

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



COMMONWEALTH REGISTER

**VOLUME 37
NUMBER 06**

JUNE 28, 2015

COMMONWEALTH REGISTER

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NUMBER 06

JUNE 28, 2015

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Commonwealth of the Northern Mariana Islands
Board of Parole

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**PUBLIC NOTICE OF CERTIFICATION AND ADOPTION
OF REGULATIONS OF THE
BOARD OF PAROLE**

PRIOR PUBLICATION IN THE COMMONWEALTH REGISTER
AS PROPOSED REGULATIONS

Volume 37, Number 2, pp 03672-036119, of February 28, 2015

ACTION TO ADOPT PROPOSED REGULATIONS: The Commonwealth of the Northern Mariana Islands, Board of Parole, hereby adopts as permanent regulations the Proposed Regulations which were published in the Commonwealth Register at the above-referenced pages, pursuant to 1 CMC § 9104. The Board of Parole announced that it intended to adopt them as permanent, and now does so.

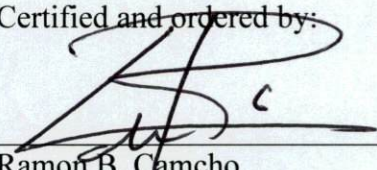
PRIOR PUBLICATION: The prior publication was as stated above.

AUTHORITY: The Board of Parole is authorized by 6 CMC § 4206 to adopt rules and regulations.

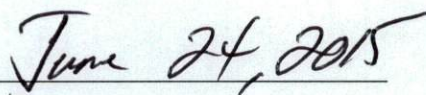
EFFECTIVE DATE: Pursuant to 1 CMC § 9105(b), these regulations will become effective ten days after publication in the Commonwealth Register.

COMMENTS AND AGENCY CONCISE STATEMENT: The Board of Parole has not received any comments regarding its proposed regulations.

Certified and ordered by:




Ramon B. Camcho
Chairman
Board of Parole



Date



ESTHER SN. NESBITT
Commonwealth Register



Date



Commonwealth of the Northern Mariana Islands

OFFICE OF THE GOVERNOR

Bureau of Environmental and Coastal Quality

DEQ: P.O. Box 501304, DCRM: P.O. Box 10007, Saipan, MP 96950-1304

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DCRM Tel.: (670) 664-8300; Fax: (670) 664-8315

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Eloy S. Inos
Governor

Ralph DLG. Torres
Lt. Governor

Frank M. Rabauliman
Administrator

Frances A. Castro
Director, DCRM

NOTICE OF CERTIFICATION AND ADOPTION OF RULE

ADOPTION OF RULE: ADOPTION OF "RULE ON FEES FOR MARINE SPORTS OPERATORS"

ACTION TO ADOPT RULE: The Commonwealth of the Northern Mariana Islands, Bureau of Environmental and Coastal Quality (CNMI BECQ), HEREBY ADOPTS AS A RULE the attached "Rule on Fees for Marine Sports Operators," pursuant to the procedures of the Administrative Procedure Act (APA), 1 CMC §§ 9102, 9105 and applicable regulations.

AUTHORITY: The attached rule is being promulgated by the CNMI BECQ, Division of Coastal Resource Management (DCRM), of the Commonwealth of the Northern Mariana Islands. These rules, regulations, technical provisions, and specifications shall have the force and effect of law and shall be binding on all persons and other legal entities subject to the jurisdiction of the Commonwealth of the Northern Mariana Islands Division Coastal Resource Management.

PURPOSE AND OBJECTIVE OF RULE: The Coastal Resources Rules and Regulations, NMIAC § 15-10-205(f) require fees for jet ski and marine sports operators and for APC development permits. DCRM adopts this rule to clarify the distinction between APC permits and permits for marine sports operators. The fees for marine sports operators shall only be applied where the permittee uses mechanized equipment, such as jet skis and motors boats, in the lagoon as part of its business. All other uses not employing such mechanized equipment shall not pay the fees for marine sports operators, but will be considered as APC development permits.

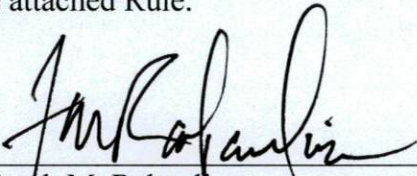
DIRECTIONS FOR FILING AND PUBLICATION: This Rule shall be published in the Commonwealth Register in the section on newly adopted Rules (1 CMC § 9102(a)(2)).

The Administrator will take appropriate measures to make this Rule is known to the persons who may be affected by them.

EFFECTIVE DATE: Pursuant to the APA, 1 CMC § 9105(b) and applicable regulations, this adopted Rule is effective 10 days after compliance with 1 CMC §§ 9102, 9105 and publication in the Commonwealth Register.

I, Frank M. Rabauliman, Administrator of the Bureau of Environmental and Coastal Quality, hereby approve the attached Rule.

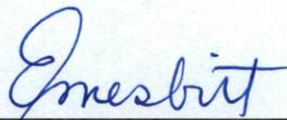
Submitted by:



Frank M. Rabauliman
Administrator
Bureau of Environmental Quality

6/5/15
Date

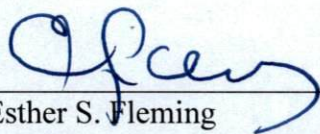
Filed and
Recorded by:



Esther SN. Nesbitt
Commonwealth Register

06.16.2015
Date

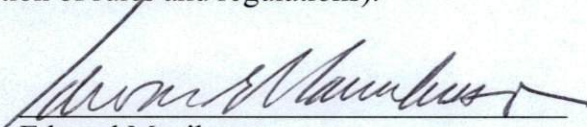
Received by:



Esther S. Fleming
Special Assistant for Administration

6/10/15
Date

Pursuant to 1 CMC § 2153(e) and 1 CMC § 9102(c), the rule attached hereto has been reviewed and approved as to form and legal sufficiency by the Attorney General and shall be published, 1 CMC § 2153(f) (publication of rules and regulations).



Edward Manibusan
Attorney General

6-10-15
Date



Eloy S. Inos
Governor

Ralph Torres
Lt. Governor

Commonwealth of the Northern Mariana Islands

OFFICE OF THE GOVERNOR

Bureau of Environmental and Coastal Quality

DEQ: P.O. Box 501304, DCRM: P.O. Box 10007, Saipan, MP 96950-1304

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DCRM Tel: (670) 664-8300; Fax: (670) 664-8315

www.deq.gov.mp and www.crm.gov.mp



Frank M. Rabauliman
Administrator

Frances A. Castro
Director, DCRM

NOTICE OF CERTIFICATION AND ADOPTION OF RULE

ADOPTION OF RULE: ADOPTION OF "WHEN IS A WELL DRILLING PERMIT REQUIRED? – STANDARD OPERATING PROCEDURE – INTERPRETIVE RULE"

ACTION TO ADOPT RULE: The Commonwealth of the Northern Mariana Islands, Bureau of Environmental and Coastal Quality (CNMI BECQ), HEREBY ADOPTS AS A RULE the attached "When is a Well Drilling Permit Required?," pursuant to the procedures of the Administrative Procedure Act (APA), 1 CMC §§ 9102, 9105 and applicable regulations.

AUTHORITY: The attached rule is being promulgated by the CNMI BECQ, Division of Environmental Quality (DEQ), of the Commonwealth of the Northern Mariana Islands. These rules, regulations, technical provisions, and specifications shall have the force and effect of law and shall be binding on all persons and other legal entities subject to the jurisdiction of the Commonwealth of the Northern Mariana Islands Division Coastal Resource Management.

PURPOSE AND OBJECTIVE OF RULE: The Well Drilling and Well Operation Regulations, NMIAC § 65-140-201(a) states "No well may be drilled unless the [applicant] has obtained a permit from the [Administrator of BECQ]." NMIAC § 65-010(mmm) defines a well as "any hole drilled, dug, or bored at any angle, either cased or uncased, and includes water wells, test wells and monitoring wells." Wells are often constructed using a drilling rig. Drilling rigs are also used to dig holes for soil borings, foundation pilings or dewatering wells. The purpose of this rule is to distinguish between which practices require a Well Drilling Permit and which do not require a Well Drilling Permit.

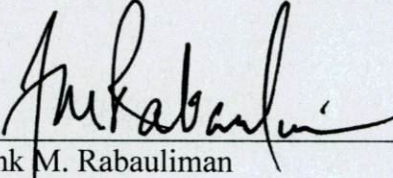
DIRECTIONS FOR FILING AND PUBLICATION: This Rule shall be published in the Commonwealth Register in the section on newly adopted Rules (1 CMC § 9102(a)(2)).

The Administrator will take appropriate measures to make this Rule is known to the persons who may be affected by them.

EFFECTIVE DATE: Pursuant to the APA, 1 CMC § 9105(b) and applicable regulations, this adopted Rule is effective 10 days after compliance with 1 CMC §§ 9102, 9105 and publication in the Commonwealth Register.

I, Frank M. Rabauliman, Administrator of the Bureau of Environmental and Coastal Quality, hereby approve the attached Rule.

Submitted by:



Frank M. Rabauliman
Administrator
Bureau of Environmental Quality

6/19/15
Date

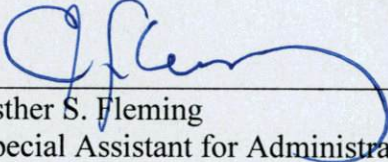
Filed and
Recorded by:



Esther SN. Nesbitt
Commonwealth Register

06.25.2015
Date

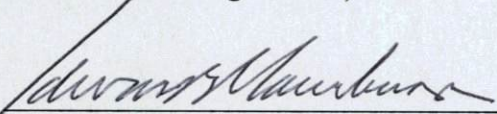
Received by:



Esther S. Fleming
Special Assistant for Administration

6/25/15
Date

Pursuant to 1 CMC § 2153(e) and 1 CMC § 9102(c), the rule attached hereto has been reviewed and approved as to form and legal sufficiency by the Attorney General and shall be published, 1 CMC § 2153(f) (publication of rules and regulations).



Edward Manibusan
Attorney General

6-23-15
Date



Commonwealth of the Northern Mariana Islands
OFFICE OF THE GOVERNOR

Bureau of Environmental and Coastal Quality
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Frank M. Rabauliman
Administrator

**WHEN IS A WELL DRILLING PERMIT REQUIRED?
STANDARD OPERATING PROCEDURE – INTERPRETIVE RULE**

Purpose: To clarify under which circumstances a well drilling permit is required.

Background: Holes are often drilled, dug or bored for construction projects or other purposes using the same or similar equipment used to drill, dig or bore wells. How does a regulator, driller or contractor know when a well drilling permit is required to drill, dig or bore a hole? This document provides guidance on whether or not a drilling permit is required to construct a hole.

