

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



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**COMMONWEALTH REGISTER**

**VOLUME 46  
NUMBER 11  
November 15, 2024**

**COMMONWEALTH REGISTER**  
**VOLUME 46**  
**NUMBER 11**  
**NOVEMBER 15, 2024**

**ADOPTED**

Public Notice of Certification and Adoption of Federal Food and Drug Administration Model Food Code and Annexes 2022 <b>Commonwealth Healthcare Corporation .....</b>	<b>051451</b>
Public Notice of Certification and Adoption of New Fees for Various Services <b>Commonwealth Healthcare Corporation .....</b>	<b>051459</b>
Public Notice of Certification and Adoption of Regulations <b>Division of Customs Biosecurity</b> <b>Department of Finance .....</b>	<b>051462</b>
Public Notice of Certification and Adoption of Regulations <b>Division of Fish and Wildlife</b> <b>Department of Lands and Natural Resources .....</b>	<b>051464</b>
Public Notice of Certification and Adoption of Regulations Commonwealth Lottery Commission <b>Department of Finance .....</b>	<b>051466</b>
Public Notice of Certification and Adoption of Regulations <b>Department of Labor ..</b> .....	<b>051468</b>

**PROPOSED**

Public Notice of Proposed Regulations (Kagman Farm Plot Program) <b>Division of Agriculture</b> <b>Department of Lands and Natural Resources .....</b>	<b>051470</b>
Public Notice of Proposed Regulations (Animal Health Program: fees, penalties) <b>Division of Agriculture</b> <b>Department of Lands and Natural Resources .....</b>	<b>51486</b>



# Commonwealth Healthcare Corporation

Commonwealth of the Northern Mariana Islands  
1178 Hinemlu' St. Garapan, Saipan, MP 96950



## **PUBLIC NOTICE OF CERTIFICATION AND ADOPTION OF FEDERAL FOOD AND DRUG ADMINISTRATION MODEL FOOD CODE AND ANNEXES 2022 OF THE COMMONWEALTH HEALTHCARE CORPORATION**

PRIOR PUBLICATION IN THE COMMONWEALTH REGISTER  
AS PROPOSED RULES AND REGULATIONS

Volume 46, Number 09, pp. 051308-051320, of SEPTEMBER 15, 2024

**ACTION TO ADOPT PROPOSED REGULATIONS:** The Commonwealth of the Northern Mariana Islands, COMMONWEALTH HEALTHCARE CORPORATION ("CHCC"), 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 CHCC announced that it intended to adopt them as permanent, and now does so. (Id.) A true copy is attached. I also certify by signature below that:

as published, such adopted regulations are a true, complete and correct copy of the referenced Proposed Regulations,

and that they are being adopted as published.

**PRIOR PUBLICATION:** The prior publication was as stated above.

**MODIFICATIONS FROM PROPOSED REGULATIONS:** Adoption as to the Federal Food and Drug Administration Model Food Code and Annexes 2022.

**AUTHORITY:** The Corporation is empowered by the Legislature to adopt these rules and regulations pursuant to 3 CMC Section 2826(c).

**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 Corporation has considered fully all written and oral submissions respecting the proposed regulations. Upon this adoption of the regulations, the Corporation, 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.

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concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption.

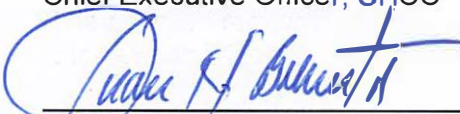
The adopted regulations were approved for promulgation by the Attorney General in the above-cited pages of the Commonwealth Register, pursuant to 1 CMC sec. 2153(e)

I DECLARE under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 14 of November, 2024 at Saipan, Commonwealth of the Northern Mariana Islands.

Certified and ordered by:



ESTHER L. MUNA  
Chief Executive Officer, CHCC



JUAN N. BABAUTA  
Chairman, CHCC Board of Trustees

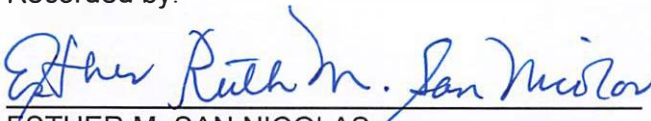
Pursuant to 1 CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC § 9104(a)(3) (obtain AG approval) the certified final regulations, modified as indicated above from the cited proposed regulations, have been reviewed and approved as to form and legal sufficiency by the CNMI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

Dated, the 15<sup>th</sup> day of November, 2024.



EDWARD MANIBUSAN  
Attorney General

Filed and  
Recorded by:



ESTHER M. SAN NICOLAS  
Commonwealth Registrar

11-15-2024

Date

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**TITLE 140: COMMONWEALTH HEALTHCARE CORPORATION**

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**SUBCHAPTER 140-20.3**

**RULES AND REGULATIONS GOVERNING ANY ESTABLISHMENT OR ACTIVITY INVOLVING FOOD OR DRINK SERVICE, TEMPORARY FOOD SERVICE, FOOD RETAIL, WHOLESALE AND TRANSPORTATION OPERATIONS, PUSHCARTS, CATERERS, OR MOTOR VEHICLE VENDORS**

**REGULATIONS Part 001 General Provisions**

- § 140-20.3-001 Authority
- § 140-20.3-005 Purpose
- § 140-20.3-010 Binding
- § 140-20.3-015 Definitions

**Part 100 Adoption of the Federal Food and Drug Administration Model Food Code and Annexes 2022**

- § 140-20.3-101 Adoption of the Federal Food and Drug Administration Model Food Code and Annexes 2022
- § 140-20.3-105 Amendments
- § 140-20.3-110 Description of Food Code Regulations Adopted

**Part 200 Enforcement**

Appendix

- ANNEX 1 Compliance and Enforcement
- ANNEX 2 References
- ANNEX 3 Public Health Reasons/Administrative Guidelines
- ANNEX 4 Management of Food Safety Practices—Achieving Active Managerial Control of Foodborne Illness Risk Factors
- ANNEX 5 Conducting Risk-Based Inspections
- ANNEX 6 Food Processing Criteria
- ANNEX 7 Model Forms, Guides and Other Aids

Subchapter Authority: 3 CMC §§ 2123(a)(2) and (a)(3)

Subchapter History: Adopted 28 Com. Reg. 26186 (Sept. 27, 2006); Proposed 28 Com. Reg. 25787 (June 19, 2006).

Commission Comment: PL 1-8, tit. 1, ch. 12, codified as amended at 1 CMC §§ 2601-2633, created the Department of Public Health and Environmental Services (DPHES) within the Commonwealth government. See 1 CMC § 2601. 1 CMC § 2603(a) grants the Department the power and duty to maintain and improve health and sanitary conditions in the CNMI. 1 CMC § 2605 directs the Department to adopt rules and regulations regarding those matters over which it has jurisdiction.



Executive Order 94-3 (effective August 23, 1994) reorganized the Commonwealth government executive branch, changed agency names and official titles, and effected numerous other revisions. According to Executive Order 94-3 § 105:

Section 105. Department of Public Health.

The Department of Public Health and Environmental Services is re-designated the Department of Public Health.

The full text of Executive Order 94-3 is set forth in the Commission comment to 1 CMC § 2001.

PL 12-48 (effective Apr. 26, 2001), the “Commonwealth Environmental Health and Sanitation Act of 2000,” codified at 3 CMC §§ 2121-2147, revised the Commonwealth statutes related to environmental health and sanitation. PL 12-48 § 3 repealed former 3 CMC §§ 2121-2126 and enacted new sanitation provisions. 3 CMC § 2122 requires a sanitary permit to operate enumerated establishments. 3 CMC § 2123 directs the Secretary of Public Health to promulgate rules and regulations required to ensure the sanitary operation of listed establishments.

Public Law 16-51 (effective Jan. 15, 2010), the “Commonwealth Healthcare Corporation Act of 2008,” codified at 3 CMC § 2801 et seq., established the Commonwealth Healthcare Corporation, which assumed the duties of the Department of Public Health as of January 15, 2011.

## **Part 001- General Provisions**

### **§140-20.3-001 Authority**

Pursuant to the authorities of Public Law 12-48 (Commonwealth Environmental Health and Sanitation Act of 2000) [3CMC §§ 2121-2147] the Secretary of the Department of Public Health is authorized to establish regulations for any establishment or activity involving food or drink service, temporary food service, food retail, wholesale and transportation operations, pushcarts, caterers, or motor vehicle vendors, and all aspects of food or drink vending services in the Commonwealth of the Northern Mariana Islands. 3 CMC §§2123(a)(2) and (a)(3).

### **§140-20.3-005 Purpose**

The regulations in this subchapter are being adopted pursuant to PL 12-48 [3 CMC §§ 2121-2147]. They are designed to provide minimum requirements, policies, and procedures pertaining to any establishment or activity involving food or drink service, temporary food service, food retail, wholesale and transportation operations, pushcarts, caterers, or motor vehicle vendors, to assure sanitary operations of food facilities that provide food directly to consumers in order to minimize or eliminate possible transmission or introduction of disease that may be injurious to human beings.

### **§140-20.3-010 Binding**

The regulations in this subchapter shall be binding upon all persons in the Commonwealth of the Northern Mariana Islands.

**§140-20.3-015 Definitions**

The Commonwealth Healthcare Corporation (CHCC) hereby adopts the definitions provided in the Food Code 2022 and Annexes.

**Part 100 Adoption of the Food Code 2022 and Annexes**

**§140-20.3-101 Adoption of the Food Code 2022 and Annexes**

- (a) The Commonwealth Healthcare Corporation (CHCC) hereby adopts by reference the following regulations and annexes contained in the Food Code, 2022 Recommendations of the United States Public Health Service/Food and Drug Administration as published by the U.S. Department of Health and Human Services, Public Health Service, Food and Drug Administration (the “Food Code 2022 and Annexes”).
- (b) Due to the length of the FDA Model Food Code and Annex 2022, it is incorporated by reference herein, and a person wishing a copy shall be directed to the publisher of the Food Code. Non-certified copies are also available online at <https://www.fda.gov/media/164194/download?attachment>

**Incorporated by Reference**

- (a) Chapter 1 Purpose and Definitions
- (b) Chapter 2 Management and Personnel
- (c) Chapter 3 Food
- (d) Chapter 4 Equipment, Utensils, and Linens
- (e) Chapter 5 Water, Plumbing, and Waste
- (f) Chapter 6 Physical Facilities
- (g) Chapter 7 Poisonous or Toxic Materials
- (h) Chapter 8 Compliance and Enforcement
- (i) Annex 1 Through 7

**§140-20.3-105 Amendments**

The regulations referenced in §140-20.3-101 are adopted in their entirety with the following amendments:

- (a) **Demerit Values**  
For each violation of a critical control point, a demerit value shall be assigned. Upon completion of an inspection, the regulatory authority shall total the demerit point values for all requirements in violation, such total becoming the grade for the establishment.
- (b) **Demerit Scores; Grades**  
Grades shall be based on the following demerit scores:

1. Grade A - An establishment having a score of not more than ten demerits.
2. Grade B - An establishment having a score of more than ten, but not more than twenty.
3. Grade C - An establishment having a score of more than twenty, but not more than thirty.

