



**David M. Apatang**  
Governor

**Dennis James "DJ" C. Mendiola**  
Lieutenant Governor

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
**OFFICE OF THE GOVERNOR**

October 21, 2025

GOV 2025-409

The Honorable Karl R. King-Nabors  
President  
The Senate; Twenty-Fourth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

The Honorable Edmund S. Villagomez  
Speaker  
House of Representatives  
Twenty-Fourth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

Dear Mr. President and Mr. Speaker:

This is to inform you that I have signed into law **Senate Bill No. 24-28, SD1**, entitled "To amend 6 CMC § 3113; to establish disorderly conduct and public intoxication crimes; and for other purposes," which was passed by the Senate and the House of Representatives of the Twenty-Fourth Northern Marianas Commonwealth Legislature.

I applaud the intent of the bill to aid in promoting the Marianas as a tourist destination by crafting enforcement tools to clamp down on disorderly behavior which may interfere with visitors' enjoyment of our islands.

However, I wish to note concerns with the legislation which were flagged by the Office of the Attorney General and to encourage the Legislature to consider amending the legislation accordingly.

First, the legislation amends the existing loitering offense to prohibit begging at tourist sites designated by the Marianas Visitors Authority, but does not contain an enumeration of such sites. The Legislature could in future mandate MVA to promulgate a list of such designated sites.

Second, some courts have found certain anti-begging statutes to violate the First Amendment, *see, e.g., Speet v. Schuette*, 726 F.3d 867, 874–75 (6th Cir. 2013). More narrow tailoring of the offense, particularly revision of the "whether for legal or illegal purposes" language, could help forestall a facial First Amendment challenge.

As to the newly established offense of public intoxication, this statutory language again references tourist sites designated as such by MVA. A mandate for such designations to be enumerated could be legislated in the future, as could clarification to the scope of “public places,” which in the bill appear to be confined to Garapan.

While careful exercise of prosecutorial discretion may help forestall litigation of these issues, I nonetheless invite the Legislature to consider plugging the gaps in a future amendment.

This bill becomes **Public Law No. 24-15**. Copies bearing my signature are forwarded for your reference.

Sincerely,



**DAVID M. APATANG**  
Governor

cc: Lieutenant Governor  
Attorney General  
Commonwealth Law Revision Commission  
Special Assistant for Administration  
Public Defender  
Department of Public Safety  
Marianas Visitors Authority  
Programs and Legislative Review



THE SENATE

Twenty-Fourth Northern Marianas Commonwealth Legislature  
P. O. Box 500129  
Saipan, MP 96950

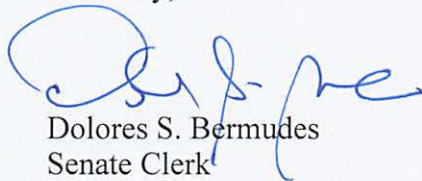
September 11, 2025

The Honorable David M. Apatang  
Governor  
Commonwealth of the Northern Mariana Islands  
Saipan, MP 96950

Dear Governor Apatang:

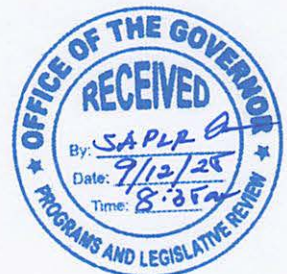
I have the honor of transmitting herewith **Senate Bill No. 24-28, SD1**, entitled, "To amend 6 CMC § 3113; to establish disorderly conduct and public intoxication crimes; and for other purposes," which was passed by the Senate and the House of Representatives of the 24<sup>th</sup> Northern Mariana Islands Commonwealth Legislature.

Sincerely,



Dolores S. Bermudes  
Senate Clerk

Attachment





**THE SENATE  
TWENTY-FOURTH NORTHERN MARIANAS COMMONWEALTH  
LEGISLATURE**

**SENATE BILL NO. 24-28, SD1**

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**AN ACT**

To amend 6 CMC § 3113; to establish disorderly conduct and public intoxication crimes; and for other purposes.

