

**TITLE 10: LOCAL LAWS**  
**DIVISION 2: SECOND SENATORIAL DISTRICT (TINIAN, ETC.)**

**§ 25123. Regulations.**

(a) The commission may make regulations, not inconsistent with this chapter, for or with respect to:

(1) The types of work a casino key employee or casino employee may be licensed to perform and the compilation of a list or lists with respect thereto;

(2) Arrangements and procedures for the taking of finger prints and palm prints of an applicant for a casino key employee license or a casino employee license;

(3) Forms to be used for the purpose of this chapter and prescribing such forms and by whom prescribed forms or any particular prescribed forms shall be printed;

(4) Restrictions or conditions to be placed upon the entry into the casino by persons who are not registered as guests of the casino-hotel;

(5) Any matter or thing in relation to the administration of this chapter in respect of which a fee is payable and prescribing the amount of such a fee, except that no regulation can reduce the amount of the fees as listed in article 7 of this chapter [10 CMC § 2571 et seq.];

(6) The control of advertising by casino licensees, lessees under casino leases and casino operators under casino management agreements in relation to casinos and their operation;

(7) Offenses against the regulations, and prescribing the amount of any penalty for an offense against any regulation, provided that any such penalty shall not exceed \$500;

(8) All matters required or permitted by this chapter to be prescribed where such matters are to be or may be prescribed by the regulations or where the method of prescription is not otherwise provided; and

(9) All matters that may be convenient for the administration of this chapter or that may be necessary or expedient to achieve the objects and purposes of this chapter.

(b) Such regulations shall be adopted, amended, and repealed in accordance with the provisions of the Commonwealth Administrative Procedure Act (1 CMC § 9101 et seq.).

(c) Notwithstanding any other provision of this chapter or the Commonwealth Administrative Procedure Act to the contrary, the commission may, after notice provided in accordance with this subsection, authorize the temporary adoption, amendment or repeal of any rule concerning the conduct of gaming or the use or design of gaming equipment for an experimental period, not to exceed 90 days, for the purpose of determining whether such rules should be adopted on a permanent basis in accordance with the requirements of this section. Any rules experiment authorized by this subsection shall be conducted under such terms and conditions as the commission may deem appropriate. Notice of any temporary rulemaking action taken by the commission pursuant to this subsection shall be published in the Commonwealth, and provided to the newspapers designated by the commission at least seven days prior to the initiation of the experimental period, and shall be prominently posted in each casino participating in the experiment. Nothing herein shall be deemed to require the publication of the text

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of any temporary rule adopted by the commission or notice of any modification of a rules experiment initiated in accordance with this section. The text of any temporary rule adopted by the commission shall be posted in each casino participating in the experiment and shall be available upon request from the commission.

(d) The commission shall, without limitation on the powers conferred in the preceding section, include within its regulations the following specific provisions in accordance with the provisions of this chapter:

(1) Prescribing the methods and forms of application which any applicant shall follow and complete prior to consideration of his application by the commission;

(2) Prescribing the methods, procedures and form for delivery of information concerning any person's family, habits, character, associates, criminal record, business activities and financial affairs;

(3) Prescribing procedures for the fingerprinting of an applicant, employee of a licensee, or registrant, or other methods of identification which may be necessary in the judgment of the commission to accomplish effective enforcement of restrictions on access to the casino floor and other restricted areas of the casino hotel complex;

(4) Prescribing the manner and procedure of all hearings conducted by the commission or any hearing examiner, including special rules of evidence applicable thereto and notices thereof;

(5) Prescribing the manner and method of collection of payments of taxes, fees, and penalties;

(6) Defining and limiting the areas of operation, the rules of authorized games, odds, and devices permitted, and the method of operation of such games and devices;

(7) Regulating the practice and procedures for negotiable transactions involving patrons, including limitations on the circumstances and amounts of such transactions, and the establishment of forms and procedures for negotiable instrument transactions, redemptions, and consolidations;

(8) Prescribing grounds and procedures for the revocation or suspension of operating certificates and licenses;

(9) Governing the manufacture, distribution, sale, and servicing of gaming devices and equipment;

(10) Prescribing the procedures, forms and methods of management controls, including employee and supervisory tables of organization and responsibility, and minimum security standards, including security personnel structure, alarm and other electrical and visual security measures;

(11) Prescribing the qualification of, and the conditions pursuant to which, engineers, accountants, and others shall be permitted to practice before the commission or to submit materials on behalf of any applicant or licensee; provided, however, that no member of the Tinian Municipal Council, nor any firm with which said member is associated, shall be permitted to appear or practice or act in any capacity whatsoever, except as to percipient witness, before the commission or division regarding any matter whatsoever, nor shall any member of the family of the Mayor of Tinian and Aguiguan or a member

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of the council be permitted to so practice or appear in any capacity whatsoever before the commission or division regarding any matter whatsoever;

(12) Prescribing minimum procedures for the exercise of effective control over the internal fiscal affairs of a licensee, including provisions for the safeguarding of assets and revenues, the recording of cash and evidence of indebtedness, and the maintenance of reliable records, accounts, and reports of transactions, operations and events, including reports to the commission;

(13) Providing for a minimum uniform standard of accountancy methods, procedures and forms, a uniform code of accounts and accounting classifications, and such other standard operating procedures as may be necessary to assure consistency, comparability, and effective disclosure of all financial information, including calculations of percentages of profit by games, tables, gaming devices and slot machines;

(14) Requiring periodic financial reports and the form thereof, including an annual audit prepared by a certified public accountant licensed to do business in the Commonwealth, attesting to the financial condition of a licensee and disclosing whether the accounts, records and control procedures examined are maintained by the licensee as required by this chapter and the regulations promulgated hereunder;

(15) Governing the advertising of casino licensees, their employees and agents, with the view toward assuring that such advertisements are in no way deceptive; provided, however, that such regulations shall not prohibit the advertisement of casino locations, hours of operation, or types of games and other amenities offered, but in no circumstance shall permit the advertisement of information about odds, the number of games, or the size of the casino; and provided further, however, that such regulations shall require the words "Bet with your head, not over it" to appear on all billboards, signs and other on-site advertising of a casino operation;

(16) Governing entertainment presented by casino licensees in accordance with the prevailing community standards as determined by the commission;

(17) Concerning the distribution and consumption of alcoholic beverages on the premises of the licensee, allowing deviation only insofar as necessary because of the unique character of the hotel casino premises and operations;

(18) Limiting signs and other on-site advertising, with a view toward minimizing solicitation for gaming purposes from the public thoroughfares or otherwise dominating or despoiling the architecture or environment of the island;

(19) Requiring a gambling permit to be issued after an applicant shows that he or she has adequate financial resources; and

(20) Providing for minimum building code standards.

(e) The power to regulate conferred by this section includes the power to prohibit.

(f) No liability shall be incurred by the Commonwealth of the Northern Mariana Islands, the commission, the Department of Public Safety, any inspector or any other officer of the Tinian Casino Gaming Control Commission, the enforcement division, or any member of the police force or other person acting in aid of an inspector pursuant to this chapter on account of anything done for the

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purposes of this chapter or done in good faith and purporting to be for the purposes of this chapter.

(g) No liability shall be incurred by any person referred to in 10 CMC § 25113 who, acting pursuant thereto or acting in good faith and purporting to act pursuant thereto, detains any person or exercises any other power thereunder.

**Source:** Tinian Local Initiative 1, §§ 116, 124, modified.

**Commission Comment:** To enhance clarity, in subsection (d)(17), following “premises of the licensee,” the Commission deleted “and shall deviate” and inserted “allowing deviation.” In subsection (d)(19), following “to be issued after,” the Commission deleted “showing” and inserted “an applicant shows.”