

TITLE 4: ECONOMIC RESOURCES
DIVISION 9: LABOR

§ 9235. Oaths, Affidavits, and Subpoenas; Witnesses and Immunities.

(a) The director may administer oaths, take or cause to be taken the depositions of witnesses, and require by subpoena the attendance and testimony of witnesses and the production of all books, records and other evidence relative to any matter under investigation. The subpoena shall be signed and issued by the director. If any person fails to comply with any subpoena lawfully issued under this section, or on the refusal of any witness to produce evidence or to testify to any matter regarding which he may lawfully be questioned, the judge of the Commonwealth Superior Court, upon the application of the director, shall compel obedience by a proceeding for contempt, as in the case of disobedience of the requirements of a subpoena issued by the court or a refusal to testify therein. The director may certify to official acts.

(b) No person shall be excused from attending and testifying or from producing books, papers, correspondence, memoranda, contracts, or other records and documents before the director, or in obedience to the subpoena of the director, or in any cause or proceeding instituted under this chapter, on the ground that the testimony or evidence documentary or otherwise required of the person may tend to incriminate or subject the person to a penalty or forfeiture; but no individual shall be prosecuted or subject to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he or she is compelled to testify or produce evidence, documentary or otherwise after having claimed the privilege against self-incrimination, except that the individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

Source: PL 1-20, § 11.

Commission Comment: With respect to the references to the “director” of the Department of Commerce and Labor, see Executive Order 94-3 (effective August 23, 1994), reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the Commission comment to 1 CMC § 2001; see also the comment to 4 CMC § 9212.