

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



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**COMMONWEALTH REGISTER**

**VOLUME 48  
NUMBER 09  
SEPTEMBER 15, 2026**

**COMMONWEALTH REGISTER**  
**VOLUME 48**  
**NUMBER 09**  
**SEPTEMBER 15, 2026**

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**Commonwealth of the Northern Mariana Islands**  
**Department of Lands and Natural Resources**

Sylvan O. Igisomar, Secretary  
Lower Base, Caller Box 10007  
Saipan, MP 96950  
Tel: 670-322-9834 Fax: 670-322-2633



**PUBLIC NOTICE OF EMERGENCY REGULATIONS**  
**WHICH ARE AMENDMENTS TO THE RULES AND REGULATIONS OF**  
**THE DEPARTMENT OF LANDS AND NATURAL RESOURCES**

**EMERGENCY ADOPTION AND IMMEDIATE EFFECT:** The Commonwealth of the Northern Mariana Islands, Department of Lands and Natural Resources ("the Secretary") finds that:

(1) the attached rules and regulations regarding brown treesnake inspection documentation for marine originating from or transiting through Guam, shall be adopted immediately on an emergency basis because the public interest so requires, for the reasons stated below (1 CMC § 9104(b), (c); 1 CMC § 9105(b)(2)); and

(2) the same rules and regulations shall be adopted, after a proper notice and comment period, as permanent regulations pursuant to the attached Notice of Proposed Rules and Regulations and the Administrative Procedure Act, 1 CMC § 9104(a).

**AUTHORITY:** The Secretary is empowered by the Legislature to adopt rules and regulations for the administration and enforcement of the statute governing his activities. 2 CMC § 2654 (rules and regulations), 5302 (animal quarantine regulations), 5323(d) (prohibition of import of undesirable exotic animals).

The Administrative Procedure Act provides that an agency may adopt an emergency regulation upon fewer than 30 days' notice if it states its reasons in writing:

(b) If an agency finds that the public interest so requires, or that an imminent peril to the public health, safety, or welfare requires adoption of a regulation upon fewer than 30 days' notice, and states in writing its reasons for that finding, it may, with the concurrence of the Governor, proceed without prior notice or hearing or upon any abbreviated notice and hearing that it finds practicable, to adopt an emergency regulation. The regulation may be effective for a period of not longer than 120 days, but the adoption of an identical regulation under subsections (a)(1) and (a)(2) of this section is not precluded.

(c) No regulation adopted is valid unless adopted in substantial compliance with this section...

1 CMC § 9104(b), (c).

**THE TERMS AND SUBSTANCE:** These Rules and Regulations provide for the requirement that maritime vessels originating from or transiting through Guam display documentation of pre-departure brown treesnake inspection as a condition of entry into

CNMI ports. The documentation of brown treesnake inspection must contain specific information, must occur within a specific time window relative to departure, must be specific to the vessel and its cargo, and must be created by a qualified inspector.

**THE SUBJECTS AND ISSUES INVOLVED:** These rules and regulations:

1. Increase measures to prevent the introduction and establishment of the brown treesnake in the CNMI.
2. Reduce the threat the brown treesnake poses to the CNMI's economy, agriculture, environment, and public health, by placing a control measure on marine vessels, a primary introductory pathway
3. Require that cargo and conveyances departing Guam are inspected for brown treesnake before entry to CNMI ports, and that entry is conditioned on the presentation of a valid inspection document.

**ADOPTION OF EMERGENCY REGULATIONS FOR 120 DAYS:** The Secretary has followed the procedures of 1 CMC § 9104(b) to adopt these Proposed Regulations on an emergency basis for 120 days.

**REASONS FOR EMERGENCY ADOPTION:** The Secretary finds that the public interest requires adoption of these regulations on an emergency basis, for the following reasons:

1. The brown treesnake is established on Guam and is not established in the Commonwealth. Its introduction would cause severe harm to the Commonwealth's economy, agriculture, public infrastructure, and native wildlife, including species listed under the Endangered Species Act. A primary pathway of introduction is the transport of the snake as a stowaway in outbound conveyances and cargo departing from Guam.
2. In recent months, following super typhoons Sinlaku and Bavi, the volume of cargo shipped from Guam to the Commonwealth has increased in support of disaster response, recovery, and reconstruction, correspondingly increasing the risk that brown treesnakes will be transported to the Commonwealth as stowaways in conveyances and cargo.
3. In July 2026, two brown treesnakes were observed away from ports on the island of Rota. These observations underscore the immediacy of the threat to the Commonwealth and the inadequacy of existing measures to prevent the introduction and establishment of the brown treesnake.

**DIRECTIONS FOR FILING AND PUBLICATION:** These Proposed Rules and Regulations shall be published in the Commonwealth Register in the section/s on

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emergency and proposed regulations (*see* 1 CMC § 9102(a)(1)) and posted in convenient places in the civic center and in local government offices in each senatorial district (1 CMC § 9104(a)(1)).

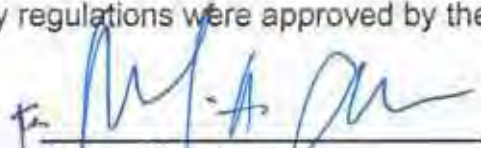
The Secretary shall take appropriate measures to make these Rules and Regulations known to the persons who may be affected by them (1 CMC 9105(b)(2)).

**IMMEDIATE EFFECT:** These emergency rules and regulations become effective immediately upon filing with the Commonwealth Register and delivery to the Governor. (1 CMC § 9105(b)(2)) This is because the Secretary has found that this effective date is required by the public interest or is necessary because of imminent peril to the public health, safety, or welfare. (*Id.*)

**TO PROVIDE COMMENTS:** No comments are required for these emergency rules and regulations. However, the related Notice of Proposed Rules and Regulations will specify comment procedures. Please see the notice regarding these emergency regulations being presented as proposed regulations, in the 15 August, 2026, Commonwealth Register.

These emergency regulations were approved by the Secretary on August 18<sup>th</sup>, 2026.

Submitted by:

  
Sylvan O. Igisomar  
Secretary of Dep. Of Lands and Natural Resources

09/01/26  
Date

(Received by

  
Jean Paul B. Reyes  
Special Asst for Administration

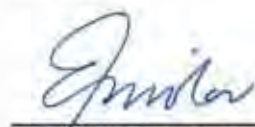
9/01/2026  
Date

Concurred by:

  
David M. Apatang  
Governor

9/1/26  
Date

Filed and  
Recorded by:

  
ESTHER R.M. SAN NICOLAS  
Commonwealth Registrar

09.15.2026  
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 the <sup>4</sup>18<sup>th</sup> day of ~~August~~ <sup>September</sup>, 2026.

  
\_\_\_\_\_  
**EDWARD MANIBUSAN**  
Attorney General



Commonwealth of the Northern Mariana Islands  
Department of Lands and Natural Resources

Lower Base, Caller Box 10007  
Saipan, MP 96950  
Tel: 670-322-9834 Fax: 670-322-2633



**BROWN TREESNAKE PREVENTION REGULATIONS**

**NOTICE OF EMERGENCY ADOPTION**

*Amendments to NMIAC Chapter 85-100 (Brown Treesnake Prevention Regulations): Pre-Departure Inspection and Documentation as a Condition of Entry for Maritime Vessels and Cargo Departing Guam*

**AUTHORITY:** 1 CMC § 2654 and the Commonwealth Plant and Animal Quarantine Act, 2 CMC §§ 5301–5310, and the Animal Health Protection and Disease Control Act, 2 CMC §§ 5320–5329, authorize the Secretary of Lands and Natural Resources to adopt and amend regulations to control the introduction and prevent the dissemination of injurious pests into the Commonwealth. The Department's brown treesnake prevention regulations are codified at NMIAC Chapter 85-100. See also 2 CMC § 5321 (protection from the introduction of exotic animals) and 2 CMC § 5304 (emergency quarantine actions).

**EMERGENCY FINDING:** Pursuant to 1 CMC § 9104(b) and (c), the Secretary finds that an imminent peril to the public welfare, and to the agriculture, natural resources, economy, and general well-being of the people of the Commonwealth, requires adoption of these regulations on an emergency basis and on fewer than thirty (30) days' notice. The brown treesnake (*Boiga irregularis*) is established on the island of Guam and is not established in the Commonwealth. On Guam, the species has caused the catastrophic loss of native wildlife<sup>1</sup>, recurrent power outages, and hazards to public health and safety.<sup>2</sup> Peer-reviewed modeling of the snake's theoretical establishment on Hawaii estimates annual damages ranging from approximately \$593 million to \$2.14 billion.<sup>3</sup> The principal pathway of introduction to snake-free islands is the transport of the snake as a stowaway in outbound conveyances and cargo from Guam. In recent months, following Super typhoons Sinlaku and Bavi, the volume of cargo shipped from Guam to the Commonwealth has increased in support of disaster response, recovery, and reconstruction, correspondingly increasing the risk

<sup>1</sup> Savidge, J.A. 1987. Extinction of an Island Forest Avifauna by an Introduced Snake. *Ecology* 68(3):660–668.

Documenting that the introduction of the brown treesnake to Guam caused the precipitous decline and later extirpation of the island's native forest birds, with the snake's range expansion closely tracking the reduction of bird populations.

<sup>2</sup> Fritts, T.H. 2002. Economic costs of electrical system instability and power outages caused by snakes on the Island of Guam. *International Biodeterioration & Biodegradation* 49(2–3):93–100. Documenting more than 1,600 snake-caused power outages on Guam during 1978–1997 and nearly 200 per year thereafter, with a single island-wide outage of 8 or more hours estimated to exceed \$3MM in lost productivity. Total cost of the brown treesnake population to Guam's economy was estimated at over \$4.5MM annually over a 7-year period, exclusive of repair costs, equipment damage, and lost revenues.

<sup>3</sup> Shwiff, S.A., K. Gebhardt, K.N. Kirkpatrick, and S.S. Shwiff. 2010. Potential Economic Damage from Introduction of Brown Tree Snakes, *Boiga irregularis* (Reptilia: Colubridae), to the Islands of Hawai'i. *Pacific Science* 64(1):1–10. Estimating that establishment of the brown treesnake in Hawai'i would cause approximately \$593 million to \$2.14 billion in damages annually, including snakebite medical treatment, snake-caused power outages, reduced tourism, and the loss of 1,400 to 13,000 jobs.

of snake introduction. In July 2026, two brown treesnakes were observed away from ports on the island of Rota, underscoring the immediacy of the threat and the inadequacy of existing measures.

**EFFECTIVE DATE AND TERM:** Notwithstanding § 85-100-305, these emergency regulations take effect immediately upon filing with the Commonwealth Register and delivery to the Governor, pursuant to 1 CMC § 9105(b)(2), and remain in effect for one hundred twenty (120) days.

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**NMIAC Chapter 85-100 (Brown Treesnake Prevention Regulations) is amended as follows.**

**§ 85-100-010 Definitions**

Section 85-100-010 is amended to add the following definitions:

- (i) “Covered vessel” means any waterborne vessel of any kind that is fifty-five (55) feet or less in length, departs from or last called at Guam, and that enters or attempts to enter the Commonwealth by sea, regardless of the vessel’s type, class, flag, or registry, and whether operated for commercial, private, or governmental purposes.
- (j) “Qualified inspection authority” means the United States Department of Agriculture, Animal and Plant Health Inspection Service (USDA APHIS) brown treesnake interdiction program on Guam, or any other entity recognized in writing by the Secretary as qualified to conduct brown treesnake inspections and issue pre-departure inspection documentation under this chapter.
- (k) “Pre-departure inspection documentation” means one or more documents signed by a qualified inspection authority demonstrating that a covered vessel, its cargo, or both were inspected for the brown treesnake before departure from Guam and found free of the brown treesnake, or treated or secured in a manner approved by the qualified inspection authority to prevent brown treesnake transport. The required contents of the documentation are set out in § 85-100-121.
- (l) “Vessel manifest” means the document listing the cargo laden aboard a covered vessel.
- (m) “Legally recognized port of entry” means a port of entry designated under Commonwealth law, including the seaports designated at NMIAC § 85-20.1-201.
- (n) “Brown treesnake” means the species *Boiga irregularis*, at any life stage, including eggs.

**§ 85-100-115 Pre-Departure Inspection Documentation Required as a Condition of Entry**

- (a) No covered vessel, and no cargo laden aboard a covered vessel, may enter the Commonwealth unless the vessel arrives at a legally recognized port of entry accompanied by valid pre-departure inspection documentation that identifies the inspected vessel and cargo in accordance with §§ 85-100-117 through 85-100-123.
- (b) The requirement in subsection (a) is a condition of entry that is in addition to, and does not replace, the snake inspection required under § 85-100-101 or the inspection conducted by the Division of Fish and Wildlife Brown Treesnake Section at the port of entry. A covered vessel and its cargo remain subject to inspection upon arrival under §§ 85-100-101 and 85-100-105.

- (c) This section governs only the conditions of entry into the Commonwealth. It does not require, and shall not be construed to require, any act to be performed within Guam or in any jurisdiction outside the Commonwealth.

#### **§ 85-100-117 Scope of Inspection**

- (a) For every covered vessel, both the vessel and all cargo laden or to be laden aboard the vessel shall be inspected for the brown treesnake.
- (b) The inspection of the vessel and the inspection of the cargo may be conducted and documented separately. Pre-departure inspection documentation may cover the vessel, the cargo, or both, and shall indicate which it covers.
- (c) To enter the Commonwealth, a covered vessel must arrive with pre-departure inspection documentation demonstrating that both the vessel and all cargo aboard were inspected and found free of the brown treesnake. The vessel inspection and the cargo inspection may be shown by separate documents.

#### **§ 85-100-118 Cargo Identification and Integrity**

- (a) Cargo identification. The pre-departure inspection documentation identifies the inspected cargo as provided in § 85-100-121.
- (b) Seal integrity. Where cargo arrives in a container or other unit that is identified in the pre-departure inspection documentation by a seal number, the seal must be intact and must match the number recorded in the documentation. Cargo arriving with a broken, missing, or mismatched seal shall be treated as uninspected under subsection (e).
- (c) Correspondence of cargo. To enter the Commonwealth, the cargo aboard the covered vessel must correspond to the cargo identified in the pre-departure inspection documentation. Cargo aboard that does not correspond to the documentation shall be treated as uninspected under subsection (e).
- (d) Statement of correspondence. A covered vessel must arrive accompanied by a signed statement of the master or commanding officer of the vessel that the cargo aboard corresponds to the cargo identified in the pre-departure inspection documentation.
- (e) Reconciliation at the port of entry. Upon arrival at a legally recognized port of entry, the cargo aboard the covered vessel shall be reconciled against the pre-departure inspection documentation. Any vessel carrying cargo that cannot be matched to valid documentation, and any container or unit bearing a broken, missing, or mismatched seal, shall be treated as uninspected and is subject to penalties under § 85-100-127 or inspection, treatment, or containment as high-risk cargo under § 85-100-105.

#### **§ 85-100-119 Timing of Inspection**

- (a) For a covered vessel departing Guam at or after 6:00 p.m. and before 6:00 a.m., each inspection required under this chapter shall be completed within three (3) hours before the vessel's departure from Guam. If the vessel departs more than three (3) hours after the time of an inspection listed on the pre-departure inspection documentation, that inspection is no longer valid and the vessel or its laden cargo, as applicable, must be reinspected and new documentation issued.

- (b) For a covered vessel departing Guam at or after 6:00 a.m. and before 6:00 p.m. (daylight hours), each inspection required under this chapter shall be completed at any time during daylight hours between 6:00 a.m. and the departure time, and is valid until 6:00 p.m. the same day. If departure is delayed after 6:00 p.m., any inspection completed that day is no longer valid and the vessel or its laden cargo, as applicable, must be reinspected and new documentation issued pursuant to § 85-100-119(a) above.

#### **§ 85-100-121 Contents of the Pre-Departure Inspection Documentation**

The pre-departure inspection documentation shall state, clearly and legibly, at a minimum:

- (a) whether it covers the vessel, the cargo, or both;
- (b) the date and time the inspection was completed;
- (c) the name of the inspector who conducted the inspection;
- (d) the qualified inspection authority that conducted the inspection;
- (e) the number of pieces or units of cargo inspected;
- (f) the outcome of the inspection;
- (g) identification of the covered vessel; and
- (h) where cargo is inspected, a description of each item of cargo by item, quantity, and identifying marks, and, for containerized cargo, the container number and any seal number.

#### **§ 85-100-123 Delivery of Documentation; Enforcement at the Port of Entry**

- (a) Upon arrival at a legally recognized port of entry, the master, owner, local manager, agent, or commanding officer of the covered vessel shall deliver the pre-departure inspection documentation and the vessel manifest to the Division of Customs and Biosecurity, or to the officer designated to receive it at the port of entry.
- (b) A covered vessel or cargo that arrives without valid pre-departure inspection documentation and the vessel manifest may be refused entry, held, or subjected to inspection, treatment, or containment as high-risk cargo under § 85-100-105, consistent with 2 CMC § 5308 and applicable law.

#### **§ 85-100-125 Recognition of Qualified Inspection Authority; Precedence of Federal Regulations**

- (a) The Secretary may recognize in writing one or more qualified inspection authorities and the form of pre-departure inspection documentation they issue.
- (b) Consistent with the precedence of federal regulations, this chapter recognizes and relies upon inspections conducted by USDA APHIS and does not duplicate, displace, or conflict with any federal inspection requirement. In the event of a conflict between this chapter and any applicable federal regulation, the federal regulation prevails.

#### **§ 85-100-127 Penalties**

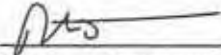
A violation of §§ 85-100-115 through 85-100-125 is subject to the penalties and remedies in § 85-100-201, including criminal penalties, civil fines, and the refusal of entry, confiscation, destruction, or return to the place of origin of any shipment found in violation.

Adopted and promulgated this 1<sup>st</sup> day of September, 2026.

A handwritten signature in blue ink, appearing to read 'S. O. Igisomar', written over a horizontal line.

**Sylvan O. Igisomar, Secretary, Department of Lands and Natural Resources**

Recommended by:

A handwritten signature in blue ink, appearing to read 'M. C. Tenorio', written over a horizontal line.

**Michael C. Tenorio, Acting Director, Division of Fish and Wildlife**



## Commonwealth Utilities Corporation

P. O. Box 501220, Third Floor, Joeten Dandan Building, Saipan, MP 96950

Tel: (670) 664-4282

CUC is an Equal Opportunity Provider and Employer.



### **PUBLIC NOTICE OF PROPOSED AMENDMENTS TO THE REGULATIONS OF THE COMMONWEALTH UTILITIES CORPORATION**

The Board of Directors of the Commonwealth Utilities Corporation ("CUC") hereby notifies the public that CUC intends to promulgate amendments to its Regulations under Northern Mariana Islands Administrative Code ("NMIAC") Title 50-70.

**INTENDED ACTION TO ADOPT THESE PROPOSED AMENDMENTS TO THE PROCUREMENT REGULATIONS OF THE COMMONWEALTH UTILITIES CORPORATION.** Notice is hereby given pursuant to 1 CMC § 9104(a) of the Administrative Procedure Act that the Commonwealth Utilities Corporation intends to promulgate an amendment to its Regulations found in Title 50-70 of the Administrative Code. The new Regulations shall become effective 10 days after final adoption and publication in the Commonwealth Register. 1 CMC § 9105(b).

**TERMS, SUBSTANCE, AND DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED.** The proposed revisions shall amend NMIAC Title 50-70 to:

- Create a new § 50-70-020 (Regarding Board Responsibilities). This regulation states the general responsibilities Board Members have to the Board, each other, and the corporation.
- Create a new § 50-70-025 (regarding Communications from the Public). The regulation states that when Board members receive, as individuals suggestions, grievances or communications pertaining to CUC they shall forward them to the Executive Director for proper investigation or disposition of the matter.

**AUTHORITY.** The following proposed regulation and amendments had been fully reviewed by the CUC Board of Directors, which exercises all powers vested in the Commonwealth Utilities Corporation. During the regular board meeting held on or about August 13, 2026, the Board of Directors approved the proposed amendment to CUC's Regulations for publication in the Commonwealth Register for notice and comment pursuant to the Administrative Procedure Act and for approval by the Attorney General pursuant to 1 CMC § 2153(e). The Commonwealth Utilities Corporation has the authority to promulgate these regulations pursuant to 4 CMC §§ 8122, 8123, and 8157

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

**TO PROVIDE COMMENTS.** Persons or entities wishing to submit comments must do so, within 30 days after the publication of this notice, in writing to Mr. Kevin O. Watson, Executive Director

of CUC by means of the following: email, mail, or hand-delivery to the CUC Office of the Executive Director located on the Third Floor of the Joeten Dandan Commercial Building with the subject line **"Comments on Proposed Amendment to CUC's Regulations."**

Commonwealth Utilities Corporation  
P.O. Box 501220, Third Floor, Joeten Dandan Commercial Building  
Saipan, MP 96950  
Email: kevin.watson@cucgov.org

Submitted by:

  
\_\_\_\_\_  
ALLEN M. PEREZ  
Chairman

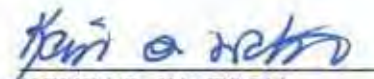
8/31/26

Date

  
\_\_\_\_\_  
ROSEMOND B. SANTOS-SWORD  
Secretary

8/31/26

Date

  
\_\_\_\_\_  
KEVIN O. WATSON  
Executive Director, CUC

8/31/26

Date

Received by:

  
\_\_\_\_\_  
JEAN PAUL B. REYES  
Special Assistant for Administration

9/01/2024

Date

Filed and Recorded by:

  
\_\_\_\_\_  
ESTHER R.M. SAN NICOLAS  
Commonwealth Registrar

09.15.2026

Date

Pursuant to 1 CMC § 2153(e) and 1 CMC § 9104(a)(3), 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).

  
\_\_\_\_\_  
EDWARD MANIBUSAN  
Attorney General

9/4/26

Date



## Commonwealth Utilities Corporation

P. O. Box 501220, Third Floor, Joeten Dandan Building, Saipan, MP 96950

Tel: (670) 664-4282

CUC is an Equal Opportunity Provider and Employer.



### **NUTISIAN PUPBLIKU PUT I MANMAPROPONI NA TINILAIKA SIHA GI REGULASIÓ I COMMONWEALTH UTILITIES CORPORATION**

I Kuetpun Mandirektót gi Commonwealth Utilities Corporation (i “CUC”) manmana’fanmanungu’ guini i pupbliku na i CUC ha intinsiona para u cho’gui i tinilaika siha gi iyon-ñiha Regulasió gi papa’ i Kódigun Administrasió i Sangkattan na Islas Mariánas (“NMIAC”) Titulu 50-70.

**I AKSIÓN NI MA’INTINSIONA PARA U ADÁPTA ESTI I MANMAPROPONI NA TINILAIKA SIHA GI REGULASIÓ “PROCUREMENT” NU I COMMONWEALTH UTILITIES CORPORATION.** Manná’i guini nutisia sigun para i CMC § 9104(a) gi Áktun “Administrative Procedure” na i Commonwealth Utilities Corporation ha intinsiona para u cho’gui i tinilaika siha gi iyon-ñiha Regulasió siha masodda’ gi halum Titulu 50-70 nu i Kódigun Administrasió. I nuebu na Regulasió siempre umifektibu gi halum dies dihas (10) dispues di adaptación yan publikasió gi halum Rehistran Commonwealth. I CMC § 9105(b).

**TEMA, SUSTANSIAN I PALÁBRA SIHA, DISKRIPSIÓN I SUHETU NI MASUMÁRIA YAN ASUNTU NI TINEKKA’:** I manmaproponi na tinilaika siha siempre inamenda i NMIAC Titulu 50-70 para:

- Fa’tinas nuebu § 50-70-020 (Put Responsibilidát Kuetpu siha). Esti na regulasió ha sangan i hinirát responsibilidát-ñiha i Manmiembrun Kuetpu gi Kuetpu, giya siha, yan i kotpurasió.
- Fa’tinas nuebu § 50-70-025 (put Kumunikasió ginin i Pupbliku). I regulasió ha sangan na yanggin i Manmiembrun Kuetpu marisibi, komu indibiyuát rumikomenda, puminitiýi pat kumunikasió put i intirés i CUC **para u mariferi guat gi** Eksektibu na Diriktót para propiu na imbestigasió pat sino resolusió i problema.

**ÁTURIDÁT:** I sigienti na manmaproponi na regulasió yan tinilaika siha ginin maribisa todú ni i Kuetpun Mandiriktót CUC, ni macho’gui todú siña na fuetsa ni mabittut gi halum i Commonwealth Utilities Corporation. Durántin i rigulát na huntan-ñiha ni mago’ti gi pat kási gi Agostu 13, 2026, i Kuetpun Mandiriktót, ma’aprueba i manmaproponi na tinilaika siha para i Regulasió CUC para publikasió gi halum Rihistran Commonwealth para nutisia yan upiñon siha sigun gi Áktun “Administrative Procedure” yan para inaprueba ni Abugádu Henerát sigun para i CMC § 2153(e). I “Commonwealth Utilities Corporation” gai áturidát para u cho’gui esti na regulasió siha sigun para 4 CMC §§8122 yan 8123, yan 8157.

**DIRIKSIÓN SIHA PARA U MAPO’LU YAN MAPUPBLIKA:** Esti i manmaproponi ma’amenda na regulasió siha siempre mapupblika gi halum Rehistran Commonwealth gi halum siksiona gi Manmaproponi yan Nuebu na Ma’adapta na Regulasió siha, i CMC § 9102(a)(1), yan u mapega i nutisia gi kumbinienti na lugát gi halum civic center yan i ufisinan gubietnamentu gi kada distritun senadót, parehu gi finu’ Inglis yan i prinsipát na lingguáhin natibu. I CMC § 9104(a)(1).

**PARA U MAPRIBENIYI UPIÑON SIHA:** I pitsona siha pat háyi malagu’ manna’halum upiñon debi na u macho’gui gi halum 30 dihas dispues di publikasió esti na nutisia, gi tinigi’ para guatu as

Siñot Kevin O. Watson, i Eksekutibu Diriktót CUC gi sigienti siha na manera: email, káttá, pat intrega hálum gi Ufisinan i Eksekutibu Direktót i CUC ni gaigi gi Mina'tres hulu' na bibenda gi Joeten Dandan Commercial Building yan i suhetu na rasón **"Upiñon siha gi Manmaproponi na Tinilaika gi Regulasióñ i CUC"**.

Commonwealth Utilities Corporation  
P.O. Box 501220, Third Floor, Joeten Dandan Commercial Building  
Saipan, MP 96950  
Email: kevin.watson@cucgov.org

Nina'hálum as:



ALLEN M. PEREZ  
Kabesiyu

8/31/26

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ROSEMOND B. SANTOS-SWORD  
Sikritaria

8/31/26

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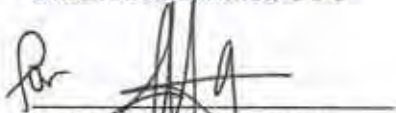


KEVIN O. WATSON  
Eksekutibu Diriktót, CUC

8/31/26

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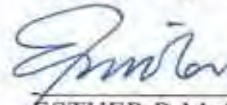


JEAN PAUL B. REYES  
Ispisiat na Ayudanti para i Atministrasióñ

9/01/2024

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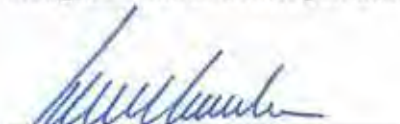


ESTHER R.M. SAN NICOLAS  
Rehistran Commonwealth

09.15.2026

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Sigun i l CMC § 2153(e) yan i l CMC § 9104(a)(3) i manmaproponi na regulasióñ siha ni mañechettun guini ni manmaribisa yan manma'aprueta komu fotmât yan sufisienti ligât ginin i Abugadu Hinirât CNMI yan debi na u mapupblika. l CMC § 2153(f).



EDWARD MANIBUSAN  
Abugadu Hinirât

9/4/2026

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## Commonwealth Utilities Corporation

P. O. Box 501220, Third Floor, Joeten Dandan Building, Saipan, MP 96950

Tel: (670) 664-4282

CUC is an Equal Opportunity Provider and Employer.



### **PPWOMMWOL LIWEL NGÁLI MWÓGHUTUGHTUL REGULATIONS REEL COMMONWEALTH UTILITIES CORPORATION**

Board of Directors mellól Commonwealth Utilities Corporation ("CUC") ee isiisiwow eew arongorong ngáliir toulap reel yaal CUC pomwol liweliil yaar Regulations faal Northern Mariana Islands Administrative Code ("NMIAC") Title 50-70.

**SCHÉÉSCHÉÉL MWÓGHUTUGHTUL REEL IGHA EBWE ADOPT POMWOL LIWELIIL REGULATIONS KKEY REEL COMMONWEALTH UTILITIES CORPORATION.** Arongorong ngáliir toulap ighila aa isiisiwow aileewal ngáli 1 CMC § 9104(a) Administrative Procedure Act ye Commonwealth Utilities Corporation ebwe liweli yaar Regulation iye ee schuungi mellól Title 50-70 mereel Administrative Code. Reel iyeel fféetáál Regulation nge ebwe ffisiló llól seigh ráál mwiril aighúghúul yaal adoption me publication mellól Commonwealth Register. 1 CMC § 9105(b).

**KKAPAS, AITITIIL, ME AWEEWEEL TAPALAL IKKA EE SCHUULONG.** Ikkaal pomwol apiyewal ebwe liwel mellól NMIAC Title 50-70 ebwe:

- Ayoráátá mil-ffé § 50-70-020 (Kkapasaal Board Responsibilities). Regulation yeel nge ee apasa yaar lemelem fengel Board Members bwal ngáli Board mme corporation.
- Ayoráátá mil-ffé § 50-70-025 (Mángemángiir Toulap) Regulation yeel ee affata bwe ngare Board Members re resibi yaar toulap mángemáng, grievance mme kkapasaal CUC rebwe ngalleey Executive Director bwe ii ebwe aalleta pat amwúchúw.

**BWÁNGIL.** Ikkaal powmol allégh me liwel aa takkal apiyeweló mereel CUC Board of Directors, alongal lapalapaal bwángil mellól Commonwealth Utilities Corporation. Llól ótol yaal CUC schuu wóól August 13, 2026, Board of Directors aa afisiiló ikkeey pomwol liwel reel alléghul CUC's Regulation iye aa arongolong llól Commonwealth Register reel ebwe yoor arong me mángemáng mereel aileewal Administrative Procedure Act me ebwe fisiló mereel Attorney General aileewal 1 CMC § 2153(e). Commonwealth Utilities Corporation eyoor bwángil ebwe ateeweló allégh kkaal mereel aileewal 4 CMC §§ 8122, 8123 me 8157.

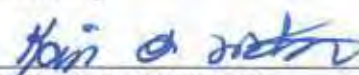
**AFAL REEL FILING ME ARONGORONG.** Ikkaal pomwol liwel ebwe arongolong llól Commonwealth Register reel peighil ikkaal Pomwol me igha Ighilláál Adopted-ló Allégh, 1 CMC § 9102(a)(1), bwal ebwe appaschetá llól apilómw, government offices mellól yaal senatorial district, ebwe llól mwaleyeer English bwal llól mwaleyeer scheescheel aramasal faluwasch. 1 CMC § 9104(a)(1).

#### **EBWE AYOORA MÁNGEMÁNG.**

Aramas ngare eew entities ikka retipeli rebwe isiisilong mángemáng nge ebwe fféerúúló schagh nge ebwe llól eliigh ráál mwiril yaal publication ikkaal arongorong, nge ebwe isch ngáli Mr. Kevin O. Watson, CUC Executive Director iye elo Third Floor Joeten Dandan Commercial Building llól yaal subject line "Mángemáng wóól Pomwol Liweliil yaal CUC Regulation."

P.O. Box 501220, Third Floor, Joeten Dandan Commercial Building  
Saipan, MP 96950  
Email: kevin.watson@cucgov.org

Isiisilong mereel:

  
\_\_\_\_\_  
ALLEN M. PEREZ  
Chairman  
  
\_\_\_\_\_  
ROSEMOND B. SANTOS-SWORD  
Secretary  
  
\_\_\_\_\_  
KEVIN O. WATSON  
Executive Director, CUC

8/31/26

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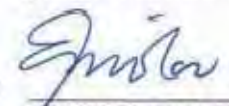
Bwughiyal:

  
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JEAN PAUL B. REYES  
Special Assistant for Administration

9/01/2026

Ráál

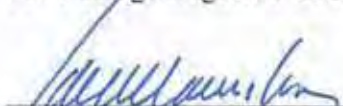
Filed bwal Recorded mereel:

  
\_\_\_\_\_  
ESTHER R.M. SAN NICOLAS  
Commonwealth Registrar

9.15.2026

Ráál

Aileewal 1 CMC § 2153(e) me 1 CMC § 9104(a)(3), ikkaal pomwol allégh ikka aa appaschelong nge atakkal apiyeew me aa fisiló reel ebwe aitiilapa aweeweel mereel CNMI Attorney General me ebwe arongorongoló, 1 CMC § 2153(f).

  
\_\_\_\_\_  
EDWARD MANIBUSAN  
Attorney General

9/14/2026

Ráál

**§ 50-70-020 Board Responsibilities;**

(a) The responsibilities of the Board of Directors of the Commonwealth Utilities Corporation members include:

- (1) Attend Board meetings insofar as possible.
- (2) Be mindful and support the mission, goals and objectives of the Board and to use them as the basis for all decisions concerning CUC.
- (3) Respect the rights and opinions of others, respect the Chairperson's authority, and courteously debate the motions.
- (4) Work with other Board members in a harmonious and cooperative manner despite any differences of opinion that may arise during debate of an issue.
- (5) Recognize that only the Board, by official action as Board, can exercise its legal authority; an individual member has no authority to speak for the Board; and that in relations with the local citizenry, the CUC staff, and the media, Board members must speak and act accordingly.
- (6) Board members shall base decisions on Board actions on the available facts in each situation, and vote in honest conviction in a nonpartisan manner.
- (7) Be forthright so individual opinions may be heard and understood as decisions of the Board are being made.
- (8) Abide by and uphold the final decision of the Board.
- (9) Act on behalf of the Board, or in the name of the Board, only when the Board has explicitly granted prior authority.
- (10) Refrain from using the position as a Board member to benefit oneself or other individuals or agencies in any manner whatsoever.
- (11) Take responsibility for setting the goals and general direction for CUC while leaving the administration of programs and the conduct of the CUC business to the Executive Director and designated staff. Board members shall work with other Board members to establish effective Board policies and to delegate authority for the administration of the schools to the Executive Director.
- (12) Board members shall not disclose confidential information.
  - (i) Information is confidential if it is
    - (A) Communicated during executive session; or
    - (B) Otherwise communicated with a mutual understanding of confidentiality.

**§ 50-70-025 Communications from the Public.** Members of the Board will refer in writing to the Executive Director any suggestions, grievances or other communications concerning the CUC. The Executive Director will follow established administrative procedures for handling such suggestions, grievances or other communications, including formal presentation to the Board if appropriate, and, in any case, notification, to the reporting Board member concerning disposition of the matter.



## Commonwealth Utilities Corporation Board of Directors



### BOARD RESOLUTION NO. 2026-008

#### A RESOLUTION TO APPROVE FOR PUBLICATION IN THE COMMONWEALTH REGISTER FOR PUBLIC COMMENT PROPOSED CHANGE TO THE CORPORATION'S REGULATIONS

WHEREAS, the Board of Directors of the Commonwealth Utilities Corporation promulgates regulations from time to time to govern the operations of both the Corporation and the Board; and

WHEREAS, the Board deems it prudent at this time to adopt for publication in the Commonwealth Register for public comment regulations to be included in § 50-70 governing members' conduct; and

WHEREAS, such regulations will ensure transparency and efficiency;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Commonwealth Utilities Corporation hereby adopts for publication in the Commonwealth Register for public comment the attached proposed regulations concerning conduct and certain communications; and

BE IT FURTHER RESOLVED, that the Board Chairman, Board Secretary, and CUC Executive Director are empowered to take all steps necessary to ensure that the attached proposed regulations are published in the Commonwealth Register for public comment as required by law.

DULY ADOPTED this 13<sup>th</sup> day of August, 2026, by a majority vote of the undersigned members:

ALLEN M. PEREZ  
Chairman

DONALD R. BROWNE  
Vice Chairman

*Absent*

ROSEMOND B. SANTOS-SWORD  
Secretary

REBECCA C. WHITE  
Member

MIRANDA V. MANGLONA  
Member

*Absent*

SIMON A. SANCHEZ, II  
Member

*Absent*

FRANCISCO M. RABULIMAN  
CEDA Chairman

P. O. Box 501220, Third Floor, Joeten Dandan Building, Saipan, MP 96950  
Tel: (670) 664-4282 • Fax: (670) 235-5131  
CUC is an Equal Opportunity Provider and Employer.



**PUBLIC NOTICE OF PROPOSED ADOPTION OF THE ECONOMIC INCENTIVE  
DISTRICT LICENSE RULES AND REGULATIONS FOR THE COMMONWEALTH  
ECONOMIC INCENTIVE AUTHORITY**

**NOTICE OF INTENDED ACTION:** The Commonwealth of the Northern Mariana Islands, Commonwealth Economic Incentive Authority ("CEIA") intends to adopt the attached regulations for the NMIAC Chapter 195-20 to govern the administration of an Economic Incentive District License program.

The Board previously published proposed regulations for NMIAC Chapter 195-10 and 195-20 in the Commonwealth Register, Vol. 48, No. 04, dated April 15, 2026, at pages 053673-053708. Following review and further deliberation, the Board has proposed certain changes to the proposed regulations in Chapter 195-20. Accordingly, the Board hereby republishes the proposed regulations in their revised form for an additional public comment period. These revised proposed regulations supersede and replace the prior proposed regulations in their entirety. Public comments should be directed to the revised proposed regulations published with this Notice.

**AUTHORITY:** CEIA has the authority to adopt rules and regulations in furtherance of its duties and responsibilities pursuant to Public Laws 12-20 and 22-1, as amended by Public Law 24-05, including but not limited to 4 CMC § 51121(g). These proposed regulations were approved by the CEIA Board of Directors in a public meeting on September 1, 2026, and the CEIA Executive Director was authorized to publish the regulations and this notice on behalf of the CEIA Board.

**TERMS AND SUBSTANCE:** These proposed regulations seek to:

1. Identify documents and information to be submitted by applicants, including financial statements, an independent professional cost/benefit analysis, ownership and control disclosures, and a written response addressing the criteria; authorize CEIA Board or Administrator to require additional documentation, including business licenses, business plans, land ownership or lease documentation, financial projections, affidavits, or any other information deemed relevant to the application; state who is eligible to receive a license; require reporting of material changes; state that noncompliance is grounds for denial, suspension, or revocation of a license; and prohibit the relocation of existing business activities.
2. Provide procedures for review and scoring of applications; require applicants to submit a written response addressing the criteria; authorize CEIA to amend the criteria; state that the evaluation shall inform the Board's determination of the level of tax incentive awarded; and require applicants to appear for clarification.
3. Require notice of public hearings, notice of license issuance, and approval of license transfer.



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4. State that any tax incentive granted until an EID license shall supersede general tax obligations to the Commonwealth; require timely filing of tax returns; provide for exemptions and rebates to certain taxes; establish penalties; cap tax incentives; and set tax incentives at a level that is commensurate with the economic benefit to be received by the Commonwealth.
5. Require CEIA to determine what types of businesses meet the Legislature's policy objectives and state guidelines for that determination; and authorize CEIA to issue Request for Proposals identifying priority industries for EID License consideration.

**CITATION OF RELATED AND/OR AFFECTED STATUTES, RULES, AND REGULATIONS:** These proposed amendments would affect other sections of the existing NMIAC Chapter 195-20:

- § 195-20-201 to -225 Submission Requirements
- § 195-20-301 to -305 Review of the Application
- § 195-20-401 to -405 Notice of Public Hearing, and Issuance
- § 195-20-501 Acceptance
- § 195-20-701 to -725 Tax Compliance by the Licensee
- § 195-20-1101 to -1105 Types Business, Industrial and Commercial Enterprises

**DIRECTIONS FOR FILING AND PUBLICATION:** The proposed amendments to the NMIAC Chapter 195-20 shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations (1 CMC § 9201(a)(1)) and posted in convenient places in the civic center and in local governmental offices in each senatorial district, both in English and in the principal vernacular (1 CMC § 9104(a)(1)).

**COMMENTS:** Interested parties may submit written comments on the proposed regulations to CEIA Chairman Anthony C. Torres at the following address or email address, with the subject line "Proposed CEIA Economic Incentive District License Rules and Regulations":

COMMONWEALTH ECONOMIC INCENTIVE AUTHORITY  
Email: [board@ceia.mp](mailto:board@ceia.mp)

Comments are due within thirty (30) calendar days from the date of publication of this notice. 1 CMC § 9104(a)(2).



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INCENTIVE  
AUTHORITY**



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**Submitted by:**

Anthony C. Torres  
Board Chairman, CEIA

9/9/2026  
Date

**Received by:**

Jean-Paul Reyes  
Governor's Special Assistant for Administration

9/09/2026  
Date

**Filed and Recorded by:**

Esther R. M. San Nicolas  
Commonwealth Registrar

09.10.2026  
Date

I certify, pursuant to 1 CMC § 2153(e) and 1 CMC § 9104(a)(3), that I have reviewed and approved the proposed regulations as to form and legal sufficiency.

Edward Manibusan  
Attorney General

9/10/2026  
Date



## **NUTISIAN PUBLIKU PARA I MANMAPROPONI NA ADOPSION I RIGE YAN REGULASION SIHA PARA I LISENSIAN DISTRIKTON EKONOMIKU INSENTIBO PARA I COMMONWEALTH EKONOMIKO INSENTIBO NA OTORIDAT**

**NUTISIA PUT I AKSION NI MA'INTENSIONA:** I Commonwealth i Sangkattan Siha na Islas Marianas, Commonwealth Ekonomiko Insentibo na Otoridat ("CEIA") ha intensiona na u ma adopta i regulasion siha ni' ma hafot magi para i NMIAC Kapitulo 195-20, para u gobietna i administrasion i Programan Lisensian Distrikton Ekonomiku Insentibo.

