

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



COMMONWEALTH REGISTER

**VOLUME 47
NUMBER 2
February 15, 2025**

COMMONWEALTH REGISTER
VOLUME 47
NUMBER 02
FEBRUARY 15, 2025

EMERGENCY

Public Notice of Emergency Regulations	
Commonwealth Utilities Corporation	051587

ADOPTION

Public Notice of Certification and Adoption of Regulations	
Department of Lands and Natural Resources	051595

Public Notice of Certification and Adoption of Regulations	
Commonwealth Healthcare Corporation	051597

Public Notice of Certification and Adoption to the Amendments To Public Rights-of-Way and Related Facilities Regulations	
Division of Technical Services	
Department of Public Works	501601

PROPOSED

Proposed Amendments to the Personnel Regulations	
Commonwealth Ports Authority	501603



Commonwealth Utilities Corporation Board of Directors



PUBLIC NOTICE

NOTICE OF ADOPTION OF EMERGENCY REGULATIONS PURSUANT TO 1 CMC § 9104(b) AND NOTICE OF INTENT TO ADOPT PROPOSED REGULATIONS PURSUANT TO 1 CMC § 9104(a), COMMONWEALTH UTILITIES CORPORATION, PROCUREMENT REGULATIONS, NMIAC TITLE 50, CHAPTER 50-50

Adoption of Emergency Regulations. The Commonwealth Utilities Corporation (CUC), upon issuance of this notice, adopts the regulations herewith, having an effective period not longer than 120 days (1 CMC § 9104(b)). CUC also intends to adopt the regulations herewith for an effective period of time that is indefinite 1 CMC § 9104(a).

Authority for the Adoption of Emergency Regulations. CUC is authorized to promulgate rules and regulations necessary to exercise the corporation's powers and duties (4 CMC § 8157). These include the duty to control the construction, management, and operation of the Commonwealth's electrical power, water, and sewer systems (4 CMC § 8123). Pursuant to 1 CMC § 9104(b), CUC is also authorized to adopt regulations upon fewer than 30 days' notice. The statute provides that where a Commonwealth agency finds that the public interest so requires, or where there is an imminent peril to the public health, safety, or welfare, the agency may adopt regulations upon fewer than 30 days' notice provided that the agency states its reasons for the finding, and obtains the concurrence of the Governor (1 CMC § 9104(b)). Regulations adopted pursuant to 1 CMC § 9104(b) are effective for a period not longer than 120 days (1 CMC § 9104(b)).

Public Interest Finding. CUC finds that the public interest calls for the immediate adoption of the regulations herewith. The agency's procedure under § 50-50-405 of the CUC Procurement Regulations provides that an appeal to the Public Auditor from a decision by the CUC Executive Director may be taken. However, in *RNV Construction v. GPPC, Inc.*, 2021 MP 13, the Supreme Court of the Commonwealth of the Northern Mariana Islands held that the Office of the Public Auditor is without legal authority to hear appeals involving CUC's procurement function. So, the regulation (§ 50-50-405) must be amended to comport with the law. This is necessary to aid in the efficient and effective resolution of procurement appeals, foster increased public confidence in the CUC's procurement system, and help to ensure the fair and equitable treatment of all persons who deal with the agency's procurement function.

Intent to Adopt Proposed-Amended Regulations. CUC is authorized to adopt, for an indefinite effective period of time, regulations that are identical to emergency regulations that the agency adopts upon fewer than 30 days' notice (1 CMC § 9104(b) provided that the agency follows the procedures established under 1 CMC § 9104(a). The statute (1 CMC § 9104(a)) provides that prior to adoption, amendment, or repeal of any regulation, the agency shall:

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Saipan, MP 96950-1220 • Telephone: (670) 664-4282**



Commonwealth Utilities Corporation Board of Directors



(1) Give at least 30 days' notice of its intended action by publication in the Commonwealth Register and by posting in convenient places in the civic center and in local government offices in each senatorial district, both in English and in the principal vernacular. The notice shall include: (i) A statement of either the terms or substance of the proposed regulation or a description of the subjects and issues involved; (ii) Reference to the authorities under which that action is proposed; and (iii) The time when, the place where, and the manner in which interested persons may present their views.

(2) Afford all interested persons reasonable opportunity to submit data, views, or arguments, in writing. In all proceedings under this section, opportunity for oral hearing must be granted if requested by the Commonwealth Legislature or one of its committees, or a government subdivision or agency. Hearings afforded pursuant to this provision shall be conducted in accordance with 1 CMC § 9109. The agency shall consider fully all written and oral submissions respecting the proposed regulation. Upon adoption of a regulation, the agency, if requested to do so by an interested person either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption.

(3) Obtain the approval of the Attorney General pursuant to 1 CMC § 2153(e).

Statement of the terms and substance of the proposed-amended regulations. Adoption of the proposed-amended regulations herewith involves the amendment of § 50-50-405, which governs CUC's procedure for appeals from the Executive Director's protest decisions to the CUC Board of Directors Standing Committee for Appeals. The proposed-amended regulations herewith are identical to the regulations herewith adopted upon issuance of this notice pursuant to 1 CMC § 9104(b). Adoption of the proposed-amended regulations would result in the amendment of CUC's regulation (NMIAC § 50-50-405) governing appeals from the CUC Executive Director's protest decisions. The principal aim of the proposed-amended regulations is to amend the provisions under the regulation (NMIAC § 50-50-405) in order to establish CUC's "Committee for Appeals" as the responsible authority for deciding appeals from the executive director's protest decisions. Provided herewith is a copy of the proposed-amended regulations, which particularly describes the terms and substance involved.

Deadline, place, and manner in which interested persons may present their views:

Interested persons may submit written comments on the proposed-amended regulations no later than 30 days from the date of issuance of this public notice via the following:

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Commonwealth Utilities Corporation Board of Directors



1. Email:

Janice.Tenorio@itechq.net

CC: Riley.Buenaventura@cucgov.org

2. USPS mail:

Commonwealth Utilities Corporation
Board of Directors
P.O. Box 501220 CK
Saipan, MP 96950

3. Hand Delivery:

3rd Floor, Joeten Dandan Commercial Building

Submitted by:

JANICE A. TENORIO
Chairperson, CUC Board of Directors

1/28/25
Date

Pursuant to 1 CMC § 9104, if an agency finds that the public interest so requires, or that an imminent peril to the public health, safety, or welfare requires adoption of a regulation upon fewer than 30 days' notice, and states in writing its reasons for the finding, it may, with the concurrence of the Governor, proceed to adopt emergency regulations, without prior notice or hearing, that become effective for a period not longer than 120 days.

Concurred:

ARNOLD I. PALACIOS
Governor

1/28/25
Date

Pursuant to 1 CMC § 2153(e), except as otherwise provided by law, the Attorney General shall review and approve, as to form and legal sufficiency, all rules and regulations to be promulgated by any department, agency or instrumentality of the Commonwealth government, including public corporations.

Approved:

EDWARD MANIBUSAN
Attorney General

2/3/2025
Date


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Commonwealth Utilities Corporation Board of Directors



Filed and
Recorded by:


ESTHER M. SAN NICOLAS
Commonwealth Registrar

02.03.2025

Date

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TITLE 50 COMMONWEALTH UTILITIES CORPORATION

In subsection (b)(1), the Commission changed “disregard” to “disregarded” and in subsection (b)(4) the Commission changed “concern” to “concerned” to correct manifest errors.

§ 50-50-405 Appeals of Director’s Decisions to the ~~Public Auditor~~Board of Directors Standing Committee for Appeals

(a) Jurisdiction; Exhaustion of Remedies. A written appeal to the ~~Public Auditor~~Committee for Appeals from a decision by the Director may be taken provided that the party taking the appeal has first submitted a written protest to the Director as provided in § 50-50-401 of these procedures, and the Director has denied the protest or has failed to act on the protest within the time provided for in § 50-50-401(a)(3) above.

(b) Form of Appeal. No particular form of pleading is required for filing an appeal to the ~~Public Auditor~~Committee for Appeals. The appeal shall, however:

- (1) Include the name and address of the appellant;
- (2) Identify the number of the solicitation or contract;
- (3) Contain a concise, logically arranged, and direct statement of the grounds for appeal; and
- (4) Specifically request a ruling by the ~~Committee for Appeals~~Public Auditor.

(c) Time for Filing Appeal. An appeal from the Director’s decision must be received by the Office of the ~~Public Auditor~~Committee for Appeals not later than ten days after the appellant receives the decision of the Director, or, in the event that the Director has not decided the protest within ten days from the date that he should have pursuant to § 50-50-401(a)(3) above. Any appeal received after these time limits shall not be considered by the ~~Public Auditor~~Committee for Appeals unless good cause is shown or unless the ~~Public Auditor~~Committee for Appeals determines that the appeal presents issues significant to procurement practices that are not outweighed by the detriment to CUC should the appeal be considered.

(d) Notice of Protest. Submission of Director’s Report and Time for Filing of Comments on Report.

(1) The ~~Public Auditor~~Committee for Appeals shall notify the Director by telephone and in writing within one day of the receipt of an appeal to the contractor if award has been made or, if no award has been made, to all bidders or proposers who appear to have a substantial and reasonable prospect of receiving an award if the appeal is denied. The Director shall be requested to furnish in accordance with § 50-50-401(a)(2) of these procedures copies of the protest and appeal documents to such parties with instruction to communicate further directly with the ~~Public Auditor~~Committee for Appeals.

(2) Material submitted by an appellant will not be withheld from any Commonwealth or federal agency which may be involved in the appeal except to the extent that the withholding of information if* permitted or required by law or regulation. If the appellant considers that the protest contains material which should be withheld, a statement advising of this fact must be affixed to the front page of the appeal document and the allegedly proprietary information must be so identified wherever it appears.

(3) The ~~Public Auditor~~Committee for Appeals shall request the Director to submit a complete report on the appeal to the ~~Committee for Appeals~~Public Auditor as expeditiously as possible (generally within 25 working days) in accordance with § 50-50-401(a)(4) of these procedures and to furnish a copy of the report to the appellant and other interested parties as defined in § 50-50-301(d).**

(4) Comments on CUC report shall be filed with the ~~Committee for Appeals~~Public Auditor

TITLE 50 COMMONWEALTH UTILITIES CORPORATION

within ten days after the Committee for Appeals' Public Auditor's receipt of the report, with a copy to the CUC office which furnished the report and to other interested parties. Any rebuttal an appellant or interested party may care to make shall be filed with the Committee for Appeals Public Auditor within five days after receipt of the comments or which rebuttal is directed,*** with a copy to CUC office which furnished the report, the appellant, and interested parties, as the case may be. Unsolicited CUC rebuttals shall be considered if filed within fivedays after receipt by the CUC of the comments to which rebuttals directed.

