



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Eloy S. Inos
Governor

Jude U. Hofschneider
Lieutenant Governor

18 OCT 2013

Honorable Joseph P. Deleon Guerrero
Speaker, House of Representatives
Eighteenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Honorable Ralph DLG. Torres
Senate President, The Senate
Eighteenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Mr. Speaker and Mr. President:

This is to inform you that I have signed into law House Bill No. 18-29, HD2, entitled, "To amend the Weapons Control Act to promote and allow Outdoor Shooting Ranges, Skeet shooting developments offering competitive rifle competition and skeet shootings and to amend the Customs Violations provisions to accommodate Outdoor Shooting Ranges and revision to correct technical errors," which was passed by the House of Representatives and the Senate of the Eighteenth Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 18-26**. Copies bearing my signature are forwarded for your reference.

Sincerely,

A handwritten signature in black ink, appearing to read "Eloy S. Inos", with a vertical line extending upwards from the end of the signature.

ELOY S. INOS

cc: Lt. Governor; Lt. Governor's Legal Counsel; Attorney General's Office; Press Secretary; Department of Public Safety; Special Assistant for Administration; Special Assistant for Programs and Legislative Review



House of Representatives

18th NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. BOX 500586
SAIPAN, MP 96950

September 9, 2013

The Honorable Eloy S. Inos
Governor
Commonwealth of the Northern
Mariana Islands
Capitol Hill
Saipan, MP 96950

Dear Governor Inos:

I have the honor of transmitting herewith for your action **H. B. No. 18-29, HD2**, entitled: "To amend the Weapons Control Act to promote and allow Outdoor Shooting Ranges, Skeet shooting developments offering competitive rifle competition and skeet shootings and to amend the Customs Violations provisions to accommodate Outdoor Shooting Ranges and revision to correct technical errors.", which was passed by the House of Representatives and the Senate of the Eighteenth Northern Marianas Commonwealth Legislature.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Linda B. Muña".

Linda B. Muña
House Clerk

Attachment



Eighteenth Legislature
of the
Commonwealth of the Northern Mariana Islands
IN THE HOUSE OF REPRESENTATIVES

First Regular Session

March 8, 2013

Representative Christopher D. Leon Guerrero, of Saipan, Precinct 4 (*for himself*, Representatives Antonio R. Agulto, Roman C. Benavente, Lorenzo I. Deleon Guerrero, Rafael S. Demapan, and Ramon A. Tebuteb,) in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

H. B. 18-29

AN ACT

TO AMEND THE WEAPONS CONTROL ACT TO PROMOTE AND ALLOW OUTDOOR SHOOTING RANGES, SKEET SHOOTING DEVELOPMENTS OFFERING COMPETITIVE RIFLE COMPETITION AND SKEET SHOOTINGS AND TO AMEND THE CUSTOMS VIOLATIONS PROVISIONS TO ACCOMMODATE OUTDOOR SHOOTING RANGES AND REVISION TO CORRECT TECHNICAL ERRORS.

The Bill was referred to the House Committee on Judiciary and Governmental Operations, which submitted Standing Committee Report 18-11, S2, adopted on July 26, 2013.

THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON FIRST AND FINAL READING, JULY 26, 2013;
with amendments in the form of H. B. 18-29, HD2 and transmitted to the
THE SENATE.

The Bill was referred to the Senate Committee on Judiciary, Government, and Law.
THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING, AUGUST 29, 2013;
without amendments
and returned to the House of Representatives.

THE BILL WAS FINALLY PASSED ON JULY 26, 2013.

A handwritten signature in black ink, appearing to read "L. Muña", written over a horizontal line.