I Hunta ha publika antes i manmaproponi na regulasion para i NMIAC Kapitulo 195-10 yan 195-20 gi Rehistran Commonwealth, Vol. 48, Num. 04, gi fecha 15 di Abrit, 2026, gi pahina 053673-053708. Despues de i rebiha yan mas na dinilibera, i Hunta ha propone palu na kambio gi i manmaproponi na regulasion gi Kapitulo 195-20. Pot enao, i Hunta ha ripublika pa'go i manmaproponi na regulasion gi rebisao na fotma-ña para un otro na tiempun komentario publiku. Este siha na rebisao na manmaproponi na regulasion ha supetsede yan ha sustituye kabales i manmaproponi na regulasion ni' antes. I komentario publiku debi u ma direhi para i rebisao na manmaproponi na regulasion ni' ma publika yan este na Nutisia.

**ĀTURIDĀT:** Guaha otoridat-ña i CEIA para u adopta rige yan regulasion siha para u kumple i diberet yan responsabilidat-ña, sigon i Lai Publiku 12-20 yan 22-1, ni' ma amenda ni' Lai Publiku 24-05, inkluyendu lao ti limitao ha': 4 CMC § 51121(g). Este siha na manmaproponi na regulasion ma aprueba ni' i Hunta Direktores CEIA gi un inetnon publiku gi Septembre 1, 2026, yan ma otorisa i Direktot Ehekutibu CEIA para u publika i regulasion yan este na nutisia para i Hunta CEIA.

**I TEMA YAN SUSTĀNSIAN I PALĀBRA SIHA:** Este siha na manmaproponi na regulasion ha aliligao para:

Ma identifika i dokumento yan infotmasion ni' debi u ma entrega ni' i aplikante siha, inkluyendu estadon finansiat, un independente yan profesionat na analisis put i gastu/benefisiu, dineklaran hinasso yan kontrol, yan un inepe eskrito put i kriteria siha; ma otorisa i Hunta CEIA pat i Administradot para u fanmangagao mas na dokumento, inkluyendu lisensian negosiu, planon negosiu, dokumenton hinasson tano' pat arendamento, prohekson finansiat, afidabit, pat hafa na otro infotmasion ni' ma hongge na rilasionao gi aplikasion; ma sangan hayi eligible para u risibe lisensia; ma nesesita i infotme put kambio matirian; ma sangan na i ti inosge kumu' rason para u ma nega, ma suspende, pat ma reboka i lisensia; yan ma prohibi i mudansan i esistente na aktibidat negosiu.



Ma na'guaha prosedimiento para u ma rebiha yan ma nota i aplikasion siha; ma nesesita i aplikante siha para u fanentrega inepe eskrito put i kriteria; ma otorisa i CEIA para u amenda i kriteria; ma sangan na i ebaluasion para u infotma i disision i Hunta put i nibet na insentibon kontribusion ni' ma na'i; yan ma nesesita i aplikante para u fanmato para u ma aklara.

Ma nesesita i nutisian audiensian publiku, nutisian isao lisensia, yan aprueban tinransferin lisensia.

Ma sangan na hafa na insentibon kontribusion ni' ma na'i bahu un lisensian EID para u supetsede i henerat na obligasion kontribusion para i Commonwealth; ma nesesita i entregan i infotman kontribusion gi tiempo; ma na'guaha eksension yan rebate para palu na kontribusion; ma establese kastigu; ma tope i insentibon kontribusion; yan ma po'lo i insentibon kontribusion gi un nibet ni' parehu yan i benefisiu ekonomiku ni' para u risibe i Commonwealth.

Ma nesesita i CEIA para u disidi hafa na klasen negosiu ni' ha kumple i objetibon polisian i Lehislatura yan ma sangan i giha siha para ayu na disision; yan ma otorisa i CEIA para u isao Petision para Proposat (RFP) ni' ha identifika i prioridat na industria siha para u ma konsidera para i Lisensian EID.

**SITASION I LAL, RIGE, YAN REGULASION SIHA NI' RILASIONAO YAN/PAT AFEKTAO:** Este siha na manmaproponi na amendasion para u afekta otro na seksion gi i esistente na NMIAC Kapitulo 195-20:

- § 195-20-201 asta -225 Mansusiha para Entrega
- § 195-20-301 asta -305 Rebihan i Aplikasion
- § 195-20-401 asta -405 Nutisian Audiensian Publiku, yan Isao
- § 195-20-501 Inaseptan
- § 195-20-701 asta -725 Konsistensian Kontribusion ni' i Lisensiao
- § 195-20-1101 asta -1105 Klasen Negosiu, Industriad yan Kometsiat na Empresa

**DIREKSION PARA U MAPO'LU YAN MAPUPBLIKA:** I manmaproponi na amendasion para i NMIAC Kapitulo 195-20 u ma publika gi Rehistran Commonwealth gi sakkan para manmaproponi yan mamamfotma na regulasion (1 CMC § 9201(a)(1)) yan ma kana' gi lugat kombenensia gi sentron ciudad yan ofisinin gobietnon lokal gi kada distrikton senadot, gi Inggles yan gi lenguahen Commonwealth (1 CMC § 9104(a)(1)).

**UPIÑON SIHA:** Siha na interesao man-patte siha para u siña entrega komentario eskrito put este manmaproponi na regulasion gi Presidente CEIA Anthony C. Torres gi este na address pat koreo elektronik, yan i liniyan tema "Proposed CEIA Economic Incentive District License Rules and Regulations":



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ECONOMIC  
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**COMMONWEALTH EKONOMIKO INSENTIBO NA OTORIDAT**

Email: [board@ceia.mp](mailto:board@ceia.mp)

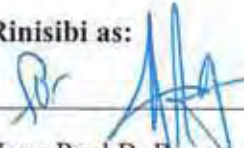
Komentario i debesi gi halom trenta (30) dihas kalendario desde i fecha ma publika este na Nutisia. 1 CMC § 9104(a)(2).

**Nina'halwn as:**

  
\_\_\_\_\_  
Anthony C. Torres  
Board Chairman, CEIA

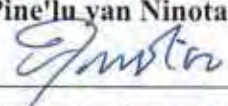
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**Rinisibi as:**

  
\_\_\_\_\_  
Jean Paul B. Reyes  
Ispesiât NaA Ayudânti Para Atministrasion

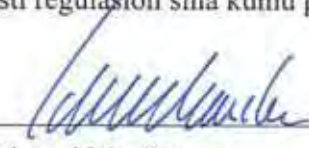
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**Pine'lu yan Ninota as:**

  
\_\_\_\_\_  
Esther R. M. San Nicolas  
Rehistran Commonwealth

Fetcha: 09.10.2026

Hu settifikao, sigun para 1 CMC § 2153(e) yan 1 CMC § 9104(a)(3), na hu ribisa yan aprueba esti regulasion siha kumu para fotma yan ligât sufisienti.

  
\_\_\_\_\_  
Edward Manibusan  
Abugădu Henerât

Fetcha: 9/10/2026



**ARONGORONGOL TOULAP REEL POMWOL LIWELIL ALLÉGHÚL ECONOMIC  
INCENTIVE DISTRICT LICENSE NGÁLI COMMONWEALTH ECONOMIC  
INCENTIVE AUTHORITY**

**ARONGORONGOL MWÓGHUTUGHUT:** Commonwealth-il Falúw kka Peighítál Marianas, merel Commonwealth Economic Incentive Authority ("CEIA"), ebwe ayooora liwelil allégh ngáli NMIAC Chapter 195-20 rel ebwe lemeliir schóól angaangil llól programal Economic Incentive District License.

Board aa ghommwal arongorongaló pwomwol alléghúl ngáli NMIAC Chapter 195-10 me 195-20 llól Commonwealth Register, Vol. 48, wóól Sééta 15, 2026, llól peighil 053673-053708. Mwiril yaar amwuri me ayooora mwaliliil, board aa ayooora ákkáaw liwel ngáli pomwol allégh llól Chapter 195-20. Bwele rel liwel kkaal nge Board ebwe bwal ayooora sefáli arongorongol pomwol allégh bwe toulap rebwe bwal isissilong yaar aiyegh me ólegh ótol yeel. Pomwol allégh kka e ffé ebwe liweli pomwol allégh kkewe fasúl. Yaar toulap aiyegh me ólegh ebwe ffis faal pomwol allégh iye e ffis merel arongorong Yeel.

**BWÁNGIL:** Eyoora bwángil CEIA rel ebwe ayooora alléghúl yaar angaang faal Public Laws 12-20 me 22-1, iye re liweli merel Public Laws 24-05, me bwal 4 CMC § 51121(g), CEIA Board of Directors e affata ló típeer merel pomwol allégh kkaal ótol mwiischil toulap we e ffis wóól Maan 1, 2026, Board ebwal ayooora bwángiir CEIA Executive Directors rel rebwe ayooora arongorongul allégh me arongorong yeel faal CEIA Board.

**AWEELWEL ME AITITHIL: Pomwol Allégh kkaal ebwe:**

1. Abwááril dókkumento me ótol aiyegh iye schóól bweibwoghul license rebwe isissilong, me bwal yaar financial statement, professional analysis-il méel me ghatchúl, ótol aiyeghil yaal iyo me lemelemil business me rebwe ischi apalawal criteria kka ekke tingór; ayooora bwángir CEIA Board ngáre Administrator rel rebwe bwal ayooora ákkáaw dókkomento, business licenses, business plans, dókkumentol falúw ngáre dókkomentol lease, financial projections, affidavits, me ngáre ákkáaw ótol aiyegh ikka rebwe yáalil; e affata iyo e mmwelil ebwe bweibwogh license; schóó kka eyoor yaar license rebwe isissilong siwel ikka eyoor; e affata bwe ngáre rese tabweey allégh kkaal nge rebweaiyúúr ló, teisángiir yaar license; me ayúúr ló mwóghutughutul business rel ebwe liweli leliyel.

2. Rebwe ayooora mwóghutughutul rel rebwe amwuuri me ayooora points ngáli application; Ayooora ischil apalawal criteria kka e tingór merel schóól bweibwoghul license; ayooora bwángil CEIA rel ebwe liweli criteria; e affata bwe evaluation ebwe alisi mefiyal Board rel ebwe afili lapal incentive-il tax iye ebwe ayooora; me arepiya ngaliir schóól bweibwoghul license rel rebwe bwaáto mwáliir board ngáre eyoor apalawal iye rebwe affata.

3. Rebwe ayoora arongorongul toulap, rel arongorongul isissiwowul license, me ngäre re approve-li license transfer,

4. E affate bwe tax incentive iye e tooto faal EID licence ebwe liweli general tax iye ebwe mwetengali Commonwealth; ayoora otol filing-il tax return; ayoora akkaaw tax bwe esóóbw aabwós ngäre rebwe asefáálil; ayoora penalties; ayoora lapal tax incentive; me iseli méél tax incentive iye e fil ngáli economic benefit iye Commonwealth ebwe bwughi.

5. E ayoora ngáliir CEIA bwe rebwe amwuuri meeta tapal business iye e aweeweey ngáli alléghúl yaar Legislature objectives me guidelines; me ayoora bwángir CEIA rebwe isissiwow pomwol tingór iye ebwe abwáari business ikka rebwe ghommwal bwughil yaar EID License.

**AWEEWEL ME LIWELIL ALLÉGH:** Pomwol liwel kkaal ebwe ayoora liwel ngáli ákkáaw NMIAC Chapter 195-20:

§ 195-20-201 ngáli - 225 Submission Requirements Meeta KKa Ebwe Isisilong

§ 195-20-301 ngáli - 305 Review of the Application Amwuuri Fische Application

§ 195-20-401 ngáli - 405 Notice of Public Hearing, and Issuance Areepiyal Arongorongol Toulap me Isissiwowul License

§ 195-20-501 Acceptance Wetighil Dókkomento

§ 195-20-701 ngáli - 725 Tax Compliance by the Licensee Aweewel Tax ngáliir Licensee

§ 195-20-1101 ngáli - 1105 Types Business, Industrial and Commercial Enterprises Business, Industrial, me Enterprise-il Commercial

**AFAL REEL ISSISILONGOL ME ARONGORONGOL:** Pomwol liwel ngáli NMIAC Chapter 195-20 ebwe ischilong llól Commonwealth Register llól section iye pomwol me allégh iye re adopt-li (1 CMC § 9201(a)(1)) me appaschetá leyil leliyeer toulap me llól bwulasiyool Gobetno ikka eyoor. Arongorong kkaal nge ebwe iisch llól kkasal English, me kkasal scheescheel aramasal faleey (1 CMC 9104(a)(1)).

**KKapasal Aiyegh me Óleg:** Schóó kka re tipáli rebwe isissilong yaar aiyegh me óleg faal pomwol allégh ngáli CEIA Chairman Anthony C. Torres rel address ngäre email faal subject line iye “Pomwol Alléghúl CEIA Economic Incentive District License”.

COMMONWEALTH ECONOMIC INCENTIVE AUTHORITY

Email: [board@ceia.mp](mailto:board@ceia.mp)

Ebwe isissilong aiyegh me óleg otol llól eliigh ráal mwiril ráalil yaar isiliwoow arongorongol yeel. 1 CMC § 9104(a)(2).



**COMMONWEALTH  
ECONOMIC  
INCENTIVE  
AUTHORITY**



BUILDING THE COMMONWEALTH'S ECONOMIC FUTURE

**Isáliyalong:**

Ráál:

9/9/2026

Anthony C. Torres

Board Chairman, CEIA

**Bwughiyal:**

Ráál:

9/09/2026

Jean Paul B. Reyes

Special Assistant ngáli Administration

**Ammwelil:**

Ráál:

09.10.2026

Esther R. M. San Nicolas

Commonwealth Registrar

I alúghúlúgh, sáangi 1 CMC § 2153(e) me 1 CMC §9104(a)(3), bwe I ya tak.kal amwuri fischiiy me aa áñrow mwóghutughut kkal bwe aa ffil reel fféérúl me legal sufficiency.

Ráál:

9/10/2026

Edward Manibusan

Soulelemelel Allégh Lapalap

## CHAPTER 195-20

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## Part 001 – General Provisions

### § 195-20-001 Authority

The rules and regulations in this chapter are issued pursuant to 4 CMC § 51121(g) and in accordance with the Administrative Procedure Act (1 CMC §§ 9101 et seq.).

## § 195-20-005 Definitions

For purposes of this chapter and the interpretation of the Northern Mariana Islands Economic Incentive District Act of 2000 (4 CMC §§ 51101 et seq.):

- A. “Applicant” means any business that is applying for an Economic Incentive District License.
- B. “Authority” or “CEIA” means the Commonwealth Economic Incentive Authority.
- C. “Board” means the Board of Directors of the Commonwealth Economic Incentive Authority.
- D. “CNMI” or “Commonwealth” means the Commonwealth of the Northern Mariana Islands and the geographic area of which it is composed, and may include the Commonwealth government.
- E. “Controlling interest” means the power, direct or indirect, to direct or cause the direction of the management or policies of an entity, whether through ownership of voting interests, or by the prescribed power of attorney form.
- F. “EID(s)” means the economic incentive district(s).
- G. “License” or “EID License” means an Economic Incentive District License.
- H. “Licensee” means any business that has an Economic Incentive District License by CEIA.
- I. “Ownership interest” means any equity interest, membership interest, partnership interest, stock ownership, or other financial interest, whether held directly or through one or more intermediary entities, including but not limited to parent companies, subsidiary companies, holding companies, trusts, or proxy.
- J. “Person” means any individual, estate, firm, corporation, company, joint venture, association, partnership, trust, receiver, club, syndicate, cooperative association or any other entity.
- K. “Public” means anyone not on the Board of Directors of the Commonwealth Economic Incentive Authority
- L. “Permanent residents” means U.S. permanent residents, any person who is a U.S. citizen or was granted the status of CNMI permanent resident by the CNMI government prior to April 23, 1981, or any citizen of the Freely Associated States, which are the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, who is legally residing in the Commonwealth.

## Part 100 – Administration of the Economic Incentive District License Program

### § 195-20-101 Introduction

The Economic Incentive District License Program shall be administered by the Executive Director of CEIA, who shall be known as the Executive Director.

### § 195-20-105 Duties and Responsibilities of the Executive Director

Under the direction of the CEIA Board, the Executive Director shall: (a) accept and conduct initial review of applications; (b) reject non-compliant applications; (c) organize and conduct any required public hearings; and (d) perform other actions deemed necessary by the CEIA Board.

### § 195-20-110 Additional Duties and Responsibilities of the Executive Director

The Executive Director shall establish and manage the EID License compliance process. The Executive Director may delegate duties pursuant to 4 CMC § 51126(h) and 4 CMC § 51121(i).

### § 195-20-115 Due Diligence

In the absence of a CNMI business screening process, the Authority shall perform due diligence on all Applicants which may include ID verification, liveness checks, anti money-laundering (AML) checks, politically exposed persons (PEP) screenings, sanction screenings, background checks or any other means the Authority deems necessary to ensure the lawful, orderly, and safe management of EIDs (4 CMC § 51121(g)).

## Part 200 – Submission Requirements

### § 195-20-201 Required Documents

Applicants shall submit the required documents as prescribed in the application form. The application form and instructions will be made available on the Authority's website. Required documents shall include the last three years of Balance Sheets and Profit & Loss statements and the associated income tax returns, with proof of filing, an independent professional cost/benefit analysis (per 4 CMC § 51121(g)), and an ownership and control disclosure.

The Executive Director or CEIA Board may require or request such additional documentation as is reasonably necessary to evaluate the application, which may include business licenses,

business plans, land ownership or lease documentation, financial projections, affidavits, or any other information deemed relevant to the application.

## § 195-20-205 Ownership and Control Disclosure

**(a) Mirrored federal standard.** Each applicant for a license under this chapter shall disclose to the Authority the beneficial ownership and control of the applicant entity in accordance with the requirements of 31 CFR § 1010.380, as those requirements read on the effective date of these regulations, which are hereby adopted and incorporated by reference and shall apply under this chapter as though the applicant were a reporting company and the Authority were the Financial Crimes Enforcement Network.

**(b) Terms of art.** The terms beneficial owner, substantial control, senior officer, ownership interest, and acceptable identification document have the meanings given in 31 CFR § 1010.380, and the exclusions from the term beneficial owner set out in that section apply under this chapter.

**(c) Universal application.** Subsection (a) applies to every applicant without regard to whether the applicant is a reporting company, a domestic reporting company, or a foreign reporting company under federal law, and without regard to whether the applicant is exempt from reporting under 31 U.S.C. § 5336 or 31 CFR § 1010.380. Any exemption available under federal law by reason of the applicant's domestic status, entity type, size, or regulated status is inapplicable under this chapter.

**(d) Filing with the Authority.** Disclosure under this section shall be made directly to the Authority in the form and manner it prescribes. A filing made with the Financial Crimes Enforcement Network does not satisfy this section, and the Authority shall not rely on the federal beneficial ownership database in lieu of a filing under this section.

**(e) Updates and corrections.** A licensee shall file an updated or corrected disclosure with the Authority within the periods prescribed by 31 CFR § 1010.380 for updated and corrected reports, measured from the date of the change or from the date the licensee became aware or had reason to know of the inaccuracy.

**(f) Certification.** Each disclosure and each updated or corrected disclosure shall be certified as true, correct, and complete by an individual authorized to act on behalf of the applicant or licensee.

**(g) Confidentiality.** Information reported under this section is confidential, is not a public record, and shall not be disclosed by the Authority except as expressly authorized by law.

## **§ 195-20-210 Publicly Traded Entities**

The requirements of § 195-20-205 may be satisfied for publicly traded companies by providing the most recent filing or report identifying beneficial owners of fifteen percent (15%) or more as disclosed pursuant to applicable securities laws, including but not limited to Schedules 13D and 13G filed with the U.S. Securities and Exchange Commission or equivalent disclosures under a foreign regulatory body;

## **§ 195-20-215 Beneficiaries of a Qualifying Certificate**

Applicants who are beneficiaries of a Qualifying Certificate (QC) issued by the Commonwealth Economic Development Authority (CEDA) are not eligible to receive an EID License during the same period in which the Applicant maintains a QC.

## **§ 195-20-220 Ongoing and Additional Disclosure**

A licensee shall report any material change in the information required by this section within the time and in the manner prescribed by the Authority. The Authority may require any applicant or licensee to provide additional information regarding ownership or control as necessary to carry out the purposes of this chapter.

## **§ 195-20-225 Noncompliance**

Failure to comply with any provision of this section, or the knowing submission of false or misleading information, shall constitute grounds for denial, suspension, or revocation of a license.

## **§ 195-20-230 Prohibition on Relocation of Existing Business Activities**

Pursuant to 4 CMC § 51134(b), no existing Commonwealth business may apply for or receive an EID License for the purpose of relocating existing business, industrial, or commercial activities from outside an Economic Incentive District into an Economic Incentive District.

Any application that, in the judgment of the Board, constitutes a relocation of existing CNMI operations rather than a new or genuinely expanded activity shall be denied. The anti-abuse provisions of § 195-20-1201 address the startup context and do not limit the scope of this prohibition, which applies to all applicants regardless of when operations commenced.

In evaluating whether an application constitutes a prohibited relocation, the Authority may request records from the Division of Revenue and Taxation, Business License Office and the Office of the Registrar of Corporations and may conduct such additional research as it deems reasonably necessary to fulfill its duties under this section.

Where the Board denies an application on the basis of this section, the Authority shall provide the applicant with written notice of the denial, including a statement of the factual basis and reasoning supporting the Board's determination, within thirty (30) days of the decision.

An applicant aggrieved by a denial under this section may appeal by filing a written notice of appeal with the Executive Director within thirty (30) days of issuance of the written denial. All appeals shall be submitted by email to [appeals@ceia.mp](mailto:appeals@ceia.mp) or hand delivery. The appeal shall set forth with specificity the grounds upon which the applicant contests the Board's determination. The Board shall conduct a hearing within sixty (60) days of physical receipt of the notice of appeal, at which the applicant shall have the opportunity to present evidence and argument, and shall issue a written decision within thirty (30) days following the conclusion of the hearing. For purposes of this subsection, receipt means receipt by email to [appeals@ceia.mp](mailto:appeals@ceia.mp) or hand delivery. The Board's decision on appeal shall constitute final agency action, subject to judicial review in accordance with applicable Commonwealth law.

## Part 300 – Review of the Application

### § 195-20-301 Initial Review

Upon receiving a completed application, the Executive Director shall cause the following actions to be performed within 30 days:

- (a) a preliminary review for completeness and compliance;
- (b) request additional information, as needed; and
- (c) request a meeting to review the application with the Board.

### § 195-20-305 CEIA Board Review

Within 60 days after the Initial Review (§ 195-20-301), the Board shall hold a meeting to review the application. A list of all the applicants will be included in the board meeting agenda. If multiple applications are received in said 60-day period, multiple applications may be reviewed in the same meeting. Applications falling under the preferred business activity categories as provided by subsections (a) and (b) of § 195-20-1105 will be prioritized. Board review of applications falling outside of the preferred business activity categories by an additional 60 days, at the Board's discretion.

### § 195-20-310 Application and Licensing Factors

**(a) Statutory Licensing Factors.** Pursuant to 4 CMC § 51134(c), the Board shall consider key factors in determining whether to grant a license to operate in an Economic Incentive District

and the types and amounts of the tax incentives. These factors are mandatory considerations, and the Board shall include them in the application. Key factors include the following:

- (1) The economic impact of the proposed activity on the Commonwealth.
- (2) The environmental impact of the proposed activity.
- (3) The impact on other business and community activities within the Commonwealth.
- (4) The employment opportunities the proposed activity is anticipated to bring to the Commonwealth.
- (5) Anticipated workforce development.
- (6) Community opportunity development through beach clean ups, scholarship funding, internships, public education, or similar opportunities.

**(b) Evaluation Criteria.** In evaluating the factors enumerated in subsection (a), the Board shall consider the following criteria. The parenthetical reference following each criterion identifies the factor or factors in subsection (a) to which the criterion relates.

**(1) Resident workforce development.** The positions to be created, the applicant's plan to recruit, hire, train, and retain CNMI residents over the full license term, the proportion of the applicant's workforce that will consist of CNMI residents at full operation, and wage levels relative to the applicable minimum wage. (Factors (a)(4) and (a)(5).)

**(2) Compatibility with existing Commonwealth businesses.** Whether the proposed activity competes with or complements businesses already operating in the same or an adjacent sector, the risk that the proposed activity will displace established local enterprises, and the measures the applicant proposes to avoid displacement and to contribute to a diverse and sustainable business environment in the Commonwealth. (Factor (a)(3).)

**(3) Talent investment and educational pathways.** Investment in the education and professional development of CNMI residents beyond direct employment, including scholarships administered through the Northern Marianas College or another accredited institution, vocational or trade credentialing, paid internship pipelines, mentorship programs, partnerships with the Public School System, and opportunities for advancement within the applicant's own workforce. (Factors (a)(5) and (a)(6).)

**(4) Economic value and diversification.** The lasting economic value of the proposed activity to the Commonwealth, including revenue diversification, import substitution, export potential, and supply chain effects, together with the cost and benefit case for the incentive sought and the

extent to which the proposed activity reduces structural dependence on tourism or federal transfers. (Factor (a)(1).)

**(5) Public infrastructure and community benefit.** Investment in public or shared infrastructure, including utilities, roads, broadband, and water systems, the demand the proposed activity is anticipated to place on existing power and water infrastructure and any plan to mitigate that demand, and the community benefits the proposed activity will generate for residents beyond direct employment and tax revenue, including whether those benefits are sustained over the full license term. (Factors (a)(1), (a)(3), and (a)(6).)

**(6) Disaster resilience and business continuity.** The capacity of the proposed activity to withstand and continue operating through typhoons, grid failure, shipping disruption, and public health emergencies, including physical hardening, backup power, supply redundancy, retention of employees through a disruption, and the plan for resuming operations following a major event. (Factors (a)(1) and (a)(3).)

**(7) Environmental stewardship.** The impact of the proposed activity on Commonwealth land, water, air, and reef systems, the measures proposed to avoid, minimize, or offset that impact, and any renewable energy commitment, waste reduction plan, habitat restoration commitment, or comparable measure. (Factor (a)(2).)

**(8) Chamorro and Carolinian cultural resource preservation.** How the applicant will respect, preserve, and support Chamorro and Carolinian cultural resources, heritage sites, traditional practices, language, and cultural identity, including partnerships with cultural organizations, language programs, or historic preservation efforts, and whether cultural stewardship is incorporated into the applicant's operations. (Factors (a)(3) and (a)(6).)

**(9) Food security and local supply chain.** The contribution of the proposed activity to food security in the Commonwealth, the reduction of reliance on imported goods, the strengthening of local agricultural, aquaculture, or fishery supply chains, and any local procurement commitment stated by the applicant. (Factors (a)(1) and (a)(3).)

**(10) Geographic distribution of operations.** The island or islands on which the proposed activity will be conducted, the nature of the operations and the number of residents to be employed on each island, and any community benefit specific to each location, taking into account the economic needs of Tinian, Rota, and the Northern Islands. (Factors (a)(1), (a)(3), and (a)(4).)

(c) Scoring Procedure, Maximum Points, and Award Tiers.

**(1) Quorum.** A minimum of five (5) Board members must be present for a scoring session to constitute a quorum and for any award decision to be valid.

**(2) Independent scoring.** Each Board member present shall score the application independently. Members shall not discuss scores, share assessments, or otherwise confer with other members or with staff until all individual scores have been collected.

**(3) Maximum points.** Each criterion set forth in subsection (b) shall be scored from zero up to the maximum point value assigned to it in this paragraph, for a maximum of one hundred (100) points.

- (i) Resident workforce development, twenty (20) points.
- (ii) Compatibility with existing Commonwealth businesses, fifteen (15) points.
- (iii) Talent investment and educational pathways, ten (10) points.
- (iv) Economic value and diversification, ten (10) points.
- (v) Public infrastructure and community benefit, ten (10) points.
- (vi) Disaster resilience and business continuity, ten (10) points.
- (vii) Environmental stewardship, ten (10) points.
- (viii) Chamorro and Carolinian cultural resource preservation, five (5) points.
- (ix) Food security and local supply chain, five (5) points.
- (x) Geographic distribution of operations, five (5) points.

**(4) Performance bands, score of record, and award tiers.**

- (i) The reviewer shall award points for each criteria consistent with 195-20-310(c)(3).
- (ii) The averaged score of all scoring members, rounded to the nearest whole point, is the score of record.
- (iii) The score of record corresponds to the following levels of abatement, being Platinum for a score of record of ninety (90) to one hundred (100), an abatement of eighty five percent (85%); Gold for a score of record of seventy five (75) to eighty nine (89), an abatement of seventy five percent (75%); Silver for a score of record of sixty (60) to seventy four (74), an abatement of sixty five percent (65%); and Bronze for a score of record of forty five (45) to fifty nine (59), an abatement of fifty percent (50%) limited to the Business Gross Revenue Tax.
- (iv) An application with a score of record below forty five (45) is not qualified and shall be denied or deferred.

(5) **Departure.** The Board may depart from the abatement level corresponding to an application's score of record where the record supports a different level under 4 CMC § 51136(g) and § 195-20-720, provided the Board states its reasons in writing in the record of its decision.

**(d) Effect of the Criteria and Point Values.**

(1) **Fixed values.** The maximum point values assigned in paragraph (c)(3) are fixed by this chapter. No criterion may be re-weighted, waived, or adjusted, and no maximum point value may be increased or reduced, in the evaluation of an individual application.

(2) **Uniform application.** The criteria and their point values shall be applied uniformly to every applicant.

(3) **Criteria not exhaustive.** The point values govern the evaluation of an application and do not limit the Board's consideration of any other matter relevant to a factor enumerated in subsection (a). No criterion in subsection (b) is a condition of eligibility for a license.

(4) **Other authority preserved.** Nothing in this section limits the Board's authority to deny an application under § 195-20-230 or any other provision of this chapter, or to attach conditions to any license pursuant to 4 CMC § 51134(d).

**(e) Application and Applicant Response.**

(1) **Function of the application.** The application shall operationalize the Board's duty to evaluate the factors set forth in subsection (a) and the criteria set forth in subsection (b).

(2) **Public availability.** The current version of the application shall be made publicly available on the Authority's official website. The version in effect at the time an application is deemed received shall govern the evaluation of that application.

(3) **Applicant response required.** Every applicant shall submit a completed response addressing the criteria set forth in the then-current application as part of the application package required under § 195-20-201. Failure to submit a substantive response shall render the application incomplete and subject to rejection under § 195-20-301.

(4) **Authority to update.** The Authority may update the application after giving notice to at least two news publications of general circulation, provided that no amendment to the criteria in subsection (b), the point values in paragraph (c)(3), or the award tiers in paragraph (c)(6) may be made except by amendment of this chapter in accordance with the Administrative Procedure Act (1 CMC §§ 9101 et seq.).

**(f) Relation to Tax Incentives.** An applicant's score of record under this section shall inform the Board's determination of the level of tax incentive awarded under § 195-20-720 and §

195-20-725, and the level awarded shall be commensurate with the economic benefit to be received by the Commonwealth as required by 4 CMC § 51121(g) and construed under § 195-20-725.

### § 195-20-320 Director of the Division of Revenue and Taxation

The Director of the Division of Revenue and Taxation or designee may attend meetings where EID License applications are discussed.

### § 195-20-325 Convening Before the Executive Director or CEIA Board

Applicants may be required to convene during the application process; failure to appear may result in rejection of the application. If Applicants cannot appear in person, they may appear via online telecommunications. The applicant will be provided at least fifteen (15) calendar days' notice before the proposed meeting date.

### § 195-20-330 Insurance

Pursuant to 4 CMC § 51137 (b) every licensee shall be, at minimum, insured for \$500,000 to cover any liability for injury or damage occasioned by or to any person and his property in an economic incentive district(s). Depending on the type of business activity, the Board may add license terms requiring additional insurance coverage.

### § 195-20-335 Indemnification

(a) Pursuant to 4 CMC § 51137, each license issued shall require every licensee to hold the Authority free and harmless for any loss incurred by the licensee by reason of or ensuing from the failure in any service to the economic incentive district pertaining to the supply of water, electricity, sewerage, telecommunication or other services that are provided to or within the economic incentive districts and not under the control of the Authority.

(b) Each license issued shall require the licensee to hold the Authority free and harmless for any loss or damage to the goods, articles, machinery and things upon the premises occupied by the licensee in the economic incentive district for any loss or damage arising from any acts or omissions of other licensees.

## Part 400 – Notice of Public Hearing and Issuance

### § 195-20-401 Notice of Public Hearing

The Executive Director shall cause to be published a notice of public hearing after the Authority has done their due diligence, at least fifteen (15) days prior to the scheduled date. In the notice shall state the following:

- (a) whether or not the business is a public company;
- (b) that the Board has reviewed the application;
- (c) and the person(s) amounting to the majority or controlling interest in the company;
- (d) the proposed business activity;
- (e) the name of the business.

### § 195-20-405 Notice of Issuance

Upon issuance of an Economic Incentive District (EID) License, a notice must be published: (1) in a CNMI news source of general circulation, within thirty (30) days; and (2) in the Commonwealth Register, pursuant to 4 CMC § 51134(f), which requires publication of the name of any person to whom a license has been granted. The notice shall state that the license is subject to acceptance by the Applicant.

### § 195-20-410 License Transferability

(a) Pursuant to 4 CMC § 51134(e), an EID License shall not be transferable without prior approval of the Board. Any transfer of the License, any transaction resulting in a person acquiring a controlling interest in the Licensee, and any transaction conferring on any person the power to direct the management and policies of the licensed enterprise regardless of the size of the interest transferred, requires prior written Board approval and shall not close before that approval is given. "Controlling interest" means ownership or control, directly or indirectly, of fifty percent (50%) or more of the ownership interests or voting power of the Licensee. A Licensee seeking approval shall submit a written request no fewer than sixty (60) days before the proposed effective date, identifying the proposed transferee and each of its beneficial owners with the disclosures required by § 195-20-205, the proposed effective date, the reason for the transfer, evidence that the transferee satisfies the eligibility requirements of this chapter, and the transaction documents, consideration, and source of funds. The Board shall perform the due diligence described in § 195-20-115, may assess a due diligence fee, and may approve, deny, or approve with conditions. Transfers within any thirty six (36) month period shall be aggregated in determining whether a controlling interest has been transferred, transfers to persons acting in concert, to affiliates, to family members within the third degree of consanguinity or affinity, or to parties to any voting agreement, proxy, or option shall be treated as transfers to a single person, and no transaction structured in whole or in part to avoid this subsection may proceed under

subsection (b). Following that due diligence the Board shall deny the transfer where the transferee or any of its beneficial owners fails to satisfy the eligibility requirements of this chapter, where the transaction in fact effected a change in the identity of the Licensee or in the party exercising control, where the notice was incomplete or contained a material misstatement or omission, or where the Licensee or transferee fails to cooperate.

(b) A transfer of less than a controlling interest that affects no change in the identity of the Licensee and no change in the party exercising control over the licensed enterprise may proceed on notice, without prior Board approval. The Licensee shall file written notice no fewer than thirty (30) calendar days before the proposed effective date, stating that date, identifying the transferee and the size and nature of the interest, stating the consideration and source of funds, including the disclosures required by § 195-20-205 for the transferee and each of its beneficial owners, and certified as true, correct, and complete by an individual authorized to act on behalf of the Licensee. The Board may assess a notice review fee and may conduct the due diligence described in § 195-20-115 with respect to any noticed transferee, before or after closing, and the Licensee and transferee shall furnish all information the Board reasonably requests. Following that due diligence the Board shall cancel the transfer where the transferee or any of its beneficial owners fails to satisfy the eligibility requirements of this chapter, where the transaction in fact effected a change in the identity of the Licensee or in the party exercising control, where the notice was incomplete or contained a material misstatement or omission, or where the Licensee or transferee fails to cooperate. Upon cancellation the proposed transfer is void, and the Board may order the interest divested or restored to its prior holder within a period it prescribes, impose conditions on continued operation, and proceed under § 195-20-805 where the Licensee knew or should have known of the disqualifying fact. Cancellation shall be in writing stating the grounds and is subject to the same rights of notice, hearing, and appeal as a revocation under § 195-20-805. A transferee that later acquires the power to direct the management and policies of the licensed enterprise is deemed to have effected a change of control requiring prior approval under subsection (a) as of that date. Any transfer made without required approval, and any transfer proceeding on notice where the conditions of this subsection were not in fact satisfied, is void and constitutes grounds for revocation under § 195-20-805.

(c) A License does not terminate upon the death of the Licensee or of any beneficial owner, and the License or the decedent's ownership interest may pass by will or trust, by intestate succession, or by order of a court of competent jurisdiction, subject to this subsection. The personal representative, executor, administrator, or successor trustee shall notify the Board in writing within thirty (30) calendar days after the date of death and shall file the disclosures required by § 195-20-205 for each person receiving the License or interest within ninety (90) calendar days after appointment. The licensed enterprise may continue to operate during the proceeding provided it remains under the management in place immediately before the date of death or under management approved by the Board, and the Board may impose interim conditions on continued operation. Upon receipt of the disclosures the Board shall perform the

due diligence described in § 195-20-115 and may confirm the transfer, confirm it subject to conditions, or cancel the License where any person receiving the License or interest fails to satisfy the eligibility requirements of this chapter or fails to furnish the required disclosures within the time prescribed. Cancellation shall be in writing stating the grounds, is subject to the same rights of notice, hearing, and appeal as a revocation under § 195-20-805, and the Board may allow a reasonable period for orderly wind down or for sale to a transferee approved under subsection (a).

## **Part 500 – Acceptance**

### **§ 195-20-501 Acceptance of the EID License**

Licensees must accept or reject the license in writing within sixty (60) days of its effective date, subject to limited extension. Extension may be granted by the Executive Director or the Chairman of the Board, for a period not to exceed sixty (60) days. Applicants shall provide justification for the extension, which may include medical situations, natural disasters, family emergencies, or other situations that a reasonable person would consider sufficient to justify an extension of time.

## **Part 600 – Requirements of the Licensee**

### **§ 195-20-601 Reports**

Licensees must submit annual reports by October 30th of the following year to include:

- (i) a report of public/community benefits provided during the preceding year;
- (ii) non-audited financial statements for the preceding year;
- (iii) a report on the overall benefits to the CNMI economy during the preceding year; and
- (iv) A copy of the Licensee's Letter of Compliance from the Division of Revenue and Taxation (DRT)

### **§ 195-20-605 Inspections**

CEIA may conduct on-site inspections and require production of records to verify compliance.

## **Part 700 – Tax Compliance by the Licensee**

### **§ 195-20-701 General Requirements**

Any tax incentive granted under an EID License shall supersede the general tax obligation to the extent specified in 4 CMC § 51136 and these resulting regulations, specifically § 195-20-715 and § 195-20-720.

## § 195-20-705 Filing of Tax Returns

The applicable CNMI and IRS tax returns must be filed using the prescribed forms and by statutory deadlines. Licensees shall file standard CNMI returns and include the prescribed schedule identifying EID-sourced income and the applicable incentive provisions. Failure to timely file may constitute non-compliance and may result in a compliance review, suspension, or revocation of the EID License.

## § 195-20-710 Payment of Taxes

- (a) **Exemptions.** For EID License holders receiving exemptions from the Business Gross Revenue Tax (BGRT) under Section 21(a), excise taxes under Sections 21(b) and (c), developer's tax under Section 21(e), and export taxes/user fees under Section 21(f) of PL 12-20, the licensee's tax obligation shall be reduced or eliminated at the point of assessment, in the amount and for the duration specified in the EID License.
- (b) **NMTIT Rebate.** For the Northern Mariana Islands income tax (NMTIT) rebate under 4 CMC § 51136(d), the licensee shall pay the NMTIT net of rebate to the CNMI Treasury. The rebate will be the greater of the rebate granted to the licensee by the CEIA Board or the rebate that is currently available under 4 CMC 1708(b)(1)(i). DRT will remit EID-sourced tax revenue to the Special Rebate Trust for Businesses Located Within Economic Incentive District(s), pursuant to 4 CMC § 1717. Rebates shall be issued from the Trust Account upon completion of a compliance review as described in § 195-20-715 (d)
- (c) **Payment Mechanics.** Payments into the Special Rebate Trust Account shall be made through the Division of Revenue and Taxation on the schedule prescribed by that Division, in consultation with CEIA pursuant to 4 CMC § 51136(j).
- (d) **Penalties.** Penalties for late payment shall be the standard penalties applicable under CNMI tax law. CEIA may impose additional penalties as separately authorized by statute or by the EID License.

## § 195-20-715 Rebate of NMTIT on Income from Sources Within the CNMI

- (a) **Definitions.** For purposes of this section:
  - (1) "Resident worker" means a person who is a lawful permanent resident or United States citizen domiciled in the CNMI.
  - (2) "Total EID workforce" means all employees of the licensee employed in connection with activities conducted within the EID.
  - (3) "Yearly average" means the arithmetic mean of the monthly proportions of resident workers in the total EID workforce calculated over the applicable reporting year.
- (b) **Statutory Formula.** The NMTIT rebate for EID licensees shall be computed in accordance with 4 CMC § 1708(b)(1)(ii) and PL 12-20, Section 28(e). The portion of the

rebate base attributable to income from activities conducted within the EID shall be multiplied by the yearly average proportion of resident worker employees in the licensee's total EID workforce. The portion attributable to income from activities outside the EID shall be subject to the standard tiered rebate computation under 4 CMC § 1708(b)(1)(i). The formula will be calculated by following these steps:

- (1) Subtract the standard NMTIT rebate percentage from the EID License rebate percentage.
- (2) Multiply the result of Step (1) by the yearly average proportion of resident worker employees, as a percentage (100% of less).
- (3) Then add the result of Step (2) from to the standard NMTIT rebate to get the adjusted rebate for the Licensee.

For example if (a) an EID License provides a rebate of 70% on taxes sourced in the EID, (b) the standard NMTIT rebate is 50% and (c) but the yearly average proportion of resident workers working in the EID was 50%, then the Licensee would receive a 60% rebate.

- (c) **Authority Discretion.** Pursuant to Section 21(g) of PL 12-20, the Authority may determine the rebate in an amount of one percent (1%) to one hundred percent (100%) and for a period of years no more than twenty (20). The Authority may cap the rebate at a percentage less than what the Section 28(e) formula would otherwise produce, provided that such determination is expressly set forth in the EID License.
- (d) **Rebate Issuance.** Upon a successful compliance review, the Authority shall authorize release of the rebate from the Special Rebate Trust Account. A licensee that disputes a determination of non-entitlement may seek judicial determination pursuant to 4 CMC § 1717(b).

