



RALPH DLG. TORRES
Governor

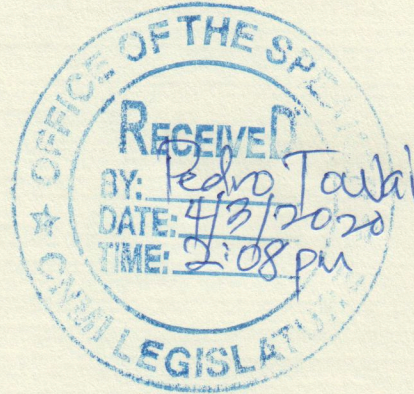
ARNOLD I. PALACIOS
Lieutenant Governor

COMMONWEALTH of the NORTHERN MARIANA ISLANDS
OFFICE OF THE GOVERNOR

April 03, 2020

The Honorable Blas Jonathan "BJ" T. Attao
Speaker
House of Representatives
Twenty-First Northern Marianas
Commonwealth Legislature
Capitol Hill
Saipan, MP 96950

The Honorable Victor B. Hocog
Senate President
The Senate
Twenty-First Northern Marianas
Commonwealth Legislature
Capitol Hill
Saipan, MP 96950

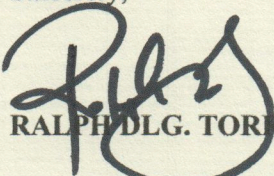


Dear Mr. Speaker and Mr. President:

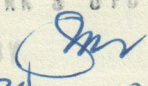
This is to inform you that I have signed into law **House Bill No. 21-27: HD1, SD1** entitled, "To amend Title 4 Section 5531 of the Commonwealth's Alcoholic Beverage Control to provide an exception to licensure requirements for alcoholic beverage manufactured for home or personal consumption; and for 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. 21-19**. Copies bearing my signature are forwarded for your reference.

Sincerely,


RALPH DLG. TORRES

cc: Lt. Governor; Press Secretary; Attorney General's Office; Department of Commerce: Alcohol. Beverage & Tobacco Control; Office of Public Auditor; Special Assistant for Administration; Special Assistant for Programs and Legislative Review

HOUSE CLERK'S OFFICE
RECEIVED BY 
DATE: 4/13/2020 TIME: 12:42 PM



*Twenty-First Legislature
of the
Commonwealth of the Northern Mariana Islands*

IN THE HOUSE OF REPRESENTATIVES

FIRST REGULAR SESSION

MARCH 12, 2019

REPRESENTATIVE IVAN A. BLANCO of Saipan, Precinct 3 (*for himself*, Representatives .) in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

H. B. No. 21-27, HD1, SD1

AN ACT

TO AMEND TITLE 4 SECTION 5531 OF THE COMMONWEALTH'S ALCOHOLIC BEVERAGE CONTROL TO PROVIDE AN EXCEPTION TO LICENSURE REQUIREMENTS FOR ALCOHOLIC BEVERAGES MANUFACTURED FOR HOME OR PERSONAL CONSUMPTION; AND FOR OTHER PURPOSES.

The Bill was referred to the House Committee on Commerce and Tourism, which submitted Standing Committee Report 21-26; adopted 9/6/2019.

**THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON
FIRST AND FINAL READING, SEPTEMBER 10, 2019**
with amendments in the form of H. B. No. 21-27, HD1 and transmitted to the
THE SENATE.

The Bill was referred to the Senate Committee on Judiciary, Government, Law and Federal Relations, which submitted Standing Committee Report 21-73; adopted 2/10/2020.

THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING, FEBRUARY 10, 2020;
with amendments in the form of H. B. No. 21-27, HD1, SD1.

**H. B. NO. 21-27, HD1 SD1 WAS RETURNED TO THE HOUSE OF REPRESENTATIVES ON
FEBRUARY 11, 2020.**

The House of Representatives accepted the Senate amendments and passed H. B. No. 21-27, HD1, SD1 during its Third Day, Third Regular Session on February 18, 2020.

THE BILL WAS FINALLY PASSED ON FEBRUARY 18, 2020



Linda B. Muña, House Clerk



*Twenty-First Legislature
of the
Commonwealth of the Northern Mariana Islands*

IN THE HOUSE OF REPRESENTATIVES

THIRD DAY, THIRD REGULAR SESSION

FEBRUARY 18, 2020

H. B. No. 21-27, HD1, SD1

AN ACT

**TO AMEND TITLE 4 SECTION 5531 OF THE COMMONWEALTH'S
ALCOHOLIC BEVERAGE CONTROL TO PROVIDE AN
EXCEPTION TO LICENSURE REQUIREMENTS FOR
ALCOHOLIC BEVERAGES MANUFACTURED FOR HOME OR
PERSONAL CONSUMPTION; AND FOR OTHER PURPOSES.**

