



HOUSE OF REPRESENTATIVES
SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
THIRD SPECIAL SESSION, 2008

H. B. No. 16-92

AN ACT

To amend 4 CMC § 5554 and 4 CMC § 5557 to allow the sale of alcoholic beverages by on-sale licensees operating within the Sterile passenger holding areas at Commercial Airports of the Commonwealth of the Northern Mariana Islands, without restriction as to the hours or day of sale; and for other purposes.

BE IT ENACTED BY THE SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 Section 1. Findings and Purpose. The Legislature finds that due to the difficult
2 economic situation the Commonwealth is currently facing, it is very important to find any
3 means that will encourage revenue.

4 The Legislature further finds that passengers arriving and departing in our airports
5 come from different time zones and should not be subject to legislations that are regulated by
6 time or hours permissible. Therefore, it is the purpose of this act to allow, within the Sterile
7 Passenger Holding Areas, the purchase of alcoholic beverages, regardless of time or day for
8 consumption within, as a way of generating more revenue.

9 As for the vendors that cater outside of the Sterile Passenger Holding Areas, they will
10 be subject to existing laws. Vendors may sale or serve alcoholic beverages provided that
11 they acquire the necessary licenses and conform to 4 CMC § 5554 subparagraph (a) Hours of
12 Sale: On-Sale Premises and 4 CMC § 5557 subparagraph (a) Election Day: Sale Prohibited.

13 Section 2. Definition. Sterile Passenger Holding Areas are the areas at and beyond
14 the Screening Checkpoints, the Holding Rooms, and the Boarding Gates.

1 Section 3. Amendment to the Commonwealth Code. Section 5554 of Article 3,
2 Chapter 5, Division 5, and Title 4 of the Commonwealth Code is hereby amended to read as
3 follows:

4 "§ 5554. Hours of Sale: On-Sale Premises.

5 (a) An on-sale licensee shall not sell or serve any alcoholic beverages after
6 two a.m. A licensee may begin selling and serving alcoholic beverages at nine a.m.,
7 and shall secure and close his or her business premises at two a.m., except as
8 otherwise provided.

9 (b) The hours for selling and serving alcoholic beverages by an on-sale
10 licensee, as specified in subparagraph (a) of this section, shall not apply to on-sale
11 licensees operating within the Sterile Passenger Holding Areas at Commercial
12 Airports of the Commonwealth of the Northern Marianas Islands."

13 Section 4. Amendment to the Commonwealth Code. Section 5557 of Article 3,
14 Chapter 5, Division 5, and Title 4 of the Commonwealth Code is hereby amended to read as
15 follows:

16 "§ 5557. Election Day: Sale Prohibited.

17 (a) An on- or off-sale licensee shall not sell or serve alcoholic beverages
18 on any island where an election is in progress during the hours when the polls are
19 required by law to be opened for voting, except as otherwise provided.

20 (b) The prohibition with respect to the sale or the serving of alcoholic
21 beverages whenever an election is in progress during the hours when the polls are
22 required by law to be opened for voting shall not apply to on-sale licensees operating
23 within the Sterile Passenger Holding Areas at Commercial Airports of the
24 Commonwealth of the Northern Marianas Islands."

25 Section 5. Regulations. The Department of Commerce is authorized to promulgate
26 rules and regulations to implement the intent and provisions of this Act.

27 Section 6. Severability. If any provision of this Act or the application of any such
28 provision to any person or circumstance should be held invalid by a court of competent


1 jurisdiction, the remainder of this Act or the application of its provisions to persons or
2 circumstances other than those to which it is held invalid shall not be affected thereby.

3 **Section 7. Savings Clause.** This Act and any repealer contained herein shall not be
4 construed as affecting any existing right acquired under contract or acquired under statutes
5 repealed or under any rule, regulation, or order adopted under the statutes. Repealers
6 contained in this Act shall not affect any proceeding instituted under or pursuant to prior law.
7 The enactment of this Act shall not have the effect of terminating, or in any way modifying,
8 any liability, civil or criminal, which shall already be in existence on the date this Act,
9 becomes effective.

10 **Section 8. Effective Date.** This Act shall take effect upon its approval by the
11 Governor or its becoming law without such approval.

CERTIFIED BY:

ATTESTED TO BY:

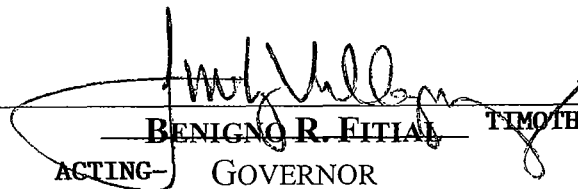


ARNOLD I. PALACIOS
SPEAKER OF THE HOUSE



EVELYN C. FLEMING
HOUSE CLERK

Approved on this 7th day of January, 2008



~~BENIGNO R. FITIAL~~ **TIMOTHY P. VILLAGOMEZ**
ACTING- GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS