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SAIPAN, MARIANA ISLANDS

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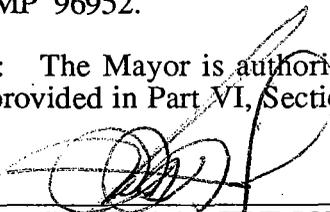
NOTICE OF EMERGENCY ADOPTION
REGULATIONS ESTABLISHING THE
OFFICE OF TINIAN MUNICIPAL TREASURER

EMERGENCY: The Mayor of Tinian and Aguiguan under Memorandum dated July 27, 1990, established the Office of the Tinian Municipal Treasurer, pursuant to Part VI, Section 50(4) of the Tinian Casino Gaming Control Act of 1989, but has inadvertently not issued regulations providing for the duties of the office and procedures for collection and receipt of all monies generated under the Act. Therefore, the Mayor hereby finds for the reasons given and pursuant to 1 CMC § 9104(b) that the public interest requires the adoption of emergency regulations, upon the concurrence of the Governor, to clearly establish the Office of the Tinian Municipal Treasurer, describing its duties and procedures for collection and receipt of all monies generated under the Tinian Casino Gaming Control Act of 1989. The Mayor also finds that the public interest requires that these regulations shall become effective immediately upon filing with the Registrar of Corporations pursuant to 1 CMC § 9105(b)(2) for the reasons given above, and shall remain effective for 120 days pursuant to 1 CMC § 9104(b)

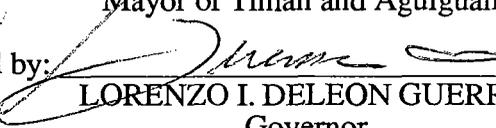
CONTENTS: The regulations provide for the establishment of the Office of the Tinian Municipal Treasurer, setting forth its duties and procedures as it relates to the Tinian Casino Gaming Control Act of 1989. The emergency regulations are published following this notice.

PUBLIC COMMENTS: Comments on the content of these regulations may be sent to: Mayor, Municipality of Tinian and Aguiguan, Commonwealth of the Northern Mariana Islands, San Jose Village, Tinian, MP 96952.

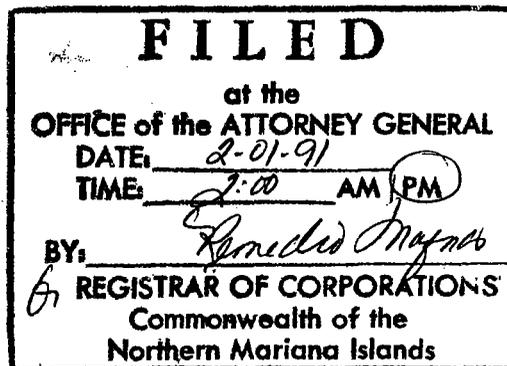
AUTHORITY: The Mayor is authorized to promulgate regulations pursuant to 1 CMC § 5106(e) and as provided in Part VI, Section 50(4) of the Tinian Casino Gaming Control Act of 1989.

Certified by: 
JAMES M. MENDIOLA
Mayor of Tinian and Aguiguan

02/01/91
Date

Concurred by: 
LORENZO I. DELEON GUERRERO
Governor

02/01/91
Date



**NOTISIA POT EMERHENCIA NA REGULASION
REGULASION POT I MA-ESTABLESEN I OFISINAN I
TINIAN MUNICIPAL TREASURER**

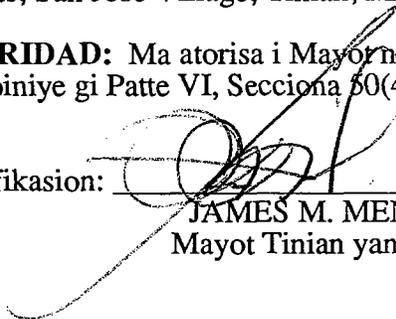
EMERHENCIA: I Mayot Tinian yan Aguiguan gi papa i Memorandum ni mafecha Julio 27, 1990, ha establese i Ofisinan i Tinian Municipal Treasurer, sigun i Patte VI, Secciona 50(4) gi Tinian Casino Gaming Control Act of 1989, lao linaisen ya tima incluso regulasion ni hanaguahaye i responsabilidad i ofisina yan areglo pot para marekohe yan maresiben todo salape siha ni humahalom gi papa i Akto. Ayo mina, i Mayot hasoda' ginen rason i suman hilo yan sigun i 1 CMC § 9104(b) na ginagagao gi interes publiku na uma-adopta emerhencia na regulasion , baho gi confitmasion i Gobietno, ni hana claclaro i ma-establesen i Ofisian i Tinian Municipal Treasurer, hadeskrikriba i responsabilidad yan areglo pot para marekohe yan maresiben todo salape ni para ufanhalom sigun gi Tinian Casino Gaming Control Act of 1989. I Mayot lakkue' hasoda' na gi ginagagao gi interes publiku na este siha na regulasion para ufan efektibo immediatmente gion ma rehista guato gi Registrar of Corporation sigun gi 1 CMC § 9105(b)(2) ginen rason i suman hilo siha, ya u efektitibo-ha para 120 dias na tiempo sigun gi 1 CMC § 9104(b).

SINAGUAN: I regulasion ha probiniyi i ma establesen i Ofisinan i Tinian Municipal Treasurer, hanaguahahaye siha responsabilidad yan areglo taimano i ginagagao gi Tinian Casino Gaming Control Act of 1989. I emerhencia na regulasion ma-publika gi sigiente na noticia.

COMMENTON PUPBLIKU: Commento pot i sinaguan este na regulasion sina mana hanao guato gi: Mayor, Municipality of Tinian and Aguiguan, Commonwealth of the Northern Mariana Islands, San Jose Village, Tinian, MP 96952.

ATORIDAD: Ma atorisa i Mayor na ufanlaknos regulasion sigun gi 1 CMC § 5106(e) yan komo prinibiniye gi Patte VI, Secciona 50(4) gi Tinian Casino Gaming Control Act of 1989.

Certifikasion:



JAMES M. MENDIOLA
Mayot Tinian yan Aguiguan

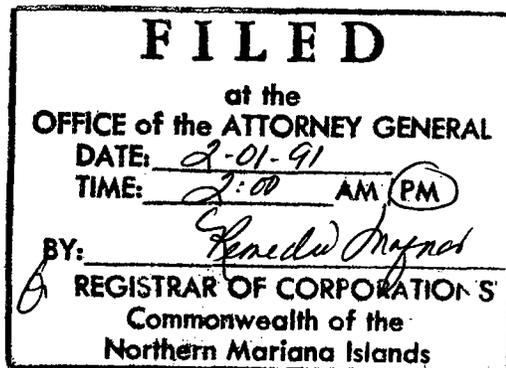
02/01/91
Date

Confitmasion:



LORENZO I. DELEON GUERRERO
Gobietno

02/01/91
Date



PUBLIC NOTICE

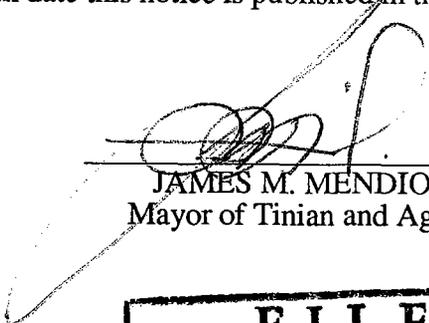
**PROPOSED REGULATIONS ESTABLISHING THE
OFFICE OF THE TINIAN MUNICIPAL TREASURER**

The Mayor of Tinian and Aguiguan hereby gives public notice that regulations are promulgated establishing the Office of the Tinian Municipal Treasurer.

The purpose of these regulations is to conform to Section 50(4), Part VI, of the Tinian Casino Gaming Control Act of 1989, with respect to the Office of the Tinian Municipal Treasurer, in the collection and receipt of all funds due under this Act.

The Mayor hereby advises the general public that the proposed regulations are available at the Office of the Mayor, Municipality of Tinian and Aguiguan. Interested persons may obtain copies for review and comment in writing, addressed to the Mayor, Municipality of Tinian and Aguiguan, San Jose Village, Tinian, MP 96952.

Anyone interested in commenting on the proposed rules and regulations may do so within 30 days from date this notice is published in the Commonwealth Register.



JAMES M. MENDIOLA
Mayor of Tinian and Aguiguan

02/01/91
Date

FILED
at the
OFFICE of the ATTORNEY GENERAL
DATE: 2-01-91
TIME: 2:00 AM PM
BY: Remedio Mendiola
REGISTRAR OF CORPORATIONS
Commonwealth of the
Northern Mariana Islands

NOTISIAN PUPBLIKU

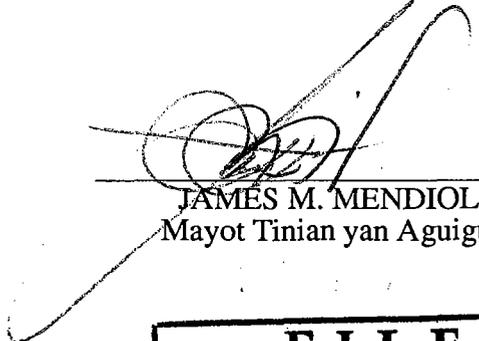
REGULASION POT I MA-ESTABLESEN I OFISINAN
I TINIAN MUNICIPAL TREASURER

I Mayot Tinian yan Aguiguan hanana'e noticia i pupliku na malakno regulasion pot i maestablesen i Ofisinan i Tinian Municipal Treasurer.

I propositon este na regulasion siha pot para u aconfortma yan i Patte VI, Secciona 50(4), gi Tinian Casino Gaming Control Act of 1989, pot asuntun i Ofisinan i Tinian Municipal Treasurer ni para ma recohina yan maresibina todo fondo siha ni manginagagao gi para este na Akto.

I Mayot ha-abibisa i pupkliku henerat na i ma-propone na regulasion guaha gi Ofisinan i Mayor, Municipality of Tinian and Aguiguan. Todo interesante na petsonas siha sina manmanuli kopia ni para u ma-ina yan ufan na-halom commento gi tinige na manera, guato gi Mayor, Municipality of Tinian and Aguiguan, San Jose Village, Tinian, MP 96952.

Kuatkiet petsona ni interesao muna-halom commento pot este na regulasion debe di machogue gi halom 30 dias na tiempo ginen i fechan ni mapuplika este na noticia gi Commonwealth Register.



JAMES M. MENDIOLA
Mayot Tinian yan Aguiguan

02/01/91
Date

FILED
at the
OFFICE of the ATTORNEY GENERAL
DATE: <u>2-01-91</u>
TIME: <u>2:00</u> AM (PM)
BY: <u>Reneida Lopez</u>
REGISTRAR OF CORPORATIONS
Commonwealth of the Northern Mariana Islands

REGULATIONS ESTABLISHING THE OFFICE OF TINIAN MUNICIPAL TREASURER

I. Authority

These regulations are hereby promulgated under the authority of 1 CMC § 5106(e) provided the Office of the Mayor and pursuant to Section 50(4), Part VI, of the Tinian Casino Gaming Control Act of 1989.

II. Purpose

The purpose of these regulations are to set forth the necessary procedures with respect to the Office of the Tinian Municipal Treasurer, particularly as it relates to the Tinian Casino Gaming Control Act of 1989 in the collection and receipt of all funds due under this Act.

III. Establishment of Office of the Tinian Municipal Treasurer

As provided by Part VI, Section 50(4), of the Tinian Casino Gaming Control Act of 1989, there is hereby created the Office of the Tinian Municipal Treasurer within the Office of the Mayor of Tinian and Aguiguan to be headed by a Tinian Municipal Treasurer.

A. Appointment/Qualifications

The Tinian Municipal Treasurer shall be appointed by the Mayor. A person appointed as Municipal Treasurer must have been a continuous resident of the Municipality of Tinian and Aguiguan within the last three years immediately preceding the appointment, is a qualified voter of the Municipality during the last general election, has never been convicted of a felony, and possesses professional qualifications including at least a bachelor's degree in an appropriate academic discipline or who is a certified public accountant, and, in addition, has had at least five years of progressively increasing experience in public administration or in accounting or equivalent private sector experience.

B. Duties and Responsibilities.

The duties and responsibilities of the Office of the Tinian Municipal Treasurer, include, but are not limited to, the following:

1. Collects and deposits all local revenues generated from the Tinian Casino Gaming Control Act of 1989 into a special local revenue account herein referred to as "Tinian Casino Gaming Revenue Fund", including casino taxes, license fees, fines and payments for services pursuant to authority of the Act.
2. Establishes and maintains the books of accounts of the Tinian Casino Gaming Revenue Fund.
3. Selects the bank or banks in which Tinian Casino Gaming Revenue Funds are to be deposited.

4. Acts as custodian of casino revenue receipts, disbursement of checks, bank accounts, securities and financial instruments.

5. Provides financial planning, procurement and investment of funds generated under the Act.

6. Disburse funds pursuant to authority of law.

7. Provides financial data, including financial management activities of the Municipality, to the Mayor, Tinian Municipal Council, Tinian Casino Gaming Control Commission, and other governmental agencies.

8. Analyze financial records to forecast future financial position and budget requirements.

9. Performs other tasks as may be provided by local law, rules and regulations.

C. Collection and Receipt of Casino Revenues

All fees, taxes and any other revenue generated by the Act and/or its regulations thereof shall upon collection and receipt be made payable to the Tinian Municipal Treasurer. All collections and receipts shall be accounted for and deposited daily in the Tinian Casino Gaming Revenue Fund. The Tinian Municipal Treasurer shall develop policies and procedures for collections and receipts and other reporting format necessary to ensure adequate fiscal control of all funds in its custody. Audit of all casino revenues and the Office of the Tinian Municipal Treasurer shall be required at least annually to be requested to the Public Auditor, who may, at its discretion, order an audit by its own personnel or contract with local certified public accounting firms.

D. Uniform Accounting

The Tinian Municipal Treasurer, with the concurrence of the Public Auditor, shall establish a uniform system of accounts. An accrual method of accounting that meets generally accepted principles of governmental accounting is to be maintained.

E. Financial Reports

The Tinian Municipal Treasurer shall annually issue a detailed report on the financial affairs of the Tinian Casino Gaming Revenue Fund and submit copies to the Mayor, Tinian Municipal Council, and Tinian Casino Gaming Control Commission.