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

1 **SECTION 1. FINDINGS.**

2 The Legislature finds that the Commonwealth's current alcoholic beverage control laws
3 restrict manufacture of alcoholic beverages within the Commonwealth to persons who obtain
4 a license at significant expense, and further, that the statutory licensing scheme is intended to
5 regulate commercial import, production and sale of alcoholic beverages. The Legislature finds
6 further that indigenous culture includes the manufacture of alcoholic beverages for personal
7 consumption, including without limitation traditional wines such as tuba. Moreover, the
8 Legislature finds that many hobbyists throughout the country enjoy brewing their own beer for

HOUSE BILL 21-27, HD1, SD1

1 personal consumption. These activities are permitted under federal law, and the laws of the 50
2 states without license.

3 The purpose of this Act is to restructure the exemptions to licensure found in Title 4,
4 Division 5, Chapter 5 of the Commonwealth Code to authorize the non-commercial
5 manufacture of small batches of alcoholic beverage for household consumption without a
6 license.

7 **SECTION 2. AMENDMENT.**

8 4 CMC § 5511 is amended by amended subsection (a) and adding a new subsection (l)
9 to read as follows:

10 “(a) “Alcoholic beverage” means beer, distilled spirits, wine and tuba, and every
11 liquid which contains one-half of one percent or more of alcohol by volume and which
12 is fit for beverage purposes, either alone or when combined with other substances.

13 (l) “tuba” means an alcoholic beverage made from the sap of coconut tree; juice
14 which is tapped from the bud of coconut tree which ferments very quickly.”

15 **SECTION 3. AMENDMENT.**

16 4 CMC § 5531 is hereby amended to read as follows:

17 **“§ 5531. Manufacturer: Authorized Manufacturing.**

18 (a) Subject to the Commonwealth public health regulations and the provisions
19 of this chapter, a person holding a manufacturer’s license may manufacture alcoholic
20 beverages for sale to any appropriately licensed wholesaler.

21 (b) Small Batch Non-Commercial Manufacture. A person 21 years of age or
22 older, may manufacture within the Commonwealth tuba, beer, wine, and other non-
23 distilled alcoholic beverages in batch quantities of no more than 10 gallons or 1,280
24 fluid ounces per year for private use, and not for resale, without a license. This
25 subsection shall exempt a person from the requirement set forth under 4 CMC § 5521.

26 (c) Prohibitions and limitations on small batch non-commercial manufacture
27 authorized in subsection (b) of this section. A person who manufactures tuba, beer,
28 wine and other non-distilled alcoholic beverages for private use is subject to the
29 following:

HOUSE BILL 21-27, HD1, SD1

- 1 (1) No public display of drunkenness;
- 2 (2) No selling to general public;
- 3 (3) No serving to persons under 21 years old;
- 4 (4) No free public tasting;
- 5 (5) No personal or public advertisement;
- 6 (6) No commercial exportation; and
- 7 (7) Consumption shall be made in a responsible and dignified manner
- 8 for the purpose of enjoying the pleasant aspect of alcohol.

9 (d) Any quantity of alcoholic beverage manufactured for personal use in excess
10 of the amount authorized by subsection (b) of this section or consumed or sold in
11 violation of subsection (c) of this section shall be confiscated by the Department of
12 Commerce.

13 (e) If a person intends to sell for profit any alcoholic beverage manufactured
14 pursuant to subsection (b) of this section, the person is required to obtain a license
15 pursuant to 4 CMC § 5521.

16 **SECTION 4. SEVERABILITY.**

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

21 **SECTION 5. SAVINGS CLAUSE.**

22 This Act and any repealer contained herein shall not be construed as affecting any
23 existing right acquired under contract or acquired under statutes repealed or under any rule,
24 regulation, or order adopted under the statutes. Repealers contained in this Act shall not affect
25 any proceeding instituted under or pursuant to prior law. The enactment of the Act shall not
26 have the effect of terminating, or in any way modifying, any liability, civil or criminal, which
27 shall already be in existence on the date this Act becomes effective.

HOUSE BILL 21-27, HD1, SD1

1 **SECTION 6. EFFECTIVE DATE.**

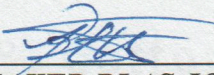
2 This Act shall take effect upon its approval by the Governor, or its becoming law
3 without such approval.

Attested to by:



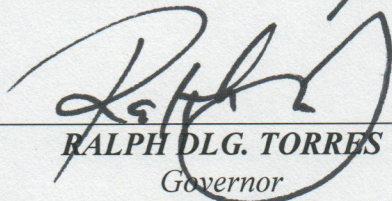
Linda B. Muña, House Clerk

Certified by:



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

Approval this 3rd day of APRIL, 2020



RALPH DLG. TORRES
Governor
Commonwealth of the Northern Mariana Islands