

At its 2nd appearance on 06/18/02, Sen. Adriano objected that it is not a local matter. This local bill became a regular bill and was numbered as SB 13-069.

THIRTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SIXTH SPECIAL SESSION, 2002

S.L. B. NO. 13-7

A LOCAL BILL FOR AN ACT FOR THE THIRD SENATORIAL DISTRICT

An Act to provide for the establishment, regulation and control of casino gambling in the Third Senatorial District, and for other purposes.

BE IT ENACTED BY THE SAIPAN AND NORTHERN ISLANDS LEGISLATIVE DELEGATION PURSUANT TO CHAPTER 4 OF DIVISION 1 OF TITLE 1 OF THE COMMONWEALTH CODE: THIRTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

1 Section 1. Short Title. This Act may be cited as the Saipan Casino Act of 2002.

2 Section 2. Definitions. In this Act, unless the contrary intention appears:

3 “Adult” means any person 21 years or older.

4 “Casino employee” means any natural person employed in the operation
5 of a licensed casino, including, without limitation, boxing, dealers or croupiers;
6 floor men; machine mechanics; casino security employees; count room personnel;
7 or cage personnel; and data processing personnel; or any other natural persons
8 whose employment duties require or authorize access to restricted casino areas,
9 including without limitation appropriate maintenance personnel; waiters and
10 waitresses; and secretaries.

11 “Casino gross revenue” means the total of all sums, including checks
12 whether collected or not, actually received by a casino operator from the conduct
13 of gaming.

14 “Casino key employee” means

15 (a) a person employed or working in a casino in a managerial capacity or
16 who is empowered to make decisions, involving the exercise of discretion, that
17 regulate the operation of the casino; or,

18 (b) any person associated with or an employee a casino who, in the

1 opinion of the Commission, has the power to exercise a significant influence over
2 or with respect to the operation of the casino; or,
3

1 (c) any person associated with or an employee of a casino, who, by reason
2 of his remuneration or policy making position or by reason of any other criteria
3 determined by the Commission holds or exercises or its able to exercise of such a
4 nature or to such an extent in respect of the operation of the casino as, in the
5 opinion of the Commission, to render it desirable in the public interest that he or
6 she be licensed as casino key employee.

7 “Casino lease” means a written lease between the Board of Public Lands
8 (BPL) and the Northern Mariana Islands Descent Investment, Inc. “NMIDI”.

9 “Casino license” means a license granted by the Saipan Casino
10 Commission authorizing the conduct and playing in a casino of such games as
11 may be, in the particular case, authorized by the Commission.

12 “Commission” means the Saipan Casino Commission.

13 “Delegation” means the Saipan Legislative Delegation, consisting of
14 Saipan Senators of the Senate and Representative of the House of
15 Representatives.

16 “Executive Director” means the Executive Director the Saipan Casino
17 Commission.

18 “Licensee” means any person to whom a valid gaming license of any type
19 has been issued.

20 “Mayor” means the Mayor of Saipan.

21 “Person” includes any body corporate, association, firm, business, or
22 partnership as well as a natural person.

23 “Saipan Casino Commission” means the regulatory agency of local
24 government referred to in Section 3 of this Act.

25 “Technical amendment”, means changes in this Saipan Casino Act
26 necessary to bring it into conformance with constitutional principles,
27 Commonwealth-wide law, or necessary to remove ambiguities. The term
28 “technical amendment” does not mean or include: changes in the level of
29 taxation, fines or fees; changes in environmental protections required; or changes
30 in the purposes for which the revenues or local funds may be spent or the

1 percentages assigned to specific expenditures by the original Act.

2 Section 3. Saipan Casino Commission.

3 (a) Administration within Office of Mayor. There is hereby established
4 within the office of the Mayor of Saipan, a Saipan Casino Commission
5 “Commission”. The Commission shall be under the oversight and general
6 administrative supervision of the Mayor. The Mayor shall within thirty (30) days
7 after the effective date of this act appoint five (5) members of the Commission.
8 One member must be of Carolinian descent. One member must be a woman. One
9 member must be of Chamorro descent. The members of the Commission shall
10 serve a term of the one year. The appointments are subject to the advise and
11 consent of the Saipan Legislative delegation.

