

**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN, TINIAN, ROTA and NORTHERN ISLANDS**



COMMONWEALTH REGISTER

**VOLUME 40
NUMBER 06
JUNE 28, 2018**

COMMONWEALTH REGISTER

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COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
CIVIL SERVICE COMMISSION
OFFICE OF PERSONNEL MANAGEMENT
P.O. BOX 5152 CHRBSAIPAN, MP 96950
TEL NO. (670) 233-1606
FAX NO. (670) 233-4096



**Notice of Expiry of Financial Austerity Measures Effected Through
Personnel Service System Rules and Regulations, Part 12, Sub-part A
(NMIAC §10-20.2-1101)**

On January 29, 1999, the Civil Service Commission promulgated an amendment to the Personnel Service System Rules and Regulations (PSSR&R) for financial austerity measures that became Part 12 of the PSSR&R. This amendment was adopted with a minor modification on April 6, 1999. Part 12 of the PSSR&R, upon notice in the Commonwealth Register, suspended all increases in employees' salaries due to permanent or temporary promotions, acting or detail assignments, reallocation or reclassification of positions, and step increases based on attendance at workshops or other training programs. A Notice of implementation of Financial Austerity Measures (i.e. Part XII.A of the PSSR&R as codified in NMIAC §10-20.2-1101) was published in Commonwealth Register Vol. 23, No. 11, pgs. 18747-18749 on November 23, 2001.

By the terms of Part XII.A of the PSSR&R, the suspension of increases to employee salaries, implemented as noted above, shall expire upon notice in the Commonwealth Register. The suspension of all therein listed increases to employee salaries with the exception of the step increase based on attendance at workshops and other training programs expired through notice published May 28, 2014. Only the step increase based on attendance at workshops and other training programs remained suspended.

The suspension of the step increase based on attendance at workshops and other training programs will now also expire through this notice.


Thus, in accordance with the provision of the PSSR&R:

Upon expiration of the suspension of the pay increases employees who qualified for the increases during the time of suspension shall receive the pay increases effective the date the suspension expired. The increases shall not be made retroactive to any date that occurred during the time of suspension.

This notice of expiry of suspension shall be implemented 30 days after the date of its publication in the Commonwealth Register.

By signature below, I hereby certify that the Notice of Expiry is true, correct, and complete. I further require and direct that this Notice be published in the Commonwealth Register.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 18th day of May, 2018 at Saipan, Commonwealth of the Northern Mariana Islands.



Felicitas "Tee" P. Abraham
Chairperson, Civil Service Commission

5-18-18


Date

Received by: 

Shirley P. Carracho-Ogumoro
Special Assistant for Administration

5/22/18

Date

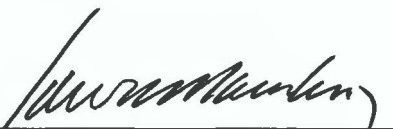
Filed and Recorded by: 

Esther SN. Nesbitt
Commonwealth Register *per*

06-18-2018

Date

Pursuant to 1 CMC § 2153(e) and 1 CMC § 9104(a)(3), the notice of implementation of the rules and regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the Attorney General and shall be published. (1 CMC § 2153(f))



Edward Manibusan
Attorney General

6/13/18

Date



Commonwealth of the Northern Mariana Islands

OFFICE OF THE GOVERNOR

Bureau of Environmental and Coastal Quality

DEQ: P.O. Box 501304, DCRM: P.O. Box 10007, Saipan, MP 96950-1304

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Ralph DLG. Torres
Governor

Victor B. Hocog
Lt. Governor

Eli D. Cabrera
Administrator

Ray S. Masga
Director, DEQ

Janice Castro
Director, DCRM

**PUBLIC NOTICE OF PROPOSED AMENDMENTS TO:
THE BUREAU OF ENVIRONMENTAL AND COASTAL QUALITY,
DIVISION OF ENVIRONMENTAL QUALITY,
LITTER CONTROL REGULATIONS**

INTENDED ACTION: The Commonwealth of the Northern Mariana Islands, Bureau of Environmental and Coastal Quality (BECQ), Division of Environmental Quality, intends to adopt as permanent regulations the attached Proposed Amendments to the Litter Control Regulations pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The regulations would become effective 10 days after compliance with 1 CMC §§ 9102 and 9104(a) or 1 CMC § 9105(b).

AUTHORITY: The BECQ has statutory authority to promulgate and adopt regulations regarding Litter Control. P.L. 19-53 § 7; 2 CMC § 3417.

TERMS AND SUBSTANCE: The attached proposed amendments amend the Litter Control Regulations, NMIAC Chapter 65-60, to: comply with Public Law 19-53; implement a Fee Matrix to guide enforcement discretion for issuing fines within the statutory range; add definitions; and clarify responsibilities of relevant agencies.

SUBJECTS AND ISSUES INVOLVED: These amendments to the Litter Control Regulations include the following areas:

1. Definitions;
2. Agency Powers and Duties;
3. Prohibited Activities;
4. Enforcement;
5. Penalties.

REGULATIONS BEING AMENDED: Litter Control Regulations, NMIAC Chapter 65-60.

DIRECTIONS FOR FILING AND PUBLICATION: These proposed amendments shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations, 1 CMC § 9102(a)(1), and notice of the intended action to adopt this proposed regulation shall be posted in convenient places in the civic center and in local government offices in each senatorial district, both in English and in the principal vernacular, 1 CMC § 9104(a)(1).

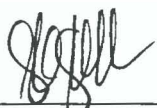
TO PROVIDE COMMENTS: Send or deliver your comments to Eli D. Cabrera, Administrator of the BECQ, at the above address, with the subject line "Litter Control Regulations." Comments are due within 30 days from the date of publication of this notice. 1 CMC § 9104(a)(2).

Submitted by:


ELI D. CABRERA
Administrator, BECQ



5/22/18
Date

Received by:


SHIRLEY CAMACHO-OGUMORO
Governor's Special Assistant for
Administration

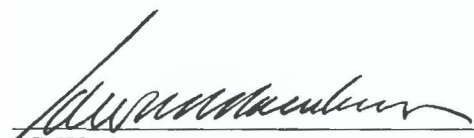
5/24/18
Date

Filed and Recorded by:


ESTHER SN. NESBITT
Commonwealth Register 

06-18-2018
Date

Pursuant to 1 CMC § 2153(e) (Attorney General approval of regulations to be promulgated as to form) and 1 CMC § 9104(a)(3) (Attorney General approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published, 1 CMC § 2153(f) (publication of rules and regulations).


EDWARD MANIBUSAN
Attorney General

6/13/18
Date



Commonwealth of the Northern Mariana Islands

OFFICE OF THE GOVERNOR

Bureau of Environmental and Coastal Quality

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Ralph DLG. Torres
Governor

Victor B. Hocog
Lt. Governor

Eli D. Cabrera
Administrator

Ray S. Masga
Director, DEQ

Janice Castro
Director, DCRM

**NUTISIAN PUPBLIKU PUT I MANMAPROPONI NA AMENDASION SIHA PARA:
DIPATTAMENTUN KUÁLIDÁT URIYAN I TANU' YAN I TÀSI, DIBISION KUÁLIDÁT I
URIYA, REGULASION I LITTER CONTROL SIHA**

I AKSION NI MA'INTENSIONA: I Commonwealth gi Sangkattan na Islas Mariánas, i Dipattamentun Kuálidát Uriyan I Tanu' yan I Tàsi (BECQ), Dibision Kuálidát I Uriya, ha intensiona para u adápta kumu petmanienti i mañechettun na regulasion i Manmaproponi na Amendasion siha para i Regulasion I Litter Control Siha sigun para i maneran nu i Ákton Administrative Procedure, 1 CMC § 9104(a). I regulasion siha mu ifektibu gi dies dihas dispues di compliance yan 1 CMC §§ 9102 yan 9104(a) pat 1 CMC § 9105(b).

ATURIDÁT: I BECQ gai ligát na aturidát para u cho'gui yan adápta i regulasion siha put i Litter Control. P.L. 19-53 § 7; 2 CMC § 3417.

I TEMA YAN SUSTÁNSIAN I PALÁBRA SIHA: I mañechettun na manmaproponi na amendasion siha ha amenda i Regulasion I Litter Control Siha, NMIAC Pátti 65-60, para: tattiyi yan i Lai Pupbliku 19-53; macho'gui i Ápas i Matrix para u dirihi i diskresion enforcement para u fanmaná'i fines gi hálum i statutory range; na'hálum difinision siha; yan na'kláru i responsabilidát nu i propiu na ahensia siha.

SUHETU NI MASUMÁRIA YAN ASUNTU NI TINEKKA: Esti na amendasion para i Regulasion I Litter Control Siha inklusi i tinattiyi na lugát siha:

1. Difinision siha;
2. Minetgut Ahensia yan Responsibilidát siha;
3. Mapruhibi na Aktibidát siha;
4. Implimentasion i Areklamentu;
5. Pena siha.

I REGULASION NI MA'AMENDA: I Regulasion I Litter Control Siha, NMIAC Pátti 65-60.

DIREKSION PARA U MAPO'LU YAN MAPUPBLIKA: Esti i manmaproponi na amendasion siha debi u mapupblika gi hálum i Rehistran Commonwealth gi seksiona ni manmaproponi yan nuebu na ma'adápta na regulasion siha, 1 CMC § 9102(a)(1), yan nutisian i aksion ni ma'intensiona para u adápta esti i regulasion ni manmaproponi debi na u mapega gi

kumbinienti na lugát siha gi hálum i civic center yan i ufisinan gubietnamentu siha gi kada distritun senadot, parehu Englis yan prinsipát na lingguáhin natibu, 1 CMC § 9104(a)(1).

PARA U MAPRIBENIYI UPIÑON SIHA: Na'hánao pat intrega hálum i upiñon-mu guatu as Eli D. Cabrera, Atministradot I BECQ, gi sanhilu' na address, yan i suhetu na rãya "I Regulasion I Litter Control Siha." I upiñon siha debi na u fanhálum gi hálum trentai (30) dihas ginin i fetchan i pupblikasion esti na nutisia. 1 CMC § 9104(a)(2).

Nina'hálum as:


ELI D. CABRERA
Atministradot BECQ

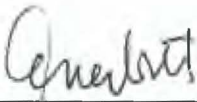
5/22/18
Fetcha

Rinisibi as:


SHIRLEY CAMACHO-OGUMORO
Ispisiát Na Ayudánti Para I Atministrasion

5/24/18
Fetcha

Pine'lu yan
Ninota as:


ESTHER SN. NESBITT
Rehistran Commonwealth

06.18.2018
Fetcha

Sigun i 1 CMC § 2153(e) (I Abugádu Hinerát ma'aprueba i regulasion siha na para u macho'gui kumu fotma) yan i 1 CMC § 9104(a)(3) (hentan inaprueban Abugádu Hinerát) i manmaproponi na regulasion siha ni mañechettun guini ni manmaribisa yan manma'aprueba kumu fotma yan sufisienti ligát ginin i CNMI Abugádu Hinerát yan debi na u mapupblika, 1 CMC § 2153(f) (pupblikasion areklamentu yan regulasion siha).


Edward Manibusan
Abugádu Henerát

6/13/18
Fetcha



Commonwealth of the Northern Mariana Islands

OFFICE OF THE GOVERNOR

Bureau of Environmental and Coastal Quality

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Governor

Victor B. Hocog
Lt. Governor

Eli D. Cabrera
Administrator

Ray S. Masga
Director, DEQ

Janice Castro
Director, DCRM

ARONGORONGOL TOULAP REEL POMMWOL LIIWEL NGÁLI: DEPATTAMENTOOL ENVIRONMENT ME COASTAL QUALITY, BWULASIYOL ENVIRONMENT QUALITY, MWÓGHUTUGHUTÚL LITTER CONTROL

MÁNGEMÁNGIL MWÓGHUT: Commonwealth Téél Falúw kka Efáng Ilól Marianas, Depattamentool Environment me Coastal Quality (BECQ), bwulaisyol Environmental Quality, re mángemángil rebwe adóptááil Pommwol Liiwel iye e appasch bwe ebwe lléghló ngáli Mwóghutughutúl Litter Control sáangi mwóghuthghutúl Administrative Procedures Act, 1 CMC § 9104(a). Ebwe bwunguló mwóghut kkal seigh (10) ráál mwiril aal ppwol fengál ngáli 1 CMC §§ 9102 me 9104(a) ngáre 1 CMC § 9105(b)

BWÁNGIL: Eyoor bwángiir BECQ reel rebwe arongowow me adóptááil mwóghut ikke e ssúl ngáli Litter Control. P.L. 19-53 § 7;2 CMC § 3417.

KKAPASAL ME AWEEWEL: Pommwol liiwel ikka e appasch ebwe siiweli Mwóghutughutúl Litter Control, NMIAC Chapter 65-60, ngáli, rebwe attabweey Alléghúl Toulap 19-53;

KKAPASAL ME ÓUTOL: Ebwal schuulong llól liiwel ngáli Mwóghutughutúl Litter Control milikka e amwirimwiritiw:

1. Weewel kkapas;
2. Bwángil Agency me Mwóghutughutúl
3. Mwóghutughutnngaw
4. Enforcement;
5. Óbwóss ngáre Penalties.

MWÓGHUT IYE REBWE LIIWELI: Mwóghutughutúl Litter Control, NMIAC Chapter 65-60.

AFAL REEL AMMWELIL ME AKKATÉÉWOWUL: Pommwol liiwel kka re liiweli ebwe akkattééwow me llól Commonwealth Register llól táliil ppomwol me ffél mwóghut ikka ra adóptááli, 1 CMC § 9102(a)(1), me ebwe arongowow mángemángil mwóghut reel rebwe adóptááli pommwol mwóghut yeel me ebwe appaschetá me llól civic center me bwal llól bwulaisyol gobetnameento llól senatorial district, fengál reel English me mwáliyaasch, 1 CMC § 9104(a)(1).

ISIISILONGOL KKAPAS: Afanga ngáre bwughiló yóómw ischil kkapas ngáli Eli D. Cabrera, Administrator-il BECQ, yeel félfél iye e lo weiláng, ebwe lo wóól subject line bwe “Litter Control

Regulations.” Ebwe toolong ischil kkapas llól eliigh (30) ráAl mwiril aal akkatééwow arongorong yeel. I CMC § 9104(a)(2).

Isáliyalong:



ELI D. CABRERA
Administrator, BECO

5/22/18

Ráál

Bwughiyal:



SHIRLEY CAMACHO-OGUMORO
Layúl Gobenno Special Assistant ngáli Administration

5/24/18

Ráál

Ammwelil:



ESTHER SN. NESBITT
Commonwealth Register

06.18.2018

Ráál

Sáangi I CMC § 2153(e) (sáangi átirowal Soulemelemil Allégh Lapalap bwe aal lléghló me ffil reel fféerúl) me I CMC § 9104(a)(3) (átirowal Soulemelemil Allégh Lapalap) ra takkal amwuri fischiiy pommwol mwóghut ikka e appasch me aa átirow bwe aa lléghló me legal sufficiency sáangi Soulemelemil Allégh Lapalap CNMI me ebwe akkatééwow, I CMC § 2153(f) (arongowowul allégh me mwóghutughut).



EDWARD MANIBUSAN
Soulemelemil Allégh Lapalap

6/13/18

Ráál

TITLE 65: DIVISION OF ENVIRONMENTAL QUALITY

CHAPTER 65-60

LITTER CONTROL REGULATIONS

Part 001 General Provisions

- § 65-60-001- _____ Short Title
- § 65-60-005- _____ Authority and Scope
- § 65-60-010 _____ Purpose
- § 65-60-015 _____ Definitions

Part 100 Agency Powers and Duties and Responsibilities

- § 65-60-101 _____ Education and Coordination Bureau of Environmental and Coastal Quality
- § 65-60-105 _____ Collection and Disposal Department of Public Works
- § 65-60-110 _____ Enforcement Training Department of Public Safety
- § 65-60-110 _____ Department of Lands and Natural Resources
- § 65-60-115 _____ Office of the Mayor

Part 200 Prohibited Activities

- § 65-60-201 _____ Littering upon Public or Private Property
- § 65-60-205 _____ Littering in ~~CMR~~ Waters of the Commonwealth

Part 300 Enforcement

- § 65-60-301 _____ Apprehension and Citation for Littering in Officer's Presence
- § 65-60-305 _____ Apprehension and Citation Based on Reasonable Belief
- § 65-60-310 _____ Basis for Officer's Reasonable Belief
- § 65-60-315 _____ ~~Appearance in Traffic Court~~ Disposition of Citations
- § 65-60-320 _____ Penalties
- § 65-60-325 _____ Minors

Part 400 Miscellaneous Provisions

- § 65-60-401 _____ Jurisdiction
- § 65-60-405 _____ Severability
- § 65-60-410 _____ Effective Date

Chapter Authority: 1 CMC §§ 2646-2649; 1 CMC § 2650; 2 CMC §§ 3411-3416.

Chapter History: Adopted 12 Com. Reg. 7381 (Sept. 15, 1990); Proposed 12 Com. Reg. 7153 (July 15, 1990).

Commission Comment: For a complete history of the authority of the Division of Environmental Quality, see the commission comment to NMIAC chapter 65-10.

PL 6-37 (effective Sept. 8, 1989), the "Commonwealth Litter Control Act of 1989," codified as amended at 2 CMC §§ 3411-3416, charged the Division of Environmental quality with implementing a litter control program consistent with the provisions of the act. See 2 CMC § 3412.

Executive Order No. 2013-24, promulgated at 35 Com. Reg. 34596 (Nov. 28, 2013), established a new Bureau of Environmental and Coastal Quality. This Order reorganized the Division of Environmental Quality as a division of the Bureau of Environmental and Coastal Quality, and provided that "all rules, orders, contracts, and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Executive Order shall continue to be effective until revised, amended, repealed or terminated."

Part 001 - General Provisions

- § 65-60-001 Short Title

TITLE 65: DIVISION OF ENVIRONMENTAL QUALITY

The rules and regulations in this chapter shall be cited to as the Commonwealth Litter Control Regulations of 2018+990.

Modified, 1 CMC § 3806(d), (f).

History: Adopted 12 Com. Reg. 7381 (Sept. 15, 1990); Proposed 12 Com. Reg. 7153 (July 15, 1990).

§ 65-60-005 Authority and Scope

The regulations in this chapter are promulgated by the Division of Environmental Quality (~~hereafter DEQ~~), within the ~~Department of Public Health and Environmental Services~~ Bureau of Environmental and Coastal Quality, in collaboration with the ~~Department of Public Safety, Department of Finance, Division of Coastal Resources Management, Department of Lands and Natural Resources, Department of Commerce, Mayor's Office of each respective Senatorial District and the Northern Islands, the Commonwealth Healthcare Corporation, the Marianas Visitors Authority, and the Zoning Office.~~ and in accordance with Public Laws 6-37, 11-15, and 19-53—the Commonwealth Litter Control Act of 1989, as amended. These regulations shall have the force and effect of law, shall be binding on all persons ~~and governmental entities~~ subject to the jurisdiction of the Commonwealth Superior Court, and shall apply to all public and private lands and waters of the Commonwealth of the Northern Mariana Islands (CNMI) unless otherwise provided for by law.

Modified, 1 CMC § 3806(d), (f).

History: Adopted 12 Com. Reg. 7381 (Sept. 15, 1990); Proposed 12 Com. Reg. 7153 (July 15, 1990).

Commission Comment: With respect to the reference to the Department of Public Health and Environmental Services, see Executive Order 94-3 (effective August 23, 1994) reorganizing the Commonwealth government executive branch, changing agency names and official titles and effecting numerous other revisions.

§ 65-60-010 Purpose

The regulations in this chapter shall govern ~~the specific governmental agencies' duties,~~ responsibilities, and powers as required to implement the Litter Control Act of 1989, as amended. The regulations define prohibited acts, enforcement procedures, penalties, and jurisdiction.

Modified, 1 CMC § 3806(d).

History: Adopted 12 Com. Reg. 7381 (Sept. 15, 1990); Proposed 12 Com. Reg. 7153 (July 15, 1990).

§ 65-60-015 Definitions

(a) "Act": means the Commonwealth Litter Control Act 1989, as amended.

(b) "Apprehending Officer": ~~shall~~ means designated employees of the Bureau of Environmental and Coastal Quality, Marianas Visitors Bureau, Department of Lands and

TITLE 65: DIVISION OF ENVIRONMENTAL QUALITY

Natural Resources, ~~Coastal Resources Management Office~~, Department of Public Health and Environmental Services, Department of Public Works, Department of Public Safety, Department of Public Lands, Commonwealth Zoning Office, and Office of the Mayor's office.

(c) "BECQ" means the Bureau of Environmental and Coastal Quality.

(d) "Commercial violation" means littering the byproduct of industrial, commercial, mining, or agricultural operations in which the person has a financial interest.

(e) "DEQ" means the Division of Environmental Quality.

(f) "Gross violation" means the act of intentionally littering any household or office furniture or appliances, automotive parts, trailers, boats or boating accessories, tools or equipment, or building materials.

(g) "Intentional violation" means the act of intentionally littering.

(h) "Lakes" means any surface water body as included in the definition of 'wetlands' that are habitat for protected fresh water organisms and plant life.

(ie) "Litter": ~~shall~~ means garbage, trash, rubbish, refuse, ~~paper containers~~, carcasses of dead animals, ~~packing or construction materials~~, ~~bottles, cans, debris~~, including but not limited to organic waste such as betelnut or tobacco waste or spittle or any other disposable item of whatever nature that results in the defacing of public places or infrastructure.

(jd) "Littering": ~~shall~~ means throwing, dropping, placing, depositing, sweeping, discarding, ~~abandoning~~, or otherwise disposing of any litter on land or water, or such a manner that the litter becomes airborne, in other than appropriate ~~storage~~ ~~litter~~ containers or areas designated for such purpose, and shall include depositing any litter that was generated in a home or business into any public litter container or receptacle, except for containers or receptacles specifically designated for household or commercial waste disposal, such as containers or receptacles at a transfer station.

(k) "Marine Sanctuary" means an area of marine water designated by federal, Commonwealth, or local government as a protected area—including but not limited to conservation areas, reserve areas, and sanctuaries—and managed for the protection of animal and plant species—including, but not limited to, those species that are listed as threaten or endangered.

(l) "Marine Water" means any and all coastal waters of mean sea level from shoreline out to three miles of CNMI submerged land including all coastal waters of a depth less than twenty fathoms, or waters up to a distance of 1,000 feet off-shore from the mean high water marks, whichever is the greater distance from the shoreline.

TITLE 65: DIVISION OF ENVIRONMENTAL QUALITY

(me) “Person” ~~shall~~ means the government of the United States or any agency or department thereof, ~~or~~ the government of the Commonwealth of the Northern Mariana Islands (CNMI) or any agency or department of any municipality thereof, any public ~~or~~ private institution, a public or private corporation, association, or partnership, or an individual.

(n) “Sensitive Area Multiplier” means the numeral established by the fee matrix in § 65-60-320(b) by which the base violation fee is multiplied when the littering occurs in a listed sensitive area defined herein.

(o) “Simple violation” means the act of littering absent circumstances justifying a citation for an intentional, commercial, or gross violation, including, but not limited to, creating a condition the person knew or should have known was likely to result in littering.

(p) “Streams” means any surface water body found upland in the CNMI watershed systems flowing seasonally or permanently leading into the lakes or the coastal shorelines.

(q) “Storm Water Drainage System” means any privately or public owned structure or systems of structures designed to collect, carry, and/or divert surface run-off. This term includes, but is not limited to: lined and unlined drainage ways, swells, ditches, culverts, drain pipes, catch basins, ponding basins, and infiltration beds.

(r) “Vehicle” means a device in, upon, off, or by which any person or property may be propelled, moved, or drawn upon a road.

(s) “Watercraft” means any boat, ship, vessel, barge, or other floating ~~water~~ craft.

(t) “Well field” means a land area where groundwater aquifer designation as class I or II and where municipal water wells are located.

(u) “Wetland” means those areas that are inundated or saturated by surface water or groundwater with frequency sufficient to support a prevalence of plant or aquatic life that requires seasonally saturated soil conditions for growth and/or reproduction. Wetlands include swamps, marshes, mangroves, lakes, natural ponds, surface springs, streams, estuaries, and similar areas in the Northern Marianas Islands archipelagoes. Wetlands include both wetlands connected to other waters and isolated wetlands. Wetlands do not include those artificial wetlands intentionally created to provide treatment of waste water or storm water run-off.

(v) “Wildlife Sanctuary” means an area of land designated by federal, Commonwealth, or local government as a protected area—including but not limited to conservation areas, reserve areas, and sanctuaries—and managed for the protection of animal and plant species—including but not limited to those species that are listed as threaten or endangered.

Modified, 1 CMC § 3806(f).

History: Adopted 12 Com. Reg. 7381 (Sept. 15, 1990); Proposed 12 Com. Reg. 7153 (July 15, 1990).

TITLE 65: DIVISION OF ENVIRONMENTAL QUALITY

Commission Comment: The Commission inserted quotation marks around terms defined.

The Marianas Visitors Bureau, referenced in subsection (a), was replaced by the Marianas Visitors Authority in PL 11-15 (June 17, 1998).

Part 100 - Agency Powers and Duties and Responsibilities

§ 65-60-101 Education and Coordination Bureau of Environmental and Coastal Quality

The Administrator of BECO shall administer the programs and provisions of this chapter, including:

- (a) Implementing programs in the areas of litter control, prevention, removal and disposal and promoting and carrying out public education programs;
- (b) Encouraging public voluntary anti-litter campaigns;
- (c) Conducting educational programs intended to instill an anti-littering ethic; ~~The Division of Environmental Quality shall coordinate and implement educational programs to encourage anti-litter campaigns, design a CNMI anti-litter symbol, post anti-litter signs and make litter containers available for parks, beaches, public lands and highways in coordination with the Department of Public Works.~~
- (d) Coordinate anti-littering efforts with other agencies of the government;
- (e) Designing a Commonwealth anti-littering symbol;
- (f) Facilitating the design and placement of litter containers or receptacles bearing the Commonwealth anti-littering symbol to be placed along the public roads, highways, parks, beaches, and other public places of the Commonwealth, in cooperation with the Department of Public Works, the Department of Lands and Natural Resources, the Marianas Visitors Authority, the Department of Public Lands, the Zoning Office, and other relevant agencies and entities whether public or private; and
- (g) Posting anti-littering signs in public places where appropriate in cooperation with the Department of Public Lands and the Zoning Office.
- (h) Cooperating with the Attorney General's Office in the prosecution of violators of this chapter.
- (i) Biennially submitting to the legislature, a report summarizing the actions taken under this chapter, and the effectiveness of such actions and such information and recommendations, including legislative recommendations, as deemed appropriate by the Administrator.

TITLE 65: DIVISION OF ENVIRONMENTAL QUALITY

(j) Preparing and submitting a detailed proposed budget to the legislature for appropriations from the Litter Control Program Fund to ensure proper funding for the Litter Control Program.

History: Adopted 12 Com. Reg. 7381 (Sept. 15, 1990); Proposed 12 Com. Reg. 7153 (July 15, 1990).

§ 65-60-105 ~~Collection and Disposal~~ Department of Public Works

~~The Department of Public Works, itself or through a private contractor, shall be responsible for the weekly collection and disposal of all garbage, refuse, litter, etc., deposited in litter containers, maintenance of litter containers and receptacles along the public roads and highways of the Commonwealth, and for the regular disposal of litter deposited in said containers and receptacles. Any garbage collected shall be disposed of at a designated public landfill site. The Department of Public Works may contract with a private firm in order to perform duties under this section. The Department of Public Safety shall be responsible for the collection and proper disposal of all dead animals found on public roads or highways consistent with this section.~~

History: Adopted 12 Com. Reg. 7381 (Sept. 15, 1990); Proposed 12 Com. Reg. 7153 (July 15, 1990).

Commission Comment: The Commission corrected the phrase "and etc.," to "etc." pursuant to 1 CMC § 3806(g).

§ 65-60-110 ~~Enforcement Training~~ Department of Public Safety

(a) The Department of Public Safety shall remove dead animals found on public roads or highways and place such carcasses on the side of the road away from traffic. The Department of Public Safety shall immediately inform the Office of the Mayor of the location of the carcass for its proper removal and disposal.

(b) At the request of BECO, the Department of Public Safety shall train all apprehending officers in ~~of~~ those law enforcement skills necessary to ~~enforce this~~ carry out the intent and purposes of this chapter ~~per~~ and the Act, including, but not limited to, techniques for stopping, apprehending, and citing alleged violators of this chapter. BECO and the Department of Public Safety shall ensure ~~p~~ periodic law enforcement ~~seminars~~ trainings ~~are~~ ~~shall be~~ held to train ~~new~~ apprehending officers and to coordinate and update information on applicable laws and procedures.

Modified, 1 CMC § 3806(d).

History: Adopted 12 Com. Reg. 7381 (Sept. 15, 1990); Proposed 12 Com. Reg. 7153 (July 15, 1990).

§ 65-60-115 Department of Lands and Natural Resources

The Department of Lands and Natural Resources, through the Division of Parks and Recreation or a private contractor, shall provide for the maintenance of litter containers and receptacles at the public parks, beaches, cemeteries, recreational sites, and major tourist sites of the Commonwealth, and for the regular disposal of litter deposited in said

TITLE 65: DIVISION OF ENVIRONMENTAL QUALITY

containers and receptacles, and shall cooperate and consult with the Marianas Visitors Authority, BECO, the Mayor's Office, or other relevant agencies and entities to ensure the effective implementation of this chapter.

§ 65-60-120 Office of the Mayor

The Office of the Mayor, itself or through a contractor, shall properly remove and dispose of animal carcasses on public roads or highways, or on the side of the road upon notification by DPS.

Part 200 - Prohibited Activities

§ 65-60-201 Littering upon Public or Private Property

~~It is unlawful for any person to dump, throw, leave, or abandon any litter upon any public~~Littering upon property owned by another or upon the public property of the Commonwealth, including but not limited to any highway, street, alley, or road, or any other public or private property unless permitted by law is unlawful.

History: Adopted 12 Com. Reg. 7381 (Sept. 15, 1990); Proposed 12 Com. Reg. 7153 (July 15, 1990).

Commission Comment: The Commission created the section titles in part 200.

§ 65-60-205 Littering in the CNMI Waters of the Commonwealth

~~It is unlawful for any person to dump, deposit, throw, leave, or abandon any litter into~~Littering in the waters of the Commonwealth, including but not limited to any bay, channel, harbor, reservoir, lagoon, lake, stream, or coastal waters, or any other CNMI waters is unlawful.

History: Adopted 12 Com. Reg. 7381 (Sept. 15, 1990); Proposed 12 Com. Reg. 7153 (July 15, 1990).

Part 300 - Enforcement

§ 65-60-301 Apprehension and Citation for Littering in Officer's Presence

Any apprehending officer may apprehend and cite any person for littering in ~~his/her~~the apprehending officer's presence.

History: Adopted 12 Com. Reg. 7381 (Sept. 15, 1990); Proposed 12 Com. Reg. 7153 (July 15, 1990).

Commission Comment: The Commission created the section titles in part 300.

§ 65-60-305 Apprehension and Citation for Littering Based on Reasonable Belief

Any apprehending officer may apprehend and cite any person for littering if ~~he/she~~the apprehending officer has a reasonable belief, pursuant to § 65-60-310, that such person did litter violated § 65-60-201 or § 65-60-205.

TITLE 65: DIVISION OF ENVIRONMENTAL QUALITY

History: Adopted 12 Com. Reg. 7381 (Sept. 15, 1990); Proposed 12 Com. Reg. 7153 (July 15, 1990).

§ 65-60-310 Basis for Officer's Reasonable Belief

For the purposes of this chapter, reasonable belief means the apprehending officer acted on personal knowledge of facts and circumstances that would justify a person of average caution to believe that the infraction has been committed. Any reasonable belief may be based upon a written or oral statement provided by a person who witnessed the littering or has personal knowledge regarding the littering, or by physical evidence found among at the littered area.

History: Adopted 12 Com. Reg. 7381 (Sept. 15, 1990); Proposed 12 Com. Reg. 7153 (July 15, 1990).

§ 65-60-315 ~~Appearance in Traffic Court~~ Disposition of Citations

~~(a)~~—Any person apprehended for violation of this chapter ~~or the Act~~ shall be served with a citation by the apprehending officer and ordered to appear ~~at the traffic court, before the traffic division of the Commonwealth Superior Court, for disposition of the infraction a hearing.~~ Citations shall be filed with the Attorney General's Office and the Clerk of the Superior Court.

~~(b)~~—Parents or legal guardians shall assume financial responsibility for payment of any fines and removal of any litter assessed by the Superior Court for violations of this chapter ~~or the Act by any minors under their care or custody.~~

Modified, 1 CMC § 3806(d).

History: Adopted 12 Com. Reg. 7381 (Sept. 15, 1990); Proposed 12 Com. Reg. 7153 (July 15, 1990).

Commission Comment: The original paragraphs were not designated. The Commission designated subsections (a) and (b).

§ 65-60-320 Penalties

(a) A person found to have committed the offense of littering, an infraction, shall be punished by a fine of not less than \$25 and not more than \$5,000, based on the weight and type of litter, and the location the littering took place (as provided in the fee matrix set forth in subsection (b)). Additionally, any person found to have committed the infraction of littering may be ordered to pick up and remove litter from a public place under the supervision of the Department of Public Safety or BECQ, or under the supervision of such agency as the court shall otherwise provide, for a period not exceeding eight hours for each offense. Further, any person found to have committed the infraction of littering shall be required to pay the costs of removing any litter they caused.

(b) The following fee schedule shall be used in determining the fee associated with each violation:

TITLE 65: DIVISION OF ENVIRONMENTAL QUALITY

Base Simple Violation – NMIAC 65-60-015(k)			
Weight	First	Second	Third +
≤ 3 pounds	25	200	500
> 3 pounds	75	350	800
Base Intentional Violation – NMIAC 65-60-015(g)			
Weight	First	Second	Third +
≤ 3 pounds	150	300	600
> 3 pounds	250	450	900
Base Gross Violation – NMIAC 65-60-015(f)			
Weight	First	Second	Third +
≤ 50 pounds	500	750	1000
> 50 pounds	750	1000	1500
Base Commercial Violation – NMIAC 65-60-015(d)			
Weight	First	Second	Third +
≤ 50 pounds	750	1000	1500
> 50 pounds	1250	1400	1650
Sensitive Area Multiplier			
Land	Water	Multiplier	
Wetland	Marine Sanctuary	Base x 3	
Well Field	Marine Water and Shoreline	Base x 2.5	
Wildlife Sanctuary	Lakes	Base x 2	
Storm Drains	Streams	Base x 1.5	

(c) Any person charged with a first violation under this chapter may avoid a court hearing by paying the amount of the fine listed on the citation as determined appropriate from the fee matrix.

~~Any person found to have littered shall be fined not less than \$200.00 nor more than \$500.00. Any person charged with a first violation of this chapter may post and forfeit bail in the amount of \$200.00 and avoid a court hearing. The court may order any person found to have littered to perform up to eight hours of community service in addition to any fine imposed. All fines shall be paid to the Clerk of the Commonwealth Superior Court.~~

Modified, 1 CMC § 3806(d), (e).

History: Adopted 12 Com. Reg. 7381 (Sept. 15, 1990); Proposed 12 Com. Reg. 7153 (July 15, 1990).

§ 65-60-325 Minors

TITLE 65: DIVISION OF ENVIRONMENTAL QUALITY

Parents or legal guardians shall assume financial responsibility for payment of fines and costs of litter removal connected with violations of this chapter committed by any minors (less than 18 years old) under their care and custody.

Part 400 - Miscellaneous Provisions

§ 65-60-401 Jurisdiction

~~The Commonwealth Superior Court shall have jurisdiction to hear cases brought under the authority of over violations of this chapter and the Act and shall approve the form of the citation issued for violations. The Attorney General's Office shall be responsible for prosecuting any violators of this chapter the Act or regulations.~~

Modified, 1 CMC § 3806(d), (f).

History: Adopted 12 Com. Reg. 7381 (Sept. 15, 1990); Proposed 12 Com. Reg. 7153 (July 15, 1990).

~~§ 65-60-405 Severability~~

~~The sections of the regulations in this chapter are severable and if any section or part thereof shall be held invalid, unconstitutional, or inapplicable to any person or circumstances such invalidity, unconstitutionality, or inapplicability shall not affect or impair the remaining sections.~~

Modified, 1 CMC § 3806(d), (f).

History: Adopted 12 Com. Reg. 7381 (Sept. 15, 1990); Proposed 12 Com. Reg. 7153 (July 15, 1990).
Commission Comment: The Commission inserted commas after the words "unconstitutional" and "unconstitutionality" pursuant to 1 CMC § 3806(g).

~~§ 65-60-410 Effective Date~~

~~The regulations in this chapter shall take effect ten days after publication in the Commonwealth Register unless otherwise altered by law.~~

Modified, 1 CMC § 3806(d), (e), (f).

History: Adopted 12 Com. Reg. 7381 (Sept. 15, 1990); Proposed 12 Com. Reg. 7153 (July 15, 1990).



Commonwealth Healthcare Corporation

Commonwealth of the Northern Mariana Islands
1 Lower Navy Hill Road Navy Hill, Saipan, MP 96950



PUBLIC NOTICE OF PROPOSED REVISIONS TO THE CHCC HUMAN RESOURCES RULES AND REGULATIONS REGARDING PART-TIME STATUS, LEAVE, TRANSFERS AND THE SICK LEAVE BANK

INTENDED ACTION TO ADOPT THESE PROPOSED REVISIONS TO THE RULES AND REGULATIONS: The Commonwealth Healthcare Corporation (CHCC) intends to adopt as permanent the attached Proposed Revision to the Rules and Regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The CHCC Human Resources Rules and Regulations were initially published in November, 2016 in Volume 38, Number 11 of the Commonwealth Register. They were adopted in February, 2017 in Volume 39, Number 2 of the Commonwealth Register. The Revision to the CHCC Human Resources Rules and Regulations will become effective 10 days after adoption and publication in the Commonwealth Register. (1 CMC § 9105(b))

AUTHORITY: CHCC has developed and adopted and can amend the personnel system independent of the civil service system in accordance with the law. 3 CMC Section 2824(k).

THE TERMS AND SUBSTANCE: The CHCC Human Resources Rules and Regulations provide guidance on all aspects of the employment relationship between CHCC and its permanent, provisional, temporary, and contract employees.

THE SUBJECTS AND ISSUES INVOLVED: This Revision is to revise several sections of the CHCC Human Resources Rules and Regulations including those relating to part-time status and benefits, leave, transfers and the Sick Leave Bank.

THE REVISION IS AS FOLLOWS ON THE ATTCHED PAGE FOLLOWING THE NOTICE.

DIRECTIONS FOR FILING AND PUBLICATION: These Notice of Proposed Revision to the Regulations shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations (1 CMC § 9102(a)(1)) and posted in convenient places in the civic center and in local government offices in each senatorial district, both in English and in the principal vernacular. (1 CMC § 9104(a)(1)) Copies are available upon request from Clarinda Ngirausui, Human Resources Director.

P.O. Box 500409 CK, Saipan, MP 96950
Telephone: (670) 234-8950 FAX: (670) 236-8930

TO PROVIDE COMMENTS: Send or deliver your comments to Esther Muna, *Attn: Revision to CHCC HR Rules and Regulations*, at the above address, fax or email address, with the subject line "Human Resources Revision." Comments are due within 30 days from the date of publication of this notice. Please submit your data, views or arguments. (1 CMC § 9104(a)(2)).

This proposed revision was approved by the CEO on 23 of April, 2018.


Submitted by:  04/23/18
ESTHER MUNA, CEO Date

Received by:  6/12/18
SHIRLEY CAMACHO-OGUMORO Date
Governor's Special Assistant for Administration

Filed and Recorded by:  06.18.2018
ESTHER SN. NESBITT Date
Commonwealth Register

Pursuant to 1 CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC § 9104(a)(3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published, 1 CMC § 2153(f) (publication of rules and regulations).

Dated the 13 day of June, 2018.


EDWARD E. MANIBUSAN
Attorney General

P.O. Box 500409 CK, Saipan, MP 96950
Telephone: (670) 234-8950 FAX: (670) 236-8930

Commonwealth Healthcare Corporation

Commonwealth gi Sangkattan na Islas Mariãnas
1 Lower Navy Hill Road, Saipan, MP 96950

NUTISIAN PUBLIKU NI MANMAPROPONI NA TINILAIKA PARA I AREKLAMENTU YAN REGULASION I HUMAN RESOURCES GI CHCC

I AKSION NI MA'INTENSIONA PARA U MA'ADAPTA ESTI I MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth Healthcare Center (CHCC) ha intensiona para u ma'adapta komu petmanienti i regulasion siha i mañechetton i Manmaproponi na Tinilaika para i Areklamentu yan Regulasion siha, sigun gi manera siha gi Akton Atministrasion Procedure, 1 CMC § 9104(a). **I Areklamentu yan Regulasion i Human Resources giya CHC ginin manmapublika gi hãlom Nubembri, 2016 hãlom Baluma 38, Numiru 11 gi Rehistran Commonwealth. Manma'adapta gi hãlom Fibreru, 2017 hãlom Baluma 39, Numiru 2 gi Rehistran Commonwealth.** I Tinilaika para i Areklamentu yan Regulasion i Human Resources gi CHCC mu ifektibu gi hãlom dies (10) dihas dispues di adaptasion yan publikasion gi hãlom i Rehistran Commonwealth. (1 CMC § 9105(b))

ATURIDÁT: I CHCC ma'aturisa ni para u adapta i areklamentu yan regulasion siha komu nisisãriu para i implimentasion nu esti na pãtti. 3 CMC Seksion 2824(l). Yan mãs, i CHCC mafa'tinas yan ma'adapta i personnel system independent nu i civil na setbision sistema ni inapruaba yan i lai. 3 CMC Seksion 2824(k).

I TEMA YAN SUSTANSIAN I PALABRA SIHA: I Areklamentu yan Regulasion i Human Resources ha pribeni guidance gi todú aspects nu i rilasion i impli'ão entalu' i CHCC yan i iyo-ñiha petmanienti, provisional, tempurãriu, yan i kontrak na impli'ão siha.

I SUHETU YAN MANERA SIHA NI MANTINEKKA: Esti na Tinilaika para u na'suha i ginen i Areklamentu yan Regulasion i Human Resources gi CHCC.

I TINILAIKA MANTINATTIYI POT FABOT ATAN LOKUE I TATITE NA PAPET.

DIREKSION SIHA PARA U MAPO'LU YAN PUBLIKASION: Esti na Nutisia nu i Manmaproponi na Rvision para Regulasion siha debi na u mapublika gi hãlom i Rehistran Commonwealth gi hãlom i seksiona gi maproponi yan nuebu na ma'adapta na regulasion siha (1 CMC § 9102(a)(1) yan u mapega gi hãlom i mangkumbinienti na lugãt gi hãlom i Civic Center yan i hãlom ufisinan gubietnamentu siha gi kada distritun senadot, parehu English yan i dõs na linguãhi Chamorro yan Refaluwasch. (1 CMC § 9104(a)(1) Managuaha kopia siha yanggin manrikuesta hao ginen as Clarinda Ngirausui, i Direktot Human Resources.

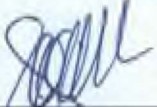
PARA U MAPRIBENIYI OPIÑON SIHA: Nã'hãnao pat intrega i upiñon-mu siha guatu gi as Esther Muna; Attn: *Tinilaika para i Areklamentu yan Regulasion i HR gi CHCC*, gi sanhilo' na address, fax pat email address, yan i subject line "*Tinilaika para i Areklamentu yan Regulasion i*

P.O. Box 500409 CK, Saipan, MP 96950
Tilifon: (670) 234-8950 Fax: (670) 236-8930

HR gi CHCC.” Todu upiñon debi na u fanhålom trenta (30) dihas ginen i fetchan pupplikasion esti na nutisia. Put fabot na’hålom iyon-mu data, upiñon, yan kuntestasion siha. (1 CMC § 9104(a) (2))

Esti siha i manmaproponi na tinilaika ma’aprueba ginen i CEO gi diha 23 gi Abrit, 2018.


Nina’hålom as: 
ESTHER MUNA, CEO
Commonwealth Healthcare Corp. 04/23/18
Fetcha

Rinisibi as: 
SHIRLEY P. CAMACHO-OGUMORO
Espisiåt Na Ayudånti Para I Atministrasion 6/12/18
Fetcha

Pine’lu Yan
Ninota as: 
ESTHER S. NESBITT
Rehistran Commonwealth 06.18.2018
Fetcha

Sigun i 1 CMC § 2153(e) (I Abugådu Heneråt ha aprueba i regulasion siha na para u macho’gui kumu fotma) yan 1 CMC § 9104(a)(3) (hentan inaprueban Abugådu Heneråt) i manmaproponi na regulasion siha ni mañechettun guini ni manmaribisa yan ma’aprueba kumu para fotma yan sufisienti ligåt ginin i CNMI Abugådu Heneråt yan debi na u mapupblika sigun gi , 1 CMC § 2153(f) (pupplikasion areklamentu yan regulasion siha).

Mafetcha gi diha 13 gi JUNE, 2018.


EDWARD EMANIBUSAN
Abugådu Heneråt 6/13/18
Fetcha

P.O. Box 500409 CK, Saipan, MP 96950
Tilifon: (670) 234-8950 Fax: (670) 236-8930

Part 100 – Types of Employment

§140-90.1-101 Types of Employment

(F)3 Part-time employees may be hired for one or two years. In order to obtain benefits, employees must work (or be on a legitimate approved leave status) a minimum of 40 hours per pay period to receive benefits, including health and life insurance and the 401(a) program. Annual, sick leave, and holiday pay will be pro-rated. Leave is granted in full hours only.

(F)5 All full-time employment contract employees will earn the annual leave benefit of eight (8) hours. Those employees who currently accrue less than eight (8) will have their contract amended to reflect the current leave accrual to eight (8) hours. The effective date of the amendments shall be effective on the day it is processed.

(G) Part-time employees are employees who work less than sixty (60) hours per pay period. They will be eligible for health and life insurance and the 401(a) program. Their accrual of annual and sick leave and holiday pay will be pro-rated.

Part 400 - Certification of Candidates

§140-90.1-401 Certification of Candidates

Upon receipt of request for certification, the HRM may certify to the Manager or Supervisor the names of all candidates included in the highest five (5) rankings (if more than five applied) pursuant to an examination and the names of those candidates whose employment may assist the Corporation to reach its affirmative action goals and timetables. Upon request by the Manager or Supervisor, the HRM may certify additional candidates. If more than one vacancy occurs in the same class of positions, the HRM may certify the name of five additional candidate for each additional vacancy. If the Manager or Supervisor, for good cause, rejects all names submitted, the HRM may prepare and submit a second list of candidates for consideration. If there are no other certified candidates and all efforts are being exhausted; then position will be re-announced. The Manager or Supervisor must submit in writing justification for the rejection of all names submitted in the list of candidates. Applicants will be placed on Register of Eligible List for one year, if applicant is not selected for the position.

§140-90.1-420 Promotion, Lateral Transfer, Demotion, Transfer

D. Transfer

Transfer shall be made upon request by the Department. Employee will transfer from one position to another position and must meet the minimum qualification requirement of the position. CEO will approve all Transfer at the recommendation of the HR Manager.

Part 5 – Work Hours, Holidays, Leave, and Benefits

§140-90.1-510 Leave

§140-90.1-510 (b)(4)(ii)

Annual Leave at Date of Separation Upon separation of employment for any reason, employees shall be entitled to payment of their unused annual leave balance. Such payment shall be made at the rate of 100% of the current value of the employee's leave balance based upon his or her factored hourly rate at time of separation, but in no event, will anything over 360 hours be paid. In addition, any annual leave accrued that needs to be paid out after separation will be paid out in bi-weekly payments. There will be no lump sum payouts of annual leave unless the employee has less than 80 hours of accrued annual leave. CEO shall waive the lump sum payment upon a written request from the employee. Employee shall not accrue leave benefits during leave exhaustion period.

§140-90.1-510 (c)(4)(vii)

Employee on part-time status are able to use sick leave from prior accrual not to exceed the part-time hours.

§140-90.1-510 (n) Sick Leave Bank

- (1) Donation. CHCC hereby establishes a Sick Leave Bank. Employees may donate annual leave either to a designated employee or to the Sick Leave Bank in general. Employees may donate as much annual leave as they want to the Bank but no more than 320 hours to any specific employee.
- (2) Use. Employees must be approved by the HRM to use the Sick Leave Bank. In order to be eligible, employees must have a serious or life threatening illness or accident that precludes the employee from working. The employee must have exhausted all other leave, including advanced leave, prior to using the Sick Leave Bank. Employees using either designated time or general Sick Leave Bank time may use no more than 320 hours total during the course of their employment.

Part 600 – Human Resources Policies

§140-90.1-615 Separation

(a) Resignation.

- (1) An at will employee shall submit a written resignation at least fourteen (14) calendar day notice prior to the effective date of separation to the Chief Executive Officer. The period of notice may be reduced or waived by the Chief Executive Officer.**

(d) No Lump sum Payment upon Separation.

- (2) Monies the employee owes the Corporation, including money owed from travel and breached agreements for continued service, shall be deducted from the final paycheck upon completion of Employee Exit Clearance. Deductions from accrued leave pay may be made for the replacement value or fair market value of the Corporation's property not returned by the employee on or before the effective date of separation.**



TINIAN CASINO GAMING CONTROL COMMISSION

Municipality of Tinian and Aguiguan
Commonwealth of the Northern Mariana Islands



Esther H. Barr
Chairman

William M. Cing
Executive Director

Jose P. Kiyoshi
Vice Chairman

PUBLIC NOTICE OF PROPOSED RULES AND REGULATIONS OF THE TINIAN CASINO GAMING CONTROL COMMISSION PERTAINING TO THE ESTABLISHMENT OF JUNKETS AND COMPLIMENTARY

Patrick H. San
Nicolas
Commissioner

Charlene M.
Lizama
Commissioner

PROPOSED RULES AND REGULATIONS: The Tinian Casino Gaming Control Commission (TCGCC) finds that:

INTENDED ACTION TO ADOPT THESE PROPOSED RULES AND REGULATIONS:

The Tinian Casino Gaming Control Commission intends to adopt as permanent regulations the attached Proposed Regulations for Junkets and Complimentary, pursuant to the procedures of the Administrative Procedures Act, 1 CMC § 9104(a). The Regulations would become effective ten (10) days after adoption and publication in the Commonwealth Register. (1 CMC§ 9104(b)).

AUTHORITY: At its Regular Meeting held on May 8, 2018, the Tinian Gaming Commission Chair and members, vested with authority as the governing body, approved to promulgate the Regulations for Junkets and Complimentary for publication and notice in the Commonwealth Register and in line with Part II, Section 5(8)(c) of the Revised Tinian Casino Gaming Control Act of 1989 and the CNMI Administrative Procedures Act.

The Commission hereby approves for the publication in the Commonwealth Register for Notice and Comment pursuant to the Administrative Procedure Act and as administered by the CNMI Law Revision Commission to be incorporated in Title 170 of the NMI Administrative Code and for approval by the Attorney General pursuant to 1 CMC § 2153(e).

THE TERMS AND SUBSTANCE: The newly proposed regulations will be an added Part to Title 170 (Local Rules and Regulations; Tinian and Aguiguan); Chapter 170-30 (Tinian Gaming Control Commission); Subchapter 30.2 (Casino Application and Licensure Regulations), to provide rules and regulations governing the control and operation of all forms of junket activities in the Second Senatorial District (Tinian) and for the purposes connected herewith as set forth in the Revised Tinian Casino Gaming Control Act of 1989.

THE SUBJECTS AND ISSUES INVOLVED: The Proposed Regulations for Junkets and Complimentary consists entirely of Junket and Complimentary. (Definitions/Licensure and Registration Required/Rolling Chip Program/Adherence to Regulations and Orders/Key Employees for Junket Activity/Form and Content of Junket Agreements/Obligation of Casino Licensee and Junket Operator/Methods, Procedures, and Forms/Required Fees/Complimentary/Prohibited Complimentary Activity/General Applicability to Internet Gaming Junket Operator)

DIRECTIONS FOR FILING AND PUBLICATION: These proposed regulations shall be published in the Commonwealth Register in the section on Proposed and Newly Adopted Regulations (1 CMC § 9102(a)(1)) and posted in convenient places in the Mayor's Office and in local government offices in each senatorial district, both in English and in the principal vernacular. (1 CMC § 9104(a)(1)).


TO PROVIDE COMMENTS: All interested persons may examine the proposed regulations and submit written comments, positions, or statements for or against the proposed regulations to the Chairman of the Tinian Casino Gaming Control Commission via mail at P.O. Box 143, Tinian, MP 96952, via phone at (670) 433-9288, or via fax at (670) 433-9290 within thirty (30) calendar days following the date of the publication in the Commonwealth Register of these proposed regulations. (1 CMC § 9102(a)(2)).

Submitted by: 
ESTHER HOFSCHEIDER BARR
Chairman
Tinian Casino Gaming Control Commission

5/08/18
Date

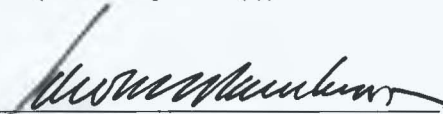
Received by: 
SHIRLEY CAMACHO-OGUMORO
Special Assistant for Administration

6/18/18
Date

Filed and Recorded by: 
ESTHER SN. NESBITT
Commonwealth Register

06.18.2018
Date

I certify, pursuant to 1 CMC § 2153(e) and 1 CMC § 9104(a)(3), that the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency and shall be published (1 CMC § 2153(f)).


EDWARD MANIBUSAN
Attorney General

6/13/18
Date

TINIAN CASINO GAMING CONTROL COMMISSION
Munisipalidad Tinian yan Aguiguan
Commonwealth gi Sangkattan na Islas Mariñas

**NUTISIAN PUBLIKU PUT I MANMAPROPONI NA AREKLAMENTU YAN
REGULASION SIHA GI TINIAN CASINO GAMING CONTROL COMMISSION
PUT PARA I FUNDASION NU I HINANAO YAN ATENDIDU SIHA**

I MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Tinian Casino Gaming Control Commission (TCGCC) ha sodda' na:

I MA'INTENSIONA NA AKSION NI PARA U MA'ADAPTA ESTI I MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Tinian Casino Gaming Control Commission ha intensiona para u adapta kumu petmanienti na regulasion siha ni mañechettun i Manmapropo ni na Regulasion para Hinanao yan Atendidu Siha, sigun para i manera siha gi Aktun Administrative Procedures gi 1 CMC § 9104(a). I regulasion siha para u ifektibu gi hulum dies (10) dihas dispues di adaptasion yan publikasion gi hulum i Rehistran Commonwealth. (1 CMC § 9104(b))

ATURIDAT: Gi regulat na Huntan-ñiha ni magotti gi Mayu 8, 2018, i Kabesiyu yan i membrun i Tinian Gaming Commission siha, magubietna yan aturidat kumu i governing body, ma'aprueba para u promulgate i Regulasion para Hinanao yan Atendidu Siha para publikasion yan nutisia gi hulum i Rehistran Commonwealth yan pumarehu yan Patti II, Seksion 5(8)(c) gi 1989 na Aktun Maribisa na Tinian Casino Gaming Control yan i Aktun Maneran i CNMI Administrative.

I kumision guini pagu ha aprueba para u mapubliko gi hulum i Rehistran Commonwealth para Nutisia yan Upiñon sigun para i Aktun Maneran i CNMI Administrative yan kumu magubietna ni Kumision Revision I Lai CNMI para u manadanña hulum Titulu 170 gi Code i NMI Administrative yan para inaprueba ginin i Henerat Abugadu sigun para 1 CMC § 2153(e).

I TEMA YAN SUSTANSIAN I PALABRA SIHA: I nuebu manmapropo ni na regulasion siha siempri manadanña na Patti para Titulu 170 (Local na Areklamentu yan Regulations; Tinian yan Aguiguan); Patti 170-30 (Tinian Gaming Control Commission); Subchapter 30.2 (Aplikasion Casino yan Regulasion Licensure siha), para u pribeni areklamentu yan regulasion ni gumubebetna i manea yan aktibidat nu i todou fotma siha gi aktibidat hinanao gi hulum i Sigundu na Distritun Senadot (Tinian) yan para i rason siha ni mañechettun guini yan kumu mapega mona' gi hulum 1989 na Aktun Maribisa na Tinian Casino Gaming Control.

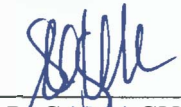
I SUHETU NI MASUMARIA YAN ASUNTU NI TINEKKA: I Manmapropo ni na Regulasion siha para Hinanao yan Atendidu konsisti puru nu i Hinanao yan Atendidu siha. (Definision/Licensure yan Nisisidat Rehistrasion/Prugraman Rolling Chip/Mañechettun para Regulasion yan Enkátga siha/ Key Employees para Operasion Hinanao/Macho' guiña, Manera, yan Fotma siha/Nisisidat Apas siha/Atendidu/Mapruhibi na Aktibidat Atendidu/Aplikao Henerat para Internet Gaming Junket Operator)

DIREKSION PARA U MAPO'LU YAN MAPUPBLIKA: Esti i manmaproponi na Regulasion siha debi na u mapupblika gi hálum i Rehistran Commonwealth gi hálum i seksiona ni Maproponi yan Nuebu na Regulasion ni Ma'adapta siha (1 CMC § 9102(a)(1)) yan u mapega gi hálum i kumbinienti na lugát siha gi hálum i Ufisinan Mayot yan i ufisinan gubietnamentu siha gi kada distritun senadot, parehu Englis yan prinsipát na lingguáhin natibu. (1 CMC § 9104(a)(1)).

PARA U MAPRIBENIYI UPIÑON SIHA: Todu manintirisáo na petsona siha siña eksamina i manmaproponi na regulasion siha yan u na'hálum tinigi' upiñon, pusisions siha, pat sinangan para pat kinentra gi manmaproponi na regulasion siha guatu gi Kabesiyun i Tinian Casino Gaming Control Commission na'hanáo káta gi P.O. Box 143, Tinian, MP 96952, pat tilifon gi (670) 433-9288 pat fax guatu gi (670)433-9290 gi hálum trenta(30) dihas ni tinattitiyi gi fetchan kalendáriu gi publikasion gi hálum i Rehistran Commonwealth gi esti na manmaproponi na regulasion siha. (1 CMC 9104(a)(2))

Nina'hálum as: 
ESTHER HOFSCHEIDER BARR
Kabesiyun
Tinian Casino Gaming Control Commission

5/02/18
Fetcha

Rinisibi as: 
SHIRLEY P. CAMACHO-OGUMORO
Ispisiát Na Ayudánti Para Atministrasion

6/12/18
Fetcha

Pine'lu yan
Ninota as: 
ESTHER SN. NESBITT
Rehistran Commonwealth

06.18.2018
Fetcha

Hu Settifikáo, sigun i 1 CMC § 2153(e) yan 1 CMC § 9104(a)(3), atyu i manmaproponi na regulasion siha ni mañechettun guini na manma'eksamina yan manma'aprueba kumu para fotma yan sufisienti ligát yan debi na u mapupblika (1 CMC § 2153 (f)).


EDWARD MANIBUSAN
Abugádu Henerát

6/13/18
Fetcha

**ARONGORONGOL TOULAP REEP POMMWOL ALLÉGH ME
MWÓGHUTUGHUTÚL CASINO GAMING CONTROL COMMISSION-IL
TCHULIYÓL IYE E SULLU NGÁLI ITITTIWEL
JUNKETS ME COMPLIMENTARY**

POMMWOL ALLÉGH ME MWÓGHUTUGHUT: Tinian Casino gaming Control Commission (TCGCC) re schuungi bwe:

MÁNGEMÁNGIL MWÓGHUT REEL REBWE ADÓPTÁÁLI POMMWOL ALLÉGH ME MWÓGHUTUGHUT KKAL: Tinian casino gaming Control Commission re mángemángil rebwe adóptááli bwe ebwe lléghló reel fféerúl mwóghut ikka e appasch bwe Pommwol Mwóghutughut ngáli Junkets me Complimentary, sáangi mwóghutughutúl Administrative Procedures Act, 1 CMC § 9104(a). Ebwe bwunguló mwóghut kkal llól seigh ráál mwiril aar adóptáánil me arongowowul me llól Commonwealth Register. (1 CMC § 9104(b)).

BWÁNGIL: Igha re yéélágh wóól Móózo 8, 2018, Tinian gaming Commission Chair me memners, eyoor bwángiir igha iir mille re lemelem, re átirow bwe ebwe lléghló Mwóghutughut ngáli Junkets me Complimentary igha ebwe akkatééwow me arongowow me llól Commonwealth Register me e ffil ngáli Part II, Tálil 5(8)(c) reel mille re Fféerú Sefááliy Tinian Casino Gaming Control Act-il 1989 me CNMI Administrative Procedures act.

Commission ra átirow reel akkatééwowul me llól Commonwealth Register ngáli Arongorong me Kkapas sáangi Administrative Procedure Act me ebwe lemeli sáangi CNMI Law Revision Commission ebwe aschúulong llól Title 170 reel NMI Administrative Code me átirow sáangi Soulemelemil Allégh Lapalap sáangi 1 CMC § 2153(e).

KKAPASAL ME AWEEWEL: Pommwol mwóghutughut ikka e ffé e schuulong reel Part ngáli Title 170 (Allégh me Mwóghutughut ikka e Local; Tchuliyól me Aguiguan); Chapter 170-30 (Tinian Gaming Control Commission); Subchapter 30.2 (Casino Application me Mwóghutughutúl Licensure), ebwe ayoorai allégh me mwóghutughut reel rebwe lemeli me aghatchú mwóghutughutúl alongal tappal junkets llól Secong Senatorial District (Tchuliyól) me ngáli bwulul ikka e schuu ighal llól mille re Fféerú Sefááliy Tinian Casino Gaming Control Act-il 1989.

KKAPASAL ME ÓUTOL: Pommwol Mwóghutughut ngáli Junkets me Complimentary iye e lo bwe óutol Junket me Complimentary. (Faal/Licensure me Registration ikka e Ffil/ Progróomal Rolling Chip/ iye e Ppasch ngáli Mwóghutughutúl me Ammwelil/Key employees ngáli Mwóghutughutúl Junket/ Form me Óutol Abwungubwungúl Junket/ Obligation reel Casino Licensee me Junket Operator.Methods, Mwóghutughutúl, me Pappid ikka e Ffil me Óbwóssul/Complimentary/Mwóghutughutúl Prohibited Complimentary/General Applicability ngáli Internet gaming Junket Operator)

AFAL REEL AMMWELIL ME AKKATÉÉWOWUL: Ebwe akkatééwow pommwol mwóghutughut yeel me llól Commonwealth Register llól tálil Pommwol me Ffél Mwóghutughut ikka ra adóptáali (1 CMC § 9102(a)(1) ebwe appaschetá llól Bwulasiyol Mayor me llól bwulasiyol gobetnameento llól senatorial district, fengál reel English me mwaliyaasch. (1 CMC § 9104(a)(1)).

ISIISILONGOL KKAPAS: Schóó kka re mwuschel amwuri ghatchúw pappidil pommwol mwóghutughut kkal me isiisilong aar ischil kkapas, positions, ngáre kkapasal aweewe ngáli ngáre sáangi pommwol mwóghutughut kkal ngáli Chairman-il Tinian Casino Gaming Control Commission via email reel P.O. Box 143, Tinian, MP 96952, via tilifon me (670) 433-9288, ngáre via fax me (670) 433-9290 llól eliigh ráal mwiril aal akkatééwow arongorong yeel me llól Commonwealth Register reel pommwol mwóghutughut kkal. (1 CMC § 9102(a)(2)).

Isáliyalong: 
ESTHER HOF SCHNEIDER BARR
Chairman
Tinian Casino Gaming Control Commission


5/08/18

Ráal

Bwughiyal: 
SHIRLEY CAMACHO-OGUMORO
Special Assistant ngáli Administration

6/18/18

Ráal

Ammwelil: 
ESTHER SN. NESBITT
Commonwealth Register

06-18-2018

Ráal

I alúghúlúgh, sáangi 1 CMC § 2153(e) me 1 CMC § 9104(a)(3), bwe aa átirow me ra amwuri fischiiy bwe aa lléghló fféerúl me legal sufficiency reel pommwol mwóghutughut ikka e appasch me ebwe akkatééwow (1 CMC § 2153(f)).


EDWARD MANIBUSAN
Soulemelemil Allégh Lapalap

6/13/18

Ráal

NORTHERN MARIANA ISLAND ADMINISTRATIVE CODE

TITLE 170

LOCAL RULES AND REGULATIONS; TINIAN AND AGUIGUAN (SECOND SENATORIAL DISTRICT)

Regulation Title: Northern Mariana Island Administrative Code
Title 170 (Local Rules and Regulations; Tinian and Aguiguan (Second Senatorial District))
Chapter 170-30 (Tinian Gaming Control Commission)
Subchapter 30.2 (Casino Application and Licensure Regulations)
Part 1100 (Junkets and Complimentary)

The following Part 1100 shall be added to Title 170; Chapter 170-30; Subchapter 170-30.2; Part 1100:

Part 1100 – Junkets and Complimentary

§ 170-30.2-1101 - Definitions

- (a) As used in this Part, the following terms have the following definitions, unless the context clearly requires a different definition:
- (1) “Junket” means an arrangement the purpose of which is to induce any person, selected or approved for participation therein on the basis of his ability to satisfy a financial qualification obligation related to his propensity to gamble, to come to a licensed casino hotel for the purpose of gambling and pursuant to which, and as consideration for which, any or all of the cost of transportation, food, lodging, and entertainment of said person is directly or indirectly paid by a casino licensee or employee or agent thereof.
 - (2) “Junket enterprise” means any person who employs or otherwise engages the services of a junket representative in connection with a junket to a licensed casino, regardless of whether or not those activities occur within the Commonwealth.
 - (3) “Junket agreement” means a contract between the casino licensee and the junket operator that states the terms and conditions in relation to the organizing, promoting or conduct of a casino marketing arrangement in or with respect to a casino licensed by the Commission, and the terms of rebate or other rewards from the junket activity payable to the junket operator by the casino licensee.
 - (4) “Junket operator” means an individual or business entity other than the casino licensee, who engages in junket activity.
 - (5) “Junket operator license” means the license granted by the Commission to the junket operator to engage in junket activity under and subject to these regulations.
 - (6) “Junket representative” means any natural person who negotiates the terms of, engages in the referral, procurement or selection of person who may participate in, or accompanies for purposes of monitoring or evaluating the participants in, any junket to a licensed casino, regardless of whether or not those activities occur within the Commonwealth.

[Proposed] Regulations for Junket Operation 1 of 5

§ 170-30.2-1102 - Licensure and Registration Required

- (a) All junket operators must be licensed by the Commission.
- (b) All junket representatives must be registered with the casino licensee before any junket activity can be conducted at the casino(s) of the casino licensee.
- (c) It is an unsuitable method of operation for the casino licensee to permit a junket operator or junket representative to conduct any Junket activity at the casino(s) of the casino licensee, unless the junket operator has been licensed by the Commission and the junket representative has been registered with the casino licensee.
- (d) A junket operator must meet with the criteria and standards of Part 400 in applying for a junket operator license. The Commission has absolute discretion to deny, suspend or revoke a junket agent license at any time. A junket operator license shall be valid for two years.
- (e) The Commission has the authority to grant a provisional junket operator license upon submission by an applicant, to the satisfaction of the Commission, of all required fees and forms, and a current license issued for the same or substantially the same activities as the junket activity and issued by a gaming regulatory authority from the United States of America, Australia, South Korea, Macao, Singapore, or any other country as approved by the Commission. The provisional junket operator license shall be valid for a period not to exceed one year. Any person or entity that holds a provisional junket operator license may apply for a junket operator license at any time during the period of provisional licensure.

§ 170-30.2-1103 - Rolling Chip Program

- (a) The licensee may utilize a rolling chip program for junket or non-junket patrons only as authorized by the Commission or the Executive Director.
- (b) The licensee may utilize a rolling chip program for junket or non-junket patrons only as authorized by the Commission or the Executive Director.

§ 170-30.2-1104 - Adherence to Regulations and Orders

- (a) No junket may be organized or permitted and no junket activity of any kind may occur or be permitted except in accordance with the provisions of these regulations and the orders of the Commission.
- (b) No person may act as a junket operator, except in accordance with the provisions of these regulations and the orders of the Commission.
- (c) The Commission is empowered to condition, suspend or revoke the junket operator license or to enter any order necessary for the regulation of junket activity. The Commission or

Executive Director is allowed to suspend or terminate the registration of any junket representative.

- (d) All junket operators and junket representatives who engage in junket activity must, at all times, comply with all CNMI and federal laws and regulations.

§ 170-30.2-1105 - Key Employees for Junket Activity

- (a) Any employee or board member of the casino licensee or an affiliate of a casino licensee who engages in any junket activity including, inducing junket patrons to wager or negotiating terms of any rebate or commission for junket activity shall be licensed as a casino key employee in accordance with the provisions of these regulations; provided, however, that said licensee need not be a resident of the Commonwealth.
- (b) Any employee or board member of the casino licensee or an affiliate of the casino licensee who make decisions concerning the extension or collection of credit to junket operators or patrons must be licensed as casino key employees, regardless of whether they reside in the Commonwealth.

§ 170-30.2-1106 - Form and Content of Junket Agreements

- (a) Every junket agreement must contain all terms and conditions between the casino licensee and the junket operator, and must be in writing and signed by all parties.
- (b) Every junket agreement entered into by a casino licensee and a junket operator or representative shall be deemed to include a provision for its termination without liability on the part of the casino licensee, if the Commission orders the termination upon the suspension, limitation, conditioning, denial or revocation of the licensure of the junket operator, or as a penalty imposed against the casino licensee. Failure to expressly include such a condition in the agreement shall not constitute a defense in any action brought to terminate the agreement.
- (c) A copy of all junket agreements shall be provided to the Commission upon execution of the contract.

§ 170-30.2-1107 - Obligation of Casino Licensee and Junket Operator

- (a) The casino licensee must keep a log of the junket representatives registered by the junket operator and make it available to the Commission upon request.
- (b) The Commission may order restitution or impose penalties or such other relief as the Commission considers fit against the junket operator for any violation or deviation from the terms of any of these regulations or activities of a junket operator and limit or prohibit the engagement of any junket operator by the casino licensee.

§ 170-30.2-1108 - Methods, Procedures, and Forms

[Proposed] Regulations for Junket Operation 3 of 5

- (a) The Commission or the Executive Director shall, by order prescribe methods, procedures, and forms for the delivery and retention of information concerning the conduct of a junket by the casino licensee and persons engaged in junket activity.
- (b) The failure to follow any ordered method or procedure or the failure to complete or submit any ordered form is an unsuitable method of operation.
- (c) Every junket operator must provide to the Executive Director an exact copy of every tax or other document, form, or return filed with or provided to the Commonwealth's Secretary of Finance, the Department of Finance, the Division of Revenue and Taxation, or the Tinian Municipal Treasury within three days of such filing or provision, without regard as to whether the document, form or return was filed or provided by the junket operator or on behalf of the operator by an agent or third party.

