



HOUSE OF REPRESENTATIVES
SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
FIRST DAY, SECOND SPECIAL SESSION, 2009

Public Law 16-44
H. B. No. 16-240

AN ACT

To amend the Alcoholic Beverage Control Act, and for other purposes

BE IT ENACTED BY THE SIXTEENTH NORTHERN MARIANAS COMMONWEALTH
LEGISLATURE:

I Section 1. Findings and Purposes. The Legislature finds that Public Law 15-115
2 needs clarification as indicated by regulations promulgated with respect to Alcohol Beverage
3 Sampling. It is the intent of the legislature to decrease the bureaucratic burdens placed upon
4 the licensees conducting the sampling. Therefore, the purpose of this legislation is to amend
5 the provisions for controlled procedures for conducting alcoholic beverage sampling.

6 Section 2. Amendment. Title 4, Chapter 5 of CNMI Code is hereby amended by as
7 follows:

8 "Article 6. Alcoholic Beverage Sampling.

9 Sampling Activity or Event.

10 There shall be no limitation on the frequency of Sampling activities or events.
11 Sampling activities or events may be conducted at any on-sale or off-sale licensed
12 establishment by the sampling licensee without any further restricting regulations
13 and/or approval not referenced in this provision. by the Department of Commerce,
14 Alcoholic Beverage and Tobacco Control Division.

15 Procedures for sampling.

16 (a) No sample may be offered from more than four products at any
17 one time.

18 (b) No more than one bottle of each of the four products to be sampled
19 may be displayed and opened at anyone time.

1 (c) Samples given shall not be more than 2 ounces for each product
2 sampled.

3 (d) All open bottles must be visible at all times and all open bottles
4 must be removed at the conclusion of the sampling activity.

5 (e) The sampling must be held in a designated tasting area within the
6 establishment.

7 (f) No sample may be offered to, or allowed to be consumed by an
8 intoxicated person or a person under the age of twenty-one years. This person
9 must not be allowed to loiter in the premises.

10 (g) No person under the age of twenty-one years may conduct or
11 participate in the sampling activity.

12 Section 3. Regulations. No further rules or regulations are necessary to carry out the
13 intent of this legislation.

14 Section 4. Severability. If any provision of this legislation or the application of any
15 such provision to any person or circumstance should be held invalid by a court of competent
16 jurisdiction, the remainder of this legislation or the application of its provisions to persons or
17 circumstances other than those to which it is held invalid shall not be affected thereby.

18 Section 5. Savings Clause. This legislation and any repealer contained herein shall
19 not be construed as affecting any existing right acquired under contract or acquired under
20 statutes repealed or under any rule, regulation or order adopted under the statutes. Repealers
21 contained in this legislation shall not affect any proceeding instituted under or pursuant to
22 prior law. The enactment of this legislation shall not have the effect of terminating, or in any
23 way modifying, any liability civil or criminal, which shall already be in existence at the date
24 this legislation becomes effective.

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Section 6. Effective Date. This legislation shall take effect upon approval by the Governor or upon becoming law without such approval.

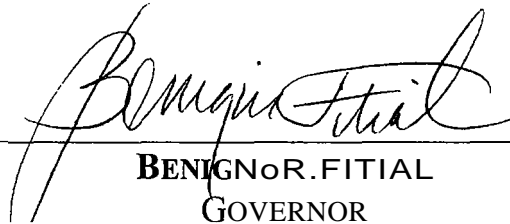
CERTIFIED BY:



ATTESTED TO BY:


EVELYN C. FLEMING

APPROVED on this 14th day of AUGUST, 2009


BENIGNO R. FITIA
GOVERNOR

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS