

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



COMMONWEALTH REGISTER

VOLUME 40

NUMBER 02

FEBRUARY 28, 2018

COMMONWEALTH REGISTER

VOLUME 40
NUMBER 02
FEBRUARY 28, 2018

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Ralph Dlg Torres
Governor

DEPARTMENT OF FIRE AND EMERGENCY MEDICAL SERVICES

Station 1 Tekken Drive
Civic Center Susupe
670.664-9004



Victor B. Hocog
Lt. Governor

PUBLIC NOTICE OF CERTIFICATION AND ADOPTION OF REGULATIONS OF The Department of Fire and Emergency Medical Services

PRIOR PUBLICATION IN THE COMMONWEALTH REGISTER
AS PROPOSED REGULATIONS
Volume 40, Number 01, pp 040517 - 040528 of January 28, 2018

Rules and Regulations to the Title 72 by establishing Fire Lanes upon public property in the Commonwealth and enforcement mechanisms to maintain them, including but not limited to fines and towing of the Department of Fire and Emergency Medical Services: Title 72. Chapter 72-10 Part 400

ACTION TO ADOPT PROPOSED REGULATIONS: The Commonwealth of the Northern Mariana Islands, Department of Fire and Emergency Medical Services (“DFEMS”), 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).

DFEMS announced that it intended to adopt them as permanent, and now does so.

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

AUTHORITY: Department of Fire and Emergency Medical Services is required by the Legislature to adopt rules and regulations regarding those matters over which DFEMS has jurisdiction, including its regulation regarding fire lanes and their use pursuant to PL 19-69, the Commonwealth Fire Lane Act of 2016.



Ralph Dlg Torres
Governor

DEPARTMENT OF FIRE AND EMERGENCY MEDICAL SERVICES

Station 1 Tekken Drive
Civic Center Susupe
670.664-9004



Victor B. Hocog
Lt. Governor


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 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. Please see the following pages for this agency's concise statement, if there are any, in response to filed comments.

ATTORNEY GENERAL APPROVAL for non-modified regulations or regulations with NON-material modification: 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) (To 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, except as otherwise provided by law). Xxx

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

Certified and ordered by:



Claudio K. Norita
Commissioner, DFEMS

2-26-18

Date

Filed and
Recorded by:



ESTHER SN. NESBITT
Commonwealth Registrar

02-27-2018

Date



COMMONWEALTH CASINO COMMISSION

Commonwealth of the Northern Mariana Islands

P.O. Box 500237

Saipan, MP 96950

Tel: 1 (670) 233-1856/57

Email: info@cnmicasinocommission.com



PUBLIC NOTICE OF CERTIFICATION AND ADOPTION OF AMENDMENTS TO REGULATIONS OF Commonwealth Casino Commission Juan M. Sablan, Chairman

PRIOR PUBLICATION IN THE COMMONWEALTH REGISTER
AS PROPOSED AMENDMENTS TO REGULATIONS
Volume 39, Number 07, pp 039773-039784 of July 28, 2017 and
Volume 39, Number 10, pp 040308-040317 of October 28, 2017

Regulations of the Commonwealth Casino Commission

ACTION TO ADOPT PROPOSED AMENDMENTS TO REGULATIONS: The Commonwealth of the Northern Mariana Islands, Commonwealth Casino Commission (CCC) HEREBY ADOPTS AS PERMANENT amendments to 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 CCC 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, except as stated as follows:

(no changes)

PRIOR PUBLICATION: The prior publication were as stated above. The CCC adopted the regulations as final on January 30, 2018.

MODIFICATIONS FROM PROPOSED REGULATIONS, IF ANY: Modifications were made as specified above. (There were no modifications). I further request and direct that this Notice of Adoption be published in the Commonwealth Register.

AUTHORITY: The CCC is required by the Legislature to adopt rules and regulations regarding those matters over which the CCC has jurisdiction, see Public Laws 18-56 and 19-24.

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.

