

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN, TINIAN, ROTA, & NORTHERN ISLANDS



COMMONWEALTH REGISTER
VOLUME 26
NUMBER 11

NOVEMBER 30, 2004

COMMONWEALTH REGISTER

VOLUME 26

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COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

NOV 15 2004

Diego T. Benavente
Lieutenant Governor

DECLARATION OF EMERGENCY

Volcanic Eruption on Anatahan

I, DIEGO T. BENAVENTE, by the authority vested in me as Acting Governor pursuant to Article III, Section 10 of the Commonwealth Constitution and 3 CMC §5121, and in accordance with the recommendations of the Emergency Management Office, Commonwealth of the Northern Mariana Islands and US Geological Survey (attached hereto and incorporated herein by this reference) hereby declare another 30-day extension of the May 13, 2003 Declaration of Emergency for the island of Anatahan and the declaration that the island of Anatahan as unsafe for human habitation and further do hereby restrict all travel to said island with the exception of scientific expeditions. Therefore, the provisions of the May 13, 2003 Declaration of Emergency remain in effect maintaining the off-limits zone from 30 nautical miles to 10 nautical miles.

This Declaration shall become effective upon signature by the Governor and shall remain in effect for thirty (30) days unless the Governor shall, prior to the end of the 30-day period, notify the Presiding Officers of the Legislature that the state of emergency has been extended for a like term. The Governor shall give reason for extending the emergency.

DIEGO T. BENAVENTE
Acting Governor

CC: Governor (F: 664-2211)
Senate President (F: 322-0519)
House Speaker (F: 664-8900)
Mayor of the Northern Islands (F: 233-6466)
Director of Emergency Management (F: 322-7743)
Commissioner of Public Safety (F: 664-9027)
Attorney General (F: 664-2349)



Juan N. Babauta, Governor
Diego T. Benavente, Lt. Governor

Emergency Management Office
OFFICE OF THE GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS



Rudolfo M. Pua, Director
Mark S. Pangelinan Dep., Director

MEMORANDUM

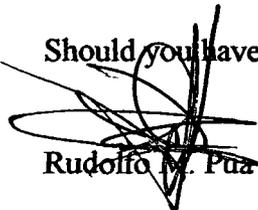
15 NOV 2004

To: Acting Governor
From: Director, Emergency Management Office
Subject: Declaration of Emergency

The EMO seismic staff and USGS, once again with close consultation has informed me that the seismicity level decreased dramatically to a very low level. However, steam and ash are like rising below two thousand feet as recorded by the seismographs at EMO.

Therefore, we are once again respectfully soliciting your assistance in extending the **Declaration of Emergency** for the island of Anatahan for another thirty (30) days and to maintain the *off limits zone from 30 nautical miles to 10 nautical miles* around Anatahan until further notice. Under these conditions, restriction of entry to the said island should continue until a thorough scientific study is done and that the findings suggest otherwise. The current **Declaration of Emergency** expires on November 15, 2004.

Should you have any question or concern, please call our office at 322-9528/29.



Rudolfo M. Pua

Xc: SAA
Mayor, NI



Northern Mariana Islands Volcanic Activity

[Anatahan Home](#) | [Current Update](#) | [Archive of Updates](#) | [Photo Gallery](#) |

Activity Update

The first historical eruption of Anatahan Volcano began suddenly on the evening of May 10. An eruption column as high as 10 km resulted in a far-reaching eruption cloud to the west. No one was directly threatened by the initial activity, because residents had long before evacuated the small volcanic island (9 km long and 3 km wide). Thus far, the eruption has consisted of a nearly continuous small eruption column (less than 5 km) punctuated by stronger explosive activity. In early June, a small lava flow erupted in the volcano's east crater, but was mostly destroyed by subsequent explosive activity.

[Eruption Overview](#) | [Washington VAAC Volcano Ash Advisories](#) |

Anatahan Volcano Update

Anatahan Volcano Update for November 11, 2004

Submitted Thursday, November 11, 2004 at 0400 local Anatahan time

Very small long-period seismic events which apparently began in late September continue to occur. Magnitudes have been up to M 0 at the largest. The occurrence rate increased on October 12 to a rate of one event every 6-14 seconds, beginning several hours after the onset of a series of intense tropical storms and depressions. The seismicity rate remained high for several weeks as a series of intense tropical depressions and storms continued to strike the island. Lightning strikes were very frequently recorded by the telemetered microphones on the island. Over the last couple of weeks, the seismicity rate has been much lower, and the storm activity has been somewhat less intense during this time. Visitors to the island on October 29 reported steam and ash rising 100-200 ft above the crater rim and could smell SO₂ when within 1 mile south of the crater, probably typical of the activity during the last couple of months. Regional earthquakes of magnitude M 4.4 and M 5.1 occurred about 250 km south-southeast of Anatahan along the Marianas subduction zone at about 40 km depth

on November 6 at 07:58 and November 8 at 20:01 UT respectively.

Background: The eruption began this year after the seismicity began increasing on March 31, 2004. Lava was noted in the crater on April 15 and may have extruded for a few weeks thereafter. The most energetic phase began on April 24, when a light ash cloud rose to a few thousand feet. Seismic activity peaked on April 28, then decreased slowly to about half that peak value during May. That seismicity resulted from strombolian bursts every one to few minutes that threw material a few hundred of meters out of the crater and steam and ash upward of a few thousand feet. During June, the seismicity level was higher as a result of more frequent small explosions every few tens of seconds and a 100-km-long, light-colored plume of steam and ash was occasionally visible. An active spatter cone existed since at least June 10, from which continuous strombolian explosions were throwing material up to 100 meters high every few tens of seconds to minutes. Spatter from these explosions had filled the inner crater by about July 10. On July 26 the seismicity level decreased dramatically to very low levels and still remains very low. The seismic signals and visual reports showed that the frequent strombolian explosions had ceased and the eruption had ended.

The Emergency Management Office, Office of the Governor, CNMI, has placed Anatahan Island off-limits until further notice and concludes that, although the volcano is not currently dangerous to most aircraft within the CNMI airspace, conditions may change rapidly, and aircraft should pass upwind of Anatahan or farther than 30 km downwind from the island and exercise due caution within 30-50 km of Anatahan.

Contact persons:

Juan Takai Camacho, Geophysical Seismic Technician, EMO Saipan; tel: (670) 322-9528, fax: (670) 322-7743, email: juantcamacho@hotmail.com

Ramon Chong, Geophysical Instrument Specialist, EMO Saipan; tel: (670) 322-9528, fax: (670) 322-7743, email: rcchongemo@hotmail.com

Frank Trusdell, Geologist, USGS; tel: (808) 967-8812, fax: (808) 967-8890, email: trusdell@usgs.gov.



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

TYPHOON CHABA (19W)

EMERGENCY DECLARATION NO. 11-2004

DATE: 8/21/04

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands **DECLARED READINESS** for **TYPHOON CONDITION III** for the islands of **SAIPAN, TINIAN, ROTA, PAGAN, ALAMAGAN, and AGRIHAN** effective **10:00 A.M., AUGUST 21, 2004**; and

WHEREAS, in accordance with the provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan, the declaration automatically puts into execution, the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that operational portions of the CNMI Emergency Operation Plan be executed, effective **10:00 A.M., AUGUST 21, 2004**, on the islands of **SAIPAN, TINIAN, ROTA, PAGAN, ALAMAGAN, and AGRIHAN** so long as required by the emergency situation.

A handwritten signature in black ink, appearing to read "Juan N. Babauta".

JUAN N. BABAUTA

Governor
Commonwealth of the Northern
Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

TYPHOON CHABA (19W)

EMERGENCY DECLARATION NO. 12-2004

DATE: 8/21/04

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **UPGRADED "TYPHOON CONDITION III to TYPHOON CONDITION II"** for the islands of **SAIPAN, TINIAN, ROTA, PAGAN, ALAMAGAN, and AGRIHAN** effective **5:00 P.M., AUGUST 21, 2004**; and

WHEREAS, in accordance with the provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan, the declaration automatically puts into execution, the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that operational portions of the CNMI Emergency Operation Plan be executed, effective **5:00 P.M., AUGUST 21, 2004**, on the islands of **SAIPAN, TINIAN, ROTA, PAGAN, ALAMAGAN, and AGRIHAN** continuing so long as required by the emergency situation.

