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AN ACT

To implement the U.S. Food Stamp Program in the Northern Mariana Islands and for other purposes.

BE IT ENACTED BY THE NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1           Section 1. Definitions. For the purposes of this Act-

2                   (a) "State Agency" means the Commonwealth Department of  
3 Community and Cultural Affairs;

4                   (b) "food" means any food or food products for human  
5 consumption except alcoholic beverages and tobacco, and shall include  
6 seeds and plants and supplies approved by the United States Department  
7 of Agriculture for use in gardening and in fishing to produce food for  
8 personal consumption of the eligible household;

9                   (c) "food stamp coupons" means any coupon, stamp, or  
10 type of certificate used under the Federal Food Stamp Act of 1977,  
11 as amended; and

12                   (d) "ATP cards" means authorization-to-participate cards.

13           Section 2. Food Stamp Program. As authorized by P.L. 1-28 the  
14 State Agency shall implement a Food Stamp Program in the Commonwealth  
15 in accordance with the provisions of the Federal Food Stamp Act of  
16 1977. The State Agency shall--

17                   (a) adopt rules and regulations necessary to carry out  
18 the Food Stamp Program which shall have the effect of law;

19                   (b) cooperate with the Federal Government and do all  
20 things necessary to continue the Commonwealth's eligibility under  
21 the Food Stamp Program; and

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1           (c) take into account in the performance of its duties  
2 and in conjunction with the U.S. Department of Agriculture the  
3 local circumstances and conditions of the Commonwealth.

4           Section 3. Unlawful Acts. Notwithstanding any other provision of  
5 law--

6           (a) any person receiving assistance under the Food  
7 Stamp Program who fails to report to the State Agency a change of  
8 his status which adversely affects his eligibility or decreases  
9 the amount of benefit for which he is eligible, within ten days  
10 of the change, is guilty of a misdemeanor;

11           (b) any person who knowingly makes false statements  
12 for the purpose of influencing the action of the State Agency in  
13 connection with its responsibilities under the Federal Food Stamp  
14 Act of 1977, as amended, with respect to the certification of  
15 households applying for participation in the Food Stamp Program and  
16 the issuance under such program of food stamp coupons to households  
17 is guilty of a misdemeanor;

18           (c) any person who knowingly uses, transfers, acquires,  
19 alters, or possesses food stamp coupons or ATP cards in any manner  
20 not authorized by the Federal Food Stamp Act of 1977, as amended,  
21 or the Federal regulations issued pursuant thereto, or regulations  
22 of the State Agency, and the face value of such food stamp coupons  
23 or ATP cards is \$100 or less is guilty of a misdemeanor;

24           (d) any person who knowingly uses, transfers, acquires,  
25 alters, or possesses food stamp coupons or ATP cards in any manner

1 not authorized by the Federal Food Stamp Act of 1977, as amended, or  
2 the Federal regulations issued pursuant thereto, or regulations of  
3 the State Agency, and the face value of such food stamp coupons or  
4 ATP cards exceeds \$100 is guilty of a felony;

5 (e) any person who knowingly uses, transfers, acquires,  
6 or possesses blank ATP cards of the State Agency in a manner not  
7 authorized by the State Agency is guilty of a felony;

8 (f) any person who knowingly counterfeits, forges, or  
9 alters any food stamp coupons or any ATP cards issued by the State  
10 Agency in connection with its responsibilities under the Federal  
11 Food Stamp Act of 1977, as amended, is guilty of a felony;

12 (g) any person who knowingly alters, publishes, or  
13 puts into circulation any counterfeit, forged, or altered food  
14 stamp coupons or ATP cards is guilty of a felony;

15 (h) any person who threatens, intimidates, bribes or  
16 attempts to bribe any of the staff, authorized representatives,  
17 or agents of the Food Stamp Program intending thereby to cause  
18 such persons to violate one or more of the laws or regulations  
19 governing the program is guilty of a felony;

20 (i) any person who conveys, lends, transfers or otherwise  
21 disposes of his property in such a way as to maintain de facto control  
22 over it for the purpose of rendering his household eligible for  
23 participation in the Food Stamp Program is guilty of a felony; and

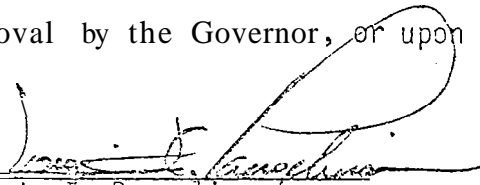
24 (j) any person who knowingly aids or abets another to  
25 commit a misdemeanor under this section is guilty of a misdemeanor,

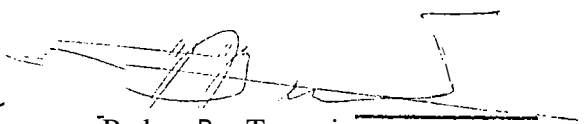
1 and any person who knowingly aids or abets another to commit a  
2 felony under this section is guilty of a felony.


3 Section 4. Penalties. A person convicted of a felony under Section  
4 3 of this Act shall be punished by imprisonment for not more than five  
5 years, or a fine not to exceed \$2,000, or both. A person convicted of a  
6 misdemeanor under Section 3 of this Act shall be punished by imprisonment  
7 for not more than one year, or a fine not to exceed \$1,000, or both. The  
8 penalties provided in this section shall be exclusive under Commonwealth  
9 law for any action constituting any such felony or misdemeanor.

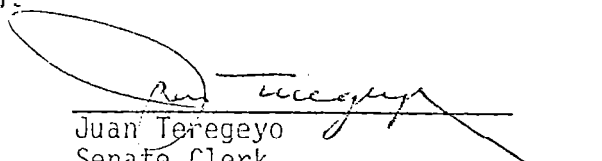
10 Section 5. Other Uses of Food Stamp Coupons. To the extent  
11 consistent with the Federal Food Stamp Act of 1977, as amended, or  
12 regulations issued pursuant thereto, or regulations issued pursuant to  
13 this Act, use of food stamp coupons to acquire food for consumption in  
14 communal, religious, and extended family activities shall not be deemed  
15 an unauthorized use or transfer of food stamp coupons.

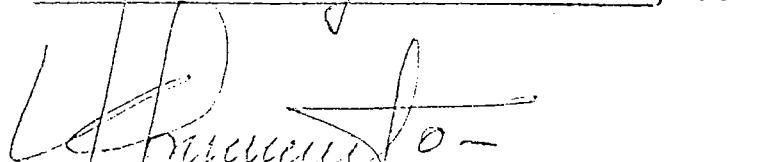
16 Section 6. Effective Date. This Act shall take effect upon its  
17 approval by the Governor, or upon its becoming law without such approval.

  
Joaquin F. Pangelinan  
Speaker of the House

  
Pedro P. Tenorio  
President of the Senate

  
Esteban I. Pangelinan  
House Clerk

ATTEST:  
  
Juan Teregeyo  
Senate Clerk

February 20th, 1981  
  
Carlos S. Camacho  
Governor  
Commonwealth of the Northern Mariana Islands