



# COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

**Benigno R. Fitial**  
Governor

**Eloy S. Inos**  
Lt. Governor

DEC 20 2011

Honorable Paul A. Manglona  
Senate President, The Senate  
Seventeenth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

Honorable Eliceo D. Cabrera  
Speaker, House of Representatives  
Seventeenth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

Dear Mr. President and Mr. Speaker:

This is to inform you that I have signed into law House Bill No. 17-72, entitled, "To amend 4 CMC §§ 1401(d), (o), and (p) to make clarifications on the definition of certain taxable commodities; and for other purposes," which was passed by the House of Representatives and the Senate of the Seventeenth Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 17-64**. Copies bearing my signature are forwarded for your reference.

Sincerely,

  
**BENIGNO R. FITIAL**

cc: Lt. Governor; Lt. Governor's Legal Counsel; Press Secretary; Department of Finance; Division of Customs; Commonwealth's Law Revision Commission, Special Assistant for Administration; Special Assistant for Programs and Legislative Review



# *The House of Representatives*

NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. Box 500586

Saipan, MP 96950

November 28, 2011

The Honorable Benigno R. Fitial  
Governor  
Commonwealth of the Northern  
Mariana Islands  
Capitol Hill  
Saipan, MP 96950

Dear Governor Fitial:

I have the honor of transmitting herewith for your action **H. B. 17-72**, entitled: "An Act to amend 4 CMC §§ 1401(d), (o), and (p) to make clarifications on the definition of certain taxable commodities; and for other purposes.", which was passed by the House of Representatives and the Senate of the Seventeenth Northern Marianas Commonwealth Legislature.

Sincerely yours,

A handwritten signature in black ink, appearing to read "L. Muña", written over a horizontal line.

Linda B. Muña  
House Clerk

Attachment



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

**Second Special Session**

**May 11, 2010**

Representative George N. Camacho, of Saipan, Precinct 4 (*for himself*), in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

**H. B. 17-72**

**AN ACT**

**TO AMEND 4 CMC §§ 1401 (D), (O), AND (P) TO MAKE  
CLARIFICATIONS ON THE DEFINITION OF CERTAIN TAXABLE  
COMMODITIES; AND FOR OTHER PURPOSES.**

The Bill was referred to the House Committee on Ways and Means, and was placed on the Bill Calendar.

**THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON  
FIRST AND FINAL READING, NOVEMBER 16, 2010;  
*without amendments* and transmitted to the  
THE SENATE.**

The Bill was not referred to a Senate.  
**THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING, NOVEMBER 16, 2011;  
*without amendments.***

**THE BILL WAS FINALLY PASSED ON NOVEMBER 16, 2010.**

A handwritten signature in black ink, appearing to be "L. Muña", written over a horizontal line.

**Linda B. Muña, House Clerk**



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

15TH DAY, SECOND REGULAR SESSION  
NOVEMBER 16, 2010

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**H. B. 17-72**

AN ACT

**TO AMEND 4 CMC §§ 1401(D), (O), AND (P) TO MAKE  
CLARIFICATIONS ON THE DEFINITION OF CERTAIN  
TAXABLE COMMODITIES; AND FOR OTHER PURPOSES.**

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

1           **Section 1. Findings and Purpose.** The Commonwealth Legislature finds  
2           that goods, commodities, or merchandise entering the Commonwealth requires  
3           inspection and clearance by the Division of Customs of the Department of  
4           Finance for taxation purposes. Through consultation with the Division of  
5           Customs, the Commonwealth Legislature finds it necessary to make clarifications  
6           as offered by the Division of Customs pertaining to the definition of certain  
7           taxable commodities. It is therefore the purpose of this Act to amend 4 CMC §  
8           1401 to clearly define certain terms.

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**HOUSE BILL 17-72**

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1           **Section 2. Amendment.** 4 CMC §§ 1401(d), (o), and (p) are hereby  
2 amended to read as follows:

3           **“§ 1401. Definitions**

4                   (d) “Cigarette” means and includes any preparation of finely cut  
5 tobacco or other smokable substance, material, or product rolled in paper  
6 and enclosed and packed so that it is held together for smoking. The term  
7 “cigarette” shall not include cigars.

8                   (o) “Soft drink” means any readily drinkable carbonated or  
9 noncarbonated nonalcoholic beverage, other than water, milk, and 100%  
10 juice.

11                   (p) “Tobacco” or “tobacco substitute” or “chewable tobacco  
12 product” or other smokable, or snuffable substance other than cigarettes  
13 shall mean all tobacco products other than cigarettes.”

14           **Section 3. Severability.** If any provisions of this Act or the application  
15 of any such provision to any person or circumstance should be held invalid by a  
16 court of competent jurisdiction, the remainder of this Act or the application of its  
17 provisions to persons or circumstances other than those to which it is held invalid  
18 shall not be affected thereby.

19           **Section 4. Savings Clause.** This Act and any repealer contained herein  
20 shall not be construed as affecting any existing right acquired under contract or  
21 acquired under statutes repealed or under any rule, regulation or order adopted  
22 under the statutes. Repealers contained in this Act shall not affect any proceeding

**HOUSE BILL 17-72**

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1 instituted under or pursuant to prior law. The enactment of the Act shall not have  
2 the effect of terminating, or in any way modifying, any liability, civil or criminal,  
3 which shall already be in existence on the date this Act becomes effective.

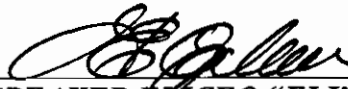
4 **Section 5. Effective Date.** This Act shall take effect upon its approval by  
5 the Governor, or its becoming law without such approval.

Attested to by:



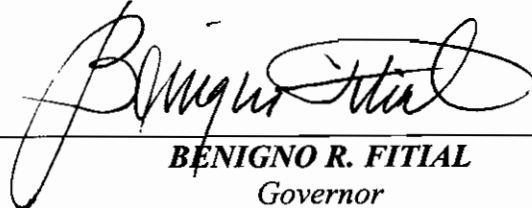
**Linda B. Muña, House Clerk**

Certified by:



**SPEAKER ELICEO "ELI" D. CABRERA**  
House of Representatives  
17<sup>th</sup> Northern Marianas Commonwealth Legislature

**APPROVED** this 20<sup>th</sup> day of DECEMBER, 2011



**BENIGNO R. FITIAL**  
Governor  
Commonwealth of the Northern Mariana Islands