F. Bonding

The Tinian Municipal Treasurer and other officials designated by the Mayor shall be bonded.

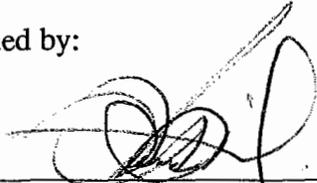
G. Staff and Budget

The Office of the Tinian Municipal Treasurer shall consist of the Tinian Municipal Treasurer and other staff as required, and its operational fiscal year budget, including auditing costs, shall be approved by the Mayor and subject to budgetary appropriation.

IV. Effective Date

These regulations take effect upon filing with the Registrar of Corporation and compliance with 1 CMC § 9101 et. seq.

Issued by:



JAMES M. MENDIOLA
Mayor of Tinian and Aguiguan

02/01/91
Date

<p>FILED</p> <p>at the OFFICE of the ATTORNEY GENERAL</p> <p>DATE: <u>2-01-91</u></p> <p>TIME: <u>2:00</u> AM (PM)</p> <p>BY: <u>[Signature]</u></p> <p>REGISTRAR OF CORPORATIONS Commonwealth of the Northern Mariana Islands</p>
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**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
DEPARTMENT OF PUBLIC SAFETY**

Saipan, Mariana Islands 96950



**NOTICE OF PROPOSED RULES AND REGULATIONS
DEPARTMENT OF PUBLIC SAFETY
BUREAU OF MOTOR VEHICLES**

- Gregorio M. Camacho
Director
- Jerry P. Crisostomo
Deputy Director, Administration
- Francisco M. Camacho
Deputy Director, Operations
- Judie Degaille
Chief of Administration
- Vicente T. Seman
Chief of Corrections
- Jesus M. Castro
Chief of Fire
- Jose M. Castro
Chief of Police
- Matias A. Chargualaf
Chief of Motor Vehicle

PUBLIC LAW 1-8 CH 10 § 7

PROPOSED REGULATIONS:

The Director of Public Safety hereby proposes to promulgate Rules and Regulations pursuant to the provisions of 1 CMC 2504(C), 1 CMC 2507 and 1 CMC §9104 regulating the activities and performance of Prisoners and the Correctional Facility in the Commonwealth of the Northern Mariana Islands.

CONTENTS:

These regulations govern the conduct required by and the rights accorded to inmates while in the Correctional Facility.

Pursuant to 1 CMC §9104, comments regarding the contents of these regulations may be sent to the Office of the Director, Department of Public Safety, Civic Center, Susupe, Saipan, CM. 96950 within thirty (30) days from the date of this publication in the Commonwealth Registry.

DATED THIS 8 DAY OF February, 1991.

- Facsimile - (670) 234-8531
- Cable - c/o GOV. NMI Saipan
- Administrative Division
(670) 234-6823/8536
- Central Station
234-6333/7271/6431
- Corrections Division
234-7254/8534
- Fire Division
234-6222/9222/3437
- Patrol Division/Public Relations
234-7271/8536
- Investigation Section
234-7208
- Juvenile Unit
234-9136
- Motor Vehicle Bureau
234-6921/9137
- Highway Safety Office
234-6021/6055
- Traffic Section
234-7212/7153
- Boating Safety Office
322-4037
- CST Office
234-5298
- Police Academy/Training
234-5639/8536
- Koblerville Substation
8
- EMERGENCY - 911



GREGORIO M. CAMACHO
 DIRECTOR OF PUBLIC SAFETY

NUTISIA PUT I MANMAPROPOPONI SIHA
NA AREKLAMENTO YAN REGULASION
DEPARTAMENTON PUBLIC SAFETY

LAI PUPBLIKU

I MAPROPOPONI NA REGUALSION:

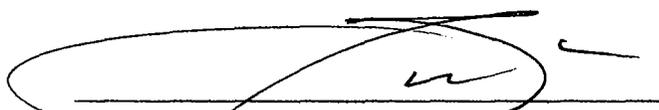
I Direktot i Pupblic Safety gienen este ha propoponi manlaknos areklamento yan regulasion sigon gi aturidat ni mapribeni gi Lai Pupbliku yan i 1CMC §9104 ni dumeririh i aktebidat yan kinalamten i presuneru siha yan i fasilidat tribunat gi Sangkatta siha na Islas Mariana.

FUNDAMENTO:

Este siha na regulasion para u gubetna i mangginagagao na kondukta yan direcho ni manmasedi i presuneru siha mentras ki manmapopongle gi halom i tribunat na fasilida.

Sigon i 1 CMC §9104, komento siha ginen i pupbliku hinerat put i fundamenton este siha na regulasion siha manmasatmimiti gauto gi ufisinan i Direktot , Department of Public Safety, Civic /center, Susupe, Saipan, MP 96950 gi halom trenta (30) dias depues di i fecha anai manpublika este na nutisia gi halom i Rehistran Commonwealth.

MAFECHA GI ESTE I MINA' 8 NA DIA GI FEBRERU, 1991.



GREGORIO M. CAMACHO
DIRECTOR OF PUBLIC SAFETY

ARONGORONG REEL FFÉÉRÚL ALLÉGH
LLÓL DIPATAMENTOOL PUBLIC SAFETY

ALLÉGHÚL TOWLAP

ALLEGH KKA EBWE FFEER: Direktodul Public Safety e mwuschál arongaar towlap, reel igha e bwe fféer allégh sangi bwángil me ailéewal Public Law me 1 CMC § 9014 reel ammweleer me mwóghutghutuur aramas ka re kalabwoos mellól Correctional Facilities mellól Commonwealth of the Northern Mariana Islands.

ÓWUTOL: Allégh kkaal nge ebwe lememiir schóol kalabwoos me mwóghutughutuur igha relo llól Correctional Facility.

Reel ailéewal 1CMC §9104, nge emmwel aramas rebwe ischiitiw meta tipeer me mánghemángiir, nge raa afanga ngáli Office of the Director, Department of Public Safety, Civic Center, Susupe, Saipan, CM. 96950 seigh (10) rál sangi igha e toowow arongorong yeel llól Commonwealth Registry.

Ráalil ye 8 maram February, 1991


GREGORIO M. CAMACHO
DEPARTMENT OF PUBLIC SAFETY

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INTRODUCTION

These are the rules and regulations by which your stay in the Commonwealth Correctional Facility is guided. It is important that you are familiar with these rules and regulations, as they explain the procedures by which you can protect your rights and earn privileges. They also explain the limitations that life in prison requires. Each inmate is given a copy of the rules and regulations and a copy is available for reference in the prison library. It is wise to take good care of your copy so you have it for future use.

You have been found guilty of violating the laws of the Commonwealth of the Northern Mariana Islands. The Commonwealth has imposed a limitation upon your liberty for a specific period of time as punishment for your offense. While your right to liberty has been temporarily taken from you, some other constitutional rights continue to exist. The rules and regulations of the Division of Corrections respect your dignity as a human being and your rights under the Constitution. The rules require that you respect these same rights and dignity in your fellow inmates and the staff. The rules and regulations are also designed to fulfill the basic purpose of this facility, which is to restrict your liberty of movement.

The correctional officers are familiar with these rules and will abide by them in their dealings with the inmates.

SECTION 10.

PRISONER ADMISSION AND ORIENTATION

- 1) Prisoners are accepted into custody of the Division of Corrections only upon the presentation of a duly executed Court order. The order is to be presented to the Chief of Corrections, or the duty officer in the absence of the Chief of Corrections, either along with the prisoner or in anticipation of the prisoner's arrival at the Correctional Facility
- 2) All prisoners who are accepted into custody are given a full body search and any possessions they may have will be confiscated and an itemized receipt will be issued with a copy signed by the prisoner and kept in the prisoner's permanent file. Once the property is searched, material that is consistent with Division of Corrections policy will be returned to the prisoner and a receipt signed. Material not consistent with DOC policy will be kept pending the prisoner's release or turned over to a non-prisoner at the prisoner's written request. All valuables will be kept by DOC staff. No neck jewelry will be permitted. Wedding rings may be worn.
- 3) The prisoner is placed in a cell in the cell block appropriate to age and sex. If overcrowding requires that some prisoners share cells, the new prisoner is allowed a cell to himself for at least the orientation period, if possible.
- 4) Upon acceptance into custody under Court order the prisoner is fingerprinted and photographed.
- 5) Orientation lasts for five days and, at the minimum, consists of a medical examination and an interview with the Corrections Counselor. If the necessary orientation activities are completed in less than five days, the orientation period may be shortened. It will not exceed five days, even if medical exam and Corrections Counseling are temporarily unavailable.

During the orientation period the prisoner is not required to take part in work or other activities that may interfere with orientation processing. The Chief of Corrections may suspend the orientation period for prisoners who are serving sentences of a month or less, if there is certification by a physician that the prisoner is in good health based on a physical examination within the previous six months.

- 6) The medical examination which is part of the orientation is to determine if the prisoner has any physical condition requiring special care or limitation of activity while with the Division of Corrections. It is to be administered by a physician licensed to practice in the Commonwealth. The physician's report is entered in the permanent file with any restrictions on diet or physical activity clearly noted. When possible the examination will be given in the Correctional Facility.
- 7) The meeting with the Corrections Counselor is to ensure that the prisoner understands all of the requirements of prison life and is aware of all available services of a rehabilitative nature. The counselor reviews all of the rules and regulations of the Division and the standard daily schedule. The counselor discusses any financial arrangements necessary regarding support of dependents or the payment of legal debts. Rehabilitation programs are also discussed. Following the meeting the counselor makes whatever arrangements are necessary to meet the needs of the prisoner's family and ease the prisoner's entrance into the routine of the Corrections Facility. These duties may be done by a DOC officer or employee if no Corrections Counselor is available.

SECTION 20.

MEDICAL CARE

- 1) The Division of Corrections is responsible for the health care of the prisoners in its custody. Any prisoner who is aware of a medical

condition from which he or she suffers is asked to report that condition at the orientation interview and at the initial physical. During the admissions process each prisoner receives a physical examination to determine health status, ability to perform various types of work assignments, and to identify any illness in need of treatment. Any limitations noted as a result of the physical exam are taken into account in the assignments given the prisoner and any injuries or illness affecting the prisoner while in the custody of the Division of Corrections are treated with proper medical care by medical personnel. Shortly before the release from the Correctional Facility the prisoner is given a physical examination similar to the one received upon admission in order to document the state of health upon release. The release physical is required only for prisoners who are incarcerated for more than three months.

- 2) The Correctional Facility has the capacity of providing medical examinations, subject to the availability of medical personnel. It is preferable that non-emergency medical treatment be provided within the Facility at a time convenient for the medical personnel. Emergency medical treatment may be provided at the hospital but security must be maintained at the level appropriate to the prisoner's situation. This may be done through the use of guards or restraints. The Chief of Corrections may waive this requirement when the prisoner's condition makes escape impossible or the hospital is able to provide a room that can be secured.
- 3) Prisoners receiving medication are provided the proper dosage on a proper basis by correctional staff. The time, date, amount, and who administered the medication is entered into the prisoner's file upon each administration of the medication.
- 4) The Chief of Corrections may change cell assignments as a result of illness and in other ways alter the prisoners' schedule as necessary to protect the health of the prisoners in case of infectious disease.

- 5) All medication is locked in the office of the Chief of Corrections and is limited in access only to those who have been assigned the duty of administering medication to the prisoners. Any medication with a narcotic component shall be subject to a running inventory and audited on a regular basis.
- 6) Medication is only used to treat specific illness and is taken in front of the Division staff administering the medication.
- 7) A first aid kit is available at each guard station for use in emergency situations. It shall not be used in non-emergency situations. Any supplies taken from the medical examination room must be with the knowledge and assent of the staff member assigned as medical liaison.

SECTION 30.

PERSONAL HYGIENE

- 1) Prisoners are required to shower at least once daily for a period of 10 minutes counted from the time they leave their cell. Showers are normally taken in the evening, following the evening meal. Prisoners on work release may shower immediately upon their return to the Correctional Facility with the permission of the duty officer. Those prisoners who were involved in work assignments within the Facility involving heavy labor may take showers at the completion of their assignment with the permission of the duty officer.
- 2) The shower room for each cell block is designed for only one person at a time. Therefore, while the shower is in use no other prisoner is to be in the shower area. Unless placed under disciplinary restrictions, prisoners may wait their turn for the shower in their cells or in the dayroom. The duty officer determines the order in which the shower room is used and limits its use to 10 minutes per prisoner.

- 3) When no juveniles or females are being held in the Correctional Facility, the duty officer may allow prisoners to use the shower rooms available in those cell blocks; however, there must be sufficient guards on duty to ensure security and the proper supervision of the prisoner while in the other cell block.
- 4) Clothing and linen washdays will be posted. The prisoner is expected to make himself aware of the schedule and be sure that his soiled clothing or linen are available for washing. Prisoners are expected to maintain themselves and their clothing in a clean and hygienic manner.
- 5) The Chief of the Division of Corrections may require that head hair and facial hair, be trimmed. Prisoners have access to barber services at least once per month and are encouraged to make use of these services.

SECTION 40.

PERSONAL PROPERTY

- 1) Possessions of the prisoners are allowed in the Correctional Facility only with the approval of the Chief of Corrections or his designee. Approval is only given when the requested possessions do not present a threat to security, and are legal to possess. Permission may be revoked if the possessions become a cause of problems within the facility.
- 2) Prisoners may keep in their cells only those possessions that can be stored in plain sight on shelves provided for that purpose. Normally such possessions include soap/shampoo, a toothbrush and toothpaste, reading material, a deck of cards or other small game, small writing materials, comb/brush, clothing, photographs (unframed). Other items may be approved by the Chief of Corrections.

- 3) Each prisoner is assigned a locker which can be secured. Property for which the prisoner has approval but may not keep in his cell must be stored in the locker. The locker is subject to search without notice at any time.
- 4) The administration provides the means of acquiring personal property beyond that which is provided by the Facility. This is done by placing an order with the correctional counselor for the specific item desired. If the purchase is approved, the counselor checks the prisoner's account to be sure that sufficient funds are allotted for the purchase and also checks with the Chief of Corrections to see that the item is deducted from the prisoner's account and must be within the allocation approved by the Chief of Corrections for such purchases.

SECTION 50.

CLASSIFICATION SYSTEM

- 1) No specific security level classification system will be maintained at the Facility. However, when space and population permit, inmates serving a sentence of less than six (6) months for conviction of a non-violent crime shall be placed in the women's or juvenile's section of the Facility.
- 2) A general classification system will be maintained on the basis of Facility services and activities. Activities will be classified as treatment services, unrestricted privileges, and restricted privileges.
- 3) Treatment services are those which are necessary for an inmate's physical, emotional, and psychological well-being. These services shall be treated as an entitlement of the inmate to the extent that they are available in the CNMI, and shall be provided to all inmates on an equal basis when the inmate has been determined by professional evaluation to be in need of the service. Such services include medical and

psychiatric treatment, psychological counseling, alcoholism and substance abuse counseling, and others.

- 4) Each inmate is entitled upon request to receive at least one treatment service evaluation for the various treatment services available to the inmates. Each inmate may be required to submit to a treatment service evaluation upon referral by the Chief of Corrections or the Corrections Counselor. Such evaluations may be required if the possible need for treatment is noticed by or brought to the attention of the Chief of Corrections or the Corrections Counselor at anytime, including orientation, disciplinary proceedings, qualification determination process for restricted activities, or for any other reason.

- 5) Unrestricted privileges are those which are provided to all inmates on an equal basis without prior approval or qualification. These activities may be restricted for an inmate as a result of disciplinary action, imposed in accordance with the disciplinary procedures contained in these rules, or when temporarily suspended to maintain facility security. Unrestricted privileges include:
 - a. Physical exercise and recreation.
 - b. Access to the Facility commissary.
 - c. Visitation.
 - d. Mail privileges.
 - e. Telephone privileges.
 - f. Other privileges designated by the Chief of Corrections.

- 6) Restricted privileges are those for which an inmate must first be found to be eligible by determination of the Chief of Corrections. Once granted, these privileges may be temporarily suspended when necessary to maintain Facility security, or as a result of disciplinary action imposed in accordance with the disciplinary procedures contained in these rules. These privileges may also be discontinued to effectuate a new policy or regulation prospectively. Restricted activities include:

- a. Home furlough.
 - b. Work release.
 - c. Educational release.
 - d. Work details outside of the Facility.
 - e. Other activities designated by the Chief of Corrections.
- 7) In determining eligibility for restricted privileges the Chief of Corrections shall consider the following:
- a. Inmate behavior.
 - b. Type of offense for which convicted.
 - c. Treatment service evaluations.
 - d. All other relevant factors.
- 8) Any inmate who disagrees with the denial, suspension, or termination of any treatment services, unrestricted activities, or restricted activities shall have the right to file a grievance in accordance with the prisoner grievance procedure contained in these rules.

SECTION 60

DISCIPLINARY ACTION

- 1) So that inmates may live in a safe and orderly environment, it is necessary for institution authorities to impose discipline on those inmates whose behavior is not in compliance with Department of Corrections rules. The following general principles apply in every disciplinary action:
- a. Only institution staff may take disciplinary action.
 - b. Staff shall take disciplinary action at such times and to the degree necessary to regulate an inmate's behavior within Department of

Corrections rules and to promote a safe and orderly institution environment.

- c. Staff shall control inmate behavior in a completely impartial and consistent manner. Disciplinary action may not be capricious or for retaliation.
 - d. Staff may not impose or allow imposition of physical punishment of any kind.
 - e. If it appears at any stage of the disciplinary process that an inmate is mentally ill, staff shall report the matter to the Chief of Corrections or Corrections Counselor. Either the Chief or Counselor shall refer the inmate to a mental health professional for determination of whether the inmate is responsible for his conduct or is incompetent. Staff may take no disciplinary action against an inmate whom mental health staff determines to be incompetent or not responsible for his conduct.
- 2) The Department of Corrections staff shall advise each inmate in writing promptly after arrival at the Facility of the types of disciplinary action which may be taken, the disciplinary action procedure and the time limits thereof, and the prohibited acts.
- 3) The following acts are prohibited:
- a. destroying or altering government property
 - b. tampering with or blocking any locking device
 - c. making sexual proposals or threats to another while in the custody of the Division; engaging in sexual relations with another prisoner or staff member while in the custody of the Division
 - d. attempting or planning escape
 - e. possession or introduction into the facility of any intoxicants not prescribed for the prisoner by the medical staff; or the fabrication of alcohol
 - f. possession of an explosive, ammunition, gun, weapon, sharpened instrument, knife, or unauthorized tool

- g. possession of any property belonging to another person without the person's permission
- h. rioting or encouraging others to riot
- i. making threats to staff members, visitors, or other prisoners
- j. refusing to obey a reasonable order of any staff member
- k. lying or providing false statements to staff members
- l. being in an unauthorized area
- m. using any equipment or machinery which is not specifically authorized and in a manner that is contrary to instructions and safety standards
- n. being intoxicated while in custody of the division
- o. smoking where prohibited
- p. gambling
- q. littering
- r. violating any commonwealth or federal law
- s. misuse of telephone

- 4) The acts listed above are in addition to any other restrictions placed upon the prisoners by the body of general orders that comprise the rules and regulations of the Division. The Chief of the Division of Corrections may introduce, amend, or remove various rules and regulations by the publication of an appropriate general order and written notification to the prisoners of the change. The change will also be explained to the prisoners in the vernacular.
- 5) A prisoner may only be disciplined due to an action that was specifically prohibited at the time the act occurred. Prisoners are not subject to discipline occurring before a regulation is created to limit such behavior and the regulation has been explained to the prisoners.
- 6) Violations of the rules are classified as minor, serious, and/or criminal, depending upon the seriousness of the violation. Inmates are subject to the following types of disciplinary sanctions according to the type of violation:

- a. Minor Offense
 - 1. Spoken warning
 - 2. Loss of privileges for not more than 4 days
 - 3. Up to 4 hours of extra work within the DPS compound
 - 4. Up to 8 hours confinement in the inmate's cell or barracks

- b. Serious Offense
 - 1. Loss of privileges for up to 6 months
 - 2. Restriction to cell or barracks for up to 2 months

- c. Criminal Offense
Referral for criminal prosecution.

7) Minor offenses.

- a. Discipline of a minor nature is for violations of rules that pose no threat or danger of a serious nature to the health, welfare, and security of the staff and prisoners. Such discipline may be imposed by the duty officer of a shift. Any one or a combination of the sanctions listed above under 6a. maybe imposed depending upon the relative seriousness of the offense and the occurrence of similar violations within 3 months prior to the offense. Any disciplinary action other than a spoken warning is noted in the shift log and entered in the prisoner's permanent file, unless it is later determined in the course of disciplinary proceedings that the disciplinary notation should be expunged from the inmate's records.

- b. Disciplinary procedure for minor offense.

The following procedure shall be followed prior to imposing any disciplinary sanctions on an inmate for a minor offense.

1. Before the duty officer imposes discipline, he must be satisfied that the prisoner did commit the violation and that the violation meets the criteria given in these rules for a minor offense. Before imposing any disciplinary action for a minor offense, other than a spoken warning, the duty officer must prepare or receive an incident report, and the duty officer shall see that the inmate receives a copy of the incident report. The incident report shall contain the following information:
 - (a) A written notice of the intent to impose minor disciplinary sanctions on the inmate, and specific notification of the sanction to be imposed.
 - (b) A statement of the grounds for the imposition of the punishment.
 - (c) A statement that the discipline shall commence at a specified time. No discipline shall commence for at least 24 hours from the time that the inmate receives the notice.
 - (d) A statement that the inmate has the right to appeal the disciplinary action to the Chief of Corrections by signing a written request within 24 hours of the receipt by the inmate of the notice. The notice shall contain an appeal request form.
- (2) If the inmate appeals the minor disciplinary action to the Chief of Corrections, the Chief of Corrections shall conduct an inquiry and determine whether the inmate did commit a violation of the Facility rules and the punishment, if any, which should be imposed for the violation. If the Chief of Corrections determines that the inmate is not guilty of a punishable offense, any record of the offense shall be removed from the prisoner's permanent file.

8) Serious Offense

- a. Serious offenses are those rule violations that pose a serious threat to the health, welfare, safety, or security of the prisoners or staff, and include any offense, including criminal offenses, for which any punishment, other than minor offense sanctions, is imposed.
- b. Disciplinary Procedure.
 - (1) Incident Report. When staff witnesses or has a reasonable belief that a violation of a rule amounting to a serious offense has been committed by an inmate, before any disciplinary action may be taken, the staff shall prepare an Incident Report and forward it to the Chief of Corrections. The Chief of Corrections may informally dispose of the report or investigation. If an investigation occurs, the Chief of Corrections will give a copy of the report to the inmate at the beginning of the investigation. The report will notify the inmate of the following:
 - (a) Charge of offense committed or rule violated.
 - (b) Factual basis for the charge.
 - (c) Explanation of rights of the inmate, including:
 - i. Right to remain silent. Notice that silence may be used against the inmate in the disciplinary hearing.
 - ii. Right to a hearing before the Prison Adjustment Committee (PAC), if dissatisfied with the decision of the Chief of Corrections.
 - iii. Right to at least 24 hours prior notice to prepare before the PAC hearing is held.

- iv. Right to be represented by a full time staff member or other inmate at the PAC hearing.
- v. Right to make a statement, present evidence, question witnesses, and be present at the PAC hearing. The PAC may suspend the right to call witnesses or present documentary evidence if the PAC determines that this would threaten institutional or an individual's security.
- vi. Right to have the decision and the reasons for the decision of the PAC reduced to writing.

(2) Investigation and review by Chief of Corrections, or his designee. When it appears likely that the incidents may be the subject of criminal prosecution, the investigating officer shall suspend the investigation, and the staff may not question the inmate until the criminal investigation has been completed or the agency responsible for the criminal investigation advises that staff questioning may occur. After the investigation, the Chief of Corrections may determine that an offense was committed, determine the degree of the offense, and determine the punishment to be imposed, or the Chief of Corrections may refer the matter to the PAC for a determination. If any sanction for a serious offense is imposed, the inmate will be notified of the decision of the Chief of Corrections, and notified of the right to appeal by requesting a hearing before the PAC.

(3) Prison adjustment committee.

- (a) The PAC is comprised of 5 members. One member shall be appointed by the following: Department of Corrections, Department of Public Safety, Office of the Governor, Office of the Attorney Generals, DOC

Inmates. The member chosen by the Office of the Governor may not be a full-time employee of the CNMI. The DPS appointee may not be a staff member of the DOC. The inmate's representative will be chosen once yearly by the prisoners, and this representative may not be an inmate during his term on the PAC, but may be a former inmate. In order to ensure impartiality, no member of the PAC may be the reporting officer, investigating officer, or a witness to the incident or play any significant part in having the charges referred, or be closely related to any victim involved in the incident.

- (b) Hearing procedure. The committee may develop rules of procedure with which to conduct the hearings. The rules must be in writing and available to all participants of the hearing. In addition, the hearings will be governed by the following rules:
- i. An inmate may request a hearing before the PAC by signing the request form attached to the Incident Report.
 - ii. Upon the request for a committee hearing, the Chief of Corrections shall contact the PAC to schedule a hearing. The inmate shall be informed as soon as the hearing date is scheduled, but the inmate shall receive at least 24 hours prior notice to prepare before the hearing.
 - iii. The Chief of Corrections shall provide an inmate the service of a full time staff member or another inmate to represent the inmate at the hearing should the inmate so desire. The staff or inmate representative shall be

available to assist the inmate if the inmate desires by speaking to witnesses and presenting favorable evidence to the committee.

- iv. The inmate is entitled to make a statement and to present documentary evidence. An inmate has the right to submit names of requested witnesses and have them called to testify in the inmate's behalf, provided the calling of witnesses or the disclosure of documentary evidence does not jeopardize or threaten institutional or an individual's security. The committee chairman shall call those witnesses who have information directly relevant to the charge(s) and who are reasonably available. The reporting officer and other adverse witnesses need not be called if their knowledge of the incident is adequately summarized in the Incident Report and other investigative materials supplied to the committee. The chairman shall request submission of written statements from unavailable witnesses when necessary. The chairman shall document reasons for declining to call requested witnesses in the committee report. The committee may question witnesses requested by the inmate. The inmate may submit questions for requested witnesses in writing to the committee.
- v. The inmate has the right to be present throughout the PAC hearing except during deliberations of the committee or when institutional security would be jeopardized.

The chairman must document in the record the reason for excluding an inmate from the hearing.

- vi. The PAC shall insure that the inmate has all rights required for the imposition of discipline, including the delivery of the incident report, advisement of rights, and other rights to be exercised at the committee hearing.
- vii. The PAC shall consider all evidence presented at the hearing and shall issue a decision in accordance with the greater weight of the evidence and one which is support by substantial evidence manifested in the record of the proceedings. The committee shall find that the inmate either committed the prohibited act or did not commit the prohibited act charged in the Incident Report. If the committee finds that there were extenuating or mitigating circumstances, the committee may reduce the sanction previously imposed by the Chief of Corrections, but the committee may not increase the sanction.
- viii. The PAC shall prepare a record of its proceedings which need not be verbatim. This record must be sufficient to document the advisement of inmate rights, the committee's findings, the committee's decision and the specific evidence relied on by the committee. The evidence relied upon, the decision, and the reasons for the actions taken must be set out in specific terms unless doing so would jeopardize institutional security. The committee shall give the inmate a written copy of the decision and disposition.

- ix. A record of the hearing and supporting documents are to be kept in the PAC files. The Committee shall expunge an inmate's file of the incident report and related documents whenever the Committee finds the inmate did not commit a prohibited act.
- x. At the time that the PAC gives an inmate notice of its decision, they shall also advise the inmate that the inmate may appeal the decision to the Director of the Department of Public Safety under the Grievance Procedures contained in these rules. The appeal to the Director of the DPS shall be the final administrative remedy.

TABLE I
SUMMARY OF DISCIPLINARY SYSTEM

<u>Procedures</u>	<u>Dispositions</u>
1. Incident involving possible commission of prohibited act.	Observing staff may resolve informally or drop charges.
2. Staff prepares Incident Report forwards it to duty officer. Reports of serious offenses forwarded to Chief of Corrections.	Duty Officer may resolve informally, impose sanction for minor offense, or refer to Chief for serious offense.
3. Inmate may appeal minor punishment to Chief for review.	Chief may impose allowable punishment for minor offenses or drop charges.
4. Chief investigates serious offenses.	Chief may informally resolve, impose sanctions or refer to PAC.
5. Inmate may appeal serious offense sanction to Prison.	PAC may affirm allowable punishment, reduce punishment, or drop charges.
6. Inmate may appeal to Director of DPS through Inmate Grievance Procedure.	

*(USE BLANK TYPING PAPER TO PROVIDE ADDITIONAL INFORMATION IF NECESSARY AND ATTACH TO THIS FORM)

DISCIPLINARY ACTION REPORT FORM

Name of Inmate: _____ Offense: _____

Victim (if any): _____

Describe what happened that is a violation of DOC rules or a violation of the law:

Time and date of the offense: _____
specific as possible):

Location of the offense (be as

Did the offense present a serious threat to the security of the Correctional Facility (yes) (no) or the health and welfare of the prisoners/staff (yes) (no). If yes, please describe why it was a serious threat:

List all witnesses:

Describe and/or attach all evidence:

Complaining Officer: _____
NAME DATE

---- Reviewed by the Chief of Corrections: _____
SIGNATURE DATE

Describe the type of discipline, when it was imposed, and by whom if matter handled as a minor disciplinary action:

(attach a copy of the minutes of the adjustment committee hearing to this form and keep in the prisoner's permanent file.)

SECTION 70.

PRISONER GRIEVANCE PROCEDURE

- 1) Prisoners have the right to present grievances to the Chief of Corrections, the Director of Public Safety, and the Attorney General. Grievances must be about specific conditions, or disciplinary action, or against specific individuals.
- 2) Grievances must describe the particular violation of the law or Division of Corrections rules and regulations, provide a detailed account of the event including time, place, witnesses, and other relevant particulars of the incident. The grievance must be in writing. If the prisoner is unable to write it himself, it may be written by a third party at the request of the prisoner.
- 3) Grievances are normally forwarded to the Chief of Corrections, who then investigates the complaint. The Chief will then institute whatever action is necessary to rectify the situation within one week of the receipt of the grievance. The Chief of Corrections provides the prisoner with a written response regarding the disposition of the grievance. If the prisoner feels that the response is insufficient, he has recourse to legal action in the Court through his attorney should the attorney feel there are sufficient grounds for legal action.
- 4) If the grievance results in the disciplining of another prisoner, the disciplinary procedure described in section 60 of these rules and regulations applies.
- 5) If the grievance involves a staff member, the personnel rules of DPS apply. If the grievance involves violation of the law and the investigation substantiates reasonable suspicion that the law has been violated the matter is forwarded to the Detective Bureau with a copy to the Attorney General's office.

- 6) Grievances against the Chief of Corrections or the Director of Public Safety are forwarded directly to the Attorney General's office who will be asked to investigate the matter.
- 7) All grievance or record of grievances made are kept in the prisoner's permanent file.

SECTION 80.

SEARCHES AND SHAKEDOWNS

- 1) All prisoners are subject to search upon their entry into a secure area of the Correctional Facility. Searches are performed by the correctional officer on duty at the sallyport and are not waived at any time. Visitors and staff are also subject to search at the sallyport at the discretion of the Chief of Corrections, if they enter a secure area.
- 2) The Chief of Corrections conducts rigorous and careful searches of the entire Correctional Facility at frequent intervals throughout the year for the purpose of confiscating any contraband that is in the possession of the prisoners.
3. Possession of contraband is against division regulations and makes the prisoner involved subject to disciplinary action. "Contraband" is defined as any tangible item, which the prisoner does not have permission to possess. If the contraband is illegal, the matter is reported to the detective bureau of DPS for formal investigation and action.
- 4) All contraband is tagged, logged in the records of the Chief of Corrections, and kept in the Division of Corrections safe or the police evidence locker. Once legal or disciplinary action has been taken, the

Chief of Corrections ensures that the contraband is returned to the rightful owner (if stolen articles) or disposed of in a proper manner.

SECTION 90.

(RESERVED)

SECTION 100.

CORRECTIONS COUNSELING

- 1) It is the goal of DOC that all prisoners are entitled to counseling services while with the Division of Corrections. Such services include counseling by professional mental health staff upon referral by the Chief of Corrections, individual counseling, family counseling, orientation counseling, alcoholism or substance abuse counseling, and other counseling services as may be available.
- 2) The Chief of Corrections will designate a person as Corrections Counselor who has training in individual, group, and family counseling in the correctional setting. The Counselor will provide the various types of counseling services required from the Corrections Counselor in these rules, and in addition will facilitate the referral of inmates to other counseling services available in the community. The Counselor will recommend referrals, coordinate referral activities, and work with other agencies in organizing, providing, and coordinating counseling, treatment, and educational services. The Corrections Counselor will have the right to periodically review the inmates case files of the various agencies providing services for the inmates. The counselor shall be afforded sufficient time from his other scheduled duties to allow him to

work with and review the work of the various agencies serving the inmates. The designee may be a member of the Division's staff or employed by another agency whose service is arranged for between the agencies. The counselor will schedule meetings at regular intervals with each prisoner.

- 3) Individual counseling is available to all inmates on an equal basis. Participation in counseling is voluntary for the inmate, unless otherwise ordered by the court, however if the prisoner wishes to make use of this service the counselor will schedule meetings at regular intervals with the prisoner.
- 4) Group counseling is available to all prisoners, unless the inmate is restricted to his cell as a result of a disciplinary sanction. Participation is also voluntary for the prisoners. The counselor will provide this service or arrange for it at the request of the prisoners, however the counselor has the responsibility to remind the prisoners that this service is available to them.
- 5) Family counseling is also available to aid the prisoner and his family in the adjustment to life back in the community after the prisoner is released. Such counseling is normally oriented to prisoners who are to be released from prison shortly. Participation is voluntary, though encouraged as an aid in the transition back to community life. The counselor will arrange for the meetings and coordinate any logistics involved in the counseling. The Chief of Corrections may give permission for the counseling sessions to be held outside of the Correctional Facility if it is determined to be appropriate for the prisoner and such a site is requested.

SECTION 110.

VISITATION

- 1) Prisoners may be visited by family members, relatives, and those whom the Chief of Corrections determines have a legitimate reason to meet with the prisoner. Anyone wishing to visit a prisoner must register with the Department of Corrections at least one week before the visit takes place and have the registration as visitor approved by the Chief of Corrections. A listing of approved visitors for each prisoner will be kept in the file for reference. For each prisoner to be visited, the potential visitor must register and receive separate approvals. Once approved, the visitor is free to visit the prisoner at the scheduled visiting hours until the prisoner is released from prison or the approval of the registration as an official visitor is revoked. A listing of currently approved visitors and the inmates they may visit will be prepared by assigned correctional staff and maintained in the visiting area. Before a person is brought to the visiting room or is allowed to see a visitor elsewhere, the correctional officer will check the listing to be sure that the visitor has been approved by the Chief of Corrections.

- 2) At the time the potential visitor registers, the visitor will complete the form on the following page which will be placed in the appropriate prisoner's file once approved. On this form the visitor will acknowledge that visitations are restricted to approved sections of the prison. Should a visitor enter a secure portion of the facility he/she is subject to search at the discretion of the duty officer if the Chief of Corrections is not available. If a visitor is to be searched, the search will be conducted by a member of the same sex as the visitor. If such an officer is not available, the visitor must delay the visit until the officer becomes available. Any weapons, illegal substances, or other contraband found on a visitor as the result of the search will make the visitor subject to criminal prosecution.

- 3) Visiting hours are between 12:00 noon and 2:00 p.m. every Saturday and Sunday, as well as legal holidays. The Chief of Corrections may schedule additional visiting hours if there is a need. Legal counsel may meet with their clients upon request in the officially designated visiting area at any reasonably convenient time, though it is preferred that several hours notice be given to allow the visitation to be scheduled with minimal disruption to the prisoner's normal routine.
- 4) The normal hours of visitation are re-scheduled or cancelled when the Chief of Corrections determines that an extraordinary situation exists which presents a threat to the security of the facility.
- 5) Visitors shall not come into contact with the prisoners except at the appointed visiting hours. Contact at other times may result in disciplinary action for the prisoner and trespassing charges for the visitor, at the discretion of the Chief of Corrections.
- 6) Prisoners may not arbitrarily be denied the right to have visitors. The right to have visitors may be temporarily denied as the result of disciplinary action taken according to the requirements of these rules and regulations. General security threats to the Correctional Facility may also involve the postponement or cancellation of visiting hours on specific days. Other extraordinary circumstances such as natural disaster may also result in temporary suspension of visiting hours. Under normal circumstances however, the Correctional staff will provide for visiting hours on a regular basis.
- 7) The Chief of Corrections normally approves all visitor registration forms except when the following situations exist:
 - a. The visitor is a co-defender or accused/convicted felon with no immediate blood relationship to the prisoner.

- b. The prisoner requests that the potential visitor not be allowed to visit.
- c. The visitor has a history of bringing contraband into the Correction Facility.
- d. The potential visitor violated Division of Corrections regulations in the past and has abused the privilege of visitation.
- e. The potential visitor is perceived as a serious threat to the security of the Correctional Facility or the individual prisoner as a result of specific actions or threats.

Before approval of the visit and the visitor, the Chief of Corrections must determine that the person requesting permission to visit a prisoner does not conflict with any of the above criteria for denial of permission to visit a prisoner. Denial of permission to visit one prisoner does not necessarily mean that permission to visit a different prisoner will be denied. Each request is treated on an individual basis.

VISITOR REGISTRATION FORM

The name of the prisoner I wish to visit is _____.

My name is _____ and I live in the village of _____.

My mailing address is _____.

_____ and my telephone number is _____.

My relationship to the prisoner is: () immediate family, () relative,

() friend, () legal counsel, () clergy, () other _____

_____. I wish to visit this person because

_____.

I understand that if I am granted permission to visit the above mentioned prisoner I must do so only during approved visiting hours and in an officially designated visiting area. If I come into physical contact with a prisoner or enter a secure area I am subject to search of my person and property and expulsion from the facility. The search will be performed by a correctional officer of the same sex as I. If I am found to be in possession of any weapons, illegal or controlled substances, or any other contraband I am then subject to criminal prosecution. I am signing this visitor registration form with full awareness of the limitations that are required of my behavior as a visitor and the possibility of search. I agree to comply with the above listed regulations while I am a visitor at the Correctional Facility.

Visitor's Signature

Date

DATE REQUEST RECEIVED: _____

REQUEST () APPROVED () DENIED

IF DENIED, PLEASE GIVE REASONS: _____

CHIEF OF CORRECTIONS

DATE

PRISONER

DATE

SECTION 120.

ACCESS TO RELIGIOUS RESOURCES

- 1) Prisoners are entitled to exercise their right of religious worship. The prisoners are not restricted in their exercise of freedom of worship as long as the security of the Correctional Facility or the well being of the other prisoners is not threatened.
- 2) Prisoners are allowed to keep reading material of a religious or inspirational nature in their cells or sleeping area. Such material may also be kept in any other portion of the Facility designated as a library or reading area.
- 3) Religious services are available to the prisoners on a regular basis and to the extent possible on the traditional days of worship held by the religious community of which the prisoner is a member.
- 4) Pastoral counseling and other related services are provided to the prisoners on a regular basis and special arrangements can be made by request of the Corrections Rehabilitation Counselor or the Chief of Corrections.
- 5) All religious and pastoral services are provided subject to the needs of security. Visiting clergy or representatives of religious organizations are subject to all of the restrictions placed upon other visitors, including search of person and property and possible expulsion if a secure portion of the Correctional Facility is entered. The religious visitor may also have the visitor registration form rejected and be denied the right to visit a prisoner or prisoners if the criteria for denial of permission to visit presented elsewhere in these rules and regulations are met. If this happens the Chief of Corrections will see that the prisoner's religious needs are met by other representatives of the same religious organization.

- 6) The prisoner has the right to refrain from practicing any religion. Participation in religious activities is strictly voluntary on the part of the prisoners. Correctional staff can not require participation in the religious activities of any religion on the part of the prisoners.

SECTION 130.

ACCESS TO LEGAL SERVICES

- 1) Prisoners are entitled to due process under law and have the right to the necessary resources to ensure due process. This includes access to legal counsel, to legal references, and to recourse to the judicial system.
- 2) The prisoner has the right to correspond with his legal counsel in an unrestricted manner. The Chief of Corrections may give the prisoner permission to telephone his legal counsel if the call is within the Commonwealth or if the legal counsel will accept the cost of the phone call if it is outside of the Commonwealth. Legal counsel may participate in any grievance. Legal counsel may visit with his client at any reasonable time, though advance notice is requested and counsel is subject to search of person and property if a secure portion of the prison is entered.
- 3) Legal references will be made available to the prisoners when specifically requested by the prisoners. Arrangements will be made on a case by case basis regarding how the specific text will be made available. Access to legal references is subject to the availability of the text within the Commonwealth.
- 4) Access to legal references and counsel is provided within a reasonable period of time.

5) The Correctional Facility library maintains the following legal references for use by the prisoners:

1. Commonwealth Code
2. Commonwealth Digest
3. Commonwealth Reports
4. Commonwealth Rules of Civil Procedure, Evidence, and Criminal Procedure, Practice, and Probate Procedure
5. U.S. Fed. Rules of Civil Procedure, Evidence, Appellate Procedure, and Criminal Procedure
6. Rules of Procedure of the U.S. District Court for the Northern Mariana Islands
7. Rules of Appellate Procedure of the U.S. District Court for the Northern Mariana Islands
8. Ninth Circuit Rules
9. Rules of the Commonwealth Supreme Court and
10. A copy of the rules and regulations of the Division of Corrections. These volumes will be kept in the Chief's office.

SECTION 140.

PRISONER CLUBS AND COMMUNITY ORGANIZATIONS

- 1) The Division of Corrections encourages the participation of prisoners in clubs and community organizations that help to develop the ability to be a productive citizen. Membership in such clubs must be consistent with the security requirements of the classification system. Membership in clubs and community organizations can not be allowed to compromise the security of the Correctional Facility or interfere with the Division's program of rehabilitation.
- 2) The prisoners may have clubs within the Correctional Facility to support religious, social, educational, hobby, craft, musical, and other interests

among the prisoners. These clubs must be recognized by the Chief of Corrections and given approval. A written request describing the purpose of the club, how it is to be organized, and a list of all prisoners who wish to be members of the club is the means by which approval for a club is obtained. The division will schedule time in the day room or other parts of the facility and lend what assistance it can in support of the club's activities. Club meetings and activities shall be held at times that do not interfere with the work schedule of the prisoners, meal times, or other restricted times. The clubs may have advisors, speakers, teachers, or other resource persons. These people may enter a secure portion of the prison to take part in club activities but are subject to search of person and property upon entry and must register as a visitor and be approved by the Chief of Corrections.