***SENATE ACTION***

**Offered by Senator(s):** Corina L. Magofna

**Date:** March 06, 2025

**Referred to:** Committee on Judiciary, Government, and Law

**Standing Committee Report No.:** 24-12 adopted on 06/23/25

**Final Reading:** June 23, 2025

***HOUSE ACTION***

**Referred to:** Committee on Judiciary and Governmental Operations

**Standing Committee Report No.:** 24-28 adopted on 9/9/25

**Final Reading:** September 09, 2025

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A handwritten signature in blue ink, appearing to read "Francisco Q. Cruz", written over a horizontal line.

**Senator Francisco Q. Cruz  
SENATE LEGISLATIVE SECRETARY**



**THE SENATE**  
**TWENTY-FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE**  
**FIRST REGULAR SESSION, 2025** **S.B. NO. 24-28, SD1**

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**AN ACT**

To amend 6 CMC § 3113; to establish disorderly conduct and public intoxication crimes; and for other purposes.

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

1           **Section 1. Short Title.** This Act may be cited as the “Disorderly Conduct and Public  
 2 Intoxication Act of 2025”.

3           **Section 2. Findings and Purpose.** The Legislature finds that the Marianas Visitors  
 4 Authority is striving to promote the Marianas that is a “Premier Destination” for visitors. In  
 5 addition to maintaining and sprucing up our islands and tourist and historical sites, the  
 6 Legislature finds that laws must be in place to protect the health, safety, and welfare of our  
 7 visitors as well as the general public. It is necessary to improve the CNMI’s “Premier  
 8 Destination and Image” by prohibiting disorderly conduct including loitering, public  
 9 intoxication and unsightly, unwanted, undesirable, unwelcoming and even dangerous (etc.,  
 10 etc.) behaviors displayed or acted on by individuals who intrude or impose unwanted conduct  
 11 or actions against our community members or residents as well as our tourists and visitors at  
 12 public places near business establishments and tourist sites and historical sites identified and  
 13 recognized by the Marianas Visitors Authority.

14           The Legislature further finds that disorderly conduct and public intoxication  
 15 negatively impact businesses because the violator may harass and/or intimidate patrons or  
 16 potential customers, which will most likely cause the patrons to leave or discourage them  
 17 from entering the establishment. Consequently, this disorderly conduct harms businesses and  
 18 causes them to lose customers and revenue. In addition to businesses, disorderly conduct and

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1 public intoxication at public places like the tourist sites and historical sites harm the CNMI's  
2 reputation as a safe and friendly "Premier Destination" for all visitors. The Legislature must  
3 do its part in supporting the Marianas Visitors Authority's efforts in promoting the CNMI as a  
4 safe, clean, and world-class destination. Accordingly, the purpose of this legislation is to  
5 amend 6 CMC § 3113 and to establish disorderly conduct and public intoxication crimes.

6 **Section 3. Amendment.** 6 CMC § 3113 is amended to read as follows:

7 **"§ 3113. Loitering Outside a Business Establishment on a Public Thoroughfare or**  
8 **Tourist Site is for the Purpose of Luring, Enticing, or Soliciting Persons for Commercial**  
9 **Gain is Hereby Prohibited.**

10 (a) A person commits loitering if the person is found on a public thoroughfare or  
11 tourist site engaged in the following conduct:

12 (1) Attempting ~~more than one time~~ to stop or detain a person by shouting,  
13 loudly calling, or beckoning to a person to lure, entice, or solicit a person for  
14 commercial gain, whether for legal or illegal purposes; or

15 (2) Attempting to stop or detain a person by physically touching or grabbing a  
16 person for the purpose of handing out fliers or handbills regarding a commercial  
17 enterprise for a fee or to lure, entice, or solicit a person for commercial gain, whether  
18 for legal or illegal purposes.

19 (3) Following or attempting to follow a person for the purpose of handing out  
20 fliers or handbills regarding a commercial enterprise for a fee or to lure, entice, or  
21 solicit a person for commercial gain, whether for legal or illegal purposes.

22 (b) ~~Public thoroughfare~~ For the purposes of this section:

23 (1) "Public thoroughfare" ~~shall~~ means any sidewalk, square, mall, parking lot,  
24 street, or beach area.

25 (2) "Tourist site" means any tourist site or historic site in the CNMI that is  
26 identified or recognized by the Marianas Visitors Authority.