§ 170-30.2-1109 - Required Fees

- (a) Application for a junket operator license must be submitted to the Commission with a non-proratable, non-refundable license fee of Two Thousand Five Hundred Dollars (\$2,500.00). The Application for a junket operator license must also be accompanied by a non-proratable, non-refundable investigation fee of Ten Thousand Dollars (\$10,000.00).
- (b) The regular junket operator license shall be valid for a period of two years unless revoked by the Commission. A non-proratable, non-refundable license fee of One Thousand Dollars (\$1,000.00) dollars shall be payable to the Commission for each renewal. Each renewal application must also be accompanied by a non-proratable, non-refundable investigation fee of Two Thousand Five Hundred Dollars (\$2,500.00).
- (c) The application for a provisional junket operator license must be submitted to the Commission with a non-proratable and non-refundable license fee of Five Hundred Dollars (\$500.00). The provisional license is valid for one year.

§ 170-30.2-1110 - Complimentary

- (a) The licensee may engage in a program of extending wagering chips, instruments, or credits as allowed by Commission order or by order of the Executive Director.
- (b) Complimentary/promotional chips, instruments, and wagering credits used as wager shall form part of table capital and therefore be included in the gross gaming revenues.
- (c) No money expended on any complimentary item or service shall be deducted from gross gaming revenues.

§ 170-30.2-1111 - Prohibited Complimentary Activity

- (a) The licensee shall not offer or provide complimentary cash, chips, wagering credits, or instruments to any restricted person at any time.

- (b) The licensee may offer or provide complimentary room, food, beverage, transportation, or (non-wagering) entertainment expenses to restricted persons only if such good, service, or discount is offered to all members of the general public in like circumstance.
- (c) As used in this section, “restricted person” means any Commonwealth board member, officer, or employee.

§ 170-30.2-1112 - General Applicability to Internet Gaming Junket Operator

These Rules shall apply with equal force to individuals or business entities seeking licensure as an Internet Gaming Junket Operator as provided under the Regulations for Internet Gaming Operations.



TINIAN CASINO GAMING CONTROL COMMISSION

Municipality of Tinian and Aguiguan
Commonwealth of the Northern Mariana Islands



Esther H. Barr
Chairman

William M. Cing
Executive Director

Jose P. Kiyoshi
Vice Chairman

PUBLIC NOTICE OF PROPOSED RULES AND REGULATIONS OF THE TINIAN CASINO GAMING CONTROL COMMISSION PERTAINING TO THE ESTABLISHMENT OF INTERNET GAMING OPERATION

Patrick H. San
Nicolas
Commissioner

Charlene M.
Lizama
Commissioner

PROPOSED RULES AND REGULATIONS: The Tinian Casino Gaming Control Commission (TCGCC) finds that:

INTENDED ACTION TO ADOPT THESE PROPOSED RULES AND REGULATIONS: The Tinian Casino Gaming Control Commission intends to adopt as permanent regulations the attached Proposed Regulations for Internet Gaming Operation, pursuant to 1 CMC § 9104(a) of the Administrative Procedure Act. Pursuant to 1 CMC § 9104(b), the Proposed Regulations for Internet Gaming Operation would become effective ten (10) days after adoption and publication in the Commonwealth Register.

AUTHORITY: At its Regular Meeting held on May 8, 2018, the Tinian Gaming Commission Chair and members, vested with authority as the governing body, approved to promulgate the Regulations for Internet Gaming Operation for publication and notice in the Commonwealth Register and in line with Part II, Section 5(8)(c) of the Revised Tinian Casino Gaming Control Act of 1989 and the CNMI Administrative Procedures Act.

The Commission hereby approves for the publication in the Commonwealth Register for Notice and Comment pursuant to the Administrative Procedure Act and as administered by the CNMI Law Revision Commission to be incorporated in Title 170 of the NMI Administrative Code and for approval by the Attorney General pursuant to 1 CMC § 2153(e).

THE TERMS AND SUBSTANCE: The newly proposed regulations will be an added subchapter to Title 170 (Local Rules and Regulations; Tinian and Aguiguan); Chapter 170-30 (Tinian Gaming Control Commission), to provide rules and regulations governing the operation of internet gaming in the Second Senatorial District and to ensure that internet gaming is properly regulated and monitored; ensure that internet gaming is conducted in a responsible manner with appropriate safeguards for those who engage in internet gaming; and to ensure that internet gaming is conducted lawfully.

THE SUBJECTS AND ISSUES INVOLVED: The Proposed Regulations for Internet Gaming Operation consists of General Provisions (Authority/Purpose of Regulations/Nature of Internet Gaming License/Incorporation of Act and Regulations/Definition of Terms), Licensing (Provisions of the Act and Regulations Applicable to Internet Gaming/Employees/Fees), Accounts (Registration of Players/Authorized Player Account/Financial Stability and Funds Security), Conduct of Operations (Internet Gaming System/Acceptance of Wagers/Minimum Bankroll Requirements/Customer Disputes/House Rules/Information Displayed on Website/Records/Responsibility), Problem Gambling (Problem Gambling); Internal Controls (Internal Controls), Technical Standards (Technical Standards), Live Dealer Games (Live Dealer Games), Disciplinary Actions (Grounds for Disciplinary Actions), and Waivers (Commission May Waive Requirements).

DIRECTIONS FOR FILING AND PUBLICATION: These proposed regulations shall be published in the Commonwealth Register in the section on Proposed and Newly Adopted Regulations (1 CMC § 9102(a)(1)) and posted in convenient places in the Mayor's Office and in local government offices in each senatorial district, both in English and in the principal vernacular. (1 CMC § 9104(a)(1)).

TO PROVIDE COMMENTS: All interested persons may examine the proposed regulations and submit written comments, positions, or statements for or against the proposed regulations to the Chairman of the Tinian Casino Gaming Control Commission via mail at P.O. Box 143, Tinian, MP 96952, via phone at (670) 433-9288, or via fax at (670) 433-9290 within thirty (30) calendar days following the date of the publication in the Commonwealth Register of these proposed regulations. (1 CMC § 9102(a)(2)).

Submitted by: *Esther Hofschneider Barr*
ESTHER HOFSCHEIDER BARR
Chairman
Tinian Casino Gaming Control Commission

5/08/18
Date

Received by: *Shirley Camacho-Ogumoro*
SHIRLEY CAMACHO-OGUMORO
Special Assistant for Administration

6/12/18
Date

Filed and Recorded by: *Esther Sn. Nesbitt*
ESTHER SN. NESBITT
Commonwealth Register *per*

06.18.2018
Date

I certify, pursuant to 1 CMC § 2153(e) and 1 CMC § 9104(a)(3), that the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency and shall be published (1 CMC § 2153(f)).

Edward Manibusan
EDWARD MANIBUSAN
Attorney General

6/14/18
Date

TINIAN CASINO GAMING CONTROL COMMISSION
Munisipalidad Tinian yan Aguiguan
Commonwealth gi Sangkattan na Islas Mariñas

**NUTISIAN PUPBLIKU PUT I MANMAPROPONI NA AREKLAMENTU YAN
REGULASION SIHA GI TINIAN CASINO GAMING CONTROL COMMISSION
PUT PARA I ESTABLESIMENTUN NU I INTERNET GAMING OPERATION**

I MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Tinian Casino Gaming Control Commission (TCGCC) ha sodda' na:

I MA'INTENSIONA NA AKSION NI PARA U MA'ADAPTA ESTI I MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Tinian Casino Gaming Control Commission ha intensiona para u adapta kumu petmanienti na regulasion siha ni mañechettun i Manmaproponi na Regulasion para Internet Gaming Operation, sigun para Aktun Administrative Procedures gi 1 CMC § 9104(a). Sigun para 1 CMC § 9104(b), i Manmaproponi na regulasion siha para Internet Gaming Operation mu ifektibu gi hálum dies (10) dihas dispues di adaptasion yan publikasion gi hálum i Rehistran Commonwealth.

ÁTURIDÁT: Gi regulát na Huntan-ñiha ni magotti gi Måyu 8, 2018, i Kabesiyu yan i membrun i Tinian Gaming Commission siha, magubietna yan aturidát kumu i governing body, ma'aprueba para u promulgate i Regulasion para Internet Gaming Operation para publikasion yan nutisia gi hálum i Rehistran Commonwealth yan pumarehu yan Pátti II, Seksion 5(8)(c) gi 1989 na Aktun Maribisa na Tinian Casino Gaming Control yan i Aktun Maneran i CNMI Administrative.

I kumision guini pá'gu ha aprueba para u mapublika gi hálum i Rehistran Commonwealth para Nutisia yan Upiñon sigun para i Aktun Maneran i CNMI Administrative yan kumu magubietna ni Kumision Revision I Lai CNMI para u manadanña hálum Titulu 170 gi Code i NMI Administrative yan para inaprueba ginin i Henerát Abugádu sigun para 1 CMC § 2153(e).

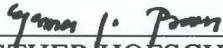
I TEMA YAN SUSTÁNSIAN I PALÁBRA SIHA: I nuebu manmaproponi na regulasion siha siempri manadanña i subchapter para Titulu 170 (Local na Areklamentu yan Regulasion; Tinian yan Aguiguan); Pátti 170-30 (Tinian Gaming Control Commission), para u pribeni areklamentu yan regulasion ni gumubebietna i operasion nu i internet gaming hálum i Sigundu na Distritun Senadot yan para u manasiguru atyu i internet gaming na mamanea propiu yan marikod; na siguru atyu i internet gaming na makondukta gi risponsábli na manera yan appropriate safeguards para atyu siha ni manenggansa hálum i internet gaming; yan para manasiguru atyu i internet gaming na makondukta gi ligát.

I SUHETU NI MASUMÁRIA YAN ASUNTU NI TINEKKA: I Manmaproponi na Regulasion siha para i Internet Gaming Operation konsisti nu i Henerát na Provision (Aturidát/Rason nu i Regulasion siha/Nature nu i Lisensian Internet Gaming/Incorporation nu i Aktun yan Regulasion siha/Difinision nu i Tema siha), Licensing (Provision nu i Aktun yan Regulasion ni Aplikáo para Internet Gaming siha/Impli'áo siha/Ápas siha), Accounts (Rehistrasion i Manigágándu siha/Account i Ma'aturisa ni Gumágándu/Financial Stability yan Sikuridin Fondu siha/Konduktun i Operasion siha (Sisteman Internet Gaming/Inakseptan nu i


Parada siha/Nisisidât i Minimum Bankroll siha/Risistin nu i Customer siha/Areklamentun Guma'/Infotmasion ni Ma'mostra gi Website/Rikod siha/Risponsibilidât), Prubleman Pa'iket (Prubleman Pa'iket); Enkâtgan Sanhalum siha (Enkâtgan Sanhalum siha), Technical Standards (Technical Standards), Live Dealer Games (Live Dealer Games), Disciplinary Actions (Grounds para Disciplinary Actions), yan Waivers (I Kumision Siña ha Waive i Nisisidât siha).

DIREKSION PARA U MAPO'LU YAN MAPUPBLIKA: Esti i manmaproponi na Regulasion siha debi na u mapupblika gi hâlum i Rehistran Commonwealth gi hâlum i seksiona ni Maproponi yan Nuebu na Regulasion (1 CMC § 9102(a)(1)) yan u mapega gi hâlum i kumbinienti na lugât siha gi hâlum i Ufisinan Mayot yan i ufisinan gubietnamentu siha gi kada distritun senadot, parehu Englis yan prinsipât na lingguâhin natibu. (1 CMC § 9104(a)(1)).


PARA U MAPRIBENIYI UPIÑON SIHA: Todu manintirisâo na petsona siha siña eksamina i manmaproponi na regulasion siha yan u na'hâlum tinigi' upiñon, pusiones siha, pat sinangan para pat kinentra gi manmaproponi na regulasion siha guatu gi Kabesiyun i Tinian Casino Gaming Control Commission na hanâo kâtta gi P.O. Box 143, Tinian, MP 96952, pat tilifon gi (670) 433-9288 pat fax guatu gi (670)433-9290 gi hâlum trenta(30) dihas ni tinattitiyi gi fetchan kalendâriu gi publikasion gi hâlum i Rehistran Commonwealth gi esti na manmaproponi na regulasion siha. (1 CMC 9104(a)(2))

Nina'hâlum as: 
ESTHER HOFSCHEIDER BARR
Kabesiyun
Tinian Casino Gaming Control Commission

5/02/18
Fetcha

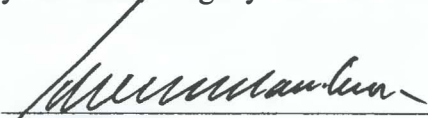
Rinisibi as: 
SHIRLEY P. CAMACHO-OGUMORO
Ispisiât Na Ayudânti Para Atministrasion

6/2/18
Fetcha

Pine'lu yan
Ninota as: 
ESTHER SN. NESBITT
Rehistran Commonwealth

06-18-2018
Fetcha

Hu Settifikâo, sigun i 1 CMC § 2153(e) yan 1 CMC § 9104(a)(3), atyu i manmaproponi na regulasion siha ni mañechettun guini na manma'eksamina yan manma'aprueba kumu para fotma yan sufisienti ligât yan debi na u mapupblika (1 CMC § 2153 (f)).


EDWARD MANIBUSAN
Abugâdu Henerât

6/14/18
Fetcha

**ARONGORONGOL TOULAP REEP POMMWOL ALLÉGH ME
MWÓGHUTUGHUTÚL CASINO GAMING CONTROL COMMISSION-IL
TCHULIYÓL IYE E SULLU NGÁLI ITITTIWEL
MWÓGHUTUGHUTÚL INTERNET GAMING**

POMMWOL ALLÉGH ME MWÓGHUTUGHUT: Tinian Casino gaming Control Commission (TCGCC) re schuungi bwe:

MÁNGEMÁNGIL MWÓGHUT REEL REBWE ADÓPTÁÁLI POMMWOL ALLÉGH ME MWÓGHUTUGHUT KKAL: Tinian Casino Gaming Control Commission re mángemángil rebwe adóptááli bwe ebwe lléghló reel fféerúl mwóghut ikka e appasch bwe Pommwol Mwóghutughut ngáli Mwóghutughutúl Internet Gaming, sáangi 1 CMC § 9104(a) ngáli Administrative Procedure Act. Sáangi 1 CMC § 9104(b), Pommwol Mwóghutughut ngáli Mwóghutughutúl Internet gaming ebwe bwunguló llól seigh ráal mwiril aar adóptááli me akkatééwowul me llól Commonwealth Register.

BWÁNGIL: Igha re yéélágh wóól Móozo 8, 2018, Tinian gaming Commission Chair me memners, eyoor bwángiir igha iir mille re lemelem, re átirow bwe ebwe lléghló Mwóghutughut ngáli Junkets me Complimentary igha ebwe akkatééwow me arongowow me llól Commonwealth Register me e ffil ngáli Part II, Tálil 5(8)(c) reel mille re Fféerú Sefaáliy Tinian Casino Gaming Control Act-il 1989 me CNMI Administrative Procedures act.

Commission ra átirow reel akkatééwowul me llól Commonwealth Register ngáli Arongorong me Kkapas sáangi Administrative Procedure Act me ebwe lemeli sáangi CNMI Law Revision Commission ebwe aschúulong llól Title 170 reel NMI Administrative Code me átirow sáangi Soulemelemil Allégh Lapalap sáangi 1 CMC § 2153(e).

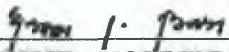
KKAPASAL ME AWEEWEL: Pommwol mwóghutughut ikka e ffé e schuulong reel Part ngáli Title 170 (Allégh me Mwóghutughut ikka e Local; Tchuliyól me Aguiguan); Chapter 170-30 (Tinian Gaming Control Commission); Subchapter 30.2 (Casino Application me Mwóghutughutúl Licensure), ebwe ayoorai allégh me mwóghutughut reel rebwe lemeli me aghatchú mwóghutughutúl internet gaming llól Second Senatorial District ebwe lo bwe e ffil mwóghutughutúl me re amwuri ghatchúl; amwuri bwe re lemeli ghatchúw internet gaming fengál bwe e ffil safeguards ngáliir schóó kka re lo bwe re lo wóól internet gaming, me rebwe amwuri bwe e ffil ngáli allégh reel mwóghutughutúl.

KKAPASAL ME ÓUTOL: Pommwol Mwóghutughut ngáli Internet Gaming iye e schuu reel General Provisions (bwángil/Bwulul Mwóghutughut/ Nature reel Internet Gaming License/Incorporation reel Act me Regulations/Faalil Aweewe), Licensing (Provisions reel Act me Regulations Application ngáli Internet Gaming/Schóól Angaang/Óbwóss), Accounts (Registration reel schóó kka re Ukkur/ Player Account ikka eyoor Bwángiir/Financial Stability reel Funds Security), Mwóghutughut (Internet Gaming System/ Acceptance reel Óbwóss/Minimum Bankroll Requirements/Customer Disputes/House Rules/Arongorong iye e bwáá wóól website/Rekood/Lemelemil) Problem Gambling (Problem Gambling); Internal

Controls (Internal Controls), Technical Standards (Technical Standards), Live Dealer Games (Live Dealer Games), Disciplinary Actions (Grounds ngáli Disciplinary Actions), me Waivers (Commission emmwelil waive-li Requirements).

AFAL REEL AMMWELIL ME AKKATÉÉWOWUL: Ebwe akkatééwow pommwol mwóghutughut yeel me llól Commonwealth Register llól tálil Pommwol me Ffél Mwóghutughut ikka ra adóptáali (1 CMC § 9102(a)(1) ebwe appaschetá llól Bwulasiyol Mayor me llól bwulasiyol gobetnameento llól senatorial district, fengál reel English me mwaliyaasch. (1 CMC § 9104(a)(1)).