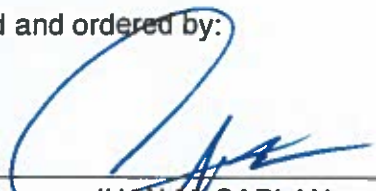
COMMENTS AND AGENCY CONCISE STATEMENT: Pursuant to the APA, 1 CMC sec. 9104(a)(2), the agency has considered fully all written and oral submissions respecting the proposed regulations (no written comments submitted). Attached hereto are CCC responses to all public comments received. (none) Upon this 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.

concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption.

ATTORNEY GENERAL APPROVAL for non-modified regulations or regulations with NON-material modification: 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) (To 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, 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 9th day of February, 2018, at Saipan, Commonwealth of the Northern Mariana Islands.

Certified and ordered by:




JUAN M. SABLAN
Chairman, Commonwealth Casino Commission

February 9, 2018

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 12th day of February, 2018.



EDWARD MANIBUSAN
Attorney General

Filed and
Recorded by:



ESTHER SN. NESBITT
Commonwealth Register

02-13-2018

Date

§175-10.1-595(a)(b) Additional Documents for Ongoing Financial Suitability.

(a) As part of the Commission's process to monitor the ongoing financial suitability of the Casino Gaming Licensee, the Commission requires that the Casino Gaming Licensee submit to the Commission, on an annual basis, a Projected Cashflow Statement and an Operational Budget Schedule within thirty (30) days before the beginning of the projected calendar year. Furthermore, the Commission requires that the Casino Gaming Licensee submit to the Commission, within thirty (30) days after each calendar quarter, updated reports comparing the projected amounts to the actual amounts for the prior quarter(s) of the projected year and provide explanations for any variances between the projected and actual amounts of greater than + or - twenty-five percent (25%).

(b) On the tenth (10th) of each month, the Casino Gaming Licensee shall submit to the Commission all monthly capital investment expenditures with supporting documentations to satisfy the Two Billion Dollar (\$2,000,000,000) minimum initial investment requirement as mandated by the Northern Mariana Islands Commonwealth Code 4 CMC § 2306 (e).

§175-10.1-920(b)(4) Licensee Standards.

(remainder of this section remains unchanged)

(b) **Disqualification Criteria.** The Commission shall deny any license, certificate, finding, registration, permit or renewal thereof (if such renewal is permitted by the Commission or Executive Director), including but not limited to a casino key employee license or casino employee license to any applicant who is disqualified on the basis of any of the following:

(4) Any other offenses under CNMI law, federal law, or any other jurisdiction which indicates that licensure of the applicant would be inimical to the policy of the Commission and to casino operations; however, that the automatic disqualification provisions of subsection (b) shall not apply with regard to any conviction which did not occur within the five year period immediately preceding the application for licensure for a casino employee or casino service provider, or within ten (10) years for a casino key employee license, a junket operator license, or any other class of licensee the Commission may by order determine, or any conviction which has been the subject of an executive pardon or judicial order of expungement. The five-year period and ten-year period are is calculated beginning from the day after the convict's last day of post-conviction supervision (including probation or parole or required registry as a sex offender under federal, Commonwealth, territorial, state or tribal law). Convictions which occurred outside the five-year period immediately preceding the application for licensure, convictions which were pardoned, and convictions that were expunged may still be considered by the Commission as evidence of unsuitability for licensure.

§ 175-10.1-1105 Duty to Disclose and Cooperate.

(a) It shall be the affirmative responsibility and continuing duty of each applicant, licensee, and person required to be qualified or registered to provide all information, documentation, and assurances pertaining to qualifications required or requested by the Commission and to cooperate with the Commission in the performance of its duties. Any refusal by any such person to comply with a formal request for information, evidence, or testimony shall be a basis for denial, revocation, or disqualifications.

(b) Nothing herein prohibits an applicant, licensee, or person required to be qualified or registered from exercising rights granted under the Constitutions of the United States of America or the CNMI.

(c) The Commission may draw any inference from the exercise of the rights described above and use such inference as a reason for the denial or revocation of a license or registration or denial or revocation of a finding of suitability or qualification.