JUAN N. BABAUTA
Governor
Commonwealth of the Northern Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

TYPHOON CHABA (19W)

EMERGENCY DECLARATION NO. 13-2004

DATE: 8/22/04

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **UPGRADED "TYPHOON CONDITION II to TYPHOON CONDITION I"** for the islands of **SAIPAN, TINIAN, ROTA, PAGAN, ALAMAGAN, and AGRIHAN** effective **8:00 A.M., AUGUST 22, 2004**; and

WHEREAS, in accordance with the provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan, the declaration automatically puts into execution, the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that operational portions of the CNMI Emergency Operation Plan be executed, effective **8:00 A.M., AUGUST 22, 2004**, on the islands of **SAIPAN, TINIAN, ROTA, PAGAN, ALAMAGAN, and AGRIHAN** continuing so long as required by the emergency situation.

JUAN N. BABAUTA
Governor
Commonwealth of the Northern Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

TYPHOON CHABA (19W)

EMERGENCY DECLARATION NO. 14-2004

DATE: 8/22/04

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **UPGRADED "TYPHOON CONDITION I to SUPER TYPHOON CONDITION I"** for the islands of **SAIPAN, TINIAN, ROTA, PAGAN, ALAMAGAN**, and **AGRIHAN** effective **8:15 A.M., AUGUST 23, 2004**; and

WHEREAS, in accordance with the provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan, the declaration automatically puts into execution, the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that operational portions of the CNMI Emergency Operation Plan be executed, effective **8:15 A.M., AUGUST 23, 2004**, on the islands of **SAIPAN, TINIAN, ROTA, PAGAN, ALAMAGAN**, and **AGRIHAN** continuing so long as required by the emergency situation.

A handwritten signature in black ink, appearing to read "Juan N. Babauta".

JUAN N. BABAUTA
Governor
Commonwealth of the Northern Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

TYPHOON CHABA (19W)

EMERGENCY DECLARATION NO. 15-2004

DATE: 8/22/04

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **DECLARED** an "**ALL CLEAR CONDITION**" for the islands of **SAIPAN, TINIAN, ROTA, PAGAN, ALAMAGAN, and AGRIHAN** effective **4:15 P.M., AUGUST 23, 2004**; and

WHEREAS, in accordance with the provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan, the declaration automatically puts into execution, the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that operational portions of the CNMI Emergency Operation Plan be terminated, effective **4:15 P.M., AUGUST 23, 2004**, on the islands of **SAIPAN, TINIAN, ROTA, PAGAN, ALAMAGAN, and AGRIHAN**.

A handwritten signature in black ink, appearing to read "Juan N. Babauta".

JUAN N. BABAUTA
Governor
Commonwealth of the Northern Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

TYPHOON SONGDA (22W)

EMERGENCY DECLARATION NO. 16-2004

DATE: 8/30/04

SUBJECT: Execution of the Commonwealth of the Northern
Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands
DECLARED READINESS for TYPHOON CONDITION III for the islands of
ALAMAGAN, PAGAN, and AGRIHAN effective 3:00 P.M., AUGUST 30, 2004; and

WHEREAS, in accordance with the provisions of the Commonwealth of the
Northern Mariana Islands' Emergency Operation Plan, the declaration automatically puts
into execution, the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it
is directed that operational portions of the CNMI Emergency Operation Plan be executed,
effective 3:00 P.M., AUGUST 30, 2004, on the islands of ALAMAGAN, PAGAN, and
AGRIHAN so long as required by the emergency situation.

A handwritten signature in black ink, appearing to read "Juan N. Babauta".

JUAN N. BABAUTA
Governor
Commonwealth of the Northern
Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

TYPHOON SONGDA (22W)

EMERGENCY DECLARATION NO. 17-2004

DATE: 8/30/04

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands **DECLARED READINESS** for **TROPICAL STORM CONDITION III** for the islands of **SAIPAN, TINIAN, AND ROTA** effective **11:30 P.M., AUGUST 30, 2004**; and

WHEREAS, in accordance with the provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan, the declaration automatically puts into execution, the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that operational portions of the CNMI Emergency Operation Plan be executed, effective **11:30 P.M., AUGUST 30, 2004**, on the islands of **SAIPAN, TINIAN, and ROTA** so long as required by the emergency situation.

A handwritten signature in black ink, appearing to read "Juan N. Babauta", written over a circular stamp.

JUAN N. BABAUTA
Governor
Commonwealth of the Northern
Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

TYPHOON SONGDA (22W)

EMERGENCY DECLARATION NO. 18-2004

DATE: 8/30/04

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **UPGRADED TYPHOON CONDITION III** to **TYPHOON CONDITION II** for the islands of **ALAMAGAN, PAGAN, and AGRIHAN** effective **11:30 P.M., AUGUST 30, 2004**; and

WHEREAS, in accordance with the provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan, the declaration automatically puts into execution, the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that operational portions of the CNMI Emergency Operation Plan be executed, effective **11:30 P.M., AUGUST 30, 2004**, on the islands of **ALAMAGAN, PAGAN, and AGRIHAN** so long as required by the emergency situation.


JUAN N. BABAUTA
Governor
Commonwealth of the Northern Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

TYPHOON SONGDA (22W)

EMERGENCY DECLARATION NO. 19-2004

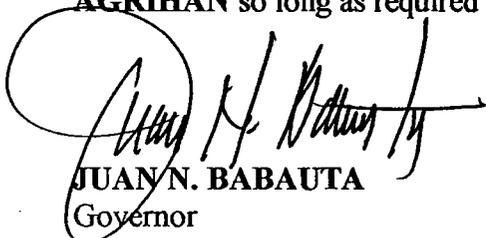
DATE: 8/31/04

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **UPGRADED TYPHOON CONDITION II** to **TYPHOON CONDITION I** for the islands of **ALAMAGAN, PAGAN, and AGRIHAN** effective **8:30 A.M., AUGUST 31, 2004**; and

WHEREAS, in accordance with the provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan, the declaration automatically puts into execution, the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that operational portions of the CNMI Emergency Operation Plan be executed, effective **8:30 A.M., AUGUST 31, 2004**, on the islands of **ALAMAGAN, PAGAN, and AGRIHAN** so long as required by the emergency situation.


JUAN N. BABAUTA
Governor
Commonwealth of the Northern Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

TYPHOON SONGDA (22W)

EMERGENCY DECLARATION NO. 20-2004

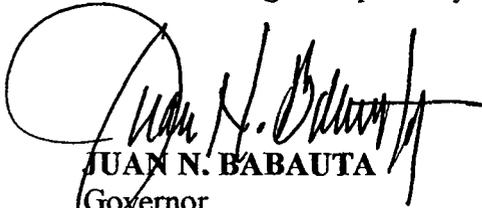
DATE: 8/31/04

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **UPGRADED TROPICAL STORM CONDITION III** to **TROPICAL STORM CONDITION I** for the islands of **SAIPAN, TINIAN, and ROTA** effective **5:00 P.M., AUGUST 31, 2004**; and

WHEREAS, in accordance with the provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan, the declaration automatically puts into execution, the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that operational portions of the CNMI Emergency Operation Plan be executed, effective **5:00 P.M., AUGUST 31, 2004**, on the islands of **SAIPAN, TINIAN, and ROTA** so long as required by the emergency situation.


JUAN N. BABAUTA
Governor
Commonwealth of the Northern Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

TYPHOON SONGDA (22W)

EMERGENCY DECLARATION NO. 21-2004

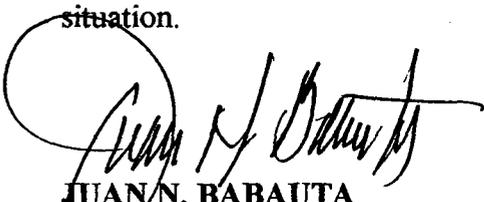
DATE: 9/01/04

SUBJECT: Execution of the Commonwealth of the Northern
Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **UPGRADED TYPHOON SONGDA 22W to SUPER TYPHOON SONGDA 22W** effective **8:00 A.M., SEPTEMBER 01, 2004**; and

WHEREAS, in accordance with the provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan, the declaration automatically puts into execution, the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that operational portions of the CNMI Emergency Operation Plan be executed, effective **8:00 A.M., SEPTEMBER 01, 2004**, so long as required by the emergency situation.


