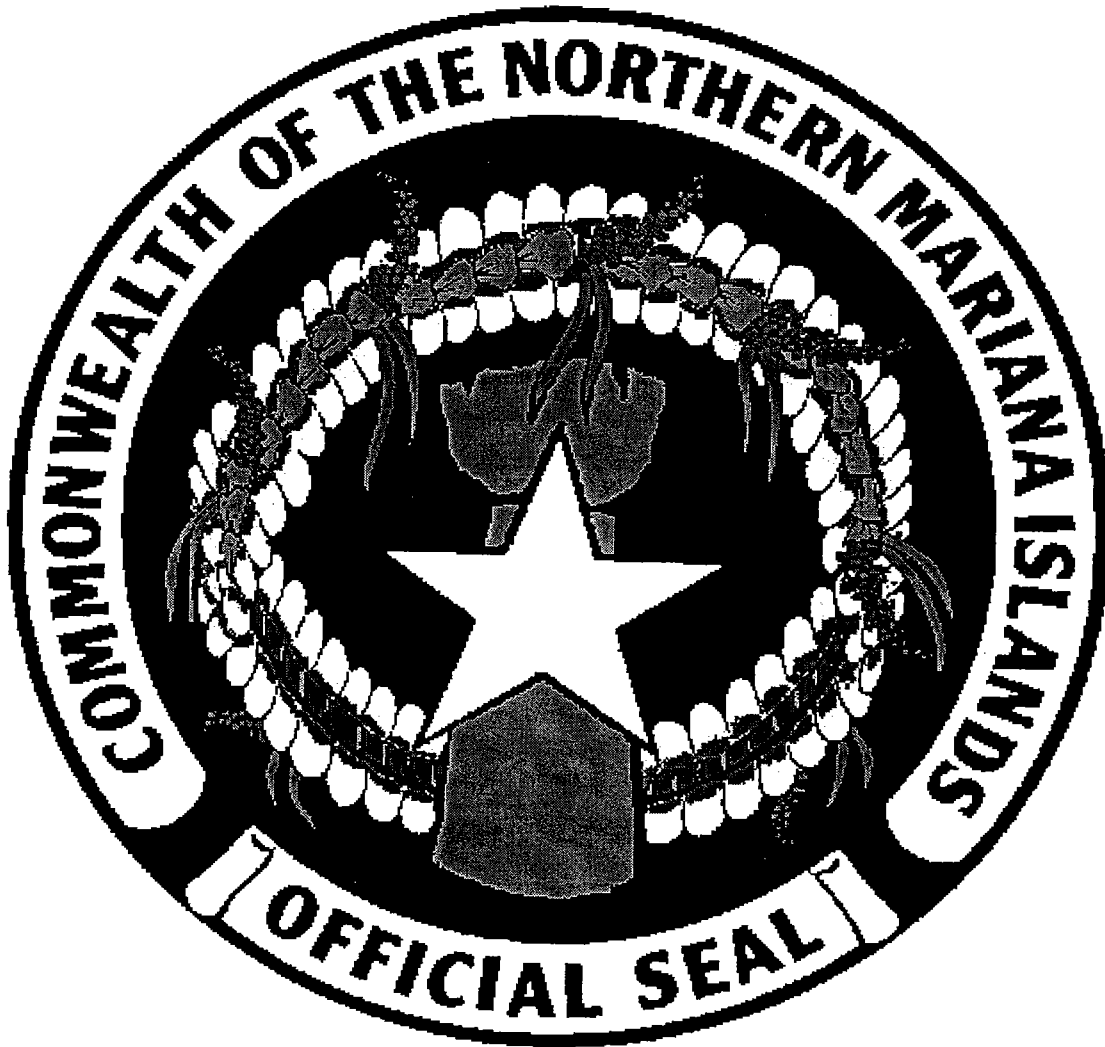


**COMMONWEALTH OF THE NORTHERN MARIANA
ISLANDS
SAIPAN, TINIAN, ROTA and NORTHERN ISLANDS**



**COMMONWEALTH REGISTER
VOLUME 33
NUMBER 09
SEPTEMBER 26, 2011**

COMMONWEALTH REGISTER

VOLUME 33
NUMBER 09

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**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
HEALTH CARE PROFESSIONS LICENSING BOARD**

In the Matter of Tinian Health Center)
(Amendment of Practice Agreement for)
Remote Supervision)

Case No. 2010-04

**SEVENTH AMENDMENT TO THE BOARD EMERGENCY ORDER #01
APPROVING PRACTICE AGREEMENT AMENDMENT
FOR REMOTE SUPERVISION**

Summary of Amendments

This amendment to this Order is entered today, August 22, 2011 pursuant to the Board's decision on August 17, 2011, to extend this Order and the Practice Agreement required by this Order, another 90 days effective August 22, 2011. It also immediately authorizes physician assistant Juan B. Pangelinan and any other CNMI licensed physician assistant ("PA"), during the period this Order is in effect, to work at the Tinian Health Center ("THC"), under the supervision of THC's physician, Dr. Stephan Lebamoff and any other CNMI licensed physician approved by the Board to supervise the physician assistant(s), located at a site other than the same Tinian Health Center when Dr. Lebamoff is off duty or off-island. This Order is valid through the end of the day of November 20, 2011.

Discussion

The "Health Care Professions Licensing Act of 2007" ("the Health Care Act" or "the Act"), 3 CMC §§ 2201 – 36, P.L. 15-105, requires that a physician assistant ("PA") be licensed by the Health Care Professions Licensing Board ("the Board") and that his/her conduct conform to certain statutory and regulatory standards and specific dictates.

The pre-existing regulations of the predecessor Medical Professions Licensing Board continue in effect, except as amended by the Board:

- (e) Except as otherwise provided herein, the regulations, guidelines, standards, and procedures related to the regulation of the functions and operation of a regulated health care professional and/or profession that are in force when this Act becomes effective, shall continue to apply until amended or repealed by the Board.

3 CMC §§ 2235(e). The Board has amended its regulations in part. 140 NMIAC 50-3 Commonwealth Health Care Professions Licensing Board Regulations. 30 Com Reg. 03, p28388 – 28426. It has not yet amended its PA regulations so the pre-existing regulations apply.

The Board's authority proceeds from the Act and the Administrative Procedure Act. The Act established the Board with complete jurisdiction, power and authority to regulate the health care professions. 3 CMC § 2204(a). The Board's powers include:

- To adopt rules and regulations to enforce the Act. 3 CMC § 2206(b);
- To issue, deny and condition licenses. 3 CMC § 2206 (c);
- To conduct disciplinary hearings to suspend or revoke licenses, 3 CMC § 2206 (h);
- To suspend or revoke a license. 3 CMC § 2206(k);
- To act summarily in the face of the likelihood of harm to:
 - i. the public health, safety or welfare; or
 - ii. to the patients of a health care professional who is regulated by this Chapter. 3 CMC § 2206(n).

A PA practicing with a license issued prior to the new Act and its new regulations continues as a licensee until the Board suspends or revokes that license:

For the transition period between the application of the old Medical Practice Act and the new Health Care Professions Licensing Act, specifically until new applicable Regulations are promulgated, each practicing member of each profession over which the Board has jurisdiction shall be deemed practicing with a license until regulations are promulgated for the respective profession and an indicated re-licensing application period has ended, or until the Board acts to suspend, modify, revoke or otherwise affect a license, whichever comes first.

140 NMIAC § 50.3-101-002.

At all times a PA shall have in place a “practice agreement” with a supervising physician. 140 NMIAC § 50.1-1220, 1230(d). Such agreement ordinarily provides the scope of a PA’s activities and ensures that the physician will be available for consultation, and will review and co-sign patient records. It also provides that the physician co-signs for prescription of medication and other treatments, except that the PA may not prescribe DEA-controlled substances. 140 NMIAC § 50.1-1235.

The Administrative Procedure Act provides for license hearings, when a notice of a hearing is required, and defers to an agency’s specific organic act. 1 CMC §§ 9108 – 10. This Order addresses an emergency situation coming under the specific “immediate and grave danger to the public” provision of the HCPLA, 3 CMC § 2206(n).

Facts

Dr. Priyantha Wijayagunaratne, the only physician at THC, has submitted his resignation effective December 1, 2010. However, beginning on Friday, November 12, 2010, Dr. Wijayagunaratne will be on sick leave until December 1, 2010. Accordingly, as of Monday, November 15, 2010, THC is without a physician.

THC requested the Board consider an Emergency Order to exempt THC’s Mid-Level Provider, PA Juan B. Pangelinan, PA William R. Weiss and any other CNMI licensed physician assistant (“PA”), during the period this Order is in effect, to provide health care at THC through remote supervision. CHC, through Mr. John Tagabuel and Secretary Joseph K. Villagomez, has agreed to provide physician supervision to the physician assistants at THC. Supervision will be provided by the CHC’s Emergency Room physician, Dr. Greg Kotheimer and any other CNMI licensed physician approved by the Board to supervise the physician assistant(s), located at a site other than the same Tinian Health Center when Dr. Lebamoff is off duty or off-island.

Board Findings and Conclusions

The Board finds that it would be unfair to the people of Tinian to restrict physician assistants from practicing at THC merely because the Center’s physician is off duty or off-island. This Order provides authority for remote supervision from Saipan. We will not continue the authority provided in this Order indefinitely but we will continue it for a time.

Ruling and Ordering Paragraphs

The Board having been fully advised in the premises of this matter, for the above-stated reasons, hereby Orders that:

1. Physician assistant Juan B. Pangelinan and any other CNMI licensed physician assistant during the period this Order is in effect, may work at the Tinian Health Center (“THC”), under the supervision of a CNMI licensed physician located at a site other than the same Tinian Health Center when Dr. Stephen Lebamoff is off duty or off-island.

2. Supervision: Dr. Greg Kotheimer, other ER physicians at CHC and any other CNMI licensed physician included in the valid Practice Agreement, which shall be approved by the Board, as supervising physicians.
3. The last Practice Agreement signed by Dr. Stephan Lebamoff, Dr. Kotheimer and PA Pangelinan is extended for 90 days effective today, August 22, 2011 until the end of the day of November 20, 2011.
4. The agreement shall include:
 - a. The supervising physician(s) will provide adequate means for direct communication between themselves and the PA. The direct communication may occur through the use of technology, which may include but is not limited to, two-way radio, telephone, fax machine, modem, or other telecommunication device.
 - b. Daily emails shall be exchanged between the PA and the supervising physician for permitted prescriptions.
 - c. The database of patients on chronic or long-term scheduled medications shall be maintained and updated by the PA. The supervising physician to ensure adherence to the standard of care shall review it monthly.
 - d. Chart notes and prescriptions will be sent to the supervising physician for review and signature, as provided below.
 - e. The supervising physician shall closely monitor chronic pain contracts for adherence.
5. The physician assistants are authorized to prescribe:
 - a. Schedule III-V medications as follows:
 1. The PA is authorized to prescribe Schedule III through V medications as needed but shall be limited to prescribing, administering, and/or dispensing no more than 21-day supply. For refills, the supervising physician must co-sign the prescription and clearly write his DEA number on the prescription form. The supervising physician(s) shall review and sign chart notes within 21 days.
 2. All prescriptions for Schedule III-V medications written by the PA must be documented in the patient's chart and must include the name of the drug, dose, and route of administration, frequency, duration, quantity prescribed and name of supervising physician he consulted.
 - b. Schedule II medications as follows:
 1. In extreme emergency cases (myocardial infarction, motor vehicle trauma, certain fractures, pancreatitis, urethral and ureteral stones) Schedule II medications may be administered immediately, followed by a phone call to the supervising physician as soon as the patient is stable. In all other emergencies, Schedule II medications may not be prescribed, administered, or ordered without a verbal order from the ER physician on duty at CHC. The PA must first discuss the case with the ER physician. If the physician makes a verbal order for a Schedule II medication it must be appropriately documented in the patient's chart (as described in "B" above).

2. All such prescriptions and chart notes must be presented to the supervising physician(s) within seven (7) days for co-signature. The PA shall be limited to prescribing no more than a 7-day supply and there will be no refills.
- c. All prescriptions will indicate the quantity of the medication being prescribed both numerically and alphabetically (e.g., "10" and "ten").
6. THC is to provide the Board a monthly report of the following:
 - a. The dates when Dr. Lebamoff is off-duty and/or off-island;
 - b. Name(s) of the supervising physician(s) at the CHC ER when Dr. Lebamoff is off-duty and/or off-island;
 - c. Name(s) and date(s) of physician, other than Dr. Lebamoff, practicing at THC when Dr. Lebamoff is off-duty and/or off-island;
 - d. Name(s) and date(s) of supervising physician reviewing chart notes and prescriptions for signature;
7. This Order is valid through the end of the day of November 20, 2011.
8. The Board shall review this matter at its next board meeting. THC management is invited to appear at that meeting or via conference call and update the Board on its efforts at recruiting a supervising physician.
9. A copy of this Order shall be placed in a public area of the Tinian Health Center. The Executive Director, or her designee, is directed to do the following in person or by electronic means:
 - a. Serve this Order on the physician assistants;
 - b. Serve this Order to Dr. Stephen Lebamoff;
 - b. Serve this Order on the director of the Tinian Health Center;
 - c. Serve this Order on the Secretary of the Dept. of Public Health;
 - d. Serve this Order on the supervising physicians at CHC's ER;
 - e. Have this Order published in the next Commonwealth Register; and
 - f. Place this matter on the Board's agenda for ratification at its next board meeting.

A party seeking to appeal this Order is directed to 1 CMC § 9112 (b), which provides for judicial review of final orders within 30 days in the Commonwealth Superior Court. The Board believes that this is a final Order.



/s/ Ken Pierson, DDS
Acting Chair

Dated: August 22, 2011

/s/ Leticia Borja, MD, Board Member
/s/ Ahmad Al-Alou, MD, Board Member
/s/ Pam Carhill, MPT Board Member

Health Care Professions Licensing Board
Bldg #1242, Pohnpei Ct.
Capitol Hill, Saipan, MP 96950
Tel: (670) 664-4809
Fax: (670) 664-4814
Email: bpl@pticom.com



Commonwealth of the Northern Mariana Islands
Saipan Higher Education Financial Assistance

Jose C. Mafnas, Chair
P.O. Box 10001 PMB 3648, Garapan, Saipan, MP 96950
Northern Marianas Housing Corporation No. A-42, Garapan, Saipan MP 96950
tel: 670.233.5995 fax: 670.233.5996

**PUBLIC NOTICE OF CERTIFICATION AND ADOPTION
OF REGULATIONS OF
Saipan Higher Education Financial Assistance**

**PRIOR PUBLICATION IN THE COMMONWEALTH REGISTER
AS PROPOSED AMENDMENTS TO THE SAIPAN HIGHER EDUCATION FINANCIAL
ASSISTANCE REGULATIONS**

**Volume 33, Number 07, pp 031761-777, of July 22, 2011
Adopted as Permanent with No Changes**

ACTION TO ADOPT PROPOSED REGULATIONS: The Board of Saipan Higher Education Financial Assistance (the "Board of SHEFA"), HEREBY ADOPTS AS PERMANENT regulations the Proposed Regulations which were published in the Commonwealth Register at the above-referenced pages, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The Board of SHEFA announced that it intended to adopt them as permanent, and now does so. (Id.) I also certify by signature below that:

As attached and as published, the Proposed Regulations adopted as permanent regulations are a true, complete and correct copy of the referenced Proposed Regulations, and that they are being adopted without modification or amendment.

PRIOR PUBLICATION: The prior publication was as stated above. The Board of SHEFA adopted the regulations as final at its meeting of September 19, 2011.

MODIFICATIONS FROM PROPOSED REGULATIONS, IF ANY: None.

AUTHORITY: The Board of SHEFA is required by the Saipan and Northern Islands Legislative Delegation to adopt rules and regulations regarding those matters over which the Board of SHEFA has jurisdiction. SLL 13-21, as amended, the "Saipan Higher Education Financial Assistance Act of 2003" (10 CMC §§ 3921 - 28, as amended, eff. February 2, 2004).

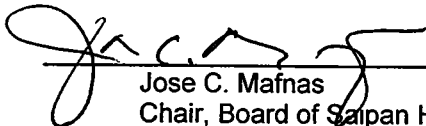
EFFECTIVE DATE: Pursuant to the APA, 1 CMC sec. 9105(b), these adopted regulations are effective 10 days after compliance with the APA, 1 CMC §§ 9102 and 9104(a) or (b), which, in this instance, is 10 days after this publication in the Commonwealth Register.

COMMENTS AND AGENCY CONCISE STATEMENT: Pursuant to the APA, 1 CMC sec. 9104(a)(2), the agency has considered fully all written and oral submissions respecting the proposed regulations. Upon this adoption of the regulations, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption. Please see the following pages for this agency's concise statement, if there are any, in response to filed comments.

The adopted regulations were approved for promulgation by the Attorney General in the above-cited pages of the Commonwealth Register, pursuant to 1 CMC sec. 2153(e) (To review and approve, as to form and legal sufficiency, all rules and regulations to be promulgated by any department, agency or instrumentality of the Commonwealth government, including public corporations, except as otherwise provided by law).

I DECLARE under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 15th day of September, 2011, at Saipan, Commonwealth of the Northern Mariana Islands.