ISIISILONGOL KKAPAS: Schóó kka re mwuschel amwuri ghatchúw pappidil pommwol mwóghutughut kkal me isiisilong aar ischil kkapas, positions, ngáre kkapasal aweewe ngáli ngáre sáangi pommwol mwóghutughut kkal ngáli Chairman-il Tinian Casino Gaming Control Commission via email reel P.O. Box 143, Tinian, MP 96952, via tilifon me (670) 433-9288, ngáre via fax me (670) 433-9290 llól eliigh ráál mwiril aal akkatééwow arongorong yeel me llól Commonwealth Register reel pommwol mwóghutughut kkal. (1 CMC § 9102(a)(2)).

Isáliyalong: 
ESTHER HOFSCHEIDER BARR
Chairman
Tinian Casino Gaming Control Commission

5/08/18
Ráál


Bwughiyal: 
SHIRLEY CAMACHO-OGUMORO
Special Assistant ngáli Administration

6/12/18
Ráál

Ammwelil: 
ESTHER SN. NESBITT
Commonwealth Register 

06.18.2018
Ráál

I alúghúlúgh, sáangi 1 CMC § 2153(e) me 1 CMC § 9104(a)(3), bwe aa átirow me ra amwuri fischiiy bwe aa lléghló fféerúl me legal sufficiency reel pommwol mwóghutughut ikka e appasch me ebwe akkatééwow (1 CMC § 2153(f)).


EDWARD MANIBUSAN
Soulemelemil Allégh Lapalap

6/14/18
Ráál

NORTHERN MARIANA ISLAND ADMINISTRATIVE CODE

TITLE 170

LOCAL RULES AND REGULATIONS; TINIAN AND AGUIGUAN (SECOND SENATORIAL DISTRICT)

Regulation Title: Northern Mariana Island Administrative Code
Title 170 (Local Rules and Regulations; Tinian and Aguiguan (Second Senatorial District))
Chapter 170-30 (Tinian Gaming Control Commission)
Subchapter 30.8 (Regulations for Internet Gaming Operations)

The following subchapter shall be added to Title 170; Chapter 170-30; Subchapter 170-30.8:

**CHAPTER 170-30.8
REGULATIONS FOR INTERNET GAMING OPERATION**

Part 001 – General Provision

§ 170-30.8-001 – Authority

This regulation on “Internet Gaming Operations” is promulgated pursuant to the Revised Tinian Casino Gaming Control Act of 1989 (“Act”) and all subsequent amendments, as well as the regulations (“Regulations”) promulgated by the Tinian Gaming Control Commission (“Commission”).

§ 170-30.8-002 – Purpose of Regulation

The Commission is mandated under the Act to regulate all forms of Internet Gaming, as defined therein, and in order to satisfy its regulatory duties, the Commission finds it necessary to promulgate regulations governing the operation of Internet Gaming, with the following objectives:

- (1) Ensure that Internet Gaming is properly regulated and monitored;
- (2) Ensure that Internet Gaming is conducted in a responsible manner with appropriate safeguards for those who engage in Internet Gaming; and
- (3) Ensure that Internet Gaming is conducted lawfully.

§ 170-30.8-003 – Nature of Internet Gaming License

An Internet Gaming license may be issued as provided in the Act, and an Internet Gaming Operator shall be subject to the Act and all Regulations thereunder that apply to a Casino Licensee.

[Proposed] Regulations for Internet Gaming Operation 1 of 19

§ 170-30.8-004 – Incorporation of Act and Regulations

Unless defined in Section 170-30.8-005 herein, all terms identified in this regulation shall have the meanings as set forth in the Act and Regulations, which are incorporated herein by reference.

§ 170-30.8-005 – Definition of Terms

When used in these regulations, unless the context otherwise requires, the terms defined in this Section shall have the meaning stated herein:

- (1) “Account” means an electronic ledger operated and maintained by an Internet Gaming Operator wherein information relative to Internet Gaming is recorded on behalf of an Authorized Player, including the following types of transactions:
 - (a) Deposits;
 - (b) Withdrawals;
 - (c) Amounts wagered;
 - (d) Amounts paid on winnings; and
 - (e) Adjustments to the Account.
- (2) “Authorized Game” means any gambling game authorized by the Commission for use with an Internet Gaming System.
- (3) “Authorized Player” means an individual who has opened an Account with the Internet Gaming Operator.
- (4) “Communications Technology” means Communications Technology, as defined in the Act.
- (5) “Critical Components” means the hardware, software, technology, or other equipment of any kind determined by the Commission to be necessary for the conduct of Internet Gaming, and located within the Second Senatorial District.
- (6) “Internet Gaming” means Internet Gaming, as defined in the Act.
- (7) “Internet Gaming Junket Operator” means an individual or business entity other than an Internet Gaming Operator licensee who has been licensed by the Commission under this Act and has a junket agreement with an Internet Gaming Operator to extend a line of credit to Authorized Players.
- (8) “Internet Gaming Licensee” means an Internet Gaming Operator and all other persons required to be licensed or registered under this regulation, the Act, or the Regulations.
- (9) “Internet Gaming Operator” means Internet Gaming Operator, as defined in the Act.

[Proposed] Regulations for Internet Gaming Operation 2 of 19

- (10) "Internet Gaming Service Provider" means a person who acts on behalf of an Internet Gaming Operator, and:
- (a) Manages, administers or controls wagers that are initiated, received or made on an Internet Gaming System;
 - (b) Manages, administers or controls the Games with which wagers that are initiated, received or made on an Internet Gaming System are associated;
 - (c) Provides, maintains or operates the software or hardware of an Internet Gaming System;
 - (d) Provides the trademarks, trade names, service marks or similar intellectual property under which an Internet Gaming Operator identifies its Internet Gaming System to patrons;
 - (e) Provides products, services, information or assets to an Internet Gaming Operator and receives a percentage of gaming revenue from the Internet Gaming Operator;
 - (f) Verifies the geographic location of Authorized Players;
 - (g) Verifies, or provides information for the verification of, the identification of individuals;
 - (h) Directly facilitates the depositing of funds into or withdrawing of funds from an Account;
 - (i) Provides management, support, security, or disaster recovery services for Commission regulated hardware or software; or
 - (j) Provides services in relation to the Internet Gaming System that the Commission determines, in its absolute discretion, requires licensure as an Internet Gaming Service Provider.
- (11) "Internet Gaming System" means all hardware, software, and Communications Technology used by an Internet Gaming Operator to conduct Internet Gaming, including a Table Game Simulcasting System.
- (12) "Live Dealer" means a casino employee authorized to deal or conduct Live Dealer Games.
- (13) "Live Dealer Games" means Internet Gaming offered to Authorized Players via an Internet Gaming System and Table Game Simulcasting System and dealt or conducted by a Live Dealer.
- (14) "Personally Identifiable Information" means any information about an individual maintained by an Internet Gaming Operator or an Internet Gaming Service Provide including (1) any information that can be used to distinguish or trace an individual's identity, such as name, social security number, date and place of birth, mother's maiden name, or biometric records; and (2) any other information that is linked or linkable to an individual, such as medical, educational, financial, and employment information.
- (15) "Table Game Simulcasting System" means all hardware, software, and communications that comprise a system used to simulcast Live Dealer Games.

[Proposed] Regulations for Internet Gaming Operation 3 of 19

Part 100 – Licensing

§ 170-30.8-101 Provisions of the Act and Regulations Applicable to Internet Gaming

- (1) The requirements, obligations, criteria and standards identified in the Act and Regulations for eligibility, required approval, qualification, suitability, and conducting operations related in any way to gaming (“Licensing Criteria”) shall apply as follows:
 - (a) Internet Gaming Operators shall be subject to the Licensing Criteria of Casino Licensees;
 - (b) Internet Gaming Service Providers shall be subject to the Licensing Criteria of Casino Service Providers;
 - (c) A Lessee of an Internet Gaming Licensee shall be subject to the Licensing Criteria of a Lessee Under a Casino Lease;
 - (d) A party to an Internet Gaming Management Agreement shall be subject to the Licensing Criteria of a Casino Management Agreement;
 - (e) An Internet Gaming Junket Operator shall be subject to the Licensing Criteria of a Junket Operator; and
 - (f) Any other person who would provide services to the Internet Gaming Operator that would require licensing, registration, and/or qualification under the Act or Regulations, including but not limited to Casino Service Industries and Casino Vendor Licensees, or under the absolute discretion of the Commission, shall be subject to the Licensing Criteria for the same.

Section 170-30.8-102 – Employees

Employees of Internet Gaming Licensees referenced in Section 170-30.8-101, will be subject to the licensing and approval requirements identified in the Act and Regulations, as applicable.

Section 170-30.8-103 – Fees

The following are the applicable fees to be assessed from applicants of licenses:

- (1) Internet Gaming License Fees
 - (a) In addition to the costs associated with acquiring an annual conditional or plenary casino license fee pursuant to the Act, a casino licensee may opt to pay an additional annual fee of Three hundred Thousand Dollars (\$300,000.00) for the operation of internet gaming. The annual internet license fee may be waived for a casino licensee who opts to pay an annual plenary or conditional casino license fee of Two Million Dollars (\$2,000,000.00) but may not waive payment of internet gambling tax.
 - (b) A casino licensee shall renew a license upon its expiration by the payment of the annual license fee of Five Hundred Thousand Dollars (\$500,000.00) pursuant to the Act.
- (2) License Fees – upon approval of the license, the applicant shall pay the corresponding fees prior to the issuance of the license pursuant to the Act and under these regulations.

[Proposed] Regulations for Internet Gaming Operation 4 of 19

- (3) Internet Gaming Operators and service providers shall be subject to the same fee requirements under Part 800 of the Regulations.

Part 200 – Accounts

§ 170-30.8-201 – Registration of Players

- (1) An Internet Gaming Operator shall not permit an individual to participate in Internet Gaming unless that individual is an Authorized Player and holds an Account with the Internet Gaming Operator.
- (2) An Internet Gaming Operator may allow an individual to register as an Authorized Player either remotely or in person, so long as the Authorized Player meets the requirements hereunder.
- (3) To register as an Authorized Player:
 - (a) The individual must be located within the intra-island borders of the Second Senatorial District, unless the conduct of such Internet Gaming is not inconsistent with federal law, law of the jurisdiction, including any foreign nation, in which the individual is located, or such Internet Gaming is conducted pursuant to a reciprocal agreement to which the Second Senatorial District is a party that is not inconsistent with federal law; and
 - (b) Must provide to the Internet Gaming Operator:
 - (i) The individual's full legal name;
 - (ii) The individual's date of birth showing that the individual is 21 years of age or older;
 - (iii) The physical address where the individual resides;
 - (iv) The individual's social security number or equivalent identification number for a foreign individual such as a passport or taxpayer identification number;
 - (v) The individual's valid email address;
- (4) Before registering an individual as an Authorized Player, the Internet Gaming Operator must have the individual affirm the following:
 - (a) That the information provided to the Internet Gaming Operator by the individual is accurate;
 - (b) That the individual has reviewed and acknowledged access to the house rules and pay tables;
 - (c) That the individual has reviewed and agrees to the Internet Gaming Operator's Terms and Conditions of Service and Privacy Policy;
 - (d) That the individual has been informed and understands that, as an Authorized Player, they are prohibited from allowing any other individual access to or use of their Account;
 - (e) That the individual has been informed and understands that, as an Authorized Player, they are prohibited from engaging in Internet Gaming from any prohibited

[Proposed] Regulations for Internet Gaming Operation 5 of 19

- jurisdiction and, if found to be playing from a prohibited jurisdiction, may be subject to criminal prosecution;
- (f) That the individual has been informed and understands that, if the Internet Gaming Operator is unable to verify the information provided by the individual pursuant to subsection (3) within thirty (30) days of registration, any winnings attributable to the individual will be retained by the Internet Gaming Operator and the individual shall have no right to such winnings;
 - (g) That the individual consents to the jurisdiction of the Commission to resolve disputes arising out of Internet Gaming; and
 - (h) That the individual consents to the monitoring and recording by the Internet Gaming Operator and the Commission of any wagers or activities.
 - (i) That the individual is not on the Commission's self-exclusion list; and
 - (j) That the individual has not been permanently banned from gambling in any jurisdiction.
- (5) If the Internet Gaming Operator is aware that an individual has provided false information, the Internet Gaming Operator shall not register such individual.
 - (6) Within thirty (30) days of the registration of the Authorized Player, the Internet Gaming Operator shall verify the information provided by the individual pursuant to subsection (3). Until such verification has occurred:
 - (a) The Authorized Player may not deposit more than Five Thousand Dollars (\$5,000.00) in their Account; and
 - (b) The Authorized Player may not withdraw any funds from their Account.
 - (7) If verification of the information provided pursuant to subsection (3) has not occurred within thirty (30) days or the Internet Gaming Operator becomes aware that such information is false, the Internet Gaming Operator shall:
 - (a) Immediately terminate the Account;
 - (b) Retain any winnings attributable to the individual; and
 - (c) Refund the balance of deposits made to the Account to the source of such deposit or by issuance of a check and then permanently close the Account.
 - (8) If Internet Gaming Operator becomes aware that a permanently banned individual has registered for an Account or a previously Authorized Player has been listed on the self-exclusion list, the Internet Gaming Operator shall:
 - (a) Terminate the Account;
 - (b) Distribute any winnings attributable to the individual to the Commission; and
 - (c) Refund the balance of deposits made to the Account to the source of such deposit or by issuance of a check and then permanently close the Account.
 - (9) Any winnings due to an Authorized Player prior to completion of the verification process shall be credited to their Account upon successful verification.

- (10) A properly qualified Internet Gaming Service Provider may contract with an Internet Gaming Operator to perform all of the above verifications; however, doing so does not relieve the Internet Gaming Operator from any liability under this section, the Act, and the Regulations, and the Internet Gaming Operator remains ultimately responsible for the actions of any such Internet Gaming Service Provider or other party hired by the Internet Gaming Operator.

§ 170-30.8-202 – Authorized Player Account

- (1) An Internet Gaming Operator shall record and maintain the following in relation to an Authorized Player's Account:
- (a) The date and time the Account is opened or terminated;
 - (b) The date and time the Account is logged in to or is logged out of; and
 - (c) The physical location, by state or foreign jurisdiction, of the Authorized Player while logged in to the Account.
- (2) An Internet Gaming Operator shall ensure that an individual registered as an Authorized Player can only register and maintain a single, non-transferable Account with the Internet Gaming Operator.
- (3) An Internet Gaming Operator shall at all times maintain a list of all Authorized Players and Accounts.
- (4) An Internet Gaming Operator shall provide all Authorized Players with reasonable access to wagering information including, but not limited to, the following:
- (a) All credits and debits to the Account;
 - (b) A complete history of the Authorized Player's gaming activity, including:
 - (i) The date and time of each session;
 - (ii) The Games played;
 - (iii) The amounts wagered, and the net win/loss.
- (5) An Internet Gaming Operator shall not allow or set up anonymous Accounts or Accounts in fictitious names.
- (6) An Internet Gaming Operator shall not allow an Authorized Player to transfer funds to any other Authorized Player's Account.
- (7) All Accounts shall require a password for logging in, which shall be changed periodically, as provided by the Commission.

§ 170-30.8-202 – Financial Stability and Funds Security

- (1) Funds may only be deposited by an Authorized Player or an Internet Gaming Junket Operator into an Account assigned to that Authorized Player or that Internet Gaming Junket Operator that extends a line of credit to Authorized Player(s) through a mechanism that allows the Internet Gaming Operator to verify the age and identify of the Authorized Player(s) including, but not limited to, the following:

[Proposed] Regulations for Internet Gaming Operation 7 of 19

- (a) Cash or cash equivalents;
 - (b) Checks;
 - (c) ETF Transfers;
 - (d) Wire Transfers;
 - (e) Credit cards;
 - (f) Debit cards; and
 - (g) Any other instrumentality or means approved by the Commission.
- (2) An Account may be credited by the following means:
- (a) Deposits made in accordance with subsection (1);
 - (b) Amounts won by an Authorized Player;
 - (c) Promotional credits, or bonus credits provided by the Internet Gaming Operator and subject to the terms of use established by the Internet Gaming Operator and as long as such credits are clearly identified as such; and
 - (d) Adjustments made by the Internet Gaming Operator following the resolution of a dispute.
- (3) An Account may be debited by the following means:
- (a) Amounts wagered by an Authorized Player;
 - (b) Purchases of Internet Gaming related merchandize and services requested by an Authorized Player;
 - (c) Withdrawals;
 - (d) Transfers to safekeeping or front money accounts held by the Casino Licensee holding the Internet Gaming Operator's license;
 - (e) Adjustments made by the Internet Gaming Operator following the resolution of a dispute; and
 - (f) Debits as otherwise approved by the Commission.
- (4) Unless otherwise authorized by the Commission, funds deposited into an Account from a financial institution shall not be transferred out of the Account to a different financial institution.
- (5) Unless there is a pending unresolved Authorized Player dispute or investigation, an Internet Gaming Operator shall comply with a request for a withdrawal of funds by an Authorized Player from their Account within a reasonable amount of time. All applicable federal, state and territorial laws shall apply to the processing payouts requiring reporting or any other form of notice under applicable law. Before remitting funds to an Authorized Player, an Internet Gaming Operator shall take such time as is reasonably necessary for the purposes of:
- (a) Verifying the individual's status as an Authorized Player in good standing;
 - (b) Conducting security and other internal control procedures in relation to the Authorized Player's Account; and
 - (c) Ensuring that the rules that are approved relating to the award of prizes to players have been complied with.

- (6) An Internet Gaming Operator shall not allow an Authorized Player to transfer funds to the Account of any other Authorized Player.
- (7) An Internet Gaming Operator shall not allow an Authorized Player's Account to be overdrawn unless caused by payment processing issues outside the control of the Internet Gaming Operator.
- (8) If an Account is inactive for 12 consecutive months or more, the Internet Gaming Operator reserves the right to charge a maintenance fee of One Hundred Dollars (\$100.00) per month. The monthly maintenance fee will be deducted from the Account each consecutive month thereafter if it remains inactive. The monthly maintenance fee will not be deducted from the Account if there are no funds in Account. However, if the Account has no funds and has been inactive for 12 or more consecutive months the Internet Gaming Operator reserve the right to close the Account.
- (9) An Internet Gaming Operator shall keep the Authorized Player's funds separate from the Internet Gaming Operator's own funds in an account held with a financial institution approved by the Commission.
- (10) The Internet Gaming Operator shall instruct and authorize the financial institution at which Authorized Players' funds are held to disclose any information as may be requested by the Commission relating to Authorized Players' funds.
- (11) Upon receipt of a formal request from an Authorized Player, the Internet Gaming Operator shall provide to such individual a statement of their Account detailing the amounts credited and/or debited.
- (12) The financial institution that is holding the Internet Gaming Operator's or an Authorized Players' funds shall be pre-approved by the Commission. The credit or financial institution shall be in good standing and use accounting standards and practices as is generally accepted in the industry.

Part 300 – Conduct of Operations

§ 170-30.8-301 – Internet Gaming System

- (1) An Internet Gaming Operator shall not operate an Internet Gaming System unless the Internet Gaming System has been approved by an endorsed independent testing lab and the Commission. The Internet Gaming System shall meet, at a minimum, industry standards verified by an endorsed independent testing lab or such technical standards that are set forth by the Commission. An Internet Gaming Operator shall make all endorsed independent testing lab certifications available in writing to the Commission upon request.
- (2) An Internet Gaming Operator shall not make modifications to the Critical Components of the Internet Gaming System unless the proposed Critical Component modification has been approved by the Commission.
- (3) An Internet Gaming Operator shall provide the Commission, prior to commencing operations of its Internet Gaming System, with a list of all individuals who may access the main computer or data communications components of their Internet Gaming System and any changes to that list shall be provided to the Commission within ten (10) days.
- (4) The Commission may at any time inspect and test the Internet Gaming System or any component thereof to ensure it operates within the parameters certified by an endorsed independent testing lab and as accepted by the Commission.

§ 170-30.8-302 – Acceptance of Wagers

[Proposed] Regulations for Internet Gaming Operation 9 of 19

- (1) An Internet Gaming Operator shall not accept or facilitate a wager:
 - (a) On any Game not approved by the Commission to be offered via an Internet Gaming System;
 - (b) On any Game which the Internet Gaming Operator knows or reasonably should know is made by an individual who is not an Authorized Player or who is permanently banned or on the self-exclusion list; or
 - (c) From an individual who the Internet Gaming Operator knows or reasonably should know is placing the wager in violation of the Act or Regulations.
- (2) The Internet Gaming System shall employ a mechanism to detect the physical location of an Authorized Player upon logging into the Internet Gaming System and as frequently as specified in the Technical Standards provided by the Commission or consistent with industry standards endorsed by an independent testing lab. If the Internet Gaming System detects that the physical location of the Authorized Player is in an area unauthorized for Internet Gaming, the Internet Gaming System shall not accept wagers until such time that the Authorized Player is in an authorized location.

§ 170-30.8-302 – Minimum Bankroll Requirements

In order to ensure the Internet Gaming Operator has sufficient funds on hand, the Internet Gaming Operator must provide proof, as required and determined by the Commission in its sole discretion, that the Internet Gaming Operator maintains an adequate amount of readily available funds to conduct Internet Gaming.

§ 170-30.8-303 – Customer Disputes

- (1) Subject and in addition to the requirements, obligations, criteria and standards governing customer disputes set forth within the Act and Regulations, as applicable:
 - (a) An Internet Gaming Operator is required to promptly investigate any dispute about an Internet Gaming transaction;
 - (b) In the event that an Authorized Player has a dispute with the Internet Gaming Operator regarding Internet Gaming, the Internet Gaming Operator may freeze the disbursement of all disputed amounts until resolution of the dispute;
 - (c) A complaint must be filed in writing with the Internet Gaming Operator evidencing the dispute and must contain clear and unequivocal information about the complainant's identity, and provide all relevant details that gave rise to the complaint. If the written communication is in electronic format, it must be sent with an electronic signature. Complaints must be made within three (3) days of the event giving rise to the complaint;
 - (d) These regulations require that, wherever possible, complaints should be properly investigated by the Internet Gaming Operator and referred to the attention of the Commission only if the Internet Gaming Operator's complaint procedure has failed to resolve the issue. Exceptions to this would include very serious complaints involving monetary amounts in excess of Five Thousand Dollars (\$5,000.00) or issues of public interest, which should be brought to the Commission's attention at the earliest opportunity;

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- (e) The Commission may dismiss a complaint without an inquiry or investigation if, in its sole discretion, it is satisfied that a complaint is unfounded, has been satisfactorily addressed, or does not fall within the Commission's scope of authority; and
- (f) Determinations of the Commission shall be final.

§ 170-30.8-304 – House Rules

- (1) Each Internet Gaming Operator shall adopt and adhere to written house rules, subject to the prior review and approval by the Commission, governing wagers by Authorized Players that are available permanently through a conspicuously displayed link on the Internet Gaming Operator's website. Such house rules shall include, but not be limited to, specifying the following:
 - (a) Clear and concise explanation of all fees;
 - (b) The rules of play of a Game;
 - (c) Any monetary wagering limits; and
 - (d) Any time limits pertaining to the play of a Game.

§ 170-30.8-304 – Information Displayed on Website

- (1) Each Internet Gaming Operator must provide for the prominent display of the following information on a page which, by virtue of the construction of the website, an Authorized Players must access before beginning a gaming session:
 - (a) The full name of the Internet Gaming Operator and address from which it carries on business;
 - (b) A statement that the Internet Gaming Operator is licensed and regulated by the Commission;
 - (c) The Internet Gaming Operator's license number and date of issuance of the license;
 - (d) A statement that individuals under the age of 21 are not permitted to engage in Internet Gaming;
 - (e) A statement that individuals located in a jurisdiction where the Internet Gaming Operator prohibits access are not permitted to engage in Internet Gaming and may be subject to criminal prosecution; and
 - (f) Active links to the following:
 - (i) Information explaining dispute resolution as provided in the Act and Regulations;
 - (ii) Information on problem gambling, as required under this regulation, the Act and Regulations;
 - (iii) The Commission website
 - (iv) A page that allows for an Authorized Player to choose to be excluded from engaging in Internet Gaming or to establish wagering and time limits;
 - (v) A link to the house rules adopted by the Internet Gaming Operator;
 - (vi) Terms and Conditions of Service and Privacy Policy.

- (2) While an Authorized Player is logged into the Internet Gaming System, the Internet Gaming Operator must provide for the prominent display of the following information at all times:
 - (a) A website clock that displays the current time in the Authorized Player's time zone; and
 - (b) Real time information reflecting the Authorized Player's Account balance denominated in US dollars.

§ 170-30.8-305 – Records

Subject and in addition to any other requirements, obligations, criteria and standards governing record keeping as set forth within the Act and Regulations, as applicable:

- (1) Internet Gaming Licensees shall keep, in respect of the transactions and affairs relating to the Internet Gaming activity, proper accounts and records which show a true, accurate and fair view of the financial position and state of affairs of the Internet Gaming Licensee.
- (2) Internet Gaming Licensees shall maintain, as applicable, complete and accurate records of all matters related to their Internet Gaming activity, not limited to:
 - (a) The identity of all current and prior Authorized Players;
 - (b) All information used to register an Authorized Player;
 - (c) A record of any changes made to an Authorized Player's Account;
 - (d) A record and summary of all person-to-person contact, by telephone or otherwise, with an Authorized Player;
 - (e) All deposits and withdrawals to an Authorized Player's Account;
 - (f) A complete Game history for every Game played including the identification of all Authorized Players who participate in a game, the date and time a Game begins and ends, the outcome of every Game, the amounts wagered, and the amounts won or lost by each Authorized Player; and
 - (g) Disputes arising between Authorized Players.
- (3) Internet Gaming Operators shall provide an Account statement with Account details to an Authorized Player on demand, which shall include detailed Account activity for at least the six months preceding twenty-four hours prior to the request. In addition, upon request, the Internet Gaming Operator shall provide a summary statement of the Authorized Player activity during the past year. Information to be provided on the summary statement shall include at a minimum, the following:
 - (a) Deposits;
 - (b) Withdrawals;
 - (c) Win or loss;
 - (d) The beginning and ending financial balances; and
 - (e) The self-imposed responsible gaming limit history, if applicable.
- (4) Internet Gaming Licensees shall maintain and preserve all records required by this regulation for a minimum of five (5) years after they are made, or an amount of time deemed appropriate by the Commission.

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§ 170-30.8-306 – Responsibility

- (1) Any Internet Gaming Licensee who entered into any agreement, written or otherwise, with an Internet Gaming Operator to perform services subject to this regulation, the Act, or the Regulations, shall perform such services and be subject to disciplinary actions to the same extent as the Internet Gaming Operator.
- (2) An Internet Gaming Operator may only use the services of an Internet Gaming Licensee to conduct such services.
- (3) Notwithstanding the foregoing, the Internet Gaming Operator is ultimately responsible for the actions of any Internet Gaming Licensee and corresponding compliance obligation, and remains directly responsible for the services provided by any Internet Gaming Licensee pursuant to any such agreement.

Part 400 – Problem Gambling

§ 170-30.8-401 – Problem Gambling

- (1) Subject and in addition to the requirements, obligations, criteria and standards governing problem gambling set forth within the Act and Regulations, as applicable, an Internet Gaming Operator, must put into effect policies and procedures for self-exclusion and take all reasonable steps to immediately refuse service or to otherwise prevent an individual who has self-excluded from participating in Internet Gaming. These policies and procedures include without limitation the following:
 - (a) The closing of the Account held by the individual who has self-excluded;
 - (b) The maintenance of a register of those individuals who have self-excluded that includes the name, address and Account details of self-excluded individuals;
 - (c) Provisions precluding an individual who has self-excluded from being allowed to again engage in Internet Gaming until a reasonable amount of time of not less than thirty (30) days has passed since the individual self-excluded;
 - (d) Provisions that the self-excluded individuals do not receive, either from the Internet Gaming Operator or any agent thereof, including Internet Gaming Junket Operators, targeted mailings, telemarketing promotions, player club materials, or other promotional materials relating to Internet Gaming; and
 - (e) Employee training to ensure enforcement of these policies and procedures.
- (2) An Authorized Player may, by written notice to the Internet Gaming Operator, set a limit on his or her gambling activity in accordance with the following means:
 - (a) The Authorized Player may limit the amount that can be deposited into their Account during a specific time;
 - (b) The Authorized Player may limit how much they lose, by amount, in a specific time period;
 - (c) The Authorized Player may limit the maximum amount of any wagers;
 - (d) The Authorized Player may specify that they wish to be banned permanently, or for a specific period of time; and
 - (e) The Internet Gaming Operator must have adequate controls to ensure a permanently banned individual cannot reestablish an Account.

[Proposed] Regulations for Internet Gaming Operation 13 of 19

- (3) An Authorized Player may, by written notice to the Internet Gaming Operator, change or remove the limit on his or her gambling activity by further written notice to the Internet Gaming Operator. Written notice increasing or removing a limit shall not have effect until at least twenty-four (24) hours after the Internet Gaming Operator receives such notice.
- (4) In the event that an Authorized Player self excludes or has been permanently banned, all funds held by the Internet Gaming Operator, prior to such occurrence, shall be returned to the individual and the Authorized Player's account closed within seven (7) business days after the Internet Gaming Operator has received notice of the Authorized Player's self-exclusion or has issued a permanent ban.

Part 500 – Internal Controls

§ 170-30.8-501 – Internal Controls

- (1) Each Internet Gaming Operator shall establish, maintain, and implement internal controls that comply with the standards implemented by the Commission. Compliance with such minimum standards shall be governed by the existing provisions in the Act and Regulations.
- (2) Internal control submissions shall include detailed information of the following:
 - (a) The Internet Gaming System;
 - (b) Procedures and controls for the operation of the Internet Gaming System, including, but not limited to:
 - (i) Registering Authorized Players to engage in Internet Gaming;
 - (ii) Identifying and verifying Authorized Players to prevent those who are not Authorized Players from engaging in Internet Gaming. The procedures and controls must incorporate robust and redundant identification methods and measures in order to manage and mitigate the risks of non face-to-face transactions inherent in Internet Gaming;
 - (iii) Handling deposits, withdrawals and all other wagering Account transactions;
 - (iv) Protecting and ensuring confidentiality of Accounts; and
 - (v) Recording, crediting and debiting Authorized Player Accounts for amounts won and wagered in Internet Gaming.
 - (c) Procedures and controls for protecting an Authorized Player's personally identifiable information, including, but not limited to:
 - (i) Identifying one or more senior officials of the Internet Gaming Operator who have primary responsibility for the design, implementation and ongoing evaluation of such procedures and controls;
 - (ii) Determining the nature and scope of all Personally Identifiable Information collected, the locations in which such information is stored, and the devices or media on which such information may be recorded;
 - (iii) Protecting personally identifiable information from unauthorized access;
 - (iv) Notifying Authorized Players of privacy policies;
 - (v) Procedures to be used in the event a data security breach occurs; and

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- (vi) Procedures for compliance with all tribal, state and federal laws concerning privacy and security of personally identifiable information.
 - (d) Accounting systems and procedures that adhere to Generally Accepted Accounting Principles (“GAAP”);
 - (e) Procedures to be followed to play a Game;
 - (f) Procedures for aborted or miscarried Games;
 - (g) Procedures and standards for the maintenance, security and storage of Internet Gaming System equipment to be used in conjunction with Internet Gaming;
 - (h) Procedures for establishing and maintaining security facilities including general compliance and internal controls to access critical systems;
 - (i) A disaster recovery plan;
 - (j) An adequate system of data backup;
 - (k) Procedures for promoting responsible Internet Gaming, preventing individuals who have self-excluded from engaging in Internet Gaming, and permanently banning patrons from participating in Internet Gaming;
 - (l) Procedures and controls designed to detect and prevent transactions that may be associated with money laundering, fraud, or other criminal activities and to ensure compliance with all laws applicable to money laundering;
 - (m) Procedures outlining the policies and procedures for surveillance;
 - (n) Procedures for calculating and submitting appropriate taxes or fees to the Commission; and
 - (o) Any other information that the Commission may require.
- (3) The Commission requires the Internet Gaming Operator to submit the financial Accounting records, quarterly audits and approved control system for an annual audit conducted by an independent, licensed, CPA firm.
 - (4) The costs incurred for such an audit shall be borne by the applicant or Internet Gaming Operator. A copy of the annual audits shall be provided to the Commission within one hundred twenty (120) days of the end of the Internet Gaming Operator’s fiscal year.
 - (5) The Commission shall have the right to direct the applicant or Internet Gaming Operator to change or modify the approved control system in any manner whatsoever, within a period of time which shall not be less than thirty (30) days from the date on which the directive is served on the applicant or Internet Gaming Operator.
 - (6) All Internet Gaming shall be conducted only under the control system which has been approved by the Commission.

Part 600 – Technical Standards

§ 170-30.8-601 – Technical Standards

The Commission shall enact Technical Standards governing the conduct of Internet Gaming.

- (1) At a minimum, the Technical Standards will address:

- (a) Communications standards for an Internet Gaming System and Table Game Simulcasting System, including encryption standards, data integrity safeguards, secure methods of transfer of Personally Identifiable Information;
 - (b) The Critical Components involved in Internet Gaming;
 - (c) Mandatory logging and backup protocols;
 - (d) The ability for the Commission to access, query, and export all Internet Gaming System data;
 - (e) Electronic logs of all installation/modification and/or service activity conducted on the Internet Gaming System;
 - (f) Date and time stamps for all material aspects, as identified by the Commission;
 - (g) Required Internet Gaming System reports, which shall include, at a minimum:
 - (i) The report file;
 - (ii) The version number of the current system software and report definition;
 - (iii) The date or time period of activity, or description "as of" a point of time;
 - (iv) The date and time the report was generated;
 - (v) Page numbering, indicating the current page and total number of pages;
 - (vi) Subtotals and grand totals, as required by the Commission;
 - (vii) Whether any filters have been applied to the data;
 - (viii) Column and row titles, if applicable; and
 - (ix) The name of the Internet Gaming Operator.
- (2) Additionally, an Internet Gaming System shall generate the following daily reports, at a minimum, for each gaming day in order to calculate the taxable revenue:
- (a) An Authorized Player Account Summary Report, which shall include transaction information for each Account for the following categories as follows:
 - (i) Beginning balance
 - (ii) Total amount of deposits;
 - (iii) Total amount of non-cashable bonuses deposited;
 - (iv) Total amount of non-cashable bonuses wagered;
 - (v) Total amount of non-cashable bonuses expired;
 - (vi) Total amount of transfers to games;
 - (vii) Total amount of transfers from games;
 - (viii) Total amount of withdrawals;
 - (ix) Total amount of funds on game at the beginning of the gaming day (the amount of pending wagers at the end of the prior gaming day);
 - (x) Total amount of funds on game at the end of the gaming day (the amount of pending wagers plus funds transferred to a game but not yet wagered);
 - (xi) Win or loss, calculated as the amount of transfers to games and beginning funds on game less the amount of transfers from games and ending funds on game; and
 - (xii) Ending balance.
 - (b) A Wagering Summary Report, which shall include the following game activity by Authorized Game, as applicable:
 - (i) Total amounts wagered (Coin in);

- (ii) Total amounts won (Coin out);
 - (iii) Total tournament entry or participation fees;
 - (iv) Rake or vigorish, if not included in ii. above; and
 - (v) Win/loss calculated as the net of the total amounts wagered and total amounts won plus tournament entry or participation fees and rake or vigorish.
 - (c) A Non-cashable Promotional Account Balance Report which shall include the ending non-cashable promotional balance in each patron account.
- (3) An Internet Gaming Operator shall utilize the Wagering Summary Report to calculate Internet Gaming gross revenue on a daily basis for reporting purposes. In addition, the Internet Gaming Operator shall:
- (a) Prepare a Variance Report documenting the win/loss amounts from the Account and Wagering Summary Reports;
 - (b) Calculate the variance between the two amounts;
 - (c) Document the reason for the variance; and
 - (d) Report a manual adjustment to increase revenue by the amount of the variance whenever the total of the Account Summary Report is greater than the total of the Wagering Summary Report, unless the reason for the variance as documented in above is sufficient to support a determination that revenue was properly reported.
- (4) An Internet Gaming System shall generate, on a daily basis commencing one year after the creation of the first Account, a Dormant Account Report, which shall list all Accounts that have had no activity for a period of one year. The report shall include:
- (a) The name and account number of the Authorized Player;
 - (b) The date of the last transaction; and
 - (c) The account balance.
- (5) Internet Gaming Operator may void questionable bets and shall report voided transactions to the Commission immediately thereafter.
- (6) An Internet Gaming System shall generate a Performance Report, which compares the theoretical return to the Authorized Player to the actual return to the Authorized Player for of each Authorized Game. The report shall also provide the total number of rounds of play for each game and shall be generated and reviewed monthly by the Internet Gaming Operator to evaluate the performance of all games offered to the public.

Part 700 – Live Dealer Games

§ 170-30.8-701 – Live Dealer Games

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- (1) Subject and in addition to the requirements, obligations, criteria and standards governing the conduct of Games set forth within the Act and Regulations, as applicable, the following requirements will apply to Live Dealer Games:
 - (a) An Internet Gaming Operator shall obtain Commission approval to conduct Live Dealer Games;
 - (b) Live Dealer Games shall be conducted using an Internet Gaming System and Table Game Simulcasting System, which shall comply with all applicable Technical Standards. These Technical Standards shall include, at a minimum:
 - (i) Provide the Authorized Player with an uninterrupted simulcast of the Live Dealer Game;
 - (ii) Meet or exceed the surveillance and security requirements for a live table game;
 - (iii) Prevent anyone from accessing the wagering outcome prior to finalizing a wager; and
 - (iv) Be equipped with a mechanism to void game results, if necessary.
- (2) Information about wagering conducted during Live Dealer Games shall be provided to an Authorized Player in real time and shall include all game play information that would normally be available from the table game equivalent. Such information shall include at a minimum:
 - (a) The table number and location;
 - (b) The table minimum and maximum wagers;
 - (c) The number of decks used, if applicable;
 - (d) Dealer actions, if applicable;
 - (e) The amount wagered;
 - (f) The game outcome;
 - (g) Vigorish amount, if applicable;
 - (h) Payout odds, where applicable; and
 - (i) The amount won or lost.

Part 800 – Disciplinary Actions

§ 170-30.8-801 – Grounds for Disciplinary Actions

- (1) Failure to comply with the provisions of this regulation shall be an unsuitable method of operation and grounds for disciplinary action.
- (2) The Commission may limit, condition, suspend, revoke a license or fine any Internet Gaming Licensee for failing to comply with this regulation, subject to the Act and Regulations.

Part 900 – Waivers

§ 170-30.8-901 – Commission May Waive Requirements

- (1) Upon written request and good cause shown, the Commission may waive one or more of the requirements of this regulation or may impose alternative requirements.



**Commonwealth of the Northern Mariana Islands
COMMONWEALTH CASINO COMMISSION**

Juan M. Sablan, Chairman

P.O. Box 500237

Saipan, MP 96950

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**PUBLIC NOTICE OF ADOPTION FOR PUBLIC COMMENT OF PROPOSED
RULES AND REGULATIONS FOR THE COMMONWEALTH CASINO
COMMISSION**

INTENDED ACTION TO ADOPT THESE PROPOSED RULES AND REGULATIONS: The Commonwealth of the Northern Mariana Islands, Commonwealth Casino Commission (“the Commission”) intends to adopt as permanent regulations the attached Proposed Regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The Regulations would become effective 10 days after adoption and publication in the Commonwealth Register. (1 CMC § 9105(b))

AUTHORITY: The Commission has the authority to adopt rules and regulations in furtherance of its duties and responsibilities pursuant to Public Laws 18-56 and Public Law 19-24, including but not limited to 4 CMC 2314(b).

THE TERMS AND SUBSTANCE: The attached Rules and Regulations supplement the current regulations which govern and regulate the Casino Gaming Industry on Saipan. The amendments add in-house legal counsel, however styled, to the definition of “casino key employee” which require licensure, and increase from 90 to 120 days the time for filing certain financial statements.

THE SUBJECTS AND ISSUES INVOLVED: These rules and regulations:

1. Amend §175-10.1-040(q) to include the chief legal officer and all other in-house legal counsel, without regard to whether the individual supervises other individuals, in the definition of “casino key employee”.
2. Amend §175-10.1-535(b),(e),(f), and (g) to increase the time for filing certain financial statements by thirty (30) days.

DIRECTIONS FOR FILING AND PUBLICATION: These Proposed Regulations shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations (1 CMC § 9102(a)(1)) and posted in convenient places in the civic center and in local government offices in each senatorial district; the notice shall be both in English and in the principal vernacular. (1 CMC § 9104(a)(1)).

TO PROVIDE COMMENTS: Send or deliver your comments to Commonwealth Casino Commission, *Attn: New Casino Commission Rules and Regulations*, at the above address, fax or email address, with the subject line "New Casino Commission Rules and Regulations". Comments are due within 30 days from the date of publication of this notice. Please submit your data, views or arguments. (1 CMC § 9104(a)(2)).

The Commonwealth Casino Commission approved the attached Regulations on April 26, 2018.

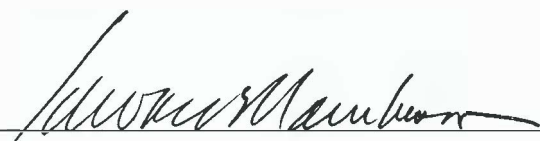
Submitted by:  _____ May 21, 2018
JUAN M. SABLAN
Chairman of the Commission Date

Concurred by:  _____ 6/12/18
HON. RALPH DLG. TORRES
Governor Date

Filed and Recorded by:  _____ 06.18.2018
ESTHER SN. NESBITT
Commonwealth Registrar Date

Pursuant to 1 CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC § 9104(a)(3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published, 1 CMC § 2153(f) (publication of rules and regulations).

Dated the 14 day of JUNE, 2018.

 _____
HON. EDWARD MANIBUSAN
Attorney General

Proposed Amendments to §175-10.1-040(q) Definitions.

(q) "Casino Key Employee" means an individual who is employed in the operation of a casino and who supervises other individuals employed in the casino and includes:

- (1) A manager, an assistant manager, a floor person, a pit boss, a shift boss, a credit manager, and a count room manager;
- (2) A supervisor of security employees, surveillance employees, accounting and auditing employees, and cashiers or count room employees;
- (3) The chief legal officer and all other in-house legal counsel, without regard to whether the individual supervises other individuals; and
- (34) Any employee whatsoever of a casino licensee so designated by the Commission.

Proposed Amendments to § 175-10.1-535 Audited Financial Statements Casino Licensees.

(b) The Commission shall receive the statements not later than ~~ninety (90)~~ one hundred twenty (120) days after the last day of the licensee's business year. The Commission may share such statements with any government agency upon request. The Commission may post such statements, in whole or in part, on its website in its sole and absolute discretion.

(e) Unless the Commission approves otherwise in writing, in the event of a license termination, change in business entity, or a change in the percentage of ownership of more than ten percent (10%), the casino licensee or former casino licensee shall, not later than ~~ninety (90)~~ one hundred twenty (120) days after the event, submit to the Commission five (5) paper copies of audited or reviewed financial statements covering the period **since the period covered by the previous financial statement and one (1) electronic copy of the same.** If a license termination, change in business entity, or a change in the percentage of ownership of more than ten percent (10%) occurs within ~~ninety (90)~~ one hundred twenty (120) days after the end of a business year for which a financial statement has not been submitted, the licensee may submit financial statements covering both the business year and the final period of business.

(f) If a licensee changes its business year, the licensee shall prepare and submit to the Commission audited or reviewed financial statements covering the "stub" period from the end of the previous business year to the beginning of the new business year not later than ~~ninety (90)~~ one hundred twenty (120) days after the end of the stub period or incorporate the financial results of the stub period in the financial statements for the new business year.

(g) Reports that communicate the results of the audit or review, including management advisory letters or activities not related to the gaming operation, must be submitted within ~~ninety (90)~~ one hundred twenty (120) days after the end of the licensee's business year.



**Commonwealth Téel Falúw kka Efáng Ilól Marianas
COMMONWEALTH CASINO COMMISSION**

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Commonwealth Casino Commission
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**ARONGORONGOL TOULAP REEL REBWE ADÓPTÁÁLI POMMWOL ALLÉGH ME
MWÓGHUT NGÁLI COMMONWEALTH CASINO COMMISSION**

MÁNGEMÁNGIL MWÓGHUT REEL REBWE ADÓPTÁÁLI POMMWOL ALLÉGH ME

MWÓGHUT: Commonwealth Téel Fakúw kka Efáng Ilól Marianas, Commonwealth Casino Commission (“Commission we”) re mángemángil rebwe adóptááli bwe ebwe lléghló mwóghutughut ikka e appasch bwe Pommwol Mwóghutughut, sáangi Administrative Procedures Act § 9104(a). Ebwe bwunguló Mwóghutughut kkal Ilól seigh ráál mwiril aal adóptáánil me akkatééwowul me Ilól Commonwealth Register. (1 CMC §9105(b))

BWÁNGIL: Eyoor bwángil Commission bwe rebwe adóptááli allégh me mwóghut reel ebwe lemeli me aghtachú mwóghutughutúl sáangi Alléghúl Toulap 18-56 me Alléghúl Toulap 19-24, e schúú nge ese mwutch ngáli 4 CMC 2314(b).

KKAPASAL ME AWEEWEL: Allégh me Mwóghutughut ikka e appasch e sóbweey mwóghutughut ikka e fasúl lo bwe e lemeli me aghatchú mwóghutughutúl Casino gaming Industry wóól Seipél. E schúúlong llól liiwel kkal legal counsel, inamwo fasúl, ngáli faal mille “casino key employee” ebwe yoor licensure, me ebwe lo sassar mereel tiweigh ngáli ebwúghúw me ruweigh ráál ngáli ammwelil financial statements kkal.


KKAPASAL ME ÓUTOL: Allégh me mwóghutughut kkal:

1. Liiweli §175-10.1-040(q) ebwe schúúlong bwe chief legal officer me alongeer in-house legal counsel, re ssóbw súl ngáli aramas we nge móóghasal escháy, reel faal “casino key employee”.
2. Liiweli §175-10.1-535(b), (e), (f), me (g) reel rebwe ayoorai oora ngáli ammwelil financial statements llól eliigh ráál.

AFAL REEL AMMWELIL ME AKKATÉÉWOWUL: Ebwe akkatééwow Pommwol Mwóghutughut kkal llól Commonwealth Register llól pommwol me ffél mwóghutughut ikka ra adóptáánil (1 CMC § 9102(a)(1)) me ebwe appaschetá llól civic center llól bwulasiyol gobetnameento llól senatorial district; ebwe lo arongorong yeel llól English me mwáliyaasch. (1 CMC § 9104(a)(1)).

ISIISILONGOL KKAPAS: Afanga ngáre bwughiló yóómw kkapas ngáli Commonwealth Casino Commission, *Attn: New Casino Commission Rules and Regulation*, reel féléfél iye e lo weiláng, ebwe lo wóól subject line bwe “New Casino Commission Rules and Regulations”. Ebwe toolong ischil kkapas llól eliigh ráál mwiril rááíl akkatééwowul arongorong yeel. Isáílilong yóómw data, views ngáre angiingi. (1 CMC § 9104(a)(2)).

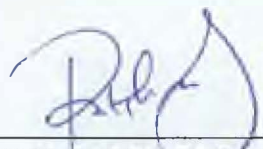
Aa átirow Mwóghutughut ikka e appasch sángi Commonwealth Casino Commission wóól Abrid 26, 2018.

Isáliyalong: 


JUAN M. SABLAN
Chairman-il Commission



Ráál

E Lléghló Sángi: 


HON. RALPH D. TORRES
Gobenno



Ráál

Ammwelil: 


ESTHER S. NESBITT
Commonwealth Registrar



Ráál

Sángi 1 CMC § 2153(e) (sángi atírowal AG reel mwóghutughut kkal bwe aa ffil reel fféerúl) me 1 CMC § 9104(a)(3) (sángi atírowal AG) reel pommwol mwóghutughut ikka e appasch bwe ra takkal amwuri fischiiy me atírow bwe aa lléghló reel fféerúl me legal sufficiency sángi Soulemelemeil Allégh Lapalapal CNMI me ebwe akkatééwowul, 1 CMC § 2153(f) (akkatééwowul allégh me mwóghutughut).

Aghikkilátiw wóól 14 rááíl June, 2018.



HON. EDWARD MANIBUSAN
Soulemelemil Allégh Lapalap



**Commonwealth gi Sangkattan na Islas Mariãnas Siha
COMMONWEALTH KUMISION HUEGUN SALÁPPI'**

Juan M. Sablan, Kabesiyu

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**NUTISIAN PUPBLIKU NU I ADÁP_TASION PARA UPIÑON PUPBLIKU NI
MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA PARA I
COMMONWEALTH KUMISION HUEGUN SALÁPPI'**

I MA'INTENSIONA NA AKSION NI PARA U MA'ADÁP_TA ESTI I MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sangkattan na Islas Mariãnas, Commonwealth Kumision Huegun Saláppi' ("i Kumision") ha intensiona para u adáp_tu kumu petmanienti i regulasion siha ni mañechettun na Manmaproponi na Regulasion, sigun gi manera siha gi Áktun Administrative Procedures gi, 1 CMC § 9104(a). I regulasion siha para u ifektibu gi hálum 10 dihas dispues di adáp_tasion yan publikasion gi hálum i Rehistran Commonwealth. (1 CMC § 9105(b))

ÁTURIDÁT: I Kumision manggai áturidát para u adáp_tu i areklamentu yan i regulasion siha ni para u makonsigi i obligasion yan i responsabilidadát siha sigun gi Lai Pupbliku 18-56 yan Lai Pupbliku 19-24, ingkluklusi láo ti chi-ña para 4 CMC §2314(b).

I TEMA YAN SUSTANSIAN I PALÁBRA SIHA: I mañechettun na Areklamentu yan Regulasion siha dumanña hálum gi presentu na regulasion siha ni ha gubietna yan manea i Casino Gaming Industry giya Saipan. I amenda siha ha na hálum i in-house ligát na akonseha, maseha taimanu na manera, para i difinision nu i "casino key employee" ni manisisita licensure, yan ma'aomenta ginin nubenta (90) para sientu benti (120) dihas na tiempu para pine'lun manfitmi na sinangan i finansiát siha.


I SUHETU NI MASUMÁRIA YAN ASUNTU NI TINEKKA: Esti na Areklamentu yan Regulasion siha:

1. Amenda §175-10.1-040(q) para u inklusi i ufisiát na ligát atkátu yan todru na in-house ligát na akonseha, sin put para maseha i indibiduát ni manmanenea odru na indibiduát siha, hálum i difinision nu i "casino key employee".
2. Amenda §175-10.1-535(b), (e), (f), yan (g) para u aomenta i tiempun i pine'lun manfitmi na sinangan finansiát siha ántis di trenta (30) dihas.

DIREKSION PARA U MAPO'LU YAN MAPUPBLIKA: Esti i Manmaproponi na Regulasion siha debi na u mapupblika gi hálum i Rehistran Commonwealth gi hálum i seksiona ni maproponi na regulasion siha yan nuebu na ma'adáp_tu na regulasion siha (1 CMC § 9102(a)(1)) yan u mapega gi hálum i kumbinienti na lugát siha gi hálum i civic center yan i ufisinan gubietnamentu siha gi kada distritun senadot, i nutisia debi na parehu Englis yan i prinsipát na linguañin natibu. (1 CMC § 9104(a)(1)).

PARA U MAPRIBENIYI UPIÑON SIHA: Na'hånåo pat intrega i upiñon-mu guatu gi Commonwealth Kumision Huegun Salåppi', *Attn: Nuebu na Areklamentu yan Regulasion Huegun Salåppi'*, gi sanhilu' na address, fax pat email address, yan i råyan suhetu "*Nuebu na Areklamentu yan Regulasion Kumision Huegun Salåppi' Siha*". I upiñon siha debi na u fanhålum gi hålum 30 dihas ginin i fetchan publikasion esti na nutisia. Put fabot na hålum iyo-mu data, views, pat kinentestan kinentra siha. (1 CMC § 9104(a)(2)).

I Commonwealth Kumision Huegun Salåppi' ma'apueba i mañechettun na Regulasion siha gi Abril 26, 2018.

Nina'hålum as:  _____ May 21, 2018
JUAN M. SABLAN
Kabesiyun i Kumision
Fetcha

Kinunfotmi as:  _____ 6/12/18
HON. RALPH DLG. TORRES
Gubietnu
Fetcha

Pine'lu yan Ninota as:  _____ 06.18.2018
ESTHER SN. NESBITT
Rehistran Commonwealth
Fetcha

Sigun i 1 CMC § 2153(e) (I Abugådu Heneråt ha apueba i regulasion siha na para u macho'gui kumu fotma) yan i 1 CMC § 9104(a)(3) (hentan inapueban Abugådu Heneråt) i manmaproponi na regulasion siha ni mañechettun guini ni manmaribisa yan manma'apueba kumu fotma yan sufisienti ligåt ginin i CNMI Abugådu Heneråt yan debi na u mapublika, 1 CMC § 2153(f) (publikasion areklamentu yan regulasion siha).

Mafetcha gi diha 14, gi June 2018.

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HON. EDWARD MANIBUSAN
Abugådu Heneråt