



Commonwealth of the Northern Mariana Islands  
**Office of the Attorney General**

2<sup>nd</sup> Floor Hon. Juan A. Sablan Memorial Bldg.  
Caller Box 10007, Capitol Hill  
Saipan, MP 96950

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March 26, 2018

OAGSB: 2018-12

Hon. Justo S. Quitugua  
Chairman  
Standing Committee on Gaming  
The Senate  
20<sup>th</sup> Northern Marianas Commonwealth Legislature  
Saipan, MP 96950

**Re: SB 20-96 (increase the number of casino commissioners and change the terms and quorum)**

Dear Chairman Quitugua:

Thank you for requesting comments from the Office of the Attorney General on Senate Bill 20-96: "To amend 4 CMC §2313(b) to change the composition and terms of the casino commissioners; to amend 4 CMC §2313(i)(3) to increase the quorum requirement; and for other purposes" ("the Bill").

I have reviewed the Bill and have determined that the Bill is constitutionally sufficient.

That said, Section 2 of the Bill may present some practical issues which the Committee may want to consider. The increase in members from five to seven is well within the purview of the Legislature. I do note that this change is not accompanied by an increase in funding and, as such, results in an unfunded mandate which the Commission will be expected to absorb.

I note one practical concern with Section two: the date the new terms are to begin. Presently, the five members of the Commonwealth Casino Commission have terms which begin on a date certain: May 1, 2014. See 4 CMC §2313(b)(5) ("The terms of all the members first appointed shall begin from May 1, 2014, regardless of the actual date of appointment.") This was so that the terms would expire in a regular, orderly fashion. The Bill contains no such provision for the beginning of the terms of new members.

To avoid confusion, and maintain the clarity which the legislature has brought to the Commission by enacting 4 CMC §2313(b)(5), I recommend your Committee consider inserting a new date-certain beginning date for the new Commissioners, without respect to the actual date of appointment. This will ensure that the new members are appointed without undue delay and will maintain an orderly timeline for term expirations.

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Section 3 of the Bill has no practical concerns and the proposed changes are well within the purview of the Legislature.

Sincerely,



EDWARD MANIBUSAN  
Attorney General

cc: Deputy Attorney General  
All Members, The Senate