Certified and ordered by:




Jose C. Mafnas
Chair, Board of Saipan Higher
Education Finance Assistance

9/20/2011

Date

Filed and
Recorded by:



ESTHER M. SAN NICOLAS
Commonwealth Register

9.22.2011

Date

0 Form Notice of Final Adoption of Regs.wpd



Commonwealth of the Northern Mariana Islands
COMMONWEALTH ELECTION COMMISSION

Frances M. Sablan, Chairperson
Commonwealth Election Commission, P.O. Box 500470
Susupe, Saipan MP 96950
Tel: (670) 664-8683; fax:(670) 664-8689

**PUBLIC NOTICE FOR PROMULGATION OF
PROPOSED RULES AND REGULATIONS
FOR THE NORTHERN MARIANAS DESCENT REGISTRY (NMDR)
UNDER THE COMMONWEALTH ELECTION COMMISSION**

The Commonwealth of the Northern Mariana Islands, Commonwealth Election Commission (CEC) intends to adopt as permanent the attached Proposed Rules and Regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The Rules and Regulations would become effective 30 days after compliance with 1 CMC §§ 9102 and 9104 (a).

AUTHORITY: The Commonwealth Election Commission is empowered by Public 17-40 to adopt rules and regulations for the administration and enforcement of the statute governing his activities. 1 CMC § 6105 & P.L. 17-40

The Rules and Regulations provides for the Commonwealth Election Commission to establish a Northern Marianas Descent Registry (NMDR) for the registration of Northern Marianas Descent pursuant to Article XII of the NMI Constitution.

The proposed rules and regulations are as follows:

Authority. The authority for the adoption and promulgation of the Northern Marianas Descent Registry Rules and Regulations is vested under the authority and directions set forth in Section 5 of Public Law 17-40.

Purpose and Scope. The purpose of the rules and regulations in this chapter is to establish and maintain an official listing and records of persons of Northern Marianas Descent.

Registration

General Registration Procedures. The primary method of registration for Northern Marianas Descent (NMD) shall be in person before a duly authorized registration clerk, a Commission staff person or a Commission member. Any qualified individual may register at the Commission office in Saipan, at their residence or such other places that the Commission allows for the registration of voters.

Registration Affidavit. An NMD registers to vote by completing the affidavit, as attached and incorporated herein as exhibit A to this chapter and providing all of the information as required by law, and executing same under the penalty of perjury.

Mail Registration

(a) A person otherwise qualified under Article XII, § 4 of the Northern Mariana Islands Constitution may submit his registration affidavit by mail so long as the registration affidavit is signed. Upon signing the registrant must mail the registration affidavit via either first class, priority mail or express mail to the following address:

Commonwealth of the Northern Mariana Islands
Commonwealth Election Commission
PO Box 500470
Saipan, MP 96950

(b) A registration affidavit by mail must be postmarked no later than the date required for registration of all Commonwealth voters in order to vote in a general or special election. In the event the eligible voter mails the affidavit from such a locale that does not properly affix a postmark, such as a ship or submarine, then the date on the affidavit shall be presumed to be the day that the affidavit was mailed by the eligible voter. If that date is on or before the date the affidavit is due, then the voter shall be presumed to be registered if the Commission satisfactorily determines that the voter is eligible.

Mail Registration Requirements. As required by law, a person who desires to register by mail must not be physically present in the Commonwealth, and the registration clerk who receives the registration affidavit by mail must check the post mark or other such evidence to insure that the individual who submitted the application did not mail it from a location inside the Commonwealth.

Northern Marianas Descent Qualification. Any person who is otherwise qualified to register by mail must meet the requirements as set forth in Article XII, § 4 of the Northern Mariana Islands Constitution, as executed on the affidavit of registration.

Public Record Information of NMD Registration. It is understood that nothing in the Commonwealth Election Code or the Open Government Act as both are presently worded protects the privacy of the information contained in the affidavit of registration for NMD's. Therefore any person may request information about an NMD that is provided on the individual's registration affidavit. Therefore it is the decision of the Commission that the affidavit information shall remain a public record. Nothing in this section can prevent the Commission from changing this requirement should there be a change in either of these laws that declare this information private.

Registration Clerks. Registration clerks shall be all duly employed staff members of the Commission, and any Commission member or any other person who is properly designated by the Commission. Upon receipt of the duly executed affidavit, a registration clerk shall promptly transmit the affidavits to the Commissions offices on Saipan via first-class mail in a sealed envelope to the same address mentioned above or immediately via personal delivery so that the NMD's names shall appear on the register. The Commission shall ensure registration clerks have enough NMD registration affidavits.

No Refusal Right. No registration clerk shall refuse to register a person seeking to register even if the clerk believes that the person is not qualified to register. Instead the registration clerk shall allow the individual to fill out the affidavit, but shall immediately inform the Executive Director or a Commission staff person that the person attempting to register might not be eligible to register as an NMD in the Commonwealth. The Commission shall then follow the hearing procedures on all such registrations as listed below.

Hearings on Challenges of Registrations

(a) As authorized by law, the Commission shall hold hearings on all challenged registrations where it appears that the proposed registrant does not meet the qualifications required by statute to register under the Commonwealth Constitution. The hearings shall occur no more than 30 days after the registrant submitted their registration affidavit. As allowed by law the hearings will be informal in nature. A quorum of the Commission shall be necessary to conduct a hearing. Due to the informal nature of the hearing, and where necessary, a Commission member may participate at the hearing through the telephone. Pursuant to the law, the quorum must consist of at least 5 members provided that there is at least one representative from each senatorial district. It is not necessary that the hearing be noticed publicly, but the challenged registrant shall be given reasonable advance notice and opportunity to be heard at the hearing.

(b) The challenged registrant shall be allowed to offer any oral or documentary evidence as to why he should be registered. The challenged registrant may be represented by counsel of his or her own choosing and at his own expense. Any person shall be allowed to offer any oral or documentary evidence as to why the person should or should not be registered. The challenged registrant may also participate at the hearing by being physically present or through the telephone.

(c) The decision denying the challenged registrant the right to be registered shall be decided by a 3/4 majority of the Commission members present at the hearing, including those participating through the telephone. In all other cases where less than 3/4 of the Commission members present vote to deny the registrant the right to be registered, then it shall be presumed that the registrant is qualified to register. No Commission member who does not participate by being present (either physically or through the telephone) in a challenge hearing shall be allowed to vote on whether or not the registrant can register. The Commission shall announce its decision in writing to the challenged registrant as well as make it available to the public no later than three days after the conclusion of the hearing.

(d) The decision of the Commission shall be final; however the judicial review petition procedures of the Commonwealth Administrative Procedure Act [1 CMC §9101, et. seq.] shall also govern the Commission's decision, as being an agency action.

Miscellaneous Provisions

Severability. If any provision of the regulations in this chapter shall be held invalid by a court of competent jurisdiction, the validity of the remainder of the regulations in this chapter shall not be affected thereby.

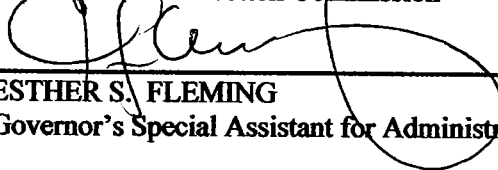
Effective Date. The regulations in this chapter shall take effect upon the notice of adoption and upon final publication in the Commonwealth Register.

The Commission is soliciting comments regarding these proposed amendments. Anyone interested in commenting on the amendments to the regulations may do so in writing to the Commonwealth Election Commission, P.O. Box 500470, Saipan, MP 96950. Written Comments may also be delivered to the Commonwealth Election Commission's Offices or faxed to (670) 664-8689. All comments must be in writing and must be received in 30 days from the date this notice is published in the Commonwealth register.

These proposed rules and regulations were approved by the Commonwealth Election Commission on June

9, 2011.

Submitted by:  June 9, 2011
Frances M. Sablan, Chairperson
Commonwealth Election Commission
Date

Received by:  09/12/11
ESTHER S. FLEMING
Governor's Special Assistant for Administration
Date

Filed and
Recorded by:  09.12.11
ESTHER M. SAN NICOLAS
Commonwealth Register
Date

Pursuant to 1 CMC §2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC §9104(a)(3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published, 1 CMC §2153(f) (publication of rules and regulations).

Dated the 10 day of JUNE, 2011.


EDWARD T. BUCKINGHAM
Attorney General



**Commonwealth Gi Sangkattan Na Islas Marianas Siha
KUMISION ILEKSION COMMONWEALTH**

Frances M. Sablan, Kabiseyu
Kumision Ileksion Commonwealth, P.O. Box 500470
Susupe, Saipan MP 96950
Tel: (670)664-8683; Fax: (670)664-8689

**NUTISIAN PUBLIKU PARA UMACHO'GUI I MANMAPROPONI NA AREKLAMENTU YAN
REGULASION SIHA PARA I NORTHERN MARIANAS DESCENT REGISTRY (NMDR) GI
PAPA' I
KUMISION ILEKSION COMMONWEALTH**

I Commonwealth gi Sangkattan na Islas Marianas siha, I Kumision Eleksion Commonwealth (CEC) ha intensiona para u adápta komu petmanenti mafiechettun i Manmaproponi na Areklametu yan Regulasion siha, sigun i para i manera siha gi Áktun 1 gi Administrative Procedures, 1 CMC § 9104(a). I Areklametu yan Regulasion na para u ifektibu trenta(30) dihas dispues di makumpli i 1 CMC §§ 9102 yan 9104 (a).