(5) The failure of an appellant or any interested party to comply with the time limits stated in this section may result in resolution of the appeal without consideration of the comments untimely filed.

*So in original; probably should be "is."

**So in original; see the commission comment to this section.

***So in original.

(e) Withholding of Award. When an appeal has been filed before award, the Director will not make an award prior to resolution of the protest except as provided in this section. In the event the Director determines that award is to be made during the pendency of an appeal, the Director will notify the Committee for Appeals Public Auditor.

(f) Furnishing of Information on Protests. The Committee for Appeals Public Auditor shall, upon request, make available to any interested party information on the substance of the appeal which has been submitted by interested parties or agencies, except to the extent that withholding of information is permitted or required by law or regulation. Any comments thereon shall be submitted within a maximum of ten days.

(g) Time for Submission of Additional Information. Any additional information requested by the Committee for Appeals Public Auditor from the appellant or interested parties shall be submitted no later than five days after the receipt of such request. If it is necessary to obtain additional information from the Director, the Committee for Appeals Public Auditor that such information be furnished as expeditiously as possible.

(h) Conference.

(1) A conference on the merits of the appeal with the Committee for Appeals Public Auditor may be held at the request of the appellant, any other interested party, or the Director. Request for a conference should be made prior to the expiration of the time period allowed for filing comments on CUC report. Except in unusual circumstances, request for a conference received after such time will not be honored. The Committee for Appeals The Public Auditor will determine whether a conference is necessary for resolution of the appeal.

(2) Conferences normally will be held prior to expiration of the period allowed for filing comments on CUC report. All interested parties shall be invited to attend the conference. Ordinarily, only one conference will be held on an appeal.

(3) Any written comments to be submitted and as deemed appropriate by the Committee for Appeals Public Auditor as a result of the conference must be received in the Committee for Appeals Office of the Public Auditor within five days of the date on which the conference was held.

(4) Time for Decision; Notice of Decision. The Committee for Appeals Public Auditor shall, if possible, issue a decision on the appeal within 25 days after all information necessary for the resolution of the appeal has been received. A copy of the decision shall immediately be mailed or otherwise transmitted to the appellant, other participating parties, and the Director.

TITLE 50 COMMONWEALTH UTILITIES CORPORATION

(5) There shall preside at the taking of evidence:

(i) The agency; or

(ii) A hearing officer appointed by the Committee for Appeals.

(6) When the Committee for Appeals does not preside at the reception of the evidence, the hearing officer shall initially decide the case by recommending an initial order or decision. The initial order or decision then becomes the order or decision of CUC without future proceedings unless there is an appeal to, or review on motion of, the agency within five days of issuance of the initial order or decision. On timely appeal from or review of the initial order or decision, CUC has all the powers which it would have in making the initial order or decision, except as it may limit the issues on notice or by rule. When the agency makes the order or decision without having presided at the reception of the evidence, the hearing officer presiding shall first recommend an order or decision to the agency.

(7) Before a recommended initial order or decision, or an order or decision on agency review of an order or decision, the parties are entitled to a reasonable opportunity to submit for the consideration of the Committee for Appeals:

(i) Proposed findings and conclusions;

(ii) Exceptions to the order or decision or recommended order or decision; and

(iii) Supporting reasons for the exceptions or proposed findings and conclusions.

(8) The record shall show the ruling or decision on each finding, conclusion, or exception presented. All orders or decisions, including initial or recommended orders or decisions, or those on agency review, are a part of the record and shall include a statement of:

(i) Findings and conclusions, and the reasons or basis for them, on all the material issues of fact, law, or discretion presented on the record; and

(ii) The appropriate decision, order, relief, or denial thereof.

TITLE 50 COMMONWEALTH UTILITIES CORPORATION

(i) Request for Reconsideration.

(1) Reconsideration of a decision of the Committee for Appeals ~~Public Auditor~~ may be requested by the appellant, any interested person who submitted comments during consideration of the protest, the Director, and any agency involved in the protest. The request for reconsideration shall contain a detailed statement of the factual and legal grounds specifying any errors of law information not previously considered.

(2) Request for reconsideration of a decision of the Committee for Appeals ~~Public Auditor~~ shall be filed not later than ten days after the basis for reconsideration is known or should have been known, whichever is earlier. The term "filed" as used in this section means receipt in the Committee for Appeals ~~Office of the Public Auditor~~.

(3) A request for reconsideration shall be subject to these bid protest procedures consistent with the need for prompt resolution of the matter.

Modified, 1 CMC § 3806(c), (e), (f), (g).

History: Adopted 13 Com. Reg. 7853 (Aug. 15, 1991); Proposed 12 Com. Reg. 7069 (June 15, 1990).

Commission Comment: In subsection (d)(3), the Commission changed "he" to "the" to correct a manifest error. The starred citation in subsection (d)(3) is incorrect. The original regulations reference section 4-101(4)(c), which did not exist. Original section 4-101(4) is codified at § 50-50-301(d); however, reference to that section does not make sense.

In subsection (d)(5), the Commission changed "interest" to "interested" to correct a manifest error.

