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PUBLIC NOTICE

Proposed Adoption of Public School System Policies

The Board of Education of the Northern Mariana Islands, in accordance with Public Law 6-10 and the Administrative Procedures Act, is proposing to adopt the following school policies and solicits public comments.

The proposed rules and regulations include the following subject areas:

- 1. Instructional & Academic Goals
- 2. Instructional Goals for the Public School System
- 3. CNMI Board of Education By-Laws Article IV
- 4. CNMI Board of Education By-Laws Article VI
- 5. CNMI Board of Education By-Laws Article VII
- 6. CNMI Board of Education By-Laws Article IX
- 7. CNMI Board of Education By-Laws Article X
- 8. Public Records
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- 30. Corporal Punishment

- 31. Defining Normal School Age
- 32. Graduation Participation
- 33. Fundraising
- 34. Construction of Classrooms
- 35. Revision of Policy Numbering System in Policy Manual & Minor, Non-Substantive Revisions of Policy Wording

Copies of the proposed regulation may be obtained from Ms. Elizabeth Diaz Rechebei, Commissioner of Education, Public School Sytem, Lower Base, Saipan, MP 96950.

Anyone interested in commenting on the proposed policies may do so by submitting comments in writing to the Chairman, Board of Education, P.O. Box 1370 CK, Saipan, MP 96950, within thirty (30) days from the date this notice is published in the Commonwealth Register.

Mr. Juan L. Babauta

Chairman, Board of Education

NUTISIAN PUPBLIKU

I Manmaprupoponi siha na Planon Minaneha gi Sisteman Eskuelan Pupbliku

Sigon gi Attekulu XV gi Konstitusion i Sangkattan siha na Islan Mariana yan i Lai Pupbliku Nuntiru 6-10, i <u>Commonwealth of the Northern Mariana Islands Board of Education</u> ginen este na nutisia ha prupoponi muna'guaha Plano Minaneha, Areklamento yan Regulasion gi sigente siha na suhetu:

- 1. Minito' Instraksion yan Akademiku
- 2. Minito' Instraksion para i Public School System (Sisteman Eskuelan Pupbliku)
- 3. Attikulu IV gi Areklamenton i CNMI Board of Education (Kuetpon Edukasion i CNMI)
- 4. Attikulu VI gi Areklamenton i CNMI Board of Education (Kuetpon Edukasion i CNMI)
- 5. Attikulu VII gi Areklamenton i CNMI Board of Education (Kuetpon Edukasion i CNMI)
- 6. Attikulu IX gi Areklamenton i CNMI Board of Education (Kuetpon Edukasion i CNMI)
- 7. Attikulu X gi Areklamenton i CNMI Board of Education (Kuetpon Edukasion i CNMI)
- 8. Rekot Publiku
- 9. Fonksion i Komisina
- 10. Distriton Eskuela
- 11. Transpottasion Estudiante
- 12. Prinibidon Bentadot Nengkanno'
- 13. Solisitasion
- 14. Prugraman Mansensuran GED
- 15. Responsabilidat i Komisinan Edukasion gi Prugraman Instraksion
- 16. Dibision Gradu
- 17. Sesion Eskuela Kada Dia
- 18. Numiron Estudiante para kada Ma'estro
- 19. I Makuotana Ora para kada Suheto Eskuela siha
- 20. Sisteman mana'i Gradu para i Eskuelan Elementariu
- 21. Sisteman mana'i Gradu para i Eskuelan Segundariu
- 22. Matransferen Kreditu

- 23. Settefikasion Ma'estra/o
- 24. Prublema put Interes
- 25. Minanehan Estudiante
- 26. Finatta yan Dinispensan Estudiante
- 27. Finatta Sin Petmision
- 28. Rekot Estudiante Siha
- 29. Sinospende yan Nina'bastan estudiante
- 30. Kastigon Kaporat
- 31. Dinifinan Regulat na Idat Eskuela
- 32. Pattisipa gi Gradu'asion
- 33. Fundraising
- 34. Konstraksion Kuatto siha
- 35. Ribision i Areklamento put i Sisteman Manumiru gi halom i Policy Manual yan Minot siha na ribision gi palabras i policy

Kopian i manmaprupoponi siha na regulasion sina manmachule' gi ufisinan i Public School System Board of Education. Lower Base, Saipan, MP 96950.

Rekomendasion siha put i manmaprupoponi na planon minaneha sina manmatuge' ya u fanmasatmiti guatu gi <u>Board of Education</u> sino' u mana'fanhanao i Post Office gi halom sobri ni mamatka, Attention: <u>Board of Education</u>, P.O. Box 1370 CK, Saipan, MP 96950, gi halom trenta (30) dias despues di i fecha ni mapupblika este na nutisia gi halom i Rehistran Commonwealth.

Mr. Juan L. Babauta

Chairman, Board of Education

Fecha

ARONGORONGOL TOWLAP

Ammwoghutul Alleghul CNMI Sistemaal Gakkool Publiko

Sangi Owtol XV iwe Llol Appilughulughul <u>Northern Mariana Islands</u> me Allegh ye 6-10, nge <u>Board of Education</u> kka llol <u>Northen Marianas</u>. <u>Commonwealth</u> ekke ffeer bwe ebwe arongaawow alleghul mwoghutughutul mikikka e tattaletiw:

- 1. Alleghul Studio kka Re kke Akkabwung
- 2. Alleghul Meleitey Mellol Gakkol Publiko
- 3. Allegh Lioi Owtol IV Mereer Board of Education
- 4. Allegh Liol Owtol VI Mereer Board of Education
- 5. Allegh Liol Owtol VII Mereer Board of Education
- 6. Allegh Lioi Owtol IX Mereer Board of Education
- 7. Allegh Llol Owtol X Mereer Board of Education
- 8. Rekuduur Publiko
- 9. Mwoghutughutul Commissioner
- 10. Llapeer Attel Meleitey Mellol ghal Imwal Meleitey
- 11. Waar Atel Meleitey (Baas)
- 12. Aighuughul Akkameelool Mwungo
- 13. Liffangal Schowar me Selaapi
- 14. Osossotol progroomaal GED
- 15. Responsablidoodol Commissioner-rul Edukasion Llol progroomaal <u>Instruction</u>
- 16. Iseisiwowul Akkateetaal Groodo
- 17. Ralliil Meleitey
- 18. Liapai Layul School Akkakwurg Atel Meleitey Mellol Kuatto
- 19. Otol <u>Subject</u> kka Ebwe Yoor Llol Meleitey
- 20. Grading System Llol Elementoorio
- 21. Grading System Lol Secondary (High School)
- 22. Olullusul Molofit (diibi)
- 23. Certification-nuur School Ammeleitey
- 24. Essobw Yoor Rughuppil Lepateer Aramas
- 25. Leghleghiir Olighat
- 26. Fattaar Olighat me Fatta kka e Excuse
- 27. Ate kka Resow Fatta
- 28. Rekuduur Atel Meleitey
- 29. Atel Meleitey kka Re Sospendedliir
- 30. Kastiigoor Olighat Igha Re Lowtiir

- 31. Aweewel Ebwa Ifa Raghiir Ate kka Rebwe Meleitey
- 32. Igha Rebwe Fiti Graduation
- 33. Yeyil Selaapi Ighile Sibwe Tingoor me Ngere Akkameelo
- 34. Akkayuul Imwal Meleitey
- 35. Siwellol <u>Policy Numbering System</u> in <u>Policy Manuel</u> me <u>Minor</u>, me <u>Non-Substantive Revision</u>

Kopiyaal allegh kkaal emmwel schagh ubwe tingor me bwulaasiyool Public School System Board of Education, Lower Base, Saipan, MP 96950.

Ngare eghal your tipomw reel allegh kka aa ffeer iisch ngaliir Board of Education ngare afanga llol post,nge ubwe ikkaisul, Attention: Board of Education, P.O. Box 1370 CK, Saipan, MP 96950, eliigh (30) ral sangi ral ye e toowow \arongorong yeel mellow Commonwealth Register.

Mr. Juan L. Babauta

Chairman-il Board of Education

Maram, ral, raagh

PROPOSED AMENDMENTS TO POLICIES OF THE PUBLIC SCHOOL SYSTEM

- 1. The Instructional and Academic Goals Policy is amended to add eight new paragraphs to read as follows:
- 102.11 To develop special programs for alienated and high-risk students.
- 102.12 To promote programs that are sensitive to CNMI's cultural and regional uniqueness, as well as, having real value and meaning to the islands' needs.
- 102.13 To create an educational environment which fosters equal opportunities, offers enthusiasm for learning, and develops diverse cultural awareness, knowledge and understanding.
- 102.14 To develop and improve curricula in each program area which sets high expectations of students, teachers and instructional leaders.
- 102.15 To improve quality educational opportunities which enable learners to become self-sufficient, understanding, respective, responsible and contributing citizens of society with satisfying lifestyles within the CNMI and the world.
- 102.16 To promote an educational environment for each learner as a unique individual with unique learning potentials in intellectual, emotional, moral, cultural, physical, aesthetic, social and career development.
- 102.17 To encourage development of adaptive skills with which to deal and live effectively in the rapidly changing society while increasing cognitive, affective and psycho-motor domain skills.
- 102.18 To increase opportunities for learners to develop critical thinking, problem-solving and decision-making, work study and relationship skills.
- 2. The Institutional Goals for the Public School System Policy is amended to alter an existing paragraph and add a paragraph to read as follows:
- To provide for administrative flexibility and sufficient autonomy to establish programs suitable to each school community through involvement of representatives of all segments of the community in decision-making and sharing of responsibility.
- To provide prompt, efficient and reliable support services necessary to operate the schools and instructional programs.
- 3. The CNMI Board of Education By-Laws, Article IV is amended to alter existing paragraphs to read as follows:

The Board of Education is composed of five (5) voting members elected at large from the three senatorial districts of the CNMI and 3 non-voting members appointed by the Governor.

The five voting members consist of one (1) from the first senatorial district, one (1) from the second senatorial district and three (3) from the third senatorial district. Elected members of the Board shall serve their terms commencing on the second Monday of January in the year following the regular general election at which they were elected. The 3 non-voting members consist of one student from a public secondary school, one teacher selected based on exclusive bargaining by teachers and one private non-public school representative. The non-voting members are appointed by the Governor and shall serve their terms as specified by law.

4. The CNMI Board of Education By-Laws, Article VI, Sections 1,2,3,12, and 13 are amended to read as follows:

Section 1.

Regular meetings of the Board shall be held at least once every quarter unless otherwise specified by the full Board.

Section 2.

All regular meetings of the Board shall be open to the public and be publicly announced at least a week in advance with the exception of meetings involving personnel matters specified in Section 1521 (a) of Public Law No. 6-10.

Section 3.

Special meetings may be called by the Chairman at a time and place designated by the Chairman or upon the request of any 2 voting members or any 5 of the total members including the non-voting members. Special meetings may be open or closed.

Section 12.

The Order of Business may be substantially as follows:

Call to Order, Roll Call, Adoption of Agenda, Adoption of Minutes, Chairman's Report, Committee Reports: Fiscal/Personnel and Program and Legislative Committees, Commissioner's Report, Old business, New business, Miscellaneous, Adjournment.

Section 13.

Written minutes or a printed report of every open meeting of the Board will be kept by the Administrative Officer of the Board and will be available for public review.

5. The CNMI Board of Education By-Laws, Article VII, Sections 1 and 5 are amended to read as follows:

Section 1.

The officers of the Board shall be a Chairman and Vice-Chairman. On or before the regular January meeting following the election in a particular year, the Board shall reorganize by electing one of its voting members as Chairman and another voting member as Vice-Chairman to serve for a term of one year, except as provided in Section 4, below.