- 3) Prisoners may participate in club activities to the extent allowed by their position in the classification system.
- 4) Participation in community activities outside the Correctional Facility is allowed for those prisoners whose classification allows limited access to the community. Participation in such activities must be requested by the prisoner. A responsible member of the organization with which the prisoner wishes to participate must bear the responsibility for supervising the prisoner while outside of the Facility and ensure his return at the required time.
- 5) Club members may take part in club activities of the Facility as a group only when a level of security consistent with their classification can be provided at the site of the proposed activity.

SECTION 150.

CORRESPONDENCE

- 1) Prisoners may send and receive mail, however, except for privileged mail, all mail is subject to inspection by the Chief of Corrections or his designee. Inspection is for contraband or objectionable written material.
2. Privileged mail is not subject to inspection but may only be sent to the following people: the sentencing judge, the Director of Public Safety, the prisoner's legal counsel, the Attorney General, the prosecutor handling his case, and the Chief of Corrections. Mail being received by the prisoner from these people is subject to inspection but only for contraband and in the presence of the prisoner.
- 3) Contraband includes weapons, unauthorized tools, controlled and illegal substances, pornography and other designated materials.
- 4) Objectionable written material includes threats of physical harm or criminal activity threats of blackmail or extortion, plans to send contraband in to or out of the prison, plans to escape, plans for activities in violation of prison rules, materials which violate postal regulations, or materials involving the conduct of a prisoner's business without prior approval of the Chief of Corrections.
- 5) Contraband is turned over to the Detective Bureau or prosecutor's office with a written report describing the circumstances under which it was obtained. Objectionable written material is returned to the prisoner with an explanation of why it was returned, except when the objectionable material represents a violation of the law or a threat to the security of the Correctional Facility. In such cases the material is brought to the attention of the Chief of Corrections, the Director of Public Safety, and the Attorney General for action.

SECTION 160.

TELEPHONE USAGE

- 1) Telephones are available to the Division of Corrections prisoners on a free and equal basis and may be used for local calls during normal Commonwealth working hours and under the supervision of a guard, so long as making a phone call does not present a threat to the security of the prison. Priority access to the phones will be made available for calls to the inmate's legal counsel.
- 2) Phone calls may be terminated by the guard when behavior in violation of the law is committed or planned over the phone, as well as behavior in violation of the rules and regulations of the Division of Corrections.
- 3) Prisoners are permitted to send and receive calls of reasonable length in emergency situations such as death, critical illness, or accident of a family member. This is allowed without regard to position in the classification system.
- 4) Use of a telephone without permission of the Chief of Corrections or the duty officer and without supervision makes the prisoner subject to disciplinary action.

SECTION 170.

LEAVE

- 1) No prisoner in the custody of the Division of Corrections may be absent from the facility without specific and written permission from the Chief of the Division of Corrections. Absence without permission is escape. When the prisoner has written permission allowing an absence from the Correctional Facility for a specific period of time he is considered to be on

leave. The written permission shall list all restrictions and conditions of the leave.

- 2) Work release leave allows the prisoner to be absent from the facility for a specific number of hours everyday in order to hold a job in the community. Participation in the work release program is at the discretion of the Chief of Corrections. Specific procedures and regulations regarding work release are presented in Section 180 of these rules and regulations.
- 3) Education leave allows the prisoner to attend classes at a recognized institution outside of the Correctional Facility. The prisoner must be escorted both to and from class by a responsible person and may be outside of the Correctional Facility only for the amount of time necessary to attend class or work on supervised class projects. Education leave is a restricted privilege and must be authorized by the Chief of Corrections.
- 4) Furlough provides the prisoner who is nearing the time for release and has proven responsible within the facility with the opportunity to re-establish relationships in the community and to prove that the prisoner has the ability to act responsibly and within the law while in the community. A furlough may extend from six hours to one week, at the discretion of the Chief of Corrections depending upon the needs and proven ability of the prisoner to accept responsibility.
- 5) Emergency leave provides the prisoner the opportunity to be with family in times of severe crises, such as death or critical illness or accident of a wife, child, parent or sibling. Such leave will be to take part in specific activities, such as a funeral or hospital visitation and must be in the company of a guard at all times, unless otherwise authorized by the Chief of Corrections. In such a case the prisoner only needs to be under the supervision of a responsible person. Emergency leave will only be granted in the discretion of the Chief of Corrections.

- 6)
 - a. All leave is for a specific period of time.
 - b. The prisoner on leave is responsible for being back at the Correctional Facility on time.
 - c. If the prisoner finds that he is unable to return to the facility on time he should telephone the Division of Corrections to report the problem. Whether the prisoner telephones or not absence from the facility in excess of the allotted time and other may result in disciplinary action. Absence from the facility in excess of one hour beyond the allowed time period is treated by the division as an escape, at the discretion of the Chief of Corrections, and may result in disciplinary action or criminal charges against the prisoner.
7. In order to protect the public, leave shall not be given to any prisoner considered to pose a threat of danger to the community. Any prisoner incarcerated for a crime which involved an attempt to or actually caused serious bodily injury, serious psychological injury, sexual contact or sexual intercourse, or which involved a dangerous device or dangerous weapon, shall not be eligible for work release, educational leave or furlough under any conditions.

SECTION 180.

PRISONER EMPLOYMENT: Public Service & Work Release

- 1) Every inmate is required to perform work assigned within the Correctional Facility which contributes to the healthful maintenance of the living area to which the prisoner is assigned or shares with other prisoners. Such work may include cooking, cleaning, laundry, minor repairs but does not include any task which requires special skills or an extraordinary element of danger. These assignments are not subject to

the inmate's willingness to participate, though assignments will be rotated so that no prisoner is unfairly burdened with disagreeable assignments. A waiver of this requirement may be given for reasons of health or a conflict with rehabilitation program requirements but such an excuse should be considered a rare exception to the rule.

(PUBLIC SERVICE)

- 2) The Chief of Corrections may assign prisoners to work on public service projects from time to time. Public service projects are work activities that contribute to the general welfare of the community and do not replace anyone who is gainfully employed in the performance of the activity. Public service projects are located on sites other than the Correctional Facility compound. Except in time of emergency or disaster, work on such assignments is voluntary and the prisoner may choose to remain in confinement.

No prisoner who has attempted escape or escaped previously shall be assigned to work on public service projects.

(WORK RELEASE)

- 3) Work release is seen as primarily a rehabilitation activity in which prisoners are prepared for re-entry into the community by providing them with job skills, experience, and contacts useful for employment upon release. The work release program is a privilege and not a right. An inmate's employer may apply for the inmate's work release in writing to the Chief of Corrections.
- 4) Participation in the work release program is at the discretion of the Chief of Corrections. The following criteria are taken into account when deciding whether a prisoner may participate in the program:

- a. the prisoner is not likely to present a serious danger of escape or of committing criminal acts while on work release.
- b. work release assignments do not conflict with any disciplinary action or the prisoner's general classification.
- c. the prisoner has requested participation and has specific reasons for participation that are consistent with the goal of his rehabilitation.
- d. prisoner's behavior during custody with the Department of Corrections has been deemed satisfactory by the Chief of Corrections and Correction's Counselor.
- e. assessment of community reaction reveals that there will be no adverse impact on the inmate or members of the community.
- f. evaluations rendered by the various medical, mental health, substance abuse, or other treatment or counseling agencies to which the inmate has been referred present no substantial opposition. Compliance with the required referral for evaluations may be deemed a qualifying factor by the Chief of Corrections.

The inmate is entitled to a determination by the Chief of Corrections as to his eligibility to participate in the work release program within sixty (60) days of the inmate's written request. If the Chief of Corrections denies a request for work release, he shall specify the reasons for the denial in writing, and further specify what may be required for the inmate to qualify for work release in the future.

- 5) Employers need to apply for work release prisoners only once, providing in writing the nature of the task, the number of persons requested, the names of supervisors, and the expected duration of the work.
- 6) Transportation to and from the work release job site is not the responsibility of the Division of Corrections. When it is possible, the division will try to assist with transportation but the prisoner or his employer should make other arrangements for transportation on a regular basis. This may include rides with other employees or relatives of the prisoner. If the person providing the ride is other than the division or the employer they will need authorization from the division so they will be permitted to pick up the prisoner. Authorization can be provided using the visitor registration form and procedure.
- 7) All prisoners leaving the Correctional Facility for work release or other reasons must sign out in the daily log book and sign in upon their return. The duty officer will release a prisoner only to someone who is authorized to receive the prisoner.
- 8) In order to protect the public, work release shall not be given to any prisoner considered to pose a threat of danger to the community. Any prisoner incarcerated for a crime which involved an attempt to or actually caused serious bodily injury, serious psychological injury, sexual contact or sexual intercourse, or which involved a dangerous device or dangerous weapon, shall not be eligible for work release.

SECTION 190.

JUVENILE DETENTION

- 1) Juveniles who are ordered by the Court to be detained in secure custody are remanded to the juvenile cell block of the Correctional Facility. Programs and administrative details are handled by the CNMI Division of

Youth Services for juveniles in detention. However, the Division of Corrections has responsibility to assist DYS in ensuring secure detention, physical welfare, and routine maintenance needs. Their status as juveniles requires that they be treated differently than adults.

- 2) At no time may juveniles and adult prisoners come into direct contact. Every effort must be made to keep juveniles and adults apart to the extent possible.
- 3) Juveniles should not be allowed into the adult cell block area but should receive all services within the juveniles cell block or compound area. If there is an exceptional need to make use of resources in an adult section of the facility, use of such resources must be scheduled so that there is no contact with adult prisoners.
- 4) Weather permitting, juveniles should be allowed at least one hour of physical recreation per day.
- 5) Juveniles may be visited by their family any day of the week during normal working hours, as long as such visitation does not conflict with educational, counseling, or work activities as a detainee.
- 6) Unless specifically stated otherwise, Sections 20, 40, 70, 80, 90, 100 - 170 of the rules and regulations of the Division of Corrections also apply to juvenile detainees.
- 7) When there are more than three juveniles in detention and no females are being detained, the female cell block may be used to house juveniles. Otherwise, two juveniles may be assigned per cell. When space is available one juvenile is assigned per cell.
- 8) Juvenile female detainees should be separated from both adult offenders and male juvenile offenders. If no adult female offenders are using the female cell block the juvenile female is housed there. If it is impossible to

provide separation from adult offenders and from juvenile male offenders the Division of Youth Services must make arrangements for secure detention of the juvenile female in quarters other than the Correctional Facility. The quarters must provide supervision equal to that provided in the juvenile cell block and provide a safe and healthy environment.

- 9) The Division of Youth Services provides a juvenile corrections worker to see to all the rehabilitation services delivered to the juveniles. This worker is in charge of educational, counseling, and recreational activities for juveniles detained. DYS establishes all policy regarding the care of the juveniles detained. The DYS also provides aftercare to juvenile detainees and assists their families to provide better supervision and support to their child.
- 10) Juvenile offenders who are certified by the Court as adults shall be treated the same as adult offenders, subject to protection of any remaining legal rights to education, DYS services and other entitlements.

SECTION 200.

FEMALE PRISONERS

- 1) Female prisoners are confined to the female cell block of the Correctional Facility. At no time may they come into contact with male prisoners or juvenile prisoners.
- 2) Female prisoners may only be guarded by female members of the division staff or policewomen assigned to the division for such duty.
- 3) As with juveniles, all services for female prisoners will be provided in the female cell block or in the exercise yard provided for the female/juvenile cell block area. Exceptions may be made to this rule by the Chief of Corrections, however at no time may the exception include entry into the

adult male cell block at a time during which male adult prisoners are present.

- 4) All of the rules and regulations applying to adult male prisoners also apply to female prisoners, except where the Chief of Corrections specifically creates an exception in writing.

SECTION 210.

STAFF RULES

- 1) Division of Corrections staff are subject to all of the rules and regulations promulgated by the Department of Public Safety. In addition, staff are responsible for seeing that all of the provisions of the Rules and Regulations of the Division of Corrections are carried out exactly as presented in the currently authorized version. The Corrections staff has the essential responsibility for the security of the Division of Corrections. To the extent that they comply with the requirements of these policies they are meeting their responsibility.
- 2) An officer shall not leave a duty station during the shift unless given specific permission to do so by the Chief of Corrections or the duty officer. If the nature of the assignment is such that security must be maintained, relief by another guard is required before leaving the duty station.
- 3) An officer shall not leave the duty station at the end of the shift until replaced by the next shift correctional officer or permission to leave by the Chief of Corrections or the duty officer is given.
- 4) An officer is responsible for security during each shift. The guard must check for potential breaches in security throughout the shift.

- 5) Correctional officers may allow prisoners only those services and activities to which they are entitled to as a result of the requirements of the classification system. Staff may not deny services or activities, except for reasons of security or discipline and then only in a reasonable and equitable manner, pursuant to these rules.
- 6) An officer may not provide a prisoner with any article, supplies, cigarettes, or other items not provided by the Division of Corrections, unless the items have been searched by the duty officer, are not contraband, and are consistent with any program limitations that might be placed on the prisoner.
- 7) Annual leave must be requested in advance of the day the staff member wishes to take off. Sick leave may be taken without advance notice but the duty officer or the Chief of Corrections must be notified as soon as possible about the need for sick leave so that substitutes may be found to cover the shift. The need to maintain security at the Correctional Facility requires that the staff members be responsible in assisting the Chief of Corrections to see that all shifts are covered.
- 8) Staff shall not use the supplies or equipment of the division or the property or labor of the prisoners for their personal advantage. The property, materials, supplies, and equipment assigned to the Division of Corrections may not be removed from the Correctional Facility without the written permission of the Chief of Corrections or the Director of Public Safety, and then only for purposes consistent with the goals of the Division of Corrections.
- 9) Correctional officers may not strike or use physical force on a prisoner, except for self protection or to prevent the commission of a felony (e.g., escape, assault of another prisoner, etc.). Nor may the correctional officer threaten the prisoners with physical violence or abusive use of the disciplinary mechanisms of the division. Correctional officers may not use abusive language with the prisoners.