Statutes and Regulations:

Well Drilling Permit:

- Commonwealth Code Title 2 § 3323(a) states “No *well* may be drilled by any person without a drilling permit issued by the [Administrator of BECQ].”

Definition of *well*:

- Commonwealth Code Title 2 § 3314(f) defines a “well” as “any hole drilled, dug, or bored at any angle, either cased or uncased, for the purpose of obtaining water or knowledge of water bearing formations or for the disposal of surface water drainage of waste materials.”

Discussion: Wells are often constructed using a drilling rig. Drilling rigs are also used to dig holes for soil borings, foundation pilings, or dewatering wells. These activities are not for the purpose of obtaining water or knowledge of water bearing formations. These activities are related to constructing facilities. Since soil borings, foundation pilings or dewatering wells are not constructed for the purpose of obtaining water or knowledge of water bearing formations a Drilling Permit is not required.

Procedure:

1. Determine the purpose of the hole to be constructed.
2. If the purpose of the hole is any of the following, then no Drilling Permit is required:
 - To collect soil samples for road or foundation design (soil boring)
 - To install or construct foundation pilings
 - To dewater the soil at a construction site (dewatering well)
3. If the purpose of the hole is any of the following, then a Drilling Permit is required:
 - To obtain water (domestic, industrial, irrigation, etc...)
 - To explore a water bearing formation (geologic or hydrogeologic investigation of water bearing formations).
 - To monitor the groundwater for contaminants (monitoring well)
 - To inject wastewater into the ground (underground injection well)
4. If a Drilling Permit is required – see the Well Drilling Permit Process SOP for more guidance.
5. When no Drilling Permit is required, and groundwater is encountered during the construction of the hole, the constructor should notify DEQ so that DEQ personnel can inspect the site to ensure that no contamination of the aquifer occurs.

Last updated June 16, 2015

Commonwealth of the Northern Mariana Islands
Department of Commerce
Mark Rabauliman, Secretary
Caller Box 10007
Capitol Hill, Saipan 96950
Tel: 664-3077

**PUBLIC NOTICE OF PROPOSED AMENDMENT TO DEPARTMENT OF
COMMERCE RULES AND REGULATIONS**

INTENDED ACTION TO ADOPT THESE PROPOSED RULES AND REGULATIONS:

The Commonwealth of the Northern Mariana Islands, Department of Commerce, intends to adopt the attached Proposed Regulations, pursuant to requirements of the Administrative Procedure Act, 1 CMC § 9104(a). The Regulations would become effective 10 days after adoption and publication in the Commonwealth Register (1 CMC §9105 (b))

AUTHORITY: The Secretary of Commerce ("Secretary") is empowered by statutory authority to adopt required regulations to aid in the implementation of Commonwealth laws. 1 CMC § 2453 (Department of Commerce duties and responsibilities); § 2454 (d) (authority to adopt required regulations); § 9101-9115 (Administrative Procedure Act).

THE SUBJECTS AND ISSUES INVOLVED: These proposed rules and regulations concern implementation of 4 CMC § 6513 concerning Dormant and Inactive Accounts and Unclaimed Funds. The specific issues concern reporting, transfer, filing of claims, and escheat to the government.

THE TERMS AND SUBSTANCE: These regulations establish procedures for the handling of Dormant and Inactive Accounts and Unclaimed Funds held by agencies within the Commonwealth.

TO PROVIDE COMMENTS: Send or deliver your comments to Mr. Mark Rabauliman, Secretary of Commerce, at the above address, with the subject line "Dormant and Inactive Accounts and Unclaimed Funds Regulations." Comments are due within 30 days from the date of publication of this notice. (1 CMC § 9104 (a) (2))

These proposed regulations were approved by the Secretary on June 15, 2015.

Submitted by: Mark Rabauliman
Mark Rabauliman, Secretary of Commerce

6/15/15
Date

Received by: Esther Fleming
Esther Fleming, Special Assistant for
Administration

6/17/15
Date

Filed and
Recorded by: Esther SN. Nesbitt
Esther SN. Nesbitt Commonwealth Register

06.26.2015
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 22nd day of June, 2015.

for Edward Manibusan
Edward Manibusan
Attorney General

**NORTHERN MARIANA ISLAND ADMINISTRATIVE CODE
TITLE 20
DEPARTMENT OF COMMERCE REGULATIONS**

Regulation Title: Northern Mariana Island Administrative Code
Title 20 (Department of Commerce)
Chapter 20-20 (Division of Banking)
Subchapter 20.4 (Dormant and Inactive Accounts and
Unclaimed Funds Regulations)
Part 001 Dormant and Inactive Accounts and Unclaimed
Funds Regulations
Sections 001- 007

The following new section shall be added to Title 20; Chapter 20-20 – Division of Banking.

**Subchapter 20-20.4 Dormant and Inactive Accounts and Unclaimed Funds
Regulations**

Part 001 - General Provisions

Section 20-20.4-001 Authority and Purposes

(a) Authority. The authority for the promulgation and issuance of this subchapter is by virtue of 1 CMC § 2454 (authority to make Commerce Regulations) and 4 CMC § 6106(k) (authority to make banking regulations) and 6513 (Dormant and Inactive Accounts and Unclaimed Funds).

(b) Purpose. The purpose of this subchapter is to establish policies and procedures to implement and provide uniform enforcement of the Commonwealth statute 4 CMC § 6513 regarding treatment of Dormant and Inactive Accounts and Unclaimed Funds.

