664-2349.

SITASIÓN I MAN ACHULE' YAN/PAT INAFEKTA NA LAI SIHA, AREKLAMENTO, YAN REGULASIÓN

YAN OTDEN SIHA: Lai Pupbliku 11-75, Seksiona 15 yan 16. Dipáttamenton i Commerce, Alcohol Beverage yan Tobacco Control Division, RegulasiÓN. Rehistran i Commonwealth Baluma 24, Numiru 10. Oktubre 30, 2002, 19615 esta 19621.

Ma fecha este mina 10th na diha gi Oktubre, 2003.

Ninahalom:


James J. Hofschneider, Sekretariu
Dipattamenton i Hinemio' Publiku

Trinanslâdan:
Charlene S. Cruz
Transladoran Chamorro
CCLPC

Translated By:
Charlene S. Cruz
Chamorro Translator
CCLPC

DIPATTAMENTON I HINEMLO' PUPBLIKU
PROGRAMAN PROBENSION YAN SUHETAN CHUPA GI
COMPREHENSIVE STATE BASED

MA PROPONI REGULASION SIHA NI A GOBIEBETNA I
KINANDUKTAN MANHOBEN NI MAN SIKRETU YA MA A'ADU I
FINAHAN CHUPA YAN I PRODUKTON CHUPA SIHA

1.0 INTRODUSION

Seksiona 1.1 Aturidat

I Aturidat para i ma establili yan i ninan en este na Regulasion siha ginen i Dipattamenton i Hinemlo' finahagu ginen i Lai Pupbliku 11-75, Seksiona 15 (a).

Seksiona 1.2 Rason

I rason put este Regulasion siha ginen i Dipattamenton i Hinemlo' Pupbliku na:

- (a) Para u establisi i kondukta para i inisan manhoben para sikretu na finahan siha ni produkton chupa siha.
- (b) Para u ayuda i nisisidat ripot fedurat papa 45C.F.R. Seksiona 96.130;
- (c) Para u asigura mas i CNMI na u kontinua mu risibi i fondon federat block grant sigun i 45USCS Seksiona 300X - 26; yan
- (d) Para u alibia i minanehan i Lai Pupbliku 11-75.

Seksiona 1.3 Definision siha

- (a) "Ma Lisensia" kumeke ilekna maseha haye na petsona, bisnis, pat otganisasion ni ma lisensia para u fan bendi produkton chupa siha gi Commonwealth i Sankattan Siha Na Islas Marianas (CNMI) ginen i Dipattamenton i Commerce, Alcohol Beverage yan Tobacco Control Division.
- (b) "Manhoben" kumeke ilekna i indibiduut papa i idat dies i ochu
- (c) "Produkton Chupa" kumeke ilekna maseha hafa na preparasion chupa, ni inenklusu lao ti ma midi para, chupa ni ma ngangas, chigalo, sigariyu, maseha hafa na produkton chupa, pat ma nginge;
- (d) "Finahan Sikreto" Kumeke ilekna ma chachage mamahan produkton chupa siha ni manhoben ma dirihe mona gi maneha ni resonable ma designa para u probeniyi i propiu na ebalua put hafa taimanu kakona i ma lisensia an ma presenta gi duranten i oran bisnis, yan i tipikat na hoben petsona ni ha chachage fumahan i produkton chupa siha.

2.0 KONDISIÓN SIHA (PREREQUISITES) PARA I INISAN I MANHOBEN PARA U KONDUKTA I FINÁHAN SIKRETU

Seksiona 2.1 Konsenten Mañaina

I masigna tinige konsenten i saina pat pipulan debi di fine'nina u ma na guaha para kada hoben ni ma usa para u famáhan produkton chupa siha sikretu . Dipáttamenton i Hinemlo' Publiku, Prográman Probensión yan Suhetan Tobacco gi Comprehensive State Based debi di u otden i fotma para i konsenten tinige'.

Seksiona 2.2 Finanague

- (a) Antes di u kondukta i hoben i fináhan produkton chupa gi sikretu na manera, i hoben debi di fine'nina ma fanague ni empleaon Dipáttamenton i Hinemlo' Publiku.
- (b) I finanague siempre u kondukta gi maneran mamananague gi manhoben put háfa taimanu i kinako-niha gi minanera na resonable ma designa ni ti para u deskubre i ma lisensia na i chumachage mamáhan produkton chupa siha sigun i finahan sikretu.
- (c) I finanague debi di u nisisariu na u resonable ensura na i hoben na petsona siña u chogue i fináhan sikretu gi kualifikao yan siguridat na manera. Gi este na finakpo, i finanague debi di u enklusu role-plays.