Linda B. Muña, House Clerk



*Eighteenth Legislature
of the
Commonwealth of the Northern Mariana Islands*
IN THE HOUSE OF REPRESENTATIVES

Second Day, Sixth Special Session

July 26, 2013

H. B. 18-29, HD2

AN ACT

**TO AMEND THE WEAPONS CONTROL ACT TO PROMOTE AND ALLOW
OUTDOOR SHOOTING RANGES, SKEET SHOOTING
DEVELOPMENTS OFFERING COMPETITIVE RIFLE
COMPETITION AND SKEET SHOOTINGS AND TO AMEND THE
CUSTOMS VIOLATIONS PROVISIONS TO ACCOMMODATE
OUTDOOR SHOOTING RANGES AND REVISION TO CORRECT
TECHNICAL ERRORS.**

**Be it enacted by the Eighteenth Northern Marianas Commonwealth
Legislature:**

1 Section 1. Short Title. "Recreational Target Range Act of 2013"

2 Section 2. Findings. The legislature finds that the Commonwealth of the
3 Northern Mariana Islands could attract major developers interested in developing an
4 "outdoor shooting" range where featured activities include, among other traditional
5 tourist activities, target ranges for rifle competition and skeet shooting with the current
6 allowable weapons and ammunitions. To attract and allow such investments, the CNMI
7 Weapon's laws must be amended.

HOUSE BILL 18-29, HD2

1 Since 6 CMC §2301 (3) and (4), Importation of Contraband, are being amended
2 to accommodate Shooting Ranges, it is appropriate to make revisions to correct technical
3 errors which exist in these subsections.

4 **Section 3. Amendments.**

5 (a) Title 6, CMC Section 2203 is amended by adding a new subsection (g) as
6 follows:

7 “(g) Patrons and guests of shooting ranges as defined under 6 CMC 2252,
8 while engaged in an authorized shooting or target range as approved under this
9 Act.”

10 (b) Title 6, CMC Section 2251 is amended to read as follows:

11 “The purpose of this article is to authorize the licensing of shooting
12 galleries and shooting ranges and to place restrictions on their operation. All
13 shooting galleries and shooting ranges must conform to this article.”

14 (c) Title 6, CMC Section 2252(b) is amended to read as follows:

15 “(b) “Shooting gallery” means a licensed business place, other than a
16 shooting range as defined in subsection (c), with a minimum capital investment of
17 five hundred thousand dollars (\$500,000) at which the general public may
18 discharge firearms upon payment of a fee.”

19 (d) Title 6, CMC Section 2252 is further amended by adding new subsections (c),
20 (d), and (e) as follows:

21 “(c) “Shooting range” means a major development, with a minimum
22 aggregate capital investment of two hundred fifty thousand dollars (\$250,000.00)

HOUSE BILL 18-29, HD2

1 in the commonwealth, where amenities shall include, at a minimum, restaurant,
2 retail shop, office spaces, recreational facilities, target and range facilities for rifle
3 and hand gun competition and other requirements consist with hosting major
4 international shooting competitions in accordance with ISSF rules and regulations
5 and this act.

6 (d) "ISSF" means the International Shooting Sport Federation which
7 supervises sport shooting competition in the Olympic games, World
8 championships, World Cups, Continental Championships and Games.

9 (e) "Weapons" as it applies to shooting galleries and shooting ranges
10 means any rifle, shotgun, archery, and ammunition approved by the Department
11 of Public Safety for use at shooting galleries and shooting ranges. "Ammunition"
12 means any caliber of ammunition or device to be discharged from a weapon that
13 is approved by the Department of Public Safety for use at shooting galleries and
14 shooting ranges."

15 **Section 4. Repeal and Re-enactment.**

16 Title 6, CMC § 2253 is repealed and re-enacted as follows:

17 "2253. License Required.

18 (a) The Department of Public Safety shall be the licensing authority with
19 respect to shooting galleries and shooting ranges.

20 (b) No persons, corporation, business or entity may operate or engage in
21 the business of a shooting gallery or shooting range, or both unless it has received
22 a shooting gallery license or a shooting ranges license form the Department of

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1 Public Safety and a general business license from the Department of Finance. A
2 separate shooting gallery license or shooting range license shall be required for
3 every location on which a shooting gallery or a shooting range is operated. For
4 purpose of this subsection, "Location" means the actual description of the lot or
5 adjoin lots comprising the physical location of the shooting gallery or shooting
6 range. An applicant for a shooting gallery or a shooting range may apply for more
7 than one license on a single application, provided that all application requirements
8 for each license are met, including the payment of fees. The Department of Public
9 Safety shall prescribe by regulation the application form, procedures, and
10 information reasonably necessary consistent with this Act for the Department of
11 Public Safety to determine whether the applicant is in compliance with all
12 licensure requirements.