Section 20-20.4-002 - Definitions

(a) "Dormant Account" shall mean an account in which there has been no deposits into or withdrawals from: Savings Account (or Passbook Savings) for a period of twenty-four (24) months and Checking Account for a period of six (6) months;

(b) "Inactive Account" shall have the same meaning as a Dormant Account.

(c) "Abandoned Funds" shall mean the following: unidentified deposits such as Certificates of Deposits, Money Market Certificates and other depository certificates or notes which have matured for a period of twelve (12) months; Bank Drafts, Cashier's Checks, or bank drafts which have not been presented for payment for eighteen (18) months; and unidentified loan payment for six (6) months.

Section 20-20.4-003 – Initial Report to the Commonwealth

(a) Within 30 days of adoption of these regulations, all banks operating in the CNMI shall prepare a report in compliance with the requirements of P.L. 18-69 § 5 and transmit to the Director of Banking and CNMI Treasurer.

(b) Some banks complied with previous legislation (Public Law 17-69), even with the absence of regulations, and are therefore waived of this initial report. Sufficient time have been accorded to those who failed to submit any report at all.

(c) In the event the report is not made within 30 days of adoption of these regulations, a bank shall pay a late fee of \$5.00 daily for each day the report is late.

Section 20-20.4-004 – Publication of Notice

(a) On July 1 and August 1 of each year banks shall publish the notification required under Public Law 18-69 for accounts that are classified as Dormant Accounts; Inactive Accounts; or Abandoned Funds. The publication shall be entitled "Notice of Inactive Bank Accounts" and shall contain:

- (1) the names, in alphabetical order, and last known address, if any, of depositors of inactive accounts; and
- (2) a statement that such funds shall be transferred to the Commonwealth Treasurer during the month of October of the same year.

(b) In the event the notice and publication are not made by July 1st and August 1st, a bank shall pay a late fee of \$5.00 daily for each day the Notice is late.

Section 20-20.4-005 – Annual Transfer of Funds to the Commonwealth

(a) During the month of October of each year following the publication required by section 20-20.4-004, a bank shall transfer to the Director of Banking and CNMI Treasurer all balances of accounts as provided in PL18-69 (a)(d)(e)(f).

(b) In the event the funds are not transferred by October 1st of the year immediately following the publication required by section 20-20.4-004, a bank shall pay a late fee of \$5.00 daily for each day the report is late.

(c) Transfer of funds shall be accompanied by digital record or hard copies with the following information:

- (1) name of accountholder or known owner;
- (2) picture identification of account holder or signatory;
- (3) date of initial deposit or receipt of funds by bank;
- (4) type of account or transaction;
- (5) account identification number;
- (6) date of when account became dormant;
- (7) legible signature specimen;
- (8) amount of funds being transferred;
- (9) charges imposed by bank prior to transfer;
- (10) date of publication of notice, and
- (11) date of transfer.

Section 20-20.4-006 – Holding of Funds by the Commonwealth

(a) Funds transferred to the Commonwealth Treasurer under requirements of section 20-20.4-005 ("Transferred Funds") shall be held in trust in a separate account for the original owners in a bank insured by the Federal Deposit Insurance Corporation.

(b) Transferred Funds shall be held in an interest bearing account and shall accumulate interest as provided by the depository institution.

(c) Transferred Funds shall be held in trust by the Commonwealth for a three-year period from date of notice by bank ("Three-Year Period").

(d) Upon receipt of the Transferred Funds and each year thereafter during the Three-Year Period, the Department of Finance shall charge a one percent charge against the principal to cover administrative costs.

(e) After six months beginning at the start of the Three-Year Period per Transferred Fund, the Department of Finance shall be transfer remaining balances to the account of the Department of Commerce.

(f) During Three-Year Period, owners of Transferred Funds may make claim on funds as identified in PL 18-69.

(g) Transferred Funds claimed by owners will be charged an administrative expense fee of one percent upon disbursement.

(h) Upon expiration of a three-year period from the date of notice required under Section 20-20.4-004, Transferred Funds and associated interest shall escheat to the Commonwealth and all claims of the owners of any nature extinguished.

Section 20-20.4-007 – Filing a Claim with Commonwealth Government

(a) Within the Three-Year Period, bona fide owner of an account in the Transferred Funds shall file a claim to the Office of Banking Division, Department of Commerce.

(b) Owner shall first fill out a claim form provided by Commerce, to be accompanied by the following documents, as proof of ownership to such account:

- 1) two identification documents: one with picture, indicating date of birth; one with referenced number when bank account was opened (passport or driver's license), one with Social Security number.
- 2) an original document from respective bank reflecting the actual opening of an account; a certificate of deposit; a receipt of the deposit; a cancelled check indicating such deposit; duplicate copy of cashier's check; or any type of document supporting such claim.
- 3) if the account owner is deceased, leaving no will, a court order from a probate Court must be submitted, with all pertinent information.
- 4) if the account is in the name of a company, an association, or other type of organization, and signatories are no longer part of the organization, such entity shall show proof as an Active member of the community, by providing copies of business licenses, current tax records, minutes of meetings, annual corporation reports (non-profit, LLC included), and others as required by the Department of Commerce.

(c) Upon review, the Department of Commerce will request check issuance to the owner of the account, after corresponding fees are deducted from the Transferred Funds.

(d) Checks shall be picked up from the Office of the Banking Division, and shall be acknowledged by the account owner or authorized signatory, not a representative.