12 (b) Executive Director. With the advice and consent of the majority of the
13 full membership of the Delegation (the mayor not included), the Mayor shall
14 appoint an Executive Director for the Administration. The Mayor shall make this
15 appointment without consideration or favoritism toward any past or present
16 political affiliation of the Executive Director candidate. The Executive Director
17 shall serve at the pleasure of the Mayor.

18 (c) Administrative Staff. Subject to the availability of funds, the
19 Executive Director, with the concurrence of the Mayor, may hire such staff,
20 obtain such equipment, rent such additional office space, and generally make such
21 regular office expenditures and acquisitions as are necessary to set up and
22 maintain a working office suitable for regulating casino gaming in Saipan.

23 Section 4. Duties and Powers of the Saipan Casino Commission. The Saipan
24 Casino Commission shall have general responsibility for the implementation of this Act,
25 as hereinafter provided, including, without limitation, the responsibility to:

26 (a) Conducting hearings. To conduct hearings, pertaining to the violation
27 of this Act or regulations promulgated thereunder.

28 (b) Promulgate regulations. To promulgate, through the Mayor, such
29 regulations as in its judgment may be necessary to fulfill the policies of this Act.
30 Such regulations to be adopted in the manner prescribed by Commonwealth law.

1 (c) Collections-Fees. To collect and hold all fees and taxes imposed by
2 this Act and regulations issued pursuant thereto.

3 (d) Levy, collect-penalties. To levy and collect penalties for the violation
4 of provisions of this Act and the regulations promulgated thereunder.

5 (e) On premises at casino. To be present through its inspectors and agents
6 at all times during the operation of the casino (particularly, but not limited to
7 presence in the casino “Counting rooms”) for the purpose of certifying the
8 revenue thereof, receiving complaints from the public and conducting such
9 investigations in the conduct of games and the maintenance of the equipment as
10 from time to time the Commission may deem necessary and proper..

11 (f) Access to inspect. Demand access to and inspect, examine, photocopy
12 and audit all papers, books and records of NMIDII, on their premises or
13 elsewhere as practicable, and in the presences of NMIDII or its agent, respecting
14 the gross income produced by the gaming business, and require verification of
15 income, and all other matters affecting the enforcement of the policy or any of the
16 provisions of this section.

17 Section 5. Subpoenas-Oaths. The Commission shall have the power and right to
18 issue subpoenas and to compel the attendance of witnesses as any place within the
19 Municipality of Saipan, to administer oaths and to require testimony under oath before
20 the Commission in the course of any investigation or hearing conducted under this Act.
21 The Commission may serve its process and notice in a manner provided for the service of
22 process and notice in civil actions accordance with the rules of the CNMI courts. The
23 Commission shall have the right to propound written interrogatories. The Commission
24 may appoint hearings examiners, to whom may be delegated the power and responsibility
25 to administer oaths, issue subpoenas, propound written interrogatories, conduct oral
26 deposition and require testimony under oath.

27 Section 6. Investigative Hearings. The Commission shall have the right and
28 power to conduct investigative hearings concerning the conduct of gaming operations as
29 well as the development and well-being of the industries controlled by this Act.

30 Section 7. Executive Director to Organize work of the Administration. The

1 Executive Director shall be the Chief Administrative Officer of the Commission and,
2 subject to the general oversight and direction of the Mayor, shall organize the work of the
3 Commission in a manner that will ensure its efficient and effective operation.

4 Section 8. Grant of Casino License.

5 (a) The Commission shall grant one (1) casino license for a maximum period of
6 up to forty (40) years to the NMIDII.

7 (b) The NMIDII shall be a profit corporation established in accordance with the
8 law and rules and regulations of the Commonwealth of the Northern Mariana Islands
9 with respect to corporations.

10 (c) The incorporators, shareholders, directors and officers of NMIDII shall be of
11 Northern Marianas Descent.

12 (d) There shall be nine (9) directors of NMIDII chosen by the shareholders.

13 (e) NMIDII shall have an initial capitalization of Five Million Dollars
14 (US\$5,000,000.00).

15 (f) NMIDII shall issue shares of One Dollar (US\$1.00) par value to persons of
16 Northern Marianas Descent. No person shall purchase more than Ten Thousand Dollars
17 (US\$10,000.00), of shares of NMIDII.

18 (g) NMIDII shall adopt its by-laws in compliance with Commonwealth of the
19 Northern Mariana Islands laws.

20 Section 9. Minimum conditions for granting of casino license. The following
21 terms and conditions shall be attached to and be made part of the casino license. Failure
22 to comply with any of the following conditions shall be grounds for suspension or
23 forfeiture of the license:

24 (a) Location. The Board of Public Lands shall designate public land of no
25 less than four (4) hectares for lease to the Northern Mariana Islands Descent
26 Investment, Inc.

27 (b) Local hire, training and promotion. The Northern Mariana Islands
28 Descent Investment, Inc. (Licensee) follow a plan for hiring, training and
29 promotion of local employees.

30 (i) The Licensee is encouraged to hire seventy-five percent (75%)

1 of all employees employed by the casino from local citizens (to the
2 maximum extent possible, citizen residents of Saipan, or permanent
3 resident aliens of the United States (“Green card Holders”), or those
4 holding Immediate Relative (IR) status under CNMI law. At all events,
5 Licensee’s employment practices shall be consistent with Commonwealth
6 labor and immigration laws.

7 (ii) Within five (5) years after opening operations, qualified local
8 residents will be trained to take over as many as possible of the Licensee’s
9 supervisory and managerial positions;

10 (iii) To the extent allowed by law, the Licensee shall institute a
11 profit sharing plan for all employees.

12 (c) Minimum investment. The Licensee shall invest not less than a total of
13 Five Million Dollars (US\$5,000,000.00), for building, construction, furnishing,
14 equipment, landscaping, site development with the natural beauty and landscape
15 on the specific land selected and with the island landscape, generally. The façade
16 and interior of the design will have a local them, embodying the local culture. It
17 will be a low rise structure that is pleasing to the eye with local flavor.

18 (d) Design. Licensee shall design its casino resort so as to blend the
19 building architecture and site development with the natural beauty and landscape
20 on the specific land selected and with the island landscape, generally. The façade
21 and interior of the design will have a local them, embodying the local culture. It
22 will be a low rise structure that is pleasing to the eye with local flavor.

23 (e) Use local business. Consistent with sound business operations, and to
24 the extent feasible, the Licensee shall use Saipan’s local shipping companies and
25 airlines and purchase from local businesses the Licensee’s needs for construction,
26 operational supplies, and other casino resort needs.

27 (f) Time for commencement of construction and operations. Unless
28 otherwise excused, in writing by the Saipan Casino Commission, within one (1)
29 year of receiving its license, the Licensee, shall commence construction and,
30 within two (2) years of the date of commencing construction, complete

1 construction and open the facility.

2 Section 10. License not transferable. Without the express written permission of
3 the Commission operating in consultation with the Delegation (Mayor included), the
4 Licensee may not sell, lease, transfer or assign its license or any interest in the casino
5 resort business. Any assignee, transferee, or successor in interest to the original
6 Licensee, shall be bound by the terms of the license.

7 Section 11. Duration of license. A casino license shall be for not more than forty
8 (40) years in accordance with the casino law then in effect.

9 Section 12. Casino management agreement. A casino Licensee may, subject to
10 the prior written approval of the Commission, in consultation with another person for the
11 management of the casino complex or just the casino.

12 Section 13. Executive Director to make recommendations. The Executive
13 Director, upon consideration of the matters material to applications for casino licenses or
14 requests for approvals of any sort by the Licensee, shall make a recommendation to the
15 Mayor and the Delegation.

16 Section 14. Determination by Saipan Leadership-Appeal to Superior Court.

17 (a) By a two-third (2/3) vote of its whole membership (Mayor included),
18 the Delegation shall grant, cancel, or suspend casino license of NMIDII and
19 casino management agreement.