Section 5.

The Chairman shall preside at all meetings of the Board, appoint members to all committees and designate the Chairman thereof, and shall have such powers and perform such duties as may from time to time be specified by the Board. In appointing members to all committees the Chairman shall give due recognition to the desire of each member to serve upon a particular committee or committees.

6. The CNMI Board of Education By-Laws, Article IX is amended to alter an existing section and add a new section to read as follows:

Section 2.

The duties and responsibilities of the standing committees shall be as follows:

A. Fiscal and Personnel Committee:

To familiarize itself with the business operations of the Public School System and to recommend policies or directives to be considered by the full Board.

To review on a quarterly basis reports on the business and financial conditions of the PSS.

To recommend for Board action policies and directives on matters pertaining to the business operations of the PSS.

To perform such other duties and responsibilities as may be provided by the Board.

The business operations of the PSS include personnel management, fiscal and budget, food services program, pupil transportation, audit of programs, review of the annual budget, to report on the financial status of the Board, utilities, and other auxiliary programs that contribute to the success of the PSS educational process.

B. Program and Legislative Committee:

To familiarize itself with the curriculum and student learning and achievement.

To familiarize itself with innovations and research in curriculum and instruction.

To familiarize itself with the laws, regulations and policies affecting the PSS.

To perform such other duties and responsibilities as may be provided by the Board.

To review and recommend for Board action policies or directives on matters relating to programs, student activites, community relations, legislative matters, and other matters that may affect the programs and policies of the PSS.

Section 3.

No member of the Board may be Chairperson of more than one standing committee and the Chairman of the Board may not serve as the Chairman of a standing Committee.

7. The CNMI Board of Education By-Laws, Article X, Section 8 is amended to read as follows:

Section 8.

Meetings of the Board shall be conducted according to these rules. Should any procedural problem develop that is not specifically answered by these rules, the Chairman shall refer to "Robert's Rules of Order Revised" to assist in a determination of the appropriate procedures to follow. The Chairman shall decide all questions of order subject to appeal to the membership.

- 8. The Public Records Policy is amended to alter two existing paragraphs to read as follows:
- Public records as defined in this Policy are open for inspection during office hours of the school system. Every citizen has a right to inspect any public school record except those records for which disclosure is exempted or prohibited by law.
- "Public records" include all official Board minutes except those of closed sessions, maps, drawings, curricular materials and other documents prepared, owned, used or retained by the Northern Marianas Public School System regardless of physical form or characteristics except individual student and personnel records and any other records required by law to be kept confidential.
- 9. The Functions of the Commissioner Policy is amended to alter two existing paragraphs to read as follows:
- The Commissioner of Education is the executive officer of the Board with power to initiate and recommend policies to the Board for its consideration and approval. The Commissioner shall manage all of the affairs of the schools with the assistance of staff, using as the basis the policies adopted and authorizations approved by the Board.
- The Commissioner is directly responsible to the Board but all other PSS employees are responsible to the Commissioner. The Commissioner shall be responsible for the appointment of all PSS personnel. All instructions from the Board shall go to the Commissioner who shall be the directing center to the PSS. In cases of an emergency in administrative matters not suitably covered by any policy of the Board, the Commissioner may act and report such action to the Board in the most expeditious manner.
 - 10. The School Attendance Districts Policy is amended to read as follows:

POLICY 307 School Attendance Districts

- The Board wishes to distribute the resources of the system equally to all students. The Commissioner shall recommend to the Board school attendance districts to keep, as far as possible, a balance of pupil attendance consistent with the number of classrooms available at each school location.
- The Commissioner shall consider the number of pupils to be housed at the school, whether the school district will enroll an adequate number of pupils, whether the school district is organized on the basis of substantial community identity, whether the school district will result in an equitable division of property and facilities, that the school district will not promote racial or ethnic discrimination or segregation, the location in relation to the number of pupils, the possible hazards to movement of pupils, the effects on the programs of study and the effects on other school attendance districts, prior to making a recommendation to the Board.
- Whenever an existing attendance district is considered for reorganization or a new school district formed, the procedures in section 1525 (b), P.L. 6-10 will be followed.
- The Board is more concerned with the individual than with subject matter. The child should be the center and the focus of the educational resources of the Northern Mariana Islands. Therefore, the Board directs the Commissioner that upon petition the Commissioner may allow a student to attend classes in another school district when appropriate programs

of study are not available at a given school, when such attendance would be in the best educational and health interest of the child or when an extreme hardship is created to the home, and when the requested transfer does not create a hardship to the transferring or receiving school. A decision denying such a petition may be appealed to the Board of Education.

307.5 Students must enroll in the school attendance school district where their parents or legal guardians are residing, except for special education students.

When needed, legal guardianship documents must be submitted as proof before the students may be enrolled in any school.

- The Commissioner shall distribute as equitably as possible all resources, including teachers, throughout the Public School System.
- 11. The Student Transportation Policy is amended to add a new paragraph to read as follows:
- 310.6 School officials and/or staff are not authorized to transport students in the back of school pick-up trucks at any time.
 - 12. The Food Vendor Restriction Policy is amended to read as follows:

In accordance with the governing regulations of the Federal Food Assistance Program, no commercial vendors shall sell or offer for sale any food or drink intended for human consumption on the grounds of any public school in the Northern Mariana Islands during any period of time when such school shall be in session. Schools, however, are authorized to sell non-carbonated drinks to students but only with written consent of the Commissioner of Education.

13. The Solicitation Policy is amended to read as follows:

POLICY 312 Solicitation

- Public School System staff shall not engage in any solicitation for non-education related activities during working hours and on any Public School System premises or during any function sanctioned by the Public School System. An exception is granted for PSS staff engaged in authorized activities such as an employee credit union, solicitation for Health Drives, the Red Cross, other activities approved under the Board of Education fundraising policy, and token solicitation for floral remembrances, retirement gifts and similar purposes for PSS employees.
- 312.2 Solicitation by vendors is strictly prohibited during working hours and on any Public School System premises or during any functions sanctioned by the Public School System.
- 14. The GED Testing Program Policy is amended to alter an existing paragraph to read as follows:
- 313.2 <u>Requirements for Testina</u>

Candidates must be beyond the legal age requirement for school attendance and reside in the Northern Mariana Islands for forty_five days (45) immediately prior to making application. Permanent residents of the Northern Mariana Islands who are serving in the U.S. Armed Forces are exempted from the fore-going resident requirements. If the candidate has dropped out of a high school and is under 18 years of age, he/she must provide the Chief

Examiner with a letter from the principal of his/her former high school, stating, that the applicant has officially withdrawn from the school, and has no chance of being readmitted...

15. The Instruction Program Responsibility of the Commissioner of Education Policy is amended to add two new paragraphs to read as follows:

401.2 Implementation of New Program or New Basal Series

All requests for new programs or new basal series to be implemented must originate from the appropriate division official(s) and be submitted to the Commissioner of Education for recommendation and full Board approval.

Procedures governing implementation of new programs or basals will be issued by the Commissioner of Education.

401.3 Instructional Day

Instructional Day is defined as a day where actual teaching of lessons is conducted. That is, teachers are involved in teaching and students are actively involved in the lesson(s). Cultural Day, Dolphins Day, Hilitai Day, etc., should not be counted as instructional days.

16. The Distribution of Grade Level Policy is amended to read as follows:

POLICY 402 Distribution of Grade Level

The instructional program will be organized into three parts: Elementary School, Jr. High and High School Education.

- a. Elementary School Grades K-6
- b. Jr. High School Grades 7-8
- c. High School Grades 9-12

17. The Daily School Sessions Policy is amended by altering an existing paragraph and adding a new paragraphh to read as follows:

403.3 Minimum Daily School Sessions

(Grades K- 6)	Three hundred (300) instructional minutes.
Jr. High School (Grades 7-8)	Three hundred (300) instructional minutes.
High School (Grades 9-12)	Three hundred (300) instructional minutes.

"Instructional Minutes" is defined as actual minutes of instruction exclusive of recess, passing time, activity periods, and lunch periods.

403.4 School Activities

Program, etc.

School activities not reflected on the approved school calendar shall not be conducted without the approval of the Commissioner of Education.

- 18. The Student-Teacher Ratios Policy is amended by altering an existing paragraph and adding two new paragraphs to read as follows:
- 404.1 Acceptable Student/Teacher Ratios, governing class size for instruction will be based on the following general guidelines:

Elementary School Class Size. Regular Program

Grades K	Maximum	15/1	Minimum	10/1
Grades 1-3	Maximum	20/1	Minimum	15/1
Grades 4-6	Maximum	25/1	Minimum	20/1
Jr. High School Class Size. Regular	Program			
Grades 7-8	Maximum	28/1	Minimum	16/1
High School Class Size, Regular Pro	ogram			
Grades 9-12	Maximum	30/1	Minimum	16/1
Vocational Education Class Size				
Teacher Program	Maximum	20/1	Minimum	10/1
Business	Miximum	30/1	Minimum	16/1

- Special Education classes shall be exempted from the above student-teacher ratio policy.
- Teachers handling more than the maximum number of students specified may be given bonus compensation, or teacher Aide as funding permits.
- 19. The Subject Time Allotments for Schools Policy is amended by altering an existing subsection and adding a new subsection to read as follows:
- The following minimum subject time allotments shall apply in all public elementary schools in the Commonwealth. Any departure from the following time allotment allocations will require express prior approval from the Commissioner which is subject to Board of Education review upon request.

Subject	Grades K through 7		
Language Arts	120	Minutes	
Vernacular	50		
Math	45	**	
Social Studies	45	11	
Science/Health	45	**	
Art/Music	45		
P.E.	45	"	

Art and Music must be taught on specific days in which it should be reflected on the school class schedule.

P.E. should be taught on a daily basis.

407.2 Subject Time Allotments for Jr. High & High School

All academic subjects shall receive a minimum of not less than 60 minutes.

Trade classes shall receive a minimum of not less that 120 minutes. All business courses shall receive a minimum of not less than 60 minutes. Career Education courses shall only be offered to senior class and shall receive a minimum of not less than 240 minutes including on-the-job-site training.

20. A New Elementary School Grading System Policy is hereby adopted to read as follows:

The elementary schools will use a percent/letter grade system as follows:

Percent	Letter Grade
93-100	Α
83-92	В
73-82	С
63-72	D
0-62	F

Special Grades or Symbols to be Used

- "P" Passing This passing mark is earned by the student whose efforts and attitudes warrant the attainment of course credits although his/her scholarship is so far below average that in the subject area concerned they would, otherwise, be considered as failing. It is designed for students with learning problems and requires administrative approval. This grade is used at the elementary level by the classroom teachers who have students receiving special instruction because they cannot meet the standards of the course. In this case, the special instruction teachers will provide additional reports to parents as enclosures in the report cards that will show their progress toward the prescribed objectives. The letter grade P shall not be included in calculating Grade Point Average.
- Each teacher is responsible for keeping accurate records in the grade book provided by the school and will submit the grade book to the principal at the end of the school year, when requested.
- It is recommended to teachers that the measure of quarterly grades be based on a variety of factors, none of which should represent over 50% of the grade. The guidelines recommended below are intended to be general and will vary according to the content and activities of each particular course. (For example, there may be no homework assigned for P.E, but there may be weekly quizzes in Math.)