Seksiona 2.3 Kriterian Henerat na Sileksion Para Manhoben Siha ni ma Usa

- (a) Dipáttamenton i Hinemlo' Publiku debi di u konfitma na kada hoben na petsona ni ma silekta na papa i idat dies i ochu.
- (b) Kada hoben na petsona ni ma silekta ti debi di u annok na la'amko pat la'hoben ki i regulat idatna i petsona, debi di u minagagu gi manera ni resonable apropiado para i grupon idatna, ya ti debi di u tulaika i kakona ni i intension put para u annok na la'amko pat la'hoben gue'.
- (c) I man hoben na petsona ni ma silekta siña (lao ti ma rekomenda para) enklusu pat sino' asientadu na petsona ni ginen ma usa estaba pat gi presente ma u'usa i produkton chupa.

Seksiona 2.4 Patisipaon baluntario

- (a) Ni háye' na hoben na petsona ti debi di u ma ofresi inapasen salape' put para u patisipao gi prográman fináhan sikretu.
- (b) Táya gi este na Seksiona debi di u ma eksplika ni para u probidu i Dipáttamenton i Hinemlo' Publiku ginen i ma ofresi i baluntario na kosas gi de minimis bali put para u annok i aprisasion i asistimenton niha.
- (c) Dipáttamenton i Hinemlo' Publiku ma publika i planun fináhan sikretu para i publiku gi enteru.
- (d) Gi todú i tiempo, prográman i manhoben na petsona gi fináhan sikretu baluntario yan i manhoben, i saina/mañaina i manhoben yan i Dipáttamenton i Hinemlo' Publiku siña ma puno ginen maseha háye' na patida sen notisia pat rason.

- (e) Ti siña i manhoben na petsona man ayuda pat u ma rikuesta para u fan ayuda gi Dipattamenton i Hinemlo' na kondision i probation pat tinetika yan i despusision i manhoben na petsona pat i sentensian i minanehan juvenile delinquency.

3.0 KONDUKTON I FINAHAN SIKRETU SIHA

Seksiona 3.1 Kosas ni manisisita yanggen ma tutuhon i finahan sikretu, debi di u guaha i tutat salape' ni sufisiente put para u apase i produkton chupa ni para u chage i hoben na petsona fumahan.

Seksiona 3.3 Inadun Manamko

I hoben na petsona debi di u ma tattiyi para i tenda yanggen suhetu para u famahan sikretu ginen i petsona ni bente uno años, ahenten i Dipattamenton i Hinemlo' Publiku. Eyu na petsona debi di u pulan maolek i hoben na petsona ni petmisun situasion sen ma implimenta i empleaon i tenda siha na ma gachuchunge i hoben na petsona. Dipattamenton i Commerce, pat i empleaon i Dipattamenton i Sinafun Publiku siña ma setbe na ahente para i Dipattamenton i Hinemlo' Publiku para i rason este na seksiona.

Seksiona 3.4 Minaneha para i Finahan

- (a) Debi di u halom gi tendai hoben na petsona na maisa.
- (b) I hoben na petsona debi di u fa'na gi estante, pat i lugat siguridat anai gaige i produkton chupa siha, ya u fan gagao gi tiendera uniko na paketen produkton chupa. I ma rikuesta na klaseen produkton debi di u difirientis klase kontra i finahan i sikretu. Yanggen i tenda ha bebende sigariyu siha gi paketi ni menos di bente na granu siha, i hoben na petsona debi di u fahan i paketi.
- (c) I hoben na petsona debi di u pega i nahong na salape gi stante ni para u fahan i produkton chupa.
- (d) Yanggen i tiendera ha gagao i hoben na petsona i idatna, i hoben na petsona debi di u oppe' tatte' na dies i ochu idatna.
- (e) Yanggen i tiendera man gagao ni aidentifikasion, i hoben na petsona debi di u sangan na taya aidentifikasion a chuchule' lao esta gai'idat gue' para u famahan chupa.
- (f) I hoben na petsona ti debi di u chage bumense i tiendera para u bende i produkton chupa ni u chule' i pasu siha fuerra di eyu man ma ekspresa guene.
- (g) Yanggen i tiendera a propeniya i ma rikuesta na produkton chupa, i hoben na petsona debi di u apase, u na guaha risibu yan maseha hafa na sensiyu ni ma didibe, yan ensigidas u dingo i tenda.
- (h) Yanggen a rinunsia i tiendera i binenden chupa, i hoben na petsona debi di u dingo i tenda.
- (i) I petsona ni ma deskribi gi Seksiona 3.3 gi san hilo', ni a gachunge' i hoben na petsona para i ma lisensia na tenda, debi di u ensigidas ali'e' yan i hoben na petsona amanu nai a dingo' i tenda i hoben na petsona ni para u detitmina kao i produkton chupa siha ma fahan yan u fan machule' yan i risibu ginen i hoben na petsona yanggen guaha. I implimentasion ni malaknos ginen i Seksiona 2 (c) ginen i Lai Publiku 11-75 ma na'i para

- todu i manhoben siha ni man patisipao gi prográman finahan sikretu.
- (j) I produkton chupa debi di u ma diteni ginen i Dipáttamenton i Hinemlo' Publiku para menos di sais mesis na tiempo ya despues na u ma destrosa, solu i produkton chupa u ma usa para i tinetika i prosecution pat minanehan i Atministrasion ni umanok ginen i finahan sikretu.
 - (k) Maseha hafa na sopblan salape' ni ma probeniyi i hoben na petsona ni tineteka yan i finahan i sikretu debi di u ma entrega guatto ginen i manhoben na petsona para i amko ni tinatitiye' i refiriensian i Seksiona 3.3.

4.0 NINA'EN SITUASION

- (a) Yanggen guaħa kontradiksion ginen i Lai Publiku 11-75 duranten i dinirihen i finahan undercover, i ahenten i Dipáttamenton i Hinemlo' Publiku, a enklukušu maseha haħe' na ahente ginen i Dipáttamenton i Commerce, pat Dipáttamenton i Sináfun Publiku, debi di u ná'i i ma lisensia i situasion kontradiksion gi fotma ni para u fan otgen ginen i Dipáttamenton i Hinemlo' Publiku gi halom tres na ha'anen bisnis despues di i kontradiksion.
- (b) Para i rason siha put i ma ditetmimina i numirun i ma lisensia na kontradiksion siha sigun i Seksiona 16 gi Lai Publiku 11-75, i un año na tiempo debi di u falagu gi Junio 1 kada sakkan esta Mayu 31 gi sigente sakkan, anai i numirun kontradiksion debi di u tutuhon talo,
- (c) I ma lisensia na tenda ya ha rikohe kuattro na kontradiksion siha gi Seksiona 2 (a) gi Lai Publiku 11-75 gi halom maseha hafa na dosse mesis na tiempo, debi di, gi an ma omenta i pena siha ni ma probeniyi ginen i Lai, i rason i Dipáttamenton i Hinemlo' Publiku para u rekomenda gi tinige' para i Dipáttamenton i Commerce, Alcohol Beverage yan Tobacco Control Division, na i ma lisensia ma rinueba i aplikasion para u fan bende, na ti ma aprueba.

Seksiona 4.2 Rinipot i Sinisedde

Imidiamente tinatitiye kada finahan sikretu i hoben na petsona, ni inayudan maseha haħe' gumachuchunge na petsona, debi di u ma komplidu i ripot ni a enklusu, gi mas ddidide', i sigente na infotmasion:

- (a) I na'an, kao palao'an pat laħe', yan i ha'anen i mafanaguna i hoben na petsona.
- (b) I fecha yan oran i finahan undercover.
- (c) I lugat pat sagana i ma lisensia anai ma chek.
- (d) I na'an pat kadada na infotmasion put i tiendera ni sumaonao.
- (e) I klasen produkton chupa ni ma rikuesta.
- (f) Kao ma faisen ni i tiendera ni i idat i hoben na petsona.
- (g) Kao ma rikuesta i aidentifikasion.
- (h) Kao ma representa i aidentifikasion.
- (i) Kao i produkton chupa siha ma rikuesta man ma fahan.
- (j) Opinion ni tineteka maseha hafa na asunto put i sinisedde'.

Seksiona 4.3 Ma Probeniyi Ripot I Ma Lisensia

Kopian i ripot ni ma ilaba gi Seksiona 4.2 debi di u ma hanãgue pat probeniyi i ma lisensia.

Seksiona 4.4 Dinitenin i Situasi3n yan Rinipot

I Dipãttamenton i Hinemlo' Pùbliku debi di u diteni todù i situaci3n yan i ripoti siha menos di singko anos, dumana yan i risibu siha, yan maseha hafa tumatititi na checho' papet.