13 (c) No Initial license or renewal license shall be issued:

14 (1) To an otherwise qualified applicant who is convicted felon or a
15 corporation in which a convicted felon is serving on the board of Directors
16 or is an executive officer. The Department of Public Safety may require by
17 regulation any information or conduct any investigation on the applicant to
18 ensure compliance with this subsection.

19 (2) To an otherwise qualified applicant who is a foreign
20 corporation, unless the foreign corporation is duly registered to transact
21 business in the Commonwealth and provides as part of its application for a

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license a certificate of good standing written in English from the jurisdiction where it was incorporated or has its main headquarters.

(3) Unless the applicant demonstrates by verifiable evidence that it has the required minimum capital investment required in liquid assets for the license(s) sought; or if the application is for license renewal, the licensee must demonstrate its progress in meeting the minimum investment requirement. A licensee shall have (5) years from the date of issuance of the initial license to expend not less than the amount of the minimum investment required. Unjustified or inadequate justification to be determined by the respective senatorial legislative delegation for failure of the licensee to meet the minimum investment required shall be grounds for revocation or non-renewal of the licensee after noticed and hearing pursuant to 1 CMC § 9101 et seq.

(4) Unless, in the case of an application for an initial license, all other government permits for the construction of the shooting gallery or shooting ranges have been obtained or, in the case of an application for license renewal, certification from such permitting agencies that the applicant is in compliance with laws and regulations pertaining to such permit.

(5) Or a license may be suspended if, after an administrative hearing, the applicant or licensee is found to have violated any of the provisions of this article or regulations hereunder, to which 6 CMC § 2258

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1 applies or is found by permitting agency to have violated any
2 environmental, building, safety or other permit required by law, or
3 applicable federal statute or regulation.”

4 **Section 5. Amendments.**

5 (a) Title 6 CMC Section 2254 is amended as follows:

6 “§ 2254. Terms.

7 Licenses issued under this article are valid for one year from the date
8 executed by the licensing authority and are transferable.”

9 (b) Title 6 CMC Section 2255 is amended as follows:

10 “§ 2255. License Fee.

11 A shooting gallery licensee shall pay an annual license fee of \$5,000 per
12 license, and a shooting range licensee shall pay an annual license fee of \$10,000
13 per license. License fees shall be deposited into the General Fund of the
14 Commonwealth government.”

15 (c) Title 6 CMC Section 2256 is repealed and reenacted as follows:

16 “§2256. Restrictions on Shooting Galleries and Shooting Ranges.

17 (a) All shooting galleries and shooting ranges shall adhere to the following
18 restrictions:

19 (1) The Department of Public Safety shall establish requirements
20 for the secure storage of weapons that are to be kept on the premises of the
21 shooting galleries and shooting ranges.

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(2) Shooting galleries and shooting ranges must purchase at least \$5,000,000 of liability insurance coverage.

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

(4) All shooting gallery and shooting range 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.

(5) A range safety officer or basic firearms instructor certified by the National Rifle Association of America or the Department of Public Safety shall be employed by shooting galleries and shooting ranges to supervise day-to-day operations. This employee shall also maintain an inventory of the firearms and ammunition stored at the gallery or shooting range. This inventory shall be verified by an authorized representative of the Department of Public Safety on a weekly basis. After the inventory

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1 has been verified, a copy shall be filed immediately with the Department
2 of Public Safety.

3 (6) Only such firearms and ammunition as are approved for use at
4 each shooting gallery and shooting range by the Department of Public
5 Safety may be used at such shooting gallery of shooting range.

