



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Ralph DLG. Torres
Governor

Victor B. Hocog
Lieutenant Governor

The Honorable Rafael S. Demapan
Speaker of the House
Twentieth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

27 JAN 2017

The Honorable Arnold I. Palacios
President of the Senate
Twentieth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

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. HOCO

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



House of Representatives

19th NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. BOX 500586
SAIPAN, MP 96950

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,

A handwritten signature in cursive script, appearing to read "L. Muña", enclosed in a circular stamp.

Linda B. Muña
House Clerk

Attachment



*Nineteenth Legislature
of the
Commonwealth of the Northern Mariana Islands*
IN THE HOUSE OF REPRESENTATIVES

Third Regular Session

March 4, 016

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.**

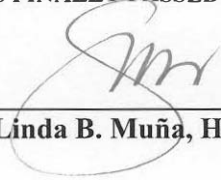
The Bill was referred to the House Committee on Commerce and Tourism, which submitted Standing Committee Report 19-108; adopted 5/10/16.

**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
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



*Nineteenth Legislature
of the
Commonwealth of the Northern Mariana Islands*
IN THE HOUSE OF REPRESENTATIVES

**Eleventh Day, Fourth Regular Session
December 28, 2016**

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.**

**Be it enacted by the Nineteenth Northern Marianas Commonwealth
Legislature:**

1 **Section 1. Findings and Purpose.** The Commonwealth Legislature finds that
2 certain provisions of Public Law 11-75 and Public Law 17-83 requiring the retail vendors of
3 alcohol and tobacco products to demand for a valid identification card prior to selling any
4 alcohol and tobacco products, has a growing adverse effect in the community. The
5 legislature further finds that, as a result of the enforcement of the mandatory ID card
6 requirement prior to selling any alcoholic beverage and tobacco products at the off-sale and
7 on-sale licensed establishments, there exists growing complaints in the community,
8 specifically, from senior citizens and visiting tourists, as well as a growing adverse
9 community reaction with respect to the absurdness in demanding for a valid ID card on a
10 daily basis from the same patron, specifically, from the retail establishment's regular
11 customers of legal age. Therefore, while the legislature recognizes the intent of the
12 mandatory ID card requirement to prevent retail stores from selling to underage persons and
13 address the problems associated to underage drinking and underage tobacco consumption in

HOUSE BILL 19-141, HD1, SS1

1 the Commonwealth, the legislature equally recognizes and supports the rationality of
2 repealing and reenacting certain sections of Public Law 11-75 and Public Law 17-83 with
3 respect to the demand for a valid ID card. The purpose of this repealer and reenactment is
4 intended to provide a realistic sense of commonality in an effort to suppress the growing
5 complaints from the senior citizens, tourists, and patrons of legal age, who purchases alcohol
6 and/or tobacco products from the licensed off-sale and on-sale establishments.

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

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

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

22 “(b) It is unlawful for any person to sell, or permit to be sold to an individual
23 under the age of 18 (a minor), any tobacco products. Unless based on actual
24 knowledge or reasonably certain that the person buying any tobacco products is at
25 least 18 years old, no person or business establishment shall sell or permit his/her
26 employee or agent to sell tobacco products to any person without first demanding that
27 the person present an official government document of identification issued by the
28 CNMI Government, Municipalities of the CNMI, the United States Government,
29 United States' states, United States territories, or by foreign governments which bears

HOUSE BILL 19-141, HD1, SS1

1 the person's full name, current photograph, sex, and date of birth indicating that the
2 possessor is 18 years of age or older and that said presentation and verification
3 occurs.”

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

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

HOUSE BILL 19-141, HD1, SS1

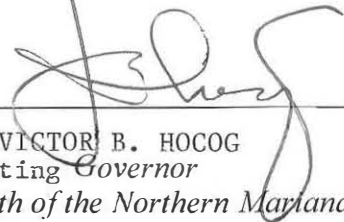
1
2

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 Mariana Commonwealth Legislature

Approved this 27th day of January, 2018⁷


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