~~§ 50-50-410 Remedies~~

~~(a) Remedies Prior to Award. If prior to award the Director or the Public Auditor determines that a solicitation or proposed award of a contract is in violation of law or regulation, then the solicitation or proposed award shall be:~~

~~(1) Cancelled; or~~

~~(2) Revised to comply with law or regulation.~~

~~(b) Remedies After an Award. If after an award the Director or the Public Auditor determines that a solicitation or award of a contract is in violation of law or regulation, then:~~

~~(1) If the person awarded the contract has not acted fraudulently or in bad faith:~~

~~(i) The contract may be ratified and affirmed, provided it is determined that doing so is in the best interests of CUC; or~~

~~(ii) The contract may be terminated and the person awarded the contract shall be compensated for the actual expenses reasonably incurred under the contract, plus a reasonable profit, prior to termination;~~

~~(2) If the person awarded the contract has acted fraudulently or in bad faith:~~

~~(i) The contract may be declared null and void; or~~

~~(ii) The contract may be ratified and affirmed if such action is in the best interests of CUC, without prejudice to CUC's rights to such damages as may be appropriate.~~

~~(c) Finality of Findings of Fact by the Public Auditor. A determination of an issue of fact by the Public Auditor under these procedures shall be final and conclusive unless arbitrary, capricious, fraudulent, or clearly erroneous.~~



Commonwealth of the Northern Mariana Islands

Department of Lands and Natural Resources

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



PUBLIC NOTICE OF CERTIFICATION AND ADOPTION OF REGULATIONS OF The Department of Lands & Natural Resources

PRIOR PUBLICATION IN THE COMMONWEALTH REGISTER
AS PROPOSED REGULATIONS
Volume 46, Number 11, pp 051486-051493, of November 15, 2024

ACTION TO ADOPT PROPOSED REGULATIONS: The Commonwealth of the Northern Mariana Islands, Department of Lands & Natural Resources ("DLNR"), HEREBY ADOPTS AS PERMANENT regulations the Proposed Regulations which were published in the Commonwealth Register at the above-referenced pages, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The DLNR announced that it intended to adopt them as permanent, and now does so. (Id.) I also certify by signature below that:

as published, such adopted regulations are a true, complete and correct copy of the referenced Proposed Regulations, and that they are being adopted without modification or amendment.

PRIOR PUBLICATION: The prior publication was as stated above.

MODIFICATIONS FROM PROPOSED REGULATIONS, IF ANY: None. I further request and direct that this Notice be published in the Commonwealth Register.

AUTHORITY: The Department has the authority to adopt rules and regulations in furtherance of its duties and responsibilities pursuant to 1 CMC § 2654

EFFECTIVE DATE: These regulations were proposed on November 15, 2024 and are hereby being adopted as Permanent Regulations of the Department of Lands and Natural Resources pursuant to 1 CMC § 9102 and § 9104 (a) or (b), which, in this instance, is thirty (30) days after publication in the Commonwealth Register.

COMMENTS AND AGENCY CONCISE STATEMENT: Pursuant to the APA, 1 CMC sec. 9104(a)(2), the agency has considered fully all written and oral submissions respecting the proposed regulations. Upon this adoption of the regulations, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption.

The adopted regulations were approved for promulgation by the Attorney General in the

above-cited pages of the Commonwealth Register, pursuant to 1 CMC sec. 2153€ (To review and approve, as to form and legal sufficiency, al rules and regulations to be promulgated by any department, agency or instrumentality of the Commonwealth government, including pubic corporations, except as otherwise provided by law).

I DECLARE under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the _____ day of January, 2025, at Saipan, Commonwealth of the Northern Mariana Islands.

Certified and ordered by:



SYLVAN O. IGISOMAR
Secretary, Department of Lands and Natural Resources

01/22/2025

Date

Filed and
Recorded by:




ESTHER SAN NICOLAS
Commonwealth Registrar

02.03.2025

Date

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

Dated the 3rd day of February, 2025.



EDWARD MANIBUSAN
Attorney General



Commonwealth Healthcare Corporation

Commonwealth of the Northern Mariana Islands
1178 Hinemlu' St. Garapan, Saipan, MP 96950



PUBLIC NOTICE OF CERTIFICATION AND ADOPTION OF NEW FEES FOR VARIOUS SERVICES OF THE COMMONWEALTH HEALTHCARE CORPORATION

PRIOR PUBLICATION IN THE COMMONWEALTH REGISTER
AS PROPOSED RULES AND REGULATIONS
Volume 46, Number 12, pp. 051500-051507, of December 15, 2024

NEW TO THE CHCC CHARGEMASTER

ACTION TO ADOPT PROPOSED REGULATIONS: The Commonwealth of the Northern Mariana Islands, COMMONWEALTH HEALTHCARE CORPORATION ("CHCC"), HEREBY ADOPTS AS PERMANENT regulations the Proposed Regulations which were published in the Commonwealth Register at the above-referenced pages, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The CHCC announced that it intended to adopt them as permanent, and now does so. (Id.) A true copy is attached. I also certify by signature below that:

as published, such adopted regulations are a true, complete and correct copy of the referenced Proposed Regulations,

and that they are being adopted as published.

PRIOR PUBLICATION: The prior publication was as stated above.

MODIFICATIONS FROM PROPOSED REGULATIONS: Adoption as New Fees to the Chargemaster for Various Services.

AUTHORITY: The Corporation is empowered by the Legislature to adopt these rules and regulations pursuant to 3 CMC Section 2826(c).

