



# STATE BOARD OF EDUCATION

Commonwealth of the Northern Mariana Islands ---- *Public School System*  
PO Box 501370 Saipan, MP 96950 . Tel. 670 664-3711 . E-mail: boe.admin@cnmipss.org



## MEMORANDUM

### Voting Members

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Chairperson

Antonio L. Borja  
Vice Chairperson

Maisie B. Tenorio  
Secretary/Treasurer

Herman M. Atalig, SGM  
(Ret)  
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Student Representative

### OFFICIAL BOARD TRANSMITTAL NO. CR-2022-17-01

April 5, 2022

TO: Members, CNMI State Board of Education  
Commissioner of Education

FROM: Gregory P. Borja  4/6/22  
Chairperson, CNMI State Board of Education

SUBJECT: Transmittal of Public Notice of Proposed Rules & Regulations  
[§60-40-210 Small Purchases]

Attached herewith is the Public Notice of Proposed Rules and Regulations of the CNMI State Board of Education published in the Commonwealth Register, Volume 44, Number 03 March 28, 2022. Said Public Notice adopts as proposed regulations, Small Purchases, which the Board adopted as Proposed at its September 1, 2021 Board meeting and was published as proposed regulations in the Commonwealth Register, Volume 44, Number 03 on March 28, 2022 and appears on pages 048253-048261.

Pursuant to 1 CMC § 9104 (a) (2), there is a comment period of thirty (30) calendar days following the date of the publication in the Commonwealth Register on March 28, 2022. Please send comments, positions or statements via email to [boe.admin@cnmipss.org](mailto:boe.admin@cnmipss.org) no later than April 28, 2022.

PLEASE BE GUIDED ACCORDINGLY AND REFER ANY QUESTIONS TO THE OFFICE OF THE LEGAL COUNSEL.

Attachments:

- (1) Commonwealth Register, Volume 44, Number 03, Pages 042853-042861

**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
SAIPAN, TINIAN, ROTA and NORTHERN ISLANDS**



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**COMMONWEALTH REGISTER**

**VOLUME 44  
NUMBER 03  
MARCH 28, 2022**

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# COMMONWEALTH REGISTER

**VOLUME 44  
NUMBER 03  
MARCH 28, 2022**

## **ADOPTION**

<b>Public Notice of Certification and Adoption of Regulations Commonwealth Ports Authority .....</b>	<b>048217</b>
<b>Public Notice of Certification and Adoption of Regulations Of the Coastal Resources Management Regulatory Agencies Amendments to NMIAC Chapter 15-10 to Create Incentives For Building Redevelopment and Stormwater Management Bureau of Environmental and Coastal Quality Office of the Governor .....</b>	<b>048220</b>
<b>Public Notice of Certification and Adoption of Amendments To Drinking Water Regulations to Regulate Certain Per- and Polyfluoroalkyl Substances ((PFAS) Bureau of Environmental and Coastal Quality Office of the Governor .....</b>	<b>048222</b>
<b>Public Notice of Certification and Adoption of Regulations Amendments to NMIAC Chapter 15-10 to Specify The Location of Public Hearings Bureau of Environmental and Coastal Quality Office of the Governor .....</b>	<b>048224</b>
<b>Public notice of Certification and Adoption of Amendments To Regulations CNMI Cannabis Commission .....</b>	<b>048229</b>

## **PROPOSED**

<b>Public Notice of Proposed Amendments to NMIAC Chapter 15-10 To Allow Remote Participation of CRM Agency Officials Bureau of Environmental and Coastal Quality .....</b>	<b>048231</b>
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Public Notice of Proposed Amendments to the Airport  
 Rules and Regulations  
**Commonwealth Ports Authority** ..... **048238**

Public Notice of Adoption of Proposed Rules and Regulations  
**CNMI Cannabis Commission** ..... **048246**

Public Notice of Proposed Rules and Regulations  
 Which are Amendments to the Rules and Regulations  
 Regarding Chapter 60-40  
**State Board of Education**  
**Public School System** ..... **048253**

**DOL/PUA/CAC ORDERS**

**PUA Case No.** 21-0141  
**Subject:** Administrative Order  
**In the Matter of:** Marcos I. Aniana v. CNMI Department of Labor,  
 Division of Employment Services-PUA  
**Department of Labor** ..... **048262**

**PUA Case No.** 01-0147  
**Subject:** Administrative Order  
**In the Matter of:** Nan Xie v. CNMI Department of Labor,  
 Division of Employment Services-PUA.  
**Department of Labor** ..... **048272**