Commonwealth of the Northern Mariana Islands
Department of Commerce
Mark Rabauliman, Secretary
Department of Commerce
Caller Box 10007
Capital Hill, Saipan MP 96950
Tel. 664-3077

**ARONGORONGOL TOULAP REEL POMWOL ALLÉGH ME ATIWLIGH KKA REBWE AMENDÁÁLI
REEL DEPARTMENT OF COMMERCE**

MÁNGEMÁNGIL MWÓGHUT YE EBWE ADAPTÁÁLI POMWOL ALLÉGH ME ATIWLIGH KKA:

Commonwealth of the Northern Mariana Islands, Department of Commerce emuschál ebwe adaptááli pomwol atiwlich kka e appasch, sáangi procedures Ikka e attabwey Administrative Procedure Act 1 CMC § 9104 (a). Atiwlich kkal ebwe bwunguló 10 ráll mwiril yaar adáptaáli me appaschalong lól Commonwealth Register. (1 CMC § 9105(b)).

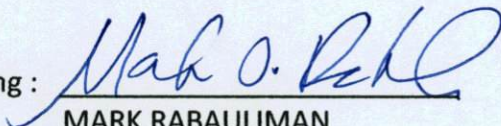
BWÁÁNGIL: Secretary of Commerce (“Secretary”) eyoor bwáángil mereel statutory authority bwe ebwe adaptááli atiwlich kka a ffil reel ebwe alisi le fféeri alléghul Commonwealth. 1 CMC §§ 2453 (Department of Commerce duties and responsibilities); 2454(d)(bwáángil reel rebwe adaptáali atiwlich kka a ffil); 9101-9115 (Administrative Procedure Act)

KKAPASAL ME ÓUTOL: Pomwol allégh me atiwlich kkal nge reel rebwe ayoora me féerul 4 CMC § 6513 reel Dormant me Inactive Accounts me Unclaimed Fund. Mangemang kkal nge e toolong reel arongorong, amwet, me isisilongol claims, me meta kka ebwe mwet ngáli gobetno.

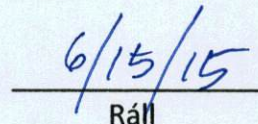
KKAPASAL ME AWEWEEL: Atiwlich kkal e ayoora mwoghutughut kka rebwe attabwey reel angangal Dormant me Inactive Accounts me Unclaimed Funds ikka re amwuschú mereel agencies kka lól Commonwealth.

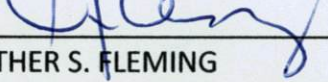
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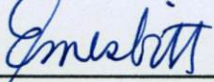

MARK RABAULIMAN

Secretary of Commerce


Ráll

Aramas ye : 
E bwughi ESTHER S. FLEMING
Governor's Special Assistant for Administration

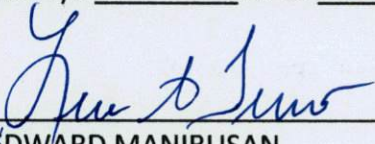
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Ráil

File me
Rekoodiliyal: 
Esther SN. Nesbitt
Commonwealth Register

06-26-2015
Ráil

Sáangi 1 CMC § 2153(e) Allégh kkaal a lléghló sáangi AG bwe e fil reel fféerúl me
1 CMC § 9104(a)(3) (A mwiir sáangi AG) Pomwol allégh kka a appaschlong a takkal amwuri
fiischiy, me angúungú ló fféerúl me legal sufficiency sáangi CNMI Attorney General me ebwele
akkatewoow, 1 CMC § 2153(f) (Arongowowul allegh me atiwligh kkaal)

Ráilil iye 22nd rál lól June, 2015.


EDWARD MANIBUSAN
Attorney General

6/22/2015
Ráil

COMMONWEALTH GI SANGKATTAN NA ISLAN MARIANAS SIHA

**Dipattamentun Kometsiu
Mark Rabauliman, Sekretâriu
Caller Box 10007
Capitol Hill, Saipan MP 96950
Tel. 664-3077**

**NUTISIAN PUBLIKU PUT I MANMAPROPONIN NA AMENDASION AREKLAMENTU YAN REGULASION
SIHA PARA I DIPATTAMENTUN KOMETSIU**

MA'INTENSIONA NA AKSION PARA U MA'ADAPTA ESTI SIHA I MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sangkattan na Islas Marianas siha, i Dipattamentun Kometsiu, ha intensiona para u adâpta i mañechettun ni Manmaproponi na Regulasion siha, sigun gi madimânda siha gi Âktun Administrative Procedure 1 CMC § 9104(a). I Regulasion siha para u ifektibu gi halum dies (10) dihas dispues di adâptasion yan publikasion gi halum i Rehistran Commonwealth. (1 CMC § 9105(b)).

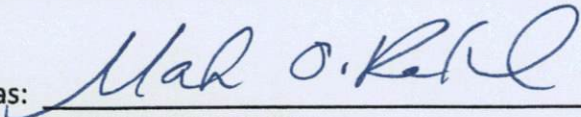
ÂTURIDÂT: I Sekretâriun Kometsiu ("Sekretâriu") ni na'i fuetsa ni âturidât estatua para u adapta i ginagagâo na regulasion siha para u fanayuda gi halum i implementasion gi lain Commonwealth siha. I 1 CMC §§ 2453 (Dipattamentun Kometsiu upbligasion yan responsâpblidât siha); 2454(d) (âturidât para u adâpta i ginagagâo na regulasion siha); 9101-9115 (Âktun Administrative Procedure).