JUAN N. BABAUTA
Governor
Commonwealth of the Northern
Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

SUPER TYPHOON SONGDA (22W)

EMERGENCY DECLARATION NO. 22-2004

DATE: 9/01/04

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **DECLARED** an "ALL CLEAR CONDITION" for the islands of SAIPAN and TINIAN effective 11:00 A.M., SEPTEMBER 01, 2004; and

WHEREAS, in accordance with the provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan, the declaration automatically puts into execution, the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that operational portions of the CNMI Emergency Operation Plan be terminated, effective 11:00 A.M., september 01, 2004, on the islands of SAIPAN and TINIAN.

A handwritten signature in cursive script, appearing to read "Juan N. Babauta".

JUAN N. BABAUTA
Governor
Commonwealth of the Northern
Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

SUPER TYPHOON SONGDA (22W)

EMERGENCY DECLARATION NO. 23-2004

DATE: 9/01/04

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **DECLARED** an "ALL CLEAR CONDITION" for the islands of **PAGAN AND ALAMAGAN** effective **8:30 P.M., SEPTEMBER 01, 2004**; and

WHEREAS, in accordance with the provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan, the declaration automatically puts into execution, the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that operational portions of the CNMI Emergency Operation Plan be terminated, effective **8:30 P.M., SEPTEMBER 01, 2004**, on the islands of **PAGAN AND**

ALAMAGAN.

A handwritten signature in black ink, appearing to read "Juan N. Babauta", written over a circular stamp or mark.

JUAN N. BABAUTA
Governor
Commonwealth of the Northern Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

SUPER TYPHOON SONGDA (22W)

EMERGENCY DECLARATION NO. 24-2004

DATE: 9/02/04

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **DECLARED** an "**ALL CLEAR CONDITION**" for the islands of **AGRIHAN** effective **2:30 A.M., SEPTEMBER 02, 2004**; and

WHEREAS, in accordance with the provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan, the declaration automatically puts into execution, the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that operational portions of the CNMI Emergency Operation Plan be terminated, effective **2:30 A.M., SEPTEMBER 02, 2004**, on the islands of **AGRIHAN**.

A handwritten signature in black ink, appearing to read "Juan N. Babauta".

JUAN N. BABAUTA
Governor
Commonwealth of the Northern Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

TROPICAL STORM SARIKA (23W)

EMERGENCY DECLARATION NO. 025-2004

DATE: 09/09/04

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **DECLARED READINESS** for "TYPHOON CONDITION I" for the islands of **AGRIHAN, PAGAN, and ALAMAGAN** effective **2:15 P.M., September 05, 2004**; and

WHEREAS, in accordance with the provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan, the declaration automatically puts into execution, the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that operational portions of the CNMI Emergency Operation Plan be executed, effective **2:15 P.M., September 05, 2004**, on the islands of **AGRIHAN, PAGAN, and ALAMAGAN** continuing so long as required by the emergency situation.

A handwritten signature in black ink, appearing to read "Juan N. Babauta".

JUAN N. BABAUTA

Governor

Commonwealth of the Northern
Mariana Islands



Juan N. Babauta, Governor
Diego T. Benavente, Lt. Governor

Emergency Management Office
OFFICE OF THE GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS



Rudolf M. Pua, Director
Mark S. Pangelinan Dep., Director

TROPICAL STORM SARIKA 23W
BULLETIN NO. 001

DATE: September 05, 2004
TIME: 2:15 P.M.

HERE IS THE LATEST INFORMATION ON TROPICAL STORM SARIKA 23W AS RECEIVED FROM NATIONAL WEATHER SERVICE, TIYAN GUAM AND COMPILED AT THE EMERGENCY MANAGEMENT OFFICE, OFFICE OF THE GOVERNOR.

AT 2:00 P.M. THIS AFTERNOON, TROPICAL STORM SARIKA 23W WAS LOCATED AT LATITUDE 17.3 DEGREES NORTH AND LONGITUDE 148.2 DEGREES EAST OR ABOUT 155 MILES EAST OF ALAMAGAN, 165 MILES EAST-SOUTHEAST OF PAGAN AND 195 MILES EAST-SOUTHEAST OF AGRIHAN. TROPICAL STORM SARIKA 23W IS MOVING WEST-NORTHWEST AT 18 MILES PER HOUR WITH MAXIMUM SUSTAINED WINDS NEAR 55 MILES PER HOUR.

TROPICAL STORM SARIKA 23W IS TRACKING TOWARD AGRIHAN AND INTENSIFYING RAPIDLY AND IS EXPECTED TO BECOME A TYPHOON TONIGHT. THIS EVENING DAMAGING NORTH WINDS AT 55 TO 65 MILES PER HOUR WITH GUSTS TO 75 MILES PER HOUR. WINDS WILL BECOME SOUTHWEST 20 TO 30 MPH WITH GUSTS TO 40 MPH.

TYPHOON CONDITIONS ARE EXPECTED ON AGRIHAN AND PAGAN WITH TROPICAL STORM CONDITIONS EXPECTED ON ALAMAGAN WITHIN 24 HOURS.

BECAUSE OF THE ANTICIPATED THREAT FROM TROPICAL STORM SARIKA 23W AND ITS FORWARD SPEED, GOVERNOR JUAN N. BABAUTA HAS DECLARED TYPHOON CODNTIION I FOR THE ISLANDS OF AGRIHAN, PAGAN AND ALAMAGAN AS OF 2:15 P.M. THIS AFTERNOON.

THE EMERGENCY MANAGEMENT OFFICE WILL BE MONITORING THE MOVEMENT OF TROPICAL STORM SARIKA 23 W AND WILL BE ISSUING BULLETINS AS SOON AS IT BECOMES AVAILABLE. PLEASE CONTINUE TO MONITOR THE OFFICIAL BULLETINS WHICH WILL BE AVAILABLE THROUGH LOCAL MEDIA SOURCES AND NOAA WEATHER RADIO BROADCAST ON 162.5 MEGAHERTZ OR THE EMERGENCY INFORMATION HOTLINE AT TELEPHONE NUMBERS 322-0220-0222 OR VISIT OUR WEBSITE AT www.cnmimo.gov.mp



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

TROPICAL STORM SARIKA (23W)

EMERGENCY DECLARATION NO. 026-2004

DATE: 09/09/04

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **MAINTAINED "TYPHOON CONDITION I"** for the islands of **AGRIHAN, PAGAN, and ALAMAGAN** effective **8:00 P.M., September 05, 2004**; and

WHEREAS, in accordance with the provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan, the declaration automatically puts into execution, the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that operational portions of the CNMI Emergency Operation Plan be executed, effective **8:00 P.M., September 05, 2004**, on the islands of **AGRIHAN, PAGAN, and ALAMAGAN** continuing so long as required by the emergency situation.


JUAN N. BABAUTA
Governor
Commonwealth of the Northern Mariana Islands



Juan N. Babauta, Governor
Diego T. Benavente, Lt. Governor

Emergency Management Office
OFFICE OF THE GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS



Rudolf M. Pua, Director
Mark S. Pangelinan Dep., Director

TROPICAL STORM SARIKA 23 W
BULLETIN NO.002

DATE: September 05, 2004
TIME: 8:00P.M.

HERE IS THE LATEST INFORMATION ON TROPICAL STORM SARIKA 23W AS RECEIVED FROM NATIONAL WEATHER SERVICE, TIYAN GUAM AND COMPILED AT THE EMERGENCY MANAGEMENT OFFICE, OFFICE OF THE GOVERNOR.

AT 7:00P.M. THIS EVENING, TROPICAL STORM SARIKA 23W WAS LOCATED NEAR LATITUDE 18.4 DEGREES NORTH AND LONGITUDE 146.9 DEGREES EAST OR ABOUT 80 MILES NORTHEAST OF ALAMAGAN, 75 MILES EAST-SOUTHEAST OF PAGAN, AND 85 MILES EAST-SOUTHEAST OF AGRIHAN. TROPICAL STORM SARIKA 23W IS MOVING NORTHWEST AT 17 MILES PER HOUR WITH MAXIMUM SUSTAINED WINDS OF 65 MILES PER HOUR WITH HIGHER GUSTS. THIS MOTION IS EXPECTED TO CONTINUE OVER THE NEXT 24 HOURS.

TROPICAL STORM SARIKA 23W IS TRACKING TOWARD AGRIHAN AND INTENSIFYING RAPIDLY AND IS EXPECTED TO BECOME A TYPHOON TONIGHT.

BECAUSE OF THE ANTICIPATED THREAT OF TROPICAL STORM SARIKA 23W, GOVERNOR JUAN N. BABAUTA MAINTAINS TYPHOON CONDITION I FOR THE ISLANDS OF ALAMAGAN, PAGAN, AND AGRIHAN AS OF 8:00P.M. THIS EVENING.

THE EMERGENCY MANAGEMENT OFFICE WILL CONTINUE TO MONITOR THE MOVEMENT OF TROPICAL STORM SARIKA 23W AND WILL ISSUE ADDITIONAL INFORMATION AS SOON AS IT BECOMES AVAILABLE. PLEASE CONTINUE TO MONITOR OFFICIAL BULLETINS AVAILABLE THROUGH LOCAL MEDIA SERVICES, NOAA WEATEHR RADIO BROADCAST AT 162.5 MEGAHERTZ, OR THE EMERGENCY INFORMATION HOTLINE AT TELEPHONE NUMBERS 322-0222-0220.



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

TROPICAL STORM SARIKA (23W)

EMERGENCY DECLARATION NO. 027-2004

DATE: 09/09/04

SUBJECT: Termination of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **DECLARED** an "**ALL CLEAR CONDITION**" for the islands of **AGRIHAN**, **PAGAN**, and **ALAMAGAN** effective **08:15A.M., September 06, 2004**; and

WHEREAS, in accordance with the provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan, the declaration automatically terminates operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that operational portions of the CNMI Emergency Operation Plan be terminated, effective **08:15A.M., September 06, 2004**, on the islands of **AGRIHAN, PAGAN, and ALAMAGAN.**

A handwritten signature in black ink, appearing to read "Juan N. Babauta".

JUAN N. BABAUTA
Governor
Commonwealth of the Northern Mariana Islands



Juan N. Babauta, Governor
Diego T. Benavente, Lt. Governor

Emergency Management Office
OFFICE OF THE GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS



Rudolf M. Pua, Director
Mark S. Pangelinan Dep., Director

TROPICAL STORM SARIKA 23 W
BULLETIN NO.006

DATE: September 06, 2004
TIME: 08:15 A.M.

HERE IS THE LATEST INFORMATION ON **TROPICAL STORM SARIKA 23W** AS RECEIVED FROM NATIONAL WEATHER SERVICE, TIYAN GUAM AND COMPILED AT THE EMERGENCY MANAGEMENT OFFICE, OFFICE OF THE GOVERNOR.

AT 7:00 A.M. THIS MORNING, TROPICAL STORM SARIKA 23W WAS LOCATED NEAR LATITUDE 19.2 DEGREES NORTH AND LONGITUDE 143.6 DEGREES EAST OR ABOUT 185 MILES NORTHWEST OF ALAMAGAN, 165 MILES WEST-NORTHWEST OF PAGAN, AND 140 MILES WEST-NORTHWEST OF AGRIHAN. TROPICAL STORM SARIKA 23W IS MOVING WEST-NORTHWEST AT 17 MPH. MAXIMUM SUSTAINED WINDS NEAR THE CENTER OF 70 MILES PER HOUR. THIS GENERAL MOTION IS EXPECTED TO CONTINUE FOR THE NEXT 24 HOURS.

TROPICAL STORM SARIKA 23W IS MOVING AWAY FROM AGRIHAN.

BECAUSE OF TROPICAL STORM SARIKA 23W CURRENT POSITION AND HAS BEEN MOVING AWAY, GOVERNOR JUAN N. BABAUTA HAS DECLARED AN " ALL CLEAR CONDITONS" FOR THE ISLANDS OF ALAMAGAN, PAGAN, AND AGRIHAN AS OF 08:15 A.M. THIS MORNING.

THIS WILL BE THE FINAL BULLETIN ISSUED ON TROPICAL STORM SARIKA 23W, UNLESS CONDITONS CHANGE.



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

TYPHOON NOCK-TEN (28W)

EMERGENCY DECLARATION NO. 028-2004

DATE: 11/02/04

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **DECLARED READINESS** for **TYPHOON CONDITION III** for the islands of **SAIPAN, TINIAN, and ROTA** effective **9:00 P.M., October 18, 2004**; and

WHEREAS, in accordance with the provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan, the declaration automatically puts into execution, the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that operational portions of the CNMI Emergency Operation Plan be executed, effective **9:00 P.M., October 18, 2004**, on the islands of **SAIPAN, TINIAN, and ROTA** continuing so long as required by the emergency situation.

A handwritten signature in black ink, appearing to read "Juan N. Babauta".

JUAN N. BABAUTA
Governor
Commonwealth of the Northern
Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

TYPHOON NOCK-TEN (28W)

EMERGENCY DECLARATION NO. 029-2004

DATE: 11/02/04

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **MAINTAINED "TYPHOON CONDITION III"** for the islands of **SAIPAN, TINIAN, and ROTA** effective **02:30A.M., October 19, 2004**; and

WHEREAS, in accordance with the provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan, the declaration automatically puts into execution, the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that operational portions of the CNMI Emergency Operation Plan be executed, effective **02:30A.M., October 19, 2004**, on the islands of **SAIPAN, TINIAN, and ROTA** continuing so long as required by the emergency situation.


JUAN N. BABAUTA
Governor
Commonwealth of the Northern Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

TYPHOON NOCK-TEN (28W)

EMERGENCY DECLARATION NO. 030-2004

DATE: 11/02/04

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **UPGRADED TYPHOON CONDITION III to "TYPHOON CONDITION II"** for the island of **ROTA** effective **08:30A.M., October 19, 2004**; and

WHEREAS, in accordance with the provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan, the declaration automatically puts into execution, the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that operational portions of the CNMI Emergency Operation Plan be executed, effective **08:30A.M., October 19, 2004**, on the island of **ROTA** continuing so long as required by the emergency situation.

JUAN N. BABAUTA
Governor
Commonwealth of the Northern
Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

TYPHOON NOCK-TEN (28W)

EMERGENCY DECLARATION NO. 031-2004

DATE: 11/02/04

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **UPGRADED TYPHOON CONDITION II** to "**TYPHOON CONDITION I**" for the island of **ROTA** effective **06:15A.M., October 20, 2004**; and

WHEREAS, in accordance with the provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan, the declaration automatically puts into execution, the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that operational portions of the CNMI Emergency Operation Plan be executed, effective **06:15A.M., October 20, 2004**, on the island of **ROTA** continuing so long as required by the emergency situation.

A handwritten signature in black ink, appearing to read "Juan N. Babauta".

JUANN. BABAUTA

Governor

Commonwealth of the Northern
Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Juan N. Babauta
Governor

Diego T. Benavente
Lieutenant Governor

TYPHOON NOCK-TEN (28W)

EMERGENCY DECLARATION NO. 032-2004

DATE: 11/02/04

SUBJECT: Termination of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **DECLARED** an "**ALL CLEAR CONDITION**" for the islands of **SAIPAN, TINIAN** and **ROTA** effective **2:30P.M., October 20, 2004**; and

WHEREAS, in accordance with the provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan, the declaration automatically terminates operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that operational portions of the CNMI Emergency Operation Plan be terminated, effective **2:30P.M., October 20, 2004**, on the islands of **SAIPAN, TINIAN** and **ROTA**.

A handwritten signature in black ink, appearing to read "Juan N. Babauta".

JUAN N. BABAUTA
Governor

Commonwealth of the Northern
Mariana Islands



SAIPAN HIGHER EDUCATION FINANCIAL ASSISTANCE (S H E F A)
Office of the Mayor, Municipality of Saipan

BOARD MEMBERS

Felicidad T. Ogumoro

Jose C. Leon Guerrero

Howard I. Macaranas

Max "Timmo" Olopai

Mayor Juan Borja Tudela
(ex-officio)

**PUBLIC NOTICE OF EMERGENCY REGULATIONS AND NOTICE OF
INTENT TO REPEAL REGULATIONS DENYING ELIBILITY OF SHEFA
FINANCIAL ASSISTANCE TO CNMI FULL-TIME GOVERNMENT
EMPLOYEES**

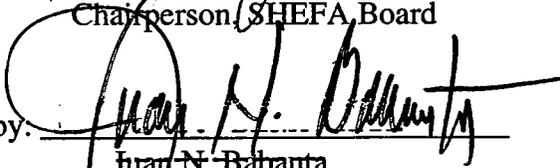
EMERGENCY: The Saipan Higher Education Financial Assistance (SHEFA) Board for the Saipan Higher Education Financial Assistance Program, finds that under 1 CMC 9104(b), the public interest requires the repeal of Section 10(9) of the Rules and Regulations for the Saipan Higher Education Financial Assistance Program published in the Commonwealth Register, Vol. 26, No. 6, June 24, 2004 beginning at page 22797 and adopted in Commonwealth Register, Vol. 26, No. 8, August 26, 2004 at page 23121. These regulations outline the requirements and procedures for obtaining educational assistance, the types of assistance available, and the qualification requirements. Section 10(9) of those regulations currently prohibits fulltime employees of the CNMI government and/or on educational leave and training leave status from being eligible for financial assistance from the SHEFA fund. The Board believes this provision should be removed from the current regulations. The SHEFA Board further finds that the public interest mandates adoption of these regulations upon fewer than thirty (30) days notice, and that these regulations shall become effective immediately after filing with the Registrar of Corporations, subject to the approval of the Attorney General and the concurrence of the Governor, and shall remain effective for 120 days.

REASONS FOR EMERGENCY: The SHEFA Board finds that the adoption of these regulations upon fewer than thirty (30) days notice is necessary because: (1) there is a December 1, 2004 deadline for persons applying for financial assistance for the spring semester of 2005; (2) the SHEFA Board has received number of complaints and questions concerning the eligibility of CNMI government employees who otherwise meet the requirements of SLL 13-21; (3) the SHEFA Board has been advised that persons applying for SHEFA financial assistance cannot be excluded solely on the basis that they are CNMI full-time government employees; and (4) the amendment is necessary to eliminate the slightest possibility that such persons may be deterred or prevented from making an application for SHEFA financial assistance out of the mistaken belief that eligibility will be denied for the spring semester of 2005. The SHEFA Board finds that it is in the interest of the public and those who would like to pursue higher educational opportunities but for their inability to pay for their education that these regulations be approved and adopted immediately.

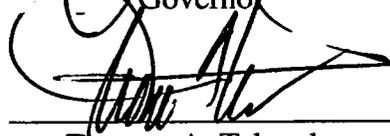
INTENT TO ADOPT: It is the intent of the SHEFA Board to adopt these emergency regulations as permanent, pursuant to 1 CMC 9104(a)(1) and (2). Accordingly, interested persons may submit written comments on these emergency regulations to the SHEFA Program at the Saipan Mayor's Office, PO Box 501457, Saipan, MP 96950 or by facsimile at 234-1190.

Submitted by: 
Felicidad T. Ogumoro
Chairperson, SHEFA Board

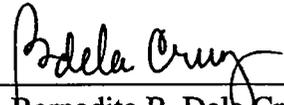
Date

Concurred by: 
Juan N. Babauta
Governor

11/24/04
Date

Received by: 
Thomas A. Tebuteb
SAA

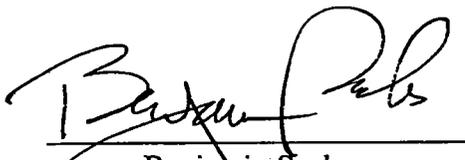
11/23/04
Date

Filed and Recorded by: 
Bernadita B. Dela Cruz
Commonwealth Register

11.24.04
Date

Pursuant to ICMC &2153, as amended by PL 10-50, the emergency rules and regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General's Office.

Dated this 24th day of November, 2004.


Benjamin Sachs
Acting Attorney General

**AMENDMENTS TO THE SHEFA REGULATIONS
SECTION TEN
ELIGIBILITY REQUIREMENTS**

Section Ten of the SHEFA Rules and Regulations is hereby amended to read as follows:

SECTION TEN

Eligibility for SHEFA Fund Financial Assistance: All applicants must meet the requirements in section nine and the following additional requirements. A student/applicant must: 1. graduate from high school with a high school diploma or high school equivalent diploma. 2. have cumulative high school grade point average (GPA) of at least 2.5 upon graduation. 3. be accepted or enrolled on fulltime status as determined by the institution (excluding remedial preparatory or non-credit courses) in a US accredited college or university. Exception to fulltime enrollment status of certified disabled applicants will be granted on a case-by-case basis. 4. if awarded financial assistance, must sign a promissory note/memorandum of agreement enabling all financial assistance received from the SHEFA fund subject to debt conversion and debt convertible, and future assistance contingent on funds availability pursuant to law. 5. meet all conditions for continuing assistance from SHEFA as provided in section eleven of these rules and regulations. 6. eligibility for SHEFA assistance for the undergraduate degree is for a maximum of four academic years, with a provision for one additional academic year for specialized majors and/or content-area certification by the institution, not including summer for Bachelor's Degree (BA/BS) and two academic years not including summer for an Associate Degree (AA/AS). For a graduate degree (MS/MS) eligibility for assistance is for two academic years not including summer; and with a provision for one additional academic year for dissertation and defense; medical degree training requirements; or J.D. academic work or related residency training requirement. 7. provide all required documents and documentation of eligibility as provided for in section twelve of these rules and regulations. 8. maintain at least the minimum cumulative grade point average as a condition for continuing assistance pursuant to section eleven herein. 9. ~~no fulltime employee of the CNMI government and/or on education and training leave status is eligible for financial assistance from the SHEFA fund.~~



**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SCHOLARSHIP OFFICE**

CALLER BOX 10007 • SAIPAN, MP • 96950

Phone: (670) 664-4750/51 • Fax: (670) 664-4759 • E-mail: cnmieap@cnmischolarship.com • Web address: www.cnmischolarship.com

**NOTICE OF EMERGENCY AND ADOPTION OF AMENDMENT OF THE
SCHOLARSHIP ADVISORY BOARD'S REGULATIONS**

EMERGENCY: The Scholarship Advisory Board ("SAB") finds that under 1CMC § 9104(b) the public interest and welfare requires the adoption of emergency amendments to the SAB's regulations and further finds that the public interest and welfare mandates adoption of these emergency amendments upon fewer than thirty (30) days notice. These regulations shall become effective immediately upon filing with the Commonwealth Registrar, subject to the approval of the Attorney General and the concurrence of the Governor, and shall remain in effect for 120 days.

REASON FOR EMERGENCY: P.L. 14-37 just became law. It provides SAB the authority to give additional scholarships to the top high school students in the Commonwealth. The law's effective date has been made retroactive to the beginning of the school year for 2004, which began several months ago. The students eligible for these new awards have already begun attending college or university and they have tuition bills for the current semester that are due or will be due shortly. Similarly, their tuition payments are emergency basis to allow the SAB to make determinations regarding the new awards as quickly as possible.

