

David M. Apatang
Governor



GOV. COMM. 24-69
(HOUSE)

Dennis James "DJ" C. Mendiola
Lieutenant Governor

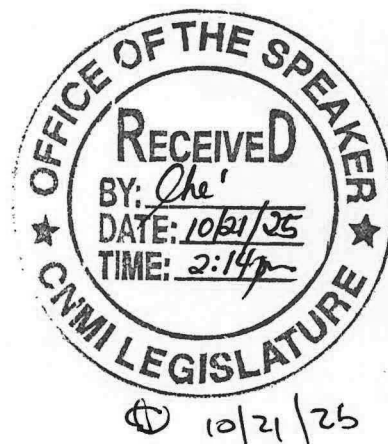
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
OFFICE OF THE GOVERNOR

October 21, 2025

GOV 2025-404

The Honorable Karl King-Nabors
President of the Senate
Twenty-Fourth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

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



Dear Mr. President and Mr. Speaker:

Pursuant to 4 CMC § 8403, I am pleased to nominate Mr. James Ushio Miyahara Mendiola, Jr. to serve as a member of the Commonwealth Public Utilities Commission representing the Second Senatorial District. This nomination requires confirmation by both the Senate and the House of Representatives of the Northern Marianas Commonwealth Legislature. If confirmed, he will serve the remainder of a vacant term, which will expire on April 3, 2028. This term follows the staggered terms established by the Commonwealth Public Utilities Commission.

The Lieutenant Governor and I are confident that Mr. Mendiola is highly qualified to fulfill the vital responsibilities of this Commission. We will provide you with copies of his résumé, statement of financial interest, police clearance, and drug test result as soon as they become available. If you require additional information, please do not hesitate to contact our office. We respectfully request your favorable action on this nomination.

Sincerely,


DAVID M. APATANG
Governor

10 21 2025
RECEIVED BY: 
DATE: 10/21/2025 TIME: 4:26p

cc: Lieutenant Governor; Special Assistant for Administration;
Chairperson, EAGI; Chairperson, House JGO & PUTC Committee;
Chairperson, CPUC; Mr. James M. Mendiola, Jr. ; Public Auditor;
Office of Personnel Management; Programs & Legislative Review

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 2025-405

Mr. James Ushio Miyahara Mendiola, Jr.
c/o Office of the Mayor of Tinian and Aguiguan
P.O. Box 520059
Tinian, MP 96952

Dear Mr. Mendiola:

Pursuant to 4 CMC § 8403, I am pleased to nominate you to serve as a member of the Commonwealth Public Utilities Commission representing the Second Senatorial District. This nomination requires confirmation by both the Senate and the House of Representatives of the Northern Marianas Commonwealth Legislature. If confirmed, you will serve the remainder of a vacant term, which will expire on April 3, 2028. This term follows the staggered terms established by the Commonwealth Public Utilities Commission.

Pursuant to 1 CMC § 8511, you are required to file a Statement of Financial Interest with the Public Auditor and fulfill other prerequisites mandated by the Senate and House of Representatives. You can access the necessary form at (<http://www.opacnmi.com/>). To complete your confirmation process, please submit a copy of your résumé, statement of financial Interest (stamped as having been received by the Office of the Public Auditor), police clearance, and drug test results that complied with the mandatory drug screening to my office for submission to the Senate and House of Representatives.

The Lieutenant Governor and I are confident that you will devote your time and efforts to represent the interests of our Commonwealth. Your willingness to serve our people in this capacity is greatly appreciated.

Sincerely,


DAVID M. APATANG
Governor

cc: Lieutenant Governor; Special Assistant for Administration;
Chairperson, EAGI; Chairperson, House JGO & PUTC Committees;
Chairperson, CPUC; Office of Personnel Management;
Public Auditor; Programs & Legislative Review

David M. Apatang
Governor



GOV. COMM. **24-68**
(HOUSE)

Dennis James "DJ" C. Mendiola
Lieutenant Governor

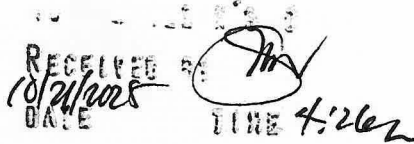
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
OFFICE OF THE GOVERNOR

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



10/21/25

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**

SENATE BILL NO. 24-28, SD1

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

**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**

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

SENATE BILL NO. 24-28, SD1

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

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

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

“§ 3119. Disorderly Conduct & Public Intoxication Prohibited.

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

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

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

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

(d) Public Intoxication.

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

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

(e) For the purposes of this section:

SENATE BILL NO. 24-28, SD1

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

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

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

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

(f) Penalties.

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

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

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

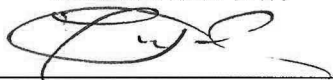
Section 5. Severability. If any provision of this Act or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Act or the application of its provisions to persons or circumstances other than those to which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

Section 6. 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

SENATE BILL NO. 24-28, SD1

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.

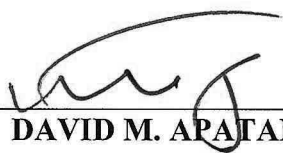
CERTIFIED BY:

KARL R. KING-NABORS
PRESIDENT OF THE SENATE

ATTESTED BY:

FRANCISCO Q. CRUZ
SENATE LEGISLATIVE SECRETARY

Approved this *21st* day of *October*, 2025



DAVID M. APATANG
Governor
Commonwealth of the Northern Mariana Islands