

TITLE 4: ECONOMIC RESOURCES
DIVISION 5: BUSINESS REGULATION

§ 51918. Fines and Penalties.

(a) Suspension or Revocation of License. The Secretary of Commerce shall have the power to suspend or revoke the license of any person or business entity that violates this chapter, as set forth below:

(b) Fines and Penalties for Illegal Offer or Sales of areca nut (betel nut). Any person or business entity that offers, gives, or permits to be given or sold any betel nut to an individual under the age of 18 (a minor) shall, upon the issuance of a notice of violation under [4 CMC § 51903\(a\)](#) to the owner, agent, or employee in charge at the time of violation by any representative of the Department of Commerce, ABTC Division, or the Commonwealth Health Care Corporation, Community Guidance Center, who has properly identified himself or herself, shall be fined and penalized within a period of two years, on the following manner:

(1) First Offense: A fine of not less than \$100 but not more than \$300.

(2) Second Offense: A fine of not less than \$300 but not more than \$500.

(3) Third Offense: A maximum fine of \$500 and revocation of license for up to one year.

(c) Any person or business entity who violates the provisions of [4 CMC § 51903\(b\)](#) shall be penalized and pay a maximum of \$300 in monetary fine.

(d) Any person under the age of 18 years who violates the provision of [4 CMC § 51903\(c\)](#) shall be penalized and pay a maximum of \$100 in monetary fine.

(e) Any person, parent or legal guardian, of any minor who suffers or permits or allows, either willfully or negligently, such persons under the age of 18 years to possess or consume areca nut (betel nut), in violation of [4 CMC § 51903\(d\)](#) shall be penalized and pay a maximum of \$300 in monetary fine.

(f) Person or Establishment Selling Without License. Any person or business establishment found to be operating and selling areca nut (betel nut) without a valid license issued by the Department of Commerce, ABTC Division, in violation of [4 CMC § 51904](#), shall pay a maximum of \$500 in monetary fine.

(g) Revocation or Voluntary Surrender: Disposal of areca nut (betel nut). A person or business entity in possession of an acquired stock of areca nut (betel nut) following the revocation license or voluntary surrender of, or failure to renew a license, may sell such stock, under the supervision of the Department of Commerce, ABTC Division, in such a manner as the Division shall provide to a licensee authorized to sell areca nut (betel nut).

(h) Right to Administrative Hearing. Any person or business entity found subject to a fine or penalty, including suspension or revocation of license, for an offense established under this chapter, shall have the right to an administrative hearing pursuant to the procedures established under the Administrative Procedure Act, [1 CMC §§ 9108-9115](#), upon the filing of a request for such hearing with the Department of Commerce, ABTC Division.

Source: [PL 19-66](#) § 2 (Sept. 23, 2016), modified.

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Commission Comment: The Commission substituted “this chapter” for “this Act” in (a) and (h), “[4 CMC § 51903\(a\)](#)” for “Section 103(a) of this Act” in (b), “[4 CMC § 51903\(b\)](#)” for “Section 103(b) of this Act” in (c), “[4 CMC § 51903\(c\)](#)” for “Section 103(c) of this Act” in (d), “[4 CMC § 51903\(d\)](#)” for “Section 103(d) of this Act” in (e), “[4 CMC § 51904](#)” for “Section 104 of this Act” in (f), and “this chapter” for “this Act” in (h) pursuant to [1 CMC § 3806\(d\)](#). The Commission struck the figure “(1)” in (b)(3) as a mere repetition of written words pursuant to [1 CMC § 3806\(e\)](#). The Commission changed capitalization of several terms in (b) for the purpose of conformity pursuant to [1 CMC § 3806\(f\)](#). The Commission changed “him or her” to “himself or herself” in (b), inserted periods at the end of (b)(1)–(2), struck “.00” from dollar amounts in (b)–(f), changed “fines” to “fine” in (d), and changed “Procedures” to “Procedure” and changed “[1 CMC § 9108](#) - § 9115” to “[1 CMC §§ 9108–9115](#)” in (h) pursuant to [1 CMC § 3806\(g\)](#).