

FIRST SPECIAL SESSION, 1982

AN ACT

To amend Sections 104(Z), 401(b) and 402 of Public Law 3-11 to provide that any passenger disembarking from a ship or an airplane may import for personal use and consumption a limited amount of cigarettes, tobacco, distilled alcoholic beverages, beer, wine, or sake which shall be exempt from excise taxes; to exempt books and other educational materials purchased by a school or library from the excise tax; to provide that persons importing for non-business use shall be exempt from the general excise tax; to provide that benefits paid by the United States Social Security Administration and the Northern Mariana Islands Retirement Fund shall not be taxed as wages and salaries; and for other purposes.

BE IT ENACTED BY THE NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 Section 1. Section 401(b) of Chapter IV of Public Law 3-11 is
2 amended to read as follows:

3 "(b) Personal Use and Consumption. Any passenger
4 disembarking from a ship or an airplane may import for
5 personal use and consumption exempt from the excise taxes
6 imposed by this Section:

7 (1) an amount of cigarettes not to exceed thirty

8 (30) packages of twenty (20) cigarettes per package;

9 (2) an amount of tobacco, other than cigarettes,
10 not to exceed one pound;

11 (3) an amount of distilled alcoholic beverages
12 not to exceed three-fifths (3/5) of a gallon;

13 (4) an amount of beer or other malt beverages
14 not to exceed two hundred eighty-eight (288) fluid
15 ounces.

16 (5) an amount of wine and sake not to exceed
17 one gallon."

18 Section 2. Section 402 of Chapter IV of Public Law 3-11 is
19 amended to read as follows:

20 "Section 402. General Excise Tax. For the
21 privilege of first selling, using, manufacturing,

1 leasing or renting goods, merchandise, or
2 commodities imported into the Commonwealth for
3 business purposes, there is imposed upon all such
4 persons an excise tax as specified herein;

5 (a) Soft drinks and nonalcoholic beverages, five cents
6 (\$.05) on each twelve fluid ounces or fractional part thereof;

7 (b) Foodstuffs for human consumption, one percent (1%)
8 ad valorem;

9 (c) Agriculture commodities, such as fertilizers, seed,
10 animal feeds, pesticides and herbicides, one percent (1%) ad
11 valorem;

12 (d) Perfumery, articles of perfumery including cologne
13 and other fragrances whether in sachets or otherwise, twenty
14 percent (20%) ad valorem;

15 (e) Cosmetics and toiletries, including all preparations
16 used as applications to the hair or skin, lipsticks, eye
17 shadows and mascara, pomades, powders, makeup and other toilet
18 preparations not having medicinal properties, fifteen percent
19 (15%) ad valorem;

20 (f) Prescription drugs and medicines, one percent (1%)
21 ad valorem;

22 (g) Construction materials, three percent (3%) ad
23 valorem;

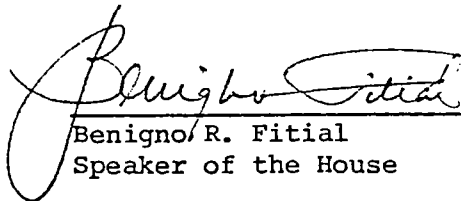
24 (h) All other property not otherwise provided for by
25 law, five percent (5%) ad valorem; Provided that books and

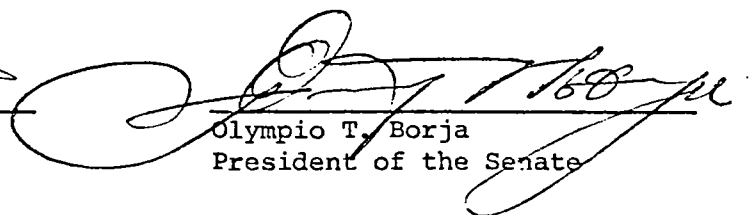
1 other educational materials purchased by a school or
2 library shall be exempt from taxation under this Section.

3 The Director may require by regulation that persons
4 importing quantities of goods, merchandise or commodities
5 into the Commonwealth which are not normally indicative of
6 a non-business use must supply proof of the non-business,
7 nature of the use intended for the goods, merchandise, or
8 commodities in order to avoid taxation under this Section."

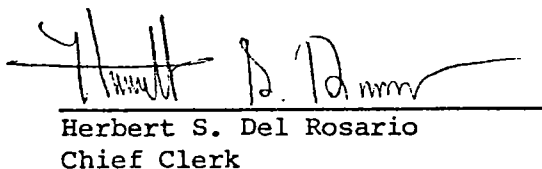
9 Section 3. On page 10, after line 19 of Section 104(Z) of Public
10 Law 3-11, add a new subparagraph (7) to read as follows: "Any benefit
11 payment from the Social Security Administration or from the Northern
12 Mariana Islands Retirement Fund."

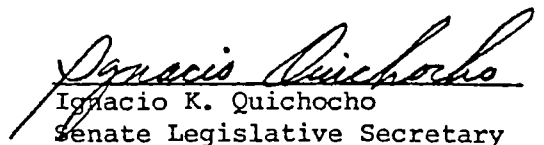
13 Section 4. Effective Date. This Act shall take effect upon
14 its approval by the Governor, or upon its becoming law without such
15 approval; PROVIDED, however that this Act shall be given effect
16 retroactively to June 1, 1982.

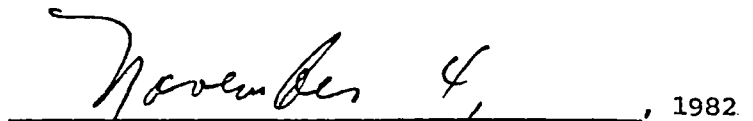

Benigno R. Fitial
Speaker of the House

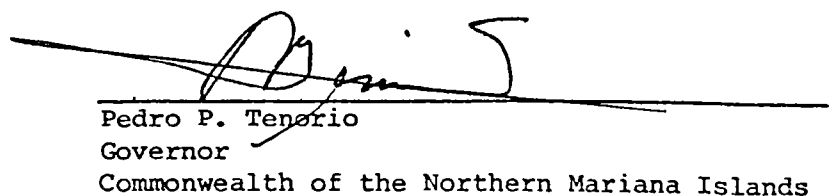

Olympio T. Borja
President of the Senate

ATTEST:


Herbert S. Del Rosario
Chief Clerk


Ignacio K. Quichocho
Senate Legislative Secretary


November 4, 1982


Pedro P. Tenorio
Governor
Commonwealth of the Northern Mariana Islands