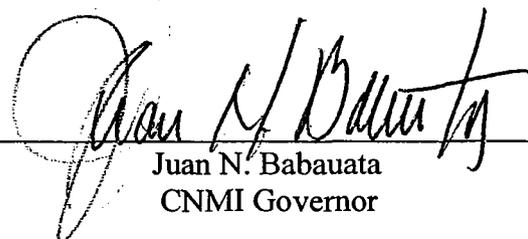
REPEALED & REENACT: The SAB's Rules and Regulations governing P.L. 7-32 as amended by P.L. 11-77 are repealed and reenacted by these new rules and regulations for P.L. 14-37 for the CNMI Honor Scholarship Program for Postsecondary Education

AUTHORITY: The authority for the adoption and promulgation of this repealed and reenacted to the SAB's Regulations is by virtue of the authority vested in the SAB pursuant to Executive Order 94-3, Sec. 211, Public Law 14-37, and the Commonwealth Administrative Procedures Act, 1CMC § 9101, et seq.



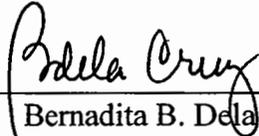
Roman C. Benavente, Chairman
Scholarship Advisory Board

10-25-04
Date



Juan N. Babauata
CNMI Governor

10/26/04
Date

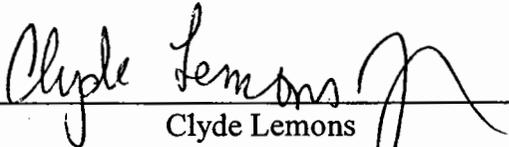


Bernadita B. Dela Cruz

Commonwealth Registrar/Secretary

10/27/04
Date

Pursuant to 1 CMC § 2153, as amended by P.L. 10-50, the emergency regulations attached hereto have been reviewed and approved by the Office of the Attorney General.



Clyde Lemons

Acting Attorney General

10/27/04
Date

RULES AND REGULATIONS GOVERNING THE PUBLIC LAW 14-37 CNMI HONOR SCHOLARSHIP PROGRAM.

PURPOSE

P.L. 14-37 CNMI HONOR SCHOLARSHIP PROGRAM has repealed and reenacted P.L. 7-32 as amended by P.L. 11-77. Because of this change to the law the Scholarship Advisory Board repeals and reenact it Rules and Regulations regarding the CNMI Honors Scholarship Program. These Rules and Regulations are to implement the CNMI Honors Scholarship Program.

1. DEFINITIONS FOR IMPLEMENTING PUBLIC LAW 14-37.

- 1.1. CUMULATIVE GRADE POINT AVERAGE: The Grade Point Average for all terms combined. The recipient must have a 3.00 cumulative GPA on a 4.00 scale at the end of each school year.
- 1.2. FULLTIME STATUS: Twelve (12) credits per enrollment period. Courses that are repeated will not be counted as fulfillment of a student's full-time enrollment status.
- 1.3. PROBATION: A condition placed on a student who failed to comply with the statutory requirement or in any of the Rules and Regulation promulgated by the Scholarship Advisory Board.
- 1.4. TERMINATION: Discontinued from the program.
- 1.5. SAT: Scholastic Achievement Test
- 1.6. ACT: American College Testing

2. APPLICATION

- 2.1. All Applications and required documents must be received by the CNMI Scholarship Advisory Board, Office of the Governor, on or before June 30th of the year for which the scholarship is to be commenced.

NOTE: If the Deadline falls on a weekend or a holiday, deadline will be on the next working day.

- 2.2. The required documents include, but are not limited to: a) an official high school transcript, inclusive of the last quarter's 12th grade; b) a letter of acceptance from an accredited college or university; c) proof of compliance with statutory requirements, as demonstrated by, but not limited to d) Scholastic Achievement Test (SAT) and/or American College Testing (ACT), two letters of recommendation, a description of extra curricular activities, and proof of citizenship and residency such as a U.S. passport, parents' CNMI tax forms, CNMI voter registration, or other similar documents deemed acceptable or appropriate to the Scholarship Advisory Board.
- 2.3. At the beginning of each academic year on-going recipients must submit all the required documents to maintain their scholarship.

3. SELECTION CRITERIA

3.1. The Scholarship Advisory Board shall meet after July 15th for the purpose of selecting the scholarship recipients.

3.2. The Scholarship Advisory Board shall review and evaluate the applications of applicants using the criteria established by law.

3.2.1. Applicants must be a U.S. citizen or a U.S. National.

3.2.2. Applicants must be newly high school graduates who have attained a combination of highest cumulative grade point average and highest SAT and/or ACT score. In addition, applicants' extra-curricular activities, difficulty of courses taken and at least two letters of recommendation will be used in the selection process.

Process of Ranking Scholarship:

1. 80% of the rank will be determined by the applicants' cumulative grade point average. SAB will ensure that the assessments of Advance Program Courses in the applicants' grade point averages are equivalent. Students will be ranked according to their cumulative grade point average from highest to lowest with the highest-ranking student receiving a "one."
2. 20% of the rank will be determined by the highest total SAT or ACT score that the applicant received on a given testing day. ACT scores will be converted to an equivalent SAT score. Students will be ranked according to their highest total SAT (or converted ACT) score from highest to lowest with the highest-ranking student receiving a "one."
3. Once applicants have a rank for their grade point average and SAT score, the rankings will be multiplied by the appropriate percentage and totaled. The applicants with the ranking closest to one will receive the awards in order until all available scholarships under the program are provided.
4. The following example shows how the ranking process works.

Student	CGPA	Rank No. on CPGA	Percentage applied for CPGA	CGPA SCORE	SAT/ACT SCORE	Rank No. on SAT/ACT	Percentage applied on SAT/ACT	SAT/ACT SCORE	TOTAL CGPA & SAT SCORE	Placement
A	4.25	1	80%	0.800	1275	6	20%	1.200	2.000	1st
F	4.15	2	80%	1.600	1400	3	20%	0.600	2.200	2nd
E	4.1	3	80%	2.400	1000	8	20%	1.600	4.000	4th
G	4.06	4	80%	3.200	1600	1	20%	0.200	3.400	3rd
I	4.01	5	80%	4.000	1500	2	20%	0.400	4.400	5th
C	4	6	80%	4.800	1325	4	20%	0.800	5.600	6th
B	4	6	80%	4.800	1300	5	20%	1.000	5.800	7th
H	3.99	7	80%	5.600	1325	4	20%	0.800	6.400	8th
D	3.75	8	80%	6.400	1250	7	20%	1.400	7.800	9th

Under this example, if eight scholarships were available, the individuals ranked first through eighth will receive awards. In other words, only applicant D would not receive an award.

5. Applicants' extra curricular activities shall be applied as a determining factor for the purpose of a tiebreaker. The Scholarship Advisory Board will consider both the quality and quantity of extra curricular activities when making this determination. The extra curricular activities in which applicants participate both inside and outside of their school may be considered.

3.2.3. Applicants graduating within the CNMI must have attended school within the CNMI for a minimum total of six (6) years. Within the six (6) years requirement, applicants must have attended the CNMI - two (2) years immediately preceding the date of the award.

3.2.4. In addition to the 3.2.1 and 3.2.2 requirement, applicants graduating from a high school within the United States of America or its territories as one of the top students, scholastically are eligible to apply, provided the applicant have attained the highest scholastic achievement with a 4.0 or higher cumulative grade point average and of parents who are bonafide CNMI resident at the time of application and have been so for a minimum period of eight (8) years prior to the date of application.

4 SCHOLARSHIP AWARD

4.1 Either the actual cost of the scholarship benefits as established by P.L. 14-37 or the amount of Fifteen Thousand dollars (\$15,000.00) which ever is less, will be awarded to each recipient for each academic year. Awards will be decreased by any amount the recipient receives from other grants or scholarships.

4.2 The award per term will be prorated.

4.3 If a recipient either dropped out of school or is terminated by the school, all scholarship privileges will be terminated immediately and the recipient will be required to remit the whole amount of moneys provided through this scholarship fund to the CNMI government.

4.4 Scholarship may not be used to cover for expenses not included in the Institutions Definition for Cost of Attendance.