I MASUHETU YAN ASUNTU NI MANTINEKKA: Esti i manproponi na areklamentu yan regulasion siha intires implementasion i 4 CMC § 6513 ni tinetekka i Dormant yan Inactive Accounts yan Unclaimed Funds. I espisifiku na asuntu siha ni mantinekka gi rinipot, transferi, pine'lun i claims, yan para u na la'lu gi gubietnu.

I TEMA YAN SUSTÂNSIAN PALÂBRA SIHA: Esti na regulasion siha ha estapblesi manera siha para i manmaneha gi Dormant yan Inactive Accounts yan Unclaimed Funds ni mago'ti ni ahensia siha gi halum i Commonwealth.

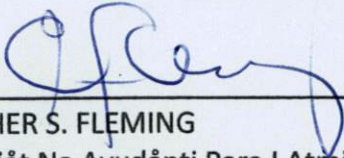
Esti na regulasion siha manma'aprueba ni i Sekretâriu gi Hunio 15, 2015.

Nina'hålum as:


MARK RABAULIMAN
Sekretâriun Kometsiu

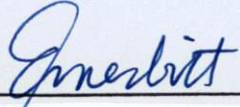

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Rinisibi as:


ESTHER S. FLEMING
Ispisiât Na Ayudânti Para I Atministrasion

6/17/15
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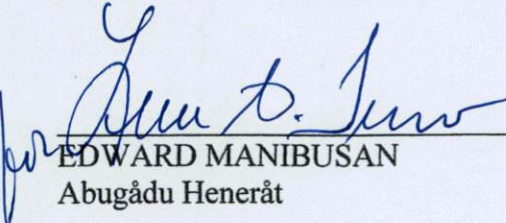
Pine'lu yan
Ninota as:


Esther SN. Nesbitt
Rehistran Commonwealth

06-26-2015
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Sigun i 1 CMC § 2153(e) (I Abugâdu Henerât ha aprueba i regulasion siha na para u macho' gui kumu fotma) yan 1 CMC § 9104(a)(3) (hentan inaprueban 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) (pupplikasion i areklamentu yan regulasion siha).

Mafetcha gi diha 22nd gi June, 2015.


EDWARD MANIBUSAN
Abugâdu Henerât



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Eloy S. Inos
Governor

Ralph DLG. Torres
Lieutenant Governor

DIRECTIVE

DATE: February 27, 2015
NO.: 2015-02

TO: ALL DEPARTMENTS AND AGENCIES

FROM: GOVERNOR

SUBJECT: Qualified Allocation Plan

WHEREAS, the Low-Income Housing Tax Credit (LIHTC) Program, created by the Tax Reform Act of 1986, is intended to encourage the construction or rehabilitation of low income rental units;

WHEREAS, Section 42, of the United States Tax Code (the "Code") provides for the issuance of low income housing tax credits to subsidize the private development of affordable housing;

WHEREAS, the Commonwealth of the Northern Mariana Islands receives a minimum allocation of such credits every year, which total \$2,680,000.00 credits annually for 2015;

WHEREAS, the Commonwealth of the Northern Mariana Islands has been utilizing its annual allocation of such tax credits;

WHEREAS, the Commonwealth of the Northern Mariana Islands has increasing demands for quality affordable housing for its citizens;

WHEREAS, pursuant to Federal Regulation Section 1.42-IT a "State Housing Credit Agency" must be authorized by gubernatorial act to allocate Credits and administer the program;

WHEREAS, in accordance with the Omnibus Spending Bill of 2000, Omnibus Budget Reconciliation Act of 1989, and the Budget Reconciliation Bill of 1990, the Northern Marianas Housing Corporation developed a "Qualified Allocation Plan" (QAP) which sets forth (1) the criteria to evaluate and allocate tax credits to projects which best meet the housing needs of the State, and (2) the procedure to monitor for compliance with the provisions of the Low-Income Housing Tax Credit (LIHTC) Program;

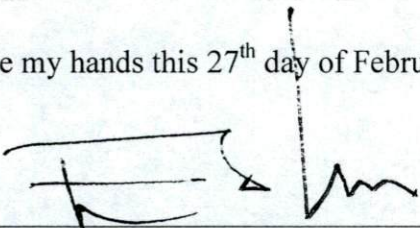
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WHEREAS, this office has determined that instituting the Commonwealth of the Northern Mariana Islands' first implementation of the Federal Low Income Housing Tax Credit (LIHTC) Program will provide significant and lasting benefits to the people of the Commonwealth of the Northern Mariana Islands and promote the public welfare of the islands by providing much needed affordable housing options at little or no cost to the taxpayers of the Commonwealth of the Northern Mariana Islands; and

WHEREAS, I appointed the Northern Marianas Housing Corporation (the "Agency") to administer, oversee, and serve the Commonwealth of the Northern Mariana Islands' official "State Housing Credit Agency" for allocating and monitoring the Commonwealth of the Northern Mariana Islands' Low Income Housing Tax Credits pursuant to Section 42 of the Code.

NOW THEREFORE, I, Eloy S. Inos, Governor of the Commonwealth of the Northern Mariana Islands do hereby approve in its full and current form the Qualified Allocation Plan for the Commonwealth of the Northern Mariana Islands for 2015 and 2016 which was submitted for review from the Agency. This action will advance the interests of the islands and benefit the people of the Commonwealth of the Northern Mariana Islands in many direct and indirect ways and provide meaningful housing opportunities for the less fortunate residents.