## § 195-20-720 Cap on Tax Incentives

Pursuant to 4 CMC § 51136(g), all tax incentives shall: (a) be determined in an amount from one percent (1%) to one hundred percent (100%); (b) extend for a period from one (1) to twenty (20) years; and (c) be commensurate with the economic benefit to be received by the Commonwealth, as determined pursuant to § 195-20-725. The level of tax incentive awarded to any Licensee shall be informed by the Licensee's evaluation under the CEIA Application pursuant to § 195-20-310. All benefits shall be explicitly provided in each EID License. Benefits shall expire automatically at the end of the license term. A licensee seeking renewal or extension of an expiring license shall submit a renewal application to the Authority no later than one hundred eighty (180) days prior to the license expiration date. Upon renewal, the application shall be evaluated against the then-current application.

## § 195-20-725 Commensurate Benefit Determination

**Statutory Standard.** Pursuant to 4 CMC § 51121(g), all tax incentives shall be set at a level that is commensurate with the economic benefit to be received by the Commonwealth. For purposes of this determination, "economic benefit" shall be construed broadly to encompass not only direct fiscal and commercial returns, such as tax revenue, and job creation, but also the full range of community benefits generated by the proposed activity, including but not limited to

contributions to resident workforce development, educational and professional pathways, food security, public infrastructure, environmental stewardship, and disaster resilience. This construction is consistent with the Legislature's policy objectives under 4 CMC § 51121 and the evaluative criteria established in the CEIA application and licensing factors under § 195-20-310.

## Part 800 – Compliance, Modification, Suspension, and Revocation

### § 195-20-801 Procedures for Licensee Compliance

The Authority shall establish procedures to govern: (1) timelines for completing audits and reviews; (2) requirements for consultation; (3) issuance of findings and recommendations; and (4) publication of reports, notices, and guidance as required by law. Such procedures shall be adopted by board resolution and published in the Commonwealth Register no later than July 15, 2027.

### § 195-20-805 Grounds for Modification, Suspension, or Revocation

§ 195-20-801 shall dictate grounds for modification, suspension, or revocation of an EID License. Grounds for modification shall be determined and adopted by board resolution and published in the Commonwealth Register no later than July 15, 2027.

### § 195-20-810 Modification, Suspension, or Revocation

**(a) Board-Initiated Action for Non-Compliance.** The CEIA Board may recommend modification, suspension, or revocation of a license upon a finding of non-compliance by the Licensee. Licensees must receive notice and an opportunity for hearing under the Administrative Procedure Act (1 CMC §§ 9101 et seq.). Therefore, before taking such action, the Board shall provide written notice to the Licensee specifying the nature of the non-compliance and allowing a cure period of sixty (60) days from the postmarked date of the notice to correct the deficiency. If the Licensee fails to cure non-compliance and report to the Authority within the prescribed period, the Board may proceed with its recommendation.

**(b) Requesting Additional Time.** If a licensee needs more than sixty (60) days to correct the deficiency, they may request additional time by providing a valid reason(s) to the Authority.

**(c) Extension.** Upon receipt of a Licensee's request under subsection (b), the Executive Director shall review the request and issue a determination within five (5) days of receipt. In the absence of the Executive Director, the Chairman of the Board or Vice-chair of the Board shall issue a determination within the same timeframe aforementioned. Additional extensions shall be subject to Board approval.

**(d) Right to Appeal.** Licensees may appeal any action to modify, suspend or revoke an EID license, within thirty (30) days of recommendations under § 195-20-810 (a). The appeal process

shall be subject to the Administrative Procedures Act hearing process under 1 CMC §§ 9101 et seq.

**(e) Licensee-Initiated Requests.** A Licensee may request modification, suspension, or revocation of its license by submitting a written request to the Board. Such a request must be postmarked no fewer than forty-five (45) days before the proposed effective date of the requested action. The request shall include:

1. the specific modification, suspension, or revocation sought;
2. the proposed effective date; and
3. the reason or justification for the request.

**(f) Board Review.** Upon receipt of a Licensee's request under subsection (d), the Board shall review the request and issue a written determination within forty-five (45) days of receipt. The Board may approve, deny, or propose alternative terms in its determination.

## § 195-20-815 Effect of Revocation or Suspension

- (a) Cessation of Benefits.** Upon revocation or suspension of an EID License, all tax benefits granted thereunder shall cease as of the effective date of the revocation or suspension, which can be retroactive to the date of initial non-compliance.
- (b) Notice of Cessation of Benefits.** Notice shall be provided via certified mail or email, as provided on the EID License application.
- (c) Exemptions.** For tax exemptions (BGRT, excise, developer's tax, and export taxes/user fees) granted under Sections 21(a)–(c) and (e)–(f) of PL 12-20, revocation may result in retroactive recapture of taxes from which the licensee was previously exempted, beginning from the date the non-compliant conduct began as determined by the Authority. Any retroactive recapture shall be expressly stated in the revocation order and shall be subject to the Administrative Procedures Act hearing process required under § 195-20-810. Suspension shall toll the exemption period; upon reinstatement, the license term shall not be extended unless otherwise determined by the Board.
- (d) NMTIT Rebate Funds.** Rebates previously paid to the licensee shall be subject to clawback based on the effective date from § 195-20-815(a). The rebate amounts shall be communicated to the Division of Revenue and Taxation to establish any retroactive tax liability. Taxes accruing after the effective date of revocation shall no longer qualify for the EID rebate formula and shall be subject to the NMTIT Rebate formula.
- (e) Suspension Period.** During any period of suspension, tax benefits shall be tolled. Trust account deposits accumulated during the suspension period shall be held pending resolution of the suspension. The license term shall not automatically extend upon reinstatement unless the Board expressly determines otherwise.
- (f) Collection.** The Division of Revenue and Taxation shall collect amounts due.
- (g) Interest.** Interest shall accrue beginning thirty (30) days from the date the Notice of Cessation of Benefits was given. Interest shall be calculated according to CNMI tax laws.

- (h) **Effective Date of Consequences.** No tax consequences under this section shall take effect until the revocation or suspension becomes final pursuant to the Administrative Procedures Act hearing process required under § 195-20-810 and 1 CMC §§ 9101 et seq.

## Part 900 – Miscellaneous Provisions

### § 195-20-901 Confidentiality

All application materials and related information are confidential unless required by these regulations for release.

### § 195-20-905 Amendments

These rules may be amended with approval of the CEIA Board.

### § 195-20-910 Effective Date

These rules take effect upon adoption in accordance with 1 CMC § 9105(b).

## Part 1000 – Saipan Local Economic Incentive District

### § 195-20-1001 Authority

The rules and regulations in this Part are issued pursuant to Saipan Local Law 24-18 and in accordance with the Administrative Procedure Act (1 CMC §§ 9101 et seq.).

### § 195-20-1005 Boundaries

The Saipan Economic Incentive District (SEID) lies within the geographic area bounded by the following coordinate points, based on the Commonwealth's official Saipan Island Survey Grid (Easting and Northing):

| Point | Northing (N) | Easting (E) | Approximate Location |
|-------|--------------|-------------|----------------------|
| 1     | N55705.5173  | E50618.9625 | Micro Beach          |
| 2     | N55108.0144  | E51502.7796 | NMHC Corner          |
| 3     | N53966.1916  | E51042.0748 | Hanmi Hardware       |
| 4     | N53976.6522  | E50652.9036 | Fishing Base         |

## **§ 195-20-1010 Adjacent Private Property**

Pursuant to Saipan Local Law 24-18 § 105, the owner of any private property that shares a boundary with, or lies within a contiguous 1-mile radius starting from the SEID perimeter referenced in § 195-20-1005, land designated as part of a Local Economic Incentive District may petition the Authority to receive inclusion in the Saipan Economic Incentive District using the following procedure:

1. The owner of the property shall cause to be delivered a petition, in the form of a certified and notarized letter, to the Authority. The petition shall include:
  - a. the coordinates of the property;
  - b. a description of all structures on the property;
  - c. a list of all tenant businesses currently operating on the property; and
  - d. an explanation and justification for why the property should be included in the SEID.
2. The Board shall review the petition and determine whether or not the property qualifies for inclusion in the SEID.
3. If the Board determines that the property qualifies for inclusion in the SEID, then the Board will schedule a public determination hearing, inviting the property owner and Department of Public Lands representatives to give testimony.
4. Once the public hearing is complete, the Board shall make a final vote on the inclusion or exclusion of the property from the SEID.

## **Part 1100 – Types Business, Industrial and Commercial Enterprises**

### **§ 195-20-1101 Policy Objectives**

Pursuant to 4 CMC § 51121 The Authority shall determine what types of specific business, industrial and commercial enterprises best meet the Legislature’s policy objectives of fostering environmentally friendly, non-labor intensive, high skill activities that will offer training and future job possibilities to residents of the CNMI.

### **§ 195-20-1105 Determining Types of Business Activities**

(a) Pursuant to 4 CMC § 51126 in making its determination of the desirability of business activities, the Board shall be guided by the intention of the Legislature as reflected in PL 12-20. This determination will be published on the CEIA website and updated up to once per quarter but no less than once annually.

(b) The Authority may issue Requests for Proposals (RFPs) identifying priority industries for EID License consideration. The list of business activity types above is illustrative and not

exhaustive; the Board may approve activities in sectors not enumerated above where the applicant demonstrates through the application process that the proposed activity serves the policy objectives of 4 CMC § 51121 and PL 12-20.

(c) In order to fulfill the mandate to aggressively market the CNMI's EIDs (see 4 CMC § 51126(a)), the Authority may create unique application addenda which are tailored to a specific industry or to incentivize specific economic or public benefits.

(d) If a business relocates operations from outside the CNMI with the intent to apply for an EID License, they will not be classified as an existing business, so long as they apply within twelve (12) months of receiving their business license. They must demonstrate their intent by email communication to the Board found on the official CEIA website.

## Part 1200 – Recovery Startup Businesses

### § 195-20-1201 Recovery Startup Businesses

**(a) Purpose.** This section establishes a pathway for newly formed CNMI businesses to qualify for EID License benefits without being required to demonstrate historical economic impact metrics that, by nature, a startup enterprise cannot yet possess. This section is modeled in principle on federal recovery startup business provisions and is adapted to the Commonwealth's economic development objectives under PL 12-20.

**(b) Effective Date.** This section takes effect retroactively as of January 1, 2026 and applies to applications submitted on or after that date.

**(c) Eligibility Requirements.** To qualify as a Recovery Startup Business under this section, an applicant must satisfy all of the following:

(1) The business commenced operations on or after January 1, 2026. For purposes of this section, "commenced operations" means the date on which the business first began conducting its principal trade or business activity, which shall be no earlier than the date of CNMI business registration;

(2) The business is registered under the laws of the Commonwealth of the Northern Mariana Islands (as a domestic or foreign company) and in good standing with the CNMI Department of Commerce at the time of application; and

(3) The business is not a successor to, or continuation of, an entity that previously held an EID License or that was formed for the primary purpose of circumventing the eligibility requirements of this chapter.

**(d) New Trade or Business Defined.** For purposes of this program, the term new trade or business shall be defined by reference to the definition of recovery startup business under Section 3134(c)(5) of the Internal Revenue Code, as amended, and as interpreted by the Internal Revenue Service in Notice 2021-49 and 2021-34, including the requirement that the entity began carrying on any trade or business after January 1, 2026, as determined under the principles applicable to Section 162 of the Internal Revenue Code; provided, however, that the gross receipts limitation set forth in Section 3134(c)(5)(B) shall not apply for purposes of this definition which is further explained in § 195-20-1201 (e).

**(e) No Gross Receipts Threshold.** There is no gross receipts cap or minimum threshold applicable to Recovery Startup Business eligibility under this section. The Authority shall not deny or limit eligibility under this section solely on the basis of the applicant's gross receipts or revenue projections.

**(f) Effect of Qualification.** A Recovery Startup Business that satisfies the requirements of subsection (c) is eligible to apply for an EID License under this chapter and shall not be required to provide historical gross receipts data, prior-year financial statements, or evidence of prior economic activity as a condition of initial application. All other application requirements of Part 200 and Part 300 of this chapter shall apply.

**(g) Anti-Abuse.** The Authority shall deny Recovery Startup Business status and may revoke any license obtained thereunder where it determines that the applicant or licensee has engaged in any of the following:

- (1) Formation of a new entity solely to gain eligibility under this section while continuing, in substance, the operations of a pre-existing business;
- (2) Transfer of substantially all assets or operations of an existing business to a newly formed entity in order to qualify under this section; or
- (3) Any other arrangement that the Authority determines, in its reasonable judgment, was designed to circumvent the intent of this section or the anti-abuse provisions of this chapter.

**(h) Eight-Year Reevaluation.** The Authority shall conduct a comprehensive review of this section no later than April 1, 2034, and every eight (8) years thereafter. The review shall assess the effectiveness of this section in achieving the Legislature's economic development objectives, the extent to which the section has been subject to abuse or avoidance, and whether adjustments to eligibility criteria, incentive terms, or anti-abuse provisions are warranted. Following each review, the Authority shall publish its findings in the Commonwealth Register and, if warranted, propose amendments in accordance with the Administrative Procedure Act (1 CMC §§ 9101 et seq.).



## **CNMI CIVIL SERVICE COMMISSION**

*Commonwealth of the Northern Mariana Islands*

P.O. Box 5153 CHRB, Saipan, MP 96950-5153 • (670) 233-1606 • [www.cnmicsc.net](http://www.cnmicsc.net)

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### **PUBLIC NOTICE**

#### **Proposed Amendments to the Personnel Service System Rules and Regulations of the**

#### **CNMI Civil Service Commission**

**INTENDED ACTION TO ADOPT THESE PROPOSED AMENDMENTS TO THE PERSONNEL SERVICE SYSTEM RULES AND REGULATIONS OF THE CNMI CIVIL SERVICE COMMISSION:** The Civil Service Commission of the Commonwealth of the Northern Mariana Islands ("Commission") hereby notifies the public pursuant to 1 CMC § 9104(a) of the Administrative Procedure Act that the Civil Service Commission intends to promulgate the following amendments to its Personnel Service System Rules and Regulations, NMIAC § 10-20.2, governing furlough of employees during a declared fiscal emergency.

**TERMS, SUBSTANCE, AND DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED:** These proposed regulations delete NMIAC § 10-20.2-257(f) and amend NMIAC § 10-20.2-267 to clarify the Director of Personnel's furlough authority during a declared fiscal emergency.

The full text of the proposed amendments is attached to this notice.

**AUTHORITY:** The substance of the following proposed amendments was approved by the CNMI Civil Service Commission At a public meeting on **August 6, 2026**, the CNMI Civil Service Commission approved the proposed regulations by a **6** vote, and authorized the Chairperson to publish the regulations and this notice in the Commonwealth Register for Notice and Comment pursuant to the Administrative Procedure Act and for approval by the Attorney General pursuant to 1 CMC § 2153(e). The Civil Service Commission has the authority to promulgate these regulations pursuant to N.M.I. Const. art. XX; 1 CMC § 8116 (Commission powers and duties); 1 CMC § 8117 (Commission authority to prepare reasonable rules and regulations to carry out the Civil Service Act, pursuant to the Administrative Procedure Act, 1 CMC §§ 9101 et seq.); and the Chapter Authority of NMIAC § 10-20.2 (Commission rulemaking authority over the Personnel Service System).

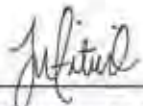
**DIRECTIONS FOR FILING AND PUBLICATION:** These Proposed Regulations shall be published in the Commonwealth Register in the section on Proposed Regulations, 1 CMC § 9102(a)(1), and posted in convenient places in the civic center and in local governments in each senatorial district, both in English and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

**TO PROVIDE COMMENTS:** Persons or entities wishing to submit comments must do so in writing to Ms. Teresa Borja, Executive Assistant, CNMI Civil Service Commission, by means of one of the following: Email to [staff@cnmicsc.net](mailto:staff@cnmicsc.net), or hand-delivery to the CNMI Civil Service Commission Office located at Springs Plaza, Gualo Rai, Saipan, with the subject line "Comments on Proposed Amendments to Furlough Regulation."

CNMI Civil Service Commission  
P.O. Box 5153 CHRB, Saipan, MP 96950-5153  
Springs Plaza, Gualo Rai, Saipan  
Tel. (670) 233-1606  
Email: [staff@cnmicsc.net](mailto:staff@cnmicsc.net)

All written comments shall be submitted within 30 days after publication of this notice.

All interested persons are afforded a reasonable opportunity to submit data, views, or arguments in writing. An opportunity for oral hearing will be granted if requested by the Commonwealth Legislature or one of its committees, or by a government subdivision or agency, in accordance with 1 CMC § 9104(a)(2). The Commission shall consider fully all written and oral submissions respecting the proposed regulations.

Submitted by:   
**JOSEPH PATRICK FITIAL**  
Chairperson, CNMI Civil Service Commission

Date: 8.6.26

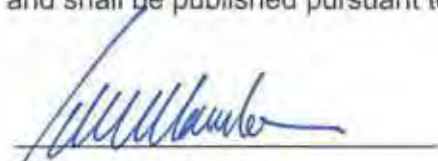
Received by:   
**JEAN PAUL B. REYES**  
Governor's Special Assistant for Administration

Date: 09/04/2026

Filed and  
Recorded by:   
**ESTHER R.M. SAN NICOLAS**  
Commonwealth Registrar

Date: 09.10.2026

Pursuant to 1 CMC § 2153(e) and 1 CMC § 9104(a)(3), 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 pursuant to 1 CMC § 2153(f).



**EDWARD MANIBUSAN**  
Attorney General

Date: 9/10/2020

## PROPOSED AMENDMENTS

### **Amendments to NMIAC §§ 10-20.2-257(f) and 10-20.2-267 — Furlough Authority During Fiscal Emergency**

#### **Amendment**

NMIAC § 10-20.2-257(f) is deleted and NMIAC § 10-20.2-267 is amended as set forth below. New language is shown bold and underlined; deleted language is shown in strikethrough; other existing language is reproduced for context.

A. Section 10-20.2-257(f) is deleted.

(f) Furlough. ~~A furlough is an action placing an employee in a non-duty and non-pay status because of lack of work or funds. It is an adverse action if for a period of thirty calendar days or less. Furloughs of more than thirty calendar days are reduction-in-force actions and shall be accomplished using reduction-in-force procedures. (See part 200, subpart E.)~~ [Deleted.]

B. § 10-20.2-267 ~~Furlough and Separation~~ Furlough (Not to Exceed 12 Months)

(a) Furlough. A furlough is an action placing an employee in a non-duty and non-pay status because of lack of work or funds.

(b)(a) The ~~Personnel Officer~~ Director of Personnel may use furloughs not to exceed 12 months ~~for more than thirty (30) days~~ if there is reasonable assurance documented in a written determination and not by conclusory statement, that the employees furloughed will be returned to duty within the next twelve (12) months. ~~— the determination explaining, with supporting documentation, the expected restoration of revenue or funding and the basis for that expectation, the temporary nature of the shortfall, the funding projections relied upon, why the affected positions will remain necessary, and why permanent elimination of the positions through reduction-in-force is not appropriate at this time. During a declared fiscal emergency, and with the prior written concurrence of the Director of Personnel, an appointing authority may place an employee on furlough not to exceed twelve (12) months — as a furlough action under this section and not as a reduction-in-force action.~~ If there is reasonable doubt regarding the return to duty of furloughed employees, then the appointing authorities concerned must separate the employees found to be in excess of management's needs and proceed according to reduction-in-force procedures.

~~(c)(b)~~ A combination of furlough and separation may be used to clear the rolls of excess employees, provided no employee is separated while furloughed employees with lower retention standing are kept in furlough status.

~~(c) Furlough for thirty days or less may be used for clearing the rolls temporarily, not to exceed thirty days when there is positive assurance that employees so furloughed can return to duty within the 30-day period. Adverse action procedures must be used to place an employee in furlough status for thirty days or less.~~

(d) Fiscal Emergency Defined. For purposes of this section, a "fiscal emergency" exists when the Governor, by executive directive, or other official act, identifies a revenue shortfall of such magnitude that it requires government-wide cost-reduction measures, including reductions in work hours, furloughs, or reductions in force.

(e) Financial Austerity Prerequisite. No furlough may be initiated unless the financial austerity measures of § 10-20.2-1101 have been triggered and documented as follows: (1) the Governor has issued a directive declaring the need for financial austerity measures affecting the Personnel Service System under § 10-20.2-1101; (2) the Civil Service Commission has announced the suspension of the pay-increase provisions of these regulations in the Commonwealth Register, triggering the operation of the § 10-20.2-1101 financial austerity measures; (3) the Departments/Activity Heads complies with § 1101 financial austerity measures and governor's directive for cost cutting measures; and (4) the Director of Personnel has issued the written reasonable-assurance-of-return finding required by NMIAC § 10-20.2-267(a) to departments and activity heads.

(f) Exemptions and Excluded Positions. Before a furlough selection roster is built, the appointing authority shall review all positions in the competitive area and determine which positions are exempt or excluded from furlough under this subsection.

(1) Critical Positions. A position may be exempted where the appointing authority determines it performs functions essential to the continuity of public health, public safety, constitutionally mandated services or functions — including functions necessary to preserve the legal authority and operational independence of a constitutional office or branch — statutorily or federally mandated services, or revenue collection;

(2) Federally Funded Positions. A position may be exempted where it is funded in whole or substantially by federal sources and placing the position on furlough would produce no general-fund savings, would result in the loss of federal funds, would violate the conditions of an underlying federal grant or cooperative agreement, or would interrupt an essential federally mandated program;

(3) Obligated Positions. A positions whose incumbents are temporarily absent on approved educational leave, temporary promotion, or detail, which shall not be placed in furlough competition until the incumbent returns to duty, consistent with § 10-20.2-265;

(4) Transfer of Function. Where all or a clearly identifiable segment of an entity's function is transferred to another continuing entity, each competing employee identified with the function shall be transferred to the

continuing entity without change in tenure of employment before any furlough is initiated, consistent with § 10-20.2-270;

(5) Certification and Concurrence. The appointing authority shall certify each claimed exemption to the Director of Personnel, which shall concur in the exemption or return the certification for further documentation. The assessment of critical positions under paragraph (1) and federally funded positions under paragraph (2), and the forms and content of the certification, shall be as prescribed in the Standard Operating Procedure adopted under subsection (k). Identification of a position as a critical position and federally funded positions does not render the position completely or permanently exempt from furlough; where a furlough is mandated by executive order or directive, or is required by the overall financial condition of the Commonwealth, a critical position or federally funded position may still be furloughed only upon a written determination by the appointing authority that the reduction will not prevent the agency from fulfilling its constitutional, statutory, federally mandated, or essential public functions.

(g) Furlough Procedure. A furlough is the placement of an employee in a temporary non-duty, non-pay status because of a lack of work or funds, with the expectation that the employee will return to duty. A furlough under this section shall be carried out as follows, and in accordance with the detailed furlough procedures adopted by the Office of Personnel Management in its Standard Operating Procedure, consistent with this chapter:

(1) Declaration. A furlough under this section may be initiated only after the Governor has declared the fiscal emergency and issued the directive and the prerequisites of subsection (e) have been met.

(2) General Notice. The appointing authority shall issue a general notice to all employees of the affected department or agency advising that furloughs may affect positions and employees, and offering employees the opportunity to volunteer for furlough during the notice period.

(3) Assessment Period. The appointing authority shall conduct the position and retention assessment division by division — assessing positions and computing each employee's retention standing within his or her own division rather than across the department or agency as a whole and submit the assessment to the Office of Personnel Management. The Office of Personnel Management shall review the assessment for compliance with this chapter and concur in writing or return it for correction. No employee shall be identified for furlough, and no notice of proposed furlough shall be issued, before the Director of Personnel concurs.

(4) Notice of Proposed Furlough and Opportunity to Respond. After the Office of Personnel Management concurs, the appointing authority shall identify the affected employees and give each a written notice of proposed furlough at least fifteen (15) calendar days before the proposed effective

date. The notice shall state the reason for the furlough, the employee's division, competitive area, competitive level, tenure group, and computed retention standing, the basis for selection, and the proposed effective date and expected duration not to exceed twelve (12) months. The employee shall have seven (7) calendar days from receipt of the notice to submit a written response, limited to: (A) an error in competitive area or competitive level; (B) an error in retention-point calculation or retention standing; (C) an error in tenure-group placement; (D) eligibility for an exemption under subsection (f); (E) that the furlough was not applied to the employee in good faith, in that the stated lack of work or funds was used as a pretext or the furlough was applied to the employee in an uneven or discriminatory manner; or (F) a failure to follow the procedures of this section. The response may not contest the appointing authority's determination that a lack of work or funds exists or the scope of the furlough, which are management decisions. If the employee does not submit a response within the seven (7) calendar-day period, management may proceed to the notice of decision at the close of that seven (7) calendar-day period, provided that the furlough shall not be effective until the fifteen (15) calendar-day notice period expires.

(5) Management Review and Re-Assessment. The appointing authority shall consider any timely response and shall verify the assessment and recompute the retention standing where the response identifies a possible error. If the review reveals an error in competitive area or level, retention calculation, tenure group, or exemption status, the appointing authority shall correct it and adjust the selection accordingly before issuing a decision.

(6) Notice of Decision. After completing the review, the appointing authority shall give the employee a written final notice of decision before the furlough takes effect, stating whether the proposed furlough is sustained, modified, or withdrawn; any correction made to the assessment or retention standing; the effective date and expected duration not to exceed twelve (12) months; the effect on pay and benefits; the employee's placement on the reemployment list; and the employee's recall and appeal rights under subsection (h).

(7) Effective Date and Time Limitation. (A) Ninety-Day Period. The ninety (90) calendar-day period begins on the date of the Governor's declaration of fiscal emergency under subsection (d). The furlough shall take effect on the ninetieth (90th) calendar day, and in no event shall a furlough under this section take effect later than the ninetieth (90th) calendar day after the declaration. All actions required by paragraphs (1) through (6) shall be completed within that period. (B) Periods Fixed by This Section. The fifteen (15) calendar-day notice period and the seven (7) calendar-day response period afforded the employee by paragraph (4), and the fifteen (15) calendar-day grievance period under subsection (h), are fixed by this

section and shall not be shortened, waived, or abridged by Standard Operating Procedure or otherwise. (C) Time Limits Prescribed by Standard Operating Procedure. All other time limits under this subsection — including those governing the general notice under paragraph (2), the position and retention assessment and exemption certifications under paragraph (3) and subsection (f), the review and concurrence of the Office of Personnel Management, the issuance of the notice of proposed furlough under paragraph (4), and the management review and notice of decision under paragraphs (5) and (6) — shall be as prescribed in the Standard Operating Procedure adopted by the Office of Personnel Management under this subsection and subsection (k). Those time limits shall be set so that every action required by paragraphs (1) through (6) is completed, and the periods fixed by subparagraph (B) run in full, before the ninetieth calendar day, and shall be consistent with this chapter.

(h) Grievance. An employee who is not satisfied with the appointing authority's decision may grieve the furlough to the Civil Service Commission within fifteen (15) calendar days after receiving the final notice of decision. The appointing authority bears the burden of showing that it followed the procedures of this section.

(i) Retention Order. Employees shall be selected for furlough in inverse order of retention standing. Competing employees shall first be classified by tenure group and released in the order required by § 10-20.2-266 — Tenure Group III (limited-term and provisional appointments) first, then Tenure Group II (probationary appointments), then Tenure Group I (permanent employees) — and the next tenure group is reached only after the preceding group is exhausted; within each tenure group, employees are released in inverse order of retention standing, the employee with the lowest retention score being released first. Competition for retention is confined to employees in the same competitive area and the same competitive level. The competitive areas are the geographic areas established under § 10-20.2-264(a) — Saipan, Rota, Tinian, and the Northern Islands — and an employee competes for retention only against other employees in the same competitive area. Within that competitive area, an employee competes only against other employees in the same competitive level, meaning the same location, class, and pay level, in the same division. No employee shall be separated while an employee with lower retention standing in the same competitive level remains on furlough.

(j) Recall. Furloughed employees shall be recalled in order of retention standing as work or funds become available. A furlough does not extinguish the employee's classified status, accrued leave, or retention standing, all of which are preserved and restored upon recall.

(k) Implementing Procedure. The Office of Personnel Management may issue, amend, and administer implementing procedures, forms, and guidance necessary to carry out this section, provided they are consistent with this chapter and applicable law.



## CNMI CIVIL SERVICE COMMISSION

*Commonwealth Téel Falúw kka Efáng Ilól Marianas*

P.O. Box 5153 CHRB, Saipan, MP 96950-5153 • (670) 233-1606 • [www.cnmicsc.net](http://www.cnmicsc.net)

### ARONGORONGOL TOULAP

**Ppwommwol Liiwel ngáli Alléghúl me Mwóghutughutúl Personnel Service System  
Me  
CNMI Civil Service Commission**

**MÁNGEMÁNGIL MWÓGHUT REEL REBWE ADÓPTÁALI PPWOMMWOL LIIWEL NGÁLI ALLÉGHÚL ME MWÓGHUTUGHUTÚL PERSONNEL SERVICE SYSTEM ME CNMI CIVIL SERVICE COMMISSION:** Civil Service Commission me Commonwealth Téel Falúw kka Efáng Ilól Marianas ("Commission") re aronga toulap sáangi 1 CMC § 9104(a) reel Administrative Procedure Act bwe Civil Service Commission re tipáli rebwe aronga arongorongol liiwel ikka e amwirimwiritiw ngáli Alléghúl me Mwóghutughutúl Personnel Service System, NMIAC § 10-20.2, lemelemil "furlough" reel schóól angaang atol mille "declared fiscal emergency".

**KKAPASAL, WEEWEEL, MASAMASAL ME AUTOL IKKA E SCHUULONG:**

Ppwommwol mwóghutughut kkaal e amwóyló NMIAC § 10-20.2-257(f) me liiweli NMIAC § 10-20.2 ebwe ffat bwáángil Director of Personnels reel "furlough" atol mille re aronga bwe "fiscal emergency"

E ppasch autol ppwommwol liiwel kkaal ngáli arongorong yeel.

**BWÁNGIL:** Autol ppwommwol liiwel ikka e amwirimwiritiw aa átirow sáangi CNMI Civil Service Commission igha re yéélágh wóól **Elúwel 6, 2026**, CNMI Civil Service Commission re átirowa ppwommwol mwóghutughut sáangi **oloow** bota, me átirowa Chairperson reel ebwe aronga akkatééwowul mwóghutughut me arongorong yeel me Ilól Commonwealth Register ngáli Arongorong me Kkapas sáangi Administrative Procedure Act me átirowal sáangi Soulemelemil Allégh Lapalap sáangi 1 CMC § 2153(e). E yoor bwángil Civil Service Commission reel rebwe ayoora akkatééwowul mwóghutughut kkaal sáangi N.M.I Const. art XX; 1 CMC § 8116 (bwáángil me lemelemil Commission); 1 CMC § 8117 (Bwáángiir Commission rebwe ammwela allégh me mwóghutughut ikka e fil rebwe isiisiwow reel Civil Service Act, sáangi Administrative Procedure Act, 1 CMC §§ 9101 et seq.); me Chapter Authority reel NMIAC § 10-20.2 (Bwáángiir Commission reel fféerúl allégh reel Personnel Service System).

**AFAL REEL AMMWELIL ME AKKATÉÉWOWUL:** Ebwe akkatééwow Ppwommwol Mwóghutughut kkaal me llól Commonwealth Register llól táll Ppwommwol Mwóghutughut, 1 CMC § 9102(a)(1), me ebwe appaschetá llól civic center me bwal llól bwulasiyol gobetnameento llól senatorial district, fengál reel English me mwaliyaasch. 1 CMC § 9104(a)(1).

**REEL ISIISILONGOL KKPAS:** Aramas ngare schóó kka re mwuschel isiisilong ischil kkapas rebwe isch ngáli Ms. Teresa Borja, Executive Assistant, CNMI Civil Service Commission, sáangi ngare eew me leyil ikka e amwirimwiritiw: Email ngáli [staff@cnmicsc.net](mailto:staff@cnmicsc.net), ngare bwughiló reel Bwulasiyol Civil Service Commission iye e lo Springs Plaza, Gualo Rai, Seipél, fengál wóol subject line bwe "Comments on Proposed Amendments to Furlough Regulation."

CNMI Civil Service Commission  
P.O. Box 5153 CHRB, Saipan, MP 96950-5153  
Springs Plaza, Gualo Rai, Saipan  
Tel. (670) 233-1606  
Email: [staff@cnmicsc.net](mailto:staff@cnmicsc.net)

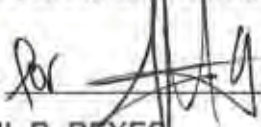
Ebwe isiisilong ischil kkapas llól eliigh ráal mwiril aal akkatééwow arongorong yeel.

Schóó kka re tipáli rebwe isiisilong data, views, ngare angilingi rebwe ischilong. Ebwal yoor yoongáli reel mille "oral hearing" rebwe aiti ngalugh ngare u tingór ngáli Commonwealth Legislature ngare eew sáangi aar commitees, ngare eew bwulasiyo, iye e weewe fengál me 1 CMC § 9104(a)(2). Commission rebwe amwuri alongal isch me mwalili ikka e isiisilong reel ppwommwol mwóghutughut kkaal.

Isáliyalong: 

Ráal: 8.6.26

**JOSEPH PATRICK FITIAL**  
Chairperson, CNMI Civil Service Commission

Bwughiyal: 

Ráal: 09/04/2026

**JEAN PAUL B. REYES**  
Governor's Special Assistant ngáli Administration

Ammwelil:  Ráal: 09.10.2026

**ESTHER R.M. SAN NICOLAS**  
Commonwealth Registrar

Sáangi 1 CMC § 2153 (e) me 1 CMC 9104(a)(3), ra takkal amwuri fishiyy ppwommwol mwóghutughut ikka e appasch me legal sufficiency sáangi Soulemelemil Allégh Lapalapal CNMI me ebwe akkatééwow sáangi 1 CMC § 2153(f).



**EDWARD MANIBUSAN**

Soulemelemil Allégh Lapalap

Ráál:

9/10/2026

## PROPOSED AMENDMENTS

### **Amendments to NMIAC §§ 10-20.2-257(f) and 10-20.2-267 — Furlough Authority During Fiscal Emergency**

#### **Amendment**

NMIAC § 10-20.2-257(f) is deleted and NMIAC § 10-20.2-267 is amended as set forth below. New language is shown bold and underlined; deleted language is shown in strikethrough; other existing language is reproduced for context.

A. Section 10-20.2-257(f) is deleted.

(f) Furlough. ~~A furlough is an action placing an employee in a non-duty and non-pay status because of lack of work or funds. It is an adverse action if for a period of thirty calendar days or less. Furloughs of more than thirty calendar days are reduction-in-force actions and shall be accomplished using reduction-in-force procedures. (See part 200, subpart E.) [Deleted.]~~

B. § 10-20.2-267 ~~Furlough and Separation~~ Furlough (Not to Exceed 12 Months)

(a) Furlough. A furlough is an action placing an employee in a non-duty and non-pay status because of lack of work or funds.

(b)(a) The ~~Personnel Officer~~ Director of Personnel may use furloughs not to exceed 12 months ~~for more than thirty (30) days~~ if there is reasonable assurance documented in a written determination and not by conclusory statement, that the employees furloughed will be returned to duty within the next twelve (12) months. ~~— the determination explaining, with supporting documentation, the expected restoration of revenue or funding and the basis for that expectation, the temporary nature of the shortfall, the funding projections relied upon, why the affected positions will remain necessary, and why permanent elimination of the positions through reduction-in-force is not appropriate at this time. During a declared fiscal emergency, and with the prior written concurrence of the Director of Personnel, an appointing authority may place an employee on furlough not to exceed twelve (12) months — as a furlough action under this section and not as a reduction-in-force action.~~ If there is reasonable doubt regarding the return to duty of furloughed employees, then the appointing authorities concerned must separate the employees found to be in excess of management's needs and proceed according to reduction-in-force procedures.

(c)(b) A combination of furlough and separation may be used to clear the rolls of excess employees, provided no employee is separated while furloughed employees with lower retention standing are kept in furlough status.

~~(c) Furlough for thirty days or less may be used for clearing the rolls temporarily, not to exceed thirty days when there is positive assurance that employees so furloughed can return to duty within the 30-day period. Adverse action procedures must be used to place an employee in furlough status for thirty days or less.~~

(d) Fiscal Emergency Defined. For purposes of this section, a "fiscal emergency" exists when the Governor, by executive directive, or other official act, identifies a revenue shortfall of such magnitude that it requires government-wide cost-reduction measures, including reductions in work hours, furloughs, or reductions in force.

(e) Financial Austerity Prerequisite. No furlough may be initiated unless the financial austerity measures of § 10-20.2-1101 have been triggered and documented as follows: (1) the Governor has issued a directive declaring the need for financial austerity measures affecting the Personnel Service System under § 10-20.2-1101; (2) the Civil Service Commission has announced the suspension of the pay-increase provisions of these regulations in the Commonwealth Register, triggering the operation of the § 10-20.2-1101 financial austerity measures; (3) the Departments/Activity Heads complies with § 1101 financial austerity measures and governor's directive for cost cutting measures; and (4) the Director of Personnel has issued the written reasonable-assurance-of-return finding required by NMIAC § 10-20.2-267(a) to departments and activity heads.

(f) Exemptions and Excluded Positions. Before a furlough selection roster is built, the appointing authority shall review all positions in the competitive area and determine which positions are exempt or excluded from furlough under this subsection.

(1) Critical Positions. A position may be exempted where the appointing authority determines it performs functions essential to the continuity of public health, public safety, constitutionally mandated services or functions — including functions necessary to preserve the legal authority and operational independence of a constitutional office or branch — statutorily or federally mandated services, or revenue collection;

(2) Federally Funded Positions. A position may be exempted where it is funded in whole or substantially by federal sources and placing the position on furlough would produce no general-fund savings, would result in the loss of federal funds, would violate the conditions of an underlying federal grant or cooperative agreement, or would interrupt an essential federally mandated program;

(3) Obligated Positions. A positions whose incumbents are temporarily absent on approved educational leave, temporary promotion, or detail, which shall not be placed in furlough competition until the incumbent returns to duty, consistent with § 10-20.2-265;

(4) Transfer of Function. Where all or a clearly identifiable segment of an entity's function is transferred to another continuing entity, each competing employee identified with the function shall be transferred to the

continuing entity without change in tenure of employment before any furlough is initiated, consistent with § 10-20.2-270;

(5) Certification and Concurrence. The appointing authority shall certify each claimed exemption to the Director of Personnel, which shall concur in the exemption or return the certification for further documentation. The assessment of critical positions under paragraph (1) and federally funded positions under paragraph (2), and the forms and content of the certification, shall be as prescribed in the Standard Operating Procedure adopted under subsection (k). Identification of a position as a critical position and federally funded positions does not render the position completely or permanently exempt from furlough; where a furlough is mandated by executive order or directive, or is required by the overall financial condition of the Commonwealth, a critical position or federally funded position may still be furloughed only upon a written determination by the appointing authority that the reduction will not prevent the agency from fulfilling its constitutional, statutory, federally mandated, or essential public functions.

(g) Furlough Procedure. A furlough is the placement of an employee in a temporary non-duty, non-pay status because of a lack of work or funds, with the expectation that the employee will return to duty. A furlough under this section shall be carried out as follows, and in accordance with the detailed furlough procedures adopted by the Office of Personnel Management in its Standard Operating Procedure, consistent with this chapter:

(1) Declaration. A furlough under this section may be initiated only after the Governor has declared the fiscal emergency and issued the directive and the prerequisites of subsection (e) have been met.

(2) General Notice. The appointing authority shall issue a general notice to all employees of the affected department or agency advising that furloughs may affect positions and employees, and offering employees the opportunity to volunteer for furlough during the notice period.

(3) Assessment Period. The appointing authority shall conduct the position and retention assessment division by division — assessing positions and computing each employee's retention standing within his or her own division rather than across the department or agency as a whole and submit the assessment to the Office of Personnel Management. The Office of Personnel Management shall review the assessment for compliance with this chapter and concur in writing or return it for correction. No employee shall be identified for furlough, and no notice of proposed furlough shall be issued, before the Director of Personnel concurs.

(4) Notice of Proposed Furlough and Opportunity to Respond. After the Office of Personnel Management concurs, the appointing authority shall identify the affected employees and give each a written notice of proposed furlough at least fifteen (15) calendar days before the proposed effective

date. The notice shall state the reason for the furlough, the employee's division, competitive area, competitive level, tenure group, and computed retention standing, the basis for selection, and the proposed effective date and expected duration not to exceed twelve (12) months. The employee shall have seven (7) calendar days from receipt of the notice to submit a written response, limited to: (A) an error in competitive area or competitive level; (B) an error in retention-point calculation or retention standing; (C) an error in tenure-group placement; (D) eligibility for an exemption under subsection (f); (E) that the furlough was not applied to the employee in good faith, in that the stated lack of work or funds was used as a pretext or the furlough was applied to the employee in an uneven or discriminatory manner; or (F) a failure to follow the procedures of this section. The response may not contest the appointing authority's determination that a lack of work or funds exists or the scope of the furlough, which are management decisions. If the employee does not submit a response within the seven (7) calendar-day period, management may proceed to the notice of decision at the close of that seven (7) calendar-day period, provided that the furlough shall not be effective until the fifteen (15) calendar-day notice period expires.

(5) Management Review and Re-Assessment. The appointing authority shall consider any timely response and shall verify the assessment and recompute the retention standing where the response identifies a possible error. If the review reveals an error in competitive area or level, retention calculation, tenure group, or exemption status, the appointing authority shall correct it and adjust the selection accordingly before issuing a decision.

(6) Notice of Decision. After completing the review, the appointing authority shall give the employee a written final notice of decision before the furlough takes effect, stating whether the proposed furlough is sustained, modified, or withdrawn; any correction made to the assessment or retention standing; the effective date and expected duration not to exceed twelve (12) months; the effect on pay and benefits; the employee's placement on the reemployment list; and the employee's recall and appeal rights under subsection (h).