Trinansladan:
Charlene S. Cruz
Transladoran Chamorro
CCLPC

Translated By:
Charlene S. Cruz
Chamorro Translator
CCLPC

**ARONGORONGOL TOULAP
 BWULASIYOOL PUBLIC HEALTH
 ALONGAL STATE - BASE PROGRÓMAAL PILIPIL ME AMMWELIL
 POMWOL ALLÉGH KKAAL YE E LEMELEM AGHIYÁGHIL ALILLIS
 NGALIIR OLIGHÁT IGHA REBWE MMESA SCHOOL AKKAMEEL
 SUUBWA**

Samwolul Public Health ekke arongaar Toulap reel pomwol allégh kkaal. Allégh kkaal ye e akkatééwow mwóghútúl ammwel me alúghúlúghúl schóóí alillis ngaliir olightat igha rebwe mmasa olightat me Business kka ekke akkamééíó, isisiwow, me ngáre isis ngáliir olightat suubwa.

Mángemángil Depattamentool Public Health igha ebwe fillóóy pomwol allégh kkaal igha ebwe allégheló, sáangi 1CMC táilil 9104 (a) (1) me (2) ngáli Administrative Procedure Act. Arong reel pomwol allegh kkaal mellóí Commonwealth Register ye ebwe ayoora ammataf me bwángiir toulap reel aghiyaágh. ngáre e welepakk, arongorong yeel iye rebwe apeewuta. Schóókka eyoor mángemángiir nge emmwel rebwe ischilong reel James U. Hofschneider, Samwolul Public Health, PO Box 409, CK, Seipél, MP 96950 me ngáre fax ngáli (670) 234-8930, ótol eliigh raálil igha rebwe ghutchúweló mwirilóóí arongowowul pomwol lliwel kkaal.

Isáliiyalong :



 JAMES U. HOFSCHEIDER
 Samwolul Public Health

10-10-03

 RÁL

Mwir sáangi :

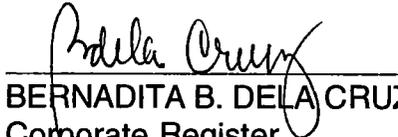


 THOMAS A. TEBUTEB
 Sów alillisil Sów Lemelem

10-10-03

 RÁL

Aisis sáangi :



 BERNADITA B. DELA CRUZ
 Corporate Register

10-10-03

 RÁL

Sáangi 1CMC talil 2153, iye aa lliwel mereel Alléghúl Toulap 10-50, allégh kkaal ikka e appasch nge raa takkal amweri fischiy alúghúlúghúló mereel CNMI Bwulasiyool Sów Bwungúl Allégh.

Raálil ye _____ llóí October, 2003.

 CLYDE LEMONS, JR.
 Acting ngáli Sów Bwungúl Allégh

**ARONGORONGOL TOULAP
DEPATTAMENTOOL PUBLIC HEALTH
ALONGAL ALLÉGHÚL STATE - BASE PROGRÓMAAL PILIPIL ME
AMMWELIL SUUBWA**

Akkatéél bwángil : Depattamentoool Public Health e mweiti ngáli akkatéél allégh kka e lemelem alongal reel olighát kka rekke alisiir ye rebwe alleta akkaméél suubwa sáangi Alléghúl Toulap 11-75, Tálil 15 (a).

Aweweel bwángil : alléghúw me ammwala schóól alillisil olighát igha rebwe mmesa aramas me businesses igha rekke akkamééló, isisiwow, me ngáre ngáleeer olighát suubwa, me mwóghut agháli CNMI's alléghúl suubwa.

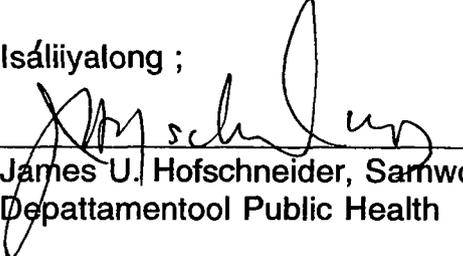
Akkatéél pomwol allégh : Pomwol allégh kkaal nge ekke alúghúlúghúw yaal objective igha ebwe akkatééwow mwóghútúghút ye e lemelem: fillóól olighát; mwir sáangi ilisám; afalafalal olighát; mmesaar olighát reel bweibwoghol suubwa; mwóghut ye rebwe tabwey ótol akkamé; ischilong mwirilóól mwóghútúghút.

Reel ammataf faingi : Brian R. Caldwell, Sów alillisil Sów Bwungúl Allégh, Bwulasiyool Sów Bwungúl Allégh, Civil Division. Tilifoon (670) 664-2341 me ngare facsimile (670) 664-2349.

Akkatéél akkááw allégh : Alléghúl Toulap 11-75, Tálil kka seigh me limoow (15) me seigh me oloow (16). Depattamentoool Commerce, Alcohol Beverage me Tobacco Control Division, Regulations! Commonwealth Register Volume 24, Numero 10. Sarobwel 30, 2002, 19615 ngáli 19621.