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

10 (8) Shooting gallery and shooting range customers may use those
11 firearms provided by the shooting gallery or shooting range or their own
12 private firearms. Customers using their own private firearms must first
13 present evidence of a current firearm license and firearm registration and
14 may only use such firearms as are approved for use by the Department of
15 Public Safety for use at the shooting gallery of shooting range.”

16 (9) Shooting range(s) and shooting galleries shall adhere to and
17 bear the cost of all architectural, environment and safety design, planning
18 and construction as required by law or regulation including, but not
19 limited to, the construction and cost for staffing and operations of a 24
20 hour security, including hi-tech monitoring devices on the shooting
21 range(s) premises.”

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1 **Section 6. Enactment.** The following new 6 CMC § 2257, Restrictions on
2 shooting range(s) is enacted as follows:

3 “§ 2257. Restrictions on shooting range(s).

4 (a) Patron and guest at a shooting range may use a rifle, shotgun, archery,
5 or other target range equipment or device and any caliber of ammunition
6 approved for competitive use under the ISSFF rules and regulations and as
7 specifically authorize by regulation by the Department of Public Safety in
8 conformance to applicable commonwealth and federal law or regulation and in
9 accordance with the licensee’s rules for on-site use; provided further that the use
10 of any firearm, weapon, ammunition, archery and target range equipment off the
11 shooting range premises is strictly prohibited, except for safety purposes by order
12 of the Commissioner of Public Safety, or as ordered by a court of competent
13 jurisdiction in connection with a pending court case.

14 (b) Except for Department of Public Safety personnel and other law
15 enforcement officials authorized by law or Department of Public Safety
16 regulations, a shooting range licensee shall be responsible to control or restrict the
17 access of persons to the use of its target range facilities and areas where firearms
18 and ammunitions are used, maintained or stored.

19 (c) Within 120 days of the effective date of this Act, the Commissioner of
20 the Department of Public Safety shall promulgate necessary rules and regulations
21 for the use, storage and bringing in and removal of weapons and ammunition from
22 the shooting range(s) consistent with this article; provided that weapons and

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1 ammunition may not be removed from the premises of the shooting range, except
2 with the advance written consent of the Commissioner of Public Safety for sole
3 purpose of their removal from the Commonwealth.

4 (d) Pursuant to Department of Public Safety rules and regulations, a
5 shooting range licensee shall implement strict internal controls for the accounting
6 of both weapons and ammunition. Such accounting shall include, but is not
7 limited to, a daily log which account for all ammunition used and the whereabouts
8 and the name of any user of each weapon used by the shooting range. The
9 Department of Public Safety authorized personnel shall be granted access at all
10 times to ensure the shooting range licensee's compliance with this article.

11 (e) If the Commissioner of Public Safety has reason to believe that the
12 shooting range licensee, including any of its agents or employees, is in violation
13 of or is in non-compliance with any provision of this article or regulation
14 hereunder, the Commissioner of Public Safety may issue any order deemed
15 necessary to effectuate immediate compliance, prevent further violation, and to
16 protect the health and safety of the shooting range employees and guests. Any
17 aggrieved party to the order shall be afforded an administrative hearing as
18 provided under the Commonwealth Administrative Procedure Act, 1 CMC § 9101
19 et seq."

20 The current 6 CMC Section 2257 and subsequent sections shall be renumbered
21 accordingly.

Section 7. Amendments.

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1 (a) Title 6 CMC § 2257 is amended as follows:

2 “§ 2258. Penalty.

3 Any violation of this article or regulations issued pursuant hereto,
4 including the failure of the licensee, its agent or employee, to account for any
5 missing firearm, shall be punishable by a an administrative fine of not less than
6 \$5,000 and not more than \$10,000 for each violation depending on the guidelines
7 set forth by the Commissioner of the Department of Public Safety or the
8 revocation of the shooting gallery license, or both. All fines collected for
9 violations of this article shall be distributed as follows:

10 (a) Fifty percent (50%) to the general fund; and

11 (b) Fifty Percent (50%) to the Recreational Target Range Fund
12 Account. Consistent with this Act, the Secretary of Finance shall establish
13 a new Recreational Target Range Fund Account for the sole purpose of
14 supporting the costs of the Department of Public Safety, including
15 enforcement, training, and public education and outreach on all three
16 Senatorial Districts. The expenditure authority for the Recreational Target
17 Range Fund Account shall be the Commissioner of the Department of
18 Public Safety. Funds collected and deposited shall be expended
19 continuously without further appropriation.