EFFECTIVE DATE: Pursuant to the APA, 1 CMC sec. 9105(b), these adopted regulations are effective 10 days after compliance with the APA, 1 CMC §§ 9102 and 9104(a) or (b), which, in this instance, is 10 days after this publication in the Commonwealth Register.

COMMENTS AND AGENCY CONCISE STATEMENT: Pursuant to the APA, 1 CMC sec. 9104(a)(2), the Corporation has considered fully all written and oral submissions respecting the proposed regulations. Upon this adoption of the regulations, the Corporation, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption.

P.O. Box 500409 CK, Saipan, MP 96950
Telephone: (670) 236-8201/2 FAX: (670) 233-8756

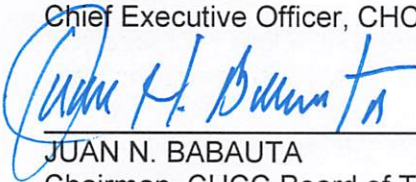
The adopted regulations were approved for promulgation by the Attorney General in the above-cited pages of the Commonwealth Register, pursuant to 1 CMC sec. 2153(e)

I DECLARE under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 31st of January, 2025 at Saipan, Commonwealth of the Northern Mariana Islands.

Certified and ordered by:



ESTHER L. MUNA
Chief Executive Officer, CHCC



JUAN N. BABAUTA
Chairman, CHCC Board of Trustees

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

Dated the 5th day of February, 2025.



For: EDWARD MANIBUSAN
Attorney General

Filed and
Recorded by:



ESTHER M. SAN NICOLAS
Commonwealth Registrar

02.06.2025

Date

Fee Edits - 03/2024-10/2024

REV CODE	CHARGE CODE	CPT MOD	Description	Reason for change	Previous Price	New Price
960	965002583327	37618	26	LIGATION MAJOR ARTERY EXTREMITY	NEW	\$1,171.65
960	965002583328	32555	26	THORACENTESIS NEEDLE/CATH PLEURA W/IMAGING	NEW	\$320.49
960	965002583329	32552	26	RMVL NDWELLG TUNNELED PLEURAL CATHETER W/CUFF	NEW	\$475.32
732	365000289440	93229	TC	XTRNL MOBILE CV TELEMETRY W/TECHNICAL SUPPORT	NEW	\$897.18
960	965002583330	93228	26	XTRNL MOBILE CV TELEMETRY W/I&REPORT 30 DAYS	NEW	\$76.02
960	965002583331	49405	26	IMAGE-GUIDE FLUID COLLXN DRAINAGE CATH VISC PERQ	NEW	\$567.57
960	965002583332	77001	26	FLUOROGUIDE FOR VEIN DEVICE	NEW	\$52.80
960	965002583334	64451	26	NJX AA&/STRD NRV NRV TG SI JT	NEW	\$247.98
370	965002583333	1120	26	ANESTH PELVIS SURGERY	NEW	\$248.28
369	365000289441	64451	TC	NJX AA&/STRD NRV NRV TG SI JT	NEW	\$1,317.80
960	965002583335	64454	26	NJX AA&/STRD GNCLR NRV BRNCH	NEW	\$250.29
369	365000289442	64454	TC	NJX AA&/STRD GNCLR NRV BRNCH	NEW	\$1,317.80
960	965002583336	32551	26	TUBE THORACOSTOMY INCLUDES WATER SEAL	NEW	\$450.30
480	365000289443	92950	TC	CARDIOPULMONARY RESUSCITATION	NEW	\$598.12
960	965002583337	49082	26	ABD PARACENTESIS	NEW	\$220.53
369	365000289445	31720	TC	CATHETER ASPIRATION NASOTRACHEAL SPX	NEW	\$406.44
960	965002583338	78457	26	VENOUS THROMBOSIS IMAGING	NEW	\$101.94
369	365000289446	63046	TC	LAM FACETEC & FORAMOT THRC	NEW	\$13,632.66
960	965002583339	120	26	ANESTH EAR SURGERY	NEW	\$203.50
369	365000289447	63047	TC	LAM FACETEC & FORAMOT LUMBAR	NEW	\$13,632.66
960	965002583340	63046	26	LAM FACETEC & FORAMOT THRC	NEW	\$3,694.11
983	965002583342	99459	26	PELVIC EXAMINATION	NEW	\$78.03
731	365000289448	93246	TC	EXTERNAL ECG REC>7D<15D RECORDING	NEW	\$76.42
361	365000289449	64999	TC	UNLISTED PROCEDURE NERVOUS SYSTEM	NEW	\$564.40
960	965002583341	63047	26	LAM FACETEC & FORAMOT LUMBAR	NEW	\$3,338.88
960	965002583343	42415	26	EXCISE PAROTID GLAND/LESION	NEW	\$3,254.04
960	965002583344	42826	26	REMOVAL OF TONSILS	NEW	\$812.01
960	965002583345	31530	26	LARYNGOSCOPY W/FB REMOVAL	NEW	\$600.18
960	965002583346	46606	26	ANOSCOPY AND BIOPSY	NEW	\$229.11
320	365000289449	74450	TC	X-RAY URETHRA/BLADDER	NEW	\$466.94
960	965002583347	1952	26	ANESTH BURN 4-9 PERCENT	NEW	\$206.90