**§ 140-20.3-110 Description of Food Code Regulations Adopted**

- (a) Chapter 1 Purpose and Definitions: establishes definitions; sets standards for management and personnel, food operations, and equipment and facilities; and provides for food establishment plan review, permit issuance, inspection, employee restriction, and permit suspension.
- (b) Chapter 2 Management and Personnel: Prescribes the requirements and duties for supervision, employee health, personal cleanliness, hygienic practices, and responding to contaminated events.
- (c) Chapter 3 Food: Prescribes the requirements for food characteristics, sources, specifications, and original containers and records, protection from contamination after receiving, destruction of organisms of public health concerns, limitation of growth organisms, food identity, presentation, and on-premises labeling, contaminated food and special requirements for highly susceptible populations.
- (d) Chapter 4 Equipment, Utensils, and Linens: Specifications for materials for construction and repair, design and construction, equipment capacities, location and installation, maintenance and operations, cleaning methods and frequency, sanitization, laundering and protection from contamination.
- (e) Chapter 5 Water, Plumbing, and Waste: Specifications for water, plumbing system, mobile water tank, sewage, liquid waste, rainwater, refuse, recyclables and returnables.
- (f) Chapter 6 Physical Facilities: Requirements for materials for construction and repair, design, construction and installation, number and capacities, location and placement, maintenance and operation.
- (g) Chapter 7 Poisonous or Toxic Materials: Requirement for labeling and identification, operational supplies and applications, stock and retail sale.
- (h) Chapter 8 Compliance and Enforcement: Prescribes procedures for plan submission and approval, permit to operate, inspection and correction of violations, prevention of foodborne disease and transmission by employees.
- (i) Annex 1 Compliance and Enforcement: Provisions, in codified form, that provides a full array of enforcement mechanisms.
- (j) Annex 2 References: Reference to federal statutes contained in the United States Code (USC) and the Code of Federal Regulations (CFR), and scientific data.
- (k) Annex 3 Public Health Reasons/Administrative Guidelines: Provides the scientific reasoning behind the regulations.
- (l) Annex 4 Management of Food Safety Practices—Achieving Active Managerial Control of Foodborne Illness Risk Factors: Overview of each of the seven principles of Hazard Analysis Critical Control Point (HACCP) principles.



- (m) Annex 5 Conducting Risk-Based Inspections: Provide regulatory staff with guidance on planning, scheduling, conducting, and evaluating risk-based inspections.
- (n) Annex 6 Food Processing Criteria: Processing criteria for different types of food manufacturing/processing operations for use by those preparing and reviewing HACCP plans and proposals.
- (o) Annex 7 Model Forms, Guides, and Other Aids: Documents intended to facilitate the application of provisions related to employee health and food establishment inspections.

**Part 200 Enforcement**

**§ 140-20.3-201 Adoption of Enforcement and Compliance Procedures**

Enforcement and compliance with the Food Code 2022 and Annexes shall be performed in accordance with Chapter 8 of the Food Code 2022 and Annexes as modified by this subchapter.

**§ 140-20.3-205 Authorities, Methods, Fines, and Sentences**

- (A) The Regulatory Authority may seek to enforce the provisions of this Code and its orders by instituting criminal proceedings as provided by law against the permit holder or other persons who violate its provisions.
- (B) A person who violates a provision of this Code shall, upon issuance of notice to the permit holder or person in charge by the Secretary, be guilty of a misdemeanor, punishable by:
  - (1) On conviction for a first offense, a fine of not more than (\$500.00) dollars, or by imprisonment not exceeding three (3) months, or both the fine and imprisonment; and for a subsequent offense, a fine not exceeding (\$1,000.00) or imprisonment not exceeding six (6) months, or both; or
  - (2) If the person has been convicted once of violating this Code or if there is an intent to defraud or mislead, a fine not exceeding (\$5000.00) or imprisonment not exceeding three (3) years or both.
- (C) Each day on which a violation occurs is a separate violation under this section.

**§ 140-20.3-210 Petitions, Penalties, and Continuing Violations**

- (A) The regulatory authority may petition a court of competent jurisdiction to enforce the provisions of this Code or its administrative order and according to law collect penalties and fees for violations.
- (B) In addition to any criminal fines and sentences imposed as specified in § 8- 911.10, or to being enjoined as specified in § 8-912.10, a person who violates a provision of this Code, any rule or regulation adopted in accordance with law related to Food Establishments within the

scope of this Code, or to any term, condition, or limitation of a permit issued as specified in §§ 8-303.10 and 8- 303.20 is subject to a civil penalty:

- (1) First Offense: The permit holder shall receive a warning letter.
- (2) Second Offense: A fine of not more than (\$500.00) dollars.
- (3) Subsequent Offenses: The permit holder shall be subject to a fine of up to \$1,000.00 for each subsequent offense.

(C) Each day on which a violation occurs is a separate violation under this section



# Commonwealth Healthcare Corporation

Commonwealth of the Northern Mariana Islands  
1178 Hinemlu' St. Garapan, Saipan, MP 96950



## PUBLIC NOTICE OF CERTIFICATION AND ADOPTION OF NEW FEES FOR VARIOUS SERVICES OF THE COMMONWEALTH HEALTHCARE CORPORATION

PRIOR PUBLICATION IN THE COMMONWEALTH REGISTER  
AS PROPOSED RULES AND REGULATIONS  
Volume 46, Number 09, pp. 051321-051327, of September 15, 2024

### NEW TO THE CHCC CHARGEMASTER

**ACTION TO ADOPT PROPOSED REGULATIONS:** The Commonwealth of the Northern Mariana Islands, COMMONWEALTH HEALTHCARE CORPORATION ("CHCC"), 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 CHCC announced that it intended to adopt them as permanent, and now does so. (Id.) A true copy is attached. I also certify by signature below that:

as published, such adopted regulations are a true, complete and correct copy of the referenced Proposed Regulations,

and that they are being adopted as published.

**PRIOR PUBLICATION:** The prior publication was as stated above.

**MODIFICATIONS FROM PROPOSED REGULATIONS:** Adoption as New Fees to the Chargemaster for Various Services.

**AUTHORITY:** The Corporation is empowered by the Legislature to adopt these rules and regulations pursuant to 3 CMC Section 2826(c).

**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 Corporation has considered fully all written and oral submissions respecting the proposed regulations. Upon this adoption of the regulations, the Corporation, 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.

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P.O. Box 500409 CK, Saipan, MP 96950  
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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)

I DECLARE under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the \_\_\_\_\_ of \_\_\_\_\_, 202 at Saipan, Commonwealth of the Northern Mariana Islands.

Certified and ordered by:



ESTHER L. MUNA  
Chief Executive Officer, CHCC



JUAN N. BABAUTA  
Chairman, CHCC Board of Trustees


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 certified final regulations, modified as indicated above from the cited proposed regulations, 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 15<sup>th</sup> day of November, 2024.



EDWARD MANIBUSAN  
Attorney General

Filed and  
Recorded by:



ESTHER M. SAN NICOLAS  
Commonwealth Registrar

11-15-2024

(Date)

P.O. Box 500409 CK, Saipan, MP 96950  
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Fee Edits - 03/2024-06/2024

