

TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

Session, 2023

H. B. 23- 85

A BILL FOR AN ACT

To allow for businesses who cumulatively possess more than 100 hotel rooms to engage in electronic gaming activities.

BE IT ENACTED BY THE 23<sup>RD</sup> NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1           **Section 1. Findings and Purpose.** The Legislature finds that pursuant to  
2 the Tourism Entertainment and Destination Enhancement Act of 2013 (Public Law  
3 18-30), the operation electronic gaming activities were authorized to bolster the  
4 CNMI's economy. Such operations were intended to create local jobs and provide  
5 additional night time activities for visiting tourists. Furthermore, pursuant to the  
6 specified public law, such activities can only be conducted in an enclosed area of a  
7 hotel or resort that has 100 or more rooms or with fewer than 100 rooms provided  
8 that they are attached to a golf course. Due to the CNMI's current economic state,  
9 such requirements have become problematic for electronic gaming activities.

10           The Legislature also finds that within the CNMI, there are some businesses  
11 that own more than one resort and/or hotel. Pursuant to the room requirement set  
12 forth in 6 CMC §3156, none of those individual resorts/hotels are eligible to operate  
13 an electronic gaming facility due to the fact they do not contain more than 100

1 rooms nor are they attached to a golf course. The Legislature finds that it would be  
2 appropriate to amend the specified statute to allow for businesses that own more  
3 than one resort/hotel and cumilitavely contain 100 or more rooms to operate  
4 electronic gaming facilities. Such exemption would augment the electronic gaming  
5 industry's ability in bolstering the CNMI's economy. Such exemption would create  
6 more jobs and provide more night time activities for tourists who are willing to  
7 utilize electronic gaming facilities.

8 Therefore, the purpose of this Act is to allow for businesses who  
9 cumilitavely possess more than 100 hotel rooms to engage in electronic gaming  
10 activities.

11 **Section 2. Amendment.** 6 CMC §3156 is hereby amended by adding a new  
12 subsection (c) to read as follows:

13 "§ 3156. Exemptions: General Exemptions.

14 (a) This article does not apply to:

15 (1) Music machines, weighing machines, and machines which vend  
16 cigarettes, candy, ice cream, food, confections, gum, or other  
17 merchandise, in which there is deposited an exact consideration and  
18 from which in every case the customer obtains that which he or she  
19 purchases.

20 (2) The operation of poker amusement machines.

21 (3) The Commonwealth lottery.

- 1 (4) Bingo, bato, raffles, and cockfighting activities.
- 2 (5) The operation of pachinko slot machines.
- 3 (6) Electronic gaming machine, or electronic table games as defined
- 4 in 6 CMC § 3154(a)(4).
- 5 (7) Any casino licensed pursuant to Commonwealth law or licensed
- 6 pursuant to the laws of a Senatorial District, and the employees and
- 7 patrons of such casino.
- 8 (b) In order to be exempt from this article, the gaming activities described
- 9 under subsections (a)(6) must be operated only within the Third
- 10 Senatorial District in an enclosed area or resort premises having 100 or
- 11 more rooms or with fewer than 100 rooms so long as the hotel is attached
- 12 to a golf course.
- 13 (c) Notwithstanding any laws or rules to the contrary, any business that
- 14 owns a hotel and/or resort with at least 30 or more rooms shall be allowed
- 15 to engage in gaming activities described under subsection (a)(6).
- 16 Provided, however, that for the island of Saipan, such activities must be
- 17 conducted in Western Garapan. For the purpose of this subsection,
- 18 “business” shall mean any sole proprietorship, corporation, association,
- 19 business trust, company, joint venture company, or limited liability
- 20 company.”

1           **Section 3. Severability.** If any provisions of this Act or the application of  
2 any such provision to any person or circumstance should be held invalid by a court  
3 of competent jurisdiction, the remainder of this Act or the application of its  
4 provisions to persons or circumstances other than those to which it is held invalid  
5 shall not be affected thereby.

6           **Section 4. Savings Clause.** This Act and any repealer contained herein  
7 shall not be construed as affecting any existing right acquired under contract or  
8 acquired under statutes repealed or under any rule, regulation, or order adopted  
9 under the statutes. Repealers contained in this Act shall not affect any proceeding  
10 instituted under or pursuant to prior law. The enactment of the Act shall not have  
11 the effect of terminating, or in any way modifying, any liability, civil or criminal,  
12 which shall already be in existence on the date this Act becomes effective.

13           **Section 5. Effective Date.** This Act shall take effect upon its approval by  
14 the Governor, or its becoming law without such approval.

Prefiled: 11/7/2023

Date: \_\_\_\_\_

Introduced by: \_\_\_\_\_

Rep. Ralph N. Yumul

*Introduction purposes only*  
Reviewed for **Legal Sufficiency**, by:

Joseph A. Day  
House Legal Counsel