

SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

4th Joint

SESSION, 2009

Joint Session Res. No.

16-3

A JOINT SESSION RESOLUTION

GRANTING APPROVAL PURSUANT TO ARTICLE XI, SECTION 5(D) OF THE NORTHERN MARIANAS CONSTITUTION OF A LEASE AGREEMENT BETWEEN THE DEPARTMENT OF PUBLIC LANDS AND NEO GOLD WINGS PARADISE SAIPAN CORPORATION, DOING BUSINESS AS NGP CASINO AND HOTEL, FOR THE LEASING OF APPROXIMATELY 3,000,000 SQUARE METERS OF PUBLIC LAND IN TINIAN, CNMI; GRANTING APPROVAL PURSUANT TO ARTICLE XI, SECTION 5(C) OF THE NORTHERN MARIANAS CONSTITUTION OF AN EXTENSION OF SAID LEASE AGREEMENT FOR A PERIOD OF NOT LONGER THAN FIFTEEN YEARS; AND FOR OTHER PURPOSES.

1           WHEREAS, on March 04, 2009, the Commonwealth of the Northern Mariana  
2 Islands entered into a Lease Agreement, with Neo Gold Wings Paradise Saipan  
3 Corporation, doing business as NGP Casino and Hotel, which is incorporated herein as if  
4 set forth in full, for the use and development of approximately 3,000,000 square meters of  
5 public land in Tinian, for the purpose of constructing, developing, and operating a casino  
6 and hotel resort with golf courses, an international conference hall, theme/amusement  
7 park and associated facilities and related improvements for an initial term of twenty-five  
8 (25) years as set forth in Article III of the Lease Agreement; and

9           **WHEREAS**, the proposed development is deemed by the Legislature to  
10 contribute substantially to the future economic development of the Commonwealth  
11 generally and the Second Senatorial District specifically, in terms of providing job  
12 opportunities, opening a wide range of service-oriented businesses, and bringing  
13 economic development to the Commonwealth during times of economic decline; and

1           **WHEREAS**, Neo Gold Wings Paradise Saipan Corporation, doing business as  
2           NGP Casino and Hotel has contracted to provide meaningful opportunities for local  
3           employment at a minimum of twenty percent of its workforce; and

4           **WHEREAS**, Section 5(d) of Article XI of the N.M.I. Constitution mandates that  
5           the Department of Public Lands may not transfer an interest in more than five hectares of  
6           public land for commercial purposes without the approval of the Legislature in a joint  
7           session; and

8           **WHEREAS**, Section 5(c) of Article XI of the N.M.I. Constitution prohibits the  
9           transfer of leasehold interests in public lands for periods of time in excess of twenty-five  
10          years, including renewal rights, without the approval of three fourths of members of the  
11          Legislature, who may approve an extension of not more that fifteen years; and

12          **WHEREAS**, a public hearing was held on February 12, 2009, at the Courthouse  
13          in San Jose, Tinian and representatives of the Office of the Mayor of the Municipality of  
14          Tinian and Aguiguan, the Municipal Council and residents of the Second Senatorial  
15          District attended; and

16          **WHEREAS**, testimony received during the public hearings was uniformly in  
17          support of this new development, and requests were made that legislative oversight  
18          proceed expeditiously; and

19          **WHEREAS**, the Legislature received a letter of support from the 12<sup>th</sup> Tinian  
20          Municipal Council dated February 12, 2009, urging approval of a lease agreement after  
21          careful consideration of the protections provided to the people of Northern Marianas  
22          descent who own the land to be leased; and

23          **WHEREAS**, the Legislature has received a petition dated February 14, 2009,  
24          which was signed by numerous residents, urging the Legislature to call a Joint Session at  
25          the earliest possible time to favorably consider the lease of the proposed development at  
26          Piña area in Tinian; and

27          **WHEREAS**, the Legislature is not aware of any impediment to the  
28          implementation of such a Lease Agreement, all parties having agreed to the terms of the  
29          proposed lease agreement;

1           **WHEREAS**, the Legislature finds that an extension granted at this time will be  
2 mutually beneficial to the Commonwealth and Neo Gold Wings Paradise Saipan  
3 Corporation, doing business as NGP Casino and Hotel because the longer lease period  
4 should help secure financing for the development on terms more favorable than those  
5 available for a shorter lease, thereby increasing the development's financial success  
6 which will, per the terms of the lease, result in continued rental payments, employment  
7 opportunities and economic activity;

8           **NOW, THEREFORE, BE IT RESOLVED**, by the Sixteenth Northern Mariana  
9 Islands Commonwealth Legislature, sitting in Joint Session, that both houses having  
10 reviewed all the data pertinent to the Lease Agreement between the Commonwealth  
11 government and Neo Gold Wings Paradise Saipan Corporation, doing business as NGP  
12 Casino and Hotel attached hereto and incorporated herein in its entirety as if fully set  
13 forth, said agreement pertaining to the leasing of approximately 3,000,000 square meters  
14 of public land on the island of Tinian for the purpose of constructing, developing, and  
15 operating a casino and hotel resort with golf courses, an international conference hall,  
16 theme/amusement park and associated facilities and related improvements for a term of  
17 twenty-five (25) years, with an option to extend the term of the lease for one additional  
18 term of fifteen (15) years as reflected in Article IV of the lease agreement, that the  
19 Legislature finds the proposed project is in the best interest of the people of Tinian and of  
20 the Commonwealth, and therefore grants legislative approval of the Lease Agreement  
21 which transfers interests in more than five hectares of public land for commercial  
22 purposes; and

23           **BE IT FURTHER RESOLVED** by the Sixteenth Northern Marianas  
24 Commonwealth Legislature that the Legislature having found the proposed project in the  
25 best interest of the people of Tinian and of the Commonwealth, therefore grants  
26 legislative approval of the extended lease term pursuant to Article XI, Section 5(c) of the  
27 Northern Marianas Constitution; and

28           **BE IT FURTHER RESOLVED** by the Sixteenth Northern Marianas  
29 Commonwealth Legislature that the Department of Public Lands shall inform the  
30 Legislature through the Presiding Officers of any and all subsequent changes to the public


JOINT SESSION RESOLUTION NO. 16.3

1 land lease with Neo Gold Wings Paradise Saipan Corporation, doing business as NGP  
2 Casino and Hotel in accordance with Article XI of the N.M.I. Constitution and in  
3 compliance with Public Law 15-2; and

4 **BE IT FURTHER RESOLVED**, that the Speaker of the House of  
5 Representatives and the President of the Senate shall certify and the Joint Session Clerks  
6 shall jointly attest to the adoption of this resolution and thereafter transmit certified  
7 copies to the Honorable Benigno R. Fitial, Governor, Commonwealth of the Northern  
8 Mariana Islands; Mr. John Del Rosario, Secretary, Department of Public Lands; and the  
9 President of Neo Gold Wings Paradise Saipan Corporation, doing business as NGP  
10 Casino and Hotel.

Prefiled: \_\_\_\_\_

Introduced By:



Rep. Ramon A. Tebuteb  
Chairman, NR



Rep. Diego T. Benavente  
Vice Chairman, NR

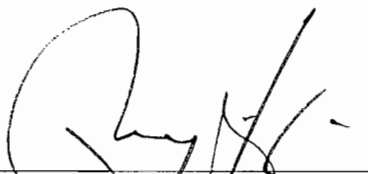


Rep. David M. Apatang  
Member, NR

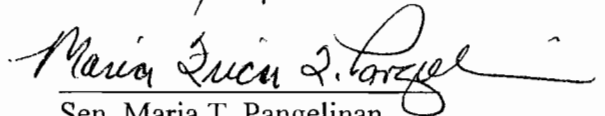


Rep. Oscar M. Babauta  
Member, NR

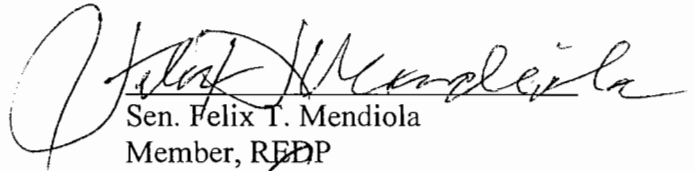
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Rep. Joseph N. Camacho  
Member, NR



Sen. Jude U. Hofschneider  
Chairman, REDP



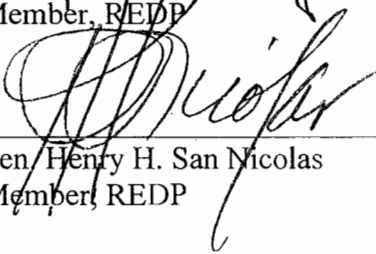
Sen. Maria T. Pangelinan  
Vice Chairperson, REDP



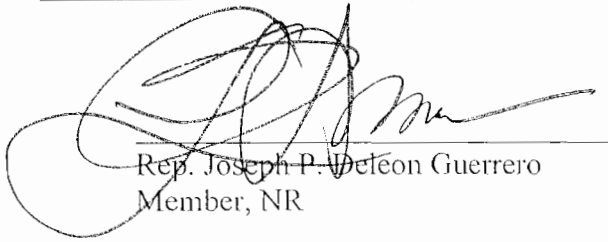
Sen. Felix T. Mendiola  
Member, REDP



Sen. Paterno S. Hocog  
Member, REDP



Sen. Henry H. San Nicolas  
Member, REDP




Rep. Joseph P. De León Guerrero  
Member, NR

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Rep. Raymond D. Palacios  
Member, NR

Reviewed By



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Legal Counsel