ÁTURIDÁT. I Kumision Ileksion Commonwealth nina'i fuetsa ni Public 17-40 para u adápta i areklametu yan regulasion siha para i atministrasion yan enforcement i aktibidát siha gi governing statute. 1 CMC § 6105 & P.L. 17-40.

I Areklametu yan i Regulasion siha ha pribeniyi i Kumision Ileksion Commonwealth para u estapblisa i Northern Marianas Descent Registry (NMDR) para i registrasion i Northern Marianas Descent sigun I Attikulu XII gi Konstitusion NMI.

I maproponi na areklametu yan regulasion manattatiyi siha:

Áturidát. I áturidát para i adáptasion yan para u macho'gui i Areklametu yan Regulasion Registry siha gi Sangkattan na Marianas ni pribilehu gi papa' i áturidát yan direksion siha ni mapega mo'na gi halum Seksiona 5 gi Lai Publiku 17-40.

Purpose yan Scope. I hinangai I areklametu yan regulasion siha guini na kapitulu na para u estapblisa yan u maintain i ufisiát na lista yan notan petsona siha gi Northern Marianas Descent.

Registrasion

Minanehan Registrasion Henerát Siha. I prinsipát na method i registrasion para i Northern Marianas Descent(NMD) debi na i petsona gi me'nan i ma'aturisa na registration clerk, i staff Kumision pat i miembrun i Kumision. Maseha háyi kualifikáo na indibiyuát sina ma rihistra gi Ufisinan Kumision giya Saipan, gi residensian-ñiha pat ottru siha na lugát na i Kumision ha sedi para i registrasion i mambobota siha.

Dokumentun Registrasion. I NMD ha rihistra para u bota ginin i kinempidun i dokumentu, komu mafiettun yan u incorporate guini komu i exhibit A guini na kapilu yan pribeniniyi todú imfetmasion siha komu madimanda ginin i lai, yan executing parehu gi papa' i penalty of perjury.

Registrasion Kátta

(a) I petsona osino i kualifikáo gi papa' i Attikulu XII § 4 gi Konstitusion Sangkattan na Islas Marianas sina ha na'hálum i dokumentun registrasion-fia kontra kátta kuntát komu i dokumentun registrasion ni mafitma. Gi mafitman i marihista debi na i mail i dokumentun registrasion via maseha via first class, priority mail para i sigienti na address:

Commonwealth of the Northern Mariana Islands
Commonwealth Election Commission
P. O. Box 500470
Saipan, MP 96950

(b) I dokumentun registrasion by mail debi na u ma-postmark antis di i fecha ni madimánda para registrasion ni para todú i mambibota gi Commonwealth ni para u siña mambota gi henerát pat espisiát na ileksion. Yanggin siakásu na kualifikáo i bibota ha na'hánáo i kattan dokumentu ginin i locale ni ti ha na'dinanchi i affix i postmark , tát komu bátku pat submarine, pues i bibota debi na u hassu na i ha'áni ni ha na'hánáo i dokumentu ni ginin i kualifikáo na bibota.

Dinimánda Rehistrasion Kátta Siha. Komu madimánda ni lai, i petsona ni ha tanga para u rihistra gui' kontra mail debi na ti u fáttu presentí gi halum Commonwealth, yan i registration clerk ni ha risibi i dokumentun registrasion ginin i mail debi na u ma-post mark pat u ottru ebidensia na ha na'siguru i indibiyuát na na'hálum i aplikasion ni ti ha mail ginin i lugát gi halum i Commonwealth.

Kualifikasion Northern Marianas Descent. Maseha háyi na petsona ni ha osino kualifikáo para u rihistra kontra katta debi na u kumpli i dinimánda siha ni mapega mo'na gi Attikulu XII, § 4 gi Konstitusion i Sangkattan na Islas Marianas, komu ma-execute i dokumentun registrasion.

Imfotmasion Notan Púpbliku gi Rehistrasion NMD. Makumprendi na táya' gi halum i Kodigun Ileksion Commonwealth pat i Áktun i Open Government komu parehu gi presentí matuge'fia ni prinitehi i privacy gi imfetmasion ni ha sasahguan gi dokumentun rehistrasion i NMD's. Láo maseha háyi na petsona siña manggágáo imfotmasion put i NMD ni prinibeniyi gi dokumentun rehistrasion indibiyuát. Láo disision i Kumision na i dokumentun imfotmasion debi na u sága gi notan púpbliku. Táya' guini na seksiona siña umatáha i Kumision kontra i tinilaikan esti na dinamánda debi ha' u guaha tinilaika maseha gi esti siha na lai ni ha diklára na esti private na imfotmasion.

Registration Clerks. I registration clerks debi na todú emple'áon Kumision, yan maseha miembrun Kumsion pat maseha háyi ottru na petsona ni madisikna ginin i Kumsion. Sigun i risibu ni ma-execute na dokumentu, i registration clerk debi na u na'siguru na ha transmiti i dokumentu siha para i Ufisanan Kumision siha giya Saipan via first-class mail gi halum i ma-seal na sobri para i parehu na address ni mamensiona gi sanhilu' pat insigidas via ma'intrega petsonát kosa ki i na'an NMD siha debi na u fanannuk gi rihistra. I Kumision debi na u na'siguru na i register clerks guaha nahung dokumentun rehistrasion NMD siha.

Taya' Diretchun Pinini. Taya' registration clerk debi na rinunsia ni para u rihistra i petsona ni manaliligáo para u rihistra maskiseha i clerk ha tungu' na ti kualifikáo i petsona para u rihistra. Inlugát i registration clerk debi na u sedi i indibiyuát na u fill out i dokumentu, láo debi insigidas u imfotma i Direktot Eksakatibu pat i staff Kumision na i petsona ha chagi para u rihistra gui' láo siña ti kualifikáo para u rihistra komu NMD gi halum Commonwealth. I Kumision debi dispues na u tattiyi i areklamentun hinekkunguk siha gi todú i sigienti na registrasion komu malista gi sampapa'.

Hinekkunguk i Chinâmpan Rihistrasion Siha

(a) Komu ma'aturisa ginin i lai, i Kumision debi na u na'guaha hinekkunguk siha gi todû i chinampân rihistrasion siha gi anai a'annuk na i maproponi na i registrant ti ha kumpli i kuâlifikasion siha ni madimânda ginin i estatua ni para u rihistra gi papa' i Konstitusion Commonwealth. I hinekkunguk siha debi na u masusedi putlumâs ki trenta(30)dihas dispues di i registrant ha na'hâlum i iyun-ñiha dokumentun rihistrasion. Komu masedi ginin i lai i hinekkunguk siha na para u informal in nature. I kinabâlis Kumision debi na u nisisâriu para u kondukta hinekkunguk. Sigun gi para i informal nature gi hinekkunguk, yan amânu na nisisâriu , i miembrun Kumision siña pumattisipao gi hinekkunguk kontra i tilifon. Sigun gi lai, i kinabâlis debi na u kunsisti gi putlumenus singku(5) na miembru siha ni mapribeniya na guaha maskiseha unu na reipresentânti ginin kada distritun senadot. Ti nisisâriu na i hinekkunguk na u mapublika, lâo i chânsan registrant debi na u nâ'i nutisia kuntempu yan oputtunidât ni para u ma'ekkunguk gi huntan hinekkunguk.

(b) I chânsan registrant debi na u masedi para u ofresi maseha hâfa na sinangan pat tinigi' dokumentu komu para hâfa na debi na rihistra gui'. I chânsan registrant siña maprisenta gui' ni inayek-ña na abugâdu yan gâsto-ña. Maseha hâyi na petsona debi na u masedi para u ofresi maseha hâfa na sinangan pat ebidensian tiningi' dokumentu komu para hâfa i petsona debi pat ti debi na u marihistra. I chânsan registrant siña lokkui' pumattisipao gi hinekkunguk prumisenta pat kontra i tilifon.

(c) I pinini na disision i chinansan i registrant gai diretchu para u marihistra debi na u dinisidi ginin tres put sientu(3/4) mayuria gi miembrun i Kumision siha ni manggaigi gi hinekkunguk, ingklusu atyu siha i mampattisipao kontra i tilifon. Gi todû ottru siha na manera gi anai menus ki tres put sientu(3/4) gi miembrun i Kumision mamprisenti gi botu para u puni i registrant ni diretchu ni para u rihistra , pues debi na u hallum na i registrant kualfikao para u rihistra. Tâya' i miembrun Kumision ni ti pumattisipao ni ti prumisenti (parehu mâttu pat kontra tilifon) gi chinansan hinekkunguk debi na u masedi para u fambota gi maskiseha pat ti i registrant siña manrihistra. I Kumision debi na u anunsia i disision-ña gi tinigi' para i chinansan registrant asi komu u bakânti para i publiku ti u menus ki tres (3) diha dispues di uttimun i hinekkunguk.

(d) I disision i Kumision debi na u funhâyan; taimanu i judicial review petition procedures gi Âktun i Commonwealth Administrative Procedure [1 CMC §9101, et.seq.] debi lokkui' na u ginibietna i disision Kumision, komu action ahensia.