**PUA Case No.** 21-0161  
**Subject:** Administrative Order  
**In the Matter of:** Kimberly Mae D. Magno v. CNMI Department  
 Of Labor, Division of Employment Services-PUA  
**Department of Labor** ..... **048281**

**PUA Case No.** 21-0167  
**Subject:** Administrative Order  
**In the Matter of:** Joel M. Salvosa v. CNMI Department of Labor,  
 Division of Employment Services-PUA  
**Department of Labor** ..... **048290**

**PUA Case No.** 21-0172  
**Subject:** Administrative Order Granting Parties'  
 Request for Dismissal  
**In the Matter of:** Rosalie Piteg v. CNMI Department of Labor  
 Division of Employment Services-PUA  
**Department of Labor** ..... **048291**



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## PUBLIC NOTICE OF PROPOSED RULES AND REGULATIONS WHICH ARE AMENDMENTS TO RULES AND REGULATIONS REGARDING CHAPTER 60-40 PUBLIC SCHOOL SYSTEM RULES AND REGULATIONS

**PROPOSED RULES AND REGULATIONS:** The Commonwealth of the Northern Mariana Islands Public School System (PSS) finds that:

**INTENDED ACTION TO ADOPT THESE PROPOSED RULES AND REGULATIONS:** The Commonwealth of the Northern Mariana Islands Public School System intends to adopt as permanent regulations the attached Proposed Regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The Regulations would become effective ten (10) days after adoption and publication in the Commonwealth Register. (1 CMC § 9105(b))

**AUTHORITY:** The proposed amendments to PSS regulations are promulgated pursuant to the Board's authority as provided by Article XV of the CNMI Constitution, Public Law 6-10 and the CNMI Administrative Procedures Act.


**THE TERMS AND SUBSTANCE:** The proposed amendment set forth to provide procedural guidelines for PSS §60-40-210 Small Purchases subsection g. to increase the threshold limit for Contracts procured for Capital Improvement Projects from \$30,000.00 to \$50,000.00.

**THE SUBJECTS AND ISSUES INVOLVED:** The Proposed Regulation sets forth the regulations and procedures required for §60-40-210 Small Purchases subsection g. Contracts procured hereunder shall not exceed \$50,000 and shall be accompanied by a justification, in writing, by the Capital Improvements Projects office and agreed to and signed by the Commissioner of Education.


**DIRECTIONS FOR FILING AND PUBLICATION:** These Proposed Regulations shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations. (1 CMC § 9102(a) (1) and posted in convenient places in the civic center and in local government offices in each senatorial district, both in English and in the principal vernacular. (1 CMC § 9104 (a) (1))

**TO PROVIDE COMMENTS:** All interested persons may examine the proposed amendments and submit written comments, positions, or statements for or against the proposed amendments to the Chairperson, State Board of Education, via mail at P.O. Box 501370 CK, Saipan, MP 96950, via phone at 670-664-3711 or via email to [boe.admin@cnmipss.org](mailto:boe.admin@cnmipss.org) within thirty (30) calendar days following the date of the publication in the Commonwealth Register of these amendments. (1 CMC § 9104(a) (2))


This regulation was approved at the State Board of Education Special Meeting on September 1, 2021.

Submitted by:   
Gregory P. Borja  
Chairman, State Board of Education

2/11/22  
Date

Received by:   
Mathilda A. Rosario  
Special Assistant for Administration


03/25/22  
Date

Filed and Recorded by:   
~~Esther S. Resor~~ R.M. SAN NICOLAS  
Commonwealth Register NEW

03.28.2022  
Date

Pursuant to 1 CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC § 9104 (a) (3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published (1 CMC § 2153(f) (publication of rules and regulations).

Dated this 28 <sup>March</sup> day of February, 2022.

  
Edward E. Manibusan  
Attorney General



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**NUTISIAN PUPBLIKU PUT I MANMAPRONI NA AREKLAMENTU YAN REGULASION NI MANMA'AMENDA PARA AREKLAMENTU YAN REGULASION SIHA PUT I PÁTTIN 60-40 GI AREKLAMENTU YAN REGULASION I SISTEMAN ISKUELAN PUPBLIKU**

**I MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sangkattan na Islas Mariãnas Sistemán Iskuelan Pupbliku (“PSS”) ha sodda’ na:**