REV CODE	CHARGE CODE	CPT MOD	Description	Reason for change	Previous Price	New Price
960	965002583291	49593	26	RPR AA HERNIA 1ST 3-10 CM REDUCIBLE	NEW	\$ 1,637.67
960	965001183855	36581	26	RPLCMT COMPL TUN CVC W/O SUBQ PORT/PMP	UPDATE	\$ 74.55 \$ 535.71
960	965002583292	62321	26	NJX DX/THER SBST INTRLMNR CRV/THRC W/IMG GDN	NEW	\$ 321.66
960	965002583293	62323	26	NJX DX/THER SBST INTRLMNR LMBR/SAC W/IMG GDN	NEW	\$ 297.36
960	965002583294	64490	26	NJX DX/THER AGT PVRT FACET JT CRV/THRC 1 LEVEL	NEW	\$ 317.37
960	965002583295	64492	26	NJX DX/THER AGT PVRT FACET JT CRV/THRC 3+ LEVEL	NEW	\$ 178.14
960	965002583296	64455	26	NJX AA&/STRD PLANTAR COMMON DIGITAL NERVES	NEW	\$ 97.29
960	965002583297	64491	26	NJX DX/THER AGT PVRT FACET JT CRV/THRC 2ND LEVEL	NEW	\$ 174.75
960	965002583298	20611	26	ARTHROCENTESIS ASPIR&/INJ MAJOR JT/BURSA W/US	NEW	\$ 173.88
960	965002583299	64636	26	DSTR NROLYTC AGNT PARVERTEB FCT ADDL LMBR/SACRAL	NEW	\$ 173.07
361	365000289434	64624	TC	DESTRUCTION NEUROLYTIC AGT GENICULAR NERVE W/IMG	NEW	\$ 3,679.26
960	965002583300	64624	26	DESTRUCTION NEUROLYTIC AGT GENICULAR NERVE W/IMG	NEW	\$ 442.23
361	365000289436	64450	TC	INJECTION AA&/STRD OTHER PERIPHERAL NERVE/BRANCH	NEW	\$ 1,317.80
960	965002583301	64450	26	INJECTION AA&/STRD OTHER PERIPHERAL NERVE/BRANCH	NEW	\$ 250.95
960	965002583302	28039	26	EXCISION TUMOR SOFT TIS FOOT/TOE SUBQ 1.5 CM/>	NEW	\$ 1,040.10
960	965002583303	61210	26	BURR HOLE IMPLANT VENTRICULAR CATH/OTHER DEVICE	NEW	\$ 1,020.99
300	315000180976	80159	TC	DRUG ASSAY CLOZAPINE	NEW	\$ 60.45
960	965002583304	28039	26	EXCISION TUMOR SOFT TIS FOOT/TOE SUBQ 1.5 CM/>	NEW	\$ 1,040.10
300	315000180977	80143	TC	DRUG ASSAY ACETAMINOPHEN	NEW	\$ 55.92
300	315000180978	80179	TC	DRUG ASSAY SALICYLATE	NEW	\$ 55.92
960	965002583305	11045	26	DEBRIDEMENT SUBCUTANEOUS TISSUE EA ADDL 20 SQ CM	NEW	\$ 73.92
960	965002583306	38900	26	INTRAOP SENTINEL LYMPH NODE ID W/DYE INJECTION	NEW	\$ 397.44
960	965002583307	46040	26	I&D ISCHIORECTAL&/PERIRECTAL ABSCESS SPX	NEW	\$ 1,331.58
960	965002583308	46945	26	INT HRHC BY LIGATION SINGLE HROID W/O IMG GDN	NEW	\$ 1,088.22
370	965002583312	01130		ANESTHESIA BODY CAST APPLICATION OR REVISION	NEW	\$ 124.14
636	965002583313	01922		ANES NON-INVASIVE IMAGING/RADIATION THERAPY	NEW	\$ 269.52
960	965002583309	47534	26	PRQ PLMT BILIARY DRG CATH W/IMG GID RS&I INT-EXT	NEW	\$ 1,068.30
960	965002583310	50432	26	PLMT NEPHROSTOMY CATH PRQ NEW ACCESS RS&I	NEW	\$ 600.84
960	965002583311	62328	26	DIAGNOSTIC LUMBAR SPINAL PUNCTURE W/FLUOR OR CT	NEW	\$ 253.44
960	965002583312	49083	26	ABDOM PARACENTESIS DX/THER W/IMAGING GUIDANCE	NEW	\$ 316.50
960	965001183885	36833	26	REVJ OPN ARVEN FSTL W/THRMBC DIAL GRF	UPDATE	\$ 653.10 \$ 2,293.38
960	965002583313	27632	26	EXCISION TUMOR SOFT TISSUE LEG/ANKLE SUBQ 3 CM/>	NEW	\$ 1,261.47
960	965001284047	45331	26	SIGMOIDOSCOPY FLX W/BIOPSY SINGLE/MULTIPLE	UPDATE	\$ 63.00 \$ 220.92
960	965002583314	26111	26	EX TUM/VASC MALF SFT TISS HAND/FNGR SUBQ 1.5CM/>	NEW	\$1,316.07
960	965002583315	36561	26	INSJ TUNNELED CTR VAD W/SUBQ PORT AGE 5 YR/>	NEW	\$ 983.10
960	965002583316	99497	26	ADVANCE CARE PLANNING FIRST 30 MINS	NEW	\$ 228.84
960	965002583317	99498	26	ADVANCE CARE PLANNING EA ADDL 30 MINS	NEW	\$ 215.40
960	965002583318	64646	26	CHEMODENERVATION OF TRUNK MUSCLE 1-5 MUSCLES	NEW	\$ 344.91
369	365000289437	64646	TC	CHEMODENERVATION OF TRUNK MUSCLE 1-5 MUSCLES	NEW	\$ 1,317.80
369	365000289438	65426	TC	EXCISION/TRANSPOSITION PTERYGIUM W/GRAF G	NEW	\$ 4,452.96
960	965002583319	49591	26	RPR AA HERNIA 1ST < 3 CM REDUCIBLE	NEW	\$ 999.93
960	965002583320	50590	26	LITHOTRIPSY XTRCORP SHOCK WAVE	NEW	\$ 1,751.40
960	965002583321	47536	26	EXCHANGE BILIARY DRG CATH	NEW	\$ 384.78
960	965001183882	36830	26	ARTERY-VEIN NONAUTOGRAFT	UPDATE	\$ 647.85 \$ 1,893.24
300	315000180979	82166	TC	ASSAY OF ANTI-MULLERIAN HORMONE	NEW	\$ 115.86
960	965002583322	62328	26	DIAGNOSTIC LUMBAR SPINAL PUNCTURE W/FLUOR OR CT	NEW	\$ 253.44
960	965002583323	G3003	26	CHRONIC PAIN MGMT ADDL 15M	NEW	\$ 78.57
960	965002583324	G3002	26	CHRONIC PAIN MGMT 30 MINS	NEW	\$ 225.54
360	365000289439	50590	TC	LITHOTRIPSY XTRCORP SHOCK WAVE	NEW	\$ 6,643.16





# Division of Customs Biosecurity

## Department of Finance

P O Box 5234 CHRBSAIPAN, MP 96950  
TEL: 670.664.1610 FAX: 670.664.1615 EMAIL: cpmcustoms@dof.gov.mp



### **PUBLIC NOTICE OF CERTIFICATION AND ADOPTION OF REGULATIONS OF THE DEPARTMENT OF FINANCE – DIVISION OF CUSTOMS SERVICE**

*Prior Publication in the Commonwealth Register as Proposed Regulations  
Volume 46 Number 10 pp 051384 – 051403, October 15, 2024*

*Regulations of the Department of Finance: Chapter 70-10 Customs Service Division*

**ACTION TO ADOPT PROPOSED REGULATIONS:** The Commonwealth of the Northern Mariana Islands, Department of Finance ("DOF"), HEREBY ADOPTS AS PERMANENT 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 DOF announced that it intended to adopt them as permanent, and now does so. (Id.)

I also certify by signature below that as published, such adopted 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.

**MODIFICATIONS FROM PROPOSED REGULATIONS, IF ANY:** None

**AUTHORITY:** These regulations are promulgated under the authority set forth in the Commonwealth Code including, but not limited to, 1 CMC 2553, 1 CMC 2557, 1 CMC § 25201, 4 CMC § 1104, 4 CMC § 1402, 4 CMC § 1425 and 4 CMC § 1820.

**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.

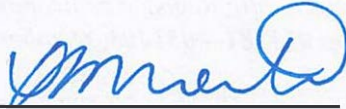
**ATTORNEY GENERAL APPROVAL FOR NON-MODIFIED REGULATIONS:** The adopted regulations were approved for promulgation by the Attorney General in the above-cited pages of the Commonwealth Register, pursuant to 1 CMC § 2153(e) (To review and approve, as to form and legal sufficiency, all rules and regulations to be promulgated by any department, agency or



instrumentality of the Commonwealth government, including public corporations, except as otherwise provided by law.). As such, further approval is not required.

I DECLARE under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 16th day of October 2024 at Saipan, Commonwealth of the Northern Mariana Islands.

Certified and ordered by:




TRACY B. NORITA  
Secretary of Finance  
Department of Finance

10/16/24

Date

Filed and  
Recorded by:



ESTHER SAN NICHOLAS  
Commonwealth Registrar

11-07-2024

Date

Pursuant to I CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and I 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. I CMC § 2153(f) publication of rules and regulations).

Dated the 7<sup>th</sup> day of November, 2024.



EDWARD MANIBUSAN  
Attorney General



Commonwealth of the Northern Mariana Islands  
Department of Lands and Natural Resources

Sylvan O. Igisomar, DLNR Secretary  
P.O. Box 10007  
Capitol Hill, Saipan, MP 96950  
Tel: 322-9834

**PUBLIC NOTICE OF CERTIFICATION AND ADOPTION  
OF REGULATIONS OF  
The Department Lands and Natural Resources**

PRIOR PUBLICATION IN THE COMMONWEALTH REGISTER  
AS PROPOSED REGULATIONS

Volume 46, Number 10, pp 051346-051383, Oct. 15, 2024

**Regulations of the Department of Land and Natural Resources: Chapter 85-30.2  
Division of Smiling Cove Marina Rules and Regulations**

**ACTION TO ADOPT PROPOSED REGULATIONS:** The Commonwealth of the Northern Mariana Islands, Department of Lands and Natural Resources (DLNR), 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 DLNR announced that it intended to adopt them as permanent, and now does so. I also certify by signature below that:

as published, such adopted 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.

**MODIFICATIONS FROM PROPOSED REGULATIONS, IF ANY:** None. I further request and direct that this Notice be published in the Commonwealth Register.

**AUTHORITY:** The Department of Lands and Natural Resources is required by the Legislature to adopt rules and regulations regarding those matters over which the Department of Lands and Natural Resources has jurisdiction.

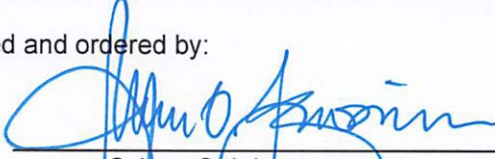
**EFFECTIVE DATE:** Pursuant to the APA, 1 CMC sec. 9105(b), these adopted regulations are effective 10 days after compliance with the APA, 1 CMC §§ 9102 and 9104(a) or (b), which, in this instance, is 10 days after this publication in the Commonwealth Register.

**COMMENTS AND AGENCY CONCISE STATEMENT:** Pursuant to the APA, 1 CMC sec. 9104(a)(2), 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.

ATTORNEY GENERAL APPROVAL for non-modified regulations or regulations with NON-material modification: 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).

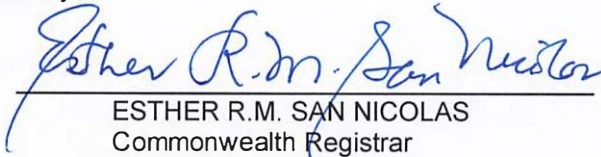
I DECLARE under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 15th day of November, 2024, at Saipan, Commonwealth of the Northern Mariana Islands.

Certified and ordered by:

  
Sylvan O. Igisomar,  
Department of Land and Natural Resources Secretary

11/15/2024  
Date

Filed and  
Recorded by:

  
ESTHER R.M. SAN NICOLAS  
Commonwealth Registrar

11.15.2024  
Date

0 Form Notice of Final Adoption of Regs.wpd



## COMMONWEALTH LOTTERY COMMISSION

P.O. Box 5234 CHRFB, Saipan MP 96950

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

### **PUBLIC NOTICE OF CERTIFICATION AND ADOPTION OF REGULATIONS OF THE COMMONWEALTH LOTTERY COMMISSION**

*Prior Publication in the Commonwealth Register as Proposed Regulations  
Volume 46 Number 10, Page 051407-051423, October 15, 2024*

*Regulations of the Commonwealth Lottery Commission*

**ACTION TO ADOPT PROPOSED REGULATIONS:** The Commonwealth Lottery Commission ("CLC"), HEREBY ADOPTS AS PERMANENT 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 Commonwealth Lottery Commission announced that it intended to adopt them as permanent, and now does so. (Id.)

I also certify by signature below that as published, such adopted 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.

**MODIFICATIONS FROM PROPOSED REGULATIONS, IF ANY:** None

**AUTHORITY:** These regulations are promulgated under the authority set forth in the Commonwealth Code including, but not limited to, 1 CMC 2553, 1 CMC 2557, 1 CMC § 25201, 4 CMC § 1104, 4 CMC § 1402, 4 CMC § 1425 and 4 CMC § 1820.

**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.


**ATTORNEY GENERAL APPROVAL FOR NON-MODIFIED REGULATIONS:** The adopted regulations were approved for promulgation by the Attorney General in the above-cited pages of the Commonwealth Register, pursuant to 1 CMC § 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.). As such, further approval is not required.

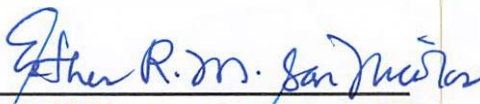
I DECLARE under penalty of perjury that the foregoing is true and correct and that this declaration was executed on 12<sup>th</sup> day of November, 2024, at Saipan, Commonwealth of the Northern Mariana Islands.

Certified and ordered by:

  
\_\_\_\_\_  
TRACY B. NORITA  
Secretary of Finance/Executive Commissioner  
Commonwealth Lottery Commission

11/15/24  
Date


Filed and  
Recorded by:

  
\_\_\_\_\_  
ESTHER M. SAN NICOLAS  
Commonwealth Registrar

11.15.2024  
Date

Pursuant to I CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and I 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. I CMC § 2153(f) publication of rules and regulations).

Dated the 15<sup>th</sup> day of November, 2024.

  
\_\_\_\_\_  
EDWARD MANIBUSAN  
Attorney General



**PUBLIC NOTICE OF CERTIFICATION AND ADOPTION OF  
REGULATIONS OF THE DEPARTMENT OF LABOR**

*Prior Publication in the Commonwealth Register as Proposed Regulations  
Volume 46 Number 10 pp 051424 – 051435, October 15, 2024*

*Regulations of the Department of Labor:  
Chapter 80-20.10 Long-Term Disability Employment Tax Credit Regulations*

**ACTION TO ADOPT PROPOSED REGULATIONS:** The Commonwealth of the Northern Mariana Islands, Department of Labor ("DOL"), HEREBY ADOPTS AS PERMANENT 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 DOL announced that it intended to adopt them as permanent, and now does so. *Id.*

I also certify by signature below that as published, such adopted 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.

**MODIFICATIONS FROM PROPOSED REGULATIONS, IF ANY:** None

**AUTHORITY:** These regulations are promulgated under the authority set forth in Public Law No. 23-15 (establishing the Long-Term Disability Tax Credit) and the Commonwealth Administrative Procedures Act, 1 CMC § 9101 *et seq.*

**EFFECTIVE DATE:** Pursuant to the APA, 1 CMC § 9105(b), these adopted regulations are effective 10 days after compliance with the Administrative Procedures Act, 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 Administrative Procedures Act, 1 CMC § 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.





COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Department of Labor
1356 Mednilla Avenue Capitol Hill
PO Box 10007, Saipan MP 96950



ATTORNEY GENERAL APPROVAL FOR NON-MODIFIED REGULATIONS: The adopted regulations were approved for promulgation by the Attorney General in the above-cited pages of the Commonwealth Register, pursuant to 1 CMC § 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.). As such, further approval is not required.

I DECLARE under penalty of perjury that the foregoing is true and correct and that this declaration was executed on 15th Day of November 2024, at Saipan, Commonwealth of the Northern Mariana Islands.

Certified and ordered by:

[Signature]
LEILA F. STAFFLER
Secretary of the Department of Labor

11/15/2024
Date

Filed and Recorded by:

[Signature]
ESTHER SAN NICOLAS
Commonwealth Registrar

15
11-24-2024
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 15th day of November, 2024.

[Signature]
EDWARD MANIBUSAN
Attorney General



**PUBLIC NOTICE OF PROPOSED REGULATIONS  
DEPARTMENT OF LANDS AND NATURAL RESOURCES  
DIVISION OF AGRICULTURE**

**Phone: (670) 322-9834 Fax: (670) 322-2633**



**INTENDED ACTION TO ADOPT THESE PROPOSED REGULATIONS:** The Commonwealth of the Northern Mariana Islands, Department of Lands & Natural Resources ("DLNR"), Division of Agriculture intends to adopt as permanent regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104 (a). The Regulations would become effective 10 days after adoption and publication in the Commonwealth Register (1CMC § 9105(b).

**AUTHORITY:** The Department of Lands and Natural Resources is authorized to adopt rules and regulations in furtherance of its duties and responsibilities (1 CMC § 2654).

**THE TERMS AND SUBSTANCE:** The proposed regulation established the requirements for the Kagman Farm Plot program in the Commonwealth of the Northern Mariana Islands.

**THE SUBJECTS AND ISSUES INVOLVED:** The proposed regulation established the requirements for the Kagman Farm Plot program in the Commonwealth of the Northern Mariana Islands.

**DIRECTION FOR FILING AND PUBLICATION:** The Notice of Proposed regulation shall be published in the Commonwealth Register in the section on proposed and newly adopted regulation (1 CMC § 9104 (a)(1) and posted in convenient places in the civic center and in local government offices in each senatorial district, both in English and the principal vernacular (1 CMC § 9104 (a)(1).

**TO PROVIDE COMMENTS:** Send or deliver your comments to Sylvan O. Igisomar, DLNR Secretary, Re: Regulations for Kagman Farm Plot, at the above address or fax number. Comments are due within 30 days from the date of publication of this notice. Please submit your data, views or arguments (1 CMC § 9104 (a)(2).

These proposed regulations were approved by the DLNR Secretary on September 24, 2024.

Submitted by: \_\_\_\_\_

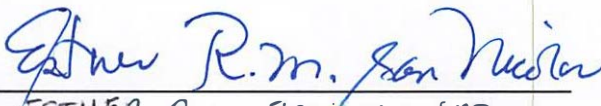
**SYLVAN O. IGISOMAR**  
Secretary, Department of Lands and Natural Resources

*- 10.09.24*

\_\_\_\_\_ Date

Received by:   
OSCAR M. BABAUTA  
Special Assistant for Administration


10/10/2024  
Date

File and Recorded by:   
ESTHER R.M. SAN NICOLAS  
Commonwealth Registrar

11.15.2024  
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 29 day of October, 2024.

  
EDWARD MANIBUSAN  
Attorney General





**COMMONWEALTH GI SANGKATTAN NA ISLAS MARIÑANAS  
DIPÁTTAMENTUN TANU' YAN FENGKAS NATURÁT  
DIBISIÓN AGRIKUTTURA**

**Tilifon: (670) 322-9834 Fax: (670) 322-2633**



**NUTISIAN PUPBLIKU PUT I MANMAPROPONI NA REGULASIÓN SIHA**

**I AKSIÓN NI MA'INTENSIONA PARA U ADÁPTA ESTI I MANMAPROPONI NA REGULASIÓN SIHA:** I DibisiÓN Agrikuttura pápa' i Dipáttamentun Tanu' yan Fengkas Naturát, giya Commonwealth gi Sangkattan na Islas Mariñanas ha intensiona para u adápta komu petmanienti na regulasiÓN, sigun gi maneran i Ákton Administrative Procedure, 1 CMC § 9104 (a). I RegulasiÓN siempri umifektibu gi dies dihas dispues di adáptasiÓN yan publikasiÓN gi halum Rehistran Commonwealth (1 CMC § 9105(b)).

**ÁTURIDÁT:** I Dipáttamentun Tanu' yan Fengkas Naturát ma'aturisa para u adápta i areklamentu yan regulasiÓN siha para u adilánta i ubligasiÓN-ña yan responsibilidad-ña siha (1 CMC § 2654).

**I TEMA YAN SUSTÁNSIAN I PALÁBRA SIHA:** I mapropo ni na regulasiÓN umestapblesi i nisissidát siha para i Lugát Guálu' Kagman na prugráma gi halum iya Commonwealth gi Sangkattan na Islas Mariñanas.


**I SUHETU YAN ASUNTU NI TINEKKA:** I manmapropo ni na regulasiÓN umestapblesi i nisissidát siha para i Lugát Guálu' Kagman na prugráma gi halum iya Commonwealth gi Sangkattan na Islas Mariñanas.

**DIREKSIÓN PARA PINE'LU YAN PUPBLIKASIÓN:** I Nutisian i Manmapropo ni na regulasiÓN debi na u mapupblika gi halum Rehistran Commonwealth gi halum seksiona ni manmapropo ni yan nuebu na ma'adápta na regulasiÓN (1 CMC § 9104 (a)(1) yan u mapega gi kumbinienti na lugát siha gi halum i civic center yan i ufisinan gubietnamentu siha gi kada distritun senadot, parehu Inglis yan prinsipát na lingguáhin natibu (1 CMC § 9104 (a)(1)).

**PARA U MAPRIBENIYI UPIÑON SIHA:** Na'hanáo pat intrega hálum i upiñon-mu guatu as Sylvan O. Igisomar, i Sekretáriun DLNR, Re: RegulasiÓN siha para Lugát Guálu' Kagman, gi sanhilu' na address osino numirun fax. I upiñon siha debi na u fanhálum gi halum trenta (30) dihas ginen i fetchan publikasiÓN esti na nutisia. Put fabot na'háalum i infotmasiÓN, views, pat agumentom-mu siha (1 CMC § 9104 (a)(2)).

Esti i manmapropo ni na regulasiÓN siha ma'aprueba ni i Sekretáriun DLNR gi Septembri 24, 2024.

Nina'hålum as:  - 100024-  
SYLVANO LUISOMAR  
Sekritáriu, Dipátamentun Tanu' yan Fengkas Naturát  
Fetcha

Rinisibi as:   
OSCAR M. BABAUTA  
Ispisiát na Ayudánte para i Atministrasióon  
10/10/24  
Fetcha

Pine'lu yan  
Ninota as:   
ESTHER R.M. SAN NICOLAS  
Rehistran Commonwealth  
11.15.2024  
Fetcha

Sigun i 1 CMC § 2153(e) (I Hinerát Abugádu inapueba i regulasion siha para u ma'implimenta komu para fotma) yan i 1 CMC § 9104(a)(3) (hentan inapueban Hinerát Abugádu) i manmaproponi na regulasion siha ni mañechettun guini manmaribisa yan maninapueba komu fotma yan sufisienti ligát ginin i CNMI Hinerát Abugádu yan debi na u mapublika, (1 CMC § 2153(f) publikasion areklamentu yan regulasion siha).

Mafetcha gi diha 29 gi October, 2024.