Weight Minimum Frequency		
15-25%	1	
30-50%	5	
10-20%	1	
5-10%	5	
	15-25% 30-50% 10-20%	

- All teachers are required to explain the grading policy to their students when they begin, or enter, the school year. All factors involved in computing the final grade should be maintained in the grade book.
- 21. The Secondary School Grading System Policy is amended by altering two existing subsections and by adding one new subsection to read as follows:
- The secondary schools will use a percent/letter system as follows:

Percent	Letter Grade
93-100	Α
83-92	В
73-82	С
63-72	D
0-62	F

Grading and Report Procedures 9-12

- X AB Absent This grade is used with high school (9-12) level courses to indicate that the student has not been in attendance sufficient number of days for grading as per the attendance policy of the Board. (Note: X is used in the high school report cards only because the computer cannot make a double letter entry.)
- M Medical This symbol is to be used for students who cannot meet course requirements due to medical reasons.
- I Incomplete This symbol is to be used in the high school report cards (9-12) to indicate that a grade will be given when certain requirements are met. Incomplete will be changed to "F" if the student did not complete the course of study within a year's period.
- W Withdrew This symbol is used with high school (9-12) level courses when a student withdraws from a class in progress.
- Each teacher is responsible for keeping accurate records in the grade book provided by the school and will submit the grade book to the school counselor at the end of every quarter.
- It is recommended that teachers measure quarter grades based on a variety of factors, none of which should represent over 50% of the grade. The guidelines recommended below are intended to be general and will vary according to the content and activities of each particular course. (For example, there may be no homework assigned for P.E., but there may be weekly quizzes in Math.)

<u>Activities</u>	Weight	Minimum Frequency
Quarter Exam	15-25%	1
Periodic Tests Quizzes	30-50%	5
Special Projects	10-20%	1
Homework	5-10%	5

22. A New Transfer of Credits Policy is hereby adopted to read as follows:

No religious courses will be accepted for credit unless the course is directly related to courses offered in the Public School System. For example, a course "The Bible as Literature" could be substituted for an English Literature class.

23. The Teacher Certification Policy is amended to alter an existing paragraph and add two new paragraphs to read as follows:

Every person who is employed or to be employed as a classroom teacher is eligible for and shall be issued a Continuing Certificate if such person possesses a baccalaureate, masters, or doctorate degree, or is the holder of a comparable teaching certificate issued by an authority of any jurisdiction of the United States of America or its territories or possessions, as long as such person also meets the requirements for fitness set forth in this policy.

503.5 Basic Qualifications of Applicants for Certification & Information Requirements

The Board and Commissioner or his designee may prescribe specific information to be provided by applicants for certification. Every applicant for certification must have, and be able to demonstrate and furnish satisfactory evidence of, proper educational training, qualifications, good moral character, mental and physicial health, and other evidence of fitness to serve as a certified teacher or other certified employee. Every applicant must furnish such evidence as the Board and Commissioner deem neccessary to establish such qualifications and fitness. Without limiting any power to deny certification on other grounds, no applicant shall be granted certification who has been convicted anywhere of any Sex Crime, offense or violation. At a minimum, applicants will provide with their application police and criminal record clearances from appropriate law enforcement agencies from the places where they have resided for the past three years and must provide clearances for longer past periods if requested. Applicants are required to respond and provide any requested information relevant to their application and fitness for certification. Applicants are required to authorize their prior employers to provide, without restriction, any information relevant to their application, qualifcations and fitness. Failure to provide such information or authorize provision of such information shall be grounds for denial of certification.

503.6 Revocation of Certification

Certification issued pursuant to this policy are subject to revocation on the grounds and in accordance with the procedures set forth in section 1582 of Public Law No. 6-10 and this policy.

- 24. The Conflict of Interest Policy is amended by Altering two existing paragraphs to read as follows:
- 504.2 Outside Employment...
 - (c) Responsibility

It is the responsibility of the employee not to engage in any employment contrary to this policy. It is also the responsibility of the appropriate official to see that school employees under his or her authority do not engage in other employment during the hours required for them for fulfilling their official contractual duties and do not engage in any employment contrary to this Policy....

504.5 <u>Tutoring</u>

No tutoring by employees for which a remuneration is received shall take place on the public school property of the Commonwealth of the Northern Mariana Islands or during normal working hours.

25. The Student Supervision Policy is amended by adding a new subparagraph to read as follows:

Students shall be supervised while boarding the bus everyday after school. It is the responsibility of the school principal to assign staff to supervise all bus riders during the process of boarding.

- 26. The Student Absences and Excuses Policy is amended to alter an existing subparagraph to read as follows:
- e. 1) a student with 25 or more school days absences per year will not be promoted, unless an exemption is granted by the Commissioner of Education
 - 2) a student would not earn credit in a given course upon receiving 26 or more school days absences per year in the course. This only applies to the High Schools and Elementary Schools that are departmentalized.
- 27. The Truancy Policy is replaced with a new Truancy Policy which reads as follows:
- Any public school student who is absent from school without the knowledge and permission of the student's parents or legal guardians, or school authorities, is a truant. Any student who has accumulated two (2) unexplained absences must be reported to the principal's office and any subsequent unexplained or unexcused absences must also be reported to the principal's office.
- It is the responsibility of the teachers to monitor students' absenteeism and to submit timely and accurate reports of absenteeism to the principal's office.
- The principal upon receiving a report from a teacher, shall immediately seek and provide counseling to the truant student and promptly issue a truancy report to the student's parent(s) or legal guardian(s) with a copy provided to the Commissioner of Education. The report shall include recommendation(s) by the school prescribing corrective measures for parent(s) or legal guardian(s) and students.

- Any repeated truancy shall be reported to the Division of Youth Services, Community and Cultural Affairs Offices for counseling and other necessary actions and parent-teacher conferences may also be held.
- All communication with student's parent(s) or legal guardian and student contact must be properly and accurately recorded in writing and filed in the student's cumulative folder. This includes reports from referral agencies.
- Pursuant to 1 CMC Sec. 2378 the Division of Youth Services shall have access to student records with or without prior parental approval as stated in Policy 606.2. However, such privilege is limited only to a particular case-worker and/or counselor assigned to the case.
- 28. The Student Records Policy is amended to add four new subparagraphs to read as follows:
- 606.2 <u>Use of Student Records...</u>

Pursuant to 1 CMC Sec. 2378 the Division of Youth Services shall have access to student records with or without the consent or authorization of the student's parent(s) or legal guardian(s) if that student is a minor, or the consent of the student if that student is eighteen (18) years of age or older.

Provided, however, that requesting agency shall, in writing:

- a. demonstrate its interest in the student record
- b. specify the particular record or information requested
- c. list the name or names of agency personnel authorized to have access to information being sought.

Additionally, no copies of student records shall be made, nor student records leave the school administration office. Principal or his/her designee of the school where access to student records is being requested shall provide a space or room for authorized agency personnel requesting access to review records.

Pursuant to Section 1532 (b) of P.L. No. 6-10 access to student records requested by the parents, legal guardians, or students shall be granted within 5 days of the date of request. The requester shall be notified of the location of all centrally located student records. If necessary qualified personnel to interpret records will be made available.

- 29. The Student Suspension and Expulsion Policy is amended by altering an existing subparagraph and by adding four new paragraphs to read as follows:
- The principal may suspend a student for one or more of the following reasons: (1) violation of school regulations; (2) conduct which tends materially and substantially to disrupt the right of others to an education; (3) conduct which endangers the student or other persons; (4) conduct which endangers school property; (5) conduct which is in violation of the laws of the Commonwealth; or (6) other conduct which violates any Board of Education Policy.

- As an exception to these rules in the event of a serious criminal or other action committed by a student, the principal may suspend, or the Commissioner may expel the student immediately and for an unlimited period with a hearing to be held in accordance with this policy after the suspension or expulsion.
- In the case of either suspension or expulsion, prior to the action being taken, the student shall be advised by the principal of the specific conduct resulting in the action, the student shall be given the opportunity to present and explain the students conduct, and the student shall be advised of the applicable appeal procedures.
- 610.6 In the case of review and approval of a suspension by the principal or expulsion by the Commissioner the student, parents, or legal guardians shall be advised by the principal that they have a right to a hearing before the Commissioner. If the student, parents, or legal guardian choose to have a hearing, the principal shall provide a written notice of: the conduct resulting in the suspension or expulsion action; the proposed action; and the date, time, and place of the hearing before the Commissioner. The hearing shall be tape recorded and copies of all written materials and other evidence presented shall be made a part of the record. The student may be represented by any person of his choice, including an attorney at his parents or legal guardians expense, and may present witnesses and evidence and cross examine opposing witnesses. The rules of evidence shall not apply in the hearing but the Commissioner shall have control of the hearing. The Commissioner shall enter a decision in writing on the suspension or expulsion and, if suspension or expulsion is imposed, the decision shall state findings of fact based on the evidence presented which support the action, the length and other conditions of the suspension or expulsion, and the right of the student to appeal in writing within seven days to the Board of Education.
- The Board of Education shall consider the appeal of students who have been suspended or expelled pursuant to Section 610.6 above. Appeals by the student must be made in writing within seven (7) days of the Commissioners written decision on the suspension or expulsion. The Board shall review the suspension or expulsion SOLELY on the record of the hearing and decision of the Commissioner. The Board may permit the student and Commissioner or their respective representatives, to argue why the record justifies the reversal, modification or affirmation of the decision of the Commissioner. The Board may reverse, modify or affirm the decision of the Commissioner.

30. The Corporal Punishment Policy is amended by adding two new subparagraphs to read as follows:

- 611.3... (b) Students will be informed as to what behavior may occasion corporal punishment.
 - (c) Students will be told why corporal punishment is being given and the student will be given the opportunity to explain their conduct prior to the administration of punishment.

31. The Defining Normal School Age Policy is amended to read as follows:

Normal school is defined as between the ages of 5 through 19.

32. The Graduation Participation Policy is amended to read as follows:

No student will be permitted to participate in the graduation ceremony without fully completing the graduation requirements unless authorized by the Commissioner.

- 33. The Fundraising Policy is amended by altering an existing paragraph to read as follows:
- All funds generated by a fundraising activity shall be used solely for the purposes for which they were approved, except when authorized by the Commissioner. The Principal or designee shall provide for a full accounting of the amount of funds collected and an itemized list of expenditures, and submit the report to the Commissioner within a reasonable time. It is the responsibility of the principal to ensure that all obligations incurred by a fundraising activity are paid in full prior to the use of any funds for purposes other than the payment of obligations.
- 34. The Construction of Classrooms Policy is amended by adding a new paragraph to read as follows:
- The Commissioner must insure that "Architectural Barriers" be removed and that access for Special Education students in wheel chairs be installed in all Public School System facilities.
- 35. The entire Policy Manual of the Public School System is being revised at the same time the above proposed amendments are being made. Non-substantive minor changes in the wording and numbering of policies are being made in this revision which have no substantive impact whatsoever on the policies themselves.

Juan L. Babauta, Chairman

Board of Education

NOTICE OF ADOPTION

CERTIFICATE OF NEED REGULATIONS

The Office of the Governor of the Commonwealth of the Northern Mariana Islands hereby notifies the general public that it has adopted permanent regulations, as amended following this notice, for the issuance of certificates of need pursuant to the Commonwealth Health Care Certificate of Need Act, 3 CMC §§ 2421-2429. Such certificates are required for health care providers and facilities to (1) make any capital expenditures over \$50,000, (2) initiate any new health services regardless of cost, or (3) make certain other changes. The amendments correct certain typographical errors and clarify other provisions of the regulations.

The regulations were first published in the Commonwealth Register, Vol. 12, No. 5 (May 15, 1990), at which time they were adopted as emergency regulations and proposed for adoption as permanent regulations. The thirty-day period for public comments was extended an additional thirty days by notice published in the Commonwealth Register, Vol. 12, No. 6 (June 15, 1990). These regulations are promulgated under the authority of 1 CMC § 2074 and the Administrative Procedures Act.