960	965002583348	620	26	ANESTH SPINE CORD SURGERY	NEW		\$413.80
960	965002583349	630	26	ANESTH SPINE CORD SURGERY	NEW		\$331.04
302	315000180980	86041	TC	ACETYLCHOLN RCPTR BNDNG ANTB	NEW		\$55.20
960	965002583350	670	26	ANESTH SPINE CORD SURGERY	NEW		\$537.94
349	365000289444	78457	TC	VENOUS THROMBOSIS IMAGING	NEW		\$1,029.98
960	965002583351	36832	26	AV FISTULA REVISION OPEN	REVISED	\$513.45	\$2,153.70
960	965001183878	36821	26	ARTERIOVENOUS ANASTOMOSIS OPEN DIRECT	REVISED	\$891.45	\$1,875.72
960	965001284019	44970	26	LAPAROSCOPIC APPENDECTOMY	NEW		\$1,807.98
960	965001284173	47563	26	LAPS SURG CHOLECYSTECTOMY W/CHOLANGIOGRAPHY	REVISED	\$722.40	\$2,143.80
960	965002583351	872	26	ANESTH KIDNEY STONE DESTRUCT	NEW		\$289.66
969	965001284174	49613	26	RPR AA HERNIA RECR < 3 CM REDUCIBLE	NEW		\$1,231.92
360	365000289448	49613	TC	RPR AA HERNIA RECR < 3 CM REDUCIBLE	NEW		\$9,889.02
960	965001284175	49614	26	RPR AA HERNIA RECR < 3 CM NCRC8/STRANGULATED	NEW		\$1,660.41
360	365000289449	49614	TC	RPR AA HERNIA RECR < 3 CM NCRC8/STRANGULATED	NEW		\$16,492.77
969	965001284174	49615	26	RPR AA HERNIA RECR 3-10 CM REDUCIBLE	NEW		\$1,857.18
360	365000289450	49615	TC	RPR AA HERNIA RECR 3-10 CM REDUCIBLE	NEW		\$9,889.02



Commonwealth of the Northern Mariana Islands
Office of the Secretary of Public Works
2nd floor - Oleai Joeten Commercial Center
Saipan, MP 96950



Ray N. Yumul
Secretary

PUBLIC NOTICE OF CERTIFICATION AND ADOPTION TO THE
AMENDMENTS MADE TO THE PUBLIC RIGHTS-OF-WAY AND RELATED
FACILITIES REGULATIONS OF THE DEPARTMENT OF PUBLIC WORKS,
DIVISION OF TECHNICAL SERVICES

PRIOR PUBLICATION IN THE COMMONWEALTH REGISTER AS PROPOSED
AMENDMENTS AS IN
Volume 47, Number 1, pp 051543-051575, of January 15, 2025

ACTION TO ADOPT PROPOSED REGULATIONS: The Commonwealth of the Northern Mariana Islands, Department of Public Works (DPW) HEREBY ADOPTS AS Regulations to its Public Rights-of-Way and Related Facilities Regulations which were published in the Commonwealth Registrar at the above-reference pages, pursuant to the procedures of the Administrative Procedure Act, 1CMC § 9102(a)(1). The Department of Public Works announced that it intended to adopt them as permanent and now does so. These amendments will become effective ten days after publication of a Notice of Adoption in the Commonwealth Register, 1 CMC § 9105(b). [A true copy is attached]. I also certify by signature below that:

As published, such adopted regulations are a true, complete and correct copy of the reference Proposed Regulations,

PRIOR PUBLICATION: The prior publication was as stated above.

MODIFICATION FROM PROPOSED REGULATIONS, IF ANY: None

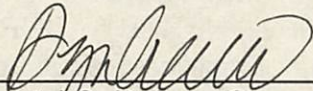
AUTHORITY: THE Agency, the Department of Public Works, through its Secretary, is empowered and enforcement of the statute governing his activities. 1 CMC § 2404. Under the Department of Public Works: Right of Way, the Secretary "shall promulgate such regulations under §2407(a) and Public Law 20-52.

EFFECTIVE DATE: Pursuant to the APA, 1 CMC § 9105(b), these adopted regulations are effective 10 day after compliance with the APA, 1 CMC § 9102 and 1 CMC § 9104 (a) or (b), which, in this instance is 10 days after this publication in the Commonwealth Register.

COMMENTS AND AGENCY CONCISE STATEMENT: Pursuant to the APA, 1CMC § 9104(a)(2), the Department of Public Works has considered fully all written and oral submissions respecting the Proposed Amendments to its Rights-of-Way and Related Facilities Regulations. Upon this adoption of these regulations the Department of Public Works, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, will issue a concise statement of the principal reason for and against its adoption, incorporated therein and its reason for overruling the consideration urged against its adoption. Please see the following pages for this agency's concise statement, if there are any, in response to filled comments.


I DECLARE under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 14th day of February, at Saipan, Commonwealth of the Northern Mariana Islands.

Certified and Ordered by:



Crystal C. Deleon Guerrero
Acting Director, Technical Services Division


2/12/25
DATE



RAY N. YUMUL, Secretary
Department of Public Works

2/12/25
DATE

Filed and
Recorded by:



ESTHER R.M. SAN NICOLAS
Commonwealth Registrar

02.14.2024
DATE



Commonwealth Ports Authority

Francisco C. Ada/Saipan International Airport
PO BOX 501055 • SAIPAN • MP • 96950
Phone: (670) 237-6500/01 Fax: (670) 234-5962
E-Mail Address: cpa.admin@pticom.com Website: <https://cnmports.com>



PUBLIC NOTICE

Proposed Amendments to the Personnel Regulations of the Commonwealth Ports Authority

The Executive Director of the Commonwealth Ports Authority ("CPA") hereby notifies the public that the Commonwealth Ports Authority intends to promulgate amendments to its Personnel Regulations.

