

*Nineteenth Northern Marianas Commonwealth Legislature*

THIRD REGULAR SESSION, 2016

S. L. B. No. 19-10

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**A LOCAL BILL FOR AN ACT  
FOR THE SECOND SENATORIAL DISTRICT**

To amend the Revised Tinian Casino Gaming Control Act of 1989 to provide clear enumeration of terms; to authorize the Tinian Casino Gaming Control Commission to collect license fees prior to operations which may be credited as payment towards the casino license fee for the first two years of operation; and for other purposes.

**BE IT ENACTED BY THE SECOND SENATORIAL DISTRICT DELEGATION**

**PURSUANT TO CHAPTER 4, DIVISION 1, TITLE 1 OF THE**

**COMMONWEALTH CODE:**

1           **Section 1. Findings and Purpose.** The Second Senatorial District  
2 Delegation, being the duly elected body authorized through N.M.I. Const. Art. II,  
3 § 6 and the Local Law Act of 1983, specifically 1 CMC § 1401 et seq., to enact  
4 laws that relate exclusively to local matters such as, gambling prohibition and  
5 regulation, within the Second Senatorial District finds that in the interest of  
6 promoting the Tinian gaming industry, it is lawful and necessary to amend  
7 established regulations for the Revised Tinian Casino Gaming Control Act of  
8 1989 in order to be competitive in the Pacific Region.

9           **Section 2. Amendments.**

10           (a) PART I., Section 4(1), relating to the definition of “casino license” is  
11 amended as follows:

12           “4. Interpretation (1) In this Act, unless the contrary intentions appears–

13                           “investigation fee” means any moneys required by law to be paid  
14           to investigate the applicant and any related or associated person or entity

1           as the Tinian Casino Gaming Control Commission determines to protect  
2           the public interest.

3           “license fees” means any moneys required by law to be paid to  
4           obtain or renew a plenary or conditional gaming license, manufacturer’s or  
5           distributor’s license.

6           (b) PART VI – FEES AND TAXES, Section 50 is hereby amended to read  
7 as follows:

8           “50. Casino license fees, casino key employee and casino employee  
9           license fees, casino service industry license fee, investigative fees, fines and  
10          casino taxes as local revenues.

11           (2) Investigative and Casino license fee.

12           (a) An applicant for a casino license fee shall pay a non-  
13          refundable application fee of not less than two hundred thousand dollars  
14          (\$200,000.00) upon submission of the application to the Commission and  
15          shall also deposit and maintain a revolving fund for investigative purposes  
16          in the amount of fifty thousand dollars (\$50,000).

17           (b) An annual license fee of five hundred thousand dollars  
18          (\$500,000.00) shall be paid to the Commission upon approval of the  
19          application, provided that when a casino license is issued less than the  
20          period of 12 months of the financial year ending 30 September, the fee  
21          shall be calculated on a quarterly basis and paid on the period remaining.

22           (c) A casino licensee shall renew a license upon its expiration by  
23          the payment of the annual license fee.

24           (d) Casino license fees paid prior to the operations of a casino may  
25          be credited as payment towards the casino license fee for the first two (2)  
26          years of operation.”

27           (c) PART VI – FEES AND TAXES, Section 52 is hereby amended to read  
28 as follows:

1           “52. Disposition of casino license fees, etc. Casino license fees, gambling  
2 revenue taxes, application fees in respect of casino key employee licenses and  
3 casino employee licenses, casino service industry license fees and fines  
4 collected, shall on their receipt be paid to the Tinian Municipal Treasurer.  
5 All fees, taxes and fines due and payable in accordance with this act shall be  
6 appropriated as prescribed by Part VI, Section 50(5).”

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

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

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

Prefiled: \_\_\_\_\_

Date: 02/10/16

Introduced By: /s/ \_\_\_\_\_  
Senator Jude U. Hofschneider

/s/ Sen. Francisco Q. Cruz

/s/ Sen. Francisco M. Borja

Reviewed for Legal Sufficiency by:

/s/ Antonette R. Villagomez  
Senate Legal Counsel