20 (b) NMIDII may within thirty (30) days of the final decision to cancel or
21 suspend a casino license, appeal the Delegation's decision to the Commonwealth
22 Superior Court. The Court's review shall be limited to determining whether or
23 not the Delegation decision was arbitrary or capricious.

24 Section 15. Cancellation or suspension of casino licenses. Grounds for
25 cancellation or suspension of a casino license arises if the casino Licensee or the
26 Licensee's approved casino operator or manager;

27 (a) Is found in violation of this Act;

28 (b) Is convicted of any criminal offense, in the Commonwealth or
29 elsewhere;

30 (c) Fails to comply with any terms or conditions of its license;

1 (d) If any director, partner, trustee, executive officer, secretary or other
2 officer or person associated or connected with the ownership, administration or
3 management of the Licensee's operations or business is not or ceases to be at any
4 time while the casino license is in force a suitable person to be associated with or
5 connected with a casino-resort operator;

6 (e) Refuses or fails to comply with any direction(s) given to him in writing
7 by the Executive Director pursuant to the provisions of this Act and with which it
8 is the Licensee's duty to comply, and which refusal or failure to comply, in the
9 opinion of the Delegation (Mayor included), jeopardizes the integrity of the
10 operation of casino or adversely affects the public interest.

11 (f) A suspension of casino license shall, while it remain in force, have the
12 same effect as a cancellation of such license without prejudice to any penalty or
13 liability actually incurred by the Licensee.

14 (g) A decision by the Delegation to cancel or suspend a casino license or
15 to direct the termination of the casino management agreement may, within thirty
16 (30) days of the Delegation's final decision, be appealed to the Commonwealth
17 Superior Court. The Court's determination shall be restricted to the questions of
18 whether or not the Delegation's decision was arbitrary or capricious.

19 Section 16. Issue of casino employee license. The Commission shall, in
20 accordance with duly promulgated regulations, provide for and issue provisional licenses,
21 and permanent licenses for casino key employees and casino employees and provide for
22 procedures for cancellation or suspension of such employee licenses.

23 Section 17. Licensing and registration of casino service industries. The
24 Commission shall, in accordance with duly promulgated regulations, and prior to doing
25 any business whatsoever, register and/or license all casino service industries located in
26 the Third Senatorial District and offering goods and services which directly relate to
27 casino or gaming activity, including but not limited to gaming equipment manufacturers,
28 suppliers and repairers, schools teaching gaming or either playing or dealing techniques,
29 and casino security services. The Commission shall not assess or attempt to assess
30 penalties and fines against any individual or entity which has not submitted an

1 application for a license to the Commission or received a license from the Commission.

2 Section 18. Application fees, casino license fees, casino key employee and casino
3 employee license fees, casino industry service fees, fines and casino taxes as local
4 revenues.

5 (a) Local revenues and fees for appropriation. Except as they may be retained for
6 costs of the Commission as is allowed by Subsection 4 of this Section, all application
7 fees, license fees, fines, and gambling tax revenues generated by casinos in the Third
8 Senatorial District shall be local revenues and shall be available for appropriation by the
9 Third Senatorial Legislative Delegation (Saipan Legislative Delegation) pursuant to 1
10 CAC §1401 et seq. (Local Law Act of 1983), to be expended by the Mayor for purposes
11 and public projects as defined in this Act or as specifically set forth.

12 (b) Local purposes. An appropriation for local purposes may include but is not
13 limited to assistance in infrastructure development, library facilities and materials,
14 community recreation facilities, education and scholarships, public safety law
15 enforcement, programs for youth and elderly development, medical referral, utility
16 subsidies for the low income, agriculture and fisheries development, programs for the
17 handicapped, medical and dental insurance assistance, provided that such payment is
18 limited to contribution made by the Commission to secure appropriate insurance
19 coverage for Saipan Municipal government employees.

20 (c) Administration's Proposed Budget. The Commission after full consultation
21 with the Mayor, shall annually submit a proposed budget to the Delegation for the needs
22 of Commission and for the expenditure of other gambling fees, fines and revenues within
23 the Third Senatorial District. In the event the Legislative Delegation does not adopt this
24 budget, it shall set forth, in writing, reasons and explanations for not doing so.