In witness whereof, I place my hands this 27th day of February, 2015.



ELOY S. INOS



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Eloy S. Inos
Governor

Ralph DLG. Torres
Lieutenant Governor

DIRECTIVE

DATE : 05 JUN 2015
Number: 2015-03

TO : All Executive Branch Department and Activity Heads

FROM : GOVERNOR

SUBJECT : Processing of Personnel Actions and Related Documents

Uncontrolled processing and handling of Requests for Personnel Action continue to create problems. As a result duplicate records are created, errors in compensation and employment dates are proposed, etc. This practice must come to a stop immediately with the implementation of the following directive.

- 1) All Requests for Personnel Action (including employment contracts) must be initiated by the expenditure authority or the department or agency heads. Complete and accurate information must be provided and entered on the Request for Personnel Action form; i.e. name, title, occupational code, paygrade (pay scale and dollar amount, etc.). When completed, the form must be submitted to the Office of Personnel Management (OPM) for review, approval, and further processing.
- 2) Upon receipt of the document, OPM must review the information provided by the expenditure authority for completeness and accuracy and according to Personnel Rules and Regulations. If everything is in order, the document must be forwarded to the Office of Management and Budget (OMB) for FTE verification and budgetary appropriation. If not, the form must be returned to the expenditure authority for resubmission of correct and complete information. No correction is authorized by means of "strike-overs", "white-outs", "cross-overs", etc; on the original entries. All documents must be clean at every step of the process.

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- 3) After verification of FTE and appropriation is complete, OMB must forward the document to the Secretary of Finance (SOF) for verification of funds availability. If funds are available, the SOF shall certify that sufficient funds are available for the proposed compensation, including fringe benefits and other payroll burden. Thereafter, the SOF shall forward the document to the Governor for approval. If funds are not available or not sufficient, then the form must be returned to the expenditure authority for further review.
- 4) After the Governor's approval, the completed document shall be forwarded to OPM for final action.


Please note that under the foregoing directive, no room is allowed for any change in the information provided throughout the process. All documents requiring change of information must be returned to the expenditure authority for resubmission. For ease of reference and tracking of departmental personnel documents, it is recommended that each document initiated by the department be assigned a Document Control Number. Subsequent amendment of that document must use the original document control number with a unique and sequentially assigned suffix. For example, Document No. 7 is returned to the department. Upon resubmission for the corrected information, the new document no. assigned shall be the No. 7 – A. The next resubmission shall be numbered No. 7 –B.

Equally important is the employment "start date", which shall not be earlier than the date of submission of the last required document; i.e. Drug Test result. No person shall be allowed to commence work until all employment documents have been completed and submitted, approved, and processed.

Finally, each department or agency head must designate an appropriate staff to handle and manage all personnel matters for the department. Unauthorized individuals shall not be given access to any information pertaining to an employee,

This directive shall take effect immediately and supersede any and all prior directives on the subject matter. Any exception in the application of any of the above procedures must be justified and received prior approve by the governor.

Thank you for your understanding and cooperation.



ELOY S. INOS



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Eloy S. Inos
Governor

Ralph DLG. Torres
Lieutenant Governor

EXECUTIVE ORDER NO. 2015-08

SUBJECT: DECLARATION OF A STATE OF SIGNIFICANT EMERGENCY

AUTHORITY: I, ELOY S. INOS, pursuant to the authority vested in me as Governor of the Commonwealth of the Northern Mariana Islands by Article III, § 10 of the Commonwealth Constitution and PL 18-4, § 104 of the Homeland Security and Emergency Management Act of 2013, do hereby declare a State of Significant Emergency for the Commonwealth of the Northern Mariana Islands due to the imminent threat of the inability of the Commonwealth Utilities Corporation ("CUC") to provide critical power generation, water, and wastewater services to the CNMI and considering the harm such condition would pose to the community, environment, and critical infrastructure of the Commonwealth of the Northern Mariana Islands.

WHEREAS, CUC IS THE SOLE ELECTRICITY SUPPLIER to the Government of the CNMI, including all public safety activities, the schools, and the only hospital. CUC also supplies electricity to most of the CNMI's businesses and homes. While some businesses and agencies own backup generators, they are not generally organized to use the backups as permanent power sources and the diesel oil purchased to run these generators is substantially more expensive than that used for CUC power.

WHEREAS, WITHOUT CUC ELECTRICITY:

- (1) Most CNMI economic activity would come to a halt, much refrigeration and air conditioning would end, and the airports and ports would be forced to rely on emergency generation on the limited, expensive oil supply for it;
- (2) The CNMI's health and safety would immediately be at risk because traffic signals and street lighting would cease to function; emergency, fire, police facilities and their communications systems, and the hospital and island clinics would have to rely on limited fuel supplies for emergency generation and then cease functioning; and much refrigeration of food and medicines would end, as would air conditioning for the elderly and sick;

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- (3) The public schools and the Northern Marianas College would close. Other educational institutions would close as their backup fuel supplies for emergency generators were exhausted; and
- (4) Water and sewage treatment would soon end. One of CUC's largest electric customers is the combined CUC Water and Wastewater Divisions. CUC is the sole supplier of electricity for these systems. CUC's water system relies on electricity to maintain the system pressure needed to prevent the backflow of pathogens, to chlorinate, and to pump, store, and distribute water supplies. CUC's wastewater system requires electricity to collect, pump, process, treat, and discharge sewage. The lack of electricity could result in sewage overflows, contaminating land and water.