§ 175-10.1-1130 Consent to Examination of Accounts and Records:

(a) and (b) unchanged

(c) The Casino Gaming Licensee must maintain an account in a bank in the CNMI or in the United States of America into which are deposited its revenues from all gaming activities. Said deposits must be made within five (5) days of receipt of said revenues by the casino licensee. Said deposits must be made into the domestic or United States bank account within five (5) days of receipt of said revenues by the licensee's parent company or any affiliate thereof, if the Commission or Executive Director by Order allow receipt of funds by the parent company or an affiliate.

§ 175-10.1-1315 Disqualification Criteria.

A casino service provider license, a provisional casino service provider license, a provisional casino vendor license, or a casino vendor license, must be denied to any applicant for a casino service provider or casino vendor license, be they provisional or otherwise, who has failed to prove by clear and convincing evidence that he or any of the persons who must be qualified under 175-10.1-905(a) possesses the qualifications and requirements set forth in sections 175-10.1-920 and 175-10.1-925 and any other section of these Regulations.

§ 175-10.1-1515 Right to Hearing; Waiver.

The applicant, or licensee, temporary licensee, provisional licensee, holder of a finding of suitability or qualification, or registrant is entitled to an evidentiary hearing on the complaint if it files and serves the required notice of defense within the time allowed herein; such notice of defense is deemed a specific admission of all parts of the complaint which are not expressly denied. Failure to file and serve a notice of defense within such time constitutes a waiver of the right of the hearing, but the Commission, in its discretion may nevertheless order a hearing. All affirmative defenses must be specifically stated, and unless objection is taken, as provided therein, all objections to the form of complaint are deemed waived.

§ 175-10.1-1525 Revocation of License or Registration; Hearing.

(a) The Commission will not revoke or suspend any license, registration, or finding of qualification or suitability unless it has first afforded the licensee, registrant or holder opportunity for a hearing.

(b) Notwithstanding subsection (a) above, the Executive Director may suspend a temporary casino employee license, provisional casino vendor license, provisional casino service provider license, provisional junket operator license, or temporary key employee license pursuant to § 175-10.1-1915 without a hearing but notice must be provided to the employee, or key employee, or provisional licensee and the casino licensee of such suspension and the applicant shall be given an opportunity to cure the deficiency promptly.

§175-10.1-1830(c) Reports of Violations and of Felony Conviction.

(c) A Casino Licensee, Casino Key Employee, Casino Employee, Casino Service Provider, Casino Vendor, Junket Operator, or any holder of any provisional license issued by the CCC, including their owners, managers, Members, employees, agents and affiliates, shall not in any way discharge, or negatively impact the terms or conditions of employment of, or in any manner discriminate or retaliate against an employee or other person who provides information required by (a) or who gives information or aid of any kind, or who is believed to have given information or aid of any kind, to CCC staff enforcing federal, state, or Commonwealth laws or regulations of any kind.

§175-10.1-1855(d)(e) Collection of Gaming Debt.

(d) The casino gaming licensee and its agents shall be required to collect, at a minimum, the greater of one million dollars or 10% of the gaming credit within ninety one hundred twenty (120) days of the settled gaming credit from each respective patron. If the casino gaming licensee fails to collect this required minimum, the casino gaming licensee must provide within thirty days after this ninety one hundred twenty (120) day minimum amount collection period the following:

(e) Casino Gaming Licensee and its agents are required to pursue the actions listed below according to the associated aging periods of uncollected gaming credit beginning from gaming credit settlement date:

- (1) Uncollected gaming credit over 360 days must be referred for legal action against the patron and guarantor, if any.
- (2) Uncollected gaming credit over 270 days must be netted with all front money or safekeeping deposits from patron and guarantor, if any.
- (3) Uncollected gaming credit over 120 days must have serious collection efforts performed and logged, along with recurring follow-ups with the patron and guarantor, if any.
- (4) Uncollected gaming credit equal to or less than 120 days must have active collection efforts performed and logged.

§ 175-10.1-2605 Licensure and Registration Required.