Copies of the regulations are available from the Office of the Governor, Second Floor, Administration Building, Capitol Hill, Saipan, MP 96950.

In accordance with 1 CMC § 9105(b), these regulations shall take effect ten days after publication of this notice.

Dated this 16th day of July, 1990

LORENZO I. DE LEON GUERRERRO

NUTISIAN I MA'ADAPTAN REGULASION SIHA PARA I SETTEFIKU PUT NISISIDAT

I Ufisinan i Gubietnon Commonwealth i Sangkattan siha na Islas Mariana ginen este ha nutitisia i pupbliku hinerat na esta ha adapta i ma'amenda na regulasion gi put gotpe na nisisidat komo petmanente siha na regulasion para i mana'en Certificates of Needs sino' Settefiku put Nisisidat, sigon gi Commonwealth Health Care Cerificate of Need Act, gi 3CMC §§ 2421-2429. Este siha na klasen settefiku manisisita ni todu petsona yan fasilidat ni manmampribebeni setbisiu put inadahen hinemlo' antes di (1) u mafa'tinas mas ki \$50,000 na gaston capitat, (2) u matutuhon nuebo na setbision hinemlo' gi maseha hafa na gasto, sino' (3) u mana'guaha maseha hafa na tinilaika gi setbisiu siha ni mapribebeni. I manmafa'tinas siha na amendasion ha korihi i guaha na linachi yan ha klarifika i pribension siha gi regulasion ya siempre lokkue' u fanmapupblika despues di este na nutisia.

Este siha na regulasion manmapupblika finene'na gi halom Rehistran Commonwealth, Baluma 12, Numiru 5 gi Matso 15, 1990, annai manma'adapta komo regulasion gotpe na nisisidat siha sino' emergengy regulations, yan manmaproponi na u fanma'adapta komo petmanente siha na regulasion. I trenta dias na tiempo ni madisikna para muna'halom komento ginen i pupbliku ma'ekstende ta'lo nu i nutisia ni mapupblika gi halom i Rehistran Commonwealth, Baluma 12, Numiru 6 gi Huniu 15, 1990. Este siha na regulasion manmalaknos sigon i attoridat i 1 CMC § 2074 yan i Administrative Procedures Act.

Kopian i regulasion siha siña manmachule' gi:

Office of the Governor Second Floor, Administration Building Capital Hill, Saipan, MP 96950

Komo konsiste yan i 1 CMC § 9105(b), este siha na regulasion u fanefektibu dies dias despues di i fecha ni mapupblika este na nutisia.

Mafecha gi este i mina 16 na dia gi Huliu, 1990.

LORENZO I. DELEON GUERRERO Governor

ARONGORONG REEL ADAPTAAL ALLEGHUL CERTIFICATE-IL NISIDDOOD

Bwulasiyool Gobenool Commonwealth of the Northern Mariana Islands, e mwuschal arongaar towlap bwe aa adapta allégh ye aa aléghéléghéló toowowul arongorong yeel reel isisiwowul Certificate of Need, sángi ayleewaal Commonwealth Health Care Certificate of Need Act, 3 CMC §§ 2421-2429. Tappal certificate kkaal nge eghi nisisiita reer schóó kka rebwe safey me imweer malsumway reel (1) rebwe ayoora capital expenditures nge ebwe lap sángi \$50.000 (2) rebwe ayoora tappal alillis kka ebwe ghatch ngáliír sumway inaamwo efaisúl ttchówul abwóssul me ngáre (3) rebwe ayoora akkáâw tappal lliiwel. Lliiwelkka llól allégh kkaal nge ebwe awelaaló mílikka e rugh mellól me ebwe afattaawow ówutol allégh yeel.

Allegh kkaal nge aa ghommwal toowow mellól Commonwealth Register Vol. 12, No. 5 (Móózo 15, 1990) igha re adaptali ngare emergency regulation, nge raa mangiiy bwe rebwe alleghuuwló bwe ebwe toowow bwe eew allegh. Miliwe eliigh rál bwe towlap rebwe atotoolong meta mangemangiir me tipeer, nge iwe re bwal sóbweeyló eliigh rál. E bwal toowow mellól Commonwealth Register Vol. 12, No.6 (Hunio 15, 1990). Allegh kkaal nge e tabweey aylééwal me bwangil 1 CMC §§ 22074 me Administrative Procedures Act.

Kkoopiyal Allégh kkaal nge emmwel schagh bwe rebwe ló bweibwogh mellól Office of the Governor, Second Floor, Administration Building, Capitol Hill, Saipan MP 96950

Reel rebwe tabweey aylééwal 1 CMC §§ 9105 (b) nge ebwe bweletá allégh yeel seigh (10) rál sángi igha e toowow arongorong yeel.

E fféér ráalil ye 164 July, 1990

LORENZO I. DELEON GUERRERO

Governor

AMENDMENTS TO CERTIFICATE OF NEED REGULATIONS

The Certificate of Need Regulations as proposed and published in the Commonwealth Register, Vol. 12, No. 5 (May 15, 1990) are adopted as amended below:

Rule 3.5.A.1 is amended to read:

In the case of emergency as defined in Rule $1/\sqrt[3]{T}$ 1.4.E and Rule 3.4.A, an applicant may submit an application on a form provided by the Office of the Governor and request the issuance of a certificate of need under this part.

Rule 3.5.A.4 is amended to read:

Any applicant denied a certificate of need under Rule $\beta/\beta/\lambda/\beta$ 3.5.A.2 or Rule $\beta/\beta/\lambda/\beta/\beta$ 3.5.A.3 may resubmit his application under any other appropriate category.

Rule 3.7 is amended to read:

To demonstrate that an application meets the Commonwealth's criteria as established in Rule 310 3.8, every applicant shall provide the Governor with information and supporting documentation required on the application form. The Governor may revise the form periodically and may have different forms for different categories of projects. The burden of proof is on the applicant, who must demonstrate that his application meets the certificate of need criteria. As part of the supporting documentation, the applicant may be required to submit a schedule of implementation showing phases of the project, expected starting dates, expected dates of obligation of funds for each phase, and expected dates of completion of each phase.

Rule 3.15 is amended to read:

FACH/tekhifibate/bf/meeb/is/val/id/tbh/ When a certificate of need is issued, the approved project must be completed, or approved obligation of funds must be incurred, within a period of one year from the date of issuance unless the period is extended for good cause by the Governor. If a facility does not submit evidence within the year that the approved project has been completed, or evidence that obligations for capital expenditures have been incurred, the certificate shall paper may be revoked. Extension of the certificate of need for projects not completed or expenditures not incurred within one year may be requested by submitting a Category E (Rule 3.4) application under the procedure described in Rule 3.5.C.

Except as amended herein, the Certificate of Need regulations as published in the Commonwealth Register, Vol. 12, No. 5 (May 15, 1990) shall otherwise remain unchanged.

Governor

Certified by:

LORENZO I. DE LEON GUERRERE

16 JUL 1990

Date

NOTICE OF EMERGENCY AND PROPOSED REGULATIONS
OF THE TINIAN CASINO GAMING CONTROL COMMISSION
ADOPTING AN APPLICATION FORM AND ESTABLISHING
A FEE FOR OBTAINING AN AUTHORIZED APPLICATION

The Tinian Casino Gaming Control Commission finds that the public interest requires the adoption of the following regulations upon less than 30 days notice. The regulations will take effect upon filing with the Registrar of Corporations and will allow the Commission to distribute applications to interested applicants and generate revenue for the operation of the Commission.

The Regulations adopts an application form and establishes a fee for obtaining an authorized application form.

Anyone interested in commenting on the Regulations may submit written comments to

Tinian Casino Gaming Control Commission P.O. Box 143 Tinian, MP 96952

The Regulations are promulgated pursuant to the Tinian Gaming Control Act of 1989, Section 5(8)(c).

Dated: June 29, 1990

Issued by

n U. Hofcshneider

dhairman

Dated:

Concurred: Jumes

July

Date of Filing: June | ,1990

Lorenzo I. De Leon Guerrero

-) may

Soledad B. Sasamoto

Registrar of Corporations

TINIAN CASINO GAMING CONTROL COMMISSION

RULES AND REGULATIONS

The Tinian Casino Gaming Control Commission adopts the following regulations.

1. AUTHORITY

These regulations are adopted pursuant to Tinian Casino Gaming Control Act of 1989, Section 5(8)(c).

2. APPLICATION FORM

- 2.01. Attached as appendix A is the authorized form for Application for Casino License to be issued by the Tinian Casino Gaming Control Commission (Commission) to applicants for a Casino License.
- 2.02. All applications shall be numbered and authenticated by the original signature of the Executive Director of the Commission.
- 2.03. Only persons who have received numbered and authenticated applications may submit an application for a Casino License.

2.04. The fee for obtaining an authenticated application form is \$2,000, payable to the Tinian Casino Gaming Control Commission. This fee is in addition to the application fee payable upon submission of the application.

Dated: June 29,1990

Jose P. Cruz Vice Chairman

Lino V. Zizama Commissioner Ramon M. Dela Cruz

John U. Hofschneider

commissioner

Charman

Joseph M. Mendiola Commissioner

TINIAN CASINO GAMING CONTROL COMMISSION

Municipality of Tinian and Aguiguan Commonwealth of the Northern Mariana Islands

Commissioners:

John U. Hofschneider Chairman

Jose P. Cruz Vice-Chairman

Ramon M. Dela Cruz Lino V. Lizarna Joseph M. Mendiola

William B. Nabors Acting Executive Director

TINIAN CASINO GAMING LICENSE APPLICATION DOCUMENT

FEE US\$2,000

Issued under the authority of:

Executive Director
Tinian Casino Gaming Control Commission

Signed this _____ day of ______, 19__

P.O. Box 143 San Jose Village Tinian, MP 96952 Tel: (670) 433-9250 Fax:(670) 433-9267

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1.0 INTRODUCTION

This document, including instructions regarding submission contents, selection procedures, filing instructions and associated schedule forms, is the formal Application Document for the issuance of a Casino Gaming License under the Tinian Casino Gaming Control Act of 1989.

Applicants are advised that the formal Application Documents are pre-numbered and not valid unless signed by the Executive Director of the Tinian Casino Gaming Control Commission. They can only be obtained from the Office of the Executive Director of the Tinian Casino Gaming Control Commission, P.O. Box 143, Tinian, MP 96952.

THIS APPLICATION DOCUMENT SHOULD BE TREATED AS STRICTLY COMMERCIAL-IN-CONFIDENCE.

AN APPLICANT FOR A TINIAN CASINO GAMING LICENSE IS SEEKING THE GRANTING OF A PRIVILEGE AND THE BURDEN OF PROVING HIS QUALIFICATIONS TO RECEIVE SUCH A LICENSE IS AT ALL TIMES ON THE APPLICANT.

AN APPLICANT MUST ACCEPT ANY RISK OF ADVERSE PUBLIC NOTICE, EMBARRASSMENT, CRITICISM, OR OTHER ACTION OR FINANCIAL LOSS WHICH MAY RESULT FROM ACTION WITH RESPECT TO AN APPLICATION, AND EXPRESSLY WAIVES ANY CLAIM FOR DAMAGES AS A RESULT THEREOF.