Miscellaneous Provisions


Severability. Yanggin hâfa na prubensyon i regulasion siha gi esti na kapitulu debi na umasustieni sa' ti bâli ginin i kotti gi competent jurisdiction, i binalin i tetehnan gi regulasion siha guini na kapitulu ti debi na u inafekta guihi.

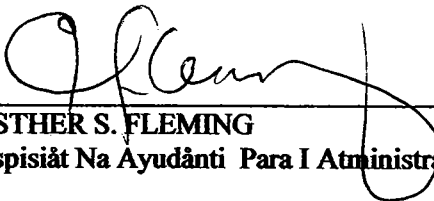
Inefektibun Fecha. I regulasion siha gi halum esti na kapitulu debi na u take effect gigun i nutisian adaptasion yan gigun munhâyan i publikasion gi halum i Rehistran Commonwealth.


I Kumision manggâgagao imfotmasion siha sigun gi esti i manmaproponi na amendasion siha. Maseha hâyi na petsona gai intirisao muna'halum imfotmasion gi amendasion para i regulasiion siha siña ha' macho'gui gi tinigi' para guatu gi Commonwealth Election Commission, P.O. Box 500470, Saipan, MP 96950. Tinigi' imfotmasion siha siña mana'hânão guatu gi Ufisanan Commonwealth Election Commission siha pat u ma-faxed para li (670)664-8689. Todû imfotmasion siha debi na matugi' yan debi na u marisibi

gi halum trenta(30) dihas na tiempu ginin i fetchan esti na nutisia ni mapupblika gi halum i rehistran Commonwealth.

Este i manmaproponi na areklamentu yan regulasion siha manma'aprueba ginin i Kumision Eleksion Commonwealth gi Huniu 9, 2011.

Nina'hálum as:  June 9, 2011
Frances M. Sablan, Kabiseyu Fecha
Kumision Eleksion Commonwealth

Rinisibi as:  09/12/11
ESTHER S. FLEMING Fecha
Espisiát Na Ayudánti Para I Aministrasion Gubietnu

Pine'lu yan
Ninota as:  09.12.11
ESTHER M. SAN NICOLAS Fecha
Rihistran Commonwealth

Sigun i 1 CMC § 2153(e) (Inaprueba Abugádu Henerát na i regulasion siha para u macho'gui komu fotma) yan 1 CMC § 9104(a)(3) (hinentan inaprueban Abugádu Henerát) i manmaproponi na regulasion siha ni mañechettun guini ni manmaribisa yan manma'aprueba komu fotma yan sufisienti ligát ginin i CNMI Abugádu Henerát yan debi na u mapupblika, 1 CMC § 2153(f) (publikasion areklamentu yan regulasion siha).

Mafecha guini gi diha 10, gi JUNE, 2011


EDWARD T. BUCKINGHAM
Abugádu Henerát



**Commonwealth of the Northern Mariana Islands
COMMONWEALTH ELECTION COMMISSION**

Frances M. Sablan, Chairperson
Commonwealth Election Commission, P.O. Box 500470
Susupe, Saipan MP 96950
Tel: (670) 664-8683; fax: (670) 664-8689

**ARONGORONGOL TOULAP REEL POMWOL FFÉÉRÚL ALLÉGH
REEL NORTHERN MARIANAS DESCENT REGISTRY (NMDR)
FAAL COMMONWEALTH ELECTION COMMISSION**

Commonwealth Election Commission, (CEC) mellól Commonwealth of the Northern Mariana Islands nge e mángiyy bwe ebwele adaptáliiló ngare lléghló Pomwol Fféérúl Allégh, reel rebwe attabweey mwóghutughutul Administrative Act, 1 CMC § 9104(a). Allégh kkaal nge ebwe alléghló 30 ráll mwurill aar attabweey 1 CMC § § 9102 me 9104(a).

BWÁNG: Commonwealth Election Commission nge eyoor bwángil sáangi Alléghúl Toulap 17-43 bwe ebwe adapta allégh me akkúlé ngáli adminstration me rebwe amamaawa allégh kka lemeliyal. 1 CMC § 6105 me Public Law ye 17-40.

Allégh me Akkúlé kkaal nge ebwe alisi Commonwealth Election Commission bwe ebwe mmwewlil ayoor Northern Marianas Descent Registry (NMDR) me Northern Marianas Descent rebwe register sáangi bwángil Article XII mellól CNMI Constitution.

Pomwol fféérúl allégh me akkúlé kkaal nge ikka e táltiw:

Bwáng: reel rebwe adpta me fféér allégh reel mille Northern Marianas Descent Registry Alléghúl me Akkuléeyal nge elo faal bwángil me aitiyal Tálil 5 mellól Alléghul Toulap ye 17-40.

Bwúlúl me aal scope: Bwúlúl allégh me akkúlé kka llól chapter yeel nge ebwe ayooráátá me ammwala fischiiy tálil me reekodul iteer aramas kka Northern Mariana Descent.

Registration

Mwóghutughutul Registration: Ghommwal fféérúl registration reer Northern Mariana Islands (NMD) nge ebwe ulimmwal aramas ye re aturisaay ngare registration clerk, aramas ye e angaang ngáli Commission, nge membroot Commission. Aramas ye e qualified nge emmwel ebwe ló register llól Bwulaiyool Commission mewóól Saipél, reel imweer me inaanwo bwuley fa ye Commission e ayoor registratooin-uur voters.

Alúhúgúil Registration: Aramas ye Northern Marianas Descent, nge ebwe register bwe ebwe boota nge ebwe atakkaaló affidavit, nge e appasch nge e incorporated ighaal ngare exhibit A ngáli chapter yeel me ayoor alongal infodmasiyoos kka tingóreeyal allégh, me ayoor fféér faal mwuttaal misimis (perjury).

Mail Registration:

(a) Aramas ye e qualified faal Article XII, § 4 mellól Northern Mariana Islands Constitution nge emmwel

schagh ebwe atolongooyaal registration affidavit nge ebwe mail-li ngare aa sign-li. Ngare schagh aa sign-li nge aramas we e register ebwele afanga registration affidavit eweewe schagh ngare first class, priority mail me ngare express mail ngáli address ye faal:

Commonwealth of the Northern Mariana Islands
Commonwealth Election Commission
PO Box 500470
Saipan, MP 96950

(b) Registration affidavit ye re afanga llól mail nge e fil bwe ebwe postmarked nge essóbw luu sáangi ráálil la registration ngáliir alongeer commonwealth voters bwelle rebwe mmwellil booata llól general ngare special election. Ngare igha eligible voter e afanga llól post affidavit we me bwuley we ese aghatchú aal postmark-li, sibwe ira ngare schúúlúwa mewóól submarine, ráll we wóol affidavit nge rebwe isáli bwe ráálil we eligible voter we e afanga affidavit we. Ngare ráálil we e ppung llól ngare mmwal ráálil we e due affidavit we, nge rebwele isáli bwe voter we aa register ngare Commission e mángiyy fischiiy bwe e eligible voter we.

Requirement-il Mail Registration: Igha aitiyal allégh, aramas ye e tipáli bwe ebwe register llól mail nge essóbw lo llól Commonwealth, nge registration clerk we e risibi registration-ul affidavit mellól mail nge ebwe amwuri fischiiy postmark me meeta aghikkil kka e fil bwe ebwe alúghúlúghúw bwe aramas we e atotoolong application nge ese afanga llól mail me bwuley kka elo llól Commonwealth.

Northern Marianas Descent Qualification. Aramas ye e qualified bwe ebwe register llól mail nge ebwe tabweey requirements kkewe e itiwow sáangi Article XII, § 4 mellól Northern Mariana Islands Constitution, igha e executed mellól affidavit-il registration.

Infodmasiyoounul Toulap Reel NMD Registration. E ammatat bwe esóor mellól Commonwealth election Code ngare Open Government Act igha ii me ruwoow e affataawow reel privacy information ye elo llól aal eschay NMD affidavit-il registration. Iwe, inaanwo iyo aramas nge emmwel ebwe aiyegh infodmasiyooun reel aal eschay NMD affidavit-il registration. Iwe, elo ngáli Commission bwe infodmasiyoounul affidavit we nge ebwe lo bwe reekoodul toulap. Esóor mellól táлил yeel mille emmwel ebwe pileey Commission bwe ebwe liwiliiló requirement ngare eyoor lliiwel mellól inaanwo ifa meleyil allégh kkaal iye e apasa bwe infodmasiyooun yeel nge private.

Registration Clerks: Registration clerks nge rebwe schéschéél angaang me ngare staff-il Commission ngare membrool me iyo aramas ye Commission e aitiy. Igha schagh e toolong affidavit we, nge registration clerk ebwe afanga ngáli Bwulasiyool Commission kka Seipél affidavit kkewe nge ebwe afnaga llól first class mail llól envelope ye e sealed nge afanga ngáli address we elo weiláng milla kkáyil ngare bwughi amweeyiló bwe iteer NMD kkewe ebwe bwááwow llól register. Commission ebwe alúghúlúghúw bwe e gummy sáangiir clerks reel NMD affidavit-il registration.

Esóor Aar Wel Bwe Rebwe Assefáál: Esóor registration clerk ye emmwel ebwe asefááliy eschay aramas ye ebwe register inaanwo igha e mángiyy bwe ese qualify aramas we bwe ebwe register. Far bwughi fen registration clerk we ebwe light ngáli aramas we bwe ebwe fill out-lee affidavit we, nge aa kkáyil sarong ngáli executive Director ngare eschay staff-bee aramas we nge eke aghala bwe ebwe register nge emmwel schagh essóbw eligible ngare bwal ii eschay NMD mellól Commonwealth. Commission nge ebwele atabweey mwóghtul hearing reel tappal registration kkewe, nge ebwe tabweey táлил kka elootiw faal.

Hearings reel Angingiil Registrations:

(a) igha e bwáng sáangi allégh, nge Commissioner ebwe ayoora hearings reel alongal registration kka re Yellowknife ngare e bwá aramas we e pomwoli bwe ebwe register nge qualify reel aitiyal allégh bwe ebwe register faal Commonwealth Constitution. Hearing kkaal nge essóbw luu sáangi 30 ráll sáangi igha aramas we e register e atolongngongooy aal affidafit-il registration. Igha allégh e lighiti bwe hearings kkaal nge ebwe informal. Ebwe quorum Commission ngare rebwe ayoora hearings kkaal. Bwelle igha e informal tappal hearings kkaal nge e fil bwe eschay meleyir membro ebwe tuutá llól hearing we ngare e kkepas llól tilifoon. Reel aitiyal allégh, nge ebwe yoor limmal (5) membrool Commission rebwe lo nge ebwe yoor eschay representative sáangi ghal eew me eew senatorial district. Ese bwal fil bwe ebwe yoor arongorongol toulap reel hearings kkaal, nge aramas aramas we re angiiingi ngáli nge rebwe aronga kkáyil me Alleghú bwe ebwe appasaaló mmeta tipal llól hearing kkaal.

(b) Registrant we re angiiingi ngáli nge rebwe light ngáli bwe ebwe apasaawow ngare ischiitiw meeta evidence kka e iráátiw meeta ebwe register reel. Registrant we re angiiingi ngáli nge emmwel schagh rebwe tingóreey bwe ebwe yoor eschay counsel ye ebwe represent-li nge filiyaal schagh me ii ebwe abwóssuw. Iyo aramas ye e tipáli nge emmwel schagh bwe ebwe apsaalong meeta ngare ischiiiw meeta Aaliyah reel meeta aramas we ese mmwelil register reel. Registrant we re angiiingi ngáli nge emmwel schagh bwe ebwe tuutá llól hearing we ngare e fit me emmwel schagh ebwe kkepas llól tilifoon.

(c) Mángemáng reel rebwe asefááliy registrant we reel aal wel nge ebwe yoor $\frac{3}{4}$ mereer membro bwe rebwe lo reel hearing, rebwal toolong ikkiwe re kkepaslong llól tilifoon. Reel bwal akkááw mwóghutughut igha ese ghówtá $\frac{3}{4}$ membrool Commission relo igha re botááli bwe ese fil bwe aramas we ebwe register, nge rebwe isáli bwe aramas we nge e qualify bwe ebwe register. Esóór membrool Commission ye ese (tuutá ngare kkepaslong llól tilifoon) ye rebwe lighti ngáli bwe ebwe bootááli ngare registrant we emmwelil register ngare saabw. Commission ebwe arongaawow meeta maángemángil nge ebwe ischitiw ngáli registrant we re angiiingi ngáli me ngáliir toulap nge essóbw luu sáangi eleráll sáangi igha e bwungló hearing we.

(d) Meeta ye mángiyeer schóól Commission nge ilaal amwúтчúl; nge mwóghutughutul judicial review petition mellól Commonwealth Administrative Act [1 CMC § 9101, et. Seq.] nge ebwe bwal lo ngare lemeliyal ngare mángemángil Commission, ngare aar mwóghut.


Bwal Akkááw Autol:

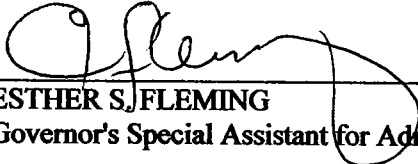
Severability: Ngare eyoor autol allégh kka llól táлил yeel re apsa bwe e invalid sáangi kotti ye eyoor bwángil, nge ghatchúl lussul allégh kka lló chapter yeel nge esóobw tiwól.

Rállil Alléghló: allégh kka llól chapter yeel nge ebwe alléghló ngare aa yoor arongorong meigha e toowow mellól Commonwealth Register.

Mwiisch yeel ekke tingór mángemáng me tiip reel pomwol fféerúl lliiwel kkaal. Iyo ye e tipáli bwe ebwe atotoolong mwaliyal reel mángemngil reel lliiwel kka ebwe liwili autol allégh kkaal nge emmwel schagh bwe ebwe atoolongol reel isch nge raa afanga ngáli Commonwealth Election Commission, P.O. Box 500470, Saipan, MP 96950. Mángemáng kka re ischiitiw nge e bwal mmwel schagh rebwe bwughiló llól Bwulasiyool Election Commission me ngare fax-li ngáli numuro ye (670) 664-8689. Alongal mwaliiliy nge ebwe ischitiw me rebwe bwughil llól 30 ráll sáangi igha e arongowow arongorong yeel mellól Commonwealth Register.

Allégh kkaal nge e angúungú sáangi Commonwealth Election Commission wóol Unniyo 9, 2011.

Isáliiyallong:  June 9, 2011
Frances M. Sablan
Chairperson, Board of Election
Ráil

Ara,mas ye e bwughi:  09/12/11
ESTHER S. FLEMING
Governor's Special Assistant for Administration
Ráil

E File me rekoodliiyal:  09.12.11
ESTHER M. SAN NICOLAS
Commonwealth Registrar
Ráil

Sáangi bwángil 1 CMC § 2153 (e) (Ebwe angúungú sáangi AG reel pomwol fféerúl allégh kkaal bwe ebwe fil me 1 CMC ~ 9104 (a)(3) (Ebwe angúungú sáangi Bwulasiyool AG) pomwol fféerúl allégh kka e apasch fengáall me rebwe amwuri fischiiy ngare me angúungú bwe ebwe tabweey ngare e fisch bwe e attbweey allegh sáangi CNMI Attorney

E ffeér llól ráálil ye 10 maram ye JUNE, 2011


EDWARD T. BUCKINGHAM
ATTORNEY GENERAL



NORTHERN MARIANAS DESCENT AFFIDAVIT OF REGISTRATION APPLICATION

I am currently registered to vote on (if applicable):

- Island of Saipan - Election District:
Island of Tinian - Election District 6
Island of Rota -

IMPORTANT: PLEASE PRINT CLEARLY IN BLACK INK. FAILURE TO COMPLETE ALL ITEMS MAY PREVENT ACCEPTANCE OF THIS APPLICATION.

REC OFFICE USE ONLY
Affidavit No.
NMDR

I HEREBY SWEAR (OR AFFIRM) THAT THE FOLLOWING INFORMATION IS TRUE AND CORRECT:

Form with fields for Social Security Number, Date of Birth, Gender, Full Legal Last Name, First Name, Middle, Physical Residence Address, Mailing Address, Telephone Contact Information, Oath, Signature, Date, Witness Signature, Witness Address/Contact Information, Date.

Warning Any person who knowingly falsifies information may be guilty of a Class C Felony, punishable by up to 5 years of imprisonment and/or \$10,000 fine.

Notice: The office at which a person registers to vote is confidential. A person's declination to register to vote is also confidential and is used for voter registration purposes only as mandated by the National Voter Registration Act of 1993.



COMMONWEALTH PORTS AUTHORITY

Main Office: FRANCISCO C. ADA/SAIPAN INTERNATIONAL AIRPORT

P.O. BOX 501055, SAIPAN, MP 96950-1055

Phone: (670) 237-6500/1 • Fax: (670) 234-5962

E-mail Address: cpa.admin@pticom.com

Website: www.cpa.gov.mp

PUBLIC NOTICE

Proposed Amendments to the Procurement Rules and Regulations of the Commonwealth Ports Authority

The Executive Director of the Commonwealth Ports Authority hereby notifies the public that the Commonwealth Ports Authority intends to promulgate amendments to its Procurement Rules and Regulations.

INTENDED ACTION TO ADOPT THESE PROPOSED RULES AND REGULATIONS: Notice is hereby given pursuant to 1 CMC § 9104(a) of the Administrative Procedure Act that the Commonwealth Ports Authority publishes the following revised procurement regulations for the agency and its intended action to become the complete operative procurement regulations for the agency.