INTENDED ACTION TO ADOPT THESE PROPOSED AMENDMENTS TO THE HARBOR REGULATIONS OF THE COMMONWEALTH PORTS AUTHORITY:

Notice is hereby given pursuant to 1 CMC § 9104(a) of the Administrative Procedure Act that the Commonwealth Ports Authority intends to promulgate the following amendments to its Personnel Regulations.

TERMS, SUBSTANCE, AND DESCRIPTION OF THE SUBJECTS AND ISSUES

INVOLVED: These proposed regulations amend NMIAC § 40-40-255 to include the clause that will allow for all non-exempt CPA employees to be compensated for hours worked outside of normal government working hours for services provided as requested by a tenant, military entity or other agents.

AUTHORITY: The substance of the following proposed amendments was approved by the CPA Board of Directors on December 19, 2024, by majority vote. These proposed amendments are for publication in the Commonwealth Register for Notice and Comment pursuant to the Administrative Procedure Act and for approval by the Attorney General pursuant to 1 CMC § 2153(e). The Commonwealth Ports Authority has the authority to promulgate these regulations pursuant to 2 CMC § 2122.


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

TO PROVIDE COMMENTS: Persons or entities wishing to submit comments must do so in writing to Mr. Frederick A. Pangelinan, Acting Executive Director, CPA, by means of one of the following: Email, fax, mail, or hand-delivery to the CPA Administration Office located on the Second Floor of the Francisco C. Ada/Saipan International Airport with the subject line "Comments on Proposed Personnel Regulations."

Commonwealth Ports Authority
P.O. Box 501055 Saipan, MP 96950
Tel. (670) 237-6500/6501
Fax: (670) 234-5962
Email: cpa.admin@pticom.com

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

Submitted by: 
FREDERICK A. PANGELINAN
Acting Executive Director, CPA
Date 24 Jan 25

Received by: 
JEAN PAUL B. REYES
Acting Special Assistant for Administration
Date 2/13/25

Filed and
Recorded by: 
ESTHER R.M. SAN NICOLAS
Commonwealth Registrar
Date 02-14-2025

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


EDWARD MANIBUSAN
Attorney General
Date 2/14/25



Commonwealth Ports Authority

Francisco C. Ada/Saipan International Airport
PO BOX 501055 • SAIPAN • MP • 96950

Phone: (670) 237-6500/01 Fax: (670) 234-5962
E-Mail Address: cpa.admin@pticom.com Website: <https://cnmiports.com>



NUTISIAN PUPBLIKU

Maproponi na Tinilaika siha gi Regulasi3n Personnel i Commonwealth Ports Authority

I Eksakatibu Direktot gi Commonwealth Ports Authority (“i CPA”) ha infotma guini i pupbliku na i Commonwealth Ports Authority ha intensiona para u implimenta i tinilaika gi iyon-n3iha Regulasion Personnel siha.

I AKSION NI MA’INTENSIONA PARA U ADAPTA ESTI I MANMAPROPO NI NA TINILA IKA SIHA GI REGULAS ION PUETTU I COMMONWEALTH PORTS AUTHORITY: I nutisia guini mann3i si gun para 1 CMC § 9104(a) gi 3kton “Administrative Procedure” na i Commonwealth Ports Authority ha intensiona para u implimenta i sigienti na tinilaika gi iyon-n3iha Regulasion Personnel siha.

I TEMA, SUSTANSIA, YAN I DISKRIPSI ON I SUHETU NI MASUM3ARIA YAN ASUNTU NI TINEKKA: Esti i manmaproponi na regulasion siha inamenda i § 40-40-225 para u ingklusu i parafu ni sinedi siempri tod u na “non-exempt” na impli’3o CPA siha para u ma’ap3si para oras siha ni mafacho’chu’i gi sanhiyung regul3t na oran gubietnamentu para sitbisiu siha mapribeni yi komu marikuesta ginen i “tenant”, milit3t na ahensia pat ottru na ahensia siha.

3TURIDAT: I sust3nsian i sigienti manmaproponi na tinilaika siha ginen maninaprueba ni i Kuetpun Mandirektot i CPA gi Disembri 19, 2024, ni mayoria na botu. Esti i maproponi na tinilaika siha para publikasi3n gi halum Rehistran Commonwealth para Nutisia yan Upi3on si gun gi 3kton Administrative Procedure yan para u inaprueba ni Abug3du Hener3t si gun para 1 CMC § 2153(e). I Commonwealth Ports Authority gai aturid3t para u implimenta esti siha na regulasion si gun gi 2 CMC § 2122.

DIREKSI ON PARA U MAPO’LU YAN PUPBLIKAS ION: Esti i Manmaproponi na Regulasion siha debi na u mapupblika gi halum Rehistran Commonwealth gi halum seksiona ni Manmaproponi na Regulasion siha, 1 CMC § 9102(a)(1), ya u mapega h3lum gi kumbinienti na lug3t gi halum civic center yan gi halum ufisinan gubietnamentu gi kada distritun senadot, parehu Inglis yan i prinsip3t na linggu3hin natibu. 1 CMC § 9104(a)(1).