ANYTHING IN THIS APPLICATION DOCUMENT OR SUPPLEMENTARY DOCUMENTS PREPARED FOR THE PURPOSE OF SOLICITING APPLICATIONS FOR CASING GAMING LICENSES UNDER THE TERMS OF THE LOCAL INITIATIVE DOES NOT FORM PART OF ANY AGREEMENT NOR DOES IT AMOUNT TO A REPRESENTATION THAT THE COMMISSION WILL ACT IN ANY WAY.

20 BACKGROUND

The Tinian Casino Gaming Control Commission came into effect with the passing of a Local Initiative by the people of Tinian on the 4th of November, 1989. The purpose to this Initiative as stated was an "act to provide for the regulation and control of the operation of gambling enterprises in the Second Senatorial District (Tinian) and for purposes connected therewith", hereinafter referred to as the "Act".

In short, the passing of this legislation enables the operation of casino style gambling on the island of Tinian, part of the Commonwealth of the Northern Mariana Islands (CNMI). It also empowers the Tinian Casino Gaming Control Commission to issue casino gaming licenses to approved applicants and to exercise statutory control over the operations of the industry.

With the passing of this legislation it is the intention of the Municipality of Tinian and Aguiguan to create further development opportunities that will contribute to the general economic well-being of the people of Tinian and of the CNMI.

In accordance with the provisions of the Act, the Commission is now seeking formal applications for casino gaming licenses from suitably qualified persons, corporations, partnerships or other legal entities.

This Application of Document contains information for prospective applicants including the nature of filing requirements, instruction for the filing of submissions and copies of the necessary forms and documentation required to make up a formal application.

The successful Applicant or Applicants will be expected to ensure high quality building design, international standard hotel facilities including restaurants, entertainment and other amenities usually associated with hotels of this quality, a sophisticated casino operation and high quality associated developments.

While the Act authorizes the Commission to issue up to five casino gaining licenses, the Commission does not yet have a view as to the rate at which these licenses will be issued. However, it is the Commission's intention to have issued all licenses by the end of Calendar Year 1991.

It is the Commission's intention to use the application process to identify a limited number of Applicants who will then be invited to submit more detailed presentations. Later, it will be the Commission's objective to enter that negotiations with up to five preferred Applicants. These negotiations will be aimed at refining the proposals contained in the initial submissions to maximize the overall benefit to the Municipality of Tinian and the CNMI.

For this first round of licensing applications, it is the Commission's intention to proceed as follows:

- I receipt and investigation of formal Applications;
- 2 shortlisting of preferred Applicants;
- 3. sauc of more detailed briefing documents to shortlisted Applicants;
- 4. receipt of further submissions from shortlisted Applicants;
- detuted evaluation and investigation of shortlisted Applicants;
- 6 negotiations with Preferred Applicants to identify up to five Successful Applicants;
- 7. establishment of a preliminary agreement between the Commission and the Successful Applicant(s) to the effect that casino gaming licenses will be issued upon compliance with various conditions; and
- 8. issue of casino gaming license to Successful Applicant(s).

The particular timing of these stages will depend on the number of Applications received and the time required to investigate them adequately. The Commission may choose to have Applicants present their submissions to it in person.

Should this process result in fewer than 5 casino gaming licenses being issued, the Commission may choose to re-advertise for additional Applications.

3.0 SUBMISSION CONTENT AND SELECTION PROCEDURES

3.1 Introduction

It is the objective of the Commission and the Municipality of Tinian to achieve world class developments on the Island of Tinian, and secondly to obtain the best possible financial return consistent with meeting that requirement for the people of the Municipality of Tinian and for the CNMI.

3.2 Compliance With Requirements of Government Agencies

Applicants are advised that there will be minimum requirements imposed by the Tinian Casino Gaming Control Act of 1989, along with any future amendments thereto, which must be met before the Applicant can commence operations of a casino.

Furthermore, there are other statutory and regulatory requirements of the Commonwealth Government such as those of the Coastal Resources Management Office, the Division of Environmental Quality, the Division of Historical Preservation, Soil and Water Conservation District Office, and others which must be met before any construction may begin.

Each applicant is solely responsible to become thoroughly familiar with all statutory and regulatory requirements. Commonwealth wide and Municipal, as part of its qualification to participate in the casino industry in Tinian.

3.3 Submission Content

The Commission recognizes that in preparing applications, organizations may be at various stages of securing an appropriate site. Consequently, the detailed submission content covering physical aspects should conform as closely as it is practical with the specifications below.

The following Forms and items must be submitted to the Tinian Casino Gaming Control Commission in order to constitute a Formal Application for a Gaming License:

1. Form 1 - Background Information of the Applicant: To be filled in on behalf of the business entity seeking to be licensed, for example, individual proprietorship, partnership, trust, corporation, etc. The Commission generally assumes that the applicant will be a business entity such as a Corporation or a partnership and not a natural person.

- 2. Submission relating to Applicant's Hotel-Casino Experience: Applicants must provide written proof of their experience in the hotel-casino industry. If the applicant intends to enter into an agreement with other companies for management of the hotel-casino, then these other companies must meet this requirement as well as all requirements of Form 1.
- 3. Submission relating to Financial Suitability of Applicant: The burden of proof of financial suitability to own and/or operate a hotel-casino complex on Tinian rests entirely with the applicant. As such, the applicant is required to provide whatever proof that is necessary and persuasive relating to his suitability. At a minimum, the applicant and its proposed casino management company must provide, as part of the application, the following financial documents:
 - a. Applicant's audited financial statements for the last 5 years. If the applicant has been a corporation in business for less than 5 years, such statements covering the period from the incorporation of the business entity to the present must be submitted;
 - b. Audited financial statements for the last 5 years of any Corporation or entity owning equity or proposed to take up equity in the applicant.
- 4. Submission Relating to Financial Structure of Development Proposal: The Applicant must identify the proposed financing plan for the total development it proposes. The financing plan must include the proposed schedule of equity and leveraged financing.
- 5. Submission Relating to Proposed Hotel-Casino Physical Development Masterplan:

A. General

As part of the application documents, each applicant is required to submit for the Commission's review and evaluation, its Proposed Hotel-Casino Physical Development Masterplan, which shall include the Plans listed hereunder. The Masterplan must also include the following general items

- a. Construction Time Schedule;
- b. Estimated Construction Costs Schedule(s).

B. Site Development Plan

- 1. Location: Provide a detailed physical and topographical description and map of the proposed site. Provided that no casino licenses shall be authorized within the vicinity of any church or school, or in the area restricted on the attached map
- 2. Site Development: Provide a detailed submission of the proposed physical works on the site including clearing, grading, backfill, road placement, landscaping, parking lots, etc., normally and generally related to site preparation for facility development.

C. Infrastructure Development Plan

The Applicant is required to submit a self-contained Infrastructure Development Plan which illustrates self-sufficiency and absence of negative impact on the existing infrastructure. The Plan must include discrete sections addressing the following areas, with total estimated costs.

- 1. Proposed Electrical Power System;
- 2. Proposed Water System;
- 3. Proposed Sewer Treatment System;
- 4. Proposed Road System.

D. Hotel-Casino Facility Plan

The Applicant is required to submit at least the following items:

- 1. Facility layout and design;
- 2. Facility size;
- 3. Proposed floor plan;
- 4. Proposed fire-safety plan;
- 5. Facility maintenance plan;
- 6. Estimated construction costs schedule(s)
- 7. Office space for Commission Surveillance

The applicant is requested to provide sketches, renderings, drawings, plans and other documents about the proposed buildings so that the Commission can have the proper information necessary to evaluate the facility.

6. Submission Relating to Proposed Hotel Casino Operating Plan: The Applicant is required to submit an Operating Plan which illustrates in sufficiently informative details as to how the applicant proposes to synthesize economic resources such as investment funds, facilities, manpower, managerial and technical skills into a successful operation which benefits the investors as well as the Tinian Community and the CNMI.

The Applicant should pay special attention and include the items listed hereunder in this Section.

A. Local Resident Employment Plan

This plan must include the applicant's proposal to maximize resident employment and should contain details regarding the following:

- 1. Hiring program;
- 2. Training and development program;
- 3. Compensation and benefits plan;
- 4. Performance review;
- 5. Promotion and retention plan;
- 6. Staff housing plan to be rented from the local residents;
- 7. Applicants are invited to address the manner in which local residents will participate in service industries such as security services, maintenance, laundry services, etc.

B. Resident -Business Support Program

The Commission is mandated by the Tinian Casino Garning Control Act of 1989 to assure that "ownership of some designated business establishments located on the hotel-casino premises, such as gift shops, clothing shops, restaurants, bars, car rental agencies, tour bus agencies, fishing excursions, etc., be reserved for residents of the Commonwealth." Consequently the applicant is required to submit a program which the applicant proposes to implement in order to achieve this objective.

C. Essential Services trapact Study

The Commission recognizes that establishment of the gaming industry on the island of Tinian will place a tremendous burden on not only the infrastructure system but also on the essential-services, traffic control, police and fire protection, health services, education, airport, etc. As part of its application submission, the applicant is required to propose in what manner the applicant will participate and contribute toward providing and maintaining these essential services.

D. Others

The Applicant is also required to include the following items in its Application submission:

- 1. types of gaming equipment to use;
- 2. proposed security plan;
- 3. proposed casino operating days and times;
- 4. manpower requirement local vs. non-local labour, technical and managerial skills requirements.

7. Submission relating to the Financial Performance of the Proposed Development: Applicants are required to submit proforma financial projections for the operations of the hotel-casino complex and related facilities on an annual basis over at least ten (10) fiscal years. These projections should be prepared in conformity with the Uniform System of Accounts for Hotels (8th Revised Edition) as adopted by the Hotel Association of New York City., Inc.

For the casino the submission should identify departmental revenues and expenditure adjusted for types of games proposed.

Proforma forecasts must also comply with the requirements of the provisions of the Tinian Casino Gaming Control Act insofar as taxes and charges levied by various Authorities are clearly identifiable.

- 8. Form 2 Personal History Record: To be submitted for every person identified and who has a financial interest, direct or indirect, in the business entity, including all officers, directors, and stockholders who have 10% ownership or more. The Timan Casino Gaming Control Commission has the right to require any individual who has a financial interest of any nature to be licensed or found suitable for licensing.
- 9. Form 3 Personal Financial Questionnaire: To be submitted for each intividual identified and who has any financial interest, direct or indirect, in the business entity, and for all corporation officers, directors, and where appropriate for proposed key employees. The applicant agrees to provide any additional financial information, ie. tax returns, stock certificates, notes, passbooks, cancelled checks, etc., that the Commission may require.
- 10. Form 4 Affidavit of Full Disclosure: To be submitted for each individual identified and who is required to be found suitable, including all officers and members of the board of directors of corporations.
- 11. Form 5 Applicant's Request to Release Information: To be submitted by each individual identified and who is required to be licensed or found suitable.
- 12. Form 6 Release of All Claims: To be filed by each individual identified and who is required to be licensed or found suitable, including officers and members of the board of directors of corporations.
- 13. Fingerprint Cards: Three completed original fingerprint cards for each applicant, officers and members of the board of directors of corporations, must be submitted. Fingerprinting may be completed at any law enforcement facility. Each Applicant must sign the finger print card.

Numbered copies of the relevant Forms are contained as Schedules to this Application Document.

3.4 Form of Submissions

a) Copies

Each Applicant is to provide ten (10) sets of its application submission clearly numbered.

b) Language

In all cases all relevant information forming part of this application must be presented in the English Language.

c) Currency

All financial information relating to the capital costs and financial operations of the proposed development must be expressed in US dollars. In the case of proformal historical accounts and financial information regarding applicants and their business interests, this may be provided in the original currency.