Ráálil ye 10th Ilól Sarobwel, 2003

Isáliiyalong ;


James U. Hofschneider, Samwolul
Depattamentoool Public Health

**DEPATTAMENTOOL PUBLIC HEALTH
ALONGAL STATE - BASED PROGRÓMAAL PILIPIL ME
AMMWELIL SUUBWA**

**POMWOL ALLÉGH KKAAL IYE E LEMELEM AGHIYÁGHIL
ALILLISIL - OLIGHÁT SCHÓOL ALLETA REEL BWEIBWOGHOL
SUUBWA**

1.0 BWELETÁÁL

TÁLIL 1.1 BWÁNGIL

Bwángil akkatééwow yeel me isisiwowul alléghúl Depattamentoool Public Health ye e toowow mereel Alléghúl Toulap 11-75 Tálil 15 (a).

Tálil 1.2 Pomwol

Pomwol alléghul Public Health nge :

- (a) akkatéél aghiyágh igha rebwe yááliir olighat reel rebwe akkamé suubwa;
- (b) alillis fengál me federóód reel yááyál sáangi 45 C.F. R. Tálil 96. 130;
- (c) sóbweey alúghúlúghúl CNMI's reel receipt reel federóód block grant sáangi 45 USCS talil 300x-26; me
- (d) mwóghut agháli Alléghúl Toulap 11-75.

Talil 1.3 Aweewee

- (a) sibwe ira inamwo iyo, schééschéél business, me mwiisch ye e lisensia ebwe akkamééló suubwa mellól Commonwealth Matawal wóól falúwasch Marianas (CNMI) ngáli Depattamentoool Commerce, Alcohol Beverage me alléghúl Tobacco Division.
- (b) “ Olighát ” weeweel nge aramas ye ese toori seigh me waluuw (18) rághil.
- (c) “ Tobacco Product ” weeweel nge alongal mwóghútúl suubwa, e bwal toolong me ese bwal akkayúúwuló reel, ngúúngúl suubwa, me ngáre tétténg;
- (d) “ Undercover Purchase ” weeweel nge mángemáng igha ebwe akkamé suubwa sáangi olighát ye e féerú bwe ebwe akkamé suubwa igha schóól lisensia essóbw mááfi reel mwóghútúghútúl, ótol mwóghútúl business, igha olighát kka re mángi reel bweibwoghul suubwa.

E FAISÚL YAÁYÁL REEL OLIGHÁT IGHA REBWE AYOORA SCHÓOL MMASAL AKKAMÉ

TÁLIL 2.1 SÁNGI ILISAM

alúghúlúghúl, alúghúlúgh nge ebwe mwir sáangi ilisam me schóoy leghelegh reel olighát kka rekke akkamé suubwa. Depattamentool Public Health, alongal State - Base Progrómaal pilipil me ammwelil suubwa.

Talil 2.2 Kkabwung

- (a) Olighát ebwe ghomwal akkabwung sáangi schóol angaangal DPH, mmwal igha ebwe fféerú undercover purchase reel suubwa.
- (b) rebwe ayoora akkabwung ye ebwe afalafal wóór olighát reel ebwe faisúl yaar mwóghút igha ressóbw bwáári ngáli schóol linsensia igha e mángi ebwe akkamé suubwa sáangi undercover purchase.
- (c) ebwe welepakk ngáliir schóol akkabwung reel rebwe alúghúlúgh reer olighát igha rebwe fféerú undercover purchase reel suubwa ye e fisch llól. mwutchulóól, schóol kkabwung ebwal atoolongow role-plays.

Talil 2.3 Lemelemil ffilil olighát kka rebwe yááliir

- (a) DPH ebwe alúghúlúgh reel olighát kka re filiir ikka resáál toori seigh me waluuw (18) raghil.
- (b) Ate kka re filiir nge essóbw bwáári bwe e tufey me olighát mmwal igha aa fis raghil , ebwe limifisch llól mwischil me essóbw lliweli ululuul igha e mángi ebwe fféerú bwe e tuufey me olighát.
- (c) Olighát kka re filiir (ikka re ssóbw yááyá ngáli) e bwal toolong aramas ye e fil ngali iye fasúl me ghullaal kke yááyá suubwa.

Talil 2.4 schóol alillis

- (a) Ese mmwel olighát ebwe yááli liffang salaapi igha ebwe toolong llól undercover purchase Program.
- (b) Esóór mellól Tálil yeel ebwe afitighoghow DPH mereer volunteers reel eghus liffay bwelle yaar alillis.