20 (c) Report Requirement. Within 12 months from the enactment of
21 subsection (b) and annually thereafter, the Commissioner of the
22 Department of Public Safety shall submit to the legislature, a report

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1 summarizing the amounts collected and deposited under this provision and
2 such information and recommendations, including legislative
3 recommendations, as deemed appropriate.”

4 (b) Title 6 CMC § 2301(3) and (4) are amended as follows:

5 “(3) Firearms and ammunition other than those rifles listed below or
6 shotguns of .410 gauges and with normal factory-produced stocks and barrels
7 unless the importer is authorized by the Commissioner of the Department of
8 Public Safety to import the same for law enforcement purposes. The following
9 are not contraband:

10 (i) All .22 caliber rimfire cartridges and all .22 caliber rimfire
11 rifles.

12 (ii) All .22 caliber center-fire cartridges and .22 caliber center fire
13 rifles.

14 (iii) All .223 caliber center-fire cartridges and .223 caliber center-
15 fire rifles. These require a special weapons identification card.

16 (iv) All .410 gauge shotgun shells and .410 gauge shotguns.

17 (v) All weapons and ammunition as defined under 6 CMC §2252
18 approved for use by the Department of Public Safety at shooting range and
19 shooting gallery.

20 (4) Ammunition other than .22 caliber rimfire cartridges, .22 caliber center-
21 fire cartridges or .410 gauge shotgun shells or dangerous devices as described in
22 this title unless the importer has been authorized to import and possess the same

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1 by the Commissioner of the Department of Public Safety or the Director of the
2 Customs Service for law enforcement purposes or authorized use at a shooting
3 range or shooting gallery.”

4 **Section 8. Grandfather clause.** The provisions of this Act shall not apply to any
5 shooting gallery whose license was in effect on the effective date of this Act; provided
6 that such shooting gallery:

7 (a) Shall be exempt from the minimum investment requirement for shooting
8 galleries established pursuant to this act.

9 (b) May be licensed to operate sport shooting facilities as authorized for shooting
10 range; provided further that the shooting gallery shall pay the shooting range license fee
11 as provided in this Act for as long as the shooting is licensed to operate sport shooting
12 facilities and the shooting gallery shall be treated as a shooting range for purposes of and
13 subject to 6 CMC § 2257.

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

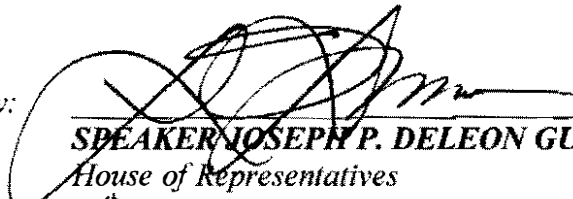
19 **Section 10. Savings Clause.** This Act and any repealer contained herein shall
20 not be construed as affecting any existing right acquired under contract or acquired under
21 statutes repealed or under any rule, regulation or order adopted under the statutes.
22 Repealers contained in this Act shall not affect any proceeding instituted under or

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1 pursuant to prior law. The enactment of the Act shall not have the effect of terminating,
2 or in any way modifying, any liability, civil or criminal, which shall already be in
3 existence on the date this Act becomes effective.

4 **Section 11. Effective Date.** This Act shall take effect upon its approval by the
5 Governor or becoming law without such approval.

Attested to by: 
Linda B. Muña, House Clerk

Certified by: 
SPEAKER JOSEPH P. DELEON GUERRERO
House of Representatives
18th Northern Marianas Commonwealth Legislature

Approved this *18TH* day of *OCTOBER*, 2013


ELOY S. INOS
Governor
Commonwealth of the Northern Mariana Islands