(7) Effective Date and Time Limitation. (A) Ninety-Day Period. The ninety (90) calendar-day period begins on the date of the Governor's declaration of fiscal emergency under subsection (d). The furlough shall take effect on the ninetieth (90th) calendar day, and in no event shall a furlough under this section take effect later than the ninetieth (90th) calendar day after the declaration. All actions required by paragraphs (1) through (6) shall be completed within that period. (B) Periods Fixed by This Section. The fifteen (15) calendar-day notice period and the seven (7) calendar-day response period afforded the employee by paragraph (4), and the fifteen (15) calendar-day grievance period under subsection (h), are fixed by this

section and shall not be shortened, waived, or abridged by Standard Operating Procedure or otherwise. (C) Time Limits Prescribed by Standard Operating Procedure. All other time limits under this subsection — including those governing the general notice under paragraph (2), the position and retention assessment and exemption certifications under paragraph (3) and subsection (f), the review and concurrence of the Office of Personnel Management, the issuance of the notice of proposed furlough under paragraph (4), and the management review and notice of decision under paragraphs (5) and (6) — shall be as prescribed in the Standard Operating Procedure adopted by the Office of Personnel Management under this subsection and subsection (k). Those time limits shall be set so that every action required by paragraphs (1) through (6) is completed, and the periods fixed by subparagraph (B) run in full, before the ninetieth calendar day, and shall be consistent with this chapter.

(h) Grievance. An employee who is not satisfied with the appointing authority's decision may grieve the furlough to the Civil Service Commission within fifteen (15) calendar days after receiving the final notice of decision. The appointing authority bears the burden of showing that it followed the procedures of this section.

(i) Retention Order. Employees shall be selected for furlough in inverse order of retention standing. Competing employees shall first be classified by tenure group and released in the order required by § 10-20.2-266 — Tenure Group III (limited-term and provisional appointments) first, then Tenure Group II (probationary appointments), then Tenure Group I (permanent employees) — and the next tenure group is reached only after the preceding group is exhausted; within each tenure group, employees are released in inverse order of retention standing, the employee with the lowest retention score being released first. Competition for retention is confined to employees in the same competitive area and the same competitive level. The competitive areas are the geographic areas established under § 10-20.2-264(a) — Saipan, Rota, Tinian, and the Northern Islands — and an employee competes for retention only against other employees in the same competitive area. Within that competitive area, an employee competes only against other employees in the same competitive level, meaning the same location, class, and pay level, in the same division. No employee shall be separated while an employee with lower retention standing in the same competitive level remains on furlough.

(j) Recall. Furloughed employees shall be recalled in order of retention standing as work or funds become available. A furlough does not extinguish the employee's classified status, accrued leave, or retention standing, all of which are preserved and restored upon recall.

(k) Implementing Procedure. The Office of Personnel Management may issue, amend, and administer implementing procedures, forms, and guidance necessary to carry out this section, provided they are consistent with this chapter and applicable law.



## KUMISIÓN SITBISIUN SIBIT

*Commonwealth gi Sangkattan na Islas Mariñas*

P.O. Box 5153 CHRB, Saipan, MP 96950-5153 • (670) 233-1606 • [www.cnmicsc.net](http://www.cnmicsc.net)

### NUTISIAN PUPBLIKU

#### **Mapropoponi Tinilaika siha gi Areklamentu yan Regulasi3n Sisteman Sitbisiun Petson3t gi Kumisi3n Sitbisiun Sibit CNMI**

**I AKSI3N NI MA'INTENSIONA PARA U AD3PTA ESTI I MANMAPROPONI NA TINILAIKA SIHA GI AREKLAMENTU YAN REGULASI3N SISTEMAN SITBISIUN PETSON3T GI KUMISI3N SITBISIUN SIBIT IYA CNMI:** I Kumisi3n Sitbisiun Sibit giya Commonwealth gi Sangkattan na Islas Mariñas ("i Kumisi3n") ha na'fanunungu' guini i pupbliku sigun i 1 CMC § 0104(a) nu i 3ktun Administrative Procedure na i Kumisi3n Sitbisiun Sibit ha intensiona para u cho'gu' i mantin3ttiyl na tinilaika gi iyon-niha Areklamentu yan Regulasi3n Sisteman Sitbisiun Petson3t, NMIAC § 10-20.2, ha gubebietna i "furlough" nu implih3o siha gi dur3ntin i madikl3ra na "emergency" 3nu fisk3t.

#### **TEMA, SUST3NSIA, YAN DISKRIPSI3N NU I SUHETU NI MASUM3RIA YAN ASUNTU NI**

**TINEKKA:** Esti i maproponi na regulasi3n siha ha na'suha i NMIAC § 10-20.2-257(f) yan amenda i NMIAC § 10-20.2-267 para u klaruyi i 3turid3t Direkt3t Petson3t i "furlough" gi dur3nti i madikl3ra na "emergency" 3nu fisk3t.

I kumplidu na sinangan put i maproponi na tinilaika siha chechettun gi esti na nustisia.

**3TURID3T:** I sust3nsian i mantin3ttiyl mapropoponi na tinilaika ginin ma'aprueba ni i Kumisi3n Sitbisiun Sibit CNMI gi huntan pupbliku gi **Agostu 6, 2026**, i Kumisi3n Sitbisiun Sibit CNMI ha aprueba i maproponi na regulasi3n ni i **6** na bota, yan ma'3turisa i Kabesiyu para u pupblika i regulasi3n siha yan esti na nutisia gi halum Rehistran Commonwealth para Nutisia yan Upiñ3n sigun gi 3ktun Administrative Procedure yan para inaprueba ni i Hiner3t Abug3du sigun gi 1 CMC § 2153(e). I Kumisi3n Sitbisiun Sibit gai 3turid3t para u cho'gu' esti siha na regulasi3n sigun gi N.M.I. Const. art. XX; 1 CMC § 8116 (3turid3t yan ubligasi3n i Kumisi3n); 1 CMC § 8117 (aturid3t i Kumisi3n para u prip3ra rason3pbli na areklamentu yan regulasi3n siha para u k3tga huyung i 3ktun Sitbisiun Sibit, sigun gi 3ktun Administrative Procedure, 1 CMC §§ 9101

et seq.); yan i "Chapter Authority" nu NMIAC § 10-20.2 (aturidat fina'tinas areklamentu i Kumisión gumubietna i Sisteman Sitbisiun Petsonat).

**DIREKSÍON SIHA PARA U MAPO'LU YAN MAPUPBLIKA:** Esti i Maproponi na Regulasi6n siha siempre mapupblika gi halum Rehistran Commonwealth gi halum seksiona gi Maproponi na Regulasi6n siha, 1 CMC § 9102(a)(1), yan mapega gi halum kumbinienti na lugat siha gi halum "civic center" yan gi halum ufisinan gubietnamentu gi kada distritun senadot, parehu Inglis yan i prinsipat na lingguahin natibu. 1 CMC § 9104(a)(1).

**PARA U MAPRIBENIYI UPIÑON SIHA:** I pitsona siha yan pat atyu i malagu manna'halum upiñon siha debi di u macho'gui gi tinigi' para guatu as Siñorita Teresa Borja, Ayudantin Eksakatibu, Kumisión Sitbisiun Sibit CNMI, gi unu na tinattiyi na manera: Email guatu gi [staff@cnmicsc.net](mailto:staff@cnmicsc.net), pat intrega halum gi Ufisinan Kumisión Sitbisiun Sibit CNMI ni gaigi gi Springs Plaza, Gualo Rai, Saipan, yan i suhetu gi raya "Upiñon siha gi Manmaproponi na Tinilaika gi Regulasi6n Furlough."

CNMI Civil Service Commission  
P.O. Box 5153 CHRB, Saipan, MP 96950-5153  
Springs Plaza, Gualo Rai, Saipan  
Tel. (670) 233-1606  
Email: [staff@cnmicsc.net](mailto:staff@cnmicsc.net)

Todu i tinigi' upiñon siha debi na u fanhalum gi halum trenta (30) dihas dispues di publikasi6n nu esti na nutisia.

Todu i manintires na pitsona manmaná'i rasonapbli na uputunidat para u fan na'halum imfutmasi6n, upiñon, pat agumentu siha gi tinigi'. Guaha uputunidat para huntan inekkunguk siempre maná'i yanggin marikuesta ginin i Lehislaturan Commonwealth pat unu gi iyon-niha kumite, pat ginin i "government subdivision" pat ahensia, sigun yan i 1 CMC § 9104(a)(2). I Kumisión siempre ha kunsidera todú i tinigi' yan sinangan ni mana'halum kon respetu i maproponi na regulasi6n siha.

Nina'halum as: 

Fetcha: 8.6.2026

**JOSEPH PATRICK FITIA**  
Kabeslyu, Kumisión Sitbisiun Sibit CNMI

Rinisibi as: 

Fetcha: 09/04/2026

**JEAN PAUL B. REYES**  
Ispisiat na Ayudanti para i Atministrasi6n Gubietnamentu

Pine'lu yan

Ninota as:



Fetcha:

09.10.2026

**ESTHER R.M. SAN NICOLAS**

Rehistran Commonwealth

Sigun i 1 CMC § 2153(e) yan i 1 CMC § 9104(a)(3) i manmaproponi na regulasi6n siha ni mañechettun guini ni manmaribisa yan manma'aprueba kumu fotma yan sufisienti ligat ginin i Abugadu Hinerat CNMI yan debi na u mapupblika, 1 CMC § 2153(f).



Fetcha:

9/10/2026

**EDWARD MANIBUSAN**

Hinerat Abugadu

## PROPOSED AMENDMENTS

### Amendments to NMIAC §§ 10-20.2-257(f) and 10-20.2-267 — Furlough Authority During Fiscal Emergency

#### Amendment

NMIAC § 10-20.2-257(f) is deleted and NMIAC § 10-20.2-267 is amended as set forth below. New language is shown bold and underlined; deleted language is shown in strikethrough; other existing language is reproduced for context.

A. Section 10-20.2-257(f) is deleted.

(f) Furlough. ~~A furlough is an action placing an employee in a non-duty and non-pay status because of lack of work or funds. It is an adverse action if for a period of thirty calendar days or less. Furloughs of more than thirty calendar days are reduction-in-force actions and shall be accomplished using reduction-in-force procedures. (See part 200, subpart E.) [Deleted.]~~

B. § 10-20.2-267 ~~Furlough and Separation~~ Furlough (Not to Exceed 12 Months)

(a) Furlough. A furlough is an action placing an employee in a non-duty and non-pay status because of lack of work or funds.

(b)(a) The ~~Personnel Officer~~ Director of Personnel may use furloughs not to exceed 12 months ~~for more than thirty (30) days~~ if there is reasonable assurance documented in a written determination and not by conclusory statement, that the employees furloughed will be returned to duty within the next twelve (12) months: ~~— the determination explaining, with supporting documentation, the expected restoration of revenue or funding and the basis for that expectation, the temporary nature of the shortfall, the funding projections relied upon, why the affected positions will remain necessary, and why permanent elimination of the positions through reduction-in-force is not appropriate at this time. During a declared fiscal emergency, and with the prior written concurrence of the Director of Personnel, an appointing authority may place an employee on furlough not to exceed twelve (12) months — as a furlough action under this section and not as a reduction-in-force action.~~ If there is reasonable doubt regarding the return to duty of furloughed employees, then the appointing authorities concerned must separate the employees found to be in excess of management's needs and proceed according to reduction-in-force procedures.

~~(c)(b)~~ A combination of furlough and separation may be used to clear the rolls of excess employees, provided no employee is separated while furloughed employees with lower retention standing are kept in furlough status.

~~(c) Furlough for thirty days or less may be used for clearing the rolls temporarily, not to exceed thirty days when there is positive assurance that employees so furloughed can return to duty within the 30-day period. Adverse action procedures must be used to place an employee in furlough status for thirty days or less.~~

(d) Fiscal Emergency Defined. For purposes of this section, a "fiscal emergency" exists when the Governor, by executive directive, or other official act, identifies a revenue shortfall of such magnitude that it requires government-wide cost-reduction measures, including reductions in work hours, furloughs, or reductions in force.

(e) Financial Austerity Prerequisite. No furlough may be initiated unless the financial austerity measures of § 10-20.2-1101 have been triggered and documented as follows: (1) the Governor has issued a directive declaring the need for financial austerity measures affecting the Personnel Service System under § 10-20.2-1101; (2) the Civil Service Commission has announced the suspension of the pay-increase provisions of these regulations in the Commonwealth Register, triggering the operation of the § 10-20.2-1101 financial austerity measures; (3) the Departments/Activity Heads complies with § 1101 financial austerity measures and governor's directive for cost cutting measures; and (4) the Director of Personnel has issued the written reasonable-assurance-of-return finding required by NMIAC § 10-20.2-267(a) to departments and activity heads.

(f) Exemptions and Excluded Positions. Before a furlough selection roster is built, the appointing authority shall review all positions in the competitive area and determine which positions are exempt or excluded from furlough under this subsection.

(1) Critical Positions. A position may be exempted where the appointing authority determines it performs functions essential to the continuity of public health, public safety, constitutionally mandated services or functions — including functions necessary to preserve the legal authority and operational independence of a constitutional office or branch — statutorily or federally mandated services, or revenue collection;

(2) Federally Funded Positions. A position may be exempted where it is funded in whole or substantially by federal sources and placing the position on furlough would produce no general-fund savings, would result in the loss of federal funds, would violate the conditions of an underlying federal grant or cooperative agreement, or would interrupt an essential federally mandated program;

(3) Obligated Positions. A positions whose incumbents are temporarily absent on approved educational leave, temporary promotion, or detail, which shall not be placed in furlough competition until the incumbent returns to duty, consistent with § 10-20.2-265;

(4) Transfer of Function. Where all or a clearly identifiable segment of an entity's function is transferred to another continuing entity, each competing employee identified with the function shall be transferred to the

continuing entity without change in tenure of employment before any furlough is initiated, consistent with § 10-20.2-270;

(5) Certification and Concurrence. The appointing authority shall certify each claimed exemption to the Director of Personnel, which shall concur in the exemption or return the certification for further documentation. The assessment of critical positions under paragraph (1) and federally funded positions under paragraph (2), and the forms and content of the certification, shall be as prescribed in the Standard Operating Procedure adopted under subsection (k). Identification of a position as a critical position and federally funded positions does not render the position completely or permanently exempt from furlough; where a furlough is mandated by executive order or directive, or is required by the overall financial condition of the Commonwealth, a critical position or federally funded position may still be furloughed only upon a written determination by the appointing authority that the reduction will not prevent the agency from fulfilling its constitutional, statutory, federally mandated, or essential public functions.

(g) Furlough Procedure. A furlough is the placement of an employee in a temporary non-duty, non-pay status because of a lack of work or funds, with the expectation that the employee will return to duty. A furlough under this section shall be carried out as follows, and in accordance with the detailed furlough procedures adopted by the Office of Personnel Management in its Standard Operating Procedure, consistent with this chapter:

(1) Declaration. A furlough under this section may be initiated only after the Governor has declared the fiscal emergency and issued the directive and the prerequisites of subsection (e) have been met.

(2) General Notice. The appointing authority shall issue a general notice to all employees of the affected department or agency advising that furloughs may affect positions and employees, and offering employees the opportunity to volunteer for furlough during the notice period.

(3) Assessment Period. The appointing authority shall conduct the position and retention assessment division by division — assessing positions and computing each employee's retention standing within his or her own division rather than across the department or agency as a whole and submit the assessment to the Office of Personnel Management. The Office of Personnel Management shall review the assessment for compliance with this chapter and concur in writing or return it for correction. No employee shall be identified for furlough, and no notice of proposed furlough shall be issued, before the Director of Personnel concurs.

(4) Notice of Proposed Furlough and Opportunity to Respond. After the Office of Personnel Management concurs, the appointing authority shall identify the affected employees and give each a written notice of proposed furlough at least fifteen (15) calendar days before the proposed effective

date. The notice shall state the reason for the furlough, the employee's division, competitive area, competitive level, tenure group, and computed retention standing, the basis for selection, and the proposed effective date and expected duration not to exceed twelve (12) months. The employee shall have seven (7) calendar days from receipt of the notice to submit a written response, limited to: (A) an error in competitive area or competitive level; (B) an error in retention-point calculation or retention standing; (C) an error in tenure-group placement; (D) eligibility for an exemption under subsection (f); (E) that the furlough was not applied to the employee in good faith, in that the stated lack of work or funds was used as a pretext or the furlough was applied to the employee in an uneven or discriminatory manner; or (F) a failure to follow the procedures of this section. The response may not contest the appointing authority's determination that a lack of work or funds exists or the scope of the furlough, which are management decisions. If the employee does not submit a response within the seven (7) calendar-day period, management may proceed to the notice of decision at the close of that seven (7) calendar-day period, provided that the furlough shall not be effective until the fifteen (15) calendar-day notice period expires.

(5) Management Review and Re-Assessment. The appointing authority shall consider any timely response and shall verify the assessment and recompute the retention standing where the response identifies a possible error. If the review reveals an error in competitive area or level, retention calculation, tenure group, or exemption status, the appointing authority shall correct it and adjust the selection accordingly before issuing a decision.

(6) Notice of Decision. After completing the review, the appointing authority shall give the employee a written final notice of decision before the furlough takes effect, stating whether the proposed furlough is sustained, modified, or withdrawn; any correction made to the assessment or retention standing; the effective date and expected duration not to exceed twelve (12) months; the effect on pay and benefits; the employee's placement on the reemployment list; and the employee's recall and appeal rights under subsection (h).

(7) Effective Date and Time Limitation. (A) Ninety-Day Period. The ninety (90) calendar-day period begins on the date of the Governor's declaration of fiscal emergency under subsection (d). The furlough shall take effect on the ninetieth (90th) calendar day, and in no event shall a furlough under this section take effect later than the ninetieth (90th) calendar day after the declaration. All actions required by paragraphs (1) through (6) shall be completed within that period. (B) Periods Fixed by This Section. The fifteen (15) calendar-day notice period and the seven (7) calendar-day response period afforded the employee by paragraph (4), and the fifteen (15) calendar-day grievance period under subsection (h), are fixed by this

section and shall not be shortened, waived, or abridged by Standard Operating Procedure or otherwise. (C) Time Limits Prescribed by Standard Operating Procedure. All other time limits under this subsection — including those governing the general notice under paragraph (2), the position and retention assessment and exemption certifications under paragraph (3) and subsection (f), the review and concurrence of the Office of Personnel Management, the issuance of the notice of proposed furlough under paragraph (4), and the management review and notice of decision under paragraphs (5) and (6) — shall be as prescribed in the Standard Operating Procedure adopted by the Office of Personnel Management under this subsection and subsection (k). Those time limits shall be set so that every action required by paragraphs (1) through (6) is completed, and the periods fixed by subparagraph (B) run in full, before the ninetieth calendar day, and shall be consistent with this chapter.

(h) Grievance. An employee who is not satisfied with the appointing authority's decision may grieve the furlough to the Civil Service Commission within fifteen (15) calendar days after receiving the final notice of decision. The appointing authority bears the burden of showing that it followed the procedures of this section.

(i) Retention Order. Employees shall be selected for furlough in inverse order of retention standing. Competing employees shall first be classified by tenure group and released in the order required by § 10-20.2-266 — Tenure Group III (limited-term and provisional appointments) first, then Tenure Group II (probationary appointments), then Tenure Group I (permanent employees) — and the next tenure group is reached only after the preceding group is exhausted; within each tenure group, employees are released in inverse order of retention standing, the employee with the lowest retention score being released first. Competition for retention is confined to employees in the same competitive area and the same competitive level. The competitive areas are the geographic areas established under § 10-20.2-264(a) — Saipan, Rota, Tinian, and the Northern Islands — and an employee competes for retention only against other employees in the same competitive area. Within that competitive area, an employee competes only against other employees in the same competitive level, meaning the same location, class, and pay level, in the same division. No employee shall be separated while an employee with lower retention standing in the same competitive level remains on furlough.

(j) Recall. Furloughed employees shall be recalled in order of retention standing as work or funds become available. A furlough does not extinguish the employee's classified status, accrued leave, or retention standing, all of which are preserved and restored upon recall.

(k) Implementing Procedure. The Office of Personnel Management may issue, amend, and administer implementing procedures, forms, and guidance necessary to carry out this section, provided they are consistent with this chapter and applicable law.



Commonwealth of the Northern Mariana Islands  
Office of the Governor  
**DEPARTMENT OF PUBLIC LANDS**



**PUBLIC NOTICE OF PROPOSED AMENDMENTS  
TO THE LANDING AND USER FEE PROVISION OF THE  
COMMERICAL USE OF MANAGAHA ISLAND RULES AND REGULATIONS**

**NOTICE OF INTENDED ACTION:** The Commonwealth of the Northern Mariana Islands, Office of the Governor, Department of Public Lands (DPL) intends to amend the Commercial User of Managaha Island Rules and Regulations pursuant to the procedures of the Administrative Procedure Act (APA), 1 CMC § 9104(a). The proposed amendments will increase the Landing and User Fee to at least \$20.00 per tourist landing on the Island, and will expressly authorize DPL to expend the fee for reasonable and necessary costs of work on Managaha, including personnel expenses.

**AUTHORITY:** These amendments are promulgated under the authority of DPL pursuant to 1 CMC § 2806 to develop administrative policies, procedures, and controls related to public land.

**TERMS AND SUBSTANCE:** NMIAC § 145-30-210(b) currently provides that the landing and user fee shall be at least \$10.00 (ten dollars) per tourist landing on the Island adjusted upwards for inflation using the US CPI index every five years. DPL finds that an upward adjustment is necessary to ensure adequate funding for the maintenance, safety, cleanliness, and infrastructure recovery of Managaha Island, as these fees are used exclusively for the Island's upkeep and improvements.

In addition, NMIAC 145-30-210(f) currently allows DPL to use the fee for reimbursements for cost of the construction, maintenance, repair, and/or upkeep of the improvements, infrastructure, pier, appearance, safety, and cleanliness of Managaha Island. From time to time, DPL directly performs these activities on Managaha Island. DPL finds that a revision is needed to expressly authorize DPL to expend the fee for its reasonable and necessary costs of such work on Managaha, including costs of DPL employees for time spent performing such work.

**CITATION OF AFFECTED REGULATIONS:** The proposed amendment will revise existing regulatory language in the following regulation:

NMIAC § 145-30-210      Collection of Landing and User Fees

**DIRECTIONS FOR FILING AND PUBLICATION:** The proposed amendment shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations (1 CMC § 9201(a)(1)) and posted in convenient places in the civic center and in local governmental offices in each senatorial district, both in English and in the principal vernacular (1 CMC § 9104(a)(1)).

P.O. Box 500380, Saipan, MP 96950 • 2<sup>nd</sup> Floor, Joeten Dandan Commercial Building  
Website: [www.dpl.gov.mp](http://www.dpl.gov.mp) • E-mail: [dpl@dpl.gov.mp](mailto:dpl@dpl.gov.mp) • Facebook: [www.facebook.com/DplCnmi](https://www.facebook.com/DplCnmi)  
Tel: (670) 234-3751/52/53/54 • Fax: (670) 234-3755

**COMMENTS:** Interested parties may submit written comments on the proposed amendments to Sixto K. Igisomar, Secretary of the Department of Public Lands, to the following address, fax, or email address, with the subject line "Proposed Amendments to the Managaha Island Landing and User Fees":

DEPARTMENT OF PUBLIC LANDS  
PO Box 500380, Saipan, MP 96950  
Fax: (670) 234-3755  
Email: [dpl@dpl.gov.mp](mailto:dpl@dpl.gov.mp)

Comments are due within thirty (30) calendar days from the date of publication of this notice. 1 CMC § 9104(a)(2).

Submitted by:   
SIXTO K. IGISOMAR  
Secretary, DPL

09/11/26  
Date

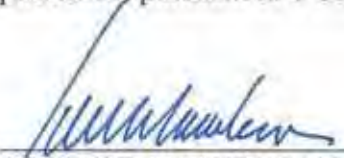
Received by:   
JEAN PAUL B. REYES  
Special Assistant for Administration

9.14.2024  
Date

Filed and  
Recorded by:   
ESTHER R.M. SAN NICOLAS  
Commonwealth Registrar

09.15.2026  
Date

Pursuant to 1 CMC § 2153(e) and 1 CMC § 9104(a)(3), the proposed amendments attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published, pursuant to 1 CMC § 2153(f).

  
EDWARD MANIBUSAN  
Attorney General

9/15/2026  
Date

## Part 200 – The Managaha Pier

### § 145-30-210 Collection of Landing and User Fees

- (a) The Department or its designee shall charge a landing and user fee from all tourists arriving on the Island.
- (b) The landing and user fee shall be at least ~~\$10.00~~\$20.00 (~~ten~~twenty dollars) per tourist landing on the Island adjusted upwards for inflation using the US CPI index every five years.
- (c) The Department or its designee shall be responsible for collecting the daily landing and user fees and recording the number of passengers landed by each boat and tour operator on the Island. These records shall contain issuance of receipts by DPL to visiting tourists, private boats, and tour operators. The Department shall be responsible for depositing the landing and user fees on its banking account.
- (d) There shall not be an extra charge for multiple landings of a tourist if occurring in a single day provided that the visitor presents dated proof of receipt upon reentry.
- (e) A systematic method of collection of the fees on a monthly basis shall be developed by the Department. Boat and tour operators may be billed for collection by DPL on a monthly basis.
- (f) The landing and user fees shall be used only for ~~reimbursements for~~reasonable and necessary costs of the construction, maintenance, repair, and/or upkeep of Managaha Island and its~~the~~ improvements, infrastructure, pier, appearance, safety, and cleanliness ~~of Managaha Island~~. Such costs may include reimbursements to the Concessionaire, and may include salaries, wages, benefits, overtime, and other personnel costs of Department employees to the extent reasonably attributable to time spent performing or directly supporting such activities on Managaha Island. All revenue unused by DPL by the end of fiscal year shall be remitted to the Marianas Public Land Trust (MPLT). The landing and user fees shall be reviewed annually to ensure that it is used only for the purposes expressed herein above.
- (g) All fees and charges payable under the regulations in this chapter shall be paid when they are incurred or, with the prior written consent of DPL, within thirty days of demand thereof. In the event that such fees and charges are not paid within thirty days of demand, such fees and charges shall bear interest at the rate of 12% per annum from the date that the demand was made; and in addition, all costs of collection, including attorney fees, shall be paid to DPL or its designee.



Commonwealth gi Sangkattan na Islas Mariáñas  
Ufisinan Gubietnu  
**DIPÁTTAMENTUN TANU' PUPBLIKU**



**NUTISIAN PUPBLIKU PUT I MANMAPROPONI NA TINILAIKA SIHA  
GI PRUBENSIÓN ÁPAS "LANDING" YAN "USER" NU I USUN KUMISIÁT GI  
AREKLAMENTU YAN REGULASIÓN ISLAN MAÑAGÁHA**

**NUTISIAN I AKSION NI MA'INTENSIONA:** I Dipáttamentun Tanu' Pupbliku ("i DPL) gi pápa' i Ufisinan Gubietnu giya Commonwealth gi Sangkattan Siha na Islas Mariáñas, ha intensiona para u amenda i Areklamentu yan Regulasió n i Usun Kumisiát nu Isla Mañagáha sigun gi maneran i Ákton Administrative Procedure (APA), 1 CMC §9104(a). I maproponi na tinilaika siha siempri inaomenta i ápas "Landing" yan User" gi maseha \$20.00 para kada pasaheru ni máttu gi Isla, yan siempri ha áturisa i DPL para u gásta i ápas para rasonápbli yan nisissáriu na kosta nu cho'chu' gi Mañagáha, ingklusu i kostan pitsonát siha.

**ÁTURIDÁT:** Esti na tinilaika siha manmaho'gui gi pápa' áturidát i Dipáttamentun Tanu' Pupbliku sigun gi 1 CMC § 2806 para u díbelop i areklamentun "administrative", minanera siha, yan gubietna i manasosiát gi tanu' pupbliku.

**I TEMA YAN SUSTANSIAN I PALÁBRA SIHA:** I NMIAC § 145-30-210(b) gi presentí mamprubebeni na i ápas "landing" yan "user" debí dí maseha \$10.00 (dies pesos) para kada pasaheru máttu gi isla ma'ahusta hulu' para "inflation" ma'u'usa i "US CPI index" kada singku áñus. I DPL ha sodda' na i ma'ahusta hulu' nisissáriu para u na'siguru na sufisienti i fondu para i minantieni, sáfu', ginásgás, yan ripehan istruktura nu Islan Mañagáha, komu esti siha na ápas manma'usa ha' para i minantienin yan adilánta nu i isla.

Yan más, i NMIAC 145-30-210(f) gi presentí ha sedi i DPL para u usa i ápas para apásin kosta nu i kunstruksió n, inarekla, ripehan, yan/pat minantieni nu i inadilanta siha, istruktura, pantalán, atanon, sináfu', yan ginásgás i Islan Mañagáha. Gi tiempu asta ottru tiempu, i DPL siha mismu chumo'gui esti siha na aktibidát gi Islan Mañagáha. I DPL ha sodda' na i tinilaika manisissita para u macho'gui i ma'aturisá-ña i DPL para u ma'usa i ápas para iyon-ñiha rasonápbli yan nisissáriu na kosta na klásin cho'chu' gi Mañagáha, kuntodu i kosta nu impli'áo DPL siha para i tiempu magásta manmaho'gui na cho'chu'.

**SITASIÓN I MANINAFEKTA NA REGULASIÓN SIHA:** I maproponi na tinilaika siha siempri rinibisa i maneksissisti na finu' regulatori gi halum tináttitiyi na regulasió n siha:

NMIAC § 145-30-210 Kuleksió n Ápas Landing yan User

**DIREKSION PARA I PINE'LU YAN I PUPBLIKASION:** I manmaproponi na tinilaika siha debí na u mapupblika gi halum i Rehistran Commonwealth gi halum i seksiona ni manmaproponi yan i mannuebu ma'adápta na regulasió n siha (1 CMC § 9102(a)(1)) yan esti na nutisia debí na u mapega gi halum kumbinienti na lugát siha giya i civic center yan gi halum ufisinan gubietnu gi kada distritun senatorial, parehu Inglés yan i dos na lingguáhin natibu, (1 CMC § 9104(a)(1)).

**UPIÑON SIHA:** I manintires na pattida siña intrega i upiñon siha gi manmaproponi na tinilaika siha guatu as Sixto K. Igisomar, i Sekretáriu gi Dipáttamentun Tanu' Pupbliku, gi tinátti'i na address, fax pat email address yan i suhetu na rāya "Manmaproponi nā Tinilaika siha gi Āpas Landing yan User Islan Mañagāha".

DEPARTMENT OF PUBLIC LANDS  
PO Box 500380, Saipan, MP 96950  
Fax: (670) 234-3755  
Email: [dpl@dpl.gov.mp](mailto:dpl@dpl.gov.mp)

I upiñon siha debi na u hálum gi halum trenta (30) dihas ginin esti na nutisian pupplikasion. (I CMC § 9104(a)(2)).

Nina'hálum as:

  
SIXTO K. IGISOMAR  
Sekritáriu, DPL

09/11/2026  
Fetcha

Rinisibi yan  
pine'lu as:

  
JEAN PAUL B. REYES  
Ispisiát Na Ayudanti Para I Atministrasiòn

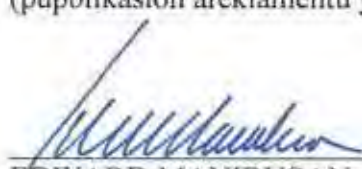
9.14.2026  
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Pine'lu yan  
Ninota as:

  
ESTHER R.M. SAN NICOLAS  
Rehistran Commonwealth

09.15.2026  
Fetcha

Sigun i 1 CMC § 2153(e) (I Abugádu Henerát ha aprueba i regulasion siha na para u macho'gui kumu fotma) yan i 1 CMC § 9104(a)(3) (hentan inaprueban Abugádu Henerát) i manmaproponi na regulasion siha ni mañechettun guini ni manmaribisa yan manma'aprueba kumu fotma yan sufisienti ligát ginen i CNMI Abugádu Henerát yan debi na u mapupblika, 1 CMC § 2153(f) (pupplikasion areklamentu yan regulasion siha).

  
EDWARD MANIBUSAN  
Abugádu Henerát

9/15/2026  
Fetcha



Commonwealth Téel Falúw kka Efáng Ilól Marianas  
Bwulasiyol Soulemelem  
**BWULASIYOL AMMWELIL FALUWEER TOULAP**



**ARONGORONGOL TOULAP REEL MÁNGEMÁNGIL LIHWELIL  
SÁNGI “THE LANDING AND USER FEE PROVISION OF THE  
COMMERCIAL USE OF” GHALAGHAAL ALLÉGH ME MWÓGHUTUGHUT**

**ARONGORONG REEL MÁNGEMÁNGIL MWÓGHUTUGHUT:** Commonwealth Téel Falúw kka Efáng Ilól Marianas, Bwulasiyol Gobenno, Department of Public Lands (DPL) re mwuschel ayóórya liiwel sengi Allégh me Mwóghutughutul “Commercial User of” Ghalaghaal kka tabweey mwóghutughutul Administrative Procedure Act (APA), 1 CMC § 9104(a), Mwóghutughut kka re mángimáangi nge ebwe sárághi “Landing and User Fee” ngáli \$20.00 “per tourist” kka re toori Ghalaghaal, me ebwe ngaléey DPL lemelem bwe ebwe sárághi méél reel ghal aar legheleghiyy Ghalaghaal, me bwal “personnel expenses”.

**BWÁNGIL:** Liiwel kka nge re akkatééwow faal bwángil Department of Public Lands nge bwal attabweey 1 CMC § 2806 le fféer “administrative policies”, mwóghutughut, me lemelem sáangi “public land”.

**KKAPASAL ME AWEWEEL:** NMIAC § 145-30-210(b) e ira bwe “landing and user fee” nge bwe \$10.00 (ten dollars) “per tourist” kka re toori Ghalaghaal nge bwe “adjusted” reel “inflation” reel yááyál “US CPI index” kkada liim-ráagh. DPL e schuungi bwe e nisisita liiwel kke bwe ebwe pileey bwe ebwe yóór selaapi’al legheleghil Ghalaghaal, alongal “fees” káál nge bwe mwet ngáli legheleghil Ghalaghaal.

Me bwal, NMIAC 145-30-210(f) e lighiti ngáli DPL bwe ebwe yááli “fee” reel “reimbursements” reel óbwóssuul “construction”, “repair”, “and/or upkeep of the improvements”, “infrastructure”, pantalaan, ammwel me lleghelghil Ghalaghaal. Eyóór igha, DPL e fféerú mille kkaáy. DPL e schuungi bwe e nisista éew liiwel bwe ebwe ngálleey DPL lemelem bwe ebwe ayóóra “fee” reel “reasonable and necessary costs” reel aar angaang wóól Ghalaghaal, me bwal méél tempol DPL “employees” reel aar kke fféerú aar angaang.

**ABWETCH REEL IKKA E ANNGAWA MWÓGHUTUGHUT:** Liiwel kka rebwe fféer nge ebwe weliló tittillapal féerul mwóghutughut kka:

NMIAC § 145-30-210      Collection of Landing and User Fees

**AFAL REEL AMMWELIL ME AKKATÉÉWOWUL:** Arongorongol mángemángel mwóghut nge bwe akkatééwow me Ilól “Commonwealth Register” reel leeliyál mil ffé me mángemángel mwóghut (1 CMC § 9104 (a)(1) meebwe appaschetá Ilól “civic center” me bwal Ilól bwulasiyol gobetnameento Ilól “senatorial district”, fengál reel “English” me mwáliyaasch (1 CMC § 9104 (a)(1)).

**KKAPAS:** Schóó kka re tipáli rebwe isiisilong ischil kkapas wóól ppwomwol liiwel kkaal rebwe afanga ngáli Sixto K. Igisomar, “Secretary of the Department of Public Lands”, reel féféféel iye lo, “fax”, ngere

P.O. Box 500380, Saipan, MP 96950 • 2<sup>nd</sup> Floor, Joeten Dandan Commercial Building  
Website: [www.dpl.gov.mp](http://www.dpl.gov.mp) • E-mail: [dpl@dpl.gov.mp](mailto:dpl@dpl.gov.mp) • Facebook: [www.facebook.com/DplCnmi](https://www.facebook.com/DplCnmi)  
Tel: (670) 234-3751/52/53/54 • Fax: (670) 234-3755

“email address”, fengál wóól “subject line” bwe “Proposed Amendments to the Managaha Island Landing and User Fees”:

DEPARTMENT OF PUBLIC LANDS  
PO Box 500380, Saipan, MP 96950  
Fax: (670) 234-3755  
Email: [dpl@dpl.gov.mp](mailto:dpl@dpl.gov.mp)

Ebwe toolong kkapas eliigh (30) ráál mwiril aal akkatééwow arongorong yeel. 1 CMC § 9104(a)(2).

Isaliyalong:

  
SIXTO K. IGISOMAR  
Sekketóóriyo, DPL

09/11/2026  
Ráál

Bwughiyal:

  
JEAN PAUL B. REYES  
Special Assistant ngáli Administration

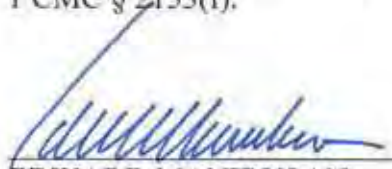
9.14.2026  
Ráál

Ammwelil:

  
ESTHER R.M. SAN NICOLAS  
Commonwealth Registrar

09.15.2026  
Ráál

Sángi 1 CMC § 2153(e) and 1 CMC § 9104(a)(3), mángemángil liiwel sengi “Administrative Hearing Procedure Rules and Regulations” kka appasch nge ra takkal amwuri fischiiy me átirowa bwe aa fil reel fféerúl me “legal sufficiency” sângi Soulemelemil Allégh Lapalapal CNMI, me ebwe akkatééwow, sângi 1 CMC § 2153(f).

  
EDWARD MANIBUSAN  
Soulemelemil Allégh Lapalap

9/15/2026  
Ráál



Commonwealth of the Northern Mariana Islands  
Office of the Governor  
**DEPARTMENT OF PUBLIC LANDS**



**PUBLIC NOTICE OF PROPOSED AMENDMENTS  
TO THE TEMPORARY OCCUPANCY RULES AND REGULATIONS  
TO REVISE THE BASE RENT PROVISIONS FOR PUBLIC LAND LEASES**

**NOTICE OF INTENDED ACTION:** The Commonwealth of the Northern Mariana Islands, Office of the Governor, Department of Public Lands (DPL) intends to amend the Temporary Occupancy Rules and Regulations pursuant to the procedures of the Administrative Procedure Act (APA), 1 CMC § 9104(a), to revise the base rent provisions for new leases and matured leases under NMIAC § 145-70-110(e).

**AUTHORITY:** These amendments are promulgated under the authority of the Department of Public Lands pursuant to 1 CMC § 2806 to develop administrative policies, procedures, and controls related to public land.

**TERMS AND SUBSTANCE:** The Temporary Occupancy Rules and Regulations currently provide that it is the policy of DPL to collect at least 5% of a property's value each year as base rent for new leases, and to collect up to 3% of a property's value determined by a formula set by the regulation for matured leases. DPL finds that current market conditions — characterized by severely reduced visitor arrivals, limited air service, low hotel occupancy, multiple vacant or non-performing hotel properties already in the public lands inventory (including the former Rota Resort and former Kanoa Resort), and RFPs that have failed or drawn no qualified responders — demonstrate that the existing 5% requirement for new leases and the 3% requirement for matured leases with a 1.5% floor are no longer realistic. The significant number of vacant public land properties and the cost to DPL of maintaining those properties (including lost rent, security, basic maintenance, insurance, and asset deterioration) is real and ongoing, and prolonged vacancy diminishes both the present value of the revenue stream and the long-term value of the public land asset itself. These amendments will revise the base rent for new leases from 5% to 3% of a property's value, and revise the base rent for matured leases from 3% to up to 2.0% of a property's value determined by formula and revise the floor from 1.5% to 1.0% (unless there is reasonable justification for a lower rate).

In addition, the regulations currently require properties to be reappraised and basic rent to be adjusted to the then-current fair market value based on the updated appraisal every five years during the lease term, and do not consistently address whether the basic rent in a successive five-year period may be less than the rent in the current five-year period. DPL finds that basic rent based on a reappraisal should be adjusted either upward or downward to more accurately reflect current market conditions. This amendment will clarify that rent may be adjusted upward or downward based on a reappraisal. The amendments will also clarify that at the time base rent is adjusted following an updated appraisal, the base rent percentage rate set forth in the lease remains unchanged while only the Fair Market Value is updated.

P.O. Box 500380, Saipan, MP 96950 • 2<sup>nd</sup> Floor, Joeten Dandan Commercial Building  
Website: [www.dpl.gov.mp](http://www.dpl.gov.mp) • E-mail: [dpl@dpl.gov.mp](mailto:dpl@dpl.gov.mp) • Facebook: [www.facebook.com/DplCnmi](https://www.facebook.com/DplCnmi)  
Tel: (670) 234-3751/52/53/54 • Fax: (670) 234-3755

The current regulations also allow a reduction in the basic rental rate in the first five-year term of a new lease or matured lease when justified by prevailing market conditions or demonstrated financial hardship, and grant the Secretary the discretion to allow a reduction for a successive five-year term if justified by then-current conditions. The regulations further contain restrictive language that prevents the base rent rate for matured leases from being set at a rate below the rate determined by formula. DPL finds that a ten-year period is appropriate for rent reduction when justified by prevailing market conditions or demonstrated financial hardship, as this recognizes that significant economic downturns, disruptions in local market conditions, and recovery of capital-intensive businesses may extend well beyond a five-year period. A longer term also provides sufficient predictability for lessees to make necessary investments, obtain financing, restore operations, and achieve sustainable recovery. In addition, DPL finds that the requirement to reassess market conditions and financial hardship of lessees every five years will present excessive costs for lessees and administrative burdens to DPL. Finally, DPL finds that a short-term reduction below the rate determined by formula should be authorized when justified by prevailing market conditions or demonstrated financial hardship. These amendments will extend the term of a rate reduction justified by prevailing market conditions or demonstrated financial hardship to a ten-year period, and clarify that the provision establishing the formula rate as an absolute floor is subject to reductions for a ten-year period for prevailing market conditions or demonstrated economic hardship.

The changes are intended to maintain continuous productive use of public lands, reduce the risk and cost of vacancy, protect the present value of lease revenue for the beneficiaries, and better align the regulatory framework with current economic realities.