3.5 Fees Associated with Applications

Applicants are advised that there will be certain costs associated with making a formal application for a casino gaming license. These costs include

- a. initial non-refundable fee to obtain an authorized Application Document. This is to cover the cost of preparing and issuing Application Documents set at two thousand dollars. (US\$2,000.00);
- b. non-refundable fee to accompany each returned application, an initial amount of not less than two hundred thousand dollars. (US\$200,000.00).

The total cost of the investigation is to be borne by the applicant. If additional funds are required, the applicant will be so advised. This cost will include all transportation, food and lodging, plus an hourly charge for the time expended by the agent or agents assigned to the investigation of specific applications.

All payments are to be by certified check, cashier's check, money order or a non-refundable deposit in the specific amounts. Checks are to be made payable to Tinian Casino Gaming Control Commission.

3.6 Application Evaluation Criteria

In reviewing, investigating and evaluating each application officially received by the Executive Director, the Commission will use criteria including, but not limited to, those listed hereunder as the basis for granting each license.

- A. Criterium 1 Experience in casino management and operations including evidence of the applicant's ability to attract appropriate markets to the CNMI and to Tinian.
- B. Criterium 2 Personal and professional suitability and integrity of owners, officials, management personnel, and employees holding responsible positions within the applicant's organization.
- C. Criterium 3 Financial suitability and integrity of the applicant.
- D. Criterium 4 Suitability, integrity, and acceptability of the Physical Development Master Plan.
- E. Criterium 5 Suitability, integrity, and acceptability of the applicant's Local Resident Employment Plan.
- F. Criterium 6 Suitability, integrity, and acceptability of the applicant's Local Resident Business Support Program.
- G. Criterium 7 Suitability, integrity, and acceptability of the applicant's Essential Services Impact Program.
- H. Criterium 8 Overall benefits to the community including the specific financial performance of the proposed hotel-casino development and related activities.
- I. Criterium 9 Suitability of the Financial Structure and the Financial Performance of the Development Proposal and the quality of information provided to assist in its assessment.

3.7 Conforming Applications

The Commission will review, investigate and evaluate each application officially received and registered with the Executive Director in accordance with the requirements outlined above and elsewhere in this document.

Any submission which does not conform to the content and instructions will be deemed to be non-conforming applications.

THE COMMISSION RESERVES THE RIGHT TO REJECT, REFUSE OR DENY ANY OR ALL APPLICATIONS FOR ANY REASON. NO CORRESPONDENCE WILL BE ENTERED INTO, OR EXPLANATION GIVEN REGARDING UNSUCCESSFUL APPLICATIONS. APPLICANTS ACCEPT THIS RIGHT AS A PRE-CONDITION OF FILING A FORMAL APPLICATION.

APPLICANTS ARE REMINDED THAT IN GRANTING A CASINO GAMING LICENSE, THE COMMISSION IS REQUIRED UNDER THE PROVISIONS OF THE TINIAN CASINO GAMING CONTROL ACT OF 1989 TO BE BOUND BY THE RESULTS OF ANY INVESTIGATIONS MADE BY THE COMMISSION, ITS STAFF OR ON ITS BEHALF CONCERNING THE SUITABILITY OF AN APPLICANT TO HOLD SUCH A LICENSE.

4.0 SUBMISSION INSTRUCTIONS

4.1 Terms and Conditions of Submissions

Details of information required from applicants are set out in the body of this Document.

By accepting this Application Document, applicants will be decired to have acknowledged that they have read and understood the Application Document.

4.2 Deadline and Location for Filing of Submissions

a) Deadline

The deadline for filing of applications for casino garning licenses is 3:00 p.m. (local time) October 1, 1990.

b) Extension of Deadline

The deadline set for filing of applications may be extended only by written notice from the Commission. Any extension notice will be given the same distribution as this Application Document.

c) Location for Flling

The only place for filing of applications is:

The Office of the Executive Director
Tinian Casino Gaming Control Commission
Office of the Commission
Municipality of Tinian and Aguiguan
San Jose Village, Tinian MP 96952 C.N.M.I.

4.3 Packaging and Identification of Submission of Applications

Applications must be enclosed in a plain, sealed envelope or other container clearly labeled "Tinian Casino License Application". Where more than one article is submitted, each article should be identified uniquely, e.g. No. 1 of 2 from (name of applicant)

4.4 Supporting of Material Documents

Supporting material is material, in addition to the formal submission, which elaborates on or clarifies the formal submission, but does not alter it in any material respect. Supporting material may be provided at any time at the request of the Commission. However, unsolicited supporting material should reach the nominated filing location on or before the deadline for filing of formal submissions. The Commission reserves the right to discount any unsolicited supporting material received after this date. Material presented as supporting material which effectively alters the formal submission will not be considered unless it is received before the deadline for filing of applications.

4.5 Delivery Method

Applications must be delivered by hand (by the applicant or the applicant's agent)

4.6 Additional Submissions and Negotiations

The Commission reserves the right to enter into negotiations with any applicant, and to seek additional or information from any applicant. If the Commission seeks additional information from any applicant, this will not be construed as creating a right for any other applicant to file additional submissions, nor will it be construed as creating any obligation on the Commission to give consideration to any unsolicited submissions or other documents filed after the deadline for filing of applications.

4.7 Submission Documents and Materials

All documents filed which form part of this application, shall become the property of the Commission.

5.0 Schedules

Copies of the following schedules are attached:

Form 1 Background Information of the Applicant

Form 2 Personal History Record

Form 3 Personal Financial Questionnaire

Form 4 Affidavit of Full Disclosure

Form 5 Applicant's Request to Release Information

Form 6 Release of All Claims

Finger Print Cards - 3 originals-

FORM 1-BACKGROUND INFORMATION OF THE APPLICANT

The Applicant

- 1. Legal name of the Applicant
- 2. Address of Registered office of the Applicant
- 3. Full Name, Address, Telephone number and Facsimile number of contact executive of the Applicant for future correspondence.
- 4. Copy of Applicant's Commonwealth Business License.
- 5. Corporate or Partnership documents of the Applicant including reference to the Corporate Affairs jurisdiction of the Applicant and those of the Applicant's corporate members.
- 6. List of investors owing 10% or more of total stock or partnership equity on any other beneficial interest in the Applicant that represents or has the potential to represent not less than 10% of total stock or partnership equity.
- 7. List of all board of directors, corporate officers, and management personnel of the Applicant existing or proposed.
- 8. Copies of each of the following documents, existing or proposed, relevant to the Applicant and its proposed hotel-casino development:
 - a. Partnership Agreement
 - b. Trust Agreement
 - c. Joint Venture Agreement
 - d. Loan Agreement
 - e. Purchase/Sales Agreements
 - f. Management Agreement
 - g. License Agreement
 - h. Employment Contract
 - i. Stock Bonus/Profit Sharing plans.
- 9. List of all professional and technical advisors to the Applicant including architects, engineers, accountants and financial advisors, including information on the firm and the principals responsible for providing the Applicant with advice.

PERSONAL HISTORY RECORD

FORM 2

Date

GENERAL INSTRUCTIONS

Handprint or type an answer to every question. If a question does not apply to you, so state with N/A. If space available is insufficient, use a separate sheet and precede each answer with the appropriate title. Do not misstate or omit any material fact(s) as each statement made herein is subject to verification. Applicant must initial each page, as provided in lower right hand corner. By placing his initials on each page, the applicant is attesting to the accuracy and completeness of the information contained on that page.

All applicants are advised that this personal history record is an official document and misrepresentation or failure to reveal information requested may be deemed to be sufficient cause for the refusal or revocation of a license.

All applicants are further advised that an application for a gaming license, finding of suitability or for other action may not be withdrawn without the permission of the licensing agency.

Application	for			Nature of License or	Finding of Suital	bility Desire	ed .	_	
			Name a	and Address of Establis	hment for Which	License is I	Requested		
				Name Under Wh	ich it is Now Oper	rated		_	
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Alias(es, Nickname	s, Maide	n Name, Other N	ame Change	s, Legal or Otherwise)					
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Name of Spouse	Date of Order or Decree	Nature of	Action	City, C	County, and State
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College or University						Yes 🗆 No 🗈
Other						
Type of degr	e obtained, if	any				
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PERSONAL HISTORY RECORD (Continued)				
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10. Do you have any other person's de If yes, complete the fo	y safe deposit box or other pository? Yes □ No □ llowing:		ry, access to any	y depo sitory or	do you use any
Box Number or Type of	Depository	Location		City and	State
		 			
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		5 of 7	4	Applicant's Init	ials

COMMONWEALTH REGISTER VOLUME 12 NO. 07 AUGUST 15, 1990 PAGE 7250

Liquor	Boxing Promotor
Real Estate Broker or Salesman	Race Horse/Race Dog Owner
Accountant	Jockey Trainer or Manager
Lawyer Doctor	Securities Dealer
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	true of our dissiplinary satisfies taken and the
r yes, state where, years held, and the nat	ture of any disciplinary actions taken against you
	
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	rest in a gambling venture, including a race track, dog track, race aking operation, or pari-mutual operation? Yes No
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or selling alcoholic beverages? Yes 🗀 N	No □
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a gaming license by the State of Nevacyes, state type of license, name of estable. Do you have any relatives associated win the gaming or liquor industry? Yes If yes, state name, relation, and associated with the gaming or liquor industry? Yes If currently or previously employed in Nevada or any other jurisdiction, give	g license or been a participant in any group which has been issued da, New Jersey or any other jurisdiction? Yes \(\) No \(\) lishment, location, and period held \(\) with or employed \(\) No \(\) ociation or employment \(\) ATTACH PHOTOGRAPH TAKEN WITHIN LAST 30 DAYS HERE in Atlantic City, dates and places

STATE OF		
COUNTRY OF) ss)	
contain a full and true account of t KNOWLEDGE THAT MISREPRESI LICENSE; that I am voluntarily sub any matter before the Commission is	the information requested; THA SONTATION OR FAILURE TO R mitting this application with ful signity of perjury; and, further, it ct, and the Rules and Regulation:	duly sworn, depose and say that I have read tements contained herein are true and correct an AT I EXECUTED THIS STATEMENT WITH TEVEAL INFORMATION REQUESTED GAMIN II knowledge that any person making false oath that I have familiarized myself with the contents sof the Tinian Casino Gaming Control Commission
Control Commission, the licensing action whatsoever which I, my ac	g agency and their agents from lministrators or executors can ing Control Commission, the	cipality of Tinian or the Tinian Casino Gamin m any and all manner of action and causes of , shall, or may have against the Municipality of licensing agency and their agents, as a result of
. The state of the		Signature of Applicant
$I = \mathbf{r}_{-1}$		
Subscribed and Sworn to before m	ne this day of	, 199
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		Notary Public
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CERTIFICATION OF FORM		
	do herel	overity that I have prepared this document of
pehalf of the applicant in conformity	y with the Tinian Casino Camb	e control Act and the Regulations of the Tini
Casino Gaming Control Commission	Letter the second of the secon	
• •		Attorney, C.P.A. or Agent
		Business Address Address
	A	pplicant's Initial'

PERSONAL FINANCIAL QUESTIONNAIRE (To Be Filled in Duplicate)

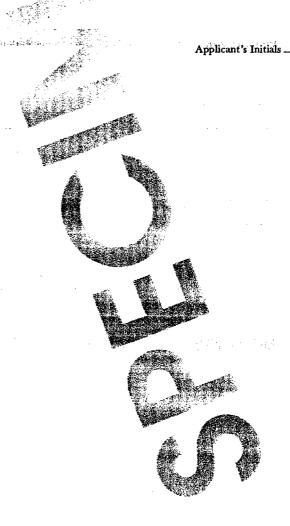
Name	, Date, 19
Address	
Submitted in connection with application for gaming lice	nse for:
Trade Nam 1. Do you anticipate active participation in the managem	
Yes □ No □	4.
2. Amount to be invested in the business \$	
Percentage of ownership this will represent	<u></u>
3. Investment will be derived from the following sources	;:
	7
	70
<u> </u>	
(Submit executed agreements for all finan	cial transaction in the man above)
4. Has your interest in this gambling establishment been firm, or corporation, or has any agreement been enterpledged or sold either in part or in whole? Yes	
5. Have you ever filed bankruptcy? Yes □ No □ If	yes, furnish details on separate sheet.
6. Has your Federal or National Income Tax Return	
7. Last Federal or National Income Tax Return was file	
City State	and the second
Applicants are advised that Federal or National Income investigation.	Tax Returns will be required during the licensing
8. Do you own or control any assets or liabilities located	d outside the United States? Yes No
	Applicant's Initials

9.	Do you control, manage or hold in trust any assets or liabilities for another person or entity?
	Yes 🗆 No 🗀

10	Annual	Income	t

Salary	
Interest	
Dividends	
Other (Describe in Detail)	

11. Include all assets and liabilities on the attached schedules. (Attach additional schedules or forms if necessary)



STATEMENT OF ASSETS

AS	OF		199	
----	----	--	-----	--

List all assets, both tangible and intangible on the appropriate line below. Enter the amount as of the date of this statement. Each listed asset must be described fully on the appropriate schedule.