- (c) DPH nge emmwel ebwe arongowow reel undercover purchase project ngáliir aramas toulap.
- (d) Olighát kka rekke fféerú undercover purchase bwe ebwe schééschéél schóól alillis, lwe schóól alillis me leefileer iil me saam reel olighát me DPH, emmwel ebwe akkayúúwuló mereer tafal peigh sáangi ammataf me mwóghútúghútúl.
- (e) Ese mmwel olighát ebwe alillis me tingór ebwe alisi DPH sáangi kkapasal probation me ngáre ghilighilil ngaliir juvenile delinquency Proceedings.

3.0 kkapasal undercover purchase.

Talil 3.1 Tingórol Items

igha ebwe bweleta undercover purchase, olighát ebwe ayoora yaal salaapi reel ebwe mmwelil akkame suubwa igha e memáangi ebwe amééw.

Talil 3.3 Adult supervision

Olighat nge rebwe tabweey ló tenda igha ebwe ii undercover purchase sáangi aramas ye ayoor ruweigh me eew (21) rághil, me agent reel DPH. Aramas laal ebwe amweri fischiy olighat faal lisensia meigha essóbw aghuley ngáliir schóól angaangal tenda reel olighát er Commerce, me Depattamentool Public Safety staff ye ebwe fféerú bwe agent ngáli DPH bwelle reel táilil yeel.

Tálil 3.4 Mwóghutul Purchase

- (a) Olighat ebwe toolong llól tenda alaschay.
- (b) Olighát ebwe mwete ngáli counter, me alúghúlúghúw leliyal suubwa , me tingórey cashier eew pakkeetil suubwa. Tongórol tappal suubwa ebwe lliwel leliyiir undercover purchase. Ngáre tenda ekke akkameeló pakkeetil suubwa ye ese ghula ruweigh fóschol, olighát we ebwe ameew pakkeeti we.
- (c) olighát ebwe isaliwow salaapi ye fischal suubwa.
- (d) Ngáre cashier e ayeghi olighát we reel rághil, olighát we ebwe palawali bwe aa seigh me waluuw (18) rághil.

- (e) Ngáre casher e ayegh ID, olighát we ebwe bwaári yaal ID ye bweibwogh bwelle igha aa ghow rághil ebwe akkamé suubwa.
- (f) Ese mmwel bwe olighát ebwe misiiy casher reel akkaméél suubwa sáangi mwóghut fa mmwal igha aa alúghúlúghúló.
- (g) Ngáre casher e ayoora tingórol suubwa, olighát ebwe obwóssuw, bweibwoghol receipt me meeta lliwelil suubwa ye u yaáli mwololfit, iwe ghutchuw le mwete sáangi tenda.
- (h) Ngáre casher e asefáli akkameel, olighát ebwe mwete sáangi tenda.
- (i) Aramas ye e toowow mellóli Talil 3.3 weiláng, ye e tabweey ló olighát reel tenda licensee. Ebwe aschuschu me olighát igha rebwe ghuleey ngáre akkaméél suubwa me bweibwoghol receipt mereel olighát. me ebwe tawe mellóli mwóghútúghútúli táilil 2 (c) llóli Alléghúli Toulap 11-75 ye re ngálleer olighát kka fitilong llóli undercover purchase.
- (j) Bwelle suubwa ngáre ebwe akkayúúló mereel DPH ótol oloow maram me ebwe akkascheló, ngáre schagh rebwe yaáli suubwa bwe aghiliwel sáangi prosecution me administrative procedure ye e toowow mereel undercover purchase.
- (k) Salaapi ye eyoor ngáliir olighát ye ghil ngáli undercover purchase nge ebwe assefáli mereel olighát ngáli kapasal adult llóli táilil 3.3

4.0 Citation me Report

Talil 4.1 Isisiwow Citation

- (a) Ngáre weiresil Alléghúli Toulap 11-75 ótol mwóghútúli undercover purchase, agent mereel DPH, fengal me agents kka eyoor mereel Depattamentool Commerce, me Depattamentool Public Safety, ebwe isisiwow violation citation ngáli licensee reel isch ye e toowow mereel DPH llol eluuw ráalil angaang mwirilool weires.
- (b) Bwelle rebwe ghuley llapai schóól linsensial violation sáangi táilil llol Alléghúli Toulap 11-75, ótol eew raagh ebwe bwel wóól Alimaté 1. llóli eew ráágh ngáli Ghúúw 31 sóbwolóól ráágh. igha weires kkaal ebwe mwóghút sefáli.