**CITATION OF AFFECTED REGULATIONS:** The proposed amendments will revise existing regulatory language in the following regulation:

|                    |                              |
|--------------------|------------------------------|
| NMIAC § 145-70-110 | Lease Agreement Requirements |
| NMIAC § 145-70-301 | Appraisals                   |

**DIRECTIONS FOR FILING AND PUBLICATION:** The proposed amendments shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations (1 CMC § 9201(a)(1)) and posted in convenient places in the civic center and in local governmental offices in each senatorial district, both in English and in the principal vernacular (1 CMC § 9104(a)(1)).

**COMMENTS:** Interested parties may submit written comments on the proposed amendments to Sixto K. Igisomar, Secretary, Department of Public Lands, to the following address, fax, or email address, with the subject line "Proposed Amendments to the Temporary Occupancy Rules and Regulations – Base Rent Provisions":

DEPARTMENT OF PUBLIC LANDS  
PO Box 500380, Saipan, MP 96950  
Fax: (670) 234-3755  
Email: [dpl@dpl.gov.mp](mailto:dpl@dpl.gov.mp)

Comments are due within thirty (30) calendar days from the date of publication of this notice. 1 CMC § 9104(a)(2).

Submitted by:

  
SIXTO K. IGISOMAR  
Secretary, DPL

09/11/2026  
Date

Received by:

  
JEAN PAUL B. REYES  
Special Assistant for Administration

9.14.2026  
Date

Filed and  
Recorded by:

  
ESTHER R.M. SAN NICOLAS  
Commonwealth Registrar

09.15.2026  
Date

Pursuant to 1 CMC § 2153(e) and 1 CMC § 9104(a)(3), the proposed amendments attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published, pursuant to 1 CMC § 2153(f).

  
EDWARD MANIBUSAN  
Attorney General

9/15/2026  
Date

## § 145-70-110 Lease Agreement Requirements

DPL shall include in lease agreements provisions typical of commercial practices. All public land leases are on a "triple net" basis "as is where is". All leases shall conform to the following provisions:

[Subsections (a) through (d) shall remain unchanged.]

### (e) Rental Rates.

Rent derived from public lands shall be based on the value of the property, and actually computed and collected on that basis; provided, that the DPL shall, within the limits set by fiduciary duty and the provisions of Public Law 15-2 and 20-84, have discretion in negotiating basic rents and additional rents taking into account changing economic conditions and other relevant trends and factors including other land transactions deemed substantially similar to the proposed lease. For the avoidance of doubt, the Secretary of DPL may determine that a property's true value is greater (but not less than) an appraised value determined by independent appraisal.

(1) New Leases – shall include new leases and renewals.

(2) Basic Rent shall be based on the appraised fair market value of the fee simple title to the property. It is the policy of DPL to collect at least ~~3.05%~~ of a property's value each year for the term of the lease as base rent. Notwithstanding this policy, DPL may, at the Secretary's discretion, approve a base rent below ~~3.05%~~ for the initial ~~ten~~ ~~five~~ (10) ~~(5)~~ year term of a lease if such rate is justified by:

(i) prevailing market conditions as documented by a comparative market analysis, vacancy and absorption rate report, market outlook or trend analysis, or similar analysis; or

(ii) demonstrated economic hardship as documented by government reports including GDP data, unemployment rates, inflation statistics, declines in sector-specific revenue (e.g., tourism downturns), or local or federal declarations of economic disaster or recession or emergency. In addition, DPL may cap the base rent at \$4 million for a large development project that will require more than two years to complete if DPL determines that the capital investment in the project will be no less than \$36 million and will benefit the economic development of the Commonwealth.

(3) In the event of a local or federal declaration of economic disaster or recession or emergency, DPL may, at the Secretary's discretion, authorize temporary prospective (but not retroactive) rent relief or defer scheduled rental increases for lessees that demonstrate documented financial hardship; substantial reduction in business activity or employment; or otherwise establish that such temporary relief is necessary for the lessee to maintain operations on the leased public lands. Any such exercise of discretion by the Secretary shall be documented in writing and shall be limited to the duration of the declared disaster or recession or emergency. Rent relief may include a deferral of the obligation to pay until the end of the disaster or recession or emergency, or approval of a base rent below ~~3.05%~~ for the duration of the event consistent with subsection (2) above.

### (4) Adjustment of basic rents.

(i) Changes in Fair Market Value -- All leases shall include a provision requiring periodic review of base rent ~~once~~ every five (5) years during the lease term. Properties shall be re appraised and basic rent adjusted to the then-current fair market value based on an updated appraisal. For the purpose of determining basic rent, the value in subsequent periods shall include all improvements on the property less the value of improvements made by the Lessee during the term of the lease. The base rent percentage rate set forth in Article 5 (Rent) of the lease agreement or on the Lease Data Sheet shall remain unchanged. Only the Fair Market Value shall be updated, and the base rent dollar amount shall be recalculated by applying the existing percentage rate to the new Fair Market Value.

(ii) Reductions justified by prevailing market conditions or demonstrated economic hardship -- If a base rent rate below ~~3.05%~~ was approved for the initial ten-year term pursuant to subsection (2) above, the rate shall be increased at the end of the ten-year term to at least ~~3.05%~~ of the property's value. ~~However, DPL may, at the Secretary's discretion, approve a base rent rate below 5% for one additional five-year term of the Lease consistent with subsection (2) above, provided that in no event shall the rental rate in the second five-year term be less than the rental rate in the initial five-year term.~~

(iii) The base rent rate provisions in existing leases may not be reduced except pursuant to subsection (3) above. DPL shall process any other request to revise the rent rate as a termination and re-leasing pursuant to the procedures in NMIAC § 145-70-105(b)(2), which requires issuance of a Notice of Proposed Lease and/or an RFP.

(5) New Leases – shall be based on the value of the fee simple interest including improvements (if any).

(6) Extensions – shall be based on the appraised value of the fee simple interest including improvements less the value of improvements made by the Lessee since the inception of the lease.

(7) Renewals – shall be treated as new leases for purposes of determining rent.

(8) Matured Leases – All leases approaching maturity that meet the conditions of Public Law 20-84 entering a new lease shall be appraised on the value of the fee simple interest to the property. DPL shall collect up to ~~32.0%~~ of Fair Market Value on the property for each year of the term of the matured lease as basic rent. Basic rents for matured leases shall be determined by the following formula, which takes into consideration the level of cost proposed for capital improvements by lessees relative to the replacement cost for existing improvements. ~~In no event shall the basic rent rate for matured lessees be less than the amount determined by such formula. In addition, b~~Basic rent shall not be below ~~1.05%~~ per year regardless of the results of this formula unless there is reasonable justification for a downward adjustment. For purposes of this regulation, the rate determined by formula together with any downward adjustment based on reasonable justification is referred to as the "Formula Rate." In addition, ~~the basic rent rate for matured lessees shall be no less than the Formula Rate, provided that DPL may, at the Secretary's discretion, approve a base rent below the Formula Rate for the initial ten (10) year term of a lease if such rate is justified by, which may include~~ prevailing market conditions or demonstrated economic hardship consistent with subsection (2) above. If a base rent rate below ~~the Formula Rate~~~~1.5%~~ was approved for the initial ten-year term pursuant to ~~such reasonable justifications~~subsection (2) above, the rate shall be increased at the end of the ten-year term to ~~the Formula Rate~~at least 1.5% of the property's value after five (5) years. ~~However, DPL may, at the Secretary's discretion, approve a base rent rate below 1.5% for one additional five-year term of the Lease consistent with subsection (2) above, provided that in no event shall the rental rate in the second five-year term be less than the rental rate in the initial five-year term.~~ For clarity, the replacement cost of improvements is the cost to replace an improvement with another improvement having the same utility (basically, the cost for a brand-new replacement) determined by appraisal reports. Capital investments are additions of a permanent structural change or the restoration of aspects of structures or facilities on a property that will either enhance the property's overall value or prolong its useful life. The formula is as follows:

| Formula | (Level of Improvements)                                                              | Basic Rate                       | Result         |
|---------|--------------------------------------------------------------------------------------|----------------------------------|----------------|
| (1-     | Cost Proposed for Capital Improvements<br>Replacement Cost for Existing Improvements | X<br><del>2%</del> <del>3%</del> | = Rent<br>Rate |

**Example:**

| <u>Cost Proposed for Capital Improvements</u> | <u>Replacement Cost for Existing Improvements</u> | <u>Calculation*</u>                                        | <u>Rent Rate</u> |
|-----------------------------------------------|---------------------------------------------------|------------------------------------------------------------|------------------|
| <u>\$15,000,000</u>                           | <u>\$50,000,000</u>                               | $\frac{(1 - (15M/50M)) \times 2.0\%}{0.70 \times 2.0\%} =$ | <u>1.40%</u>     |

**Calculation**

|                                        |                           |   |                               |
|----------------------------------------|---------------------------|---|-------------------------------|
| (1 - $\frac{15,000,000}{50,000,000}$ ) | X <del>3%</del> <u>2%</u> | = | <del>2.10%</del> <u>1.40%</u> |
|----------------------------------------|---------------------------|---|-------------------------------|

|      |                           |   |                               |
|------|---------------------------|---|-------------------------------|
| 0.70 | X <del>3%</del> <u>2%</u> | = | <del>2.10%</del> <u>1.40%</u> |
|------|---------------------------|---|-------------------------------|

**Table Illustration:**

| Cost Proposed for Capital Improvements<br>Replacement Cost for Existing Improvements | Factor<br>(1 - Ratio) | = Rent Rate               |                                 |
|--------------------------------------------------------------------------------------|-----------------------|---------------------------|---------------------------------|
| 1- 0.00%                                                                             | 1.00                  | X <del>3%</del> <u>2%</u> | = <del>3.00%</del> <u>2.00%</u> |
| 1- 5.00%                                                                             | 0.95                  | X <del>3%</del> <u>2%</u> | = <del>2.85%</del> <u>1.90%</u> |
| 1- 10.00%                                                                            | 0.90                  | X <del>3%</del> <u>2%</u> | = <del>2.70%</del> <u>1.80%</u> |
| 1- 15.00%                                                                            | 0.85                  | X <del>3%</del> <u>2%</u> | = <del>2.55%</del> <u>1.70%</u> |
| 1- 20.00%                                                                            | 0.80                  | X <del>3%</del> <u>2%</u> | = <del>2.40%</del> <u>1.60%</u> |
| 1- 25.00%                                                                            | 0.75                  | X <del>3%</del> <u>2%</u> | = <del>2.25%</del> <u>1.50%</u> |
| 1- 30.00%                                                                            | 0.70                  | X <del>3%</del> <u>2%</u> | = <del>2.10%</del> <u>1.40%</u> |
| 1- 35.00%                                                                            | 0.65                  | X <del>3%</del> <u>2%</u> | = <del>1.95%</del> <u>1.30%</u> |
| 1- 40.00%                                                                            | 0.60                  | X <del>3%</del> <u>2%</u> | = <del>1.80%</del> <u>1.20%</u> |
| 1- 45.00%                                                                            | 0.55                  | X <del>3%</del> <u>2%</u> | = <del>1.65%</del> <u>1.10%</u> |
| 1- 50.00%                                                                            | 0.50                  | X <del>3%</del> <u>2%</u> | = <del>1.50%</del> <u>1.00%</u> |

[Subsections (e)(9) through (14) and (f) through (m) shall remain unchanged.]

**§ 145-70-301 Appraisals**

[Sections (a) to (e) shall remain unchanged.]

(f) Lessee shall re-appraise the fee simple interest of the leased property every five years on the anniversary of the lease and if necessary rent shall be adjusted ~~upward~~ to current value based on the new appraisal as adjusted by the Secretary in conformance with these regulations.



Commonwealth gi Sangkattan na Islas Mariānas  
Ufisinan Gubietnu  
**DIPĀTTAMENTUN TANU' PUPBLIKU**



**NUTISIAN PUPBLIKU PUT I MANMAPROPONI NA TINILAİKA SIHA  
GI AREKLAMENTU YAN REGULASION I OKUPĀO TEMPURĀRIU PARA U RIBISA I  
PRUBENSIÓN "BASE RENT" PARA ATKILON TANU' PUPBLIKU**

**NUTISIAN I AKSION NI MA'INTENSIONA:** I DipĀttamentun Tanu' Pupbliku ("i DPL") gi pĀpa' i Ufisinan Gubietnu giya Commonwealth gi Sangkattan Siha na Islas Mariānas, ha intensiona para u amenda i Areklamentu yan RegulasiÓN OkupĀo TempurĀriu sigun gi maneran i Ākton Administrative Procedure (APA), i CMC §9104(a), para u ribisa i prubensiÓN "base rent" para nuebu na atkilon yan i māfĀkpu' na atkilon siha gi pĀpa' NMIAC § 145-70-110(e).

**ĀTURIDĀT:** Esti na tinilaika siha manmaho'gui gi pĀpa' āturidāt i DipĀttamentun Tanu' Pupbliku sigun gi i CMC § 2806 para u dibelop "administrative policies", minanera siha, yan gubietna i manasosiāt gi tanu' pupbliku.

**I TEMA YAN SUSTĀNSIAN I PALĀBRA SIHA:** I Areklamentu yan RegulasiÓN OkupĀo TempurĀriu gi prisenti prumibeniya na i areklamentun i DPL para u rikohi maseha 5% nu i bĀlin propiedāt gi kada sĀkkan komu "base rent" para i mannuebu na atkilon siha, yan para u rikohi hulu' asta 3% nu i bĀlin propiedāt ni dumitetmina i "formula" mapega ginin i regulasiÓN para i māfĀkpu' na atkilu siha. I DPL ha sodda' na i prisenti na kundisiÓN i "market" — dinistenggidu ni inatdit rumibĀha na finattu pasaheru, diddidi' na sitbisiun fleti, tĀkpĀpa' okupĀo "hotel", muttiplika na bakĀnti pat ti mama'titinas nina'halum i propiedāt "hotel" i manggaigi esta gi hĀlum listan tanu' pupbliku (ingklusu i ma'pus Rota Resort yan i ma'pus Kanoa Resort), yan i RFP's nai ti pumusipbli pat ti mambensi mangkuĀlifikĀo na tāotĀo siha — nina'annuk na i eksissisti na dinimĀnda 5% para i nuebun atkilu siha yan i dinimĀnda 3% para i māfĀkpu' na atkilu siha yan i satgi gi 1.5% esta ti pusipbli. I siknifikĀnti na numirun bakĀnti propiedāt tanu' pupbliku yan i gĀstu para i DPL nu i minantetienin atyu siha na propiedāt (ingklusu i minalingu na atkilu, sikuridāt, fundamentu na ripehan siha, "insurance", yan manmayuyulang dumiddidi') magĀhit yan kumuntinunuha, yan i inapmam na bakĀnti ha ribĀha parehu i āpas kuntribusiÓN ni humĀhĀlum gi prisenti yan i bĀlin anĀkku' na tema mismu na tanu' pupbliku. Esti siha na amenda siempri ha ribisa i "base rent" para i nuebu na atkilu siha ginin 5% para 3% nu i bĀlin propiedāt, yan ribisa i "base rent" para i māfĀkpu' na atkilu siha 3% para asta hulu' gi 2.0% nu i bĀlin propiedāt dinitetmina ni "formula" yan ribisa i satgi ginin 1.5% para 1.0% (solu guaha rasonĀppli na rason para "lower rate").

Yan mĀs, i regulasiÓN gi prisenti na tiempu madimĀnda i propiedāt siha para u ta'lun umestima yan i "base rent" para u ma'ahusta gi dispues-prisenti na tiempu i "fair market value" ni mapega gi mĀs prisenti na estima kada singku āñus na tiempu gi durĀntin i teman atkilu, yan ti kumuntinuha sumĀtba maseha i "basic rent" gi hĀlum kinumpli' singku āñus na tiempu siña menus ki i atkilu gi halum prisenti na singku āñus na tiempu. I DPL ha sodda' na i "basic rent" ni ginin i ta'lun umestima debi na u ma'ahusta maseha ge'hilu' pat ge'pĀpa' para mĀs dinanchi' na riflekta i prisenti na kundisiÓN "market". Esti na amenda siempri ha klaruyi na i atkilu siña ma'ahusta ge'hilu' pat ge'pĀpa' ginin i tuma'lun estima. I amenda siha siempri lokkui' ha klaruyi na gi tiempun ma'ahusta i "base rent" tinĀttiya ni mĀs prisenti na ta'lun estima, i gradu "base rent" put sientus pumega mo'na gi halum i atkilun ti tinilaika mientras ha' i "Fair Market Value" mana'prisenti.

I presentí na regulasi3n siha lokkui ha sedi i rinibaha gi halum i “basic rental rate” gi halum i fine na na tema singku a3nus nu i nuebu atkilu pat i mafakpu na atkilu an maolik na rason ni presentí na kundisi3n i “market” pat mana annuk na chatsaga, yan na i i Sekretariu i disisi3n para u sedi i rinibaha para i kinumpli tema singku a3nus yanggin maolik na rason ginin i dispues-presentí na kundisi3n siha. I regulasi3n ha sahguan mas ristrikta na lingguahi nai ha pruhibi i gradu “base rent” para i mafakpu na atkilu siha ginin i mapega gi i gradu papa i gradu ni dinitetmina ni “formula”, I DPL ha sodda na i dies-a3nus na tiempu apropositu para i rinibaha atkilu an maolik na rason ginin i presentí na kundisi3n i “market” pat mana annuk na chatsaga, komu esti ha rikuknisa na siknifikanti bumaba i ikonomia, istotba gi halum kundisi3n “local market”, yan i hinemlu nu “capital-intensive businesses” siha ma ekstendi mas ki singku a3nus na tiempu. I anakku mas na tema ha pribeni lokkui sufisienti na pridikta para u fama tinas nisissariu na pine lu salappi, henta fainansi3t, ripeha uperasi3n siha, yan takka minesngun na bisnis. Yan mas, i DPL ha sodda na i dinimanda para u ta lun ibalua i kundisi3n “market” yan chatsaga nu i “lessees” gi kada singku a3nus siempri prinisenta inipus na kosta para i “lessees” yan katgu para i administrative DPL. Uttimu, i DPL ha sodda na i kadada-tema na ribaha papa i gradu dumitetmina ni “formula” debi na u ma aturisa an maolik na rason ginin i presentí na kundisi3n “market” pat mana annuk na chatsaga. Esti na tinilaika siempri umikstendi i tema nu i ribaha gradu ni maolik na rason ginin i presentí na kundisi3n “market” pat mana annuk na chatsaga para dies a3nus na tiempu, yan klaruyi na i prubensi3n umistablelesi i gradu “formula” komu i mamantieni na satgi sumuhetu para u maribaha para dies a3nus na tiempu para i presentí na kundisi3n “market” pat mana annuk i chinatsaga ikonomia.

I tinilaika siha ma intensiona para u kuntuha mamantieni i usan tanu pupbliku siha, ribaha i atrebi yan kosta nu “vacancy”, prutehi i presentí na balin nu nina halum atkilu para i benifisiu siha, yan maolekna pumarehu i “regulatory framework” yan i presentí na minagahit ikonomia.

**SITASI3N I MANINAFEKTA NA REGULASI3N SIHA:** I maproponi na tinilaika siha siempri rinibisa i maneksissisti na finu regulatori gi halum tinattitiyi na regulasi3n siha:

NMIAC § 145-70-110 Dinimanda na Kuntratan Atkilu  
NMIAC § 145-70-301 Ta lun Ibalua

**DIREKSI3N PARA I PINE LU YAN I PUPBLIKASI3N:** I manmaproponi na tinilaika siha debi na u mapupblika gi halum i Rehistran Commonwealth gi halum i seksiona ni manmaproponi yan i mannuebu ma adapta na regulasi3n siha (1 CMC § 9102(a)(1)) yan esti na nutisia debi na u mapega gi halum kumbinienti na lugat siha giya i civic center yan gi halum ufisinin gubietnu gi kada distritun senatorial, parehu Inglis yan i dos na lingguahin natibu, (1 CMC § 9104(a)(1)).

**UPIÑON SIHA:** I manintires na pattida siha ma intrega halum i upiñon siha gi manmaproponi na tinilaika siha guatu as Sixto K. Igisomar, i Sekretariu gi Dipattamentun Tanu Pupbliku, gi tinattiyi na address, fax pat email address yan i suhetu na raya “Manmaproponi na Tinilaika siha gi Areklamentu yan Regulasi3n Okupao Tempurariu—Prubensi3n Base Rent”.

DEPARTMENT OF PUBLIC LANDS  
PO Box 500380, Saipan, MP 96950  
Fax: (670) 234-3755  
Email: [dpl@dpl.gov.mp](mailto:dpl@dpl.gov.mp)

I upiñon siha debi na u hălum gi halum trenta (30) dihas ginin estî na nutisian pupblikasion. (1 CMC § 9104(a)(2)).

Nina'hălum-as:

SIXTO K. IGISOMAR  
Sekrităriu, DPL

09/11/2026  
Fetcha

Rinisibi yan  
pine'lu as:

JEAN PAUL B. REYES  
Ispisiăt Na Ayudănti Para I Atministrasiôn

9.14.2024  
Fetcha

Pine'lu yan  
Ninota as:

ESTHER R.M. SAN NICOLAS  
Rehistran Commonwealth

09.15. 2026  
Fetcha

Sigun i 1 CMC § 2153(e) (I Abugădu Henerăt ha aprueba i regulasion siha na para u macho'gui kumu fotma) yan i 1 CMC § 9104(a)(3) (hentan inaprueban Abugădu Henerăt) i manmaproponi na regulasion siha ni mañechettun guini ni manmaribisa yan manma'aprueba kumu fotma yan sufisienti ligăt ginen i CNMI Abugădu Henerăt yan debi na u mapupblika, 1 CMC § 2153(f) (pupblikasion areklamentu yan regulasion siha).

EDWARD MANIBUSAN  
Abugădu Henerăt

9/15/2026  
Fetcha



Commonwealth Téel Falúw kka Efáng Ilól Marianas  
Bwulasiyol Soulemelem  
**BWULASIYOL AMMWELIL FALUWEER TOULAP**



**ARONGORONGOL TOULAP REEL MÁNGEMÁNGIL LIIWELIL ALLÉGH ME  
MWÓGHUTUGHUTÚL “TEMPORARY OCCUPANCY” REBWE SIIWELI “BASE RENT  
PROVISIONS” NGÁLI ATKILÓÓNOL FALUWEER TOULAP**

**ARONGORONG REEL MÁNGEMÁNGIL MWÓGHUT:** Commonwealth Téel Falúw kka Efáng Ilól Marianas, Bwulasiyol Soulemelem, Bwulasiyol Ammwelil Faluweer Toulap (DPL) re mwuschel rebwe liiweli Alléghúl “Temporary Occupancy” me mwóghutughut sáangi mwóghutughutúl Administrative Procedure Act (APA), 1 CMC § 9104(a), rebwe siiweli “base rent provisions” ngáli ffél atkilóón me milikka e lo bwe “matured leases” faal NMIAC § 145-70-110(e).

**BWÁÁNGIL:** Liiwel kkaal nge e akkatééwow faal bwáángil Bwulasiyol Ammwelil Faluweer Toulap sáangi 1 CMC § 2806 ebwe ayoorá “administrative policies”, mwóghutughut, me lemelem ikka e schuu ngáli faluweer toulap.

**KKAPASAL ME AWEEWEEL:** Ighila nge mille Alléghúl me Mwóghutughutúl “Temporary Occupancy” e ayoorá mwóghutughut ngáli DPL rebwe bwughi “5% of a property’s value” ghal ráágh bwe “base rent” ngáli ffél atkilóón, me rebwe bwughi “3% reel “property’s value” iye e itittiwi bwe “formula” iye aa ffaat sáangi mwóghutughut ngáli iye e ppúng faal mwóghutughutúl “matured leases”. DPL e schuungi bwe “current market conditions” – iye e bwáá bwe e ghitighiitiló “visitor arrivals”, “limited air service”, “low hotel occupancy”, “multiple vacant or non-performing hotel properties” ikka aa lo llól “public lands inventory” (e schuulong Rota Resort me Kanoa Resort íghiwe), me “RFPs” ikka ese wetigh ngare ese yoor “qualified responders” e bwáálo bwe 5% imwu e lo ngáli ffél atkilóón me “3% required” ngáli “matured leases with a 1.5% floor” nge ese yoor lo mwotal. Igha e ssogh faluweer toulap ikka e pé me méél DPL igha re ammwela falúw kkaal (e schuulong “lost rent”, “security”, basic maintenance”, “insurance”, me “asset deterioration”) e ellet me e yoor mwóghutughutúl, me mille “prolonged vacancy” e anngawaló iir me ruwoow mille “present value of revenue stream” me “long-term value of the public land asset itself”. Liiwel kkaal ebwe awela “base rent” reel “matured leases” sáangi 5% ngáli 3% reel “property’s value” faal “formula” me awela “floor” sáangi 1.5% ngáli 1% (unless there is reasonable justification for a lower rate).

Me bwal, mwóghutughut kka ighila nge nisisita bwughos kke rebwe “appraised” me “basic rent” ebwe awela sáangi mille “then-current fair market value” wóol ffél “appraisal” me llól tempol liim-ráágh téeschigha e ghitighiitiló “rent” me lól tempol liim-ráágh ye ighila. DPL e schuungi bwe “basic rent” faal mille “reappraisal” nge ebwe awela ngare sárághi pat ósósóla bwe ebwe attabweey “current market conditions”. Liiwel kkeey nge ebwe affata bwe íghiwe “base rent” e “adjusted” faal “updated appraisal”, “base rent percentage rate” ye lo llól atkilóón ese liiwel bwe mille schagh “Fair Market Value” aa yoor ffél fféerul.

Mwóghutughut iye e lo ighila ebwal mweiti ngáli ebwe ósósóla mille “basic rental rate” llól ghommwal liim-ráagh “term” reel ffél atkkilóón ngare “matured lease” ngare e wel ngáli “prevailing market conditions” pat “demonstrated financial” weires, nge ngaleey Sekkretóóriyo lemelem ebwe lighiti ghitighital ngáli abwungubwungúl limoow ráagh ngare e wel ngáli “then-current conditions”. Mwóghutughut ikka e amwirimwiritiw ebwal yoor kkapas ikka e pileey “base rent rate” me reel “matured leases” bwe ebwe ffat “rate” faal mille “rate determined by formula”. DPL e schuungi bwe llól tempol seigh ráagh e tamafisch reel “rent reduction” ngare e wel sáangi “prevailing market conditions” ngare “demonstrated financial” weires, bwe mille e weri bwe “significant economic downturns”, “disruptions in local market conditions”, me “recovery of capital-intensive businesses” emmwel ebwe aluuló tempol liim-ráagh. Abwungubwung ikka e lááláayló e ayoora “sufficiency predictability” ngáliir schóól atkkilóón le fféer mil nisisita na “investments”, ayoora “financing”, aghatchúwlo mwóghutughut, me toori “sustainable recovery”. Me bwal, DPL e schuungi bwe e nisisita ebwe “reassess market conditions” me “financial” weires reel schóól atkkilóón alongal limoow ráagh emmwel ebwe “present excessive costs” ngáliir schóól atkkilóón me “administrative burdens” ngáli DPL. Ottimwool, DPL e schuungi bwe “short-term reduction” faal “rate determined by formula” debi ebwe yoor bwángil ngare e wel sáangi “prevailing market conditions” ngare “demonstrated financial hardship”. Liíwel kkaal ebwe sóbweeyló “term of a rate reduction” iye e wel ngáli “prevailing market conditions” atol seigh ráagh, me ebwe ffat “provision establishing the formula rate as an absolute floor is subject to reduction” llól tempol seigh ráagh reel mille “prevailing market conditions” ngare “demonstrated economic hardship”.

Liíwel kkaal nge e fféerú bwe rebwe legheleghi ghatchúl mwóghutughut me yáayál faluweer toulap, ghitighiitiló “risk” me “cost of vacancy”, leghileghiiy mwotal “lease revenue for the beneficiaries”, me aghatchú “regulatory framework with current economic realities.”

**ABWETCH REEL IKKA E ANNGAWA MWÓGHUTUGHUT:** Ppwommwol liíwel ebwe weliló titillapal me fféerúl mwóghutughut ikka e amwirimwiritiw:

|                    |                                |
|--------------------|--------------------------------|
| NMIAC § 145-70-110 | “Lease Agreement Requirements” |
| NMIAC § 145-70-301 | “Appraisals”                   |

**AFAL REEL AMMWELIL ME AKKATÉÉWOWUL:** Arongorongol mánagemángil mwóghut nge ebwe akkatééwow me llól “Commonwealth Register” reel leeliyál mil ffé me mánagemángil mwóghut (1 CMC § 9104(a)(1) me ebwe appaschetá llól “civic center” me bwal llól bwulasiyol gobetnameento llól “senatorial district”, fengál reel “English” me mwáliyyasch (1 CMC § 9104(a)(1).

**KKAPAS:** Schóó kka re tipáli rebwe isiisilong ischil kkapas wóól ppwommwol liíwel kkaal rebwe afanga ngáli Sixto K. Igisomar, Sekkretóóriyol Bwulasiyol Ammwelil Faluweer Toulap, reel féféfél iye e lo, “fax”, ngare “email address”, fengál wóól subject line bwe “Proposed Amendments to the Temporary Occupancy Rules and Regulations – Base Rent Provisions”:

DEPARTMENT OF PUBLIC LANDS  
PO Box 500380, Saipan, MP 96950  
Fax: (670) 234-3755  
Email: [dpl@dpl.gov.mp](mailto:dpl@dpl.gov.mp)

Ebwe toolong kkapas eliigh (30) ráál mwiril aal akkatééwow arongorong yeel. 1 CMC § 9104(a)(2).

Isáliyalong:

  
SIXTO K. IGISOMAR  
Sekretóóriyo, DPL

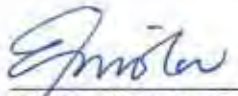
09/11/2026  
Ráál

Bwughiyal:

  
JEAN PAUL B. REYES  
Special Assistant ngáli Administration

9.14.2026  
Ráál

Ammwelil:

  
ESTHER R.M. SAN NICOLAS  
Commonwealth Registrar

09.15.2026  
Ráál

Sángi 1 CMC § 2153(e) me 1 CMC § 9104(a)(3), ppwommwol liiwel ikka e appasch nge ra takkal amwuri fischiiy me átirowa bwe aa fil reel fféerúl me “legal sufficiency” sángi Soulemelemil Allégh Lapalapal CNMI me ebwe akkatééwow, sángi 1 CMC § 2153(f).

  
EDWARD MANIBUSAN  
Soulemelemil Allégh Lapalap

9/15/2026  
Ráál



Commonwealth of the Northern Mariana Islands  
Office of the Governor  
**DEPARTMENT OF PUBLIC LANDS**



**PUBLIC NOTICE OF PROPOSED AMENDMENTS  
TO THE TEMPORARY OCCUPANCY RULES AND REGULATIONS  
REGARDING TEMPORARY OCCUPANCY AGREEMENTS**

**NOTICE OF INTENDED ACTION:** The Commonwealth of the Northern Mariana Islands, Office of the Governor, Department of Public Lands (DPL) intends to amend the Temporary Occupancy Rules and Regulations pursuant to the procedures of the Administrative Procedure Act (APA), 1 CMC § 9104(a), to provide for collection of fees for Temporary Occupancy Agreements for festivals and events.

**AUTHORITY:** These amendments are promulgated under the authority of the Department of Public Lands pursuant to 1 CMC § 2806 to develop administrative policies, procedures, and controls related to public land.

**TERMS AND SUBSTANCE:** DPL's Temporary Occupancy Agreement (TOA) regulations currently waive all fees for TOAs for sporting events, social events, and community events. However, DPL's understanding is that certain event organizers have been charging vendors a fee or a percentage of revenue for the vendor's participation in such events. This is similar to a lessee's authorization of a sublease or concession, which generally requires payment of a fee to DPL. Amending the TOA regulation to establish a fee for TOAs authorizing events where revenues are generated will ensure that DPL is consistent in its treatment of revenue-generating activities on public lands.

**CITATION OF AFFECTED REGULATIONS:** The proposed amendment will revise existing regulatory language in the following regulations:

NMIAC § 145-70-210      Temporary Occupancy Agreement

**DIRECTIONS FOR FILING AND PUBLICATION:** The proposed amendment shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations (1 CMC § 9201(a)(1)) and posted in convenient places in the civic center and in local governmental offices in each senatorial district, both in English and in the principal vernacular (1 CMC § 9104(a)(1)).

**COMMENTS:** Interested parties may submit written comments on the proposed amendments to Sixto K. Igisomar, Secretary of the Department of Public Lands, to the following address, fax, or email address, with the subject line "Proposed Amendments to the Temporary Occupancy Rules and Regulations--TOAs":

DEPARTMENT OF PUBLIC LANDS  
PO Box 500380, Saipan, MP 96950  
Fax: (670) 234-3755  
Email: [dpl@dpl.gov.mp](mailto:dpl@dpl.gov.mp)

P.O. Box 500380, Saipan, MP 96950 • 2<sup>nd</sup> Floor, Joeten Dandan Commercial Building  
Website: [www.dpl.gov.mp](http://www.dpl.gov.mp) • E-mail: [dpl@dpl.gov.mp](mailto:dpl@dpl.gov.mp) • Facebook: [www.facebook.com/DplCnmr](https://www.facebook.com/DplCnmr)  
Tel: (670) 234-3751/52/53/54 • Fax: (670) 234-3755

Comments are due within thirty (30) calendar days from the date of publication of this notice. 1 CMC § 9104(a)(2).

Submitted by:

SIXTO K. IGISOMAR  
Secretary, DPL

Date

09/11/2026

Received by:

JEAN PAUL B. REYES  
Special Assistant for Administration

Date

9.14.2026

Filed and  
Recorded by:

ESTHER R.M. SAN NICOLAS  
Commonwealth Registrar

Date

09.15.2026

Pursuant to 1 CMC § 2153(e) and 1 CMC § 9104(a)(3), the proposed amendments attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published, pursuant to 1 CMC § 2153(f).

EDWARD MANIBUSAN  
Attorney General

Date

9/15/2026

## Part 100 – Policies and Procedures for Temporary Occupancy of Public Lands

### § 145-70-210 Temporary Occupancy Agreement

Temporary Occupancy Agreements (TOA) shall be used for the temporary occupancy of certain public lands laying fallow at the time of application where no proposals have been received by DPL for the long term lease of those lands. In any case, TOA's do not in any way grant an interest in the land, written or implied, and the new construction of permanent structures shall not be allowed. Allowable purposes include short-term agricultural use, temporary livestock grazing, sporting or social events, or planning activities in anticipation of a lease. TOAs are subject to termination upon 30 day's written notice by DPL. DPL will consider issuing 5-year agricultural permits to NRCS eligible candidates.

For applications submitted by CNMI government entities for sporting events, signboards/banners, filming, and social events, DPL may provide an annual TOA for multiple department/agency requests throughout the period covered by the TOA provided, however, that the department/agency submits a written request to the Secretary for each occurrence. The Secretary may approve such requests via letterhead within thirty days of receipt after which the request shall be deemed approved if no action is taken by the Secretary. All fees and insurance requirements may be waived provided that the department/agency indemnify DPL of all risks and liabilities, except as otherwise provided by NMIAC § 145-70-210(k).

\* \* \*

(k) Community Events – The activity involving the temporary short-term use of public land for government or non-commercial activities that benefit the community (e.g., festivals, holiday celebrations, parades, and the like) may be permitted without charge upon approval by the Secretary, provided the permitted event or activity shall be no more than 45 days in duration and no revenues are generated, including but not limited to revenue from ticket sales, sales of food and beverages, or sales of arts and crafts or other goods or services. For events at which revenues are generated, the TOA fee due to DPL shall be \$25 per day for each governmental agency, non-profit organization, business, or individual who generates revenue from the use of public land for such activity or event. Neither the permittee nor any person acting on the permittee's behalf to organize the activity or event shall assess any additional fee or retain any percent of revenue or profits generated by vendors. Within three (3) business days following the end of each event, the permittee shall submit to DPL a report in a form acceptable to DPL identifying the name of each person generating revenue during the activity or event and the approximate amount of revenue generated by such person, together with the total fee due. Failure to timely submit the required report and fee may be grounds for denial of TOAs for future activities or events.

\* \* \*

*All other subsections of NMIAC § 145-70-210 (including NMIAC § 145-70-210(a)-(j) and NMIAC § 145-70-210(l)) shall remain unchanged.*



Commonwealth gi Sangkattan na Islas Mariānas  
Ufisinan Gubietnu  
**DIPĀTTAMENTUN TANU' PUPBLIKU**



**NUTISIAN PUPBLIKU PUT I MANMAPROPONI NA TINILAIKA SIHA  
GI AREKLAMENTU YAN REGULASION I OKUPĀO TEMPURĀRIU  
PUT I KUNTRĀTAN OKUPĀO TEMPURĀRIU**

**NUTISIAN I AKSION NI MA'INTENSIONA:** I Dipāttamentun Tanu' Pupbliku ("i DPL") gi pāpa' i Ufisinan Gubietnu giya Commonwealth gi Sangkattan Siha na Islas Mariānas, ha intensiona para u amenda i Areklamentu yan Regulasiōn Okupāo Tempurāriu sigun gi maneran i Āktun Administrative Procedure (APA), 1 CMC §9104(a) para u mapribeniyi kuleksiōn nu āpas para Kuntrātan Okupāo Tempurāriu gi festibidāt yan ginepti siha.

**ĀTURIDĀT:** Esti na tinilaika siha manmaho'gui gi pāpa' āturidāt i Dipāttamentun Tanu' Pupbliku sigun gi 1 CMC § 2806 para u dibelop areklamentu "administrative", minanera siha, yan gubietna i manasosiāt gi tanu' pupbliku.

**I TEMA YAN SUSTANSIAN I PALĀBRA SIHA:** I regulasiōn Kuntrātan Okupāo Tempurāriu DPL (TOA) gi prīsenti na tiempu ha na'suha todū āpas para i TOAs para huegu, dinanña, yan ginepti kumunidāt siha. Lāo, i kinumprendin DPL na metton na manotganisasiōn ginepti madimānda i "vendors" āpas pat put sientus nu réditu para u fanpattisipāo gi halum ginepti siha. Kulang pumarehu esti yan i āturisasiōn "lessees" nu i "sublease" pat "concession", ni hinerāt madimāmānda āpas nu i āpas gi DPL. I inamemendan regulasiōn TOA para u istablesi i āpas para i TOAs inaturirisa ginepti nai i réditu humāhālum siempri ha na'siguru na i DPL kunsisti i kriānsa-niha nu i aktibidāt ni manna'hālum réditu gi tanu' pupbliku.

**SITASIŌN I MANINAFEKTA NA REGULASIŌN SIHA:** I maproponi na tinilaika siha siempri rinibisa i maneksissisti na finu' regulatori gi halum tināttitiyi na regulasiōn siha:

NMIAC § 145-70-210 Kuntrātan Okupāo Tempurāriu

**DIREKSIŌN PARA I PINE'LU YAN I PUPBLIKASION:** I manmaproponi na tinilaika siha debi na u mapupblika gi halum i Rehistran Commonwealth gi halum i seksiona ni manmaproponi yan i mannuebu ma'adāpta na regulasiōn siha (1 CMC § 9201(a)(1)) yan u mapega gi halum kumbinienti na lugāt siha giya i civic center yan gi halum ufisinan gubietnu gi kada distritun senatorial, parehu Inglis yan i dos na lingguāhin natibu, (1 CMC § 9104(a)(1)).

**UPIÑON SIHA:** I manintires na pattidā siña ma'intrega hālum i upiñon siha gi manmaproponi na tinilaika siha guatu as Sixto K. Igisomar, i Sekretāriu gi Dipāttamentun Tanu' Pupbliku, gi tināttiyi na address, fax pat email address yan i suhetu na rāya "Manmaproponi na Tinilaika siha gi Areklamentu yan Regulasiōn Okupāo Tempurāriu—TOAs".

DEPARTMENT OF PUBLIC LANDS  
PO Box 500380, Saipan, MP 96950  
Fax: (670) 234-3755  
Email: [dpl@dpl.gov.mp](mailto:dpl@dpl.gov.mp)

I upiñon siha debi na u hálum gi halum trenta (30) dihas ginin esti na nutisian pupublikasion. (1 CMC § 9104(a)(2)).

Nina'hálum as:

  
SIXTO K. IGISOMAR  
Sekritáriu, DPL

09/11/2026  
Fetcha

Rinisibi yan  
pine'lu as:

  
JEAN PAUL B. REYES  
Ispisiát Na Ayudánte Para I Atministrasió

9.14.2026  
Fetcha

Pine'lu yan  
Ninota as:

  
ESTHER R.M. SAN NICOLAS  
Rehistran Commonwealth

09.15.2026  
Fetcha

Sigun i 1 CMC § 2153(e) (I Abugádu Henerát ha aprueba i regulasion siha na para u macho'gui kumu fotma) yan i 1 CMC § 9104(a)(3) (hentan inaprueban Abugádu Henerát) i manmaproponi na regulasion siha ni mañechettun guini ni manmaribisa yan manma'aprueba kumu fotma yan sufisienti ligát ginen i CNMI Abugádu Henerát yan debi na u mapupblika, 1 CMC § 2153(f) (pupublikasion areklamentu yan regulasion siha).

  
EDWARD MANIBUSAN  
Abugádu Hinerát

9/15/2026  
Fetcha



Commonwealth Téel Falúw kka Etáng Ilól Marianas  
Bwulasíyol Soulemelem  
**BWULASIYOL AMMWELIL FALUWEER TOULAP**



**ARONGORONGOL TOULAP REEL MÁNGEMÁNGIL LIIWELIL “TEMPORARY  
OCCUPANCY” ALLÉGH ME MWÓGHUTUGHUTUL  
REEL “TEMPORARY OCCUPANCY” ABWUNGUBWUNG**

**ARONGORONG REEL MÁNGEMÁNGIL MWÓGHUTUGHUT:** Commonwealth Téel Falúw kka Etáng Ilól Marianas, Bwulasíyol Gobenno, Department of Public Lands (DPL) re mwuschel ayóorya liiwel sengi “Temporary Occupancy” Allégh me Mwóghutughut kka tabweey mwóghutughutúl Administrative Procedure Act (APA), 1 CMC § 9104(a), bwe ebwe ayóóra “collection of” méél “Temporary Occupancy Agreements” reel ghuubwul me “events”.

**BWÁNGIL:** Liiwel kka nge re akkatééwow faal bwángil Department of Public Lands nge bwal attabweey 1 CMC § 2806 le fféer “administrative policies”, mwóghutughut, me lemelem sengi “public land”.