**I AKSION NI MA’INTENSIONA PARA U MA’ADÁPTA ESTI I MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sangkattan na Islas Mariãnas Siha, i Sistemán Iskuelan Pupbliku ha intensiona para u adápta komu petmanienti i regulasion siha ni mañechettun na Manmapropóni na Regulasion siha, sigun gi maneran i Ákton Administrative Procedures, 1 CMC § 9104(a). I Regulasion siha para u ifektibu gi halum dies (10) dihas dispues di adáptasion yan publikasion gi halum i Rehistran Commonwealth (1 CMC § 9105(b))**

**ÁTURIDÁT: I manmapropóni na amenda siha para i regulasion PSS manmácho’ gui sigun gi áturidát i Kuetpu komu mapribeniýi ginin i Attikulu XV gi Konstitusion CNMI, Lai Pupbliku 6-10 yan i Ákton i CNMI Administrative Procedures.**


**I TEMA YAN SUSTÁNSIAN I PALÁBRA SIHA: I manmapropóni na amenda mapega mo’na para u pribeniýi i maneran gininha para PSS § 60-40-210 I Mandikiki Na Finãhan Siha gi “subsection g.” para u aomenta i chi’ña i “threshold” para i Kontrãta Siha” ni maprokura para “Capital Improvement Projects” ginen \$30,000.00 asta \$50,000.00.**

**I SUHETU NI MASUMÁRIA YAN ASUNTU NI TINEKKA SIHA: I Mapropóni na Regulasion pumega mo’na i regulasion yan i manera ni manisisita para § 60-40-210 I Mandikiki Na Finãhan Siha gi “subsection g.” i Kontrãta siha ni maprokura i para u mamensiona na ti debi na u upus \$50,000 yan debi na u danña hãlum yan mãulik na rason, gi tinigi’, ginen i ufisinan “Capital Improvements Projects” yan debi na u inapruêba as yan finitma ginen i Kumisinan Idukasion.**


**DIREKSION PARA U MAPO’LU YAN PUPBLIKASION: Esti i Manmapropóni na Regulasion siha debi na u mapupblika gi halum i Rehistran Commonwealth gi seksiona ni manmapropóni yan nuebu na ma’adãpta na regulasion siha. (1 CMC § 9102 (a)(1) yan mapega gi halum i kumbinienti na lugãt siha gi halum i civic center yan hãlum ufisinan gubietnamentu gi kada distritun senadot, parehu Inglis yan i dos na lingguãhin natibu. (1 CMC § 9104(a)(1))**

**PARA U MAPRIBENIYU UPINON SIHA:** Todu i manintirisão na petsona siha siña ma'eksamina i manmaproponi na amenda siha yan intrega hálum i tinigi' upiñon pat sinangan siha para pat kinentran i manmaproponi na amenda siha guatu gi Kabesiyu, i State Board of Education, mail gi P.O. Box 501370 CK, Saipan, MP 96950, pat ágang gi 670-664-3711 pat email para [boe.admin@cnmipss.org](mailto:boe.admin@cnmipss.org) gi halum i trenta (30) dihas gi fetchan kalendáriu ni tinattitiyi ni pupplikasion esti siha na amenda gi hálum i Rehistran Commonwealth. (1 CMC § 9104 (a)(2))

Esti na regulasion ma'aprueba gi Ispisiát Huntan i State Board of Education gi September 1, 2021

Nina'hálum as:  \_\_\_\_\_ 2/23/22  
Gregory P. Borja  
Kabesiyu, State Board of Education  
Fetcha

Rinisibi as:  \_\_\_\_\_ 03/25/22  
*Matilda* Matilda A. Rosario  
Ispisiát Na Ayudántin I Atministrasion  
Fetcha

Pine'lu yan  \_\_\_\_\_ 03-28-2022  
Ninota as: Esther S.N. Nesbit *R.M. SAN NICOLAS*  
Rehistran Commonwealth  
Fetcha

Sigun i 1 CMC § 2153(e) (Inaprueba i regulasion yan siha ni Abugádu Henerát ni para u macho'gui kumu fotma) yan 1 CMC § 9104(a)(3) (hentan inaprueba Abugádu Henerát) i man maproponi na regulasion siha ni mañechettun guini ni man maribisa yan man ma'aprueba kumu fotma yan sufisienti ligát ginin i CNMI Abugádu Henerát yan debi na u mapupblika, (1 CMC § 2153(f) pupplikasion i areklamentu yan regulasion siha).