4.5 If an applicant declines an award or receives scholarship funds from other sources that equal the full amount of applicants' cost of attendance, the applicant will not be provided an award under this program. The applicants' award will instead be provided to the next eligible applicant by rank.

5 SCHOLARSHIP MAINTENANCE AND CONDITIONS

5.1 The recipient graduating from high-school selected for the scholarship may continue to receive scholarship but no more than five (5) academic years, as long as he/she maintains the required cumulative GPA of 3.00 on a 4.00 scale at the end of each school year.

5.2 The recipient must submit a certified copy of the Institutions' Cost of Attendance each academic year. If the recipient fails to submit the Institutions' Cost of Attendance all

scholarship privileges will be deferred until the Scholarship Advisory Board receives such document.

- 5.3 The recipient must enroll and maintain a full-time status each enrollment period.
- 5.4 At the end of each enrollment period, the recipient must provide the Scholarship Advisory Board with a copy of his/her grade report for the enrollment period ending. At the end of each academic year, the student must provide the Scholarship Advisory Board with an official sealed transcript. If the recipient fails to submit the official transcript or the grade report, all scholarship privileges will be deferred until the Scholarship Advisory Board receives such document(s).
- 5.5 The recipient must sign and have notarized a Memorandum of Agreement approved by the Scholarship Advisory Board for each academic year in order to receive scholarship benefits. This Memorandum of Agreement shall set forth the terms and conditions pursuant to which scholarship benefits will be granted to the receipt. Each Agreement must be notarized and returned to the Scholarship Advisory Board before the recipient will receive any scholarship benefits.
- 5.6 A recipient who is enrolled in a two-year institution must have prior approval from the Scholarship Advisory Board prior to enrolling in any two-year institution for a third (3rd) academic year.
- 5.7 All scholarship recipients must declare their field of study before the beginning of their second year in college. The Scholarship Advisory Board will hold awards until this information is received in writing, via fax, or email or via an appropriate mail service to the following address:

Scholarship Advisory Board
Office of the Governor
Caller Box 10007
Saipan, MP 96950

Facsimile: 670-664-4759
Email Address: cnmischolarship.com

- 5.8 All scholarship recipients must advise the Scholarship Advisory Board of both their school and CNMI address each time there is a change.
- 5.9 A recipient is not eligible for same or lower level of education.

6 PROBATION AND TERMINATION

- 6.1 The recipient must maintain a fulltime status and have a GPA of 3.00 on a 4.0 scale cumulatively at the end of each academic year. If the recipient fails to maintain a required GPA, or if the number of credit hours drops below that of full-time status at the end of an enrollment period or the students fails to comply with the statutory requirements or the terms of the Memorandum of Agreement, the student will be placed on probation for the following academic year.
- 6.2 Scholarship benefits will be awarded during the probation period. However, the student must makeup the credits lacking while also maintaining a full-time (12 credits) status. By the end of the probationary enrollment period the student must be able to meet the

minimum GPA requirement and be in compliance with the statutory requirements and the terms of the students' Memorandum of Agreement.

- 6.3 If the student does not meet the required GPA requirements or does not complete the credits lacking in addition to maintaining full-time status or is not in compliance with the statutory requirements or the terms of the Memorandum of Agreement during the probationary enrollment period, the scholarship benefits will terminate immediately, and the recipient will not be allowed any future participation in the program.

7. TRANSFER OR CHANGE OF FIELD OF STUDY

Permission must first be obtained from the Scholarship Administrator if a recipient wants to transfer to another institution or change his/her field of study. A request shall be in writing and, if the request is to another institution, an acceptance letter from the institution to which a student is transferring must be submitted with the request for an approval of transfer.

8. REPAYMENT

- 8.1. All recipients of such scholarship are required to return to the CNMI no later than three (3) months after completion of their degree program.
- 8.2. Recipient, who fails to complete his/her educational degree program, will be required to repay the amount of scholarship awarded. The amount may either be repaid in full or in installments as determined by the Scholarship Advisory Board and the recipient.
- 8.3. Legal proceedings will be taken to recover the total amount of scholarships awarded in order to enforce the requirements provided in §8.1 and 8.2 above. The recipient shall also pay all legal expenses and fees incurred by the government in the effort to recover scholarship awards.
- 8.4. No penalty shall be imposed on a recipient who obtain their baccalaureate degree and decides to enter a post-graduate Degree Program. The repayment or cancellation of such scholarship will be deferred until the student obtains of their post-graduate degree whether or not the student is receiving scholarship funds. However, should the student cease his/her post-graduate program, he/she must return to the CNMI within three (3) months to commence work. Failure to return will result in the student being required to repay all scholarship awards previously received.

9. FRAUDULENT INFORMATION

- 9.1 All documents received by the Scholarship Advisory Board are subject to verification from the Institution and sources from which it came. The applicant and his or her family or authorized representative are individually responsible for the integrity of such documents. Recipients and the authorized representative who submit documents that are false or tampered in any way(s) will result in the recipient immediate and permanent removal from any Scholarship program administered by Scholarship Advisory Board. Documents include but are not limited to application, supporting documents, grade reports, transcript, etc.

10. APPEALS

- 10.1 A recipient who is denied P.L. 14-37 has the right to appeal to the Scholarship Advisory Board.
- 10.2 The appeal must be in writing addressed to the Chairperson of the Scholarship Advisory Board.
- 10.3 The appeal must be postmarked or hand-delivered no later than twenty-one (21) calendar days after notification of the decision by the Scholarship Administrator. If notification is via mail it shall be given via a certified mail, return receipt requested.
- 10.4 The appeal to the Scholarship Advisory Board shall be heard and decided pursuant to applicable CNMI law, including, but not limited to, the CNMI Administrative Procedure Act, 1 CMC Section 9101 et. seq.
- 10.5 All decisions by Scholarship Advisory Board on appeals are final regarding the administrative review process.

11. EFFECTIVE DATE

- 11.1 These Rules and Regulation shall take effect Fall 2004 semester/quarter.



COMMONWEALTH DEVELOPMENT AUTHORITY

P.O. BOX 502149, SAIPAN MP 96950
Tel.: (670) 234-6245/6293/7145/7146 • Fax: (670) 234-7144 or 235-7147
Email: administration@cda.gov.mp • Website: www.cda.gov.mp



COMMONWEALTH DEVELOPMENT AUTHORITY AND THE DIVISION OF REVENUE AND TAXATION, DEPARTMENT OF FINANCE PUBLIC NOTICE OF THE ADOPTION OF THE AMENDMENTS TO THE RULES AND REGULATIONS OF THE QUALIFYING CERTIFICATE PROGRAM WITHIN THE COMMONWEALTH DEVELOPMENT AUTHORITY

The Commonwealth Development Authority (CDA), and the Division of Revenue and Taxation of the Department of Finance, of the Commonwealth of the Northern Mariana Islands pursuant to 4 CMC §3323 and in accordance with the Administrative Procedures Act (1 CMC §9101, *et seq.*) hereby notify the general public that the proposed amendments to the Qualifying Certificate Program Rules and Regulations as published in the Commonwealth Register, Volume 25, Number 07, August 22, 2003, at pages 020790 through and including 020800, and after expiration of appropriate time for public comment, were adopted by the CDA Board of Directors at its regular meeting on July 15, 2004, a quorum being present, with minor changes.

Copies of the Amended Qualifying Certificate Program Rules and Regulations are available at the office of the Commonwealth Development Authority, Gualo Rai, Saipan, MP 96950.

The adopted amended Rules and Regulations become effective ten (10) days after publication of this Notice in the Commonwealth Register.

Dated this 4th day of October 2004.

Sixto K. Igisomar, Chairman
CDA Board of Directors

Maria Lourdes S. Ada
CDA Executive Director

Esther S. Ada, Director
Division of Revenue & Taxation

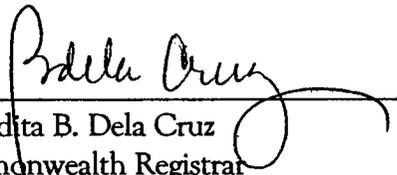
Received by:

Thomas I. Tebuteb
Special Assistant for Administration

11/29/04

Date

Filed and Recorded by:


Bernadita B. Dela Cruz
Commonwealth Registrar
Attorney General's Office

11-29-04
Date

Below summarizes the changes to the QC Rules and Regulations to be put up for adoption with minor changes.