25 (d) Casino application fee and annual license fee.

26 (i) NMIDII shall pay a non-refundable application fee of the One Hundred
27 Thousand Dollars (US\$100,000.00) upon submission of the application to the
28 Commission.

29 (ii) To defray the cost of Commission, an annual license fee of Two
30 Hundred Thousand Dollars (US\$200,000.00) shall be paid to the Commission

1 upon approval of the application and issuance of the casino license and paid,
2 again, each year thereafter on the anniversary date of license issuance.

3 (f) Casino tax.

4 (i) One percent (1%) gross revenue surtax. An annual gross revenue
5 surtax of one percent (1%) of gross revenue as provided by 1 CMC §1402 (4)
6 shall be paid each month by the licensee.

7 (ii) Fifteen percent (15%) gambling revenue tax. A gambling revenue tax
8 pursuant to 1 CMC §1402 (C) (4) equal to fifteen percent (15%) per annum of the
9 casino gross revenues, payable on or before the seventh of each month, shall be
10 paid by the Licensee.

11 (g) Contribution to central government. From the fifteen (15%), Five
12 percent (5%) shall be given, annually, to the CNMI central government treasury
13 for eventual appropriation, as it deems fit, by the CNMI Legislature;

14 (h) Royalty. From the Ten percent (10%) balance left from the gambling
15 revenue there shall be appropriated, by the Delegation a certain percentage of
16 gambling revenue tax to be used as a “royalty” or casino “dividend” to assist
17 individuals or family households, who are residents of Saipan, and who need
18 assistance or off-sets for education, utility supplements, medical needs, or
19 generally raising the standard of living.

20 (i) Balance of gambling revenue tax after Royalty. The balance of
21 the gambling revenue taxes remaining after deduction of the annual Royalty
22 percentage, shall be appropriated by the Delegation for public purposes and
23 public projects as defined by this Act. Provided, however,

24 i) some amount shall be appropriated for support of
25 scholarship programs for students of the Third Senatorial District;

26 ii) one percent (1%) of gambling revenue after Royalty
27 shall be appropriated for support of a private or private gambler’s
28 anonymous program or programs of similar nature to offer
29 recovery to individuals suffering from gambling or related
30 addictions.

1 (j) Municipal Treasurer. There is hereby created the Office of Saipan
2 Municipal Treasurer within the office of the Mayor of Saipan (Executive Director
3 may fill this position), whose duties shall be established by regulation
4 promulgated by the Mayor which shall include the duty to collect and receive
5 money under this Act.

6 (k) Appropriation for Commission's operating budget. In the event that
7 the Delegation does not enact the appropriation for the Commission's operating
8 budget within thirty (30) days after submission to them, them, in such event, the
9 Commission shall have its right reserved thereunder, to have an expedited hearing
10 in the Commonwealth Superior Court to proceed to a determination that the
11 failure of the Delegation to enact the appropriation for Commission's operating
12 budget interfered with the Third Senatorial District's right to effectively establish
13 gambling. This provision shall also be applicable in the event that the Governor
14 vetoes such appropriation.

15 Section 19. Adjustment of payment of gambling revenue tax in certain
16 circumstances.

17 (a) If the total of all sums, including checks whether collected or not,
18 actually received in any month by a casino operator from the conduct of gaming
19 (hereinafter in this section referred to as "the total receipts") is less than the total
20 of all sums paid out as winnings during that month in respect of gaming
21 (hereinafter in this section referred to as "the total payments"), the amount of the
22 difference between the total payments and total receipts shall for the purpose of
23 assessment of the gambling revenue tax payable in respect to the next succeeding
24 months be first deducted, to the extent it may be, from the casino gross revenue
25 for that month.

26 (b) Where there is no casino gross revenue from that month or where the
27 casino gross revenue for that month is less than the amount of the difference as
28 aforesaid, the amount of the difference or that part thereof that is in excess of the
29 casino gross revenue for that month, as the case may be, shall for the purpose of
30 the assessment of gambling revenue tax payable in respect of the next month

1 thereafter be first deducted, to the extent it may be, from the casino gross revenue
2 for such next month.