- 10) Correctional officers may not engage in sexual activity with the prisoners nor may they condone such activity among the prisoners. Correctional staff are required to report such activity to the Chief of Corrections for appropriate disciplinary action.
- 11) The Department of Public Safety is a paramilitary organization in that its members are armed and subject to military style discipline. Correctional officers are members of the Department of Public Safety and subject to its organizational discipline and practices. Correctional officers must fully carry out orders they are given by superior officers in an efficient and reasonable manner. They must observe practices of courtesy with other officers and the public.
- 12) No correctional officer or other employee of the Department of Public Safety may enter a secure portion of the Correctional Facility with a firearm or other weapon without the specific permission of the Chief of Corrections or the Director of Public Safety. Such permission is valid only for a specific time and purpose and allows no one general permission to be armed within a secure portion of the Correctional Facility. Anyone who is armed upon entry into the Correctional Facility must proceed directly to the administration office where the weapon will remain until the person is ready to leave the Facility. The guard on duty may not, unless specifically ordered by the Chief of Corrections or the Director of Public Safety, open the sallyport to anyone who is armed with either a firearm or other weapon. At the discretion of the Chief of Corrections, a general policy may be set to allow chemical and other non-lethal "weapons" within the secure area in the possession of guards if there is a need.
- 13) Correctional officers are subject to search of person and property before entering a secure area, at the discretion of the Chief of Corrections.

- 14) Violation of the rules and regulations by Correctional staff will result in disciplinary action appropriate to the nature of the violation.

SECTION 211.

STATEMENTS TO THE MEDIA

- 1) It is proper that the jail respond to the media for reasonable requests for information. Discretion will be used so that the basic rights of the inmates are not violated.
- 2) All statements to the news media will be made only by the Director of the Department of Public Safety or his express designee, or by the Chief of the Division of Corrections or his express designee. In their absence, a deputy may provide to the media only the following information about inmates of the correctional facility: 1) that a specific person is lodged in the jail or has escaped, except that the name of a juvenile shall not be given unless written authorization to release the juvenile's name has been given by the court; 2) the specific charge(s) by which the inmate is detained.

SECTION 212.

RELEASE OF INMATE INFORMATION

- 1) The Department of Public Safety and Division of Corrections recognizes that inmates have a limited right to privacy while incarcerated.
- 2) In order to protect the privacy rights of the inmates and to prevent escape plans or illegal use of information, it is the policy of the Department and Division to refrain from release of personal data, criminal history, record information or other similar information about specific inmates. The Department and Division may, in their discretion, release such information where release serves the public interest in some important way.

- 3) Personal data, criminal history, and record information may be released to an identified law enforcement agency upon written request to the Director of the Department of Public Safety or the Chief of the Division of Corrections. The Director and Chief shall maintain records of each and every request for information and the response given. These records shall be made available to the inmate upon his request.
- 4) The Department of Public Safety or Division of Corrections may release to the news media or public, in general, information in the form of statistics about the inmates that includes personal data, criminal history and record information, provided that there is no identifying characteristic to the data that could be related to a specific individual inmate.

SECTION 220.

GLOSSARY

Cell Block:

A portion of the Correctional Facility that is assigned to prisoners who are segregated from other prisoners. The CNMI Correctional Facility contains three cell blocks: Adult Male, Adult Female, and Juvenile. Ideally, prisoners from one cell block will not come into contact with prisoners from a different cell block.

Certification:

A process in which a juvenile (under 18 years of age) is brought before the Court and the request is made that he or she be treated as an adult. Usually the reasons for the request reflect the seriousness of the alleged offense or the physical or mental maturity of the young person.

Classification System:

Inmates are not classified into security groups, but the types of activities in which the inmates may participate are classified as treatment services, unrestricted privileges, and restricted privileges. Treatment services are those to which inmates are entitled when necessary to address an inmate's physical, emotional, psychological, or other well-being. Unrestricted privileges are those given to all prisoners on an equal basis, unless restricted temporarily due to disciplinary action or unusual security requirements. Restricted privileges are those privileges for which a prisoner must qualify on the basis of good behavior and other factors.

Correctional Facility:

As used in these rules and regulations, the Correctional Facility refers to that area used to house those individuals who have been placed in custody, after adjudication, of the Division of Corrections of the Department of Public Safety, and includes fenced outdoor space available for recreational and other correctional purposes.

Contraband:

Contraband are items which are prohibited within the CNMI Correctional Facility. Such items are either illegal to possess in the general community or present a threat to the security or well being of the prisoners. A list of basic items of contraband is presented in the section entitled, "Disciplinary Action", and may be supplemented from time to time by the Chief of Corrections.

Counseling:

Counseling is a service by someone who is trained in the area of psychology or sociology or other relevant fields. The counselor works with prisoners for the purpose of trying to help develop the understanding necessary to successfully deal with life inside or outside the prison.

Custody:

Custody occurs when a particular individual or agency has responsibility for the well-being and freedom of movement of another person.

Disciplinary Action:

When a prisoner violates the rules and regulations of the Division of Corrections, the prisoner becomes subject to some form of punishment for the violation. Punishment is imposed whenever the prisoner violates the rules and regulations of the division of Corrections. Punishments are usually greater restriction of movement and loss of privileges within the Correctional Facility. The entire process constitutes Disciplinary Action.

Division of Corrections:

The Department of Public Safety is divided into three units reflecting the basic functions of the Department: Police, Fire, and Corrections. The Division of Corrections is that unit which is responsible for the custody and rehabilitation of individuals convicted of crime by the Commonwealth Superior Court and placed in its care. The division is also responsible for prisoners awaiting trial who are unable to post bail for release pending trial.

The staff of the Division of Corrections normally includes a Chief, a Corrections Counselor, Correctional Officers and Secretary support staff. The correctional officers are also sworn officers for the Department and have all of the authority of police officers to enforce the law.

Duty Station:

Those areas within the Correctional Facility to which a correctional officer is assigned as a specific area of responsibility is called the Duty Station. The two most common duty stations are the adult male cell block and the sallyport entrance to the adult male cell block. Whenever the facility is in use, guards should be posted at these two duty stations. When the juvenile or female cell blocks become active duty stations, guards must also be present.

Escape:

Escape occurs when a prisoner is absent from the Correctional Facility without leave. Return from authorized leave one hour or later after the specified return time may be considered escape by the Chief.

Grievance:

Grievance means a formal complaint by one person against another or against an institution.

Leave:

Leave is official permission to be absent from the Correctional Facility for a specific period of time to accomplish some purpose which the administration of the facility feel is consistent with the goal of rehabilitation.

Legal Counsel:

Legal counsel is any lawyer hired or appointed or designated to represent a prisoner.

Lock-up:

That area of the police station where arrestees are detained pending the posting of bail, or Court action is the Lock-up. This area is under the supervision of the Division of Corrections but is not used to house anyone who has been convicted. Upon conviction, a detainee is transferred to the Correctional Facility to begin serving his sentence. Exceptions may be made when deemed appropriate by the Chief, in writing to be kept in the inmate's file.

Orientation:

Orientation is a period of time during which a person is given the chance to learn how things operate and what the rules are governing the new environment. In reference to the Division of Corrections, orientation is that period following admission to the Correctional Facility when the prisoner is given the chance to learn the division's rules and regulations, become introduced to the rehabilitation resources available, and is given medical and (if needed) psychological examinations in preparation for the stay at the facility.

Prisoners:

Those people who have been ordered into the custody of the Division of Corrections by the Courts of this jurisdiction and are being confined with the CNMI Correctional Facility are prisoners. Alternatively, called inmates.

Privilege:

Privilege in these regulations, means access to specific freedoms or benefits listed in these rules. Unrestricted benefits are those enjoyed by all inmates on an equal basis. Restricted privileges are those enjoyed only by inmates first found to be qualified.

Rights:

There are certain benefits which no one has the moral or legal authority to take away from anyone, even prisoners. Under the United States system of government, some of these benefits include: freedom from cruel and unusual punishment, access to legal counsel, the ability to practice one's religion, freedom not to talk to police if by talking one will incriminate oneself, access to law books, access to proper food and medical care to maintain one's health; the CNMI Constitution further guarantees rights to a clean and healthful environment, freedom from discrimination on account of race, color, creed, ethnic origin or sex, and a free, public education as provided by law.

Sallyport:

This term denotes that area of the prison which serves as the normal entrance and exit of a cell block. Correctional officers are normally stationed at a sallyport of a cell block that is in use to control who enters or leaves the cell block area and to ensure that they do not carry contraband.

Search (of person and property):

To ensure that no contraband enters a cell block area the correctional officer on duty has the right to check the packages and clothing of anyone wishing to enter a cell block in which prisoners are housed. The body of anyone wishing

to enter such a cell block may also be searched either by metal detector, frisk, or, if there is reasonable cause, by strip search. Visitors may refuse to be searched if they are requesting entry into a cell block area but if they are not searched to the reasonable satisfaction of the correctional officer on duty they will be denied entry to the cell block. Prisoners returning to the prison from leave are subject to search and have no choice in the matter. Visitors or prisoners will be searched by DPS staff of the same sex.

Secure Area:

Secure area means that portion of the Correctional Facility in which prisoners are housed and, if earned, have relatively free access. Normally a secure area would be the cell blocks and exercise area associated with the cellblock. Access to a secure area is limited to the prisoners assigned to it, the staff of the Division of Corrections and those others with the specific permission of the Chief of Corrections. Any one entering a secure area is subject to search of person and property.

Separation by Sight and Sound:

It is the stated goal of the Congress of the United States, as presented in the Juvenile Justice and Delinquency Prevention Act, that juvenile offenders and adult offenders not come into contact with each other. The idea is that there be separate facilities for adults and juveniles. The minimum requirement where it is impossible to provide separate facilities, is that adults and juveniles be sufficiently separated that neither can see or hear the other.

Shakedown:

A shakedown refers to action by which the Chief of Corrections causes a cell block or the entire Correctional Facility to be searched very carefully for

contraband. Such a search may include a careful search of all of the rooms and equipment within the facility, a search of personal and department property, and a search of the person of any prisoners. Such searches must be conducted with care to both locate contraband and to ensure that the property or dignity of the prisoners is not damaged. Such searches may be done whenever the Chief of Corrections deems it appropriate.



Commonwealth of the Northern Mariana Islands
Office of the Governor
Saipan, Mariana Islands 96950

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PUBLIC NOTICE

**Proposed Amendments to the Low Income Family
Energy Assistance Program Rules and Regulations**

The Director, Department of Community and Cultural Affairs, pursuant to the authority provided under 1 CMC 2353(a), hereby gives notice to the public of its intention to adopt proposed amendments to the Low Income Family Energy Assistance Program rules and regulations relating to the following matters:

1. Replacement of the word "consistent" with the word "inconsistent".
2. Deleting the current income eligibility guidelines and replacing it with an updated one.

The public may submit written comments and/or recommendations regarding the proposed rules and regulations to:

Office of the Director
Department of Community and Cultural Affairs
Lower Base
Saipan, MP 96950

Dated this 31 day of January 1991.



Jesus B. Pangelinan
Director, Department of Community and Cultural Affairs

NUTISIAN PUBLIKU

I Manmapropoponi siha na Amendasion gi Areklamento yan Regulasion i Low Income Family Energy Assistance Program

I Direktot i Depattamenton Community and Cultural Affairs, sigon gi aturidat ni mapribeniyi gi papa' i 1 CMC 2353(a), ginen este na nana'i i publiku nutisia nu i entension-ña para u adapta i manmapropoponi siha na amendasion gi areklamento yan regulasion i Low Income Family Energy Assistance Program ni ha afefekta gi mansigente siha na asunto:

1. Matulaikan i palabra "consistent" yan i palabra "inconsistent".
2. Mana'suhan i presente na areklamenton ilhipble sigon i suetdon kada familia ya u tinilaika nu i nuebo na areklamento.

I publiku siña mana'halom tinige' siha na komento yan/pat rekomendasion put i mapropoponi na areklamento yan regulasion guato gi:

Office of the Director
Department of Community and Cultural Affairs
Lower Base
Saipan, MP 96950

Mafecha gi este i mina 31 na dia gi Ineru 1991.



Jesus B. Pangelinan
Director, Department of Community and Cultural Affairs

ARONGORONGOL TOWLAP

FFEÉRÚL LLIIWEIL ALLÉGH MELLÓL ALLÉGHÚL LOW INCOME FAMILY
ENRGY ASSISTANCE PROGRAM

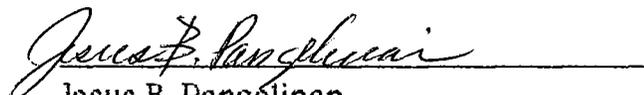
Direktoodul Dipattamentool Community and Cultural Affairs, reel ailéewal me bwángil 1CMC 2353 (a), e mwuschál arongaar towap, igha ebwe fféer lliiwel mellól alléghúl Low income Family Energy Assistance Program.

1. Rebwe liweli tapalal kkepas ye "consistent" bwe ebwe "inconsistent.
2. Ebwe lliiwel current income eligibility bwe ebwe atotoolong lliiwel kka e fféetá.

Aramas towap nge emmwel bwe rebwe atotoolong meta tipeer me mángemángiir, nge rebwe ischi, ngáre emmwel schagh bwe rebwe lò apasaawow, nge raa afángá ngáli bwulasiyool:

Office of the Director
Department of Community and Cultural Affairs
Lower Base
Saipan, MP 96950

E Fféer llól ráalil ye 31 Eneero 1991.



Jesus B. Pangélinan
Director, Department of Community Affairs



Commonwealth of the Northern Mariana Islands
Office of the Governor
Saipan, Mariana Islands 96950

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DEPARTMENT OF COMMUNITY AND CULTURAL AFFAIRS
PROPOSED AMENDMENTS TO THE
LOW INCOME FAMILY ENERGY ASSISTANCE PROGRAM

Part I. AUTHORITY

A. Under and by virtue of the authority provided in 1 CMC 2353 (a), the Director, Department of Community and Cultural Affairs hereby proposes the following amendments to the Low Income Family Assistance Program Rules and Regulations.