**TERMS AND SUBSTANCE:** Aar DPL Temporary Occupancy Agreement (TOA) mwoghutughut nge e lighiti alongal méél reel TOAs reel “sporting events”, “social events”, me “community events”. However, DPL mwo nge metaff bwe eyóór “event organizers” kka re ghal “charging vendors a fee” pat “percentage of revenue” bwe rebwe ppwal tuutá llól “events”. Mille nge bwal weewe me “lessee’s authorization of a sublease or concession”, nge eghal nisisita ebwe yóór óbwóss ngáli DPL. Liiwelil Mwóghutughutúl TOA nge ebwe ayóóra méél TOAs kka re fféer “events” kka fféer selaapi bwe ebwe leghileghiiy DPL le lemeli mwóghutughutúl “revenue-generating” activities wóól “public lands”.

**ABWETCH REEL IKKA E ANNGAWA MWÓGHUTUGHUT:** Liiwel kka rebwe fféer nge ebwe weliló tittillapal fféerúl mwóghutughut kka:

NMIAC § 145-70-210 Temporary Occupancy Agreement

**AFAL REEL AMMWELIL ME AKKATÉÉWOWUL:** Arongorongol mángemángel mwóghut nge bwe akkatééwow me llól “Commonwealth Register” reel leeliyál mil ffé me mángemángel mwóghut (1 CMC § 9104 (a)(1) meebwe appaschetá llól “civic center” me bwal llól bwulasíyol gobetnameento llól “senatorial district”, fengál reel “English” me mwáliyaasch (1 CMC § 9104 (a)(1).

**KKAPAS:** Schóo kka re tipáli rebwe isiisilong ischil kkapas wóól ppwomwol liiwel kkaal rebwe afanga ngáli Sixto K. Igisomar, Secretary of the Department of Public Lands, reel féléfél iye lo, “fax”, ngare “email address”, fengál wóól “subject line” bwe “Proposed Amendments to the Temporary Occupancy Rules and Regulations--TOAs”:

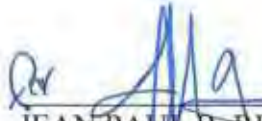
DEPARTMENT OF PUBLIC LANDS  
PO Box 500380, Saipan, MP 96950  
Fax: (670) 234-3755  
Email: [dpl@dpl.gov.mp](mailto:dpl@dpl.gov.mp)

P.O. Box 500380, Saipan, MP 96950 • 2<sup>nd</sup> Floor, Joeten Dandan Commercial Building  
Website: [www.dpl.gov.mp](http://www.dpl.gov.mp) • E-mail: [dpl@dpl.gov.mp](mailto:dpl@dpl.gov.mp) • Facebook: [www.facebook.com/DplCnmi](https://www.facebook.com/DplCnmi)  
Tel: (670) 234-3751/52/53/54 • Fax: (670) 234-3755

Ebwe toolong kkapas eliigh (30) ráál mwiril aal akkatééwow arongorong yeel. 1 CMC § 9104(a)(2).

Isaliyalong:   
SIXTO K. IGISOMAR  
Sekretóóriyo, DPL

09/11/2026  
Ráál

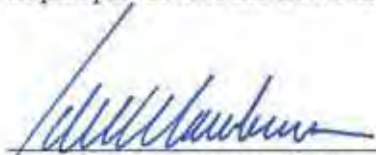
Bwughiyal:   
JEAN PAUL B. REYES  
Special Assistant ngáli Administration

9.14.2024  
Ráál

Ammwelil:   
ESTHER R.M. SAN NICOLAS  
Commonwealth Registrar

09.15.2026  
Ráál

Sángi 1 CMC § 2153(e) me 1 CMC § 9104(a)(3), ppwommwol liiwel ikka e appasch nge ra takkal amwuri fischiiy me átirowa bwe aa fil reel fféérúl me “legal sufficiency” sáangi Soulemelemil Allégh Lapalapal CNMI me ebwe akkatééwow, sáangi 1 CMC § 2153(f).

  
EDWARD MANIBUSAN  
Soulemelemil Allégh Lapalap

9/15/2026  
Ráál



Commonwealth of the Northern Mariana Islands  
**HEALTH CARE PROFESSIONS LICENSING BOARD**  
P.O. Box 502078, Bldg., 1242 Pohnpei Court  
Capitol Hill, Saipan, MP 96950  
Tel No: (670) 664-4808/4809 Fax: (670) 664-4814  
Email: [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp)  
Website: [www.cnmilicensing.gov.mp](http://www.cnmilicensing.gov.mp)



**NOTICE OF PROPOSED AMENDMENTS TO THE  
HEALTH CARE PROFESSIONS LICENSING BOARD FOR  
Part 2635 (b) - Dental Therapists**

**INTENDED ACTION TO ADOPT THIS PROPOSED REGULATION:** The Health Care Professions Licensing Board (HCPLB) intends to adopt as permanent regulation the attached Proposed Amendment, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The regulation would become effective 10 days after compliance with 1 CMC §§ 9102 and 9104(a) or (b) (1 CMC § 9105(b)).

**AUTHORITY:** The Health Care Professions Licensing Board has statutory power to promulgate and effect regulations pursuant to 4 CMC § 2206(b), as amended.

**THE TERMS AND SUBSTANCE:**

The proposed amendments under Dental Therapist subsection § 185-10-2635(b)(1-11), (13), and (15-16) remove several scope-of-practice provisions, making it a general practice rather than direct supervision by a dentist.

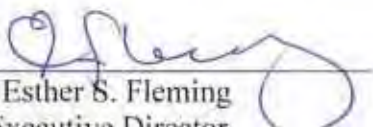
**THE SUBJECTS AND ISSUES INVOLVED:**

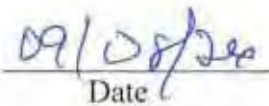
The amendments are intended to establish a general practice model that allows dental therapists to provide authorized services within their education, training, and licensure, while maintaining appropriate professional standards and patient safety. What is being kept under direct supervision is the use of nitrous and dispensing medication. This change will promote greater access to dental care and clarify the role and responsibilities of dental therapists.

The amendments also include general grammatical cleanup and renumbering to improve consistency, clarity, and ease of reference throughout the regulations.

**DIRECTIONS FOR FILING AND PUBLICATION:** The Board is soliciting comments regarding this proposed amendment, which the Board must receive within thirty (30) days of the first publication of this notice in the Commonwealth Register. Interested persons may request copies of the proposed amendment by contacting us at 664-4808/4809 or by email at [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp), or drop by our office located at Bldg. #1242, Pohnpei Ct., Capitol Hill, Saipan. Drop off written comments on these amendments at our office or send them to HCPLB, P.O. Box 502078, Saipan, MP, 96950.

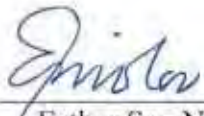
Submitted By:

  
Esther S. Fleming  
Executive Director

  
Date

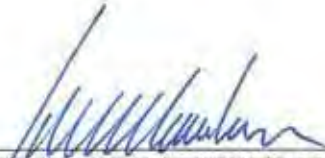
Received By:   
Jean Paul B. Reyes  
Special Assistant for the Administration

9.15.2024  
Date

Filed and Recorded By:   
Esther San Nicolas  
Commonwealth Registrar

09.15.2025  
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).

  
EDWARD MANIBUSAN  
Attorney General

9/15/2026  
Date



Commonwealth gi Sankattan na Islas Mariánas  
**HEALTH CARE PROFESSIONS LICENSING BOARD**  
P.O. Box 502078, Bldg., 1242 Pohnpei Court  
Capitol Hill, Saipan, MP 96950  
Tel No: (670) 664-4808/09 Fax: (670) 664-4814  
Email: [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp)  
Website: [www.cnmilicensing.gov.mp](http://www.cnmilicensing.gov.mp)



**NUTISIA PUT I MANMAPROPONI NA REGULASIÓ GI  
HEALTH CARE PROFESSIONS LICENSING BOARD PARA  
PÁTTI 2635 (b) – “THERAPIST” DENTISTA**

**I AKSIÓN NI MA’INTINSIONA PARA U MA’ADÁPTA ESTI I MANMAPROPONI NA REGULASIÓ SIHA:** I Health Care Professions Licensing Board (HCPLB) ha intinsiona para u adápta komu pitmanenti na regulasió i mañechettun na Manmaproponi na Tinilaika, sigun gi maneran i Ákton Administrative Procedure, 1 CMC § 9104(a). I regulasió siempre umifektibu gi dies (10) dihas dispues di “compliance” yan 1 CMC §§ 9102 yan 9104(a) pat (b) (1 CMC § 9105(b).

**ATURIDÁT:** I Health Care Professions Licensing Board gai istatúa na aturidát para u cho’gui yan na’ifektibu i regulasió siha sigun gi 3 CMC § 2206(b). komu ma’amenda.

**I TEMA YAN SUSTANSIAN I PALÁBRA SIHA:** I maproponi na tinilaika siha gi papa’ i “Therapist” Dentista “subsection” § 185-10-2635(b)(1-11), (13), yan (15-16) ha na’suha unus kuántus na prubinsió prinaktikan cho’chu’, adimás di “supervision” ginin i dentista, hinerát na prinaktika.

**SUHETU YAN ASUNTU NI TINEKKA:** I tinilaika ma’intinsiona para u istablesi i modelu hinerát na prinaktika nai ha sedi i “therapist” dentista siha para u mapribeniyi aturidát sitbisiu siha gi halum idukasió-niha, inetyak, yan Linisensia, mientras mamantietieni apropiu na “standards” prufesióat yan sinâfun manmalângu. Hâfa mago’ti gi papa’ i “supervision” sa’ i usun i “nitrous” yan nina’in âmut siha. Esti na tinilaika siempre ha atbânsa mäs mäolik na intrâda gi inadahin dentista yan u na’klâru i patti yan risponsibilidát i “therapists” dentista.

I tinilaika siha ha’ingklusu lorkkui’ i para u mana’dinanchi i palâbra, dilitreha, yan ta’lun manumiru para u adilânta kunsistenña, mataitaiña, yan ma’alibiuña gi maminsiona todú gi regulasió siha.

**DIREKSIÓN PARA U MAPEGA YAN PUBLIKASIÓ:** I Kuetpu mamamaisin upiñon siha put esti i manmaproponi na tinilaika ni debi di u marisibi ni i Kuetpu gi halum i trenta (30) dihas gi primet na publikasió esti na nutisia gi halum i Rehistran Commonwealth. I intirisáo na petsona siha siña manrikuesta kopian i manmaproponi na tinilaika ya bai fanma’âgang gi 664-4808/09 pat email gi [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp) pat bisita i ufisinan-mâmi ni gaigi gi Bldg. 1242, Pohnpei Ct., Capito Hill, Saipan. I tinigi’ upiñon siha put esti na tinilaika siha debi na u machuli’ guatu gi ufisinan-mâmi pat na’hânáo para i BPL, P. O. Box 502078, Saipan, MP 96950.

Nina’hâlum as:

Esther S. Fleming  
Eksektibu Diriktót

09/08/24  
Fetcha

Rinisibi as:



Jean Paul B. Reyes

Ispisiât na Ayudânti para i Atministrasiôn

9.15.2024

Fetcha

Pine'lu yan  
Ninota as:



Esther San Nicolas

Rehistran Commonwealth

09.15.2025

Fetcha

Sigun i 1 CMC § 2153(e) (I Abugâdu Hinirât ha aprueba i regulasiôn siha na para u macho'gui komu fotma) yan 1 CMC § 9104(a) (3) (hentan inaprueban Abugâdu Hinirât) i manmaproponi na Regulasiôn siha ni mañechettun guini ni manmaribisa yan manma' aprueba komu fotma yan sufisienti ligât ginin i CNMI Abugâdu Hinirât yan debi na u mapupblika, 1 CMC § 2153(f) (pupplikasiôn i areklamentu yan regulasiôn siha).



EDWARD MANIBUSAN

Abugâdu Hinirât

9/15/2026

Fetcha



Commonwealth Téel Falúw kka Efáng Ilól Marianas  
**HEALTH CARE PROFESSIONS LICENSING BOARD**  
P.O. Box 502078, Bldg., 1242 Pohnpei Court  
Capitol Hill, Saipan, MP 96950  
Tel No: (670) 664-4808/4809 Fax: (670) 664-4814  
Email: [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp)  
Website: [www.cnmilicensing.gov.mp](http://www.cnmilicensing.gov.mp)



**ARONGORONGOL PPWOMMWOL MWÓGHUTUGHUT NGÁLI**  
**HEALTH CARE PROFESSIONS LICENSING BOARD NGÁLI**  
**PART 2635 (b) – DENTAL THERAPIST**

**MÁNGEMÁNGIL MWÓGHUT REEL REBWE ADÓPTÁÁLI PPWOMMWOL MWÓGHUTUGHUT KKAAL:** Health Care Professions Licensing Board (HCPLB) re mángemángil rebwe adóptááli PPwommwol Liiwel ikka e appasch bwe ebwe lléghló, sáangi mwóghutughutúl Administrative Procedure Act, 1 CMC § 9104(a). Ebwe bwunguló mwóghutughut seigh ráál (10) mwiril aal angúungú fengál me 1 CMC §§ 9102 me 9104(a) ngáre (b) (1 CMC § 9105(b)).

**BWÁNGIL:** Eyoor bwángil Health Care Professions Licensing Board rebwe aronga me isiisiwow mwóghut sáangi 4 CMC § 2206(b), igha e liiwel

**AWEWEEL ME WEEWEEL:**

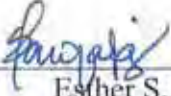
Pommwol liwel faal Dental Therapist subsection § 185-10-2635(b)(1-11), (13), me (15-16) e amilaalo ákkááw alléghúl angaangil Dental Therapist rel millikka e mmwel me ese mmwelil ebwe féérú. Liwel kkaal nge ebwe mmwel ngáli Dental Therapist ebwe angaang nge faal general practice mmwal rebwe supervise-li.

**KKAPASAL ME AUTOL LIWEL KKA EYOOR:**

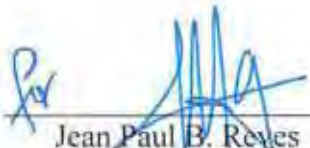
Liwel kkaal e ayoora model-il general practice iye ebwe ayooral ngaliir dental therapist bwe rebwe ayoora alléghúl yaar angaang faal yaar education, training, me license me ayoora standard-il angaang ghatch me lemelem fisch ngaliir mal sumwaay. Ótol yaayal nitrous me saféey nge e schiwel nisita bwe ebwe yoor direct supervision merel dentist. Liwel yeel ebwe ayoora dental care ngáliir aramas me ayoora aweewel yaar angaangil Dental Therapist.

Liwel kkaal ebwe aschulong ammwelaal aweeweel grammar me féérúl numurol sections rel rebwel aghatchu fischí, aweeweey fischí, me amescheráéóúghi yaar rebwe chungí me yááyá alléghúl.

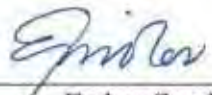
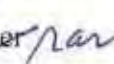
**AFAL REEL AMMWELIL ME AKKATÉÉWOWUL:** Board re tingór kkapas ikka e ssúngáli ppwommwol liiwel iye Board rebwe bwughi llól eliigh (30) ráál mwiril aal ghommwal akkatééwow me llól Commonwealth Register. Schóó kka re tipáli pappidil ppwommwol liiwel rebwe faingi ghámem me 664-4809 ngáre email li [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp) ngáre mweteló bwulasiyo imwu e lo Bldg. No. 1242, Pohnpei Ct, Asúngúl, Seipél. Ischill kkapas wóól liiwel kkaal ebwe mwetelól bwulasiyo ngáre afangaló BPL, P.O. Box 502078, Saipan, MP, 96950.

Isáliyalong:   
Esther S. Fleming  
Executive Director

9.15.2026  
Ráál

Bwughiyal:   
Jean Paul B. Reyes  
Special Assistant ngáli Administration

9.15.2026  
Ráál

Ammwelil:   
Esther San Nicolas  
Commonwealth Register 

9.15.2026  
Ráál

Sángi 1 CMC § 2153(e) (sángi átirowal AG reel mwóghutughut bwe aa ffil reel fféerúl me ebwe arongowow) me 1 CMC § 9104(a) (3) (sángi átirowal AG) reel ppwommmwol mwóghutughut ikka e appasch bwe ra takkal amwuri fischiiy me átirowa bwe aa ffil reel fféerúl me legal sufficiency sángi Soulemelemil Allégh Lapalapal CNMI me ebwe akkatééwow, 1 CMC § 2153 (f) (arongowowul allégh me mwóghutughut).

  
EDWARD MANIBUSAN  
Soulemelemil Allégh Lapalap

9/15/2026  
Ráál

- (f) Licensure renewal shall be denied to any licensee who fails to provide satisfactory evidence of completion of CDE requirements or who falsely certifies attendance at and/or completion of the CDE as required herein.

**§ 185-10-2630          Dental Therapist — Licensure**

**(a) Requirements.**

An applicant applying for a license to practice dental therapist in the CNMI must be at least twenty-one years of age, be a U.S. citizen or a foreign national lawfully entitled to remain and work in the CNMI, and must meet the following requirements:

- (1) Applicant is a graduate of an accredited dental therapy educational program in the U.S. or Canada or is a foreign-trained dentist having graduated from a school of dentistry recognized by the Department of Health in that respective country; and
- (2) Applicant can communicate proficiently in the English language. If proficiency in the English language is in question, the applicant may be required by the Board to show a passing score on the TOEFL test; and
- (3) Applicant has a current and active license to practice as a dental therapist in any U.S. state or Canada, or as a dentist in any foreign country; and
- (4) Applicant is not the subject of any adverse action against their license to practice as a dental therapist in any U.S. State or Canada, or as a dentist in any foreign country, and is not the subject of any pending litigation in regard to regarding their practice as a dental therapist or dentist; and
- (5) Applicants must specify in the application the dentist(s) by whom the applicant is to be employed.
- (6) Proof of cardiopulmonary resuscitation (CPR) certification by a Board-approved institution or organization.

**(b) Application.**

An application for a license to practice as a dental therapist shall be made under oath on a form provided by the Board and shall be accompanied with the following information, documentations, and fees (non-refundable) as required in these regulations:

- (1) Completed application with information that includes the applicant's full name, and all aliases or other names ever used, current address, date and place of birth, and social security number; and
- (2) Current 2x2 photograph of the applicant taken within six months from the date of application; and
- (3) A list of all jurisdictions, U.S. or foreign, in which the applicant has ever been licensed, has applied for a license to practice dental hygiene, has been denied licensure, or voluntarily surrendered a license to practice as a dental therapist or dentist; and
- (4) A curriculum vitae including a detailed education and experience history which shall include dates, places, institutions, educational programs, and description of all prior education and work experience; and
- (5) A list of all ~~of all~~ sanctions, judgments, awards, settlements, or convictions against the applicant in any jurisdiction, U.S. or foreign, that may constitute grounds for disciplinary action in that jurisdiction or be of concern to the Board; and

- (6) Notarized or certified copies acceptable to the Board of the following:
  - (i) Diploma showing a degree of Dental Therapy or a degree of Doctor of Dental Surgery from a school of dentistry recognized by the department of health in that respective country; and; or Documents showing proof that applicant is licensed to practice as a dental therapist in any U.S. state or Canada, or a foreign trained dentist graduated from a school of dentistry recognized by the department of health in that respective country.

**§ 185-10-2635          Dental Therapist-Scope of Practice**

- (a) A person licensed as a dental therapist in the CNMI must adhere to the specific parameters and scope of practice and may perform the following services under the general supervision of a CNMI-licensed dentist:
  - (1) Oral examination and diagnosis of dental disease;
  - (2) Oral health instruction and disease prevention education, including nutritional counseling and dietary analysis;
  - (3) Preliminary charting of the oral cavity;
  - (4) Taking intra-oral and extra-oral photographs;
  - (5) Exposing and developing radiographs;
  - (6) Prophylaxis or removal of stains, accretions, or deposits and polishing of the coronal portion of the teeth above the cemento enamel junction (CEJ); and
  - (7) Scale and root planning (removal of calculus or deposits below the cemento enamel junction (CEJ));
  - (8) Application of topical preventive or prophylactic agents, including fluoride varnishes and gel;
  - (9) Placement of pit and fissure sealants;
  - (10) Application of silver diamine fluoride;
  - (11) Pulp vitality testing;
  - (12) Application of desensitizing agents on primary or permanent teeth;
  - (13) Placement of temporary restorations on primary or permanent teeth;
  - (14) Fabrication and cementation of temporary crowns on permanent teeth;
  - (15) Placement and removal of restorative bands;
  - (16) Suture removal and dressing changes;
  - (17) Impressions for, and delivery of, occlusal guards, athletic mouth guards and whitening trays but not laser bleaching;
  - (18) Impressions for removable prosthesis;
  - (19) Tissue Conditioning and soft reline for removable prosthesis; and
  - (20) Minor adjustments of removable prosthesis.
- (b) A licensed dental therapist may perform the following services under direct supervision of a dentist:
  - ~~(1) Cavity preparation;~~
  - ~~(2) Placement, shaping, polishing, and adjustment of restorative materials or fillings on primary or permanent teeth;~~

- ~~(3) Indirect and direct pulp capping on primary and permanent teeth;~~
- ~~(4) Placement and removal of space maintainers on primary teeth;~~
- ~~(5) Recommendation of permanent crowns;~~
- ~~(6) Try-in of removable prosthesis;~~
- ~~(7) Non-surgical extraction of primary teeth;~~
- ~~(8) Non-surgical extraction of permanent teeth with greater than grade 2 mobility;~~
- ~~(9) Tooth re-implantation;~~
- ~~(10) Stabilization of re-implanted teeth or teeth otherwise affected by trauma;~~
- ~~(11) Emergency palliative treatment of dental pain;~~
- (12) Administration and monitoring of nitrous oxide (with proof of certification from a Board- approved program);
- ~~(13) Fabrication and cementation of temporary crowns on permanent teeth;~~
- (14) Dispensing medications as ordered by the dentist;
- ~~(15) Observation and monitoring of patients under sedation; and~~
- ~~(16) Administration of local anesthetics.~~

(c) The supervising dentist is professionally and legally responsible for all care provided by the dental therapist.

(1) A supervising dentist is allowed to supervise no more than three (3) dental therapists.

(d) Limitation of Practice as a Dental Therapist.

A licensed dental therapist in the CNMI must strictly adhere to the following:

(1) Must work under the supervision of a dentist holding a current and unrestricted license to practice dentistry in the CNMI; and

(i) May perform services of a dental therapist, independent of a CNMI-licensed dentist, for educational and preventative oral health services provided by dental therapists employed by the Commonwealth Healthcare Corporation, which are rendered pursuant to the Public Health's Oral Health Program for children, within the scope of these regulations;

(2) May not hold themselves out to the public as a dentist, dental hygienist, or refer to themselves as "doctor" or hold themselves out to the public in any written, verbal, or other form to be a Doctor of Dental Surgery or Doctor of Dental Medicine, regardless of their training or title in any foreign country; and

(3) Must not diagnose, do a treatment plan, or write prescriptions for medications, except under the direct order and supervision of a CNMI-licensed dentist; and

(4) Must not perform other procedures that require the professional competence and skill

of a dentist.

- (5) No licensed Dental Therapist may practice without a valid Practice Agreement on file with the Board.

**§ 185-10-2640      Dental Therapist — Continuing Dental Education (CDE)**

- (a) All dental hygienists licensed to practice dental hygiene in the CNMI are required to complete thirty (30) CDE hours (15 hours per year), as a prerequisite to the renewal of their biennial license. At least 50% ~~or more~~ of the CDEs must be in education ~~in the~~ with clinical aspect of dentistry.
- (b) One CDE unit or credit equals one contact hour.
- (c) Approved continuing dental education activities include, but are not limited to:
- (1) Courses, workshops, or symposiums approved, provided, or sponsored by the American Dental Therapy Association (ADTA), Academy of General Dentistry (AGD), American Dental Association (ADA), or the World Dental Federation;
  - (2) Courses, workshops, or symposiums approved by the Board that are offered by dental colleges or universities, or dental organizations or associations;
  - (3) Approved presentations given or attended, and workshops geared toward oral health education in the Commonwealth;
  - (4) Self-study programs offered by a dental college or university, the AGD or the ADA, or other programs approved by the board.
- (d) If a licensee fails to meet the CDE requirements for renewal of license because of illness, military service, medical, or religious activity, residence in a foreign country, or other extenuating circumstances, the Board, upon appropriate written request from the applicant, may grant an extension of time to complete same, on an individual basis.
- (e) It shall be the responsibility of the licensee to obtain documentation, satisfactory to the Board, from the organization or institution of his or her participation in the continuing dental education, and the number of course/credit hours.
- (f) Licensure renewal shall be denied to any licensee who fails to provide satisfactory evidence of completion of CDE requirements or who falsely certifies attendance at and/or completion of the CDE as required herein.

**§ 185-10-2645      Dental Therapist - Practice Agreement**

**(a)      Scope of Practice**

The Dental Therapist (DT) shall perform only those dental services appropriate to his or her specific training and experience which may include, ~~but are~~ not limited to:

- (1) Take medical histories and perform oral exams (comprehensive or emergent)
- (2) Order and perform diagnostic and therapeutic procedures;
- (3) Diagnose and treat oral diseases;
- (4) Perform non-surgical oral health care tasks consistent with his/her training and experience. A DT may not advertise or otherwise hold him/herself out in any manner, which implies that the DT is either a dentist or an independent practitioner. A DT may not advertise in any manner without the ~~name of~~ the supervising dentist. A DT shall always, when on duty, wear an ID badge stating their name and title of Dental Therapist or "DT".

**(b) Supervising Dentist**

The Supervising Dentist must comply with the following requirements to supervise a dental therapist(s):

- (1) The Supervising Dentist shall possess a current unrestricted license to practice dentistry in the CNMI that is in good standing with the Board and a valid DEA certificate.
- (2) The Supervising Dentist's primary place of practice is within the CNMI. At least 50% of his/her practice must be clinical. A supervising dentist shall delegate to a DT only those tasks consistent with ~~his or her~~ the DTS specialty or usual and customary practice.
- (3) The Supervising Dentist will direct and exercise supervision over the DT in accordance with the regulations and recognizes that he/she retains full professional and legal responsibility for the performance of the DT and the care and treatment of the patient:
- (4) The Supervising Dentist shall always provide adequate means for direct communication between the DT and him/her including but not limited to, clinics, hospitals, ambulatory centers, patient homes, and other institutional settings.
- (5) The Supervising Dentist shall always provide adequate means for direct communications between the DT and him/her; that direct communication may occur through the use of technology which may include, but not limited to, two-way radio, telephone, fax machine, internet or another telecommunication device.
- (6) The Supervising Dentist shall designate an alternate Supervising Dentist in his or her absence. That alternate Supervising Dentist must satisfy all requirements of a primary Supervising Dentist.
- (7) The Supervising Dentist shall petition the Board if she/he wishes to supervise more than 3 full-time DTs or equivalent to 3 full-time DTs.



Commonwealth of the Northern Mariana Islands  
**HEALTH CARE PROFESSIONS LICENSING BOARD**  
P.O. Box 502078, Bldg., 1242 Pohnpei Court  
Capitol Hill, Saipan, MP 96950  
Tel No: (670) 664-4808/4809 Fax: (670) 664-4814  
Email: [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp)  
Website: [www.cnmilicensing.gov.mp](http://www.cnmilicensing.gov.mp)



**NOTICE OF PROPOSED AMENDMENTS TO THE  
HEALTH CARE PROFESSIONS LICENSING BOARD FOR  
LICENSED PROFESSIONAL COUNSELORS REGULATIONS**

**INTENDED ACTION TO ADOPT THIS PROPOSED REGULATION:** The Health Care Professions Licensing Board (HCPLB) intends to adopt as permanent regulation the attached Proposed Amendment, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The regulation would become effective 10 days after compliance with 1 CMC §§ 9102 and 9104(a) or (b) (1 CMC § 9105(b)).

**AUTHORITY:** The Health Care Professions Licensing Board has statutory power to promulgate and effect regulations pursuant to 4 CMC § 2206(b), as amended.

**THE TERMS AND SUBSTANCE:**

The proposed amendments to the Licensed Professional Counselor regulations are necessary to clarify licensure requirements, provide a clear pathway for licensure by endorsement, and improve the organization and readability of the regulations.

**THE SUBJECTS AND ISSUES INVOLVED:**

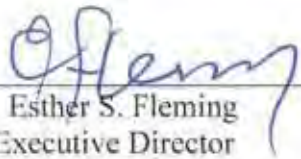
Specifically, § 185-10-4610 is amended to define the requirements for licensure as a Licensed Professional Counselor. The amendment will provide applicants with a clear understanding of the qualifications and documentation required for licensure.

A new subsection is added to § 185-10-4615(d) to establish requirements for licensure by endorsement. This provision clarifies the process for applicants who hold a valid license in another jurisdiction and seek licensure in the CNMI, while ensuring applicants meet the applicable professional standards.

The amendments also include general grammatical cleanup and renumbering to improve consistency, clarity, and ease of reference throughout the regulations.

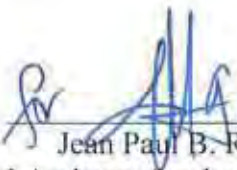
**DIRECTIONS FOR FILING AND PUBLICATION:** The Board is soliciting comments regarding this proposed amendment, which the Board must receive within thirty (30) days of the first publication of this notice in the Commonwealth Register. Interested persons may request copies of the proposed amendment by contacting us at 664-4808/4809 or by email at [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp), or drop by our office located at Bldg. #1242, Pohnpei Ct., Capitol Hill, Saipan. Drop off written comments on these amendments at our office or send them to HCPLB, P.O. Box 502078, Saipan, MP, 96950.

Submitted By:

  
Esther S. Fleming  
Executive Director

09/08/26  
Date

Received By:

  
Jean Paul B. Reyes  
Special Assistant for the Administration

9.15.2026  
Date

Filed and Recorded By:

  
Esther San Nicolas  
Commonwealth Registrar

09.15.2026  
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).

  
EDWARD MANIBUSAN  
Attorney General

9/15/2026  
Date



Commonwealth gi Sankattan na Islas Mariānas  
**HEALTH CARE PROFESSIONS LICENSING BOARD**  
P.O. Box 502078, Bldg., 1242 Pohnpei Court  
Capitol Hill, Saipan, MP 96950  
Tel No: (670) 664-4808/4809 Fax: (670) 664-4814  
Email: [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp)  
Website: [www.cnmilicensing.gov.mp](http://www.cnmilicensing.gov.mp)



**NUTISIA PUT I MANMAPROPONI NA REGULASIÓ GI  
HEALTH CARE PROFESSIONS LICENSING BOARD PARA  
REGULASIÓ LINISENSIA PRUFESIÓNAT KUNSEHERU  
(Licensed Professional Counselor)**

**I AKSIÓN NI MA'INTINSIONA PARA U MA'ADÁPTA ESTI I MANMAPROPONI NA REGULASIÓ SIHA:** I Health Care Professions Licensing Board (HCPLB) ha intinsiona para u adápta komu pitmanenti na regulasió i mañechettun na Manmaproponi na Tinilaika, sigun gi maneran i Ákton Administrative Procedure, 1 CMC § 9104(a). I regulasió siempre umifektibu gi dies (10) dihas dispues di "compliance" yan 1 CMC §§ 9102 yan 9104(a) pat (b) (1 CMC § 9105(b).

**ATURIDÁT:** I Health Care Professions Licensing Board gai istatúa na aturidát para u cho'gui yan na'ifektibu i regulasió siha sigun gi 3 CMC § 2206(b), komu ma'amenda.

**I TEMA YAN SUSTÁNSIAN I PALÁBRA SIHA:**

I maproponi na tinilaika gi regulasió Linisensia Prufesiónat Kunseheru mannisissáriu para u kláruyi i ginagãogão para lisensia, na'guahayi kláru na chalan para lisensian i sapottasió, yan adilánta i otganisasió yan mataitai-ña i regulasió siha.

**SUHETU YAN ASUNTU NI TINEKKA:**

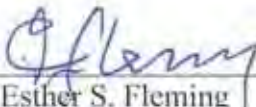
Ispisifikão, § 185-10-4610 ma'amenda para u difina i ginagãogão siha para i manlisensia komu i regulasió Linisensia Prufesiónat Kunseheru. I tinilaika siempre ha na'guahayi i aplikánti siha ni kláru na kinumprendin i kuálifikasió yan dokumentasió osino i dokumentu ni madimanda para i malisensia.

I nuebu na "subsection" mana'hálum gi § 185-10-4615(d) para u istablesi ginagãogão siha para i manlisensia ginin i sapottasió. Esti na prubinsión ha kláruyi i manera para i aplikánti ni gumo'go'ti i lálala' na lisensia gi ottru na aturidát yan manaliligão para manlisensia gi halum i CNMI, mientras mana'siguguru i aplikánti siha mana'satisfetchu i aplikápbli na "standards" prufesiónat.

I tinilaika siha ha ingklusu lokkui' todú i para mana'dinanchin i palábra, dilítreha, yan ta'lun marumiru para u adilánta parehu mo'na, klináru, yan na'libiánu i riniferi gi todú i regulasió siha.

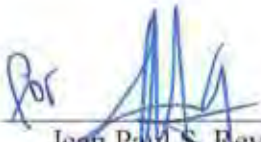
**DIREKSIÓ PARA U MAPEGA YAN PUPBLIKASIÓ:** I Kuetpu mamamaisin upiñon siha put esti i manmaproponi na tinilaika ni debi di u marisibi ni i Kuetpu gi halum i trenta (30) dihas gi primet na pupblikasió esti na nutisia gi halum i Rehistran Commonwealth. I intirisão na petsona siha siña manrikuesta kopian i manmaproponi na tinilaika ya bai in fan ma'ãgang gi 664-4808/09 pat email gi [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp) pat bisita i ufisinan-mãmi ni gaigi gi Bldg. 1242, Pohnpei Ct., Capito Hill, Saipan. I tinigi' upiñon siha put esti na tinilaika siha debi na u machuli' guatu gi ufisinan-mãmi pat na'hãno para i BPL, P. O. Box 502078, Saipan, MP 96950.

Nina'hålum as:

  
Esther S. Fleming  
Eksekutibu Direktór

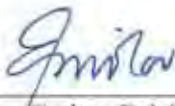
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Rinisibi as:

  
Jean Paul S. Reyes  
Ispisiât na Ayudánti para i Atministrasiôn

9.15.2026  
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Pine'lu yan  
Nínota as:

  
Esther R.M. San Nicolas  
Rehistran Commonwealth

09.15.2026  
Fetcha

Sigun i 1 CMC § 2153(e) (I Hinerât Abugâdu ha aprueba i regulasiôn siha na para u macho' gui komu fotma) yan 1 CMC § 9104(a) (3) (hentan inaprueban Hinerât Abugâdu) i manmaproponi na Regulasiôn siha ni mañechettun guini ni manmaribisa yan manma'aprueba komu fotma yan sufisienti ligât ginin i CNMI Hinerât Abugâdu yan debi na u mapublika, 1 CMC § 2153(f) (pupblikasiôn i areklamentu yan regulasiôn siha).

  
EDWARD MANIBUSAN  
Hinerât Abugâdu

9/15/2026  
Fetcha



Commonwealth Téel Falúw kka Efáng Ilól Marianas  
**HEALTH CARE PROFESSIONS LICENSING BOARD**  
P.O. Box 502078, Bldg., 1242 Pohnpei Court  
Capitol Hill, Saipan, MP 96950  
Tel No: (670) 664-4808/4809 Fax: (670) 664-4814  
Email: [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp)  
Website: [www.cnmilicensing.gov.mp](http://www.cnmilicensing.gov.mp)



**ARONGORONGOL PPWOMMWOL MWÓGHUTUGHUT NGÁLI**  
**HEALTH CARE PROFESSIONS LICENSING BOARD NGÁLI**  
**Part 4600 – Licensed Professional Counselors**

**MÁNGEMÁNGIL MWÓGHUT REEL REBWE ADÓPTÁÁLI PPWOMMWOL MWÓGHUTUGHUT KKAAL:** Health Care Professions Licensing Board (HCPLB) re mángemángil rebwe adóptááli PPwommwol Liiwel ikka e appasch bwe ebwe lléghló, sángi mwóghutughutúl Administrative Procedure Act, 1 CMC § 9104(a). Ebwe bwunguló mwóghutughut seigh ráál (10) mwiril aal angúungú fengál me 1 CMC §§ 9102 me 9104(a) ngáre (b) (1 CMC § 9105(b)).

**BWÁNGIL:** Eyoor bwángil Health Care Professions Licensing Board rebwe aronga me isiisiwow mwóghut sángi 4 CMC § 2206(b), igha e liiwel.

**AWEWEL ME WEEWEL:**

Pommwol liwel ngáli autcheyal alléghúl Licensed Professional Counselor rel ebwe affata meeta kka e nisitaay rel mwoghutughutúl bweibwoghul license, ayoora kkapasal mwóghutughutúl bweibwoghul license, me amescherághi allégh bwe rebwe mataf fisch me atabweey mwóghutughutúl.

**KKAPASAL ME AUTOL LIWEL KKA EYOOR:**

§ 185-10-4610 e liwel rel ebwe abwááril fischil millikka e nisita rel mwoghutughutúl bweibwoghul license rel school Licensed Professional Counselor. Liwel yeel ebwe affata ngáliir applicant rel mataf aweewel iye re nisistaay rebwe féerú me meeta dókkomento kka rebwe ayoora rel mwóghutughutúl bweibwoghul license.

Subsection iye e ffé e schulong ngáli § 185-10-4615(d) rel ebwe affata millikka e nisita rel mwóghutughutúl bweibwoghul license merel license-níl eew bwuleey. Peigh yeel e affata mwoghutughutúl schoo kka re akkamwosch license me lol eew jurisdiction me amwuriil mwoghutughutúl bweibwoghul license me lol CNMI. Ebwal affata bwe re aweeweey standard-il ikka elo lol CNMI.

Liwel kkaal ebwe aschulong amwelaal aweeweel grammar me féerúl numurol sections. Liwel kkaal e ffér rel ebwe ffat alléghúl, mataf, me mescherágh rebwe schuungi me reepiya.

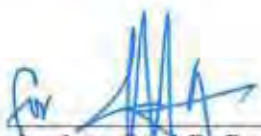
**AFAL REEL AMMWELIL ME AKKATÉÉWOWUL:** Board re tingór kkapas ikka e ssúlngáli ppwommwol liiwel iye Board rebwe bwughi llól elijigh (30) ráál mwiril aal ghommwal akkatééwow me llól Commonwealth Register. Schóo kka re tipáli pappidil ppwommwol liiwel rebwe faingi ghámém me 664-4809 ngáre email li [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp) ngáre mweteló bwulasiyo imwu e lo Bldg. No. 1242, Pohnpei Ct, Asúngúl, Seipél. Ischill kkapas wóol liiwel kkaal ebwe mwetelól bwulasiyo ngáre afangaló BPL, P.O. Box 502078, Saipan, MP, 96950.

Isáliyalong:

  
Esther S. Fleming  
Executive Director

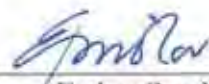
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Ráál

Bwughiyal:

  
Jean Paul B. Reyes  
Special Assistant ngáli Administration

9.15.2024  
Ráál

Ammwelil:

  
Esther San Nicolas  
Commonwealth Register

09.15.2026  
Ráál

Sáangi 1 CMC § 2153(e) (sáangi átirowal AG reel mwóghutughut bwe aa ffil reel fféerúl me ebwe arongowow) me 1 CMC § 9104(a) (3) (sáangi átirowal AG) reel ppwommwol mwóghutughut ikka e appasch bwe ra takkal amwuri fischiiy me átirowa bwe aa ffil reel fféerúl me legal sufficiency sáangi Soulemelemil Allégh Lapalapal CNMI me ebwe akkatééwow, 1 CMC § 2153 (f) (arongowowul allégh me mwóghutughut).

  
EDWARD MANIBUSAN  
Soulemelemil Allégh Lapalap

9/15/2026  
Ráál

TITLE 185: COMMONWEALTH HEALTH CARE PROFESSIONS  
LICENSING BOARD

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CHAPTER 185-10  
COMMONWEALTH HEALTH CARE PROFESSIONS  
LICENSING BOARD REGULATIONS

**Part 4600 Licensed Professional Counselors**

|                                |                                     |
|--------------------------------|-------------------------------------|
| § 185-10-4601                  | Definitions                         |
| § 185-10- <del>4625</del> 4605 | Applications                        |
| § 185-10- <del>4615</del> 4610 | Requirements for Licensure          |
| <del>§ 185-10-4610</del>       | <del>[Reserved]</del>               |
| § 185-10- <del>4620</del> 4615 | Licensure by Endorsement            |
| § 185-10- <del>4605</del> 4620 | Exemptions for License Requirements |
| § 185-10- <del>4630</del> 4625 | Continuing Education (CE)           |
| § 185-10- <del>4635</del> 4630 | Renewal                             |
| § 185-10- <del>4645</del> 4635 | Code of Ethics                      |
| <del>§ 185-10-4640</del>       | <del>[Reserved]</del>               |
| § 185-10- <del>4650</del> 4640 | Disciplinary Action                 |

**TITLE 185: COMMONWEALTH HEALTH CARE PROFESSIONS  
LICENSING BOARD**

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**Part 4600 - Licensed Professional Counselors**

**§ 185-10-4601 Definitions**

- (a) **"AMHCA"** is the American Mental Health Counselors Association.
- (b) **"AASCB"** is the American Association of State Counseling Boards, the organization of state boards that regulate the practice of counseling. Founded in 1985, AASCB is an association of bodies which are legally responsible for the registration, certification, or licensing of counselors within their jurisdictions in the United States of America.
- (c) **"CACREP"** is the Council for Accreditation of Counseling and Related Educational Programs. CACREP is an independent agency recognized by the Council for Higher Education Accreditation to accredit master's degree programs in: addiction counseling, career counseling, clinical mental health counseling, marriage, couple and family counseling, school counseling and student affairs, and college counseling. CACREP also accredits doctoral programs in Counselor Education and Supervision.
- (d) **"CCPA"** is the Canadian Counseling and Psychotherapy Association, a national bilingual association providing professional counselors and psychotherapists with access to exclusive educational programs, certification, professional development, and direct contact with professional peers and specialty groups.
- (e) **"CE/CEU" are Continuing Education and Continuing Education Unit.** CE and CEU are not the same. One hour of credit will be allowed for each clock or contact hour of CE participation. One CEU is equal to 10 clock, credit, or contact CE hours.
- (f) **"CRCC"** is the Commission on Rehabilitation Counselor Certification, which is an independent, not-for-profit organization that sets the standard for quality rehabilitation counseling services through its internationally recognized certification program. Individuals passing the voluntary certification examination become qualified as Certified Rehabilitation Counselors, or CRCs. The CRC Certification Program is accredited by the National Commission for Certifying Agencies (NCCA).
- (g) **"Licensed Professional Counselor (LPC)"** means a person who is licensed to practice as a professional counselor as defined in these regulations and whose license is in good standing.
- (h) **"Mental and behavioral health counseling"** means the rendering of professional services to individuals, families, or groups. These professional services include: applying the principles, methods, and theories of counseling, human development, learning theory, group and family dynamics, the etiology of mental illness and dysfunctional behavior, and psychotherapeutic techniques to define goals and develop a treatment plan of action aimed toward the prevention, treatment, and resolution of mental and emotional dysfunction and intra or interpersonal disorders to all persons irrespective of diagnosis. The practice of mental health counseling includes, but is not limited to, assessment, diagnosis and treatment, counseling, and psychotherapy, of a nonmedical nature of mental and emotional disorders, psycho-educational techniques aimed at prevention of such disorders, and consultation to individuals, couples, families, groups, organizations, and communities.

