Dear Mr. Speaker and Mr. President:

This is to inform you that I have signed into law House Bill No. 19-141, HD1, SS1 entitled, "To amend 4 CMC § 5559(b) and 6 CMC §3110(b) with respect to the I.D. Card requirements; and for other purposes", which was passed by the House of Representatives and the Senate of the Nineteenth Northern Marianas Commonwealth Legislature.

Rather than vetoing the bill, I ask the Legislature's further consideration to amend it by defining the terms "actual knowledge" and "reasonably certain" to capture and accurately represent the Legislature's view in giving retail vendors the discretion to exercise prudent human judgment. Further, I ask the Legislature to insert language that holds accountable retail vendors who fail to make diligent inquiry as to whether the customer is in fact a minor.

This bill becomes Public Law No. 19-84. Copies bearing my signature are forwarded for your reference.

Sincerely,

VICTOR B. HOCOG

cc: Governor; Attorney General’s Office; Public Auditor; Department of Commerce; Special Assistant for Administration; Special Assistant for Programs and Legislative Review

Caller Box 10007 Saipan, MP 96950 Telephone: (670) 237-2200 Facsimile: (670) 664-2211/2311
January 3, 2017

The Honorable Ralph DLG. Torres  
Governor  
Commonwealth of the Northern Mariana Islands  
Capitol Hill  
Saipan, MP 96950

Dear Governor Torres:

I have the honor of transmitting herewith for your action **H. B. No. 19-141, HD1, SS1**, entitled: "To amend 4 CMC §5559(b) and 6 CMC §3110(b) with respect to the I.D. Card requirements; and for other purposes.,” which was passed by the House of Representatives and the Senate of the Nineteenth Northern Marianas Commonwealth Legislature.

Sincerely yours,

Linda B. Muña  
House Clerk

Attachment
Representative Glenn L. Maratita, of Rota, Precinct 7 (for himself) in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

**H. B. No. 19-141, HD1, SS1**

**AN ACT**

TO AMEND 4 CMC §5559(B) AND 6 CMC §3110(B) WITH RESPECT TO THE I.D. CARD REQUIREMENTS; AND FOR OTHER PURPOSES.

The Bill was referred to the House Committee on Commerce and Tourism, which submitted Standing Committee Report 19-108; adopted 5/10/16.

**THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON FIRST AND FINAL READING, MAY 10, 2016; with amendments in the form of H. B. 19-141, HD1 and transmitted to the SENATE.**

The Bill was referred to the Senate Committee on Judiciary, Government and Law.

**THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING, DECEMBER 2, 2016; with amendments in the form of H. B. 19-141, HD1, SS1, and was returned to THE HOUSE OF REPRESENTATIVES.**

The House of Representatives accepted the Senate amendments and passed H. B. 19-141, HD1, SS1, during its 11th Day, Fourth Regular Session on December 28, 2016.

**THE BILL WAS FINALLY PASSED ON DECEMBER 28, 2016.**

Linda B. Muña, House Clerk
Be it enacted by the Nineteenth Northern Marianas Commonwealth Legislature:

Section 1. Findings and Purpose. The Commonwealth Legislature finds that certain provisions of Public Law 11-75 and Public Law 17-83 requiring the retail vendors of alcohol and tobacco products to demand for a valid identification card prior to selling any alcohol and tobacco products, has a growing adverse effect in the community. The legislature further finds that, as a result of the enforcement of the mandatory ID card requirement prior to selling any alcoholic beverage and tobacco products at the off-sale and on-sale licensed establishments, there exists growing complaints in the community, specifically, from senior citizens and visiting tourists, as well as a growing adverse community reaction with respect to the absurdness in demanding for a valid ID card on a daily basis from the same patron, specifically, from the retail establishment’s regular customers of legal age. Therefore, while the legislature recognizes the intent of the mandatory ID card requirement to prevent retail stores from selling to underage persons and address the problems associated to underage drinking and underage tobacco consumption in
the Commonwealth, the legislature equally recognizes and supports the rationality of repealing and reenacting certain sections of Public Law 11-75 and Public Law 17-83 with respect to the demand for a valid ID card. The purpose of this repealer and reenactment is intended to provide a realistic sense of commonality in an effort to suppress the growing complaints from the senior citizens, tourists, and patrons of legal age, who purchases alcohol and/or tobacco products from the licensed off-sale and on-sale establishments.

Section 2. Amendments. 4 CMC § 5559 (b) is hereby repealed and reenacted to read as follows:

“(b) No person shall sell, give, serve or permit his/her agent to sell, give or serve any alcoholic beverage products to any person under 21 years of age. Unless based on actual knowledge or reasonably certain that the person buying any alcoholic beverage products is at least 21 years old, no person or business establishment shall sell or permit his/her employee or agent to sell alcoholic beverage products to any person without first demanding that the person present an official government document of identification issued by the CNMI Government, Municipalities of the CNMI, the United States Government, United States’ states, United States territories, or by foreign governments which bears the person’s full name, current photograph, sex, and date of birth indicating that the possessor is 21 years of age or older and that said presentation and verification occurs.”

Section 3. Amendments. 6 CMC § 3110(b) is hereby repealed and reenacted to read as follows:

“(b) It is unlawful for any person to sell, or permit to be sold to an individual under the age of 18 (a minor), any tobacco products. Unless based on actual knowledge or reasonably certain that the person buying any tobacco products is at least 18 years old, no person or business establishment shall sell or permit his/her employee or agent to sell tobacco products to any person without first demanding that the person present an official government document of identification issued by the CNMI Government, Municipalities of the CNMI, the United States Government, United States’ states, United States territories, or by foreign governments which bears
the person's full name, current photograph, sex, and date of birth indicating that the possessor is 18 years of age or older and that said presentation and verification occurs."

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

Section 5. **Savings Clause.** This Act and any repealer contained herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation, or order adopted under the statutes. Repealers contained in this Act shall not affect any proceeding instituted under or pursuant to prior law.

The enactment of the Act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence on the date this Act becomes effective.
Section 6. Effective Date. This Act shall take effect upon its approval by the Governor, or its becoming law without such approval.

Attested to by: Linda B. Muña, House Clerk

Certified by: SPEAKER RAFAEL S. DEMAPAN
House of Representatives
19th Northern Marianas Commonwealth Legislature

Approved this 29th day of January, 2017

VICTOR B. HOCOG
Acting Governor
Commonwealth of the Northern Mariana Islands