  
EDWARD MANIBUSAN  
Hinerát Abugádu

**ARONGORONGOL TOULAP REEL PPWOMMWOL MWÓGHUTUGHUT  
BWULASIYOL FALÚW ME SCHOWARAL FALÚW  
DIVISION OF AGRICULTURE**

**Phone: (670) 322-9834 Fax: (670) 322-2633**



**MÁNGEMÁNGIL MWÓGHUT REEL REBWE ADÓPTÁÁLI PPWOMMWOL MWÓGHUTUGHUT:** Commonwealth Téél Falúw kka Efáng Ilól Marianas, Bwulasiyol Falúw me Schowaral Falúw ("DLNR") re mángemángil rebwe adóptááli mwóghutughut bwe ebwe lléghló, sángi mwóghutughutúl Administrative Procedure Act, 1 CMC § 9104(a). Ebwe bwunguló Mwóghutughut kkaal seigh ráál mwiril aal adóptááli me akkatééwowul me Ilól Commonwealth Register (1 CMC § 9105(b)).

**BWÁNGIL:** E yoor bwángil Bwulasiyol Falúw me Schowaral Falúw reel rebwe adóptááli allégh me mwóghutughut ikka e fil ngáli lemelem (1 CMC § 2654).

**KKAPASAL ME AWEEWEEEL:** E itittiw ppwommwol mwóghutughut ngáli ammwelil progróomal Kagman Farm Plot me Ilól Commonwealth Téél Falúw kka Efáng Ilól Marianas.

**KKAPASAL ME AUTOL:** E itittiw ppwommwol mwóghutughut ngáli ammwelil progróomal Kagman Farm Plot me Ilól Commonwealth Téél Falúw kka Efáng Ilól Marianas.

**AFAL REEL AMMWELIL ME AKKATÉÉWOWUL:** Arongorongol Ppwommwol mwóghutughut ebwe akkatééwow me Ilól Commonwealth Register Ilól táilil ppwommwol me ffél mwóghutughut ikka ra adóptááli (1 CMC § 9104 (a)(1) me ebwe appaschetá Ilól civic center me bwal Ilól bwulasiyol gobetnameento Ilól senatorial district, fengál Ilól English me mwáliyaasch (1 CMC § 9104(a)(1)).

**REEL ISIISILONGOL KKAPAS:** Afanga ngare bwughiló yóomw ischil kkapas ngáli Sylvan O. Igisomar, Sekkretóoriyol DLNR, Re: Regulations for Kagman Farm Plot, reel féféfé iye e lo weiláng ngare numurol fax. Ebwe isiisilong ischil kkapas Ilól eliigh ráál mwiril aal akkatééwow arongorong yeel. Isiisilong yóomw data, views ngare angiingi (1 CMC § 9104(a)(2)).

Aa átirow ppwommwol mwóghutughut kkaal sángi Sekkretóoriyol DLNR wóol Maan 24, 2024.



Isáliyalong:



SYLVANO O. IGISOMAR

Sekretóoriyol, Bwulasyiol Falúw me Schowaral Falúw

- 10 01124 -

Ráál

Bwughiyal:



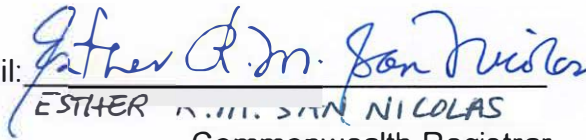
OSCAR M. BABAUTA

Special Assistant for Administration

10/10/24

Ráál

Ammwelil:



ESTHER D.M. SAN NICOLAS

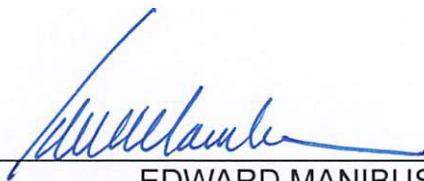
Commonwealth Registrar

11-15-2024

Ráál

Sáangi 1 CMC § 2153(e) (sáangi átirowal AG bwe aa fil reel fféerúl me ebwe arongowow) me 1 CMC § 9104(a)(3) (sáangi átirowal AG) reel ppwommwol mwóghutughut ikka e appasch bwe ra takkal amwuri fischiiy me aa lléghló reel fféerúl sáangi Soulemelemil Allégh Lapalap, me ebwe akkatééwow ( 1 CMC § 2153(f) (akkatééwowul allégh me mwóghutughut).

Ghikkill wóol 24 rááil October, 2024.



EDWARD MANIBUSAN

Soulemelemil Allégh Lapalap

## §85-10 1.100 Kagman Farm Plot Program Regulations

### §85-10 1.105 Purpose

The purpose of this permit is to ~~establish~~ ~~established~~ regulations governing the administration and management of the Kagman Farm Plot program at the Division of Agriculture under the Department of Lands and Natural Resources (DLNR) to support the productive use of Farm Plot parcels and encourage regenerative agriculture practices and other practices that are beneficial to being a farmer and supporting productive use and environmental outcomes as approved by the Director of the Division of Agriculture with consideration of the farm management priorities of the CNMI. The issuance of the Kagman Farm Plots will support regenerative food production and reduce food insecurity, improving livelihoods and health outcomes for the residents of Saipan.

### §85-10 1.110 Permit

The permit will show the date, the name of applicant, his or her assigned farm plot, the size of the farm plot, the farm plot number, and a map showing the location of the property on the island of Saipan, and include the “regenerative farm plan” or “conservation plan” referred to here as the “farm plan”, approved by the Director of the Division of Agriculture.

(a) This permit shall be subject to all existing easements, roadways, and rights-of-way across or through the permitted property. The DLNR retains all rights of ingress and egress from those portions of the Farm Plot where public utilities and other improvements are located. This Permit shall not impair, and shall not be construed to impair, the DLNR's right to enter the Farm Plot for the following: to construct, maintain, operate, and repair public utilities, or parts thereof (including electric power transmissions, ~~telegraph lines~~, ~~telephone~~, ~~communications~~ lines, pipelines, and drainage systems); to construct, maintain, operate, or repair roads; or to perform any other work for a public purpose.

(b) DLNR reserves the rights to all mineral resources and underground resources on the Farm Plot, and retains the right of access to and use of such parts of the surface of the premises as may be necessary for the mining and saving of said minerals. This permit does not convey any mining rights or any rights in the minerals to the Permittee.

(c) The permit shall be restricted to citizens and nationals of the United States; provided that they are domiciliaries of the Commonwealth, as prescribed by 2 CMC § 4117.

The individual must also be an active and current resident living on Saipan to ensure ongoing implementation of the approved Farm Plan, detailed further herein. Upon provisional approval of the plot designation, the farm plan shall be developed in coordination with the Division of Agriculture, with support from the Natural Resources Conservation Services (NRCS) and Northern Marianas College's Cooperative Research, Extension, and Education Services (NMC-CREES), and include information regarding proposed plantings, management techniques, and best practices. The farm plan shall be reviewed by the Director of the Division of Agriculture who may require modifications of the proposed farm plan as a condition of permit approval. If no modifications are

required the farm plot plan shall be deemed approved within thirty (30) days of submission. If modifications are required the Permittee shall resubmit the revised farm plan within fifteen (15) calendar days of receipt of written feedback to support the Director of the Division of Agriculture's review within a 30-day review period. The permittee may request a plan amendment as needed to support changing conditions, modified practices, or needs, and this proposed amendment shall be reviewed and approved or further modifications requested by the Division of Agriculture within 30 days of submission. The final approved farm plan shall be kept on file at the Division of Agriculture and shall be implemented for the duration of the permit unless amended or updated in writing.

#### **§85-10 1.115 NON-ASSIGNMENT OF PERMIT**

This permit or any interest therein shall not be assigned or otherwise transferred by Permittee to a corporation, partnership, or other individual. Any purported assignment or transfer of this permit, whether written or verbal, shall be null and void.

#### **§85-10 1.120 NATURE AND TERM OF PERMIT**

(a) This Permit authorizes the Permittee to enter and use the Farm Plot for farming **in accordance with the approved Farm Plan**. This Permit does not in any manner, substance, or form grant any property interest, whether freehold or leasehold, in the Farm Plot, and it shall not be construed to do so.

(b) The term of the Permit shall commence on the date the permit was issued.

#### **§85-10 1.125 ANNUAL PERMIT FEE AND FARM REPORT**

(a) The Permittee shall pay a permit fee of \$0.03 ~~2~~ per square meter per annum for the use of the Farm Plot **for activities that implement conventional farming and \$0.02 per square meter per annum for the use of Farm Plots with approved plans that incorporate regenerative agricultural practices, as determined by the Director of the Division of Agriculture**. The permittee shall deliver the annual permit fee to the Department of Public Lands **with the required annual farm report transmitted to the Division of Agriculture upon payment**. The fee shall be paid by check payable to the Department of Public Lands and the money will be deposited in a special account to be established for this purpose.

(b) **The "Farm Report" shall utilize the standard template provided by the Division of Agriculture to include key information. This shall include a brief statement of the current status of farm plan implementation efforts including challenges as relevant and quarterly yield of each crop based on harvest data or production reports developed in coordination with and supported by NMC-CREES.**

(c) The Permittee shall pay the **assessed above** fee on or before the date of the last signature on this permit; the Permit shall not become effective until the initial payment is made. The Permittee shall make all subsequent yearly payments on the anniversary date of the permit **for the duration of the permit which shall be for five year periods and may be renewed for up to another five years as described in §85-10 1.130.**

(d) Failure to pay the required annual permit fee within 30 days of the due date shall be grounds for termination of the permit.



### §85-10 1.130 RENEWAL

a. This permit may be extended for any term up to five (5) years upon the request of the Permittee and with the approval of DLNR. If the Permittee wishes to renew the permit, the Permittee shall send or otherwise deliver a written request of renewal to the Secretary of DLNR or his designee at least sixty (60) days before the expiration of this permit.

b. The Secretary of DLNR will not approve the renewal if the Permittee has failed to comply with the conditions of this permit or the general conditions governing the use of farm plots. If the Secretary of DLNR approves the request for renewal, the renewal will take the form of a newly executed permit between DLNR and the Permittee, with the terms and conditions and permit fee to be negotiated prior to renewal. DLNR is under no obligation to renew the permit.

c. Permitted plot sizes shall be allocated by DLNR as lots are available and considering past performance of the applicant in meeting the goals of prior Farm Plot plans. Permittees that do not meet plan implementation requirements or performance metrics reflected in their Farm Plot plans, with exception of loss due to natural disaster, may have their plot size reduced or their permit renewal application denied.