Part II. AMENDMENTS

The Low Income Family Energy Assistance Program (LIFEAP) Rules and Regulations are hereby amended as follows:

1. Section V. 2. is amended changing the work "consistent" to the word "inconsistent".
2. Exhibit "A" of Section XIII deleted in its entirety and a new Exhibit "A" of Section XIII is hereby adopted to read as follows:

Exhibit A
 Low Income Families
 Electrical Energy Assistance
 Monthly Benefits

Household Size (persons)

Household Income per month Over To and Inc.		Single	2	3	4	5	6	7	8	9	10	11 & over
0	747.50	21.00	27.00	32.00	36.00	40.00	43.00	46.00	49.00	52.00	55.00	58.00
747.51	934.38	0	21.00	27.00	32.00	36.00	40.00	43.00	46.00	49.00	52.00	55.00
934.39	1,121.25		0	21.00	27.00	32.00	36.00	40.00	43.00	46.00	49.00	52.00
1,121.26	1,308.13			0	21.00	27.00	32.00	36.00	40.00	43.00	46.00	49.00
1,308.14	1,495.00				0	21.00	27.00	32.00	36.00	40.00	43.00	46.00
1,495.01	1,681.88					0	21.00	27.00	32.00	36.00	40.00	43.00
1,681.89	1,868.75						0	21.00	27.00	32.00	36.00	40.00
1,875.56	2,055.63							0	21.00	27.00	32.00	36.00
2,055.64	2,242.50								0	21.00	27.00	32.00
2,242.51	2,429.38									0	21.00	27.00
2,429.39	2,616.25										0	21.00



Commonwealth of the Northern Mariana Islands

BOARD OF PROFESSIONAL LICENSING

P.O. Box 2078

Saipan, MP 96950

Tel. No.: (670) 234-5897

NOTICE OF PROPOSED AMENDMENTS
TO THE RULES AND REGULATIONS FOR HARBOR PILOTS

The Board of Professional Licensing hereby notifies the General Public that it proposes to amend Part IV, Section 4.1(h) of Rules and Regulations for Harbor Pilots. Interested persons may obtain copies of the proposed amendment from the Board of Professional Licensing.

Anyone interested in commenting on the proposed amendment may do so within 30 days from the date this notice is published in the Commonwealth Register.

Dated this 12th day of February, 1991.

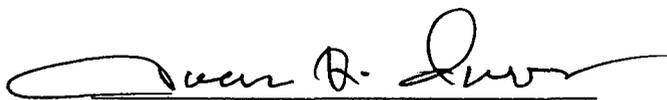
JOHN Q. INOS, ACTING CHAIRMAN
Board of Professional Licensing

NUTISIA PUT I MANMAPROPOPONI
NA AMENDASION GI AREKLAMENTO YAN REGULASION
PARA I PILOTON PUETTO SIHA

I Board of Professional Licencing ginen este ha nutisia i pupbliku hinerat na ha propoponi umamenda i Patte IV, Seksion 4.1(h) gi areklamento yan regulasion para i piloton puetto siha. Interesante siha na petsona siña manmañuñule' kopian i manmapropoponi na amendasion ginen i Board of Professional Licencing.

Hayi interesao mama'komento put i mapropoponi na amendasion masosoyo' na u mana'halom i komento yan/pat rekomendasion-ñiha siha gi halom trenta (30) dias despues di i fecha anai mapublika este na nutisia gi halom i Rehistran Commonwealth.

Mafecha gi este i mina: 15th na dia gi Febreru, 1991.



JOHN Q. INOS, ACTING CHAIRMAN
Board of Professional Licencing

PROPOSED AMENDMENT TO THE
RULES AND REGULATIONS FOR HARBOR PILOT

Part IV; Section 4.1(h) is hereby amended as follows:

Part IV Qualifications for Licensure

...

- (h) Satisfies at least one of the following:
- (1) Holds a valid U.S.C.G. First Class Pilot License for vessels of unlimited Tonnage and endorsed for one, or more of the pilotage districts of the CNMI and must document, to the satisfaction of the Board, at least 50 safe vessel movements, within the preceding year (25% of which must be at night), in any ports of the United States, or former Trust Territory of the Pacific Islands, as a harbor pilot working under the authority of his USCG First Class Pilot License; or
 - (2) Possesses a valid U.S. Coast Guard License with a rating as Master Steam or Motor Vessels of 500 gross tons including freight or towing vessels, but excluding fishing vessels (pilotage tonnage shall be limited to the highest tonnage represented by 2/3 of the required movements); or
 - (3) Possesses a U.S. Coast Guard Master or Mate's license of unlimited tonnage of steam or motor vessels upon oceans (excluding fishing vessels); or
 - (4) Previously held a Trust Territory deck officers license for vessels over 500 gross tons and can demonstrate to the satisfaction of the Board one year sea time as Master or Mate of steam or motor vessels of at least 300 gross tons and completes at least one year of apprenticeship under an apprenticeship program approved by the Board; or
 - (5) Previously held a Trust Territory Harbor Pilot's license for vessels of at least 500 gross tons for the ports in the CNMI and can document to the satisfaction of the Board, at least an

average or 10 vessel movements per year in the immediately preceding 5 years in the applicable pilotage district; or

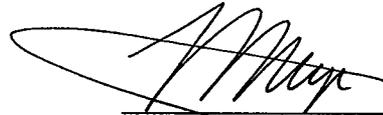
- (6) Satisfactory completes an apprenticeship program approved by the Board.

NOTICE OF ADOPTION OF AMENDED REGULATION
SECTIONS 2.811.1 and 4.810.0
REVENUE AND TAXATION REGULATIONS NO. 8301

Notice is hereby given that the proposed amendments to Revenue and Taxation Regulations No. 8301, as amended, Sections 2.811.1 and 4.810.0, have been adopted by the Department of Finance and will become effective ten (10) days after the publication of this notice in the Commonwealth Register. Notice of intent to amend Revenue and Taxation Regulations No. 8301, Sections 2.811.1 and 4.810.0, was published in the January 15, 1991 issue of the Commonwealth Register.

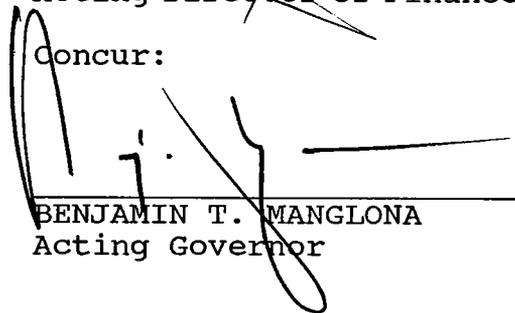
DATED THIS 13th DAY OF FEBRUARY, 1991.

Issued:



PETE P. REYES
Acting Director of Finance

Concur:



BENJAMIN T. MANGLONA
Acting Governor

FILED
at the OFFICE of the ATTORNEY GENERAL
DATE: <u>2-14-91</u>
TIME: <u>10:00</u> (AM) PM
BY: <u>[Signature]</u>
REGISTRAR OF CORPORATIONS Commonwealth of the Northern Mariana Islands

NOTISAN I INADOPTAN I MA AMENDA NA AREGLAMENTO SIHA
SSEKSIONA 2.811.1 yan 4.810.0
AREGLAMENTO NUMERO 8301
PARA I RETIDU YAN I ADUANA

Mana huyung este na notisia para ufan abisa na i ma intensiona na amendasion siha gi Areglamenton i Retidu yan Aduana, Numero 8301, komo esta ma amenda, i Seksiona 2.811.1 yan 4.810.0, esta ma adopta gi Depattamenton i Finansiat, yan u efektibu dies (10) dias depues de i ma publikana este na notisia gi Commonwealth Register. I notisia pot i intension ni para uma amenda i Retidu yan Aduana na Areglamento Numero 8301, komo esta ma amenda, i Seksiona 2,811.1 yan 4.810.0, ma publika esta gi Inero 15, 1991 na imprinta gi Commonwealth Register.

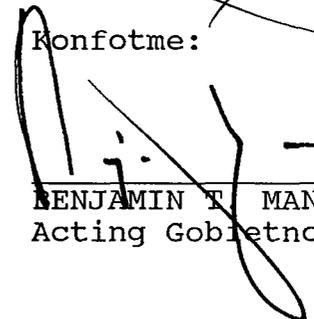
FECHAN ESTE NA HAANE I DIA 13th DE FEBRERO, 1991.

Pineblika:

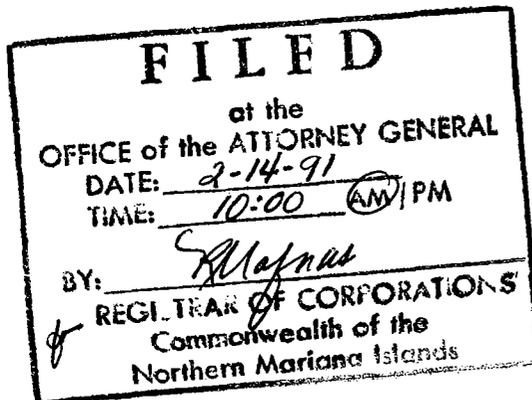


PETE P. REYES
Acting Director of Finance

Konfotme:



BENJAMIN T. MANGLONA
Acting Gobietno



AMENDMENT TO CNMI REVENUE & TAXATION REG. NO. 8301

Section 2.811.1 Lien and Levy Procedure

The Director has authority under 4 CMC §1811 and §1818 to issue regulations concerning the enforcement and collection of taxes through the use of tax liens and levies upon property and income belonging to taxpayers.

For purposes of the Northern Marianas Territorial Income Tax ("NMTIT"), 4 CMC, Division I, Chapter 7, tax liens and levies of the CNMI Government shall be governed, to the extent applicable, by the rules and procedures set forth in the U.S. Internal Revenue Code ("IRC") of 1986 as amended and the Regulations promulgated thereunder.

For purposes of the Business Gross Revenue Tax ("BGRT"), 4 CMC, Division I, Chapter 3, and the Wage and Salary Tax ("WST"), 4 CMC, Division I, Chapter 2, the CNMI Government shall automatically have a tax lien in a taxpayer's property and income under 4 CMC §1811 when a taxpayer's liability for the tax and any penalties and interest (together with any costs that may accrue in addition thereto) is assessed, demand for payment is made, and the tax, penalties and interest, or any part thereof, are unpaid. The tax lien shall remain in effect until the assessment is paid, the assessment expires under applicable CNMI law or the lien is discharged by the Division of Revenue and Taxation.

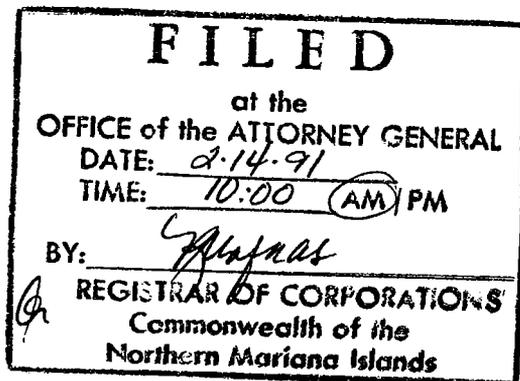
The validity and priority of a tax lien of the CNMI Government in the property and income of a taxpayer for unpaid BGRT or WST, penalties and interest (and any costs that may accrue in addition thereto) shall, as against anyone else claiming an interest in the same property or income of the taxpayer, be determined in accordance with applicable CNMI law (including 1 CMC §3711 and 2 CMC §4520). No tax lien of the CNMI Government in a taxpayer's property and income for unpaid BGRT or WST, interest and penalties (and other costs that may accrue in addition thereto), shall have priority over a bona fide purchaser or lessee of a taxpayer for valuable consideration, a bona fide holder of a security interest for value, a bona fide judgment lien creditor or holder of another bona fide interest or encumbrance for value, unless the CNMI Government's tax lien has been recorded previously, or the party claiming the competing interest in the property or income of the taxpayer has actual notice of the tax lien; Provided, that no interest claimed by a competing party in property or income of a taxpayer shall prevail over a tax lien of the CNMI Government

unless the party claiming such competing interest has taken all steps under applicable law to properly create and perfect the interest claimed in the taxpayer's property or income, and said interest is not otherwise contrary to or violates CNMI law.

For purposes of the BGRT, the WST and the NMTIT, notices of tax lien shall be recorded with the Commonwealth Recorder's Office. A notice of tax lien so recorded shall be perfected as to all of a taxpayer's real property located within the CNMI, to all tangible and intangible personal property and income of a taxpayer residing within the CNMI, and to all tangible and intangible personal property and income located in the CNMI of a taxpayer residing without the CNMI.

In addition to any other levy, collection and foreclosure procedures, powers and remedies allowed by CNMI law (including 2 CMC §4520, 4 CMC §1813, 4 CMC §4201 through §4210, 7 CMC §4102 through 4104), the CNMI Government is granted and shall have the right, for purposes of the BGRT and WST, to use the levy, collection and foreclosure procedures, powers and remedies set forth in IRC §6331 through §6333 and IRC §6335 through §6343, provided, however, that IRC §6331(d)(4) and (g), and IRC §6335(f) and (g), and the reference to IRC §6334 contained in IRC §6331 shall not apply.

DATED THIS 13th DAY OF February, 1991.



Issued:

[Signature]
PETE P. REYES
Acting Director of Finance

Concur:

[Signature]
BENJAMIN T. MANGLONA
Acting Governor

AMENDMENT TO CNMI REVENUE & TAXATION REGULATION NO. 8301

Section 4.810.0 Assessments.

(a) In General. The Director of Finance or his delegate (the Chief of Revenue and Taxation or subdelegates thereof) is authorized to make the inquiries, determinations and assessments of all taxes (including interest, additional amounts, additions to tax and penalties) imposed by 4 CMC, Division I (excluding 4 CMC §1503). The Director shall assess all taxes determined by the taxpayer or by the Director as to which returns, schedules or lists are required to be made. Assessments shall be made by recording the liability of the taxpayer in the office of the Director. The Director may, at any time within such periods as may be prescribed for assessments, make such supplemental or additional assessments whenever it is ascertained that any assessment is imperfect or incomplete. For purposes of the Northern Marianas Territorial Income Tax ("NMTIT"), 4 CMC, Division I, Chapter 7, assessments of the NMTIT shall be made in accordance with applicable provisions of the Internal Revenue Code of 1986 as amended and the Regulations promulgated thereunder. Assessments of all other taxes imposed by 4 CMC, Division I (excluding Chapters 4 and 6 thereof) shall be made in accordance Chapter 8, Division I of 4 CMC and in accordance with this Section 4.810.0, provided, however, that assessment and collection of the CNMI excise tax, 4 CMC, Division I, Chapter 4, shall follow the excise and customs procedures set forth in the CNMI Revenue and Taxation Regulations unless the Director, or his delegate, the Chief of Customs, elects to apply this Section 4.810.0 of the Revenue and Taxation Regulations.