CHAPTER VII. REQUIREMENTS OF THE BENEFICIARY

1. Add the following to the end of Section A: "Should the Beneficiary fail to respond (i.e., accept or reject) within the prescribed time period, then such failure to respond shall be deemed a rejection of the Qualifying Certificate in its entirety by the Beneficiary."
2. Change Section B, Subsection 1 to read as follows: "~~Notwithstanding the requirement under A, above,~~ No later than fifteen (15) days after the end of each ~~complete~~ month after the effective date of the Qualifying Certificate, the Beneficiary shall submit to the Administrator the following reports:"
3. Section B, Subsection 3 becomes Section B, Subsection 4.
4. Add Section B, Subsection 3, Reports After Acceptance of Qualifying Certificate, to read as follows: "Notwithstanding any of the foregoing reporting requirements, no reports are required to be filed until after the Beneficiary has formally accepted the Qualifying Certificate in accordance with Section A above. Upon acceptance of the Qualifying Certificate, however, the Beneficiary shall submit on or before the next reporting deadline all reports that would have been submitted between the effective date of the Qualifying Certificate and the date of formal acceptance by the Beneficiary. For example, if a Qualifying Certificate has an effective date of March 7 and the Beneficiary does not formally accept the Qualifying Certificate until May 5, the reports due under Section B, Subsection 1 for the months of March and April would not be required to be submitted until May 15, the first reporting deadline after the formal acceptance; and the First and Second Quarter reports would not be required to be filed until July 31.



COMMONWEALTH DEVELOPMENT AUTHORITY

P.O. BOX 502149, SAIPAN MP 96950
Tel.: (670) 234-6245/6293/7145/7146 • Fax: (670) 234-7144 or 235-7147
Email: administration@cda.gov.mp • Website: www.cda.gov.mp



COMMONWEALTH DEVELOPMENT AUTHORITY AND THE DIVISION OF REVENUE AND TAXATION, DEPARTMENT OF FINANCE

CERTIFICATE OF ADOPTION

We, Sixto K. Igisomar and Maria Lourdes S. Ada, Board Chairman and Executive Director of the Commonwealth Development Authority, respectively, and Esther S. Ada, Director of Revenue and Taxation of the Department of Finance which are promulgating the Rules and Regulations of the Qualifying Certificate Program, published in the Commonwealth Register, Volume 25, Number 07, on August 22, 2003, at pages 020790 through and including page 020800, by our signatures below, do hereby certify that the proposed amendments to the Qualifying Certificate Program Rules and Regulations were adopted by the CDA Board of Directors at its regular board meeting on July 15, 2004, with minor modification as set forth in the Public Notice of Adoption accompanying this certificate. We hereby request and direct that the Public Notice and this Certificate of Adoption be immediately published in the Commonwealth Register.

We declare under penalty of perjury that the aforementioned amendments to the Rules and Regulations are true and correct and that this declaration was executed on the 4th day of October 2004, Saipan, Commonwealth of the Northern Mariana Islands.

Sixto K. Igisomar, Chairman
CDA Board of Directors

Maria Lourdes S. Ada
CDA Executive Director

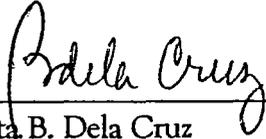
Esther S. Ada, Director
Division of Revenue & Taxation

Pursuant to 1 CMC § 2153, as amended by P.L. 10-50, the proposed amendments to the Rules and Regulations as described in the foregoing Certificate of Adoption have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General's Office

Attorney General (Acting)

Date: 11/29/04

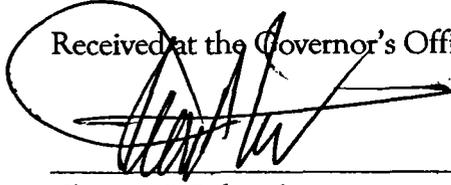
Filed by:



Bernadita B. Dela Cruz
Commonwealth Registrar
Attorney General's Office

Date: 11-29-04

Received at the Governor's Office by:



Thomas I. Tebuteb
Special Assistant for Administration

Date: 11/29/04



Department of Commerce

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
Caller Box 10007 CK., Saipan, MP 96950
Tel. (670) 664-3000/1 • Fax: (670) 664-3067

NOTICE OF CERTIFICATION AND ADOPTION OF PROPOSED ALCOHOL BEVERAGE AND TOBACCO CONTROL REGULATIONS PURSUANT TO 1 CMC §§ 2454, 9104, 4 CMC § 5575 BY THE DEPARTMENT OF COMMERCE

I, Andrew S. Salas, Secretary of the Department of Commerce which promulgated as a Notice of Intent to Adopt Alcohol Beverage and Tobacco Control Regulations published in the Commonwealth Register, vol. 26, no. 10, at 22979-22987 (October 26, 2004), by signature below hereby certify that as published such Alcohol Beverage and Tobacco Control Regulations are true and correct copies of the Alcohol Beverage and Tobacco Control Regulations previously proposed by the Department of Commerce which, after the expiration of appropriate time for comment, have been adopted with no changes.

By signature below, I hereby certify that the Proposed Alcohol Beverage and Tobacco Control Regulations are the true, correct and complete Proposed Alcohol Beverage and Tobacco Control Regulations proposed by the Department of Commerce. I further request and direct that this Notice and Certification of Adoption be published in the Commonwealth Register.

I declare under penalty of perjury that the foregoing is true and correct and this declaration was executed on this 15th day of November, 2004, at Saipan, Commonwealth of the Northern Mariana Islands

Andrew S. Salas
Secretary of Commerce

Filed by:

Bernadita B. DeLaCruz
Commonwealth Register

11-17-04
Date

Time

Received by:
Thomas A. Tebuteb
SAA

11/30/04
Date

Time

**NOTICE AND CERTIFICATION OF ADOPTION OF
REGULATIONS OF THE SAIPAN AND NORTHERN ISLANDS
SOIL AND WATER CONSERVATION DISTRICT, GOVERNING
THE USE OF IRRIGATION WATER**

I, Richard B. Seman, Secretary of the Department of Lands and Natural Resources, which has promulgated the Proposed Regulations Governing the Use of Irrigation Water of the Saipan and Northern Islands Soil and Water Conservation District, as originally published in the Commonwealth Register at Volume 26, Number 9, September 24, 2004, at pages 22842 through 22854, and republished with corrections at Volume 26, Number 10, on October 26, 2004, at pages 22988 through 22995, by signature below certify that such Regulations, as published with corrections in Volume 26, No. 10, are a true, complete and correct copy of such corrected Regulations previously proposed and, after the expiration of the time for public comment as provided by law, have been adopted without modification.

I further request and direct that this Notice and Certification be published in the Commonwealth Register.

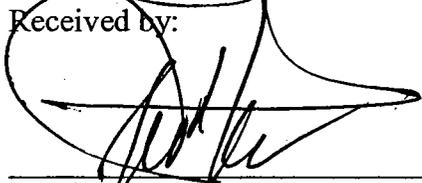
I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 29th day of November, 2004, in Saipan, Commonwealth of the Northern Mariana Islands.

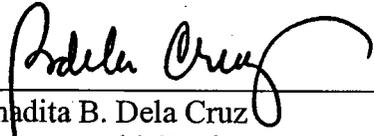

Richard B. Seman, Secretary
Department of Lands and Natural Resources

Pursuant to 1 CMC §2153, as amended, this Notice and Certification of Adoption, and the Regulations Governing the Use of Irrigation Water of the Saipan And Northern Islands Soil and Water Conservation District to which they apply, have been reviewed and approved by the Office of the Attorney General.


Benjamin Sachs, Acting Attorney General

11-29-04
Date

Received by:

Thomas A. Tebuteb
Special Assistant for Administration

Filed by:

Bernadita B. Dela Cruz
Commonwealth Register

Date: 11/29/04

Date: 11-29-04