3 (c) The operation of this section shall extend, in respect of the amount of
4 the difference between the total payments and the total receipts as aforesaid in
5 any month, only as the two months succeeding that month.

6 Section 20. Disposition of casino license fee, etc. Casino license fee, gambling
7 revenue taxes, application fees in respect of casino key employee licenses and casino
8 employee licenses, casino service industry license fees and fines collected, shall on their
9 receipt be paid to the Saipan Municipal Treasurer.

10 Section 21. Penalty for late payment.

11 (a) Penalty at the percent per month allowed by CNMI law shall be
12 charged and become due and payable forthwith on the amount of any casino
13 license fee or gambling revenue tax remaining unpaid after the date on which it
14 becomes due and payable. Failure to pay the fees and taxes required above, shall
15 be cause for license suspension.

16 (b) Any penalty or additional penalty payable under this Act shall be
17 deemed a casino gambling revenue tax.

18 Section 22. Recovery of fees and taxes. All fees and taxes due and payable in
19 accordance with this Act and remaining unpaid are debts the Commission and the
20 Municipality of Saipan and may be recovered be either entity by action as for a debt in
21 any court of competent jurisdiction.

22 Section 23. Liability for fees and taxes.

23 (a) The Casino Licensee is liable for all fees and taxes due and payable in
24 accordance with this Act.

25 (b) Where the casino operator is a lessee under a casino lease, he and the
26 casino Licensee are jointly and severally liable for all fees and taxes due and
27 payable in accordance with this Act.

28 (c) Where the casino operator is party to a casino management agreement
29 with the casino Licensee or lessee under a casino license, he and the casino
30 Licensee or he and the casino Licensee and lessee, as the case may be, are jointly

1 and severally liable for all fees and taxes due and payable in accordance with this
2 Act.

3 Section 24. Regulation of operations. Commission, through regulations
4 promulgated by the Mayor, shall provide for regulation of the casino and the casino
5 resort/hotel operation with regard to:

- 6 (a) casino layout;
- 7 (b) operating days and hours;
- 8 (c) gaming equipment and chips;
- 9 (d) casino games;
- 10 (e) assistance to patrons in relation to rules of the game;
- 11 (f) obligation of casino operator in relation to conduct of games;
- 12 (g) casino operator receiving credit, wagers, etc.
- 13 (h) deposit advance accounts;
- 14 (i) exchange by casino operator of chip purchase by check;
- 15 (j) redemption of checks;
- 16 (k) depositing of check
- 17 (l) redemption in relation to delay of payment;
- 18 (m) training courses for employees

19 Section 25. System of controls and procedures.

20 (a) A casino operator shall submit to the Executive Director for approval
21 by the Commission:

22 (i) a description of the system of internal controls and
23 administration and accounting procedures proposed by him in connection
24 with the operation of the casino;

25 (ii) details of changes proposed to any such controls and
26 procedures previously approved by the Saipan Casino Commission.

27 (b) Commission through the Mayor, shall promulgate regulations
28 covering:

- 29 (i) contents of the submission;
- 30 (ii) Commission approval;

- 1 (iii) books, etc., to be kept on the premises;
- 2 (iv) keeping of bank accounts;
- 3 (v) Financial statements and account;
- 4 (vi) submission of reports;
- 5 (vii) audit provisions

6 Section 26. Approval by the Commission-Certain Documents and Agreements.
7 The Commission shall, in consultation with the Mayor, and pursuant to this Section and
8 other pertinent Sections of this Act, participate in the review and approval of all casino
9 leases and casino management agreements. Such approvals must be in writing.

10 Section 27. Direction as to operating of casino-Inspectors-Inquiries.

11 (a) The Commission, after consultation with the Mayor, may be notice in
12 writing, give directions to a casino Licensee, a lessee under a casino lease or a
13 casino operator under a casino management agreement, in relation to the
14 management, supervision or control of any aspect of the operation of the casino.

15 (b) Each casino Licensee, lessee or casino operators as aforesaid shall
16 comply in all respects with a direction so given by the Commission.

