



HOUSE OF REPRESENTATIVES
SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
FIRST REGULAR SESSION, 2008

PUBLIC LAW NO. 16-4
H. B. No. 16-1, HD1

AN ACT

TO AMEND THE COMMONWEALTH CODE TO TAKE INTO ACCOUNT THE ROTA CASINO INITIATIVE RECENTLY ENACTED BY THE VOTERS OF THE FIRST SENATORIAL DISTRICT; AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 Section 1. Findings and Purpose. The Commonwealth Legislature finds that the
2 residents of the First Senatorial District have implemented casino gambling in their district
3 pursuant to Article XXI of the Commonwealth Constitution. The Legislature finds it must
4 clarify issues regarding the amendment of local laws enacted by initiative. Adjustments to the
5 Code are therefore necessary and proper. This Act is a proper use of the legislative power
6 granted by Section I of Article II of the Commonwealth Constitution.

7 Section 2. Amendment. Section 1403 of Title 1 of the Commonwealth Code is
8 hereby amended as follows:

9 "§ 1403. Introduction of Local Bills.

10 A local bill may be introduced by one or more senators or representatives
11 from the senatorial district to which the bill is intended to apply. Local revenue or
12 appropriation bills shall be introduced in the House of Representatives. Each bill
13 shall lie on the desks of members in the house in which it was introduced for three
14 legislative days during which time any member may move that the bill is not a local
15 matter that may be the subject of laws enacted by members from the respective
16 senatorial district. The objecting member shall state the reasons for the motion. In
17 the event the motion is later adopted by the house in which the bill was introduced,
18 the bill shall be treated as though it had been introduced in the form prescribed by the
19 official rules of the house. In the event the motion is not adopted or no motion is

2 made within the prescribed time, the bill shall be referred to the appropriate
3 legislative delegation, as provided in 1 CMC § 1404. Provided, however, that the
4 provisions of this section shall not apply to the Tinian Legislative Delegation in
5 enacting an appropriation of casino gaming revenues pursuant to section 50 (5) of the
6 Revised Tinian Casino Gaming Control Act of 1989; provided further that the
7 provisions of this section shall not apply to the Rota Legislative Delegation in
8 enacting an appropriation of casino gaming revenues pursuant to the Rota Casino Act
as it was enacted by popular initiative or as it may be amended by Local Law."

9 Section 3. Amendment. Title 1 of the Commonwealth Code is hereby amended by
10 the addition of a new section as follows:

11 "§ 1409. Amendment of Local Laws. Local Laws, whether enacted by the
12 .Delegation or by initiative, may be amended, altered repealed, superceded or altered
13 in any fashion by the enactment of a subsequent local law enacted by the Delegation."

14 Section 4. Amendment. Section 16(a) of the Rota Casino Act of 2007 is repealed and
15 reenacted as follows:

16 "Section 16. Local Appropriations.

17 (a) All license fees and gambling revenue taxes derived under this title
18 shall be local revenues to be expended for local public purposes, as specified herein.
19 The Mayor of Rota shall submit a budget for consideration and approval of the Rota
20 Municipal Council, which shall thereafter transmit said budget with any amendments
21 to the Rota Legislative Delegation for consideration, amendment and enactment
22 pursuant to the "Local Law Act of 1983" - 1 CMC, Div. 1 (as amended)."

23 Section 5. Amendment. Section 1405(a) of Title 1 of the Commonwealth Code is
24 hereby amended as follows:

25 "(a) No local bill or local appropriation or revenue bill may be enacted by a
26 legislative delegation until the mayor from the respective senatorial district has had an
27 opportunity to review and comment on it. The mayor or his designee shall have 30
28 days in which to review and comment on all local bills. If the mayor fails to comment
29 with the applicable period, the legislative delegation may act on the matter without

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input from the mayor. Provided, however, that the provisions of this subsection shall not apply to the Tinian Legislative Delegation in enacting an appropriation of casino gaming revenues pursuant to section 50 (5) of the Revised Tinian Casino Gaming Control Act of 1989; provided further that the provisions of this subsection shall not apply to the Rota Legislative Delegation in enacting an appropriation of casino gaming revenues pursuant to the Rota Casino Act as it was enacted by popular initiative or as it may be amended."

Section 6. Savings Clause. This Act and any amendment or repealer contained herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation, or order adopted under the statutes. Repealers or amendments contained in this Act shall not affect any proceeding instituted under or pursuant to prior law. The enactment of this Act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence at the date this Act becomes effective.

Section 7. 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:


ARNOLD I. PALACIOS
SPEAKER OF THE HOUSE


EVELYN C. FLEMING
HOUSE CLERK

APPROVED on this 8th day of MAY 2008


BENI R. FITIAL
GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS