

THIRTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SESSION, 2002

Tinian Local Law No, 13-1  
S.L.B. NO. 13-4. DL1

A BILL FOR AN ACT

To prohibit or restrict the use of scuba tank and other related devices on commercial and non-commercial fishermen when fishing for reef fish and harvesting other **marine** life within the lagoon and coastal waters of the municipality of **Tinian** and Aguiguan; and for other purposes.

**BE IT ENACTED BY THE SECOND SENATORIAL DISTRICT DELEGATION PURSUANT TO CHAPTER 4 OF DIVISION 1 OF TITLE 1 OF THE COMMONWEALTH CODE:**

1 Section 1. Findings and Purposes. The Second Senatorial District  
2 Delegation finds that the use of scuba tank and other related diving  
3 devices by commercial and non-commercial fishermen have caused a  
4 **significant** depletion of reef fish within the lagoon and coastal waters of  
5 the municipality of **Tinian**. Furthermore, the need to **preserve** and to  
6 regulate the fishing and harvesting of **marine** life in this **area** is  
7 essential to maintaining and preserving the traditional way of life and  
8 ensuring that this marine life and its ecosystem is preserved for the use  
9 and enjoyment of future generations of Northern Mariana Islands  
10 residents. Thus, the intent of this Act is to prohibit or restrict the use  
11 of scuba tank and other related devices by commercial and non-  
12 commercial **fishermen** when fishing for reef fish and harvesting other  
13 Marine life within the lagoon and coastal waters of the municipality of  
14 **Tinian** and Aguiguan.

15 Section 2. Prohibition. It shall be **unlawful** for any commercial  
16 and non-commercial fishermen to use scuba tanks and other related  
17 device when fishing for reef fish and harvesting other marine life within

1 the lagoon and coastal waters of the municipality of Tinian and  
2 **Aguiguan.**

3 Section 3. **Penalty.** The use of scuba tank and other **related**  
4 devices by commercial and **non-commercial** fishermen when fishing for  
5 reef fish and harvesting other marine life **contrary** to the provisions of  
6 this Act shall be punishable by a fine of not more than \$500.00 or  
7 imprisonment not more than three months, or both. All penalty fees  
8 collected shall be deposited to the Tinian Municipal Treasury and  
9 subject for appropriation by the Tinian Legislative Delegation.

10 Section 4. **Enforcement.** Enforcement of this Act shall be the  
11 responsibility of the **Secretary** of the Department of Land and Natural  
12 Resources, in consultation with the Director of **Fish** and Wildlife, the  
13 Resident Director of the Department of Land and Natural Resources in  
14 the Second Senatorial District. Such enforcement shall be pursuant to  
15 the provisions in 2 CMC § 5109.


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

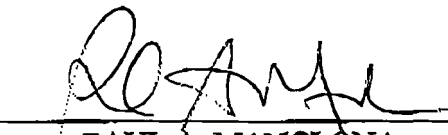
22 Section 6. **Savings Clause.** This Act and any repealer contained  
23 herein **shall** not be construed as affecting any **existing** right acquired  
24 under contract or acquired under statutes repealed or under any rule,  
25 regulation or order adopted under the statutes. Repealers contained in  
26 this Act shall not affect any proceeding instituted under or pursuant to  
27 prior law. The enactment of this Act shall not have the effect of  
28 terminating, or in any way **modifying**, any liability, **civil** or **criminal**,  
29 which shall already be in existence at the date this Act becomes  
30 **effective.**

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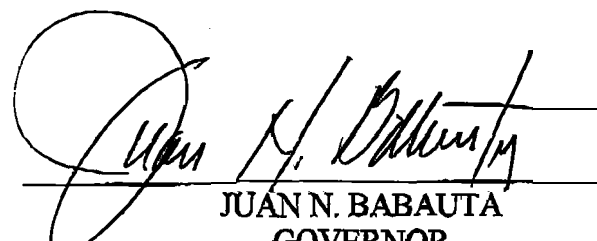
Section 7. Effective Date. This Act shall take effect upon its approval by the Governor or upon its becoming law, without such approval.

CERTIFIED BY:

  
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JOAQUIN G. ADRIANO  
CHAIRMAN, TINIAN LEGISLATIVE  
DELEGATION

  
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PAUL A. MANGLONA  
PRESIDENT OF THE SENATE

Approved this 20<sup>th</sup> day of September, 2002.

  
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JUAN N. BABAUTA  
GOVERNOR  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS