

David M. Apatang
Governor



Dennis James C. Mendiola
Lieutenant Governor

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NO. 2025-005

SUBJECT: Transfer of authority for regulation of cannabis from the Commonwealth Cannabis Commission to the Alcohol Beverage and Tobacco Control Division of the Department of Commerce.

AUTHORITY: NMI Const. art. III, § 1 provides that “[t]he executive power of the Commonwealth shall be vested in a governor who shall be responsible for the faithful execution of the laws;” and NMI Const. art. III, § 15 permits the governor to “make changes in the allocation of offices, agencies and instrumentalities and in their functions and duties that are necessary for efficient administration.”

WHEREAS; Public Law 11-75 created an Alcohol Beverage and Tobacco Control Division of the Department of Commerce, which consolidated the existing regime for regulation of alcoholic beverages with new measures concerning the regulation of tobacco; and

WHEREAS; Public Law 20-66 established a Commonwealth Cannabis Commission with a mandate to regulate a lawful cannabis industry in the Commonwealth; and

WHEREAS; as of July 31, 2025, the Cannabis Commission reported a total of Fiscal Year 2025 year-to-date excise and surtax collections of only \$113,880.33, well below the liability to the Commonwealth of the compensation owed to five commissioners at an annual salary of \$55,000 per annum each; and

WHEREAS; trying economic times necessitate consolidation of duplicative government instrumentalities to ensure that the Commonwealth’s limited fiscal resources are allocated to provision of essential public services;

NOW, THEREFORE, I, David M. Apatang, Governor of the Commonwealth of the Northern Mariana Islands, by virtue of the power vested in me by the Constitution and laws of the Commonwealth, and in order to achieve effective and efficient government administration so as to better serve the interests of the Commonwealth and its people, hereby order as follows:

Section 1. Enactment.

- (a) The duties and responsibilities of the Commonwealth Cannabis Commission to regulate cannabis in the Commonwealth under Title 4, Division 5, Chapter 21 of the Commonwealth Code are hereby transferred to the Alcohol Beverage and Tobacco Control Division of the Department of Commerce established under 4 CMC § 50131.
- (b) Because the Commission is divested by this order of any statutory duties or responsibilities, the Commissioners no longer owe duties within the meaning of NMI Const. Article III, Section 21 and their terms are accordingly terminated for cause.

- (c) The Managing Director and other staff of the Commission, with the exception of the Commissioners, are hereby transferred to the Department of Commerce and shall continue to perform their duties as employees of the Alcohol Beverage and Tobacco Control Division under the supervision of the Secretary of Commerce or designee.

Section 2. General Provisions.

- (a) This executive order shall be implemented consistent with applicable law.
- (b) Except as specifically provided in Section 1 of this executive order, the statutory provisions of Title 4, Division 5, Chapter 21 of the Commonwealth Code and the regulations under Title 180 of the NMI Administrative Code shall remain in force in full, except that references to commissioners of the Commonwealth Cannabis Commission shall instead mean the Secretary of Commerce and references to the Commission shall instead mean the Alcohol Beverage and Tobacco Control Division.
- (c) This executive order is not intended to and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Commonwealth, its departments, agencies, or entities, its officers, employees, or agents, or any other person.
- (d) In accordance with NMI Const. art. III, § 15, this executive order shall be submitted to the legislature and shall become effective sixty days after submission, unless specifically modified or disapproved by a majority of the members of each house of the legislature.
- (e) If any provision of this executive order 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 executive order or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

It is so Ordered,

SIGNED AND PROMULGATED on this 18 day of November 2025.


David M. Apatang
Governor