**TITLE 185: COMMONWEALTH HEALTH CARE PROFESSIONS  
LICENSING BOARD**

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- (i) “NBCC” is the National Board for Certified Counselors and Affiliates, an independent not-for-profit credentialing body for counselors, was incorporated in 1982 to establish and monitor a national certification system, to identify those counselors who have voluntarily sought and obtained certification, and to maintain a register of those counselors.
- (j) “NCC” is the National Certified Counselor with NBCC. The NCC is one of two NBCC certifications that are accredited by the National Commission for Certifying Agencies (NCCA). The NCC is the prerequisite for all specialty certifications ~~with NBCC~~.
- (k) “NCE” is the National Counselor Examination for licensure and certification with NBCC. NBCC’s certification program recognizes counselors who have met predetermined standards in their training, experience, and performance on the National Counselor Examination for Licensure and Certification, the most portable credentialing examination in counseling. The NCE is used for two purposes: national counselor certification and state counselor licensure.
- (l) “NCMHCE” is the National Clinical Mental Health Counseling Examination administered by NBCC.

**§ 185-10-~~4625~~ 4605 Applications**

- (a) An application for a license to practice as a professional counselor shall be made on a form to be provided by the Board accompanied ~~with~~ **by** the following information and documentation as necessary to establish that the applicant possesses the qualifications required in these regulations.
- (b) Applicant must also provide:
  - (1) The applicant’s full name and all aliases or other names ever used, current address, date and place of birth, and Social Security number; and
  - (2) Applicant’s 2x2 photograph taken within six months from ~~the~~ date of application; and
  - (3) The appropriate fees, including the application fee, which shall not be refunded; and
  - (4) Originals of all documents and credentials, or notarized or certified copies acceptable to the Board of such documents and credentials, including but not limited to:
    - (i) Diploma or certificate showing successful completion of the appropriate degree in professional counseling or mental health counseling from the required educational school or program;
    - (ii) Documents showing proof that applicant has satisfactorily completed all the appropriate required training under § 185-10-~~4615~~ 4610;
    - (iii) Documents showing proof that applicant has taken and passed the appropriate required examination; or
    - (iv) Documents showing proof that applicant is licensed to practice as a professional or mental health counselor or professional counselor associate or mental health

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counselor associate in another jurisdiction and meets the licensing requirements in § 185-10-~~4615~~ **4610**, when applicable; and

- (5) A detailed educational history, including places, institutions, dates, and program descriptions of all education, including all college, pre-professional, professional, and professional postgraduate training;
  - (6) A list of all jurisdictions, U.S. or foreign, in which the applicant is licensed or has ever applied for a license to practice as a professional or mental health counselor or mental health counselor associate;
  - (7) A list of all jurisdictions, U.S. or foreign, in which the applicant has been denied licensure or voluntarily surrendered a license to practice as a professional or mental health counselor or mental health counselor associate;
  - (8) A list of all jurisdictions, U.S. or foreign, of all sanctions, judgments, awards, settlements, or convictions against the applicant that would constitute grounds for disciplinary action under the Act or these regulations.
- (c) All documents submitted in a foreign language shall be accompanied by a certified and accurate translation in English.

~~§ 185-10-4610~~ — **[Reserved]**

**§ 185-10-~~4615~~ 4610 Requirements for Licensure**

An applicant to practice as a professional counselor must be at least twenty-one (**21**) years of age, a U.S. citizen or a foreign national lawfully entitled to remain and work in the Commonwealth, and meet the following requirements:

- (a) Licensed Professional Counselor (LPC):
- (1) Applicant has a master's or doctoral degree in counseling from a counseling program accredited by the CACREP or from a college or university accredited by an agency recognized by the U.S. Department of Education in counseling, that includes or is supplemented by 48 semester hours of graduate-level credit with **two** (2) semester hours or greater in eight (8) content areas listed below and at least **six** (6) semester hours of field experience:
    - (i) Human Growth and Development Theories in Counseling
    - (ii) Social and Cultural Foundations in Counseling
    - (iii) Helping Relationships in Counseling
    - (iv) Group Counseling Theories and Processes
    - (v) Career Counseling and Lifestyle Development

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- ~~(vi)~~ Assessment in Counseling
- ~~(vii)~~ Research and Program Evaluation
- ~~(viii)~~ Professional Orientation to Counseling
- ~~(ix)~~ Counseling Field Experience; and

- (2) Applicant must complete the supervised counseling work experience required under (b) of this section; and
- (3) Applicant who has completed the CACREP accredited tracks is considered to have met the supervised clinical or counseling work experience required under (b) of this section; and
- (4) A program that is not accredited by the Council for the Accreditation of Counseling and Related Educational Programs (CACREP) under either 2009 or 2016 standards, must include graduate coursework and training in the diagnosis and treatment of mental and emotional disorders and all other coursework requirements of CACREP, including a practicum and internship. The applicant shall bear the expense of a program evaluation to determine whether ~~his or her~~ ~~their~~ educational program was substantially equivalent to a program that satisfies the CACREP accreditation standards. The evaluation must be ~~by an agency recognized by the Board~~ ~~completed by either the Center for Credentialing and Education, Inc. (CCE) OR a credential evaluation organization that is a current member organization of the National Association of Credential Evaluation Services (NACES).~~
- (5) Applicant holds a current, unencumbered certification from NBCC as a national certified counselor, a national clinical mental health counselor, or a national certified rehabilitation counselor who has taken and passed the National Counseling Examination, the National Clinical Mental Health Counselor Examination, or the Rehabilitation Certification Examination; and
- (6) The Board shall accept examinations administered by other state counselor licensing boards and professional counselor credentialing associations, if the Board determines that such examinations are equivalent to the NCE, NCMHCE, or RCE relative to content and minimum satisfactory performance levels for counselors.

- (b) Applicants for licensure as a professional counselor must complete the following supervised, clinical or counseling work experience which shall:
  - (1) Be completed following the practicum and all graduate coursework which must be completed within the 50 united states or territories, ~~with the exception apart~~ of the thesis;
  - (2) Be not less than ~~three thousand~~ (3000) hours of post-graduate experience in the practice of professional or mental health counseling, of which ~~four hundred~~ (400) hours may be accrued toward the ~~three thousand~~ (3000) total from practicum experience; ~~One Thousand~~ (1000) hours of direct contact accrued post Master's, which may include individual, couples, family, or group; a minimum of ~~one hundred~~ (100) hours of clinical supervision that shall be completed in no less than two (2) years and in no more than four (4) years, under the clinical supervision of a person who is a licensed professional or mental health

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counselor, psychologist, clinical social worker, marriage and family therapist, or physician with a specialty in psychiatry;

- (3) Include at least 50 percent of the total hours of clinical supervision as individual supervision;
- (4) Have 50 percent of the total hours of the clinical supervision conducted in; and
- (5) Have only supervised clinical contact credited for this requirement.
- (6) To meet the requirements of the supervised clinical and/or counseling experience, the supervisee must:
  - (i) meet with the supervisor, either virtually or in-person, for a minimum of 4 hours of clinical supervision per month;
  - (ii) offer documentation of supervised hours signed by the supervisor;
  - (iii) not be employed to provide mental or behavioral health services as hours accumulated through paid employment do not accrue towards licensure unless clinical supervision is provided by a qualified supervisor not employed by the immediate department, division, or agency, as approved by the Board.
  - (iv) have the background, training, and experience that is appropriate to the functions performed.
  - (v) accumulate eligible clinical or counseling work experience hours in a location where both the supervisor is licensed or authorized to practice by an interjurisdictional compact to which the CNMI is a party, and the supervisee is registered or licensed.
- (7) The supervisor shall:
  - a- (i) be a supervisor approved by the AASCB on Supervision and, prior to providing supervision, obtain a CNMI License or ~~be~~ authorized by an interjurisdictional compact to which the CNMI is a party ~~to clinically supervise~~; or
  - b- (ii) be a professional counselor, psychologist, psychiatrist, clinical social worker, or marriage and family therapist, with a current, unencumbered license in any U.S. state or territory and must also be licensed in the CNMI or authorized to practice by an interjurisdictional compact to which the CNMI is a party, prior to providing supervision, and with a minimum of ~~six thousand (6,000) hours of professional clinical work experience accumulated over a minimum of~~ three (3) to five (5) years of ~~professional work experience~~ following licensure, or
  - e- (iii) any licensed therapist providing tele-supervision from outside the CNMI must be licensed by the Board and, if providing services for a fee, must have a CNMI business license to conduct business in the CNMI.

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~~©(iv)~~ Licensed and qualified supervisors providing telepsychology clinical supervision must be board-approved and licensed in the CNMI. ~~and must submit their home state business license.~~

- (c) No person who does not hold a current license shall practice, or offer to practice, professional counseling, or use in connection with the person's name, or otherwise assume, use, or advertise, any title, initials, or description tending to convey the impression that the person is a professional counselor. No partnership, association, or corporation shall advertise or otherwise offer to provide or convey the impression that it is providing professional counseling until an individual is holding a current license to render professional counseling.

**§ 185-10-~~4620~~ 4615 Licensure by Endorsement**

- (a) The Board may grant a license to a person to practice professional or mental health counseling without examination if:

- (1) The person holds a valid, active license to practice as a professional or mental health counselor in another U.S. jurisdiction; and
- (2) The person substantially complies with the requirements for licensure in section 185-10- ~~4615~~ 4610; and
- (3) The requirements in the jurisdiction of licensure are at least as stringent as those under these regulations.

- (b) Foreign applicants must have their education verified by World Education Services (WES) at their own expense. Eligible clinical or counseling work experience must be accrued within the 50 US states or territories in compliance with § 185-10-~~4615~~ 4610(b).

- (c) The Board may deny a license by endorsement to a person to practice as a professional or mental health counselor or mental health counselor associate, if the person has been the subject of an adverse action in which their license was suspended, revoked, placed on probation, conditioned, or renewal denied

- (d) Notwithstanding the above licensure requirements, the Board may license an individual that holds at least a master's degree in clinical mental health counselor from a counseling program accredited by the CACREP or from a college or university accredited by an agency recognized by the U.S. Department of Education in counseling and has been practicing as a professional behavioral and mental health counselor in the Commonwealth of the Northern Mariana Islands for at least two years prior to July 1, 2016.

**§ 185-10-~~4605~~ 4620 Exemptions from License Requirements**

These regulations shall apply to all licensed professional counselors in the CNMI except:

- (a) Students whose activities are conducted within a course of professional education in professional or mental health counseling;
- (b) Any person who is a duly recognized member of the clergy; provided that the person functions only within their capacity as a member of the clergy; and provided further that they do not represent

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themselves to be a licensed professional counselor;

- (c) Any person who is obtaining supervised clinical experience for licensure as a professional counselor, psychologist, or social worker; provided that the person does not represent themselves to be a licensed professional counselor;
- (d) Any qualified member of other professions, including but not limited to nurses, psychologists, social workers, physicians, physician assistants, or attorneys at law, providing the services of a professional counseling nature consistent with the accepted standards of their respective professions; and provided further that the person does not represent themselves to be a licensed professional counselor; and
- (e) The provision of mental or behavioral health services through any CNMI public or private agency providing mental or behavioral health services, provided that the person is under the supervision or clinical oversight of a professional counselor, psychologist, psychiatrist, clinical social worker, or marriage and family therapist, with a current, unencumbered license in the CNMI, and does not represent themselves to be a licensed professional counselor.

**§ 185-10-~~4630~~ 4625 Continuing Education (CE)**

- (a) Each professional counselor licensed to practice in the CNMI is required to complete thirty CE hours or three CEUs during the 24 months prior to the expiration of their license as a prerequisite to the renewal of their biennial license.
- (b) One (1) hour of credit will be allowed for each clock or contact hour of CE participation. One (1) CEU equals ~~ten (10)~~ clock, credit, or contact CE hours. One academic semester credit equals ~~fifteen~~ 15 CE credits or contact hours. One academic quarter credit equals ~~ten (10)~~ CE credits or contact hours.
- (c) Approved organizations for continuing education activities include but are not limited to the American Mental Health Counselors Association, the American Association of State Counseling Boards, the Canadian Counseling and Psychotherapy Association, and the National Board for Certified Counselors.
- (d) Licensed professional counselors are required to take six (6) total hours in suicide assessment, treatment, and management every four (4) years. Renewal includes four (4) hours of professional ethics and/or CNMI laws and regulations related to the practice of professional counseling and four (4) hours of cultural competency every four (4) years, and three (3) hours of telehealth every two (2) years.
- (e) Continuing education hours may include:
  - (1) membership in national associations;
  - (2) membership in a national association of the licensee's practice area will provide four (4) credit hours within the renewal period; and
  - (3) other appropriate national professional association membership will provide two (2) credit hours for each, a maximum of four (4) credit hours within the renewal period;
  - (4) subscription to appropriate professional journals will provide two (2) credit hours per

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subscription, limited to five (5) subscriptions;

- (5) attendance of a conference will provide one (1) credit hour for each hour of conference attended (The conference must be within the renewal period.);
  - (6) teaching, workshops, and in-service will provide one (1) credit per hour of teaching, workshop or in-service (This is limited to ten (10) credit hours.);
  - (7) speeches or presentation of papers will provide five (5) credit hours each for a non-professional audience; ten (10) credit hours each for a professional audience;
  - (8) publication in a professional journal, any publication within the field, will provide ten (10) credit hours;
  - (9) attendance at local association meetings will provide one (1) point per meeting, up to twelve (12) credit hours;
  - (10) videotapes, webinars, or other audio-visual and print materials prepared by a professional association or educational institution, including other institutions, such as the VA, and approved by the Board, will provide one (1) credit hour for every hour viewed, limited to ten (10) credit hours; or others, as required by discipline.
- (f) The Board, in its sole discretion, may require the licensee to provide receipts, attendance certification, or other evidence of participation for credit hours claimed.
- (g) A Licensed Professional Counselor shall take CE/CEU including, but not limited to, the following content areas:
- (1) Counseling Theory/Practice and the Helping Relationship;
  - (2) Human Growth and Development;
  - (3) Social and Cultural Foundations;
  - (4) Group Dynamics, Processing and Counseling;
  - (5) Career Development and Counseling;
  - (6) Research and Program Evaluation;
  - (7) Counselor Professional Identity and Practice Issues;
  - (8) Diagnosis and Treatment
- (h) If a licensee fails to meet the CE requirements for renewal of license because of illness, military service, or other extenuating circumstances, the Board, upon appropriate written explanation, may grant an extension of time to complete same, on an individual basis.
- (i) It shall be the responsibility of the licensee to obtain documentation, satisfactory to the Board, from the organization or institution of their participation in continuing education, and the number of credits earned.

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- (j) Licensure renewal shall be denied to any licensee who fails to provide satisfactory evidence of completion of CE requirements or who falsely certifies attendance at or completion of the CE as required herein.

**§ 185-10-~~4635~~ 4630 Renewal**

- (a) All licenses, except temporary or limited licenses issued by the Board, expire every two years following issuance or renewal and become invalid after that date.
- (b) Each licensee shall be responsible for submitting a completed renewal application at least sixty days before the expiration date. As a courtesy, the Board shall send, by mail or email, a notice to every person licensed hereunder ~~giving stating~~ the date of expiration, the fee, and any additional requirement for the renewal thereof.
- (c) All licensees must submit satisfactory evidence of completion of CE/CEU requirements, as required under section 185-10-~~4630~~ 4625.
- ~~(d) — A late fee of \$25.00 will be charged every 1st of the month after the expiration date.~~
- ~~(e) (d)~~ Licenses which have expired for failure to renew on or before the date required may be reinstated within one year of the expiration date upon payment of the renewal and late fees. ~~for each calendar month until the renewal fee is paid.~~ Each licensee whose license has expired and lapsed for more than one year ~~by due to~~ failure to renew must file a new application, ~~and meet current requirements for licensure, and receive Board approval.~~
- (c) A licensee whose license has been revoked, suspended, or placed on probation by the licensing authority of another U.S. or foreign jurisdiction, or who has voluntarily or involuntarily surrendered his or her license in consideration of the dismissal or discontinuance of pending or threatened administrative or criminal charges, following the expiration date of his or her CNMI license, may be deemed ineligible for renewal of his or her license to practice as a professional counselor in the CNMI. This will not, however, prevent the Board from considering a new application.

**§ 185-10-~~4640~~ 4635 Retention of Client Records; Disposition of Client Records in Case of Death or Incapacity of Licensee**

- (a) In this section, “client record” means information maintained in a written or electronic form regarding treatment and/or billing of a client.
- (b) A licensee who serves clients outside of an agency setting shall ensure that a client record is maintained for each such client and that all client records are legible and are kept in a secure, safe, and retrievable condition.
- (c) The licensee shall retain a client record for a minimum of seven (7) years from the date of the last session with the client. Health records must be retained for a minimum of seven (7) years after the end of counseling services. For minors, ~~(seventeen (17) years and under)~~, records must be retained for a minimum of seven (7) years after the minor turns eighteen (18).

Records may be destroyed after the applicable retention period has elapsed, unless a longer retention period is

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required by federal law, territorial law, or the policies of the employing agency or healthcare institution, in which case the longer retention period shall apply.

- (d) A licensee in private practice shall make necessary arrangements for the maintenance of and access to client records that ensure the clients' right to confidentiality in the event of the death or incapacity of the licensee.
- (e) The licensee shall name a qualified person to intercede for client welfare and to make necessary referrals, when appropriate.

**§ 185-10-~~4645~~ 4640 Code of Ethics**

The Board recognizes the NBCC's Code of Ethics, and licensed professional counselors are responsible for ensuring that their behavior adheres to the ~~its~~ standards identified in the Code of Ethics.

**§ 185-10-~~4650~~ 4645 Disciplinary Action**

The Board shall have the power to impose administrative penalties and/or reprimands; revoke or suspend; refuse to issue, restore, or renew; the license of any person who is found guilty of one or more of the violations enumerated in § 2224 of P. L. 15-105 and sections 185-10-901 through ~~185-10-1305,~~  
~~1300.~~ (<https://cnmilaw.org/pdf/admincode/T185/T185.pdf#page=1>  
[https://cnmilaw.org/pdf/public\\_laws/15/pl15-105.pdf](https://cnmilaw.org/pdf/public_laws/15/pl15-105.pdf))



Commonwealth of the Northern Mariana Islands  
**HEALTH CARE PROFESSIONS LICENSING BOARD**  
P.O. Box 502078, Bldg., 1242 Pohnpei Court  
Capitol Hill, Saipan, MP 96950  
Tel No: (670) 664-4808/4809 Fax: (670) 664-4814  
Email: [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp)  
Website: [www.cnmilicensing.gov.mp](http://www.cnmilicensing.gov.mp)



**NOTICE OF PROPOSED AMENDMENTS TO THE  
HEALTH CARE PROFESSIONS LICENSING BOARD FOR  
PART 4800 - LICENSED MARRIAGE AND FAMILY THERAPIST REGULATIONS**

**INTENDED ACTION TO ADOPT THIS PROPOSED REGULATION:** The Health Care Professions Licensing Board (HCPLB) intends to adopt as permanent regulation the attached Proposed Amendment, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The regulation would become effective 10 days after compliance with 1 CMC §§ 9102 and 9104(a) or (b) (1 CMC § 9105(b)).

**AUTHORITY:** The Health Care Professions Licensing Board has statutory power to promulgate and effect regulations pursuant to 4 CMC § 2206(b), as amended.

**THE TERMS AND SUBSTANCE:**

The proposed amendment adds a subsection under § 185-10-4815(2). The proposed amendment adds a subsection to provide a limited licensure pathway for individuals who hold at least a master's degree in social work from a school accredited by the Council on Social Work Education and who have been practicing as professional social workers in the Commonwealth of the Northern Mariana Islands for at least two years prior to July 1, 2016.

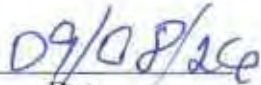
**THE SUBJECTS AND ISSUES INVOLVED:**

This provision recognizes the qualifications and experience of individuals who were already practicing in the Commonwealth before the current licensure requirements were established or fully implemented and provides a reasonable transition for those individuals. The provision is intended to apply only to individuals who meet the specified educational and prior-practice requirements and is not intended to create a general exemption from the current licensure requirements.

**DIRECTIONS FOR FILING AND PUBLICATION:** The Board is soliciting comments regarding this proposed amendment, which the Board must receive within thirty (30) days of the first publication of this notice in the Commonwealth Register. Interested persons may request copies of the proposed amendment by contacting us at 664-4808/4809 or by email at [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp), or drop by our office located at Bldg. #1242, Pohnpei Ct., Capitol Hill, Saipan. Drop off written comments on these amendments at our office or send them to HCPLB, P.O. Box 502078, Saipan, MP, 96950.

Submitted By:

  
Esther S. Fleming  
Executive Director

  
Date

Received By: for   
Jean Paul S. Reyes  
Special Assistant for the Administration

9.15.2024  
Date

Filed and Recorded By:   
Esther San Nicolas  
Commonwealth Registrar

09.15.2026  
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).

  
EDWARD MANIBUSAN  
Attorney General

9/15/2026  
Date



Commonwealth gi Sangkattan na Islas Mariānas  
**HEALTH CARE PROFESSIONS LICENSING BOARD**  
P.O. Box 502078, Bldg., 1242 Pohnpei Court  
Capitol Hill, Saipan, MP 96950  
Tel No: (670) 664-4809 Fax: (670) 664-4814  
Email: [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp)  
Website: [www.cnmilicensing.gov.mp](http://www.cnmilicensing.gov.mp)



**NUTISIA PUT I MANMAPROPONI NA REGULASIÓ GI  
HEALTH CARE PROFESSIONS LICENSING BOARD PARA  
PÁTTI 4800 – REGULASIÓ LINISENSIA “THERAPIST” ÁKKAMU” YAN FAMILIA  
(PART 4800 - LICENSED MARRIAGE AND FAMILY THERAPIST REGULATIONS)**

**I AKSIÓ NI MA’INTENSIONA PARA U MA’ADÁPTA ESTI I MANMAPROPONI NA REGULASIÓ SIHA:** I Health Care Professions Licensing Board (HCPLB) ha intinsiona para u adápta komu petmanenti na regulasió i mañechettun na Manmaproponi na Tinilaika, sigun gi manera nu i Ákton Administrative Procedure, 1 CMC § 9104(a). I regulasió siempre umifektibu gi dies (10) dihas dispues di “compliance” yan 1 CMC §§ 9102 yan 9104(a) pat (b) (1 CMC § 9105(b).

**ATURIDÁT:** I Health Care Professions Licensing Board gai istatúa na aturidát para u cho’gui yan na’ifektibu i regulasió siha sigun gi 3 CMC § 2206(b), komu ma’amenda.

**I TEMA YAN SUSTÁNSIAN I PALÁBRA SIHA:**

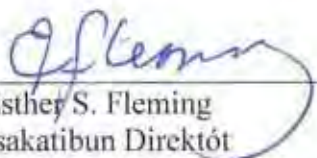
I maproponi na tinilaika mana’hálum i “subsection” gi papa’ i § 185-10-4815(2) para u mapribeni rinistriktan lisensia para indibiyuát ni manggo’gotti “master’s degree” háfa siña ha cho’gui gi bándan cho’chu’ sosiát ginin i marikuknisa na iskuela ni i Kunsiliu gi Idukasió Cho’chu’ Sosiát (Council on Social Work Education) yan ginin prumaktitika komu prufesiúnát cho’chu’ sosiát gi halum i Commonwealth gi Sangkattan na Islas Mariānas put menus dos áñus ántis di Huliú 1, 2016.

**SUHETU YAN ASUNTU NI TINEKKA:**

Esti na prubinsión ha rikukninisa i kuálifikasió yan ikspirensian indibiyuát siha ni esta mampraktitika gi halum i Commonwealth ántis di i presentí na tiempu na ginagãogã lisensia ma’istablesi pat ma’implimenta todú yan na’guahayi risonãpbli na maneran tinilaika para atyu siha na indibiyuát. I prubinsión ha intendi para u aplika ha’ gi indibiyuát ni ha na’satisfetchu i klinãru na idukasió yan gi maloffan na prinaktika ni ginagãogã siha yan ti ma’intendi para u fa’tinas hinerát na kuinentãyi ginin i presentí na tiempu ni ginagãogã na lisensia.

**DIREKSIÓ PARA U MAPEGA YAN PUPBLIKASIÓ:** I Kuetpu mamamaisin upiñon siha put esti i manmaproponi na tinilaika ni debi di u marisibi ni i Kuetpu gi halum i trenta (30) dihas gi primet na pupblikasió esti na nutisia gi halum i Rehistran Commonwealth. I intirisã na petsona siha siña manrikuesta kopian i manmaproponi na tinilaika ya bai in fanma’ãgang gi 664-4808/09 pat email gi [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp) pat bisita i ufisinan-mãmi ni gaigi gi Bldg. 1242, Pohnpei Ct., Capito Hill, Saipan. I tinigi’ upiñon siha put esti na tinilaika siha debi na u machuli’ guatu gi ufisinan-mãmi pat na hãno para i BPL, P. O. Box 502078, Saipan, MP 96950.

Nina'hålum as:

  
Esther S. Fleming  
Eksakatibun Direktót

09/08/26

Fetcha

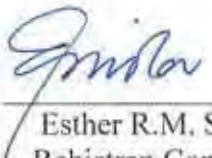
Rinisibi as:

  
Jean Paul S. Reyes  
Ispisiât na Ayudânti para i Atministrasiôn

9.15.2024

Fetcha

Pine'lu yan  
Ninota as:

  
Esther R.M. San Nicolas  
Rehistran Commonwealth

09.15.2026

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Sigun i l CMC § 2153(e) (I Hinerât Abugâdu ha aprueba i regulasion siha na para u macho' gui kumu fotma) yan l CMC § 9104(a) (3) (hentan inaprueban Hinerât Abugâdu) i manmaproponi na Regulasion siha ni mañechettun guini ni manmaribisa yan manma'aprueba kumu fotma yan sufisienti ligât ginin i CNMI Hinerât Abugâdu yan debi na u mapublika. l CMC § 2153(f) (publikasiôn i areklamentu yan regulasion siha).

  
EDWARD MANIBUSAN  
Hinerât Abugâdu

9/15/2026

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Commonwealth Téél Falúw kka Efāng Ilól Marianas  
**HEALTH CARE PROFESSIONS LICENSING BOARD**  
P.O. Box 502078, Bldg., 1242 Pohnpei Court  
Capitol Hill, Saipan, MP 96950  
Tel No: (670) 664-4808/4809 Fax: (670) 664-4814  
Email: [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp)  
Website: [www.cnmilicensing.gov.mp](http://www.cnmilicensing.gov.mp)



**ARONGORONGOL PPWOMMWOL MWÓGHUTUGHUT NGÁLI  
HEALTH CARE PROFESSIONS LICENSING BOARD NGÁLI  
PART 4800 – LICENSED MARRIAGE AND FAMILY THERAPIST**

**MÁNGEMÁNGIL MWÓGHUT REEL REBWE ADÓPTÁÁLI PPWOMMWOL MWÓGHUTUGHUT KKAAL:** Health Care Professions Licensing Board (HCPLB) re mángemángil rebwe adóptááli PPwommwol Liiwel ikka e appasch bwe ebwe lléghló, sángi mwóghutughutúl Administrative Procedure Act, 1 CMC § 9104(a). Ebwe bwunguló mwóghutughut seigh ráál (10) mwiril aal angúungú fengál me 1 CMC §§ 9102 me 9104(a) ngäre (b) (1 CMC § 9105(b)).

**BWÁNGIL:** Eyoor bwángil Health Care Professions Licensing Board rebwe aronga me isiisiwow mwóghut sángi 4 CMC § 2206(b), igha e liiwel.

**AWEWEL ME WEEWEL:**

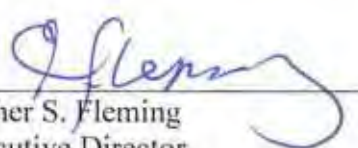
Pommwol liiwel yeel a ayoora eew fféel subsection ngáli § 185-10-4815(2). Pommwol liiwel yeel e ayooralong bwal eew subsection iye ebwe ayoora ngali mwóghutughutúl bweibwoghól license ngáliir schó kka re akkamwósch master's degree llól angaangil social worker merel imwal rágháfisch iye e accreditate merel Council-il Social Work Education me iye ekki fasúl angaang llól professional social worker me llól Commonwealth-il Falúw kka Peighitál Marianas ótol iye ruwoow ráagh mesammwal ráál iye Wuun 1, 2016.

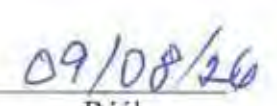
**KKAPASAL ME AUTOL LIWEL KKA EYOOR:**

Peigh yeel e abwáari yaar aweewel angaang me mwóghutughutúl angaang rel schóó kka ra fasúl kke angaang me llól Commonwealth mesammwal yaar ayooralong aweewel mwóghutughutúl bweibwoghól license. Peigh yeel nge e ffil ngaliir schóó kka re atabweey special education me fasúl aweewel angaang me ese lo bwe ebwe alemweiló merel aweewel mwóghutughutúl license iye eyoor.

**AFAL REEL AMMWELIL ME AKKATÉÉWOWUL:** Board re tingór kkapas ikka e ssúlngáli ppwommwol liiwel iye Board rebwe bwughi llól eliigh (30) ráál mwiril aal ghommwal akkatééwow me llól Commonwealth Register. Schóó kka re tipáli pappidil ppwommwol liiwel rebwe faingi ghámém me 664-4809 ngäre email li [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp) ngäre mweteló bwulasiyo imwu e lo Bldg. No. 1242, Pohnpei Ct, Asúngúl, Seipél. Ischill kkapas wóól liiwel kkaal ebwe mwetelól bwulasiyo ngäre afangaló BPL, P.O. Box 502078, Saipan, MP, 96950.

Isáliyalong:

  
Esther S. Fleming  
Executive Director

  
Ráál

Bwughiyal:



Jean Paul B. Reyes

Special Assistant ngáli Administration

9.15.2024

Ráál

Ammwelil:



Esther San Nicolas  
Commonwealth Register

09.15.2026

Ráál

Sáangi 1 CMC § 2153(e) (sáangi átirowal AG reel mwóghutughut bwe aa ffil reel fféerúl me ebwe arongowow) me 1 CMC § 9104(a) (3) (sáangi átirowal AG) reel ppwommwol mwóghutughut ikka e appasch bwe ra takkal amwuri fischiiy me átirowa bwe aa ffil reel fféerúl me legal sufficiency sáangi Soulemelemil Allégh Lapalapal CNMI me ebwe akkatééwow, 1 CMC § 2153 (f) (arongowowul allégh me mwóghutughut).



EDWARD MANIBUSAN

Soulemelemil Allégh Lapalap

9/15/2026

Ráál

SUBCHAPTER 185-10  
COMMONWEALTH HEALTH CARE PROFESSIONS LICENSING BOARD  
REGULATIONS

Part 4800                      Licensed Marriage and Family Therapist

|               |                                                   |
|---------------|---------------------------------------------------|
| § 185-10-4801 | Definitions                                       |
| § 185-10-4805 | Licensing                                         |
| § 185-10-4810 | Exemptions from License Requirements              |
| § 185-10-4815 | <b>Requirements for Licensure</b>                 |
| § 185-10-4820 | Supervision: Practicum Experience                 |
| § 185-10-4825 | Supervision: Post Graduate                        |
| § 185-10-4830 | Written Exam                                      |
| § 185-10-4835 | Licensure by Endorsement                          |
| § 185-10-4840 | Application for a licensure                       |
| § 185-10-4845 | Continuing Education (CE)                         |
| § 185-10-4850 | Renewal                                           |
| § 185-10-4855 | Grounds for imposition of disciplinary sanctions. |
| § 185-10-4860 | License required if designation used.             |
| § 185-10-4865 | Limitation of practice.                           |
| § 185-10-4870 | [Reserved]                                        |
| § 185-10-4875 | Code of Ethics                                    |
| § 185-10-4880 | Privileged Communication.                         |
| § 185-10-4885 | Disciplinary Action                               |

**§ 185-10-4815 Requirements for Licensure**

An applicant to practice as a licensed marriage and family therapist must be at least twenty-one (21) years of age is a U.S. citizen or a foreign national lawfully entitled to remain and work in the Commonwealth, and meets the following requirements:

- (1) Have completed a master's or doctoral program in marriage and family therapy from a program accredited by the American Association for Marriage and Family Therapy, Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE) or completed a master's or doctoral degree in marriage and family therapy from a regionally accredited educational institution; or earned a master's graduate degree in another mental health field (psychiatry, psychology, clinical social work, psychiatric nursing, etc.) from an accredited counseling program from a college or university accredited by an agency recognized by the U.S. Department of Education in counseling and completed a COAMFTE accredited post-graduate degree clinical training program in marriage and family therapy or completed a post-graduate degree clinical training program in marriage and family therapy from a regionally accredited educational institution. An applicant may substitute equivalent post-degree courses to meet the course of study requirements. The coursework must be verified by the official graduate school transcripts, which specify number of quarter or semester hours. Applicants who have obtained the American Association for Marriage and Family Therapy (AAMFT) clinical membership status are considered to have met the educational requirements for licensure. If applying through the AAMFT clinical status, verification must be from the AAMFT directly to the department. Of the graduate credit hours required above, at least forty-five (45) credit hours shall be in the following areas:
  - (a) Three (3) courses in the analysis of family systems, with one (1) course in each of the following:
    - (i) A supervised clinical practice that includes at least sixty (60) hours of approved supervision and 300 hours of direct client contact with couples, families, and individuals, at least 100 hours of which are relational therapy;
    - (ii) Normal and abnormal personality development which includes individual development across the life span and the family life cycle; and
    - (iii) Psychopathology with emphasis on standard diagnostic manuals, as well as family systems models;
  - (b) Courses in couples therapy theory and techniques as follows:
    - (i) One course in diagnosis and treatment of mental and emotional disorders in family systems
    - (ii) A comprehensive survey course with substantive overview of the extant major models of family therapy; and
    - (iii) Two (2) additional courses which focus on one (1) or several marriage and family therapy models, or three (3) separate courses, each of which focuses on one (1) or several marriage and family therapy models;

- (c) Courses in couples therapy theory and techniques as follows:
  - (i) A comprehensive survey of extant, major models of couples' therapy;
  - (ii) An intensive study of at least three (3) different models; or
  - (iii) Three (3) separate courses, each of which addresses a separate couples' model;
- (d) One (1) course covering gender and ethnicity as they relate to marriage and family theory and practice, or two (2) separate courses with one (1) focusing on gender issues and the other one (1) on ethnicity;
- (e) One (1) course covering sexual issues in marriage and family therapy, including sexual normality, sexual dysfunction, and sexual orientation; and
- (f) One (1) course in ethical, legal, and professional issues in marriage and family therapy.

**(2) Notwithstanding the above licensure requirements, the Board may license an individual who holds at least a master's degree in social work from a school accredited by the Council of Social Work Education and has been practicing as a professional social worker in the Commonwealth of the Northern Mariana Islands for at least two years prior to July 1, 2016.**

#### **§ 185-10-4820      Supervision: Practicum Experience**

Applicant must complete the supervised counseling work experience required of this section; There must be at least 400 hours of supervised practicum, inclusive of at least 150 face-to-face counseling hours. The practicum may include seventy-five (75) hours of client-centered advocacy; if not, there must be an additional seventy-five (75) hours of face-to-face counseling. Some students will complete more than the minimum supervised hours. The practicum experience shall be completed under the on-site clinical supervision of a person who is a licensed mental health counselor, licensed psychologist, licensed clinical social worker, licensed marriage and family therapist, licensed physician with a specialty in psychiatry or other licensed provider approved by the board.

#### **§ 185-10-4825      Supervision: Post Graduate**

Applicants must complete the following supervised, clinical or counseling work experience after the award of the master's degree, doctoral degree, or its substantial equivalent as determined by the board, of which shall:

- (1) Be a minimum of two (2) years or the equivalent of fulltime, postgraduate supervised clinical or counseling work experience in professional/mental health counseling; and
- (2) Be completed following the practicum, internship, and all graduate coursework, with the exception of the thesis; and
- (3) Be a minimum of 3,000 total hours, including at least 1,000 client contact clock hours of supervised clinical experience at a setting acceptable to the board; and



Commonwealth of the Northern Mariana Islands  
**HEALTH CARE PROFESSIONS LICENSING BOARD**  
P.O. Box 502078, Bldg., 1242 Pohnpei Court  
Capitol Hill, Saipan, MP 96950  
Tel No: (670) 664-4808/4809 Fax: (670) 664-4814  
Email: [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp)  
Website: [www.cnmilicensing.gov.mp](http://www.cnmilicensing.gov.mp)



**NOTICE OF PROPOSED AMENDMENTS TO THE  
HEALTH CARE PROFESSIONS LICENSING BOARD FOR  
LICENSED BACCALAUREATE SOCIAL WORKER, LICENSED MASTER'S SOCIAL  
WORKER AND THE LICENSED CLINICAL SOCIAL WORKER REGULATIONS**

**INTENDED ACTION TO ADOPT THIS PROPOSED REGULATION:** The Health Care Professions Licensing Board (HCPLB) intends to adopt as permanent regulation the attached Proposed Amendment, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The regulation would become effective 10 days after compliance with 1 CMC §§ 9102 and 9104(a) or (b) (1 CMC § 9105(b)).

**AUTHORITY:** The Health Care Professions Licensing Board has statutory power to promulgate and effect regulations pursuant to 4 CMC § 2206(b), as amended.

**THE TERMS AND SUBSTANCE:**

The proposed amendments to the Social Workers' regulations are intended to clarify licensure requirements, improve the administration of the licensing process, and ensure that the regulations are organized in a clear, consistent, and understandable manner. The amendment will also address provisions that may require clarification or updating to reflect current professional standards and the needs of the CNMI.

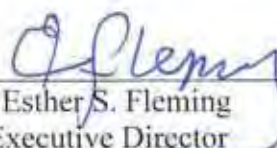
**THE SUBJECTS AND ISSUES INVOLVED:**

The proposed amendments will revise the Social Workers' regulations to clarify and, where necessary, update the requirements and procedures governing the licensure and practice of social workers in the CNMI.

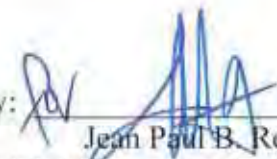
The amendments will also include general grammatical cleanup, correction of drafting errors, and renumbering of provisions to improve the organization, consistency, and readability of the regulations.

The proposed amendments are intended to strengthen the Social Workers' Regulations by providing clear, consistent, and administratively workable requirements while maintaining the Board's responsibility to protect the public and ensure that social workers meet applicable professional standards.

**DIRECTIONS FOR FILING AND PUBLICATION:** The Board is soliciting comments regarding this proposed amendment, which the Board must receive within thirty (30) days of the first publication of this notice in the Commonwealth Register. Interested persons may request copies of the proposed amendment by contacting us at 664-4808/4809 or by email at [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp), or drop by our office located at Bldg. #1242, Pohnpei Ct., Capitol Hill, Saipan. Drop off written comments on these amendments at our office or send them to HCPLB, P.O. Box 502078, Saipan, MP, 96950.

Submitted By:   
Esther S. Fleming  
Executive Director

09/08/2026  
Date

Received By:   
Jean Paul B. Reyes  
Special Assistant for the Administration

09.15.2026  
Date

Filed and Recorded By:   
Esther San Nicolas  
Commonwealth Registrar

09.15.2026  
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).

  
EDWARD MANIBUSAN  
Attorney General

9/15/2026  
Date



Commonwealth gi Sankattan na Islas Mariáñas  
**HEALTH CARE PROFESSIONS LICENSING BOARD**  
P.O. Box 502078, Bldg., 1242 Pohnpei Court  
Capitol Hill, Saipan, MP 96950  
Tel No: (670) 664-4809 Fax: (670) 664-4814  
Email: [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp)  
Website: [www.cnmilicensing.gov.mp](http://www.cnmilicensing.gov.mp)



**NUTISIA PUT I MANMAPROPONI NA REGULASIÓ GI  
HEALTH CARE PROFESSIONS LICENSING BOARD PARA  
PÁTTI 2300 – FÁFACHO'CHU' SOSIÁT  
(Part 2300 – SOCIAL WORKER)**

**I AKSIÓN NI MA'INTINSIONA PARA U MA'ADÁPTA ESTI I MANMAPROPONI NA REGULASIÓ SIHA:** I Health Care Professions Licensing Board (HCPLB) ha intinsiona para u adápta komu pitmanenti na regulasió i mañechettun na Manmaproponi na Tinilaika, sigun gi maneran i Ákton Administrative Procedure, 1 CMC § 9104(a). I regulasió siempre umifektibu gi dies (10) dihas dispues di “compliance” yan 1 CMC §§ 9102 yan 9104(a) pat (b) (1 CMC § 9105(b).