	Original Cost/ Investment	Market Value
Current Assets:		
Cash on Hand	_ \$ \$	
Cash in Banks (Schedule "A")		
Accounts and Notes Receivable (Schedule "B")	-	
Investments:		•
Stocks and Bonds (Schedule "C")	_	
Business Investments (Schedule "D")	-	
Fixed Assets:		
Real Estate (Schedule "E")	_	.:
Other Assets: (Schedule "F")	en de la companya de La companya de la co	en en der der eng
TOTAL ASSETS	. \$\$	- -
	Applicant's Ini	tials

STATEMENT OF LIABILITIES

AS OF_____, 199___.

List all liabilities on the appropriate line below. Enter the amount as of the date of this statement. Each listed liability must be described fully on the appropriate schedule.

	Original Amount	Present Balance
Current Liabilities (debts due and payable within one year)	\$ \$	
Accounts Payable (credit cards, etc.)		
Taxes Payable		
Long Term Liabilities (debts due and payable in more than one year	r)	
Notes Payable (Schedule "G")		
Mortgages Payable (Schedule "H")		
Other Liabilities (Schedule "I")		
	\$ \$	
NET WORTH	 \$	
CONTINGENT LIABILITIES (Schedule "J")	\$	<u> </u>

Applicant's Initials

ADDITIONAL INFORMATION

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Applicant's Initial
5 of 11

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SCHEDULE "A"

Cash in Banks

List below all accounts, foreign and domestic, maintained by you, your spouse or dependent children.

Name and Address of Bank	Names of Persons Appearing on Account	Account No.	Date Opened	Interest Rate	Type of Account	Balance as of (Date)
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	*************************************		8 .			

SCHRITTI R "R

Accounts and Notes Receivable

List below all accounts and notes receivable held by you, your spouse of dependent children, Indicate by means of an asterisk (*) in the first column, accounts and notes receivable held by your spouse and/or dependent children.

Name and Addressing Debtor	Party Life Curred	Offigural Association	Unpaid Balance	Payment/Period	Interest Rate	Maturity Date	Purpose	Collateral
		·		÷		:		
					·			

MOLUME

SCHEDULE "C"

Stocks and Bonds

List below the information requested for all stocks and bonds held or controlled by you, your spouse or dependent children. Whenever interest exists through a mutual fund or holding company, the stocks held by such mutual fund or holding company need not be listed; whenever such interest exists through a beneficial interest in a trust, the stocks and bonds held in such trust shall be listed if you, your spouse or dependent children have knowledge of what stocks and bonds are so held. INDICATE PUBLICLY TRADED STOCKS AND BONDS BY AN ASTERISK (*). Indicate by means of a double asterisk (**) next to the first column all stocks and bonds held by your spouse or dependent children.

Issuer	Туре	Number of Shares or Units	· Purchase Price	Date of Purchase	Name in Which Held	Market Value
				اد دون		

SCHEDULE "D" Business Investments

List below the information requested regarding any bushiess investments in which any direct, indirect, vested, or contingent interest is held by you, your spoure or dependent children, along with the names of all individuals or entities who share a direct, indirect, vested or contingent interest therein. This should include but not be limited to joint ventures, partnerships, sole proprietorships and corporations.

Entity Name	Type of Entity	Number of Shares or Units	Percent of Ownership	Purchase Price	Date of Purchase	Name in Which Held	Individuals or Entities Sharing Interest and Percentage Ownership	Market Value

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	A.S.							

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SCHEDULE "E"

Real Estate

List below the information requested regarding any real property in which any direct, indirect, vested, or contingent interest is held by you, your spouse or dependent children, along with the name of all individuals or entities who share a direct, indirect, vested or contingent interest therein.

Address/Location	Туре	Size	Purchase Price/Improve- ments at Cost	Date of Purchase	Ownership Percent	Other Owners	Income	Market Value
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				age of the same of	5 5			
				**				<u> </u>

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Other Assets

List below the information requested for all other assets held by you, your spouse or dependent children. Indicate by means of an asterisk (*) in the first column those assets held by your spouse or dependent children. (i.e. Automobiles, Personal Property, Cash Surrender Value as Life Insurance Policies, Pension Plans, etc.)

Type of Asset	Purchase Price	Pate of Purchase Market Value	Other Information

SCHEDULE "G"

Notes Payable

List below the information requested for all notes payable for which you, your spouse or dependent children are obligated. Indicate by means of an asterisk (*) in the first column those notes for which your spouse or dependent children are obligated.

Name and Address of Creditor	Date Incurred	Original Amount	Unpaid Balance	Payments/Period	Interest Rate	Maturity Date	Purpose	Collateral
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SCHEDULE "H

Mortgages Payable

List below the information requested for all mortgages or liens payable on real estate for which you, your spouse or dependent children are obligated. Indicate by an asterisk (*) in the first column those mortgages/liens for which your spouse of dependent children are obligated.

Name and Addises of Creditor	Date ingurred	Original Ambunt	Unpaid Balance	Payment/Period	Interest Rate	Position of Mort- gage or Lien	Maturity Date	Description/Address of Real Estate
			,					
			:					
		·	:					
								-

VOLUME

7262

List below the information requested for any other indebtedness for which you and/or your spouse or dependent children are obligated. Indicate by means of an asterisk (*) in the first column any indebtedness for which your spouse or dependent children are obligated.

Name and Address of Creditor	Date Incurred	Original Amount	Unpaid Balance	Payment/Period	Interest	Maturity Date	Purpose	Description of Liability	Collateral
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Contingent Liabilities

List below the information requested for all contingent liabilities for which you and/or your spouse are obligated. Indicate by means of an asterisk (*) in the first column those contingent liabilities for which only your spouse is obligated.

Name and Address of Creditor	Date Incurred	Original Amount	Unpaid Balance	Payment/Period	Interest Rate	Maturity Date	Purpose	Coliateral	Persons Liable Besides You and/or Your Spouse
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I,			depose and say that the	
and supporting schedules are true is executed with the knowledge				
deemed sufficient cause for the re	fusal to issue a g	aming license by Ti	inian Casino Gaming Co	ntrol Commis
Further, that I am aware that later may be ground for the revocation				
under oath with full knowledge				
guilty of perjury.				
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Subscribed and swom to before m	e this	day of	, 199	
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AFFIDAVIT OF FULL DISCLOSURE

STATE OF		
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		, being firs
duly sworn, deposes and says,		
That, except as reflected on an application COMMISSION, he is or will be the sole beneficensed gaming operation or any portions the CASINO GAMING CONTROL COMMISSION	ficial owner ereof for wh	hich he has made application to the TINIAl
That, except such as have been reported in COMMISSION, he has no agreements or under present intent to hold as agent, nominee or of to the licensed gaming operation or any possuitability by the TINIAN CASINO GAMING	erstandings votherwise any tion thereof	ny direct or indirect interest whatsoever in o of for which he seeks licensing or a find o
That, except such as have been reported in COMMISSION he has no agreements or underwhatsoever in or to the licensed gaming operator a finding of suitability by the TINIAN CAS	rstandings w ation or any	y portion thereof for which he seeks licensin
That any funds used or to be used, and acquisition of any direct or indirect interest thereof for which he seeks licensing or a fin CONTROL COMMISSION were not provided anyone not disclosed to the TINIAN CASINO	t in or to a nding of suit to him nor	itability by the TINIAN CASINO GAMIN made available to him through the efforts of
no other person has provided collateral for or a	guaranteed p	
his application for licensing or a finding of su COMMISSION.	uitability by	the TINIAN CASINO GAMING CONTRO
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	i .	Applicant
		Name & Location of Casino
Subscribed and sworn to before me this	day of	19
bubblished and sworn to before me and	au, or -	
		NotaryPublic

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APPLICANT'S REQUEST TO RELEASE INFORMATION

TO			
FRO)M		
		Applicant's Name	

- 1. I hereby authorize and request all persons to whom this request is presented having information relating to or concerning me to furnish such information to a duly appointed agent of the TINIAN CASINO GAMING CONTROL COMMISSION, whether or not such information would otherwise be protected from disclosure by any constitutional, statutory or common law privilege.
- 2. I hereby authorize and request all persons to whom this request is presented having documents relating to or concerning me to permit a duly appointed agent of the TINIAN CASINO GAMING CONTROL COMMISSION, to review and copy any such documents, whether or not such documents would otherwise be protected from disclosure by any constitutional, statutory, or common law privilege.
- 3. If the person to whom this request is presented is a brokage firm, bank, savings and loan, or other financial institution or an officer of same, I hereby authorize and request that a duly appointed agent of the TINIAN CASINO GAMING CONTROL COMMISSION be permited to review and obtain copies of any and all documents, records or correspondence pertaining to me, including but not limited to past loan information, notes co-signed by me, checking account records, savings deposit records, safe deposit box records, passbook records, and general ledger folio sheets.
- 4. I do hereby make, constitute, and appoint any duly appointed agent of the TINIAN CASINO GAMING CONTROL COMMISSION, my true and lawful attorney in fact for me in my name, place, stead, and on my behalf and for my use and benefit:
 - (a) To request, review, copy, sign for otherwise act for investigative purposes with respect to documents and information in the possession of the person to whom this request is presented as I might;
 - To name the person or entity to whom this request is presented and insert that person's name in the appropriate locations on this request;
 - To place the name of the Tinian Casino Caming Control Commission agent presenting this request in the appropriate location on this request.
- 5. I grant to said attorney in fact full power and authority todo, take, and perform all and every act and thing whatsoever requisite, proper, or necessary to be done, in the pricise of any of the rights and powers herein granted, as fully to all intents and pure the second do if personally present, with full power of substitution or revocation accepy ratifying and confirming all that said attorney in fact, or his substitute or substitutes, shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers herein granter.
- 6. This power of attorney ends eighteen (18) months from date of execution.
- 7. I have filed with Tinian Casino Gaming Control Commission as application for a casino license. I understand that I am seeking the granting of a privilege and acknowledge that the burden of proving my qualifications for a favorable determination is at all times on me. I accept any risk of adverse public notice, embarrassment, criticism, or other action with espect to this application.
- 8. I do, for myself, my heirs, executors, administrators, successors, and assigns, hereby release, remise, and forever discharge the person to whom this request is presented, and his agents and employees from all and all manner of actions, causes of action, suits, debts, judgments, execution, claims, and demands whatsoever, known or unknown, in law or equity, which I ever had, now have, may have, or claim to have against the person to whom or unknown, in law or equity, which I ever had, now have, may have, or claim to have against the person to whom this request is presented or his agents or employees arising out of or by reason of complying with this request.