17 (c) Commission Inspectors may be on and remain on the casino premises
18 for purposes of viewing the premises and, generally, determining whether the
19 provisions of this Act and its regulations are being observed. Additional powers
20 of Commission Inspectors and offenses related to Inspectors, shall be set forth by
21 regulation.

22 (d) The Commission, after consultation with the Mayor, if it thinks fit,
23 may hold an inquiry into the operation of a casino.

24 Section 28. Adverse action-review.

25 (a) Whenever adverse action is taken toward a Licensee that affects its
26 right to continue casino operation, said Licensee so affected may, within thirty
27 (30) days subsequent to receiving notice of such adverse action.

28 (b) a hearing under this Section shall be granted and conducted by the
29 Commission, pursuant to the Commonwealth Administrative Procedures Act
30 including appeals to the Superior Court found therein.

1 (c) The Commission may conduct the hearing or may delegate such
2 responsibility.

3 (d) The Commission reserves the right to hold a hearing on its own
4 initiative with respect to a Licensee or applicant, and require such Licensee's or
5 applicant appearance.

6 (e) Failure of a Licensee or an applicant to request a hearing within thirty
7 (30) days after receiving notice of such adverse action shall constitute a waiver of
8 any and further right of appeal or review.

9 Section 29. Entry to and exclusion of entry from casino. The Commission,
10 through the Mayor, shall promulgate reasonable rules and regulations with regard to:

- 11 (a) the entry of persons into casinos;
- 12 (b) appeals to the Commission by those excluded;
- 13 (c) right of Department of Public Safety to direct the casino operator to
14 exclude a specified person;
- 15 (d) lists of names of those excluded;
- 16 (e) right of casino operator to exclude or remove excluded person.

17 Section 30. Minors in respect to casinos. Unless they are lawful employees of
18 the casino, persons under the age of 21 years shall not be permitted to be in a casino
19 during its hours of operation.

20 Section 31. Cheating-Unlawful use of certain equipment-Enforcement. The
21 Commission, through the Mayor, shall promulgate reasonable rules and regulations with
22 regard to:

- 23 (a) cheating;
- 24 (b) unlawful use of certain equipment,
- 25 (c) detention of person;
- 26 (d) offenses related to revenue;
- 27 (e) offenses related to unauthorized games;
- 28 (f) forgery and like offenses.

29

1 Section 32. Mayor, Delegation, Commission Executive Director, staff and
2 employees: casino employees no to gamble. The Mayor, the members of the Delegation,
3 the Executive Director, and the staff, employees of Saipan Casino Commission and
4 employees of the Licensee shall not gamble in a casino.

5 Section 33. General civil penalty. A person who contravenes or fails to comply
6 with provision of this Act is liable, in the case of a bod corporate, to a civil penalty of up
7 to \$10,000, and in the case of a natural person, to a civil penalty of up to \$5,000.
8 Regulations shall set forth provisions for:

- 9 (a) institution of proceedings;
- 10 (b) attempts to commit offense;
- 11 (c) liability for offense by body corporate;
- 12 (d) service of notices, documents, etc.
- 13 (d) evidentiary provision

14 Section 34. Attorney fees and costs. Should it be necessary, in the opinion of the
15 Commission, to enforce any provision of this Act against any Licensee, then the Licensee
16 shall, in the event it is found liable or in violation of the Act, pay all reasonable attorney
17 fees and costs incurred by the Commission.

18 Section 35. Amendment. This local law may be subject to technical amendment
19 as the term “technical amendment” is defined in this Act. The process for amendment
20 shall be as follows: The Delegation, Commission or Mayor may request the delegation to
21 make technical amendments to the Saipan Casino Act. The Delegation may make
22 technical amendments to the Act pursuant to the Local Law of 1983, as the Local Law
23 Act is presently constituted or hereafter amended.

24 Section 36. Severability. If any provision of this Act, or regulations promulgated
25 pursuant thereto, or the application of any such provision or regulation to any person or
26 circumstance should be held invalid by a court of competent jurisdiction, the remainder
27 of this Act, or its regulations, or the application of its provisions regulations to persons or
28 circumstances other than those to which they were held invalid shall not be affected
29 thereby.

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