**ATURIDÁT:** I Health Care Professions Licensing Board gai istatúa na aturidát para u cho'gui yan na'ifektibu i regulasió siha sigun gi 3 CMC § 2206(b), komu ma'amenda.

**I TEMA YAN SUSTÁNSIAN I PALÁBRA SIHA:**

I maproponi na tinilaika gi regulasió “Mamfácho'chu” Sosiát” ma'intensiona para u kláruyi i ginagão na lisensia, adilánta i atministrasió ni maneran linisensia, yan na'siguru na i regulasió manotganisao gi klináru, kinunsisti, yan kinumprendi na manera. I tinilaika siempre lókkui' ha atdres i prubinsión siha nai siña madimánda klarifikasió pat mana'presenti para u riflekta i presenti na tiempu na “standards” profesionát yan i nisisidát i CNMI.

**SUHETU YAN ASUNTU NI TINEKKA:**

I maproponi na tinilaika siempre ha ribisa i regulasió Mamfácho'chu” Sosiát para u na'kláru yan, yanggin nisisáriu, na'presenti i ginagão yan i manera ni gumubebetna i lisensia yan prinaktikan i mamfácho'chu” sosiát gi halum i CNMI.

I tinilaika siha siempre ha ingklusu lókkui' i para u mana'dinanchin i palábra, dilitreha, yan ta'lun marumiru i prubinsión para u adilánta i otganisasió, kunsisti, yan mataitai-ña i regulasió siha.

I maproponi na tinilaika ha intensiona para u na'fitmi i Regulasió Mamfácho'chu” Sosiát ni mana'guahayi kláru, kunsisti, yan ginagão na minanehan areklamentu mientras mamantietieni i risponsibilidát Kuetpu para u prutehi i publiku yan na'siguru na i mamfácho'chu” mana'satisfetchu i aplikápli na “standards” profesionát.

**DIRIKSIÓN PARA U MAPEGA YAN MAPUPBLIKA:** I Kuetpu mamamaisin upiñon siha put esti i manmaproponi na tinilaika ni debi di u marisibi ni i Kuetpu gi hálum i trenta (30) dihas gi primet na publikasió esti na nutisia gi halum i Rehistran Commonwealth. I intirisao na petsona siha siña manrikuesta kopian i manmaproponi na tinilaika ya bai in fanma'ágang gi 664-4808/09 pat email gi [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp) pat bisita i ufisinan-mámi ni gaigi gi Bldg. 1242, Pohnpei Ct., Capito Hill, Saipan. I tinigi' upiñon siha put esti na tinilaika siha debi na u machuli' guatu gi ufisinan-mámi pat na'hãno para i BPL, P. O. Box 502078, Saipan, MP 96950.

Nina'hālum as:

  
Esther S. Fleming  
Eksekutibu Diriktór

09/08/24  
Fetcha

Rinisibi as:

  
Jean Paul B. Reyes  
Ispisiāt na Ayudānti para i Atministrasiōn

9.15.2026  
Fetcha

Pine'lu yan  
Ninota as:

  
Esther R.M. San Nicolas  
Rehistran Commonwealth

09.15.2026  
Fetcha

Sigun i 1 CMC § 2153(e) (I Hinerāt Abugādu ha aprueba i regulasiōn siha na para u macho'gui komu fotma) yan 1 CMC § 9104(a) (3) (hentan inaprueban Hinerāt Abugādu) i manmaproponi na Regulasiōn siha ni mañechettun guini ni manmaribisa yan manma'aprueba komu fotma yan sufisienti ligāt ginin i CNMI Hinerāt Abugādu yan debi na u mapupblika, 1 CMC § 2153(f) (pupblikasiōn i areklamentu yan regulasiōn siha).

  
EDWARD MANIBUSAN  
Hinerāt Abugādu

9/15/2026  
Fetcha



Commonwealth Téel Falúw kka Efäng llól Marianas  
**HEALTH CARE PROFESSIONS LICENSING BOARD**  
P.O. Box 502078, Bldg., 1242 Pohnpei Court  
Capitol Hill, Saipan, MP 96950  
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**ARONGORONGOL PPWOMMWOL MWÓGHUTUGHUT NGÁLI**  
**HEALTH CARE PROFESSIONS LICENSING BOARD NGÁLI**  
**Part 2300 - Licensed Baccalaureate Social Worker, Licensed**  
**Master's Social Worker and the Licensed Clinical Social Worker**

**MÁNGEMÁNGIL MWÓGHUT REEL REBWE ADÓPTÁÁLI PPWOMMWOL MWÓGHUTUGHUT KKAAL:** Health Care Professions Licensing Board (HCPLB) re mángemángil rebwe adóptááli PPwommwol Liíwel ikka e appasch bwe ebwe lléghló, sáangi mwóghutughutúl Administrative Procedure Act, 1 CMC § 9104(a). Ebwe bwunguló mwóghutughut seigh ráál (10) mwiril aal angúngu fengál me 1 CMC §§ 9102 me 9104(a) ngáre (b) (1 CMC § 9105(b)).

**BWÁNGIL:** Eyoor bwángil Health Care Professions Licensing Board rebwe aronga me isiisiwow mwóghut sáangi 4 CMC § 2206(b), igha e liíwel.

**AWEEWEL ME WEEWEL:**

Pommwol liíwel ngali alleghul Social workers nge e affata mwoghutughut bweibwoghól license, aghatchu mwoghutughutúl yaar feeru angaang, me affata alleghul bwe ebwe mataf yaal aweewe. Liíwel yeel ebwe ayoora liíwelil allegh iye ebwe aweeweey físchí me update-líl bwe ebwe weewe ngali professional standards me aweewel autcheyal llól CNMI

**KKAPASAL ME AUTOL LIWEL KKA EYOOR:**

Pommwol liíwel ebwe revise-li alléghul Social workers rel ebwe affata físchí me, iye e nisita, update-líl aweewel me mwóghutughutúl bweibwoghól license me mwóghutughutúl angaangil social worker me llól CNMI.

Liíwel yeel ebwe ayoora ammwelaal grammar, aweelaal allégh kka ese wel, me affata numurol sections. Liíwel kka ebwe aghatchu físchí allégh rel ebwe fííl ghatch, me mescherágh rel rebwe árághí.

Pommwol liíwel kkaal ebwe amaamaawa alléghul Social Worker rel ebwe affata físchí aweewel me rebwe amwuuri ghatchuw rel yaar rebwe attahwey me tepángi. Liíwel kkaal ebwe lool me ngaleey angaangil Board rel ebwe tepángi físchí toulap me rel iye social worker rebwe aweeweey ngáli professional standards-il me llól CNMI.

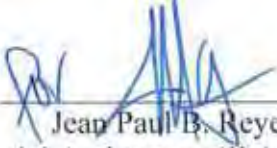
**AFAL REEL AMMWELIL ME AKKATÉÉWOWUL:** Board re tingór kkapas ikka e ssúlngáli ppwommwol liíwel iye Board rebwe bwughi llól eliigh (30) ráál mwiril aal ghommwal akkatééwow me llól Commonwealth Register. Schóó kka re tipáli pappidil ppwommwol liíwel rebwe faingi ghámém me 664-4809 ngáre email li [info@cnmilicensing.gov.mp](mailto:info@cnmilicensing.gov.mp) ngáre mweteló bwulasiyo imwu e lo Bldg. No. 1242, Pohnpei Ct, Asúngúl, Seipél. Ischill kkapas wóól liíwel kkaal ebwe mwetelól bwulasiyo ngáre afangaló BPL, P.O. Box 502078, Saipan, MP, 96950.

Isáliyalong:

  
Esther S. Fleming  
Executive Director

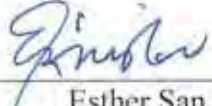
09/08/2026  
Ráál

Bwughiyal:

  
Jean Paul B. Reyes  
Special Assistant ngáli Administration

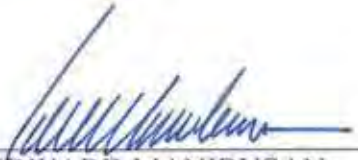
9.15.2026  
Ráál

Ammwelil:

  
Esther San Nicolas  
Commonwealth Register 

09.15.2026  
Ráál

Sángi 1 CMC § 2153(e) (sángi átirowal AG reel mwóghutughut bwe aa ffil reel fféerúl me ebwe arongowow) me 1 CMC § 9104(a) (3) (sángi átirowal AG) reel ppwommwol mwóghutughut ikka e appasch bwe ra takkal amwuri fischiiy me átirowa bwe aa ffil reel fféerúl me legal sufficiency sángi Soulemelemil Allégh Lapalap CNMI me ebwe akkatééwow, 1 CMC § 2153 (f) (arongowowul allégh me mwóghutughut),

  
EDWARD MANIBUSAN  
Soulemelemil Allégh Lapalap

9/15/2026  
Ráál

**TITLE 185: COMMONWEALTH HEALTH  
CARE PROFESSIONS LICENSING**

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**SUBCHAPTER 185-10  
COMMONWEALTH HEALTH CARE PROFESSIONS LICENSING BOARD REGULATIONS**

**Part 2300                      Licensed Baccalaureate Social Worker, Licensed Master's Social  
Worker and the Licensed Clinical Social Worker**

- § 185-10-2301              Definitions
- § 185-10-~~2330~~ 2305      Application
- § 185-10-~~2315~~ 2310      Requirements for Licensure
- § 185-10-~~2340~~ 2315      Application for License by Examination
- § 185-10-~~2325~~ 2320      Licensure by Endorsement
- § 185-10-~~2315~~ 2325      Exemptions
- § 185-10-~~2320~~ 2330      Supervisor; Supervision Report
- § 185-10-~~2335~~ 2335      Limits of ~~s~~Scope of ~~p~~Practice
- § 185-10-~~2340~~ 2340      Employment of Social Worker
- ~~§ 185-10-2345~~              ~~[Reserved]~~
- § 185-10-~~2350~~ 2345      Continuing Education (CE)
- § 185-10-~~2370~~ 2350      Renewal
- § 185-10-~~2366~~ 2355      Standards for Clinical Social Work in Social Work Practice
- § 185-10-~~2355~~ 2360      Retention of Client Records; Disposition of Client Records in Case of Death or  
Incapacity of Licensee
- § 185-10-~~2360~~ 2365      Code of Ethics
- § 185-10-~~2375~~ 2370      Disciplinary Action

**TITLE 185: COMMONWEALTH HEALTH  
CARE PROFESSIONS LICENSING**

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**Part 2300 - Licensed Baccalaureate Social Worker, Licensed Master's Social Worker and the Licensed Clinical Social Worker**

**§ 185-10-2301 Definitions**

- (a) "ACSW" is the Academy of Certified Social Workers.
- (b) "ASWB" is the Association of Social Work Boards.
- (c) "CASSW" is the Canadian Association of Schools of Social Work, which is the council that accredits the schools of social work in Canada.
- (d) "CSWE" is the Council on Social Work Education, which is the council that accredits baccalaureate and master's degree programs in social work in the U.S.
- (e) "L.B.S.W." means a "licensed baccalaureate social worker" who has been issued a license by this board to practice within their scope of practice and whose license is in good standing.
- (f) "L.M.S.W." means a "licensed master's social worker" who has been issued a license by this board to practice within their scope of practice and whose license is in good standing.
- (g) "L.C.S.W." means a "licensed clinical social worker" who has been issued a license by this board to practice within their scope of practice and whose license is in good standing.
- (h) "NASW" is the National Association of Social Workers.
- ~~(i) "Practice of Baccalaureate Social Work" is applying social work theory, knowledge, methods, ethics and the professional use of self to restore or enhance social, psychosocial, or bio-psychosocial functioning of individuals, couples, families, groups, organizations, and communities. Baccalaureate Social Work is generalist practice and may include interviewing, assessment, planning, intervention, evaluation, case management, mediation, counseling, supportive counseling, direct practice, information and referral, problem solving, supervision, consultation, education, advocacy, community organization, and policy and program development, implementation, and administration.~~
- ~~(j) "Practice of Clinical Social Work" is the practice of social work that requires applying social work theory, knowledge, methods, ethics, and the professional use of self to restore or enhance social, psychosocial, or bio-psychosocial functioning of individuals, couples, families, groups, and/or persons who are adversely affected by social or psychosocial stress or health impairment. The practice of clinical social work requires applying specialized clinical knowledge and advanced clinical skills in assessment, diagnosis, and treatment of mental, emotional, and behavioral disorders, conditions and addictions, including severe mental illness and serious emotional disturbances in adults, adolescents, and children. The clinical social worker may engage in Baccalaureate Social Work practice and Master's Social Work practice. Clinical treatment methods may include but are not limited to providing individual, marital, couple, family, and group therapy, mediation, counseling, supportive counseling, direct practice, and psychotherapy. Clinical social workers are qualified and authorized to use the Diagnostic and Statistical Manual of Mental Disorders (DSM), the International Classification of Diseases (ICD), Current Procedural~~

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~~Terminology (CPT) Codes, and other diagnostic classification systems in assessment, diagnosis, treatment, and other practice activities. An LCSW may provide any clinical or non-clinical social work service or supervision in either an employment or independent practice setting. An LCSW may work under contract, bill directly for services, and bill third parties for service reimbursements.~~

~~(k) — “Practice of Master’s Social Work” is applying social work theory, knowledge, methods and ethics and the professional use of self to restore or enhance social, psychosocial, or biopsychosocial functioning of individuals, couples, families, groups, organizations, and communities. An LMSW may practice clinical social work in an agency employment setting under clinical supervision or under contract with an agency when under a clinical supervision plan. Master’s Social Work practice may include applying specialized knowledge and advanced practice skills in assessment, treatment, planning, implementation and evaluation, case management, mediation, counseling, supportive counseling, direct practice, information and referral, supervision, consultation, education, research, advocacy, community organization, and developing, implementing, and administering policies, programs, and activities. An LMSW may engage in Baccalaureate Social Work practice.~~

~~(l) — “Private Practice of Social Work” means that independent practice of a social worker on a self-employed basis.~~

~~(4) (i) “Practice of social work” means applying the formal knowledge base, theoretical concepts, specific functional skills, and essential social values that are used to effect change in human behavior, emotional responses, and social conditions, and helping individuals, couples, families, groups, and community organizations enhance or restore their capacities for personal and social functioning while preventing and controlling social problems. Social work practice is the professional application of social work values, principles, ethics, and techniques in the following areas:~~

- ~~(1) Information, resource identification, referral services, mediation services, advocacy services, and education of individuals, groups, couples, and families;~~
- ~~(2) Preparation and evaluation of assessments and development and implementation of social work service plans;~~
- ~~(3) Case management, coordination, casework intervention, and monitoring of social work service plans in the areas of personal, social, or economic resources, conditions, or problems;~~
- ~~(4) Administration and development of social service programs, policies, community organization, planning, implementation, and involvement in the evaluation of social systems and social policies;~~
- ~~(5) Social work consultation and resource development;~~
- ~~(6) Research through the formal design and methodology of data collection and the analysis and evaluation of data, social work programs, social systems, and social policies;~~
- ~~(7) Psychosocial assessment, diagnostic impressions, treatment of individuals, couples, families, and groups, prevention of psychosocial dysfunction, disability, or impairment, including emotional, mental, and behavioral disorders, and evaluation of practice effectiveness; and~~
- ~~(8) Clinical diagnosis or psychotherapy, or both, provided by a licensed clinical social worker or~~

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a supervised associate clinical social worker.

- (j) **"Social worker" or "S.W."** means a person who has been issued a license as a licensed bachelor social worker, licensed master social worker, associate clinical social worker or licensed clinical social worker to practice within the scope of practice as provided in this chapter.

**§ 185-10-~~2330~~-2305**

**Application**

An application for a license to practice as a Baccalaureate, Master's, or Clinical social worker shall be made on a form to be provided by the Board accompanied ~~with~~ by the following information and documentations as are necessary to establish that the applicant possesses the qualifications as required in these regulations:

- (a) The applicant's full name and all aliases or other names ever used, current address, date and place of birth, and Social Security number;
- (b) Applicant's 2x2 photograph taken within six months from date of application; and
- (c) Applicant must pay the appropriate fees, including the application fee which shall not be refunded;
- (d) Applicant to provide originals of all documents and credentials, or notarized or certified copies acceptable to the Board of such documents and credentials, including but not limited to:
  - (1) Diploma or certificate showing successful completion of the appropriate degree in social work from the required educational school or program;
  - (2) Documents showing satisfactory proof that applicant has taken and passed the appropriate required examination;
  - (3) For the L.C.S.W., documents showing proof that applicant has satisfactorily completed the clinical training required under § 185-10-2315(a)(3)(iii); or
  - (4) Documents showing proof that applicant holds a valid, active license to practice as a Baccalaureate, Master's, or Clinical social worker in another jurisdiction and substantially complies with the appropriate requirements for licensure under § 185-10-2315; and
- (e) Applicant to provide a list of all jurisdictions, U.S. or foreign, in which the applicant is licensed or has applied for a license to practice as a Baccalaureate, Master's, or Clinical social worker;
- (f) Applicant to provide a detailed educational history, including places, institutions, dates, and program descriptions of all his or her education beginning with secondary schooling and including all college and/or training programs;
- (g) Applicant to provide a list of all jurisdictions, U.S. or foreign, in which the applicant has been denied licensure or voluntarily surrendered a license to practice as a Baccalaureate, Master's, or Clinical social worker; and

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- (h) Applicant to provide a list of all jurisdictions, U.S. or foreign, of all sanctions, judgments, awards, settlements, ~~criminal charges, arrests~~ or convictions against the applicant that would constitute grounds for disciplinary action under the Act or these regulations.

**§ 185-10-~~2315~~ 2310 Requirements for Licensure**

- (a) An applicant to practice as a social worker must be at least twenty-one years of age, be a U.S. citizen or a foreign national lawfully entitled to remain and work in the Commonwealth, and meet the following requirements:

(1) Licensed Baccalaureate Social Worker (L.B.S.W.):

- (i) Holds a ~~B~~bachelor's degree in social work from a college or university accredited by or deemed to be equivalent to an accredited program by the Council on Social Work Education, ~~or the Canadian Association of Schools of Social Work or from a college or university accredited by an accrediting organization recognized by the Board, or a social work education program approved by the Board; and~~
- (ii) Has passed the Bachelors examination administered by the Association of Social Work Boards, ~~or an examination in social work approved by the Board.~~

(2) Licensed Master's Social Worker (L.M.S.W.):

- (i) Holds a master's degree ~~in social work~~ from a college or university ~~in a social work program~~ accredited by or deemed to be equivalent to an accredited program by the Council on Social Work Education, ~~or the Canadian Association of Schools of Social Work or from a college or university accredited by an accrediting organization recognized by the Board, or a social work education program approved by the Board; and~~ a doctoral degree from a doctoral degree program in social work accredited by the Western Association of Schools and Colleges or a comparable regional accreditation body; and
- (ii) Has passed the ~~intermediate or higher-level national examination given by the Association of Social Work Boards; Masters examination administered by the Association of Social Work Boards, or an examination in social work approved by the Board, and~~

(3) Licensed Clinical Social Worker (L.C.S.W.):

- (i) ~~Holds a master's or doctoral degree in social work from a college or university accredited by or deemed to be equivalent to an accredited program by the Council on Social Work Education, or the Canadian Association of Schools of Social Work or from a college or university accredited by an accrediting organization recognized by the Board, or a social work education program approved by the Board;~~
- (i) Has met the educational requirements in § 185-10-2310 (a)(2)(i)(ii)
- (ii) Has passed the clinical ~~level national~~ examination administered by the Association of Social Work Boards; ~~or an examination in social work approved by the Board; and~~

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- ~~(iii) — Has provided evidence of successful completion of at least two years of continuous full-time employment in postgraduate clinical social work under the supervision of a licensed clinical social worker, a licensed physician or a licensed osteopathic physician who has completed a residency in psychiatry, a licensed clinical mental health counselor, a diplomate in clinical social work, a designated member of the ACSW, a licensed psychiatrist, or a licensed psychologist.~~
- (iii) Has provided evidence of successful completion of at least **3,000 (three thousand) hours** of post-master's clinical social work experience under supervision completed within no fewer than two years, but within no more than five years. Clinical social work experience shall include a minimum of 2,000 (two thousand) hours of assessment, clinical diagnosis, and psychotherapy; no more than a maximum of 900 (nine hundred) hours of client-centered advocacy, consultation, and evaluation; and at least 100 (one hundred) hours of supervision as follows:

  - (a) At least 60 (sixty) of the one hundred hours of direct face-to-face supervision shall have individualized supervision; and
  - (b) Not more than 40 (forty) hours of direct face-to-face supervision may have been under the supervision of small group (up to six supervisees) supervision.
  - (c) An applicant who submits evidence of certification as a qualified clinical social worker.
- (b) An applicant who possesses a master's degree from a school or department of social work that is a candidate for accreditation by the Commission on Accreditation of the Council on Social Work Education shall be eligible and shall be required to register as an **associate clinical social worker** in order to gain experience toward licensure if the applicant is not subject to denial of licensure. That applicant shall not, however, be eligible to take the clinical examination until the school or department of social work has received accreditation by the Commission on Accreditation of the Council on Social Work Education.
- (c) An applicant who possesses a master's degree from an accredited school or department of social work shall be able to apply experience the applicant obtained during the time the accredited school or department was in candidacy status by the Commission on Accreditation of the Council on Social Work Education toward the licensure requirements. This subdivision shall apply retroactively to people who possess a master's degree from an accredited school or department of social work and who obtained experience during the time the accredited school or department was in candidacy status by the Commission on Accreditation of the Council on Social Work Education.
- (d) An applicant for registration or licensure trained in an educational institution outside the United States shall demonstrate to the satisfaction of the board that the applicant possesses a Master of Social Work degree that is equivalent to a master's degree issued from a school or department of social work that is accredited by the Commission on Accreditation of the Council on Social Work Education. These applicants shall provide the board with a comprehensive evaluation of the degree and shall provide any other documentation the board deems necessary. The board has the authority to make the final determination as to whether a degree meets all requirements, including, but not limited to, course requirements regardless of evaluation or accreditation.

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- (e) Foreign applicants must have their education verified by a Board-approved organization that provides credential evaluations for international students and immigrants planning to study or work in the 50 US states or territories at their own expense. Eligible clinical or counseling work experience must be accrued within the 50 US jurisdictions or territories.
- (f) All applicants for licensure and registrants shall be at all times under the supervision of a supervisor who shall be responsible for ensuring that the extent, kind, and quality of counseling performed is consistent with the training and experience of the person being supervised and who shall be responsible to the board for compliance with all laws governing the practice of clinical social work.
- (g) All applicants and registrants shall inform each client or patient before performing any professional services that the applicant or registrant is unlicensed and is under the supervision of a licensed professional.
- (h) For purposes of § 185-10-2310 (c), the applicant or registrant shall have clinical supervision as follows:
  - (i) The supervisor shall have been a licensed clinical social worker with at least 6,000 (six thousand) hours of post-master's clinical social work experience;
  - (ii) The following individuals shall be deemed to have satisfied the requirements of a supervisor: a person with a master's degree in social work with at least six thousand hours post masters clinical social work experience; an individual who has an active clinical social worker license or a board licensed psychiatrist or psychologist, licensed mental health counselor, Licensed Professional Counselor, Licensed Marriage and Family Therapist, who has a minimum of 6,000 (least six thousand) hours of post masters clinical experience in assessment, clinical diagnosis, and treatment services; 6,000 hours gained in previous 5 years; and
  - (iii) Supervision shall have included review of assessment, clinical diagnosis, and treatment; and
- (i) In collaboration with the supervisor, through face-to-face supervision that is conducted electronically through a video conference service that is compliant with all federal and state privacy, security, and confidentiality laws, including the Health Insurance Portability and Accountability Act of 1996. Licensed and qualified supervisors providing telepsychology clinical supervision must be Board-approved and licensed in the CNMI, and must submit their home state business license
- (j) Notwithstanding the above licensure requirements, the Board may license an individual that holds at least a master's degree in social work from a school accredited by the Council of Social Work Education and has been practicing as a professional social worker in the Commonwealth of the Northern Mariana Islands for at least two years prior to July 1, 2016.

**§ 185-10-~~2310~~ 2315 Application for License by Examination**

- (a) No applicant may sit for the examination until the Board has determined that the applicant has met all the requirements for licensure except passage of the examination.
- (b) The Board utilizes the national uniform examinations of the Association of Social Work Boards

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(ASWB) and candidates shall be required to successfully pass the following examinations:

- (1) Bachelor's level candidates shall be required to successfully pass the bachelor's Examination;
  - (2) Master's level candidates shall be required to successfully pass the master's Examination
  - (3) Associate clinical social workers shall be required to:
    - (a) successfully submit and receive HCLB's approval for the associate registration, and
    - (b) successfully pass the Clinical Examination, who have met educational requirements pending postgraduate supervised experience.
  - (4) Clinical social workers at this level shall ~~be required to successfully~~ pass the Clinical Examination ~~and have obtained postgraduate clinical supervision.~~
- (c) An applicant for examination shall apply as required on § 185-10-2330 accompanied ~~with~~ by all the required information and documentation necessary to establish that the applicant possesses the qualifications for licensure other than the passage of the appropriate examination.
- (d) After the applicant receives notification from the Board that he/she may take the examination, he/she must register with ASWB at [www.aswb.org](http://www.aswb.org) and pay the required exam fee. All candidates should download a copy of the ASWB Candidate Handbook which will guide them through the registration process. ASWB offers practice tests or detailed study guides ~~that candidates can use~~ for a fee. Examinations are administered by appointment at the Pearson Professional Center on Saipan, and registered candidates can schedule a time to take the test there.
- (e) For disability accommodations, the candidate can download the application from the ASWB website and submit the completed form to ASWB. ASWB will then review the application and forward it to the Board for consideration. After the Board reviews the application and responds to ASWB with their decision, ASWB will notify the candidate of the Board's decision and any approved accommodations. Disability accommodation must be approved before the candidate registers for the examination.
- (f) For candidates with English as a second language, you may request the English as a Second Language (ESL) Special Arrangements form from the Board. The candidate will complete the form and submit it to the Board for approval, and the Board will then forward it to ASWB to arrange the candidate's examination (see ASWB Policy Manual Section 2.8 on the ASWB website).
- (g) Once an application for examination is approved by the Board, the candidate must sit for the examination within one year from the date of Board approval. For good cause shown, the Board will, in its discretion, grant one written request from the candidate for an extension of time to sit for the examination.
- (h) The candidate has one year to obtain a passing score on the examination. In the event of failure to pass the examination, the candidate may retake the examination every ninety days during the year. If the candidate does not pass the examination within the year, he/she must reapply, including

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obtaining approval ~~of from~~ the Board, ~~submitting an~~ application, and ~~paying the~~ applicable fee, prior to retaking the examination.

**§ 185-10-~~2325~~ 2320 Licensure by Endorsement**

- (a) The Board may grant a license to a person to practice as a Baccalaureate, Master's, or Clinical social worker without examination if:
  - (1) The person holds a valid, active license to practice as a Baccalaureate, Master's, or Clinical social worker in another U.S. ~~state jurisdiction~~ or territory; and
  - (2) The person substantially complies with the appropriate requirements for licensure in § 185-10-~~2315~~ 2310; and
  - (5) The requirements in the jurisdiction of licensure are at least as stringent as those under these regulations.
- (b) The Board may deny a license by endorsement to a person to practice as a Baccalaureate, Master's, or Clinical social worker if the person has been the subject of an adverse action in which his/her license was suspended, revoked, placed on probation, conditioned, or renewal denied.

**§ 185-10-~~2305~~ 2325 Exemptions**

Licensure shall not be required of:

- (a) Any licensed person doing work within the scope of practice or duties of the person's profession that overlaps with the practice of social work; provided that the person does not hold him/herself out to be a social worker;
- (b) Any student enrolled in an educational institution in a recognized program of study leading toward attainment of a degree in social work; provided that the student's activities and services are part of a prescribed course of study supervised by the educational institution, and the student is identified by an appropriate title such as "social work student", or any other title which clearly indicates the student's training status;
- (c) Any person in the practice of a religious ministry; provided that the person functions only within the person's capacities as a member of a religious ministry; and provided further that the person does not hold him/herself out to be a social worker; or
- (d) Any person who is obtaining supervised clinical experience for licensure as a psychologist, marriage and family therapist, or as another licensed professional approved by the board; provided that the person does not hold him/herself out to be a social worker.

**§ 185-10-~~2320~~ 2330 Supervisor~~s~~ and Supervision Report**

**Licensed and qualified supervisors providing in-person or telepsychology clinical supervision must be board-approved and licensed in the CNML. A supervisor shall:**

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~~(a) A supervisor shall be a licensed clinical social worker, a licensed physician or a licensed osteopathic physician who has completed a residency in psychiatry, a licensed clinical mental health counselor, and a diplomate in clinical social work, a designated member of the ACSW, a licensed psychiatrist, or a licensed psychologist.~~

(a) Be a professional counselor, clinical psychologist or psychologist trained in a field that is eligible for licensure as a psychiatrist, clinical social worker, or marriage and family therapist, with a current, unencumbered license in any U.S. state or territory and must also be licensed in the CNMI, or authorized to practice by an interjurisdictional compact to which the CNMI is a party, prior to providing supervision in the CNMI, with a minimum of 3 years of professional work experience following licensure; 6,000 hours gained in previous 5 years.

(b) Supervision shall have occurred in an agency setting that provides clinical diagnosis and psychotherapy, and ~~the~~ supervisor and applicant shall have met at least one hour each week to discuss client cases and treatment procedures.

(c) Supervision reports shall contain sufficient detail to evaluate an applicant's supervised practice, including:

1. The applicant's name;
2. The supervisor's name, signature, address, license number, state where granted, date when granted, area of specialization, and agreed start and end dates of supervision;
3. The name and nature of the practice setting and a description of the client population served;
4. Specific dates of practice ~~are~~ covered in the report;
5. Number of practice hours during this period (to include all duties);
6. The applicant's specific duties;
7. Number of one-to-one and group supervisory hours;
8. Detailed assessment of the applicant's performance;
9. The clinical skills supervised; and
10. The ethical practices reviewed.
11. Any related supporting document

**§ 185-10-2335 2335 ~~Scope of Practice~~ Limits of Scope of Practice**

~~In accordance with the definition of the practice of social work, there shall be limitations on the scope of the practice of social work as follows:~~

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~~(a) Licensed Baccalaureate Social Worker (L.B.S.W.): A LBSW may:~~

- ~~(1) Engage in psychosocial evaluation, excluding the diagnosis and treatment of mental illness, and conduct basic data gathering or records and specific life issues of individuals, groups, and families, assess this data, and formulate and implement a plan to achieve specific goals related to specific life issues;~~
- ~~(2) Serve as an advocate for clients or groups of clients for the purpose of achieving specific goals relating to specific life issues;~~
- ~~(3) Refer clients to other professional services;~~
- ~~(4) Plan, manage, direct, or coordinate social services; and~~
- ~~(5) Participate in training and education of social work students and supervise other LBSW.~~

~~(b) A LBSW may not engage in the private practice of social work, diagnose mental illness and emotional disorders, or provide psychotherapy.~~

~~(c) Licensed Master's Social Worker (L.M.S.W.): A LMSW may:~~

- ~~(1) Engage in administration, research, consultation, social planning, and teaching of social work;~~
- ~~(2) Perform all the functions of a LBSW;~~
- ~~(3) Engage in a non-clinical private practice; and~~
- ~~(4) Engage in the consultation of a LBSW for the purpose of preparing the LBSW for eventual LMSW's status. This includes responsibility for ongoing training and evaluation. The LMSW has an obligation to assess the LBSW's competence and ethics and may share this assessment with the Board at the time the LBSW applies for the LMSW license.~~

~~(d) Licensed Clinical Social Worker (L.C.S.W.): A LCSW may:~~

- ~~(1) Practice social work in a clinical setting without consultation;~~
- ~~(2) Engage in psychosocial evaluation, including diagnosis and treatment of mental illness and emotional disorders;~~
- ~~(3) Engage in clinical private practice of social work;~~
- ~~(4) Perform all the functions of a LMSW; and~~
- ~~(5) Engage in the clinical consultation of a LMSW for the purpose of preparing the LMSW for eventual LCSW's status. This includes responsibility for ongoing training and evaluation. The LCSW has an obligation to assess the LMSW's competence and ethics and may share this assessment with the Board at the time the LMSW applies for the LCSW license.~~

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- (a) The "licensed bachelor social worker" or "L.B.S.W." may perform duties as defined in the practice of social work in an agency setting under supervision;
- (1) Information, resource identification, referral services, mediation services, advocacy services, and education of individuals, groups, couples, and families;
  - (2) Preparation and evaluation of assessments and development and implementation of social work service plans;
  - (3) Case management, coordination, casework intervention, and monitoring of social work service plans in the areas of personal, social, or economic resources, conditions, or problems;
  - (4) Administration and development of social service programs, policies, community organization, planning, implementation, and involvement in the evaluation of social systems and social policies;
- (b) The "licensed master social worker" or "L.M.S.W." may perform duties as defined in the practice of social work,
- (1) Information, resource identification, referral services, mediation services, advocacy services, and education of individuals, groups, couples, and families;
  - (2) Preparation and evaluation of assessments and development and implementation of social work service plans;
  - (3) Case management, coordination, casework intervention, and monitoring of social work service plans in the areas of personal, social, or economic resources, conditions, or problems;
  - (4) Administration and development of social service programs, policies, community organization, planning, implementation, and involvement in the evaluation of social systems and social policies;
  - (5) Social work consultation and resource development;
  - (6) Research through the formal design and methodology of data collection and the analysis and evaluation of data, social work programs, social systems, and social policies;
  - (7) Under clinical supervision of a licensed professional counselor (reference § 185-10-2330)
  - (8) Psychosocial assessment, diagnosis, and treatment of individuals, couples, families, and groups, prevention of psychosocial dysfunction, disability, or impairment, including emotional, mental, and behavioral disorders, and evaluation of practice effectiveness.
- (c) The "licensed clinical social worker" or "L.C.S.W." may perform duties as defined in the practice of social work:
- (1) Information, resource identification, referral services, mediation services, advocacy services, and education of individuals, groups, couples, and families;
  - (2) Preparation and evaluation of assessments and development and implementation of social work service plans;

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- (3) Case management, coordination, casework intervention, and monitoring of social work service plans in the areas of personal, social, or economic resources, conditions, or problems;
- (4) Administration and development of social service programs, policies, community organization, planning, implementation, and involvement in the evaluation of social systems and social policies;
- (5) Social work consultation and resource development;
- (6) Research through the formal design and methodology of data collection and the analysis and evaluation of data, social work programs, social systems, and social policies;
- (8) Psychosocial assessment, diagnosis, treatment of individuals, couples, families, and groups, prevention of psychosocial dysfunction, disability, or impairment, including emotional, mental, and behavioral disorders, and evaluation of practice effectiveness.

**§ 185-10-2340      Employment of Social Worker**

A social worker employed directly by a physician, psychologist, or other social worker, or by a public or private agency, institution, hospital, nursing home, rehabilitation center, or any similar facility, is not to be considered ~~within the definition of~~ an independent practitioner. Furthermore, a social worker who contracts with an agency or institution that assumes full responsibility for and supervises the services provided to clients is not considered to be a private practitioner.

~~§ 185-10-2345 ——— {Reserved}~~

**§ 185-10-~~2350-2345~~ Continuing Education (CE)**

- (a) All L.B.S.W., L.M.S.W., or L.C.S.W. licensed to practice in the CNMI are required to complete the following CE hours as a prerequisite to the renewal of their biennial license:
  - (1) L.B.S.W. - 20 hours;
  - (2) L.M.S.W. - 25 hours;
  - (3) L.C.S.W. - 30 hours.
- (b) One CE unit or credit equals ~~to~~ one clock hour.
- (c) Approved continuing education activities includes but ~~is are~~ not limited to the following:
  - (1) Courses, workshops, programs, or online CE approved by the National Association of Social Workers and its affiliates, the Association of Social Work Boards and its affiliates, or other programs approved by the Board;
  - (2) Seminars, courses, conferences, or workshops sponsored by national, regional, state, or local social work professional organizations or state boards in the related specialties of marriage, family and group counseling, psychiatry, psychology, pastoral counseling;
  - (3) Postgraduate training programs (e.g., intern, residency, or fellowship programs) or

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completion of social work-related courses that are part of the curriculum of a college, university, or graduate school of social work;

- (4) Teaching or presenting the activities described in subsections (c)(2) and (c)(3);
- (5) Writing a published work or presenting work applicable to the profession of social work;
- (6) Providing supervision to a social worker participating in a social work education program approved by the Board;
- (7) **Community service presentations specific to career workshops and workforce development efforts not to exceed 10 hours;**
- (8) **Supervisors initially applying to the Board to supervise Associate Clinical Social Workers shall ensure that they have completed fifteen (15) hours of continuing education, training, or coursework specific to the topic of supervision obtained from a government agency or from an acceptable continuing education provider. A supervisor must complete six (6) hours of continuing education in supervision during each renewal cycle that follows their initial supervisor training. Records of completion must be maintained by the supervisor. Supervision continuing education shall be counted with the regulatory expectations of the LCSW application and renewal standards.**

- (d) If a licensee fails to meet the CE requirements for renewal of license because of illness, military service, medical or religious activity, residence in a foreign country, or other extenuating circumstances, the Board, upon appropriate written request from the applicant, may grant an extension of time to complete same, on an individual basis.
- (e) It shall be the responsibility of the licensee to obtain documentation, satisfactory to the Board, from the organization or institution of his or her participation in the continuing education, and the number of course/credit hours. Community service presentations specific to career workshops and workforce development efforts not to exceed 10 hours.
- (f) Licensure renewal shall be denied to any licensee who fails to provide satisfactory evidence of completion of CE requirements, or who falsely certifies attendance at and/or completion of the CE as required herein.

**§ 185-10-~~2370~~ 2350 Renewal**

- (a) All licenses, except temporary or limited licenses issued by the Board, expire every two years following issuance or renewal and become invalid after that date.
- (b) Each licensee shall be responsible for submitting a completed renewal application at least 60 (sixty) days before the expiration date. The Board may send, by mail or email, a notice to every person licensed hereunder, **giving** stating the date of expiration, the fee, and any additional requirements for renewal thereof.
- (c) All licensees must submit satisfactory evidence of completion of CE requirements, as required under § 185-10-~~2350~~, 2345.

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- ~~(d) — A late fee of \$25.00 will be charged every 1st of the month after the expiration date.~~
- (e) Licenses which have expired for failure to renew on or before the date required may be reinstated within one year of the expiration date upon payment of the renewal and late fees. ~~for each calendar month until the renewal fee is paid.~~ Each licensee whose license has expired and lapsed for more than one year ~~by due~~ failure to renew must file a new application, meet current ~~requirements for~~ licensure ~~requirements~~, and receive Board approval.
- (f) A licensee whose license has been revoked, suspended, or placed on probation by the licensing authority of another U.S. or foreign jurisdiction, or who has voluntarily or involuntarily surrendered his or her license in consideration of the dismissal or discontinuance of pending or threatened administrative or criminal charges, following the expiration date of his or her CNMI license, may be deemed ineligible for renewal of his or her license to practice as a social worker in the CNMI. This will not, however, prevent the Board from considering a new application.

### § 185-10-~~2365~~-2355 Standards for Clinical Social Work in Social Work Practice

The Board recognizes the National Association of Social Workers Standards for Clinical Social Work in Social Work Practice (and any amendments thereof to the standards) as its model standards, to the extent that it does not conflict with CNMI laws, rules, or regulations or Board Position Statements. A copy of the standards may be obtained at [www.nasw.org](http://www.nasw.org).

### § 185-10-~~2355~~ 2360 Retention of Client Records; Disposition of Client Records in Case of Death or Incapacity of Licensee

- (a) In this section, "client record" means information maintained in a written or electronic form regarding treatment and or billing of a client.
- (b) A social worker who serves clients outside of an agency setting shall ensure that a client record is maintained for each such client and that all client records are legible and are kept in a secure, safe, and retrievable condition.
- (c) The social worker shall retain a client record for a ~~minimum of~~ seven (7) years from the date of the last session with the client. ~~Health records must be retained for a minimum of seven (7) years after the end of counseling services, and for minors (17 years and under), records must be kept for seven (7) years after the minor turns 18 (eighteen).~~
- (d) The social worker in private practice shall make necessary arrangements for the maintenance of and access to client records that ensure the clients' right to confidentiality in the event of the death or incapacity of the licensee.
- (e) The social worker shall name a qualified person to intercede for client welfare and to make necessary referrals, when appropriate.

### § 185-10-~~2360~~-2365 Code of Ethics

The Board recognizes the Code of Ethics of the National Association of Social Workers (and any

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amendments ~~thereof to the Code~~ ~~therein~~) as its model code, to the extent that it does not conflict with CNMI laws, rules, or regulations or Board Position Statements. A copy of the NASW Code of Ethics may be obtained at [www.nasw.org](http://www.nasw.org).

**§ 185-10-~~2375~~ 2370 Disciplinary Action**

The Board shall have the power to impose administrative penalty and/or reprimand; revoke or suspend; refuse to issue, restore or renew, the license of any person who is found guilty of one or more of the violations pursuant to 3 CMC § 2224 and parts 900 through 1300 of the regulations, including but ~~is not~~ limited to the following:

- (a) Revealing facts, data, or information relating to a client or examinee, except as allowed by the law or rules and regulations;
- (b) Making gross or deliberate misrepresentations or misleading claims as to his/her professional qualifications or of the efficacy or value of his/her treatments or remedies, or those of another practitioner;
- (c) Directly or indirectly giving to or receiving from any person, firm, or corporation any fee, commission, rebate, or other form of compensation for any professional services not actually rendered. Social workers shall not participate in fee-splitting arrangements, nor shall they give or accept kickbacks for referrals;
- (d) The commission of any act or sexual misconduct, sexual abuse, or sexual relations with one's client, patient, student supervisee, or with an ex-client or patient within 24 months after termination of treatment;
- (e) Putting an intern or trainee under the social worker's supervision to perform, or to pretend to be competent to perform, professional services beyond the trainee's or intern's level of training;
- (f) Submission of fraudulent claims for services to any person or entity including, but not limited to, health insurance companies or health service plans or third-party payers; and
- (g) Failing to ensure that all records and written data are stored using security measures that prevent access to records by unauthorized persons. Social workers are responsible for ensuring that the content and disposition of all records ~~are in compliance~~ ~~comply~~ with all relevant ~~law and laws~~, rules, and regulations.