[(a)-(e) unchanged]

(f) Mandatory License Requirements: As a condition of every junket operator license, or provisional junket operator license, the Commission or its authorized representatives may inspect and monitor, at any time and with or without notice, any part of the junket operator, its operations, equipment, records, and related activities and any similar area or activity of the licensed junket operator, within or without the Commonwealth, and that a law enforcement officer may enter any such area as requested by the Commission. The Executive Director may authorize representatives of the Commission.

(g) Disqualification Criteria. A junket operator license or a provisional junket operator license, must be denied to any applicant for a junket operator or provisional junket operator license who has failed to prove by clear and convincing evidence that he or any of the persons who must be qualified under 175-10.1-905(a) possesses the qualifications and requirements set forth in sections 175-10.1-920 and 175-10.1-925 and any other section of these Regulations as if they were applicants for any other type of license.



COMMONWEALTH CASINO COMMISSION

Commonwealth of the Northern Mariana Islands

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PUBLIC NOTICE OF CERTIFICATION AND ADOPTION OF AMENDMENTS TO REGULATIONS OF Commonwealth Casino Commission Juan M. Sablan, Chairman

PRIOR PUBLICATION IN THE COMMONWEALTH REGISTER
AS PROPOSED AMENDMENTS TO REGULATIONS
Volume 39, Number 07, pp 039773-039784 of July 28, 2017
Volume 39 Number 09 pp 040084 – 040092 of September 28, 2017
Volume 39, Number 10, pp 040308-040317 of October 28, 2017

Regulations of the Commonwealth Casino Commission

ACTION TO ADOPT PROPOSED AMENDMENTS TO REGULATIONS: The Commonwealth of the Northern Mariana Islands, Commonwealth Casino Commission (CCC) HEREBY ADOPTS AS PERMANENT amendments to 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 CCC 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, except as stated as follows:

The changes from the published regulations are highlighted below marked with double underline for additions, and ~~strike through~~ for deletions. A grammar error was also deleted in §175-10.1-1501.

§175-10.1-1501 Commencement of Complaint.

Any proceeding against an applicant, temporary licensee, provisional licensee, or licensee must be initiated and indicated by a written complaint; the complaint must include a statement set forth in an ordinary and concise language the charges and acts or omissions supporting such charges. A complaint may be amended as may be necessary prior to the end of the Hearing on the Complaint. The respondent may answer by filing an amended notice of defense may be filed in response to any amended complaint within twenty (20) days or within some other time the hearing officer or Commission determines is just.

§175-10.1-1510 Notice of Defense.

(a) Within fifteen days after service of the complaint, the applicant, licensee, temporary licensee, provisional licensee, holder of a finding of suitability or qualification, or registrant may file with the Commission a notice of defense, in which he may:

- (1) Request a hearing;
- (2) Admit or deny the allegations in whole or in part;

- (3) Present new matters or explanations by way of defense; or
- (4) State any legal objection to the complaint.

- (b) Within the time specified, the applicant, or licensee, temporary licensee, provisional licensee, holder of a finding of suitability or qualification, or registrant may file one or more notices of defense upon any or all of the above grounds.
- (c) unchanged.
- (d) The parties may stipulate to an extension of the time which the Notice of Defense must be filed. Absent a stipulation, the respondent may seek from the Commission, Chairman or Hearing Officer an extension of no more than 10 days to file a Notice of Defense or Amended Notice of Defense.

§175-10.1-1805(b) Grounds for Disciplinary Action.

(b)(14) Failure to immediately provide information when requested or demanded by an employee, agent or Member of the Commonwealth Casino Commission.

~~(15) Failure to honor a contractual obligation owed to a service provider, vendor, employee or other person without sufficient (in the discretion of the Executive Director) legal or equitable justification. — Breaching any contract.~~

~~(16) Failure to timely honor a contractual obligation owed to a service provider, vendor, employee or other person without sufficient (in the discretion of the Executive Director) legal or equitable justification.~~

(176) Knowingly or willfully operating any game or conducting any gaming activity in a manner not approved by the Commission or in a manner violative of an applicable law, regulation, internal control or rule of the game.

