



Commonwealth of the Northern Mariana Islands


Office of the Governor

Saipan, Mariana Islands 96950

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CABLE ADDRESS
GOV. NMI SAIPAN
REPLY TO:

DEPT. of ACTIVITY

11 OCT 1991



The Honorable Pedro R. Guerrero
Speaker, House of Representatives
Seventh Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

and

The Honorable Joseph S. Inos
Senate President
Seventh Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Mr. Speaker and Mr. President:

This is to inform you that I have signed into law House Bill No. 7-239, which authorize the ownership of certain category of .22 caliber rifles, which was passed by the Seventh Northern Marianas Commonwealth Legislature.

I am signing House Bill No. 7-239 with the understanding that legislation will immediately be introduced and passed which will correct certain deficiencies in the current bill. The following deficiencies need to be addressed.

Section 2 of the Bill authorizes the return of certain weapons which were turned over to the Department of Public Safety as a result of Public Law 6-38. It states that only .22, .22 Magnum and .223 rifles and ammunition will be returned to their previous owners. However, Section 4 legalizes all .22 caliber centerfire rifles and ammunition. These sections are inconsistent. Since all .22 caliber rifles are legalized, then all .22 caliber rifles should be returned to their previous owners who have met certain specified requirements.

Section 3 provides for special weapons identification card for .223 caliber rifles, but does not require the same for the larger and more powerful .22 caliber center fire rifles being legalized by this Act. The special weapons identification card should be required for all rifles and ammunition other than .22 caliber rimfire.

In sections 4 (e)(i) and 5 (3)(i) the paragraphs end with the word "cartridges". Thus the sentences appear to legalize the cartridges twice, and excluding the rifles that use them.

This bill becomes Public Law No. 7-38. Copies bearing my signature are forwarded for your ready reference.

Sincerely,



LORENZO' I. DE LEON GUERRERO
Governor

CC: Director of Public Safety
Attorney General
Special Assistant for Programs and Legislative Review

HOUSE OF REPRESENTATIVES
SEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
THIRD REGULAR SESSION, 1991

PUBLIC LAW NO. 7-38

HOUSE BILL NO. 7-239

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AN ACT

TO AMEND PUBLIC LAW 6-38 AS CODIFIED TO INCLUDE ANOTHER
RIFLE AND THE AMMUNITION IN THE CATEGORY OF .22 CALIBER
RIFLES AS LEGAL FIREARMS; AND FOR OTHER PURPOSES.

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Offered by Representative: Diego T. Benavente

Date: July 11, 1991

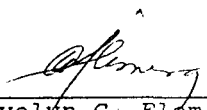
HOUSE ACTION

First and Final Reading: July 12, 1991

SENATE ACTION

Referred to Committee on Judiciary, Government and Law

Second and Final Reading: August 28, 1991



Evelyn C. Fleming
House Clerk

AN ACT

To amend Public Law 6-38 as codified to include another rifle and the ammunition in the category of .22 caliber rifles as legal firearms; and for other purposes.

BE IT ENACTED BY THE NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

1 Section 1. Purpose. The purpose of this Act is to
2 authorize the ownership of a certain category of .22 caliber
3 rifle which was surrendered by the owners in possession of
4 firearms identification cards pursuant to Public Law 6-38.

5 Section 2. Reinstatement of Ownership of Firearms
6 Surrendered to the Department of Public Safety. Only firearms
7 and ammunition of the .22, .22 Magnum, and .223 as referenced
8 in "Section 2222(e)" of Section 4 of this Act will be returned
9 to their former lawful owners. No firearm shall be returned
10 to the rightful owner unless that person has a firearm
11 identification card and has reimbursed the Commonwealth
12 Government the amount compensated by the government for
13 surrendering the firearm to the Department of Public Safety.