27 (c) Penalties.

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1           (1) A person convicted of loitering under this section is punishable ~~may be~~  
2           ~~punished~~ by fine of not more than \$500 ~~\$1000~~ and by imprisonment of not more than  
3           30 days.

4           (2) A second or subsequent conviction under this section is punishable by a  
5           fine of not more than \$1000 and by imprisonment of not more than one year.”

6           **Section 4. Amendment.** Title 6, Division 3, Chapter 1, Article 1 of the  
7           Commonwealth Code is hereby amended by adding a new section 3119 to read as follows:

8           **“§ 3119. Disorderly Conduct & Public Intoxication Prohibited.**

9           A person who commits any of the following acts is guilty of disorderly conduct, a  
10          misdemeanor:

11          (a) A person who solicits anyone to engage in or who engages in lewd or dissolute  
12          conduct in any public place or in any place open to the public or exposed to public view.

13          (b) A person who loiters in or about any toilet at a public place for the purpose of  
14          engaging in or soliciting any lewd or lascivious or any unlawful act.

15          (c) A person who lodges in any public building, structure, vehicle, or place, whether  
16          public or private, without the permission of the owner or person entitled to the possession or  
17          in control of it.

18          (d) Public Intoxication.

19                 (1) If a person is found in any public place under the influence of intoxicating  
20                 liquor, any drug, controlled substance, or toluene or any combination of any  
21                 intoxicating liquor, drug, controlled substance, or toluene in a condition such that the  
22                 person is unable to exercise care for his or her own safety or endangers the safety of  
23                 others or property, or

24                 (2) If a person is found in a public place and by reason of being under the  
25                 influence of intoxicating liquor, any drug, controlled substance, or toluene or any  
26                 combination of any intoxicating liquor, drug, or toluene, interferes with or obstructs or  
27                 prevents the free use of any street, sidewalk, parking lot or other public way.

28          (e) For the purposes of this section:

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1 (1) "Lewd conduct or acts" means acts that take place to arouse or gratify a  
2 person or someone else's sexual desires including touching, fondling and  
3 masturbating.

4 (2) "Loiter" means to delay or linger without a lawful purpose for being at the  
5 public place and for the purpose of committing a crime as opportunity may be  
6 discovered.

7 (3) "Public" or public places" means any sidewalk, square, mall, parking lot,  
8 street, or beach area located at the central business district in Garapan, Saipan,  
9 especially near and around hotel and motel establishments, and all tourist sites located  
10 in the CNMI.

11 (4) "Tourist sites" means tourist sites and historic sites in the CNMI that are  
12 identified or recognized by the Marianas Visitors Authority.

13 (f) Penalties.

14 (1) A person convicted of disorderly conduct under this section may be  
15 punished by fine of not ~~more than \$500~~ less than \$250 and by ~~imprisonment of not~~  
16 ~~more than 30~~ 100 days of community service.

17 (2) A second ~~or subsequent~~ violation of any provision of this section is  
18 punishable by a fine of not ~~more than \$2,000~~ less than \$500 and by ~~imprisonment of~~  
19 ~~not more than one year~~ 200 hours of community service.

20 (3) A third or subsequent violation of any provision of this section is  
21 punishable by being banned from the premises for one year, or fined not more than  
22 \$5,000, or by imprisonment for 30 days."

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

27 **Section 6. Savings Clause.** This Act and any repealer contained herein shall not be  
28 construed as affecting any existing right acquired under contract or acquired under statutes  
29 repealed or under any rule, regulation, or order adopted under the statutes. Repealers

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

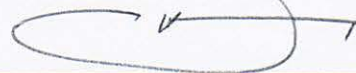
5 **Section 7. Effective Date.** This Act shall take effect upon its approval by the  
6 Governor or becoming law without such approval.

**CERTIFIED BY:**



**KARL R. KING-NABORS  
PRESIDENT OF THE SENATE**

**ATTESTED BY:**



**FRANCISCO Q. CRUZ  
SENATE LEGISLATIVE SECRETARY**

*Approved* this 21<sup>st</sup> day of October, 2025



**DAVID M. APATANG  
Governor  
Commonwealth of the Northern Mariana Islands**