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

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PUBLIC NOTICE

Adopted Regulations Concerning

Public Law 5-58

To Provide for a Tax Law Credit to Manuel S. Villagomez

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

The adopted regulations included the following subjects:

- 1. Proof of Loss
- 2. Forms

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

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

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

M.N. 15, 1978

Acting Chief

Division of Revenue and Taxation

Adopted Regulations

To Public Law 5-58

To Provide for a Tax Credit to Manuel S. Villagomez

- Section 1: Authority: Pursuant to Section 2 of Public Law 5-58, these rules and regulations are hereby approved and promulgated.
- Section 2: Purpose: To effectively administer and enforce Public Law 5-58.
- Section 3: Proof of Loss: The following documents, records and details must be submitted to the Division of Revenue and Taxation to justify and establish a maximum tax credit pursuant to Public Law 5-58:
 - A. Provide a statement indicating the action taken to limit the extent of the fire loss, the date the fire occurred, and any photographs of the building before and after the fire loss.
 - B. An inventory of merchandise, by class of goods shown below, on hand before the fire, indicating the date the inventory was taken, whether it was a physical or a book inventory and the FOB dollar value of the merchandise supported by invoices.
 - (1) Foodstuffs

(6) Beer

(2) Cigarettes

(7) Distilled Alcoholic Beverages

(3) Tobacco

- (8) Wine
- (4) Perfumery, Cosmetics (9) All others and Toiletries
- (5) Soft Drinks

- C. An inventory of merchandise taken or recovered after the fire.
- D. A list of the insurance companies and face value of each policy insuring the premises and contents of the store; a copy of each policy shall be submitted.
- E. A copy of letters of claim and supporting documents submitted to each insurance company.
- F. Copies of letters from each insurance company indicating rejection or approval of the claim, showing the amount of reimbursement under each policy.
- Section 4: Periodic Transmission of Reports to the Northern Mariana

 Islands Legislature: The Governor shall transmit to the

 Northern Mariana Legislature a complete and up-to-date report

 showing all tax credits granted on a quarterly basis, to wit

 on or before October 15, 1978, January 15, April 15, and

 July 15, 1979, until all credit is exhausted.
- Section 5: Forms: The forms and manner of the application of the credit shall be prescribed by the Division of Revenue and Taxation,

 Commonwealth of the Northern Mariana Islands.
- Section 6: Method of Allowing Credit: Upon completion of the proof of loss, the Division of Revenue and Taxation will advise

 Mr. Manuel S. Villagomez of the maximum allowable tax credit.

 No tax credit shall be given for import tax losses compensated by insurance.

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

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

Mer. 15, 1978

J.L. Evangelista
Acting Chief

Division of Revenue and Taxation

PUBLIC NOTICE

Adopted Regulations Concerning

Application and Procedures Regarding

issuance of Certificates of Identity

Pursuant to Public Law 1-6

The Chief of Immigration in accordance with Public Law 1-6 in the October 16, 1978 issue of the Commonwealth Register promulgated new Regulations to be identified as Rules and Regulations of the office of Immigration and Naturalization, Part 301.

The proposed Regulations included the following subjects:

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

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

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

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

OCT 10 1978

Date

Frank C. Castro Chief Immigration

Code of Commonwealth Regulations Office of Immigration and Naturalizations

PART 301 GENERAL PROVISIONS

- 301.1 Authority. The authority for the promulgation and issuance regulations is Certificate of Identity Act of 1978, Public Law 1-6.
- 301.2 Purpose. The purpose of the regulations is to establish policy and procedures to govern the issuance of Certificate of Identity to persons who will derive United States citizenship, on the effective date of Section 301, of the covenant and to facilitate travel into the United States by persons from the Northern Mariana Islands, entitled to receive the priviledges and immunities under Section 304 of the Covenant.

301.3 Application.

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

301.4 Examination upon Application.

a) Personal appearance of claimant and parents or guardian.

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

b) Claimant who is outside Northern Mariana Islands.

Each claimant who is at the time of application, residing outside the limits of the Northern Mariana Islands but within the United States shall mail his application and documentary evidence directly to the office of the Immigration Service, of the Office of the Governor of the Northern Mariana Islands, Civic Center, Susupe, Saipan Mariana Islands 96950, after the application has been duly notarized.

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

d) Report and Decision.

At the conclusion of the examination the examining officer shall prepare a report containing his findings and his recommendation relative to the eligibility of the applicant to receive a Certificate of Identity. The report and recommendation along with the record of proceedings requires by Section 9 of the said act shall be submitted to the Chief of Immigration who upon review shall approve or disapprove the recommendation of the examining officer. Upon receipt of the report and recommendation, the Chief of Immigration shall serve his decision on the applicant. This decision shall contain a notice of the right to appeal as prescribed by the regulations. The criteria used for determining interim definition of citizenship in the Northern Mariana Islands, by the Government of the Northern Mariana Islands shall include but is not limited to schedule of transitional matters, section 8 and Section 1 of Article VII of the Constitution, Article X Sections 100(a), and Section 301 of the Covenant and the Secretarial Order No. 2989 dated March 26, 1976.