### §85-10 1.135 LIMITATIONS OF USE; ANNUAL CERTIFICATION

#### (a) Use and Inspection

- i. The Permittee shall use the Farm Plot for farming purposes in accordance with the conditions of this Permit and the applicable regulations. The Permittee's failure to use the Farm Plot for farming purposes in accordance with the conditions of this permit and the applicable regulations shall be grounds for termination of the Permit.
- ii. DLNR shall inspect the Farm Plot at least once per year and annually certify in writing that the Permittee is using the Farm Plot for farming purposes and in accordance with the conditions of this Permit. If DLNR inspects the Farm Plot and determines that the Permittee is not using the Farm Plot in accordance with this Permit, DLNR shall terminate the Permit in accordance with Article 11.

#### (b) Perennial Crops and Cover Crops

- i. Perennial crops include, but are not limited to, the following: coconut, betel nut, citrus fruits, breadfruit, cooking banana, and mango. Cover crops and insectary plants may include forbs such as marigold, legumes such as perennial peanut, and non-legumes such as corn or other crops that are aligned with Division of Agriculture's approved list of perennial crops, which is attached as an addendum.

- ii. The Permittee may ~~shall not~~ plant perennial crops on the Farm Plot, as approved ~~unless otherwise excepted~~ in writing by the Director of Agriculture (“Director”) and detailed in the farm plot “farm plan”. ~~Bananas and papayas may be planted along the borders of the Farm plot and around temporary farm buildings only.~~ Perennials such as eating bananas, papayas, atis, or fruit tree shrubs can be planted throughout the agroforest areas, with an exception that it was planted in a way that allows accessibility to tractors to operate around and between the rows to maintain overgrown vegetations. Other perennials such as breadfruits, coconut, soursop, figs, mangoes, or other fruit trees that take up a lot of space; can be planted alongside the farm plot boundaries as windbreakers.
  - iii. The Director may recommend and approve perennial crops and cover crops to be planted along borders and integrated with trees and crops to serve as infield windbreaks, to control soil erosion ~~as part of a farm conservation plan,~~ to protect water quality, ~~support provide~~ biodiversity, provide green manure, or to conserve water as detailed in the Farm Plot plan.
- (c) Structures and Improvements
- i. The Permittee may not erect temporary or permanent structures on the Farm Plot without first obtaining written permission from the Director. The Director may authorize the Permittee to erect a structure if he or she determines that the structure is consistent with the use of the land for farming purposes. Examples of permissible structures include, but are not necessarily limited to, barns, storage sheds, and concrete water tanks.
  - ii. Residential structures. Whether temporary or permanent, residential structures are not consistent with use of the land for farming and shall not be erected on the Farm Plot. These structures are prohibited by 2 CMC § 4117. ~~However, farm houses are allowed upon approval in the Farm Plot plan.~~
  - iii. Outhouses. Outhouse toilets ~~including dry or wet composting toilets~~ are permissible provided that they are constructed and used in a manner conforming to the sanitation standards established by the Bureau of Environmental Health, Commonwealth Healthcare Corporation. The Permittee must obtain a permit from the community Sanitation Services and the ~~Bureau of Environmental and Coastal Quality’s~~ Division of Environmental Quality (BECQ-DEQ) before beginning construction of an outhouse. ~~If composting toilets are used they must be operated according to manufacturer guidelines and compost may only be reapplied on approved fruit-bearing trees or on cover crops or windrows that are not used for human consumption. Approval of outhouse design from BECQ-DEQ must be provided to the Division of Agriculture prior to construction. The location, operation, and maintenance requirements shall be included in the farm plan.~~
  - iv. Hydroponic Facilities. Hydroponic facilities may be built in areas where the Director determines that the soil is not of sufficient depth to make crop farming feasible. The Permittee's permit must specifically provide that hydroponic farming is permitted. Prior to beginning construction of hydroponic facilities, the Permittee must obtain all necessary permits and the approval of the Secretary of DLNR. Permittee shall bear all costs associated with building hydroponic facilities on the Farm Plot.
  - v. Composting. Composting of green waste at sites designated within the farm plan or at an approved off-site facility is acceptable.

(d) Pesticides and Fertilizers

- i. Use of minimal or no pesticides or synthetic fertilizers is encouraged to maintain soil and water health. While the use of pesticides, insecticides, fungicides, or other chemicals is discouraged and generally not needed in regenerative farm plots. If Permittee uses pesticides and/or fertilizers, such use shall be in compliance with the rules and regulations set forth by the (BECQ). Use of integrated pest management (IPM) and mulching is encouraged.
- ii. Permittee must ensure that BECQ locally certifies all pesticide applicators that he or she is using on their crops. Permittee shall submit to the Division of Agriculture Plant Industry Office a copy of the certification(s) of the pesticides applicator(s). Any use of restricted pesticides on the premises of the Permittee without a valid certification required by the Bureau of Environmental and Coastal Quality is strictly prohibited and will ~~could~~ result in termination of the Permit.
- iii. Pesticides, insecticides, fungicides, diesel, gasoline, or other petrochemicals and other chemicals must be properly labeled and secured in a locked storage area to which no unauthorized persons can gain access. Pesticides should be stored separately from fertilizers. Pesticides can potentially contaminate fertilizers if they are stored together. All empty pesticide containers, such as cans and bottles as well as excess pesticides, must be stored in a secured structure until they can be properly disposed of. The Permittee is solely responsible for preventing poisoning or other injury to a person who comes into the farm plot, whether or not he is authorized or invited to do so. Neither the Commonwealth Government nor any of its agents assume any responsibility or liability arising from or related to the storage or use of chemicals by Permittee.

(d) Animals

- i. Raising of livestock, poultry, and domestic pets within the defined Farm Plots is prohibited as the most appropriate use for the farm plots is for agricultural purposes. The Director of the Division of Agriculture may approve farm research projects on a case-by-case basis.

## §85-10 1.140 MAINTENANCE OF PLOTS

### a. Safe, Sanitary, and Regenerative Plot Maintenance Required

- i. Permittee shall maintain his or her assigned Farm Plot in a safe and sanitary condition and comply with the maintenance and operations requirements detailed in the approved farm plan.
- ii. Rodent control: Permittee shall be responsible for rodent control on the



assigned Farm Plot and is expected to participate in Rodent Control Programs in cooperation with the Division of Agriculture. Crop residue should be promptly **mulched, composted**, plowed, **and/or** disked under, and trash **and recycling shall be separately stock piled** and removed regularly to minimize rodent populations **and support integrated pest management**.

- iii. **Farm Conservation Plan:** Each Permittee will develop and implement a **regenerative farming or farm** conservation plan ("farm plan") that is mutually agreed upon by the Permittee, Division of Agriculture, and the Saipan and Northern Islands Soil and Water Conservation District (SWCD). The Permittee shall develop a conservation plan to address erosion control, protection of water, conservation of water, and benefits derived from other natural resources. Technical assistance in making a conservation plan can be obtained ~~ing~~ from the Natural Resources Conservation Services (NRCS), Saipan and Northern Islands Soil and Water Conservation District (SWCD) **and NMC-CREES**.
  - a. **The conservation plan shall reflect a** total resource management system approach ~~is taken with~~ **reflective** of the interdependency of soil, water, and relates plant and animal resources being recognized. Environmentally safe systems, which are in harmony with the area, are sought, **and regenerative agricultural practices are encouraged**.
  - b. Permanent conservation practices such as windbreakers, diversion canals, drainage ditches, and waterways installed by the Division of Agriculture that benefits more than one farm plot will be maintained by the Division. Permanent ~~conservation conversation~~ practices installed as part of the Permittee's conservation plan, such as windbreaks, hedgerows, diversion, waterways, or irrigation systems that benefit individual farm plots will be maintained by the Permittee. No permanently installed conservation systems shall be removed or destroyed without the express written consent of the Director of Agriculture. Any destruction of a conservation practice within the Permittee's assigned plot shall be the responsibility of the Permittee to replace and/or reconstruct at **the** Permittee's own expense. The Permittee shall have made every effort possible to implement the approved conservation plan as scheduled in order to prevent soil erosion on their assigned plot.
  - c. The Saipan and Northern Islands Soil and Water Conservation District will be responsible for maintenance and operation of permanent conservation practices installed **as part of the Kagman Watershed Project**. These practices include waterways, mainline irrigations **s** systems, drop structures, diversion, wells, wetlands and reservoirs that benefit all Kagman Local Farm Plots.
  - d. Permittee is prohibited from constructing any permanent structures, except wooden or barbed wire fences, and any fixtures required by the United States Department of Agriculture's Environmental Quality Incentives Program.

Temporary structures may be approved by the Division of Agriculture as detailed in the **Farm Conservation Plan**.

- e. The Division of Agriculture may require the removal of any temporary structures sited on the Farm Plot at the end of the lease period. Cost of removing undesirable structures and other materials shall be the responsibility of the Permittee. If the Permittee fails to remove unwanted structures, materials, or debris, reasonable cleanup costs and a penalty fee shall be posted to recover costs to return the farm plot to its original condition and compensate the Division of Agriculture for remediation efforts.
- f. Permittees must comply with all BECQ regulations and recommendations regarding the application, storage, and handling of pesticides, **herbicides, insecticides, fertilizers, and other regulated hazardous and non-hazardous materials including solid waste and green waste.**

b. **Full Utilization**

Permittee must fully utilize his or her farm plot to the maximum extent possible throughout the growing season.

- a. "Fully Utilize" is defined as cultivating and growing crops for harvest on at least seventy-five (75%) of the assigned farm plots. **Cover crops and perennial grasses approved in the farm conservation plan used to support regenerative agriculture practices to cover soils will be included in assessment of total area cover.**
- b. "Growing Season" is defined as the period of absence of adverse climatic conditions, such as typhoon and flooding rains.
- c. Land lying fallow shall not be considered under cultivation when determining whether the farm plot is being fully utilized **unless if** the Permittee has obtained certification from the Director to allow the land to lie fallow **and this activity is included in the farm plan**. To obtain certification to fallow land, Permittee shall submit a request to the Director with the basis for and duration of the period of fallow **and details of these activities including proposed area(s) and duration(s) are included in the revised farm plan**. If the Director approves and certifies the request, then the fallowed land shall be excluded from the utilization determination for the period stated in the **approved revised farm plan certification**.
- d. Failure to fully utilize the Farm Plot may result in termination of the Permit.
- e. If Permittee has a permit for more than one farm plot, the Division of Agriculture shall treat all such plots as one plot, for purpose of the 75% full utilization requirement. Plots may not be subdivided in order to meet the 75% full utilization requirement.

