Dear Mr. Speaker and Mr. President:

This is to inform you that I have signed into law House Bill No. 21-99 entitled, “To amend 4 CMC § 5567 to provide clarity for the handling and sales of alcoholic beverages at off-sale premises and to amend 4 CMC § 5568 to provide clarity on penalties; and for other purposes.,” which was passed by the House of Representatives and the Senate of the Twenty-First Northern Marianas Commonwealth Legislature.

This bill becomes Public Law No. 21-41. Copies bearing my signature are forwarded for your reference.

Sincerely,

[Signature]

RALPH DLG. TORRES
Governor

cc: Lt. Governor; Press Secretary; Secretary of Finance; Department of Commerce; Law Revision Commission; Public Auditor; Special Assistant for Administration; Special Assistant for Programs and Legislative Review
December 29, 2020

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. 21-99, entitled: “To amend 4 CMC § 5567 to provide clarity for the handling and sales of alcoholic beverages at off-sale premises and to amend 4 CMC § 5568 to provide clarity on penalties; and for other purposes.,” which was passed by the House of Representatives and the Senate of the Twenty-First Northern Mariana Commonwealth Legislature.

Sincerely yours,

Linda B. Muna
House Clerk

Attachment
Representative Joel C. 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. No. 21-99**

**AN ACT**

To amend 4 CMC § 5567 to provide clarity for the handling and sales of alcoholic beverages at off-sale premises and to amend 4 CMC § 5568 to provide clarity on penalties; and for other purposes.

The Bill was referred to the House Committee on Commerce and Tourism, which submitted Standing Committee Report 21-59; adopted 7/16/2020.

THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON FIRST AND FINAL READING, JULY 16, 2020; without amendments and transmitted to the Senate.

The Bill was referred to the Senate Committee on Judiciary, Government, Law and Federal Relations, which submitted Standing Committee Report 21-118; adopted 12/18/2020.

THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING, DECEMBER 18, 2020; without amendments and was returned to the House of Representatives.


Linda B. Muña, House Clerk
AN ACT
TO AMEND 4 CMC § 5567 TO PROVIDE CLARITY FOR THE HANDLING AND SALES OF ALCOHOLIC BEVERAGES AT OFF-SALE PREMISES AND TO AMEND 4 CMC § 5568 TO PROVIDE CLARITY ON PENALTIES; AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE TWENTY-FIRST NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

SECTION 1. FINDINGS.

The Legislature finds that 4 CMC § 5565 (Public Law 21-12) permits persons 18 years of age and older to serve or sell but not mix alcoholic beverages for purposes of employment at on-sale establishments. However, the Legislature finds that with the enactment of Public Law 21-12, the provision set forth in 4 CMC § 5567 has caused some confusion among business establishments as the provision currently sets the age limit under 16 years of age who are prohibited to sell or handle any alcoholic beverages at off-sale establishments.
The Legislature finds that there is a need to clarify and amend the provision set forth in 4 CMC § 5567 to provide consistency with the mandate provided under Public Law 21-12 and to help alleviate the confusion among business establishments. The Legislature further finds that amending 4 CMC § 5567 would also help to expand the scope of employment opportunities for individuals 18 years of age.

The Legislature also finds that the penalty set forth under 4 CMC § 5568 currently causes additional confusion as the penalty is in accordance with the penal provisions of 4 CMC § 5559(c). However, these penalties are associated with penalties set forth under 4 CMC § 5559(a) and (b) which is not consistent with the intent of 4 CMC § 5558.

Therefore, the purpose of this Act is to amend 4 CMC § 5567 to provide consistency for the handling and sales of alcoholic beverages at off-sale premises and to amend 4 CMC § 5558 to provide clarity by establishing a standalone penalty.

**SECTION 2. AMENDMENT.**

4 CMC § 5567 is hereby amended to read as follows:

"5567. Minors: Permitting to Sell in Retail Off-Sale Premises Prohibited.

No licensee who holds a retail dealer off-sale license, his agent or employee shall permit any person who is under the age of 18 years to sell or handle any alcoholic beverages."

**SECTION 3. AMENDMENT.**

4 CMC § 5568 is hereby amended to read as follows:

"§ 5568. Minors: Permitting to Sell in Retail Off-Sale Premises: Penalty."
Any violation of 4 CMC § 5567 is guilty of a misdemeanor and shall upon conviction, be fined not more than $1,000 and/or imprisoned for not more than one year, or both, and shall be required to perform not less than 80 hours but not more than 250 hours of community service which cannot be suspended or converted to a fine."

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 BLAS JONATHAN "BJ" T. ATTAO
House of Representatives
21st Northern Marianas Commonwealth Legislature

Approval this 5th day of February, 2020

RALPH DLG. TORRES
Governor
Commonwealth of the Northern Mariana Islands