AUTHORITY: At its Regular Board meeting on August 12, 2011, the Board of Directors, vested with authority as the governing body, approved the proposed revisions for publication and notice in the Commonwealth Register. The authority for the promulgation of regulations for the Commonwealth Ports Authority is set forth in 2 CMC § 2122(j) as an autonomous agency of the Commonwealth of the Northern Mariana Islands. 2 CMC § 2111(b)

The following proposed revised regulations have been fully reviewed and approved by the CPA Board of Directors as a comprehensive republication and revision of the CPA Rules and Regulations set for in the Commonwealth Register and NMI Administrative Code set forth at Chapter 40-50. The Board hereby approves for the publication in the Commonwealth Register for Notice and Comment pursuant to the Administrative Procedure Act and as administered by the CNMI Law Revision Commission and for approval by the Attorney General pursuant to 1 CMC § 2153(e).

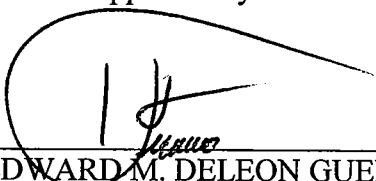
THE TERMS AND SUBSTANCE: The proposed amendment sets forth the Chapter 40-50, Commonwealth Ports Authority Procurement Rules and Regulations.

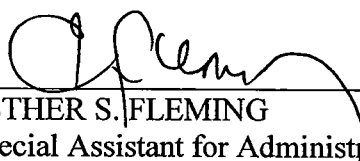
THE SUBJECTS AND ISSUES INVOLVED: The revised regulations update the existing regulations particularly to establish a Procurement Section; to address the handling of abandoned property and salvaged property; to address procurement during an emergency or calamity; to update the provisions regarding Requests for Proposals; to clarify provisions relating to Invitations for Bids; to clarify provisions relating to public records and the manner of their disclosure inclusive of the Open Government Act; and other minor or technical revisions.

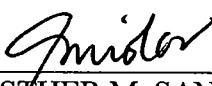
DIRECTIONS FOR FILING AND PUBLICATION: These Proposed Regulations shall be published in the Commonwealth Register in the section on Proposed and Newly Adopted Regulations (1 CMC § 9102(a)(1)) and posted in convenient places in the civic center and in local governments in each senatorial district, both in English and in the principal vernacular. (1 CMC § 9104(a)(1))

TO PROVIDE COMMENTS: Persons or entities wishing to submit comments may submit written comments to: Mr. Edward M. Deleon Guerrero, Executive Director, Commonwealth Ports Authority, P.O. Box 501055, Saipan, MP 96950; or via hand delivery to the Saipan International Airport Administration Office; or via facsimile at (670) 237-5962. **All written comments shall be submitted so as to be received on or before NOVEMBER 30, 2011.**

These regulations were approved by the CPA Board of Directors on August 12, 2011.

Submitted by:  _____ Date 9/6/11
EDWARD M. DELEON GUERRERO
Executive Director, CPA

Received by:  _____ Date 9/26/11
ESTHER S. FLEMING
Special Assistant for Administration

Filed and
Recorded by:  _____ Date 9.26.11
ESTHER M. SAN NICOLAS
Commonwealth Register

Pursuant to 1 CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC §9104 (a)(3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published (1 CMC § 2153 (f) (publication of rules and regulations)).

Dated this 26 day of September, 2011.

 _____
EDWARD BUCKINGHAM
Attorney General

COMMONWEALTH PORTS AUTHORITY

Main Office: FRANCISCO C. ADA/SAIPAN INTERNATIONAL AIRPORT
P.O. Box 501055, Saipan, M.P. 96950-1055
Tel: (670)237-6500/1 Fax: (670)234-5962
E-mail Address: cpa.admin@pticom.com
Website: www.cpa.gov.mp

NUTISIAN PUPBLIKU

I Manmaproponi na Amendasion siha para i Areklamentu yan Regulasion Procurement siha gi Commonwealth Ports Authority

I Direktot Eksakatibu gi Commonwealth Ports Authority guini ha nutisia i pupbliku na i Commonwealth Ports Authority ha intensiona para u cho'gui i amendasion siha gi iyon i Procurement na Areklamentu yan Regulasion siha.

I AKSION NI MA'INTENSIONA PARA U MA'ADAPTA ESTI SIHA I MANMAPROPO NI NA AREKLAMENTU YAN REGULASION SIHA: I nutisia guini ha nã'i sigun gi 1 CMC § 9104(a) gi Åktun i Administrative Procedure na i Commonwealth Ports Authority ha pupblika i sigienti ni manmaribisa na regulasion procurement para i ahensia yan i intension-ña na aksion para u mana'kumplidu i operative procurement na regulasion siha para i ahensia.

ÅTURIDÅT: Gi Regulåt na huntan Kuetpu gi Agostu 12, 2011, i Kuetpun Direktot siha, ma-vested i åturidåt kumu ginibebetna i tatåtåt, inapruaba i maproponi na rinibisa siha para i pupplikasion yan nutisia gi halum i Rehistran Commonwealth. I åturidåt ni para u macho'gui i regulasion siha para i Commonwealth Ports Authority mapega mo'na gi 2 CMC § 2122(j) kumu autonomous agency gi Commonwealth gi Sangkattan na Islas Marianas siha. 2 CMC § 2111(b)

I sigienti ni manmaproponi ni manmaribisa na regulasion siha manmaribisa yan manma'apruaba ginin i CPA Kuetpun Direktot siha kumu comprehensive republication yan maribisa gi Areklamentu yan Regulasion CPA siha ni mapega gi Rehistran Commonwealth yan i NMI Administrative Code ni mapega mo'na gi Kapitulo 40-50. I Kuetpu guini ha aprueba para i pupplikasion gi halum i Rehistran Commonwealth para Nutisia yan Upiñon sigun gi para i Åktun Administrative Procedure yan kumu ma'-administered ginin i CNMI Law Revision Commission yan para inapruaba ginin i Abugådu Heneråt sigun gi 1 CMC § 2153(e).

I SUSTÅNSIAN I PALÅBRA SIHA: I manmaproponi na amendasion mapega mo'na gi Kapitulo 40-50, gi Commonwealth Ports Authority gi Areklamentu yan Regulasion i Procurement siha.

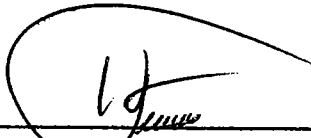
SUHETU NI MASUMÅRIA YAN ASUNTU NI TINEKKA: I maribisa na regulasion siha ma'-update i present na regulasion siha pattikulåtmiendi para u ma'istapblesi i Seksionan Procurement; para u ma'-address i mamanehan propiedåt ni ma'abandona yan u ma-salvaged i propiedåt; para u ma-address i procurement gi duråntin i emergency pat calamity; para u ma'-update i probinsion siha sigun i Finaisin para i Propositu siha; para mana'klåru i probinsion siha ni u ma'achuli' gi para i Invitations for Bids; para u mana'klåru i probinsion siha ni u ma'achuli' para i public records yan i manera gi iyon-ñiha

disclosure inclusive gi Æktun i Open Government; yan ottru minor pat technical revisions.

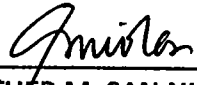
DIREKSION PARA U MAPO'LU YAN PARA PUBLIKASION: Esti i Manmaproponi na Regulasion siha debi na u mapupblika gi halum i Rehistran Commonwealth gi seksiona ni Manmaproponi yan Nuebu na Ma'adãpta na Regulasion siha, 1 CMC § 9102(a)(1), yan u mapega gi kumbinienti na lugât siha gi halum i civic center yan i ufisinan gubietnamentu siha gi kada distritun senadot, parehu English yan prinsipât na lingguâhin natibu. 1 CMC § 9104(a)(1).

PARA U MAPRIBENIYI UPIÑON SIHA: Petsona siha pat entities ni ha diseseha para u na'hålum upiñon siha siña ha na'hålum tinigi' upiñon siha guatu gi as: Siñot Edward M. Deleon Guerrero, Direktot Eksakatibu, gi Commonwealth Ports Authority, P.O. Box 501055, Saipan, MP 96950; pat u machuli' guatu gi Saipan International Airport Ufisinan Atministrasion; pat via facsimile gi (670) 237-5962. **Todu tinigi' upiñon siha debi na u mana'hålum ni para u marisibi gi pat ântis di Nubembri 30, 2011.**

Esti i manmaproponi na regulasion siha manma'aprueba ginin i CPA Kuetpun Direktot siha gi Agostu 12, 2011.

Nina'hålum as: 
EDWARD M. DELEON GUERRERO
Direktot Eksakatibu, CPA
Fetcha 9/13/11

Rinisibi as: 
ESTHER S. FLEMING
Ispisiât Na Ayudânti Para I Atministrasion
Fetcha 9/26/11

Pine'lu yan
Ninota as: 
ESTHER M. SAN NICOLAS
Rehistran Commonwealth
Fetcha 9.26.11

Sigun i 1 CMC § 2153(e) (I Abugâdu Henerât ha aprueba i regulasion siha na para u macho'gui kumu fotma) yan i 1 CMC § 9104(a)(3) (hentan inapruewan Abugâdu Henerât) i manmaproponi na regulasion siha ni mañechettun guini ni manmaribisa yan manma'aprueba kumu fotma yan sufisienti ligât ginin i CNMI Abugâdu Henerât yan debi na u mapupblika, 1 CMC § 2153(f) (publikasion areklamentu yan regulasion siha)).