**§85-10 1.145 PERMITTEE EMPLOYEES**

- a. **Registration of Employees:** Before the permittee allows **his their** employees (including farm laborers) to begin working on **his their** plot(s), **he they** shall

submit to the Division of Agriculture office the names of all ~~his~~ **their** employees, and documents to identify the residence status of each employee including but not limited to: a copy of employee's driver's license, if any; a photograph of the employee; the employee's social security number; and a copy of the employee's work permit **if applicable**. If the employee has previously been employed by the Permittee, ~~they~~ shall also submit a copy of the employee's paycheck stub. An updated list of names of all employees or farm laborers must be submitted annually on each anniversary date of the permit. In addition, the Permittee must submit the name of and documentation for any newly hired employee, prior to that employee starting work at the farm plot. Employee registration must be kept current **and included with paystubs or other proof of payment in the annual Farm Plot Report**.

- b. Unauthorized Employee: The Director of Agriculture or his representative may evict any person working at the Permittee's assigned plot who is not registered with the Division of Agriculture as an employee of the Permittee. Only those employees registered with the Division of Agriculture will be considered authorized employees of the Permittee.
- c. **Volunteers and Experiential Engagement: The Permittee may request and the Director of the Division of Agriculture may approve involvement of unpaid volunteers, students, and/or community members to support farm operations provided requests are submitted in writing at least fifteen days in advance of the proposed start date of these activities and include information about the proposed participants and the duration of the activities. If the Director of the Division of Agriculture grants approval, this approval shall be given in writing and included in the farm plot project file.**

#### **§85-101.150 NO OBLIGATION TO PROVIDE WATER OR UTILITY SERVICES**

DLNR and the Commonwealth Government do not have an obligation to provide the Permittee with water or other utility services, and this Permit shall not be construed to create such an obligation. It is expressly understood that the Permittee is responsible for obtaining water and utility services at Permittee's sole cost and expense, consistent with Sections 1 and 4 of the Regulations Of The Use of Irrigation Water, published in the Commonwealth Register on October 26, 2004, Volume 26 Number 10, page 22988. **Water efficiency measures including use of cover-crops and mulching are encouraged.**

#### **§85-10 1.155 DESTRUCTION OF GOVERNMENT PROPERTY**

- a. Permittee shall be responsible for any damage to or removal and destruction of any property of DLNR or the Commonwealth Government caused by the Permittee during Permittee's use and occupancy of the Farm Plot. The Permittee shall promptly restore, repair, or replace the injured property to the satisfaction of DLNR, or otherwise provide adequate compensation, in an amount determined by DLNR, to DLNR to account for the



destruction or damage. Failure to make timely repairs required under this Article could subject the Permit to termination.

- b. If the Farm Plot has improvements designed and/or installed by the Natural Resources Conservation Service (NRCS) of the United States Department of Agriculture (USDA), the Permittee may not destroy, remove, or otherwise alter such improvements without prior written approval from NRCS. Such improvements may include, but are not limited to the following: irrigation systems, including buried pipelines; above-ground risers and all necessary appurtenances; water storage tanks; tile drains and underground outlets; water diversions, hillside ditches, grasses waterways, and lined waterways; composting facilities; terraces; hedgerows; and windbreakers. If Permittee causes an improvement made by NRCS to be destroyed, altered, or removed without prior approval of NRCS, the Permittee shall promptly restore, repair, or replace the improvement to the satisfaction of NRCS, or otherwise pay for the costs of restoring, repairing, or replacing the improvement.

#### **§85-10 1.160 TERMINATION OF PERMIT**

- a. It is expressly understood and agreed that DLNR may terminate this permit at any time if the Permittee fails to use the Farm Plot for farming purposes or otherwise violates the Permit conditions **or requirements of the farm plan**.
- b. To terminate this Permit before its natural expiration date, DLNR shall provide the Permittee with sixty days' advance, written notice. The notice shall state the reason(s) for termination, including any relevant facts, and shall provide a procedure through which the Permittee can show that he or she is in compliance with this Permit or otherwise challenge the basis for termination. DLNR shall have the right to re-enter and take possession of the Farm Plot, or any part thereof, upon the expiration of the sixty days.
- c. The Permittee may terminate this permit at any time by giving thirty days' advance notice to DLNR. Permittee shall be responsible for any losses associated with early termination.

#### **§85-101.165 VACATING THE PREMISES**

Upon the expiration or earlier termination of this permit, the Permittee shall quietly and peacefully vacate the premises and surrender the possession thereof. Upon the failure or neglect of the Permittee to remove his property from the premises, DLNR or its agents may enter the said premises and remove all persons and property therefrom. Such removal shall be at the cost and expense of the Permittee and no claim for damage of any nature whatsoever against DLNR or its agents thereof shall be created by or made on account of such removal.

#### **§85-10 1.170 HOLD HARMLESS AND INDEMNITY CLAUSE**

Permittee shall protect, defend, and hold the Government of the Commonwealth of the Northern Mariana Islands, its officials, employees, agents and successors in interests completely harmless from and against any and all liabilities, losses, suits, claims, judgments, fines or demands arising by reason of injury or death of any person or damage to any property, including all reasonable costs for investigation and defense thereof (including but not limited to attorney fees, court costs, and expert fees), of any nature

whatsoever arising out of the Permittee or its officers, agents, employees, contractors, subcontractors, or invitees' use of this Permit and/or the use or occupancy of the Farm Plot regardless of where the injury, death, or damage may occur. The provisions of this section shall be deemed to be a separate contract between the parties and shall survive the expiration or any default, termination or forfeiture of this Permit.

#### **§85-10 1.175 SUCCESSORS AND ASSIGNS**

DLNR and the Division of Agriculture herein shall include their lawful successor agencies. Permittee shall include Permittee's lawful successor and assigns, to the extent otherwise allowed by this permit.

Successor: DLNR - Division of Agriculture

#### **§85-10 1.180 COMPLIANCE WITH LAW**

Permittee shall not use the farm plot for any purpose in violation of any applicable Federal or Commonwealth Law, regulation, or order, as such statute, regulation, or order **that** now exists, or may hereafter provide, concerning the use, occupancy, and safety of the farm plot.

Permittee shall notify the Director of Agriculture prior to performing any **earth moving activities regulated by the Bureau of Environmental and Coastal Quality that require permits including** draining, dredging, or filling activities, and any such activities shall be conducted in compliance with applicable laws and regulations. The Permittee shall obtain required government permits prior to conducting any type of activity for which a permit is required on the Farm Plot, **and shall submit a copy of the approved permit to the Division of Agriculture before the activity may commence.**

#### **§85-10 1.190 EFFECTIVE DATE AND SAVINGS CLAUSE**

**These regulations shall take effect upon publication and adoption in the CNMI Registrar. Farm plots that have permits approved before this adoption date shall comply with annual report requirements and farm plan requirements when permit renewal is required.**

**The enactment of these regulations shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence on the date these regulations became effective.**





**PUBLIC NOTICE OF PROPOSED REGULATIONS  
DEPARTMENT OF LANDS AND NATURAL RESOURCES  
DIVISION OF AGRICULTURE**

**P.O. Box 10007**

**Phone: (670) 322-9834 Fax: (670) 322-2633**



**PROPOSED REGULATIONS ON FEES, PENALTIES AND OTHER  
CHARGES FOR THE ANIMAL HEALTH PROGRAM**

**INTENDED ACTION TO ADOPT THESE PROPOSED REGULATIONS:** The Commonwealth of the Northern Mariana Islands, Department of Lands & Natural Resources ("DLNR"), Division of Agriculture intends to adopt as permanent regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104 (a). The Regulations would become effective 10 days after adoption and publication in the Commonwealth Register (1CMC § 9105(b)).

**AUTHORITY:** The Department of Lands and Natural Resources is authorized to adopt rules and regulations in furtherance of its duties and responsibilities (1 CMC § 2654).

**THE TERMS AND SUBSTANCE:** The proposed regulation established the regulations on fees, penalties and other charges for the animal health program in the Commonwealth of the Northern Mariana Islands.

**THE SUBJECTS AND ISSUES INVOLVED:** The proposed regulation established the regulations on fees, penalties and other charges for the animal health program in the Commonwealth of the Northern Mariana Islands.

**DIRECTION FOR FILING AND PUBLICATION:** The Notice of Proposed regulation shall be published in the Commonwealth Register in the section on proposed and newly adopted regulation (1 CMC § 9104 (a)(1) and posted in convenient places in the civic center and in local government offices in each senatorial district, both in English and the principal vernacular (1 CMC § 9104 (a)(1)).

**TO PROVIDE COMMENTS:** Send or deliver your comments to Sylvan O. Igisomar, DLNR Secretary, Re: Regulations for Animal Health Program, at the above address or fax number. Comments are due within 30 days from the date of publication of this notice. Please submit your data, views or arguments (1 CMC § 9104 (a)(2)).

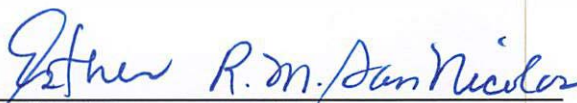
These proposed regulations were approved by the DLNR Secretary on September 24, 2024.

Submitted by:   
SYLVAN O. IGISOMAR  
Secretary, Department of Lands and Natural Resources

10/30/24  
Date

Received by:   
OSCAR M. BABAUTA  
Special Assistant for Administration


10/31/2024  
Date

File and Recorded by:   
ESTHER R.M. SAN NICOLAS  
Commonwealth Registrar

11.15.2024  
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 6<sup>th</sup> day of November, 2024.

  
EDWARD MANIBUSAN  
Attorney General

## TITLE 85: DEPARTMENT OF LANDS AND NATURAL RESOURCES

### § 85-20.1-345 Fees and Other Charges

The daily fee for feeding, watering, and cleaning of the kennels for each dog and cat undergoing quarantine shall be established by the Chief. ~~A separate fee is also required for the entry permit. This fee is \$5.00 per entry for the same species of animal from a rabies-free area, and \$10.00 per entry for the same species of animal from a rabies-infected area.~~ The entry permit fee is nonrefundable, and is payable in advance. Fees for puppies and kittens born in quarantine shall be charged beginning on the fifth week after birth at the regular adult rate. The Chief shall also establish fee or charges for the transportation of animals for medical referral or export. Additional charges will be assessed for drugs, medications, supplies and materials, deworming, examinations, vaccinations, treatment for any medical reason, surgery, and other veterinary cares.

### § 85-20.1-346 Fees for Entry Permits

Entry permits are required for the importation of any animal into the CNMI. The fees are as follows:

- \$5.00 per hatching egg
- \$10.00 per poultry
- \$25.00 per exotic birds
- \$50.00 per shipment of balut
- \$10.00 per day old chick
- \$100.00 per livestock
- \$300.00 per zoological animal
- \$100.00 per crustacean (live or frozen)
- \$100.00 per shipment for wild or feral animal
- \$50.00 per spayed or neutered dog or cat
- \$500.00 per unaltered dog or cat
- \$200.00 per veterinarian license per year
- \$150.00 per health certificate
- Fees for other animals imported will be assessed at the discretion of the Chief

These fees are nonrefundable and must be paid in advance.

§ 85-20.1-1401 Penalty

(a) Any person violating the rules and regulations in this subchapter shall upon conviction, be imprisoned for not more than six months, or fined not more than \$2,000.00 or both.

(b) The Chief may assess against any person or business violating any provision in these adopted rules and regulations, the following fines:

Amount of fine than	Individual not more than	Business not more
First offense	\$100.00	\$2,500.00
Second offense	<del>\$500.00</del> \$250.00	\$5,000.00
Third offense	<del>\$1,000.00</del> \$500.00	\$10,000.00
Fourth & subsequent offenses:	Subject to trial in a court of law.	





**111 COMMONWEALTH GI SANGKATTAN NA ISLAS MARIĀNAS  
DIPĀTTAMENTUN TANU' YAN FENGKAS NATURĀT  
DIBISIÓN AGRIKUTTURA**

**Tilifon: (670) 322-9834 Fax: (670) 322-2633**



**MANMAPROPONI NA REGULASIÓN SIHA GI ĀPAS, PENA YAN OTTRU NA  
GINAGĀOGĀO ĀPAS SIHA PARA I PRUGRĀMAN HINEMLU' GĀGA'**

**I AKSIÓN NI MA'INTENSIONA PARA U ADĀPTA ESTI I MANMAPROPONI NA REGULASIÓN SIHA:** I DibisiÓN Agrikuttura pápa' i DipĀttamentun Tanu' yan Fengkas NaturĀt, giya Commonwealth gi Sangkattan na Islas MariĀnas ha intensiona para u adĀpta komu petmanienti na regulasiÓN, sigun gi maneran i Ākton Administrative Procedure, 1 CMC § 9104 (a). I RegulasiÓN siempri umifektibu gi dies dihas dispues di adĀptasiÓN yan publikasiÓN gi halum Rehistran Commonwealth (1 CMC § 9105(b)).

**ĀTURIDĀT:** I DipĀttamentun Tanu' yan Fengkas NaturĀt ma'aturisa para u adĀpta i areklamentu yan regulasiÓN siha para u adilĀnta i ubligasiÓN-ña yan responsibilidĀt-ña siha (1 CMC § 2654).

**I TEMA YAN SUSTĀNSIAN I PALĀBRA SIHA:** I mapropo ni na regulasiÓN umestapblesi i regulasiÓN siha gi āpas, pena yan ottru na ginagāogāo āpas siha para i prugrāman hinemlu' gāga' gi halum Commonwealth gi Sangkattan na Islas MariĀnas.

**I SUHETU YAN ASUNTU NI TINEKKA:** I manmapropo ni na regulasiÓN umestapblesi i regulasiÓN siha gi āpas, pena yan ottru na ginagāogāo āpas siha para i prugrāman hinemlu' gāga' gi halum Commonwealth gi Sangkattan na Islas MariĀnas

**DIREKSIÓN PARA PINE'LU YAN PUBLIKASIÓN:** I Nutisian i Manmapropo ni na regulasiÓN debi na u mapublika gi halum Rehistran Commonwealth gi halum seksiona ni manmapropo ni yan nuebu na ma'adĀpta na regulasiÓN (1 CMC § 9104 (a)(1) yan u mapega gi kumbinienti na lugĀt siha gi halum i civic center yan i ufisinan gubietnamentu siha gi kada distritun senadot, parehu Inglis yan prinsipĀt na lingguĀhin natibu (1 CMC § 9104 (a)(1)).

**PARA U MAPRIBENIYI UPIÑON SIHA:** Na'hanĀo pat intrega hĀlum i upiñon-mu guatu as Sylvan O. Igisomar, i SekretĀriun DLNR, Re: RegulasiÓN siha para Prugrāman Hinemlu' Gāga', gi sanhilu' na address osino numirun fax. I upiñon siha debi na u fanhĀlum gi halum trenta (30) dihas ginen i fetchan publikasiÓN esti na nutisia. Put fabot na'hĀlum i infotmasiÓN, views, pat agumentom-mu siha (1 CMC § 9104 (a)(2)).

Esti i manmapropo ni na regulasiÓN siha inaprueba ni i SekretĀriun DLNR gi Septembri 24, 2024.

Nina'hålum as:   
SYLVAN O. IGISOMAR  
Sekritáriu, Dipattamentu Tanu' yan Fengkas Naturát

10/30/24  
Fetcha

Rinisibi as:   
OSCAR M. BABAUTA  
Ispisiát na Ayudánti para i Atministrasióon

10/31/2024  
Fetcha

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

11.15.2024  
Fetcha

Sigun i 1 CMC § 2153(e) (I Hinerát Abugádu inapueba i regulasion siha para u ma'implimenta komu para fotma) yan i 1 CMC § 9104(a)(3) (hentan inapueban Hinerát Abugádu) i manmaproponi na regulasion siha ni mañechettun guini manmaribisa yan maninapueba komu fotma yan sufisienti ligát ginin i CNMI Hinerát Abugádu yan debi na u mapublika, (1 CMC § 2153(f) publikasion areklamentu yan regulasion siha).

Mafetcha gi diha 6<sup>th</sup> gi Novembe, 2024.

  
EDWARD MANIBUSAN  
Hinerát Abugádu

**ARONGORONGOL TOULAP REEL PPWOMMWOL MWÓGHUTUGHUT  
BWULASIYOL FALÚW ME SCHOWARAL FALÚW**

**P.O. Box 10007**

**Phone: (670) 322-9834 Fax: (670) 322-2633**



**PPWOMMWOL MWÓGHUTUGHUT WÓÓL ÓBWÓSS, "PENALTIES"  
ME ÁKKÁÁW ÓBWÓSS NGÁLI "ANIMAL HEALTH PROGRAM"**

**MÁNGEMÁNGIL MWÓGHUT REEL REBWE ADÓPTÁÁLI PPWOMMWOL MWÓGHUTUGHUT:** Commonwealth Téél Falúw kka Efang Ilól Marianas, Bwulasiyol Falúw me Schowaral Falúw ("DLNR") re mángemángil rebwe adóptááli mwóghutughut bwe ebwe lléghló, sáangi mwóghutughutúl Administrative Procedure Act, 1 CMC § 9104(a). Ebwe bwunguló Mwóghutughut kkaal seigh ráál mwiril aal adóptááli me akkatééwowul me llól Commonwealth Register (1 CMC § 9105(b)).

**BWÁNGIL:** E yoor bwángil Bwulasiyol Falúw me Schowaral Falúw reel rebwe adóptááli allégh me mwóghutughut ikka e fil ngáli lemelem (1 CMC § 2654).


**KKAPASAL ME AWEEWEEEL:** E ititiw ppwommwol mwóghutughut ngáli óbwóss, "penalties" me ákkááw óbwóss ngáli "animal health program" me llól Commonwealth Téél Falúw kka Efang Ilól Marianas.

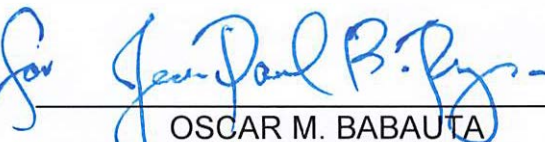
**KKAPASAL ME AUTOL:** E ititiw ppwommwol mwóghutughut ngáli óbwóss, "penalties" me ákkááw óbwóss ngáli "animal health program" me llól Commonwealth Téél Falúw kka Efang Ilól Marianas.

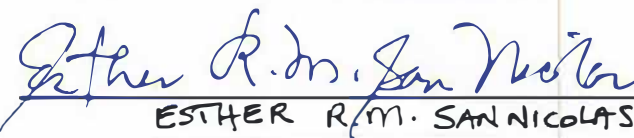
**AFAL REEL AMMWELIL ME AKKATÉÉWOWUL:** Arongorongol Ppwommwol mwóghutughut ebwe akkatééwow me llól Commonwealth Register llól tánil ppwommwol me ffél mwóghutughut ikka ra adóptááli (1 CMC § 9104 (a)(1) me ebwe appaschetá llól civic center me bwal llól bwulasiyol gobetnameento llól senatorial district, fengál llól English me mwáliyaasch (1 CMC § 9104(a)(1)).

**REEL ISIISILONGOL KKAPAS:** Afanga ngare bwughiló yóómw ischil kkapas ngáli Sylvan O. Igisomar, Sekkretóoriyol DLNR, Re: Regulations for Animal Health Program, reel féféfé iye e lo weiláng ngare numurol fax. Ebwe toolong ischil kkapas llól eliigh ráál mwiril aal akkatééwow arongorong yeel. Isiisilong yóómw data, views ngare angiingi (1 CMC § 9104 (a)(2)).

Aa átirow ppwommwol mwóghutughut kkaal sáangi Sekkretóoriyol DLNR wóól Maan 24, 2024.

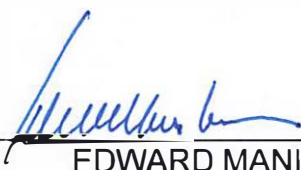
Isáliyalong:  10/30/24  
SYLVAN O. IGISOMAR Ráál  
Sekretóríyol, Bwulásiyol Falúw me Schowaral Falúw

Bwughiyal:  10/31/2024  
OSCAR M. BABAUTA Ráál  
Special Assistant ngáli Administration

Ammwelil:  11.15.2024  
ESTHER R.M. SAN NICOLAS Ráál  
Commonwealth Registrar

Sáangi 1 CMC § 2153(e) (sáangi átirowal AG bwe aa fil reel fféerúl me ebwe arongowow) me 1 CMC § 9104(a)(3) (sáangi átirowal AG) reel ppwommwol mwóghutughut ikka e appasch bwe ra takkal amwuri fischiiy me aa lléghló reel fféerúl sáangi Soulemelemil Allégh Lapalap, me ebwe akkatééwow (1 CMC § 2153(f) (akkatééwowul allégh me mwóghutughut).

Ghikkill wóól 6<sup>th</sup> rááil November, 2024.

  
EDWARD MANIBUSAN  
Soulemelemil Allégh Lapalap