PARA U MAPRIBENIYI UPI3ON SIHA: I pitsona siha pat atyu i malagu manna’halum upi3on siha debi di u macho’gui gi tinigi’ para guatu as Si3not Frederick A. Pangelinan, i Acting Eksakatibun Direktot, CPA, gi unu na tinatti yi na manera: Email, fax, mail o sino intrega h3lum gi Ufisinan Atministrasi3n i CPA ni gaigi gi Sigundu na Bibienda gi pl3san Francisco C. Ada/Saipan International yan i suhetu na r3ya “I Upi3on siha gi Manmaproponi na Regulasion Personnel.”

Commonwealth Ports Authority
P.O. Box 501055 Saipan, MP 96950
Tel. (670) 237-6500/6501
Fax: (670) 234-5962
Email: cpa.admin@pticom.com

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

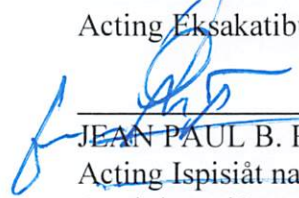
Nina'hålum as:


FREDERICK A. PANGELINAN
Acting Eksakatibun Direktot, CPA

31/01/25

Fetcha

Rinisibi as:


JEAN PAUL B. REYES
Acting Ispisiât na Ayudanti para i
Atministrasiôn

2/13/25

Fetcha

Pine'lu yan Ninota as:


ESTHER R.M. SAN NICOLAS
Rehistran Commonwealth

02.14.2025

Fetcha

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


EDWARD MANIBUSAN
Abugâdu Henerât

2/14/25
Fetcha



Commonwealth Ports Authority

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ARONGORONGOL TOULAP

Ppwommwol Liiwel ngáli Mwóghutughutúl Personnel me Commonwealth Ports Authority

Executive Director-il Commonwealth Ports Authority (“CPA”) e arongaar toulap bwe Commonwealth Ports Authority re mánghemángil ebwe aronga liiwel ngáli Mwóghutughutúl Personnel.

MÁNGEMÁNGIL MWÓGHUT REEL REBWE ADÓPTÁÁLI PPWOMWOL LIIWEL NGÁLI ALLÉGHUL ME MWÓGHUTUGHUTÚL ME COMMONWEALTH PORTS AUTHORITY: Arongorong yeel nge sáangi 1 CMC § 9104(a) reel Administrative Procedure Act bwe Commonwealth Ports Authority re mánghemángil rebwe arongawow liiwel ikka e amwirimwiritiw reel liiwel ngáli Mwóghutughutúl Personnel.

KKAPASAL, AWEWEEL, ME FFATAAL REEL KKPASAL ME AUTOL: Ppwommwol mwóghutughut e liiweli NMIAC § 40-40-255 ebwe schuulong “clause” iye e mweiti ngáli alongeer schóól angaangil CPA ikka re lo bwe “non-exempt” reel rebwe óbwóssur reel oora ikka re angaang reel iye e lo lughul “normal government working hours” ngáli angaang ikka re ayoora sáangi “tenant”, “military entity” ngare ákkaáw “agents”.


BWÁNGIL: Aa átirow autol ppwommwol liiwel kkaal sáangi CPA Board-il Directors wóól Tumwur 19, 2024, sáangi mille “majority vote”. Ebwe arongowow ppwommwol liiwel kkaal me llól Commonwealth Register ngáli Arongorong me Kkpas sáangi Administrative Procedure Act me ngáli átirow sáangi Soulemelemil Allégh Lapalap sáangi 1 CMC § 2153(e). E yoor bwángil Commonwealth Ports Authority reel rebwe aronga liiwel ngáli mwóghutughut kkaal sáangi 2 CMC § 2122.

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

REEL ISIISILONGOL KKPAS: Aramas ngare schóó kka re tipáli rebwe isiisilong ischil kkapas rebwe ischi ngáli Mr. Frederick A. Pangelinan, Acting Executive Director, CPA, reel ikka e amwirimwiritiw: Email, fax, kkata, ngare bwughiló reel Bwulasiyol CPA Administration imwu e lo Second Floor reel Francisco C. Ada/Saipan International Airport fengál reel subject line bwe “Comments on Proposed Personnel Regulations.”

Commonwealth Ports Authority
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Email: cpa.admin@pticom.com

Ebwe toolong alongal ischil kkapasl eliigh ráál mwiril aal akkatééwow arongorong yeel.

Isáliyalong: 
FREDERICK A. PANGELINAN
Acting Executive Director, CPA

31 VN 25
Ráál


Bwughiyal: 
JEAN PAUL B. REYES
Acting Special Assistant ngáli Administration

2/13/25
Ráál

Ammwelil: 
ESTHER R.M. SAN NICOLAS
Commonwealth Registrar

02-14-2025
Ráál

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


EDWARD MANIBUSAN
Soulemelemil Allégh Lapalap

2/14/25
Ráál

To include the clause in §40-40-255:

40-40-255(c): For any services at the request of a tenant, military entity, or other agents not during the Commonwealth Ports Authority standard work week, except as provided under § 40-40-260 for ARFF and Ports Police, the requestor shall pay established overtime rates for all requested services.

This clause will allow for all non-exempt CPA employees to be compensated for hours worked outside of normal working hours for services provided as requested by tenant, military entity, or other agents.