WHEREAS, THERE EXISTS A FINANCIAL CRISIS:

- (1) CUC is owed over \$20 million by the public school system ("PSS") and the Commonwealth Healthcare Corporation ("CHC") and is owed over millions more by other users;
- (2) Although the commonwealth economy has recently improved, the improvement is only marginal and the economy and the government's finances are still fragile. This government strains to meet its obligations.
- (3) CUC often only has days' worth of purchased diesel fuel to power its system because it lacks the funds to buy oil from its sole, cash-only supplier. CUC has no credit or other means to buy fuel than the revenue it collects from its customers;

WHEREAS, THERE EXISTS A TECHNICAL WORKER CRISIS:

- (1) CUC faces a manpower crisis. Skilled workers and a responsive support system are key to the success of the operation, particularly for preventative maintenance. At present, CNMI law at 3 CMC §§ 4531 and 4532 prohibits CUC from hiring any more non-U.S. technical workers;
- (2) CUC bears a substantial obligation to deliver highly technical work on time to the satisfaction of the U.S. District Court and the U.S. Environmental Protection Agency ("EPA"), pursuant to two sets of consent, or "Stipulated Orders." Failure to meet the requirements of the federal court orders could subject CUC and the CNMI to substantial fines and charges and, in the extreme, to a federal takeover of their finances;
- (3) CUC requires employees with specialized training. There are many non-U.S. citizens whom CUC needs to retain on technical and professional contracts. Without these positions filled, CUC operations would be severely compromised;
- (4) The legislature, through P.L. 17-1 (Mar. 22, 2010), has limited CUC's ability to hire technical staff, eliminating prior statutory permission to hire up to

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nineteen foreign workers and reinstating a moratorium on the government's hiring of foreign nationals, even if needed for highly technical positions for which no local or mainland citizens are available. The CUC Act, as subsequently reenacted by P.L. 16-17 (Oct. 1, 2008), provides that CUC shall hire such persons as are necessary for operations, *except as otherwise limited by other law.* 4 CMC § 8123(h);

- (5) There are not enough U.S. citizen or U.S. resident technical specialists at CUC to perform the power generation work, particularly specialists with experience in the type of engines that CUC uses. U.S. citizens with the necessary skills are not readily available in the CNMI and it is costly to recruit from the United States. CUC believes that the vast majority of skill sets, considering its cash restrictions, must come from non-U.S. personnel. CUC has tried to hire diesel mechanics in the CNMI, but has been unsuccessful in finding enough qualified candidates;
- (6) The impact of an inadequate workforce is substantial. First, there would be a direct deterioration of service to existing customers. There would be brownouts or area blackouts with the above-mentioned loss of service. Second, the power plants would again degrade, producing more of these outages. Third, if CUC fails to meet federal court deadlines for the Stipulated Orders, the Court could appoint a federal receiver and its consulting team, with all expenses charged to CUC customers.
- (7) CUC's renewal of contracts and hiring of foreign expert workers is necessary to sustain the integrity of CUC's systems. Thus, continued relief from the legislative prohibition on hiring foreign national workers is necessary to ensure the delivery of uninterrupted power services to the people of the Commonwealth. The legislature is urged to address this matter by way of amending local law to allow CUC to continue employing the services of foreign workers for such technical positions difficult to fill and to provide for a reasonable transition period.

WHEREAS, BY THIS DECLARATION OF A STATE OF SIGNIFICANT EMERGENCY, I intend to enable CUC to continue to provide necessary services to the people of the Commonwealth. This Declaration is necessary to protect the health and safety of our children, our senior citizens, businesses, and all other CNMI residents and visitors.

NOW, THEREFORE, I hereby invoke my authority under Article III, § 10 of the Commonwealth Constitution and PL 18-4 § 104(c), to take all necessary measures to address the threats facing the Commonwealth of the Northern Mariana Islands.

It is hereby **ORDERED** that:

This Declaration of a State of Significant Emergency shall take effect immediately and all memoranda, directives, and other measures taken in accordance with this Declaration shall remain in effect for thirty (30) days from the date of this Executive Order unless I,

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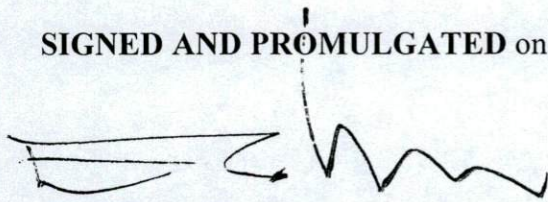
prior to the end of the thirty (30)-day period, terminate the declaration of a state of significant emergency. PL 18-4, § 104(g)

Under authority of this Declaration and with the goal of mitigating or ameliorating the above described crises, I immediately direct the following:

DIRECTIVE: Insofar as it applies to CUC, 3 CMC § 4531 is hereby suspended. As a result of the suspension of 3 CMC § 4531, CUC shall have the full power and authority to retain staff which may include employees other than citizens and permanent residents of the United States.

The above described Directive is in no way meant as the limits of my actions or authority under this Declaration. Accordingly, I reserve the right under this Declaration to issue any and all directives necessary to prevent, mitigate or ameliorate the adverse effects of the emergency.

SIGNED AND PROMULGATED on this 16th day of June, 2015.

A handwritten signature in black ink, appearing to read 'ELOY S. INOS', is written over a horizontal line. The signature is stylized with a prominent vertical stroke at the beginning and a wavy, undulating line for the rest of the name.

ELOY S. INOS