14 Section 3. Amendment. 6 CMC Section 2204(k) is amended
15 to read:

16 "(k) Only a person who is a permanent
17 resident of the Commonwealth or a United States
18 citizen or a United States National and a bona fide
19 resident of the Commonwealth is eligible for an
20 identification of card or for renewal thereof. A
21 bona fide resident of the Commonwealth means a

1 person whose place of general abode is the
2 Commonwealth of the Northern Mariana Islands. The
3 place of general abode of a person means his
4 principal, actual dwelling place in fact, without
5 regard to intent. This exemption does not apply to
6 tourists or Non-Resident Alien Contract Workers.
7 Immediate relatives will be accorded the same
8 status as their sponsor for the purposes of this
9 Act. In order to be issued a weapons
10 identification card for use of .223 caliber rifles,
11 special conditions, as promulgated by the
12 Department of Public Safety, must be met."

13 Section 4. Amendment. 6 CMC Section 2222(e) and (f) are
14 amended to read:

15 "(e) Import, sell, transfer, give away,
16 purchase, possess or use any handgun, automatic
17 weapon, or ammunition other than:

18 (i) All .22 caliber rimfire
19 cartridges and all regular .22 caliber
20 rimfire cartridges.

21 (ii) All .22 centerfire cartridges
22 and .22 caliber rifles.

23 (iii) All .223 caliber centerfire
24 cartridges and .223 caliber centerfire
25 rifles. These require a special weapons
26 identification card.

27 (iv) All .410 gauge shotgun shells
28 and .410 gauge shotguns.

1 These firearms and ammunition are as defined
2 by the Gun Data Book published by Harper and Row
3 and the NRA Firearms Fact Book published by the
4 National Rifle Association of America. This
5 section is subject to the law enforcement exemption
6 provided at Section 2201(a)(3) of this Title.

7 (f) Import, sell, transfer, give away,
8 purchase, possess or use any explosives, ammunition
9 or other projectiles other than those in Section
10 2222(e) above. This section is subject to the law
11 enforcement exemption provided at Section
12 2301(a)(4) of this Title."

13 Section 5. Amendment. 6 CMC Section 2301(a)(3) is
14 amended to read:

15 "(3) Firearms and ammunition other than those
16 rifles listed below or shotguns of .410 gauge and
17 with normal factory produced stocks and barrels
18 unless the importer is authorized by the Director
19 of the Department of Public Safety to import the
20 same for law enforcement purposes. The following
21 are not contraband:

22 (i) All .22 caliber rimfire
23 cartridges and all regular .22 caliber
24 rimfire cartridges.

25 (ii) All .22 centerfire cartridges
26 and .22 caliber rifles.

27 (iii) All .223 caliber centerfire
28 cartridges and .223 caliber centerfire

1 rifles. These require a special weapons
2 identification card.

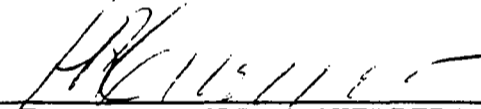
3 (iv) All .410 gauge shotgun shells
4 and .410 gauge shotguns;"

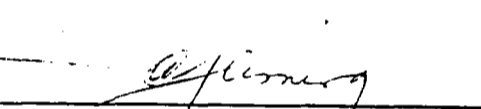
5 Section 6. Severability. If any section of this Act or
6 any regulation issued under the authority of this Act should
7 be declared invalid or unenforceable by a court of competent
8 jurisdiction, the judicial determination shall not affect the
9 validity of the Act or regulations as a whole, or any part
10 thereof, other than the particular part declared invalid or
11 unenforceable.

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

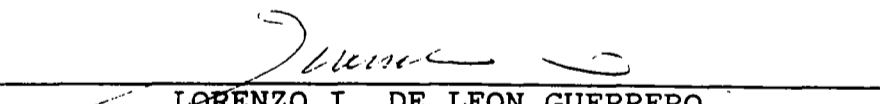
CERTIFIED BY:

ATTESTED BY:


PEDRO R. DELEON GUERRERO
Speaker of the House


EVELYN C. FLEMING
House Clerk

APPROVED this 11th day of Oct, 1991


LORENZO I. DE LEON GUERRERO
Governor
Commonwealth of the Northern Mariana Islands