Mafetcha guini gi diha 28 Matsu  
gi Fibreru, 2022

 \_\_\_\_\_  
Edward E. Manibusan  
Abugádu Hinirát





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## ARONGORONGOL TOULAP REEL PPWOMWOL ALLÉGH ME MWÓGHUT IKKA AA LIIWEL NGÁLI ALLÉGH ME MWÓGHUT IYE E SÚLLÚNGÁLI CHAPTER 60-40 ALLÉGH ME MWÓGHÚTÚGHÚTÚL PUBLIC SCHOOL SYSTEM

**PPWOMWOL ALLÉGH ME MWÓGHÚTÚGHÚT:** Commonwealth Téél Falúw kka Efáng llól Marianas Public School System (PSS) re schuungi bwe:

**MÁNGÁMÁNGIL MWÓGHÚT REEL REBWE ADOPTÁÁLI PPWOMWOL ALLÉGH ME MWÓGHÚT:** Commonwealth Téél Falúw kka Efáng llól Marianas Public School System re mángámángil rebwe adoptááli bwe ebwe lléghélo allégh kka e appasch bwe Pwomwol Mwóghút, sángi mwóghútúghútúl Administrative Procedure Act, 1 CMC 8 9104(a). Ebwe bwunguló Mwóghut kkal llól seigh (10) ráál mwiril yaar adoptáali me akkatéwowul me llól Commonwealth Register. (1 CMC 8 9105(b))

**BWÁNGIL:** Pwomwol lliwel ngáli mwóghútúghútúl PSS nge re arongawow sángi bwangiir Board iye e tooto merel Article XV reel CNMI Constitution, Alléghúl Toulap 6-10 me CNMI Administrative Procedures Act.

**KKAPASAL ME WEEWEL:** Ppwomwol lliwel kkal e lo me ayoorai afal ngáli PSS §60-40-210 “Small Purchases subsection g. ebwe lapaló “threshold limit” ngáliir “Contracts” ikka re bweibwogh ngáli bwulasiyol “Capital Improvements Projects” sángi \$30,000.00 ngáli \$50,000.00.

**ME AUTOL:** Ppwomwol Mwóghutughut kka ebwe téélo mmwal me ayoorai mwóghutughut ngáli PSS §60-40-210 “Small Purchases” “subsection g.” “Contracts” ikka e lo faal essóbw aluuló \$50,000 me ebwe schuu fengál me “justification”, llól isch, sángi bwulasiyol Capital Improvement Projects me e bwunguló me eyoor ghikkililil sángi Commissioner-il Education.

**AFAL REEL AMMWÁLÚL ME AKKATÉÉWOWUL:** Ebwe akkatééwowul Pwomwol Mwóghút kkal llól Commonwealth Register tánil wóol pwomw me mwóghút ffé kka ara adóptáali. (1 CMC § 9102(a)(1) me ebwe appaschatá llól civic center llól bwulasiyool gobetnameento senatorial district, fengál llól Amerikkóonu me mwaliyaasch. (1 CMC § 9104 (a)(1))



### § 60-40-210 Small Purchases

(a) Any procurement not exceeding the amounts established herein may be made in accordance with small purchase procedures. However, procurement requirements shall not be artificially divided so as to constitute a small purchase.

(b) Purchases not exceeding **\$500.00** may be made without securing bids or price quotations if the Chief of Procurement and Supply considers the price reasonable. Such determination shall be made in writing and shall indicate: (1) the reason why price quotations were not sought; (2) the utility of the purchase; (3) an explanation of why the price is reasonable under the circumstances.

(c) The Capital Improvements Projects office shall be permitted to make small purchases according to subsection (b), but a small purchase shall be considered \$1,000.

(d) Bidding is not required but is encouraged for

procurement under \$10,000. Price quotations from at least three vendors must be obtained and the selection based on competitive price and quality for procurement valued at under \$10,000. Any price quotations obtained must be written, documented, and submitted to the Chief for approval. However, if it is an emergency and three price quotations are not practicable, the purchase shall function as an emergency procurement and follow § 60-40-220.

(e) Purchase orders may be utilized for small purchases in subsections (b) and (c) only. Purchase orders may also be utilized instead of contracts for purchasing instructional materials, books, and publications.

(f) This section shall not apply to lease or purchase of vehicles, machinery and equipment or to the purchase of professional services.

(g) Construction services may be procured by obtaining three price quotations from qualified contractors. Procurement under this subsection shall be limited to renovations of existing structures, repairs, maintenance, materials, and construction equipment. No new buildings or structures shall be built using this subsection. **Contracts procured hereunder shall not exceed \$50,000 and shall be accompanied by a justification, in writing, by the Capital Improvements Projects office and agreed to and signed by the Commissioner of Education.**

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