- (c) Schóol linsensia ye e sássátá yaal violations faal faawu lloil táilil 2 (a) llóil Alléghúl Toulap 11-75 ótol seigh me ruwoow (12) maram, ebwal, bwal sóbwólóol mwutta ye re ayoora mereel allégh, sáangi DPH igha e tipeli alúghúlúghúl iisch ngáli Depattamentool Commerce, Alcohol Beverage me igha ebwe fféer safál tingórol (application) reel akkameelo e akkayuulo.

Talil 4.2 kkapasal mwóghút

ikkaal táilil kka undercover purchase olighát, fengál me yaal allillis aramas, ebwe attakkaaló kkapasal ye e toolong, at a minimum, táilil ammataf:

- a. ital olighát, sex me ótol makkil;
- b. rallil me ótol undercover purchase;
- c. sóbw me yaal adress;
- d. Ital me ngáre eghus kkapasal cashier;
- e. Tappal suubwa kka e tittingór;
- f. Ngáre clerk e ayeghiy olighát yeel rághil;
- g. Ngáre eyoor tingórol suubwa;
- h. Ngáre ID e isisiwow;
- i. Ngáre tingórol suubwa mil akkamé;
- J. aghiyágh kka e toowow mereel tafal mwóghútúghút;

TRANSLATED BY : MANNY N. KANIKI
CCLPC LANGUAGE COMMISSION

**NOTICE AND CERTIFICATION OF ADOPTION OF AMENDMENTS TO THE
IMMIGRATION REGULATIONS SECTION 706(E) and (J)**

I, Clyde Lemons, Jr., the Acting Attorney General of the Commonwealth of the Northern Mariana Islands, which is promulgating the Immigration Regulations regarding the definition and requirements for an Immediate Relative of Alien Entry Permit and a Distinguished Merit Entry Permit, published in the Commonwealth Register Vol. 25, No. 6 on July 15, 2003 at pages 20677 to 20690, by signature below hereby certify that as published such Regulations are a true, complete and correct copy of the Regulations regarding the definition and requirements for an Immediate Relative of Alien Entry Permit and Distinguished Merit Entry Permit previously proposed by the Office of the Attorney General which, after the expiration of appropriate time for public comment, have been adopted with minor modification or amendment as set forth below:

1. Immigration Regulation 706(E), Page 20680, is adopted with the following modification:
 - E. Immediate Relative of Alien Entry Permit – An immediate relative of an alien may enter under a permit for the same term as the alien's entry if, in addition to satisfying such other requirements as may be imposed by law or regulation, the alien posts cash as a bond with the Director of Immigration in the amount of twice the cost of return travel to the point of origin at the time of application. An alien may not obtain a permit under this section solely by virtue of his or her relationship with an alien who holds an Immediate Relative of a Non-alien Entry Permit issued pursuant to Immigration Regulation 706D.
2. Immigration Regulation 706(J), Page 20680, is adopted as published, without modification or amendment.

By signature below, I hereby certify that the proposed Immigration Regulations regarding the definition and requirements for an Immediate Relative of Alien Entry Permit and a Distinguished Merit Entry Permit as herein amended are the true, correct and complete Amended Immigration Regulations regarding the Definition and Requirements for an Immediate Relative of Alien Entry Permit and a Distinguished Merit Entry Permit adopted by the Office of the Attorney General. 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 15th day of October 2003, in Saipan, Commonwealth of the Northern Mariana Islands.

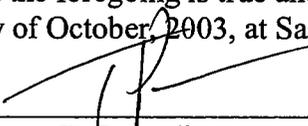


Clyde Lemons, Jr., Acting Attorney General
Commonwealth of the Northern Mariana Islands

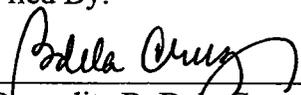
**NOTICE AND CERTIFICATION OF ADOPTION OF THE
AMENDMENTS TO PART V OF THE NON-COMMERCIAL
FISH & WILDLIFE REGULATIONS RE: HUNTING SEASONS**

I, Thomas B. Pangelinan, Secretary, of the Department of Lands and Natural Resources, which promulgated the proposed amendments to Part IV of the Non-Commercial Fish and Wildlife Regulations as published in the Commonwealth Register, Volume 25, Number 7, August 22, 2003, at pages 020850 through and including 020859, by signature below hereby certify that as published, such proposed amendments to Part IV of the Non-Commercial Fish and Wildlife Regulations, are a true, complete and correct copy of the Amendments to Part IV of the Non-Commercial Fish and Wildlife Regulations, which after the expiration of the appropriate time for public comment have been adopted with slight modifications, to Subsection 20.1 and a new Subsection 20.2, which changes were made after consideration of comments received. By signature below, I hereby certify that the amendments to Part IV of the Non-Commercial Fish & Wildlife Regulations attached hereto and published herewith, are a true, correct and complete copy of the amended regulations adopted by the Department. I further request and direct that this Notice and Certification be published in the Commonwealth Register.