(187) Failure to make efforts to collect on gaming credit from patrons pursuant to approved Commission Regulation.

PRIOR PUBLICATION: The prior publications were as stated above. The CCC adopted the regulations as final on February 22, 2018.

MODIFICATIONS FROM PROPOSED REGULATIONS, IF ANY: Modifications were made as specified below. I further request and direct that this Notice of Adoption be published in the Commonwealth Register.

AUTHORITY: The CCC is required by the Legislature to adopt rules and regulations regarding those matters over which the CCC has jurisdiction, see Public Laws 18-56 and 19-24.

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 agency has considered fully all written and oral submissions respecting the proposed regulations (no written comments submitted). Attached hereto are CCC responses to all public comments received. (none) 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.

ATTORNEY GENERAL APPROVAL for non-modified regulations or regulations with NON-material

modification: The adopted regulations were approved for promulgation by the Attorney General in the above-cited pages of the Commonwealth Register, pursuant to 1.GMC sec. 2153(e) (To 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, 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 27 th day of February, 2018, at Saipan, Commonwealth of the Northern Mariana Islands.

Certified and ordered by:



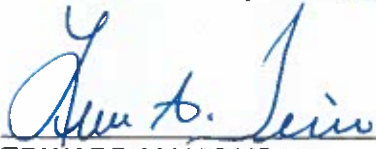
JUAN M. SABLAN
Chairman, Commonwealth Casino Commission

Feb. 27, 2018

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 27th day of February, 2018.

per 

EDWARD MANIBUSAN
Attorney General

Filed and
Recorded by:



ESTHER SN. NESBITT
Commonwealth Registrar

02.28.2018

Date

§175-10.1-1501 Commencement of Complaint.

Any proceeding against an applicant, temporary licensee, provisional licensee, or licensee must be initiated and indicated by a written complaint; the complaint must include a statement set forth in an ordinary and concise language the charges and acts or omissions supporting such charges. A complaint may be amended as may be necessary prior to the end of the Hearing on the Complaint. The respondent may answer by filing an amended notice of defense in response to any amended complaint within twenty (20) days or within some other time the hearing officer or Commission determines is just.

§175-10.1-1510 Notice of Defense.

(a) Within fifteen days after service of the complaint, the applicant, licensee, temporary licensee, provisional licensee, holder of a finding of suitability or qualification, or registrant may file with the Commission a notice of defense, in which he may:

- (1) Request a hearing;
- (2) Admit or deny the allegations in whole or in part;
- (3) Present new matters or explanations by way of defense; or
- (4) State any legal objection to the complaint.

(b) Within the time specified, the applicant, ~~or licensee,~~ temporary licensee, provisional licensee, holder of a finding of suitability or qualification, or registrant may file one or more notices of defense upon any or all of the above grounds.

(c) unchanged.

(d) The parties may stipulate to an extension of the time which the Notice of Defense must be filed. Absent a stipulation, the respondent may seek from the Commission, Chairman or Hearing Officer an extension of no more than 10 days to file a Notice of Defense or Amended Notice of Defense.

§175-10.1-1805(b) Grounds for Disciplinary Action.

(b)

(14) Failure to immediately provide information when requested or demanded by an employee, agent or Member of the Commonwealth Casino Commission.

(15) Breaching any contract.

(16) Knowingly or willfully operating any game or conducting any gaming activity in a manner not approved by the Commission or in a manner violative of an applicable law, regulation, internal control or rule of the game.

(17) Failure to make efforts to collect on gaming credit from patrons pursuant to approved Commission Regulation.

§175-10.1-2555 No Hearing Necessary for Determinations. The Executive Director need not hold a hearing to determine whether an offense occurred, the self-reporting determination required by § 175-10.1-2530, the offense level required by § 175-10.1-2540, the determination that any license be suspended, modified, limited or revoked, or any other determination if such determination is made and then alleged in a complaint to be heard by a Hearing Officer appointed by the Commission or by the Commission.