301.5 Denial of Application and Appeal.

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

301.6 Reopening or Reconsideration.

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

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

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

a) Definitions.

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

- II) Delivery of a copy personally to the claimant or his attorney; and
- III) Delivery of a copy at the business office of the claimant's attorney by leaving it with, in the event the claimant's lawyer is absent, the lawyer's secretary.

301.8 Penalties.

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

301.9 Effective Date.

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

Date: 0CT 10 1978

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



MARIANA ISLANDS AIRPORT AUTHORITY

SAIPAN INTERNATIONAL AIRPORT

P.O. BOX 1055 • GAIPAN • MARIANA ISLANDS 98956 Telephone 6717-6718



PUBLIC NOTICE

Adopted Regulations Concerning
Traffic Violations of Mariana
Islands Airport Authority

The Manager of the Mariana Islands Airport Authority in accordance with Public Law 6-58 has adopted Regulations to be identified as Rules and Regulations of the Mariana Islands Authority:

The Adopted Regulations include the following subjects:

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

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

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

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

October 15, 1978

CARLOS A. SHODA, Manager Mariana Islands Airport Authority



MARIANA ISLANDS AIRPORT AUTHORITY

SAIPAN INTERNATIONAL AIRPORT

P.O. BOX 1665 • SAIPAN • MARIANA ISLANDS 96960 Telephone 6717-6718

ADOPTED RULES AND REGULATIONS

Directive No. 3

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

- [a] Notice of Violation. Any person violating any of the provisions of Parts 2.1 through 2.7, inclusive, of the rules and regulations of the Mariana Islands Airport Authority shall be given written notice thereof by a duly authorized employee of the Authority.
- [b] Same; form of notice. The written notice shall be in the form attached hereto as Appendix A. The form shall be prepared in duplicate, with the original copy being served upon the violator in the manner provided herein, and the duplicate copy being returned to the Office of the Manager.
- [c] Same; manner of service. Service of the Notice of Violation shall be served upon the violator as follows: If the violator is physically present at the scene of the violation, the Notice of Violation shall be served upon him personally. If the violator is not so present, service may be effected by leaving the Notice of Violation upon the windshield of the offending vehicle, or alternatively upon any other prominent place upon such vehicle.
- [d] Same; who may serve. Persons authorized to serve the Notice of violation provided for herein are the Airport Manager, any employee of the Department of Public Safety of the Government of the Northern Mariana Islands, and any security officer of the Mariana Islands Airport Authority.
- [e] Denial of liability. Any person against whom a violation of any of the provisions of Parts 2.1 through 2.7, inclusive, of the rules and regulations of the MIAA is alleged shall have ten [10] days to deny liability therefore, by offering a compromise to the Airport Manager, or by paying the fine as established herein. The Notice of Violation shall state that failure to pay the fine assessed within the

- ten [10] day period may result in collection of said fine through the High Court of the Trust Territory, or its successor Court.
- [f] Compromise. Offers of compromise made to the Manager pursuant to the provisions hereof must be made in writing. Such offer shall not be accepted except with the concurrence of the Board. Failure of the Board to accept any such offer of compromise within the ten [10] day period shall be deemed a rejection of such offer. Upon the expiration of the ten [10] day period, or upon the earlier written rejection by the Board, the Authority may proceed to exercise any lawful remedy which it may possess for the collection of the fine assessed.
- [g] Schedule of fines. The schedule of fines to be assessed for the violation of those parts of the Rules and Regulations of the Authority covered by these Rules and Regulations shall be as follows:

Part 2.3:

\$20.00

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

Part 2.7:

\$5.00 plus towing charges

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

DATED, this 15th day of November, 1978:

CARLOS A. SHODA, Manager Mariana Islands Airport

Authority

PUBLIC NOTICE

TO AUCTION THE M/V DOLPHIN

Pursuant to the decision of the Northern Marianas Economic Development Loan Fund Board, the Department of Natural Resources hereby announces that the M/V Dolphin with all its equipments and supplies will be publicly auctioned at the Office of the Northern Marianas Chief of Police on Monday, November 27, 1978, at 9:00 a.m. Bidding is suggested to start at \$18,000 (U.S. Dollars). Any lower bid will be considered subject to negotiation. The Department of Natural Resources reserves the right to refuse any bid. The highest acceptable bidder must place a deposit of 10% of the auction price in cash or by certified check payable to the Northern Marianas Economic Development Loan Fund and the balance will be payable seventy-two (72) hours after acceptance of the bid. In the event that the highest bidder fails to pay the balance of the purchase within seventy-two (72) hours, the Northern Marianas Economic Development Loan Fund Board reserves the right to declare a forfeit of the 10% deposit.

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

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

OR

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