Mafetcha guini gi diha 26, di Septembri, 2011


EDWARD BUCKINGHAM
Abugâdu Henerât

COMMONWEALTH PORTS AUTHORITY

Main Office: FRANCISCO C. ADA/SAIPAN INTERNATIONAL AIRPORT

P.O. Box 501055, Saipan, M.P. 96950-1055

Tel:(670)237-6500/1 Fax:(670)234-5962

E-mail Address: cpa.admin@pticom.com

Website: www.cpa.gov.mp

ARONGORONGOL TOULAP

Pommwol Lliwel rel alleghul Procurement llól Commonwealth Ports Authority.

Executive Direkktol Commonwealth Ports Authority ekke aronga toulap rel siwel kka ebwe fféer rel alleghul Procurement llól Commonwealth Ports Authority.

MANGEMANGIL MWÓGHUT YEEL BWE EBWE ADAPTALI POMMWOL ALLEGH KKAAL

Sengi 1CMC § 9104(a)rel Administrative Procedure Act, Commonwealth Ports Authority ebwe akkatewow lliwel rel allegh kkal bwe ebwele iyeel bwungul alleghul yaar procurement.

BWAANGIL

Rel yaar Regular Board meeting wóol Augusto 12, 2011, Board of Directors , ngare iir mille schól abwungubwung nge ra bwungo llól lliwel kkal nge ebwe le appasch llong me abwari llól Commonwealth Register. Atiridóódul Commonwealth Ports Authority rel yaal ebwe akkatowo allegh kkal a lo llól 2 CMC § 2122 (j) ngare autonomous agency llól Commonwealth of the Northern Marianas Islands. 2CMC §2111(b).

Pommwol lliwel rel allegh kkal ra amwuri fiischi nge ra bwunguw llól rel CPA Board of Directors bwe iyeel welewelil akkasiwel kka ebwe appaschalong me siweli CPA Rules and Regulations lol Commonwealth Register me NMI Adminstrative Code rel Chapter 40-50. Board ra bwunguwlo bwe ebwe apaaschlong lol Commonwealth Register rel arongorong me mangemang sengi Administrative Procedure Act me bwal CNMI Law Revision Commission nge ebwe bwal bwunguló merel Sowbwungul Allegh Lapalap sengi 1 CMC §2153(e)

KKAPASAL ME AWEEWEL

liwel rel allegh kkal ebwe Chapter 40-50, Commonwealth Ports Authority Procurement Rules and Regulations.

KKAPASAL ME ÓUTOL:

Allegh kkal ebwe update lli allegh kkewe afaasil lo nge ebwe ayoora peighil Procurement: rel ebwe address lil mwoghutul abandoned me salvaged propriety. Rel ebwe address li procurement rel emergency ngare calamity. Rel bwe update li provisions rel tingor me Proposals; ebwe affat provision rel Invitations for Bids; ebwe affat provisions rel public records rel pomwol me ebwe bwa inclusive rel Open Government Act; me akkaw minor me technical revisions.

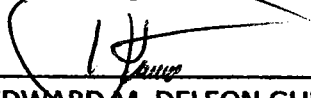
AFALAFAL REEL AMWELIL ME AKKATEEL

Liwel rel allegh kkal ebwe apasch llól Commonwealth Register llól section iye Proposed and Newly Adopted Regulations (1 CMC § 9102(a)(1)) me ebwe apasch fetal llól leeliy ikka elo llól Civic center me bwal llól bwulasiyo llól eew senatorial district nge ebwe llól English me mwaliyasch. (1 CMC § 9104(a)(1))

ISIISILONGOL MWALIILI

Aramas kka re tipeli rebwe akkatolong ngare ischilong yaar mángmáng rebwe iisch ngáli: Mr. Edward M. Deleon Guerrero, Executive Director, Commonwealth Ports Authority, P.O. Box 501055, Saipan, MP 96950; ngare bwughiló rel Saipan International Airport Administration Office, ngare fax ngeli (670) 237-5962. Alongal ischilongul mangmang ebwe akkatalong wóol ngare mesemwal **NOVEMBER 30, 2011.**


Allegh kkal nge a bwuungulo mereel CPA Board of Directors wóol August 12, 2001.

lisaliyallong: 
EDWARD M. DELEON GUERRERO
Executive Director, CPA

9/13/11
Ráál

Mwiir sangi: 
ESTHER S. FLEMING
Sów Alilisil Sów Lemelem

09/29/11
Ráál

Amwel sangi: 
Esther M. San Nicolas
Commonwealth Register

9.26.11
Ráál

Sangi allegh ye 1CMC § 2153(e) (allegh kkaal aa lleghlo mereel AG bwe ebwe akkatewow reel feerul me 1 CMC § 9104(a)(3)(Aa bweibwogh alleghul sáangi AG) pomwol allegh kka aa apaschlong aa takkal amwuri fischiy me a bwuungu ló deerol me legal sufficiency sáangi CNMI Soubwungul Allegh lapalap me ebwele akkatewow(1CMC § 2153(f) (akkateel allegh kkal)

Ráálil yey 26 Settembre 2011


EDWARD BUCKINGHAM
Soubwungul Allegh Lapalap

CHAPTER 40-50: CPA PROCUREMENT RULES AND REGULATIONS

Chapter Authority: 2 CMC § 2122(j).

Chapter History: Amdts Adopted 29 Com. Reg. 26691 (Aug. 17, 2007); Amdts Proposed 29 Com. Reg. 26436 (Mar. 15, 2007); Amdts Adopted 29 Com. Reg. 26690 (Aug. 17, 2007); Amdts Proposed 29 Com. Reg. 26453 (Mar. 15, 2007); Amdts Adopted 17 Com. Reg. 13748 (Oct. 15, 1995); Amdts Proposed 17 Com. Reg. 13261 (Apr. 15, 1995); Amdts Adopted 15 Com. Reg. 10565 (Apr. 15, 1993); Amdts Emergency 14 Com. Reg. 9769 (Oct. 15, 1992) (effective for 120 days from October 15, 1992); Adopted 10 Com. Reg. 5716 (Oct. 15, 1988); Proposed 10 Com. Reg. 5625 (Aug. 15, 1988).

In August 2007, CPA added § 40-50-410 to this chapter establishing a residency preference.

Part 001 - General Provisions

§ 40-50-001 Authority

The regulations in this chapter are promulgated under the authority of 2 CMC § 2122(j).

§ 40-50-005 Purposes

The underlying purposes and policies of this chapter are:

- (a) To provide for increased public confidence in the procedures followed in Authority procurement;
- (b) To insure the fair and equitable treatment of all persons who deal with the procurement system of the Authority;
- (c) To provide increased economy in Authority procurement activities and to maximize to the fullest extent practicable the purchasing value of Authority funds;
- (d) To foster effective broad-based competition within the free enterprise system; and
- (e) To provide safeguards for the maintenance of a procurement system of quality and integrity.

§ 40-50-010 Requirement of Good Faith

This chapter requires all parties involved in the negotiation, bidding, performance or administration of Authority contracts to act in good faith.

§ 40-50-015 Application of Regulations

This chapter applies to every expenditure of Authority funds which are not subject to federal procurement requirements. These provisions shall be construed and applied in a manner consistent with all Federal Law and Regulations, including, but not limited to 49 C.F.R. 18.36 Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments requirements relating to grant funds for Airport Improvement Projects, whether funded in whole or in part by AIP Grant Funds or formula grants. This chapter does not apply to contracts between the Authority and the government or its political subdivisions or other governments. Nothing in this chapter shall be construed to prevent Authority from complying with the terms and conditions of any grant, cooperative agreement or memoranda of understanding. Pursuant to 2 CMC § 2132(c), this chapter shall not apply to the procurement of professional, advisory, or technical services.

§ 40-50-020 Severability

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

§ 40-50-025 Validity of Contract

No Authority contract covered by this chapter shall be valid unless it complies with this chapter.

§ 40-50-030 Remedy Against Employee

Any procurement action of an employee of Authority in violation of this chapter is an action outside the scope of his or her employment. The Authority will seek to have any liability asserted against it by a contractor which directly results from these improper acts to be determined judicially to be the individual liability of the employee who committed the wrongful act.

§ 40-50-035 Definitions

As used in this chapter, unless the context otherwise requires, the following meanings apply:

- (a) "Appeal Committee" means the special committee of the Board authorized to hear appeals.
- (b) "Attorney" means the legal counsel of the Authority.
- (c) "Authority" means the Commonwealth Ports Authority or "CPA" to also mean the Commonwealth Ports Authority as may be referred to in this chapter.