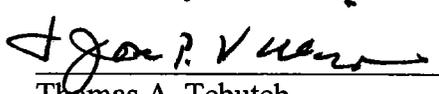
I declare under the penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 6th day of October, 2003, at Saipan, Commonwealth of the Northern Mariana Islands.


Thomas B. Pangelinan
Secretary of Lands and Natural Resources

Filed By:

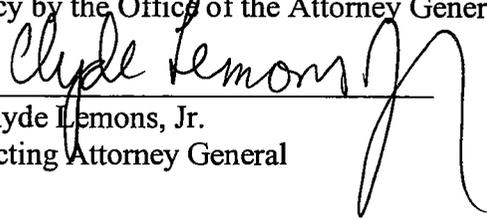

Bernadita B. De la Cruz
Registrar of Corporations
Date: 10-10-03

Received By:


Thomas A. Tebuteb
Special Assistant for Administration
Date: 10-10-03

Pursuant to 1 CMC Section 2153, as amended, the above certification has been reviewed and approved as to form and legal sufficiency by the Office of the Attorney General.

Dated: 10/8/03


Clyde Lemons, Jr.
Acting Attorney General

Section 20. Hunting Seasons, Harvest Limits For and Transportation of Game Animals

20.1 Hunting Seasons and Harvest Limits

The species of wildlife listed in Table 2 are game animals in the CNMI and may be legally hunted during their respective hunting seasons. The hunting season ends at midnight on the last day of the season. Individual hunters must be in possession of a valid hunting license for each game species to be bagged taken and must abide by the respective bag limit, season limit and the season. Consult Table 4 2 for information on hunting seasons and harvest limits.

20.2 Transportation of Game Animals

Transportation between islands within the Commonwealth of the game animals, or any parts thereof, after the end of the season is prohibited. However, if the person transporting the game animals, or any parts thereof, has a Certificate of Origin for the game animals that is signed by either the Director of DFW or the Resident Director or the Enforcement Supervisor, as stipulated in 10.3 of this Part of the Non-Commercial Fishing and Hunting Regulations, then the game animals, or any parts thereof, may be transported between islands of the Commonwealth.

The Certificate of Origin authenticates that the game animal or parts thereof was legally caught during the hunting season. It is not intended to extend the hunting season or increase harvest limits. Therefore, transportation between the islands of the CNMI of game animals, or parts thereof, with a Certificate of Origin will be allowed for a period of up to fifteen days after the end of the season for that particular game animal.

TABLE 2 - CNMI GAME SPECIES

GAME ANIMALS	Bag Limit (Total/CNMI)	Season Limit (Total/CNMI)	SEASON
Sambar Deer (Rota only)	1	1	9/1 - 11/30
Wild Goat/Pig/Cow	No Limit	No Limit	Open all year
Philippine Turtle-Dove	5 10	20 20	4/15 - 5/31 10/1 - 11/30
Coconut Crab	5	10	9/15 - 11/15
Land Crab	No Limit	No Limit	4/1 - 6/30 and 10/1 - 12/31

NOTE: Unprotected Wildlife may be taken year round without a hunting license.



Commonwealth of the Northern Mariana Islands

Department of Public Health

Office of the Secretary



PUBLIC NOTICE

NOTICE AND CERTIFICATION OF FINAL ADOPTION OF AMENDMENTS TO THE RULES AND REGULATIONS GOVERNING COMMUNICABLE DISEASES

I, James Hofschneider, the Secretary of the Department of Pubic Health of the Commonwealth of the Northern Mariana Islands, which has promulgated AMENDMENTS TO THE RULES AND REGULATIONS GOVERNING COMMUNICABLE DISEASES, as originally published in the Commonwealth Register, volume 25, number 6, page 20248, July 15, 2003, by signing below hereby certify that as published such Rules and Regulations are a true, complete, and correct copy of the Rules and Regulations previously proposed which, after the expiration of appropriate time for public comment, have been finally adopted without modification. I further request and direct this Notice and Certification to be published in the CNMI Commonwealth Register.

Certified by:

[Signature]
JAMES U. HOFSCHEIDER, MD
Secretary of Public Health
Department of Public Health

Date 10/3/03