

**TITLE 2: NATURAL RESOURCES**  
**DIVISION 5: ANIMALS, PLANTS AND FOOD**

**§ 5623. Penalty.**

Any individual in violation of this article shall be fined not less than \$10,000.00, imprisoned for not more than three years, or both.

**Source:** PL 11-112, § 3 (part).

**Commission Comment:** PL 11-112 that created this article took effect January 18, 2000. PL 11-112 contained short title, findings, severability, and savings clause provisions as follows:

Section 1. Short title. This act may be cited and known as the “Cyanide Fishing Act of 1999.”

Section 2. Findings. The Legislature finds that there is an alarmingly increase of cyanide fishing in the Indo-Pacific Region. Cyanide fishing is a method in which fishermen harvest marine life by spraying such poisonous material into the coral reefs to stunt fishes and crustaceans, extract them by breaking apart the coral rocks, and finally, selling them in aquarium and live food markets around world. Although cyanide does not kill the marine life harvested, it kills and destroys the other life forms that inhabit and make up the coral reef.

The demand for fresh seafood is at a high and a complete ban of cyanide fishing in the Commonwealth today will preserve our marine life for our future. To destroy coral reefs is to destroy the people’s veritable fish factories, their major source of food and provider of income. This is an industry that must be banned from feeding off the pristine waters of the CNMI. The waters of the Commonwealth must be protected from this marine life genocide.

. . .

Section 4. 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 5. 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herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes.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 contained in this Act shall not affect any proceeding instituted under or pursuant to prior law. The enactment of this Act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence at the date this Act becomes effective.