

TITLE 10: LOCAL LAWS
DIVISION 1: FIRST SENATORIAL DISTRICT (ROTA)

§ 1403. Rota Gaming Board Formed; Term; Compensation; Removal; Qualifications.

(a) There is hereby established for the First Senatorial District (Rota) a Rota Gaming Board, hereinafter referred to as the “board.” The board shall consist of five members appointed by the Mayor of Rota with the advice and consent of the Rota Municipal Council. Subsection (g) of 1 CMC § 2901 shall not apply to the board. The purpose of the board is to regulate cockfighting, bingo and batu.

(b) Board members shall serve a term of two years.

(c) Board members shall receive \$50.00 per regularly scheduled, regularly reoccurring meeting and may receive compensation for meeting attendance, travel and extraordinary expenses pursuant to 1 CMC § 8247. All compensation shall come from the special account established by 10 CMC § 1419.

(d) Any board member appointed by the mayor or to serve on the board shall serve at the pleasure of the mayor and may be removed by the mayor with or without cause.

(e) In addition to other qualifications required by law (1 CMC § 2901), board members must be registered voters of the First Senatorial District and shall not be holders of a license to operate a cockpit or operate bingo or batu game or have any financial interest in any cockpit, bingo or batu game or operation or be a gambling referee of any sort.

(f) No person may be appointed to the board who has been convicted of a crime carrying a maximum sentence of imprisonment of more than six months unless a full pardon has been granted or unless a period of three years has elapsed since the time of the conviction or from completion of any sentence, whichever is later.

(g) Board members serving pursuant to the Rota Cockfighting Act of 1990 (previous 10 CMC § 1401 et seq.) shall cease serving on the effective date of this Act and shall be replaced by new mayoral appointees.

Source: Rota LL 7-2, § 2; repealed and reenacted by Rota LL 11-3, § 1 (1403), modified; (c) amended by RLL 17-8 § 3 (August 28, 2010).

Commission Comment: Section 1 of Rota LL 11-3 repealed and reenacted Chapter 4 of Division 1 of Title 10, the Rota Cockfighting Act of 1990. Rota LL 11-3 contained repeal and re-enactment, severability, and savings clause provisions as follows:

Section 1. Repeal and re-enactment. Chapter 4 of Division 1 of Title 10 of the Commonwealth Code, the Rota Cockfighting Act of 1990, is hereby repealed and re-enacted as follows:

...

Section 2. Severability. If any provision of this Act or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Act or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

TITLE 10: LOCAL LAWS
DIVISION 1: FIRST SENATORIAL DISTRICT (ROTA)

Section 3. Savings Clause. This Act and any 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 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.

Rota Local Law 17-8 (effective August 28, 2010) included severability and savings provisions and the following:

Section 1. Short Title. This Act may be cited as the Rota Cockfighting Amendment of 2010.

Section 2. Findings and Purpose. The Rota Delegation finds in this time of economic struggle, cockfighting is one of many areas where we can encourage growth by minimizing capital expenditures thereby encouraging spending. Current law requires cockfighting entrepreneurs to invest a minimum of \$75,000 to build a facility, a sum most investors are unwilling to commit. We seek to lower this figure to encourage this industry and spending by citizens and visitors alike. By lowering the total minimum investment to \$5,000, we find that the right to an exclusive franchise should be appropriately lowered from 15 to 3 years.

Also, members of the Rota Gaming Board (Board), the regulators of cockfighting and other games of chance, are not properly incentivized to devote substantial amounts of the time necessary to comprehensively oversee areas under their charge. Meetings are often day long, and require incidental expenses not easily reimbursed under current law. We, therefore, seek to provide each member of the Board \$50 dollars per regularly scheduled, regularly reoccurring meeting.