

FIRST REGULAR SESSION, 1992

AN ACT

To provide for the licensing of shooting galleries; to place restrictions on the operations of shooting galleries; and for other purposes.

BE IT ENACTED BY THE NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. **Purpose.** The purpose of this, Act is to authorize ~~the~~ licensing of shooting galleries and to place restrictions on their operation. All shooting galleries must conform to this Act.

Section 2. **Definitions.** As used in this Article:

(a) "Firearm" means any device, by whatever name known, which is designed or may be **converted** to expel or hurl a projectile or projectiles by the action of an explosion, a release, or an expansion of gas, including but not limited to guns and automatic and semi-automatic weapons, except a device designed or redesigned for use solely as a signaling, linethrowing, spearfishing, or industrial device, or a device which hurls a projectile by means of the release or expansion of carbon dioxide or air. Bang-sticks are firearms, provided that bang-sticks used for scientific purposes are not firearms if their temporary use is approved by the Governor.

(b) "Shooting Gallery" means a licensed business place at which the general public may discharge firearms upon payment of a fee.

Section 3. **Issuance of Licenses.** The Department of Public Safety shall issue the shooting gallery licenses to qualified applicants. Applicants must meet the following requirements: (a) must be citizens or nationals of the U.S. or CNMI permanent residents; (b) must have resided in the Commonwealth of the Northern Mariana Islands for at least two consecutive years immediately prior to applying for a license; and (c) must have obtained a valid identification card

pursuant to 6 CMC, Chapter 2, Article 1 (Commonwealth Weapons Control Act). If the applicant for such a license is a corporation, it must be wholly owned by such individuals. A licensee shall maintain only one shooting gallery.

After obtaining a shooting gallery license, all licensees shall apply for a general business license as provided in 4 CMC Section 1503. No general business license shall be issued to an applicant to do business as a shooting gallery unless he/she has been granted a shooting gallery license by the Department of Public Safety.

Section 4. Terms. Licenses issued under this Act are valid for one year and are not transferable.

Section 5. License Fee. A shooting gallery licensee shall pay a license fee of \$5,000 per calendar year, which **shall** be deposited into the General Fund of the Commonwealth Government.

Section 6. Restrictions on Shooting Galleries. All shooting galleries shall adhere to the following restrictions:

(a) Guidelines for the secure storage of weapons shall be kept at all times on the premises of the shooting galleries.

(b) Shooting galleries must purchase at least \$300,000 of liability insurance coverage.

(c) Proper equipment and material and appropriate range design must be used in the construction of shooting gallery facilities to ensure the safety of patrons and employees and to minimize the disturbance to nearby residents from noise emanating from the shooting gallery. Shooting galleries must submit such plans to the Department of Public Safety for approval before starting construction of these facilities.

(d) All shooting gallery licensees and their employees shall possess training in the safe handling and operation of firearms. This training shall be conducted by a certified basic firearms instructor approved by the National Rifle Association of America or the Department of Public Safety.

(e) A rangemaster or basic firearms instructor certified by the National Rifle Association or the Department of Public Safety shall be employed by shooting galleries to supervise day-to-day operations. This employee must be on the gallery premises continually during business hours. This employee shall also maintain an inventory of the firearms and ammunition stored at the gallery. **This** inventory shall be verified by an authorized representative of the Department of Public Safety on a weekly basis. After the inventory has been verified, a copy shall be filed immediately with the Department of Public Safety.

(f) Handguns are prohibited for use at a shooting gallery.

(g) Any advertising shall be prohibited which falsely indicates that firearms which are illegal under the provisions of this Act or the Commonwealth Weapons Control Act, or the use of which in shooting galleries is prohibited herein, are in use in a shooting gallery.

(h) No cartridge or other projectile shall be used in any shooting gallery other than the regular **.22** caliber **rimfire** cartridge or **.410** gauge shotgun shell.

(i) Shooting galleries shall only allow persons who are 18 years of age or older to enter the gallery premises. All persons must furnish a valid driver's license or other identification attesting to their age before entering the shooting gallery.

(j) Shooting gallery customers shall only use those firearms provided by the shooting gallery. Under no circumstances shall customers be allowed to bring firearms into the premises of shooting galleries.

Within 120 days after the effective date of this Act, the Director of the Department of Public Safety, in consultation with the Attorney General, shall promulgate necessary rules and regulations which shall include but not be limited to specific standards for sections 6(a) and 6(c).

Section 7. Penalty. Any violation of this Act or regulations issued pursuant hereto, including the failure of the licensee or any shooting gallery employee to account for any missing firearm, shall be punishable by a fine of \$5,000 and/or the revocation of the shooting gallery license.

Section 8. Amendment. 6 CMC Section 2202 (Commonwealth Weapons Control Act) is amended by adding a new subsection (e) to read as follows:


“(e) Patrons of shooting galleries while on the premises of the shooting gallery and engaged in target shooting.”

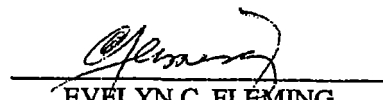
Section 9. Severability. If any provision of this Act, or its application to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of this Act which can be given effect without the invalid provisions or applications, and to this end the provisions of this Act are severable.

Section 10. Effective Date. This Act shall take effect upon its approval by the Governor, or upon its becoming law without such approval.


CERTIFIED BY:

ATTESTED TO BY:


THOMAS P. VILLAGOMEZ
Speaker of the House


EVELYN C. FLEMING
House Clerk

APPROVED this 9th day of OCT., 1992.


LORENZO I. DE LEON GUERRERO
Governor
Commonwealth of the Northern Mariana Islands