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N WITNESS	WHEREOF, I	have execut	ed this request at _		
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9. I agree to indemnify and hold harmless the person to whom this request is presented and his agents and employees from and against all claims, damages, losses, and expenses, including reasonable attorney's fees arising out of or by reason of complying with this request.

RELEASE OF ALL CLAIMS

The undersigned has filed with TINIAN CASINO GAMING CONTROL COMMISSION an "application" for a Casino License. In consideration of the assurance by the Commission that no vote on said "application" will be taken except after a deliberate, intensive and thorough investigation of the undersigned, including but not limited to background, associates, and finances, the undersigned does for myself, my heirs, executors, administrators, successors and assigns, hereby release, remise, and forever discharge the TINIAN CASINO GAMING CONTROL COMMISSION its members, agents, and employees, from all and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, know or unknown, in law or equity, which the undersigned ever had, now has, may have, or claim to have against any or all of said entities or individuals arising out of or by reason of the processing or investigation of or other action relating to the undersigned's "application."

I, the undersigned, have read this release and understand all its terms. I execute it voluntarily

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STATEMENT OF PRE-OPENING CASH

Application for Gaming License

		Date
A.	Funds available prior to opening:	Totals
	 Investments (attach schedule provide detail showing who invested the money and what interest in the firm they received for their investment). 	\$
	2. Loans from lending institutions: (attach schedule—identify the institution and show terms of the loan).	
	3. Loans from individuals and business entities (attach schedule—identify the individual or business and show terms of the loan).	
Tot	al funds available prior to opening:	\$
В,	Expenditure or other disposition of available funds prior to opening:	
	1. Prepaid gaming taxes and licenses: a. Federal Gov't—if applicable b. Commonwealth c. Local Initiative Tax	
		10. F
	Total prepaid gaming taxes and licenses:	
	2. Other license fees. (Slot Machines)	
	3. Expenditures for:	\$
	a. Buildings—include construction and repair.b. Equipment.	
	c. Supplies	
	4. All other pre-opening expenditures: (such as salaries, advertising, deposits, etc.)	
Att	ach schedules giving brief description of items 2, 3, and 4,	
Tota	al pre-opening cash used.	\$
C.	Cash available for operation (A minus B).	\$
	Show in what form this cash will be:	
	a. Bank b. Casino bankroll	
	c. Other cash register funds d. Other.	
Tot	al opening cash	
100	- ober8 e	
		1

BANK CONFIRMATION FORM

Approved 1953 by American Institute of Accountants National Association of Bank Auditors and Comptrollers

lease so state. Kin	the following dly mail it in t	report will be si he enclosed stan	ncerely apprecia	ted. If the a	nswer to any ect to the ac	item is "none countant nam
elow.						
	€.		Yours	truly,		
eport from	2.					
Bank)	28.5	······	Ву.		uthorized Signatu	·
					•	d check here if con
 ,				mat	ion of bank balan	ices only (item 1) is
lame of Accountant:		•			d. □ ik should check w	hichever is applicab
inian Casino Gaming Cont O. Box 143, Tinian, MP 9					s report covers all 1. With this o	accounts office 🗔 or
,,		<i>I</i>			With this of other dom	estic offices
ear Sirs:	•					•
We hereby repor			n	1	9our_rec	ords showed t
llowing balance(s)	to the credit of	The second of th	.e. <u></u>		Ren	narks
Amount	T	Designation of	Account	S	Is Balance bject to With-	Does Account Bear Interest
Тинови	<u> </u>	मध्य		Dra	wal by Check?	Give Rate
		\$ 5 7%,		İ		*
	1	10.000		ĺ		
Amount	Date of Loan Or Discount	Due Date Rai	Interest Paid to		ption of Liability Liens, Endorsers,	
Said depositor w	as contingently	· liable as endors	er of notes disc	ounted and/o	or as guaranto	or at the close
——————————————————————————————————————	1			2.7 32.7%	A	
Said depositor w siness on that date	1	v liable as endors count of \$	Date of Note	ounted and/o_, as below:	A	or at the close
	1			2.7 32.7%	A	
Amount	Narr	ne of Maker	Date of Note	Due Date	Re	
Said depositor wasiness on that date Amount Other direct or co	Narr	ne of Maker	Date of Note	Due Date	Re	
Amount	Narr	ne of Maker	Date of Note	Due Date	Re	
Amount	Narr	ties, open letters	Date of Note	Due Date	Re	
Amount	Nan Ontingent liabili	ties, open letters	Date of Note of credit, and re (Bar	Due Date	Re	
Amount	ontingent liabili	ties, open letters	of credit, and re	Due Date Plative collate ir truly,	ral, were	marks
Amount Other direct or co	ontingent liabili	ties, open letters	of credit, and re	Due Date Plative collate ir truly,	ral, were	marks
Amount Other direct or co	ontingent liabili	ties, open letters	of credit, and re	Due Date Plative collate ir truly,	eral, were	marks
Amount Other direct or co	ontingent liabili	ties, open letters	of credit, and re	Due Date Plative collate ir truly,	eral, were	marks

FIRST YEAR CASH-FLOW PROJECTIONS

Application for Gaming License

sino	· .	28.4115					15.1		I Cat D			
	TOTAL	.s		GAMING		ROOMS		FOOD	, 14.	BEVERAGE		OTHER INCOME
	· Am	ount	- 1	Amount		Amount	1.2725	Amount	1972	Amount		Amount
1 INCOME		41 Mag 595	:								\neg	
2 Total sales							1	٠.			1	
Cost of sales'	. :	3.6	208.50						1			
4 GROSS MARGIN		7 tuti H2	1.00	, t %.				1 1 11				
DEPARTMENTAL EXPENSES —	1:-		7.5.00	TOTAL TRACT	1		 	777	 	(F) (A)		
Commission					l i			4.		100		1
Gaming taxes and licenses							1	V. (2.2)**	· · · · ·			-
Payroll taxes and benefits							23.5			\$2 P		
Payroll-officers and owners							19 €	(82) V. (1)				
Payroll—other employees					T .		1	34 XX	. 1	- X		
Other departmental expenses			*			\$ 1 T T	100	(2) (2) (2) (3)		- 4s ²		
2 Total departmental expenses					Sec. 35.		8.3	7.54				
DEPARTMENTAL INCOME		7		23.5	6,7-100	6 B)	B- 8	90	10	 	\neg	
GENERAL AND ADMINISTRATIVE EXPENSES -				212 2 2 5 2 5 2 2 2	100	S 10 1875	87.1					
Advertising and promotion						i va V	INSTRU	JCTIONS **				

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23

24

25

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28

29

30

31

32

33 NET CASH

Complimentary expenses

Other taxes and licenses

Payroll taxes and benefits

Payroll-officers and owners

Payroll—other employees
Other G and A expenses
Total G and A expenses

Add back non-cash expenses

NET OPERATING INCOME -

Add beginning cash

Less debt payments

INCREASE IN CASH

CASH AVAILABLE -

Interest expenses

Rent of premises

Depreciation and amortization

Music and entertainment expense

1. Record on this schedule the anticipates results of your operations for a full 12 months.

- 2. On schedule 1, attached, show monthly projections of parting tevenues. One hundred percent of projected gaming "win" is to be reported. This includes the share, if any, paid to, or retained by a story operators. The operator's share is then recorded as "commission" under DEPARIMENTAL EXPENSES.
- Cost of sales is the cost of merchandise sold (line 3):
- Complimentary rooms, food, beverage or other, are to be recorded in the proper sales category at retail, then recorded as "complimentary expenses" under GENERAL AND ADMINISTRATIVE EXPENSES (line 16).

EXPENSES (line 16).

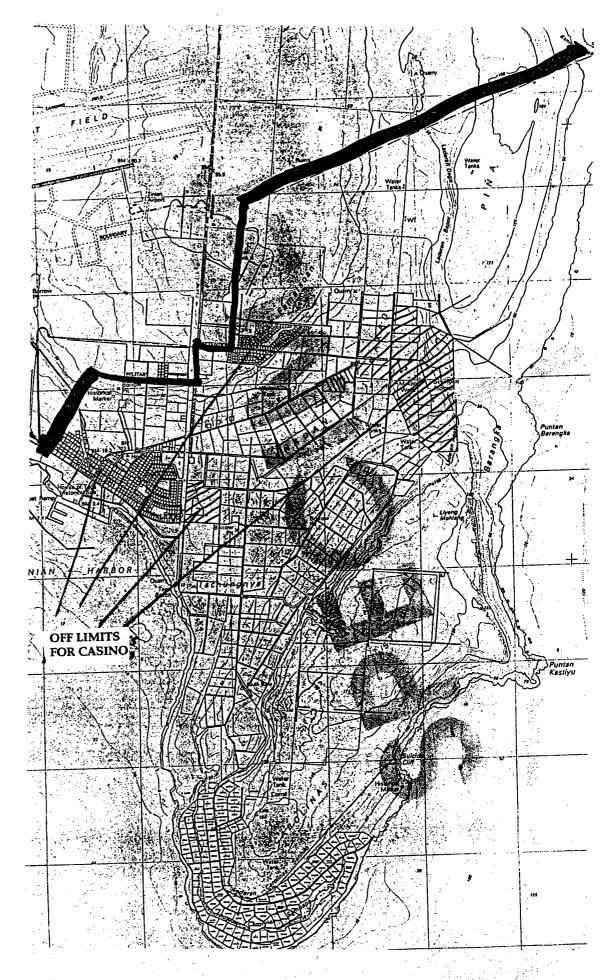
Year Ended

- Add back non-cash expenses (line 28) this will generally be "depreciation and amortization expense" accounts. For the purposes of these projections assume all sales and expenses will be on a cash basis.
- List the amounts included in line 32, on schedule 1, attached.
- OMIT PENNIES—amounts may be rounded to the nearest ten, hundred or thousand dollars, whichever is most convenient.

FIRST YEAR CASH-FLOW PROJECTIONS

Gross gaming revenue during	Total	Slots	Games	Tables	Racebooks and Sportspools
1st month					1
2nd month	,				
3rd month					
4th month					
5th month					
6th month	T				T .
7th month	V 111				· · · · · · · · · · · · · · · · · · ·
8th month					
9th month					
10th month	36				
11th month					
12th month				-	
Total			·		

Creditor
Amount
Applicant's Initials





COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS OFFICE OF THE ATTORNEY GENERAL

2ND FLOOR - ADMINISTRATION BLDG., CAPITOL HILL SAIPAN, MP 96950

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DEPUTY ATTORNEY GENERAL
CIVIL LITIGATION DIVISION
SOLICITORS DIVISION
Tel: (670) 322-4311/4312
FACSIMILE: (670) 322-4320

CRIMINAL DIVISION
Tel: (670) 234-7771/7111/6207
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PUBLIC NOTICE

A.G. OPINIONS PUBLILSHED

June 15, 1990 - July 15, 1990

Index

Number	<u>Date</u>	<u>Subject</u>
90-05	07/05/90	Legality of Civil Service Exemptions
90-06	06/27/90	May the Commonwealth Health Center Terminate Alien Nurses Who Were Hired on Contracts On Single Status and Subsequently Have Become Pregnant During Their Employment?