

THIRD REGULAR SESSION, 1986

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AN ACT

To amend Title 5, Division 8, Chapter 4 to provide statutory authority for facsimile signatures of public officials and seals, its uses, prohibited acts and penalties; and for other purposes.

BE IT ENACTED BY THE FIFTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1           Section 1. Short Title. This Act may be cited as the Commonwealth  
2 Public Officials Uniform Facsimile Signature Act of 1987.

3           Section 2. Definitions. As used in this Act:

4                   (a) Authorized Officer - "Authorized Officer" means  
5 any official of the Commonwealth government or any of its  
6 public corporations whose signature to a public security  
7 or instrument of payment is required or permitted by law.

8                   (b) Facsimile Signature - "Facsimile signature"  
9 means a reproduction of engraving, imprinting, stamping,  
10 or other means of manual signature of any authorized  
11 officer.

12                   (c) Public Security - "Public Security" means a  
13 bond, note, certificate of indebtedness, or other  
14 obligation for the payment of money, issued by the  
15 Commonwealth, or, as authorized by law, by any of its  
16 public corporations.

17                   (d) Instrument of Payment - "Instrument of Payment"  
18 means a check, draft, warrant, or order for the payment,  
19 delivery, or transfer of funds.

1           (e) Commonwealth - "Commonwealth" means the Commonwealth  
2 of the Northern Mariana Islands as defined in 1 CMC 102, or  
3 any of its departments, agencies, public corporations, or other  
4 instrumentalities.

5           Section 3. Use of Facsimile Signature.

6           (a) Authorized Officers. Any authorized officer, after  
7 filing with the Attorney General the manual signature of the  
8 authorized officer certified under oath, may execute or cause  
9 to be executed with a facsimile signature instead of a manual  
10 signature:

11                   (1) any public security, if the signature  
12 of at least 1 authorized officer required or  
13 permitted to be placed on the public security  
14 is manually subscribed; and

15                   (2) any instrument of payment.

16           (b) Individuals other than authorized officers. If  
17 a public security is required to be manually signed by a  
18 trustee, issuing agent, registrar, or other agent or  
19 custodian, any other signature required or permitted to  
20 be placed on the public security may be a facsimile  
21 signature.

22           (c) Legal Effect. Upon compliance with this section  
23 by the authorized officer, the facsimile signature of the  
24 authorized officer has the same legal effect as the manual  
25 signature of the authorized officer.

1           Section 4. Use of Facsimile Seal.

2           (a) In General. When the seal of the Commonwealth  
3 of the Northern Mariana Islands or any of its political  
4 subdivisions is required in the execution of a public  
5 security or instrument of payment, the authorized  
6 officer may cause the seal to be printed, engraved,  
7 stamped or otherwise placed in facsimile on the public  
8 security or instrument of payment.

9           (b) Legal Effect. The facsimile seal has the same  
10 legal effect as the impression of the seal.

11           Section 5. Prohibited Acts; Penalties.

12           (a) Prohibited Acts. A person may not use, with  
13 intent to defraud, on a public security or an instrument  
14 of payment:

15                   (1) a facsimile signature, or any reproduction  
16 of it, of any authorized officer; or

17                   (2) a facsimile seal, or any reproduction of it,  
18 of the Commonwealth of the Northern Mariana Islands  
19 or of any of its political subdivisions.

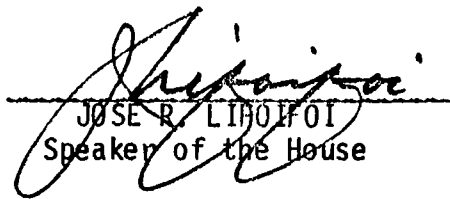
20           (b) Penalties. A person who violates any provision of  
21 this section is guilty of a felony and on conviction is  
21 subject to a fine not exceeding \$5,000 or imprisonment not  
22 exceeding 5 years or both, for each violation.

23           Section 6. Severability. If any provision of this Act, or the  
24 application of any such provision to any person or circumstance, shall  
25 be held invalid by a court of competent jurisdiction, the remainder of

1 this Act, or the application of such provision to persons or  
2 circumstances other than those to which it is held invalid, shall not  
3 be affected thereby.


4 Section 7. Effective Date. This Act shall take effect upon its  
5 approval by the Governor, or upon its becoming law without such approval.

ATTEST:

  
JOSE R. LIOFOT  
Speaker of the House

  
FRANCES P. SABLAN  
House Clerk

March 17, 1987

  
PEDRO P. TENORIO  
Governor  
Commonwealth of the Northern Mariana Islands