(b) Director's Assessment: No Return Filed. Upon the failure of any person, business or employer, hereinafter referred to as the taxpayer, to make and file a return, schedule or list required under 4 CMC, Division I, excluding Chapters 4 & 7 thereof, within the time and in the manner and form prescribed, or upon failure to pay any amount due, the Director may notify the taxpayer of such failure and demand that a return be made and filed and that the tax and any penalties and interest due be paid. If such taxpayer, upon notice and demand by the Director, fails or refuses within 30 days after receipt of the notice and demand to make and file a return in the manner requested by the Director and to pay the tax and any penalties and interest that may be due, the Director may make a return for such person, business or employer from any information and records obtainable, and may assess the appropriate amount of tax, interest and penalties. Such assessment shall be presumed to be correct unless and until it is proved incorrect by the taxpayer disputing the assessment.

(c) Director's Assessment: Erroneous Return Filed. In the event any person, business or employer, hereinafter referred to as the taxpayer, makes and files a return, schedule or list required under 4 CMC, Division I, and the Director determines that said return, schedule, or list is untrue, erroneous, incomplete or incorrect in any respect, or does not otherwise conform to law, the Director may notify the taxpayer and demand that an amended return be made and filed in the manner requested by the Director, and that any tax, interest and penalties that may be due be paid. If the taxpayer, upon notice and demand made by the Director, fails or refuses to make and file an amended return as requested by the Director within 30 days after said notice and demand has been mailed to the taxpayer at the taxpayer's last known address, or within 30 days after said notice has been otherwise caused to be delivered to the taxpayer, the Director may amend the return of the taxpayer based on any information and records available to the Director, and the Director may assess the appropriate amount of tax, interest and penalties due. Such assessment shall be presumed to be correct unless and until it is proved incorrect by the taxpayer disputing the assessment.

(d) Emergency Assessments.

(1) In the event the Director believes that the assessment and collection of the taxes subject to subsections (b) and (c) hereof will be jeopardized by delay, or will be wholly or partially ineffectual unless done without delay, because the taxpayer is or appears to be designing quickly to depart from the CNMI or to conceal himself therein, or the taxpayer is or appears to be designing to quickly place his property beyond the reach of the CNMI Government either by removing it from the CNMI, by concealing it, by dissipating it, or by transferring it to other persons (including in the case of a corporation distributing all or part of its assets in liquidation or otherwise), or the taxpayer's financial solvency is or appears to be imperiled, or the taxpayer designs to do any other act which would tend to prejudice the assessment and collection of the tax subject to this section, or because an applicable statute of limitations is about to expire, the Director shall immediately make a determination of the tax due for the taxable periods in question, even if the time for filing a return, schedule or list for the said taxable periods has not yet come due, and notwithstanding subsections (b) or (c), such amounts shall become immediately due and owing. The Director shall immediately assess the amounts of the tax so determined (together with interest, additional amounts, additions to tax and penalties) and shall immediately cause notice of such determination and assessment to be mailed to the taxpayer at the taxpayer's last known address, or shall otherwise cause the notice to be delivered to the taxpayer, together with demand for immediate payment thereof.

(2) Any assessments made under this subsection shall be presumed to be correct unless and until they are proved incorrect by the person disputing the assessment.

(e) Mathematical or Clerical Error. If a taxpayer is notified that, on account of a mathematical or clerical error appearing on the taxpayer's return, an amount of tax in excess of that shown on the return is due, and that an assessment of the tax has been or will be made on the basis of what would have been the correct amount of tax but for the mathematical or clerical error, such notice shall not in the first instance be subject to subsections (b) or (c). Each notice to a taxpayer under this subsection shall set forth the error alleged and an explanation thereof. If within 30 days after notice is given the taxpayer files with the Director a request for abatement of the assessment specified in the notice, the Director shall abate such assessment upon receipt of the request. Any reassessment of the tax with respect to which the abatement was made shall thereafter be subject to subsection (b), (c) or (d).

(f) Administrative Review: If within the 30 day period referred to in subsections (b) and (c), and subject to the power of the Director to make emergency assessments under subsection (d), a taxpayer notifies the Director in writing of the taxpayer's desire to have a conference to review the proposed assessment, the taxpayer shall be afforded a conference with the Director or his delegate. The conference shall be held without unreasonable delay on a date set by the Director or his delegate and no further action shall be taken by the Director or his delegate under subsections (b) or (c) until said conference has been concluded and the Director or his delegate has rendered his/her decision in writing.

(g) Court Review: A taxpayer desiring to appeal an assessment made under subsections (b), (c) or (d) shall have a period of one year from the date of the assessment to file an appropriate proceeding in the Commonwealth Superior Court under 4 CMC 1810.

(h) Stay of Collection: A taxpayer may stay collection of an assessment made under subsections (b), (c), or (d) during the pendency of a court proceeding brought under subsection (g) by posting with the Director and continuously maintaining in effect during the pendency of the court proceeding a surety bond, property or cash satisfactory to the Director upon such terms and conditions as may be satisfactory to him, in an amount or having a value of 100% of the amount of the assessment, plus such additional amounts as in the judgment of the Director are reasonably necessary to cover penalties, interest and other charges that may accrue during the pendency of the court proceeding. Said bond, property or cash shall serve as collateral to secure payment of such amounts as may be determined in the court proceeding to be due the CNMI government.

(i) Other Remedies: Nothing in this section shall prevent the Director from bringing an action under 4 CMC §1813 to enforce and collect taxes by a civil suit.

(j) Commencement of Proceedings: The Director or his delegate shall have the right to commence proceedings under subsections (b), (c), (d) or (i) at any time within applicable statute of limitations. It shall not be a defense to the commencement of such proceedings that the taxpayer has not received any administrative conferences or hearings from the Director or his delegate before the commencement of such proceedings, or that an administrative conference or hearing was on-going or pending at the time such proceedings were commenced.

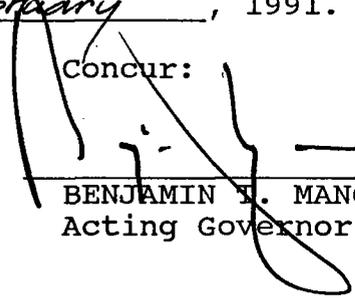
(k) Delegation of Authority: Any of the responsibilities, tasks or duties conferred upon the Director herein are also delegated to the Chief of Revenue and Taxation, and may be delegated by the Chief to his subdelegates.

DATED THIS 13th DAY OF February, 1991.

Issued:



PETE P. REYES
Acting Director of Finance

Concur:


BENJAMIN T. MANGLONA
Acting Governor

FILED
at the
OFFICE of the ATTORNEY GENERAL
DATE: 2.14.91
TIME: 10:00 (AM) / PM
BY: S. Manglona
REG. TRK. OF CORPORATIONS
Commonwealth of the
Northern Mariana Islands

PUBLIC NOTICE

ADOPTION OF TINIAN AGRICULTURAL HOMESTEAD ACT
OF 1988 (P.L. 6-15), RULES AND REGULATIONS

The Marianas Public Land Corporation pursuant to its authority conferred by Article XI of the CNMI Constitution and the Tinian Agricultural Homestead Act of 1988 (P.L. 6-15), hereby gives notice of its adoption of the Tinian Agricultural Homestead Program rules and regulations as published on Volume 12, No. 10, Pages 7402-7414 on October 15, 1990.

A copy of the adopted rules and regulations may be obtained from the Marianas Public Land Corporation, Capitol Hill, Saipan, MP 96950.

The said regulations shall take effect ten (10) days after this publication in the Commonwealth Register.

Date:

January 30, 1991

W. R. Concepcion
William R. Concepcion
Executive Director

NUTISIAN PUPBLIKU

I PROPOSITO NI PARA UMA ADAPTA AREKLAMENTO
YAN REGULASION SIHA POT I TINIAN AGRICULTURAL
HOMESTEAD ACT OF 1988 (P.L. 6-15)

I Dipattamenton Marianas Public Land Corporation ginen este na nutisia, ha nanai i pupbliku na esta ma adapta areklamento yan regulasion ni para u gubietna, sigun i sinangan yan atoridad Atikulu XI gi halom i CNMI Constitution yan i Tinian Agricultural Homestead Act of 1988, gi Lai Pupbliku Numiru 6-15, ni ma pupblika ya humuyong gi Volume 12, No. 10, pahina 7042 esta i pahina 7414 gi Oktubre dia kinse (15) 1990.

I kopian este siha na areklamento yan regulasion, manma atbibisa i pupbliku henerat na sina ha man manule guatu gi Ufusinan Marianas Public Land Corporation, Capitol Hill, Saipan, MP 96950.

Este siha na areklamento yan regulasion para u faefektibu dies (10) dias despues di uttimo ni ma pupblika este na nutisi gi halom i Commonwealth Register.

Fecha Enero 30, 1991

W.R. hpc
William R. Concepcion
Executive Director

ARONGORONGOL TOWLAP

ADAPTAAL ALLEGH REEL TINIAN AGRICULTURAL
HOMESTEAD ACT OF 1988 (P.L. 6-15)

Marianas Public Land Corporation reel igha ebwe tabweey aileewal me bwangil Article XI mellol CNMI Constitution me Tinian Agricultural Homestead Act of 1988 (P.L. 6-15), nge e mwuschal arongaar towlap reel igha aa ffeer allegh, reel Tinian Agricultural Homestead Act, iwe e toowow llo Volume 12, No. 10, pages 7042-7414 wool Oktubre 15, 1990.

Kkoopiyal allegh kkaal nge emmwel schagh bwe aramas rebwe lo bweibwogh sangi Marianas Public Land Corporation, Capitol Hill, Saipan, MP 96950.

Allegh kkaal ebwe alegheleghelo llo seigh (10) ral sangi igha e toowow mellol Commonwealth Register.

Ral: Enem 30, 1991

W.R. Concepcion
William R. Concepcion
Executive Director



Commonwealth of the Northern Mariana Islands
Office of the Governor
Saipan, Mariana Islands 96950

FOR OFFICIAL USE
CABLE ADDRESS
GOV. NMI SAIPAN
REPLY TO:
DIR., C & CA
DEPT. or ACTIVITY

PUBLIC NOTICE

ADOPTION OF AMENDMENTS
LOW INCOME FAMILY ENERGY ASSISTANCE PROGRAM

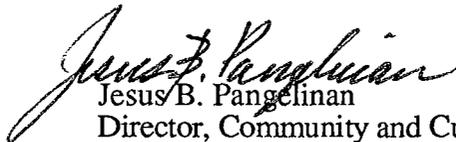
The Department of Community and Cultural Affairs, Commonwealth of the Northern Mariana Islands hereby notifies the general public of the adoption of the amendments for the Low Income Family Energy Assistance Program published in the Commonwealth Register Volume 12, No. 11, November 15, 1990.

These amendments are to extend the dateline for submission of electrical utility bills to the CCA Program manager and to adjust the countable income in the determination of eligibility.

Copies of the regulations as well as amendments are available at the office of the Department of Community and Cultural Affairs, Lower Base, Saipan MP 96950.

In accordance with 1 CMC 9105 (b), these amendments shall take effect 10 days after publication of this notice.

Dated this 4th day of February, 1991.


Jesus B. Pangelinan
Director, Community and Cultural Affairs

ARONGORONGOL TOWLAP

FFEERUL LLIWELIL ALLEGH MELLOL MWOGHUTUGHUTUL LOW INCOME FAMILY ENERGY ASSISTANCE PROGRAM

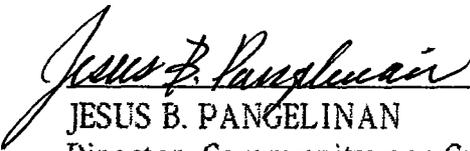
Bwulasiyool Community and Cultural Affairs mellól Commonwealth of the Northern Marianas, nge e mwuschál arongaar towlap reel igha ebwe ffээр lliiwelil allégh reel ammwelil Low Income Family Energy Assistance Program, iwe aa toowow mellól Commonwealth Register Volume 12, No. 11, wóól Nobembre 15, 1990.

Lliiwel kkaal, nge ebwe alálaáyiló ráálil ye aramas emmwel rebwe tooto llól Bwulasiyo yeel, reel igha rebwe itto abwósló dengkki ngáli CCA program mangager, me rebwe amwuri fischiy efausúl ngáre eghi lap abwóssuur me rebwe ghuleey ngáre emmel ebwe toolong llól alillis yeel.

Kkoopiyal allégh kkaal, nge emmwel schagh bwe aramas rebwe ló bweibwogh sáangi Bwulasiyool Community and Cultural Affairs, Lower Base, Saipan, MP 96950.

Sáangi ailé wal me bwángil 1 CMC 9015 (b), nge ebwe aléghéléghéló lliiwel allégh kkaal llól seigh (10) rál igha e rongoló arongorong yeel.

Re féerú llól ráálil ye: 4th Febrero, 1991.



JESUS B. PANGELINAN
Director, Community and Cultural Affairs

NUTISIAN PUPBLIKU

I PROPOSITO NI PARA UMA ADAPTA YAN UMA AMENDA I AREKLAMENTON I LOW INCOME FAMILY ENERGY ASSISTANCE NA PROGRAMA

I Dipattamenton Community and Cultural Affairs i Commonwealth Sangkattan siha na Islas Mariana ginen este ha nutisia i pupbliku hinerat na esta ma'adapta i amendasion siha gi areklamento yan regulasion i Low Income Family Energy Assistance Program, ni ma pupblika gi halom i Rehistran Commonwealth Baluma 12, No. 11, gi Nobiembre dia kinse (15) 1990.

Este siha na amendasion, para u ekstende i ha'anen muna'halom koblansan ilektrisida guatu gi ma'gas i Prugraman CCA yan para uma'agon ahusta todunina'halom siha na suetdo ni para u ditetmina kao mangkualifika hamyo nu este na ayudu.

Kopian este na regulasion siha manmachuchule' gi Dipattamenton Community and Cultural Affairs, giya Lower Base, Saipan, MP 96950.

Sigun i autorisasion i 1 CMC 9105 (b), este siha na amendasion para u fanifektibu dies (10) dias despues di i fecha ni mapublika este na nutisia.

Ma fecha' gi este na dia; 4th Febreru, 1991.



JESUS B. PANGELINAN
Director, Community and Cultural Affairs