

**TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
IN THE HOUSE OF REPRESENTATIVES**

SESSION, 2023

H. L. B. 23- **5**

**A LOCAL BILL FOR AN ACT
FOR THE FIRST SENATORIAL DISTRICT**

To amend the Rota Dog Control Act under Title 10, Division 1, Chapter 1, Article 2, of the Commonwealth Code.

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

1 SECTION 1. FINDINGS AND PURPOSE.

2 The First Senatorial District Delegation acknowledges that the people of Rota love their
3 dogs. Most domesticated dogs are wonderful companions and provide physical protection to their
4 owners and their owners' properties. However, some domesticated dogs are not properly
5 restrained or trained to remain within their boundaries and often stray far and long enough to revert
6 to their wild survival instincts. The delegation is also cognizant that the Rota Dog Control Act, 10
7 CMC §1121 *et seq.*, (1) does not impose some liabilities or penalties against dog owners for
8 unregistered dogs and for injury to any person or damage to any property by a dog while at large,
9 and for contributing to the increase of wild dogs' population by abandoning dogs and their puppies,
10 and (2) does not provide for the deposit of the collected monies under the program to be placed
11 into a Dog Control Fund account in the Rota Municipal Treasury for the RLD to appropriate for
12 dog control program operation, training, and infrastructure development.

1 The Delegation finds that it is appropriate to maintain the duties and responsibilities
2 pursuant to the Rota Dog Control Act in the Department of Natural Resources, under the
3 supervision of the Rota Mayor responsible for local executive branch departments and the
4 execution of enacted laws and local ordinances.

5 The purpose of this Act is to make dog owners liable for injuries caused by their dogs,
6 provide penalties for unregistered dogs, increase the license fee to defray enforcement operations,
7 control the population of wild dogs by providing penalties for abandoning dogs and puppies and
8 by providing incentives for reproductive prevention, and to provide how and where the monies
9 collected shall be deposited for the Rota Legislative Delegation to appropriate.

10 **SECTION 2. REPEALER AND REENACTMENT.** 10 CMC §§ 1122-1125 are repealed and
11 reenacted to read as follows:

12 “§ 1122. Licensing.

13 (a) Every owner of a dog(s) shall register such dog or dogs with the Rota Department of
14 Natural Resources. The application for registration shall be made to the prescribed form(s), signed
15 by the owner, and contain the applicant’s name, address, and contact information, as well as the
16 dog’s name, if any, the description of the dog to be registered, including the type or breed of dog.

17 (b) The registration or license shall be issued to the owner upon the payment of a \$25.00
18 licensing or registration fee per dog. However, if the dog is sterilized the fee shall be a \$20.00
19 licensing or registration fee per sterilized dog. The license issued shall expire annually at midnight
20 on the day of the month, one year from the date the dog was first registered, as designated by the
21 Department of Natural Resources.

22 §1123. Authority of the Department of Natural Resources.

1 Application for registering and licensing of all dogs shall be made with the Department of
2 Natural Resources. The Department of Natural Resources staff shall register all dogs, collect
3 licensing fees, issue dog licenses, and enforce and carry out the intent of this article.

4 § 1124. Unlicensed Dogs.

5 (a) Except as provided in subsection (b), any dog found to be without a license shall be
6 caged and if the owner does not claim and license the dog within 5 days it shall be disposed of as
7 set forth in 10 CMC § 1125.

8 (b) The Department of Natural Resources may provide a written warning notice to owners
9 of unregistered dogs to register such dogs within 5 days. If such dogs are not registered within the
10 allowed period, the owner shall be fined the amount of the cost of disposal for each unregistered
11 dog.

12 (c) Licensed dogs shall be issued a color-coded collar to indicate their license status and
13 when a dog is loose and at large shall be impounded and the owner shall be notified. The owner
14 shall have five (5) days to pay an impound fee of \$20.00 to claim the dog. If the owner does not
15 pay the impound fee to take the dog back after five days, the Department of Natural Resources
16 may advertise for 10 days for a dog's adoption. If the dog is adopted, the new owner must register
17 and pay the license fee. If the dog is not adopted, it shall be disposed of as set forth in 10 CMC §
18 1125 and the owner shall be penalized the cost of disposal as set forth in (b)."

19 (d) Any person who is caught abandoning unwanted puppies produced by their dogs by
20 leaving them anywhere outside of their properties shall be penalized \$100.00 plus the cost of
21 disposing of them as set forth in 10 CMC § 1125."

22 "§ 1125. Disposal of Dogs.

1 Any unlicensed, unclaimed, or abandoned puppies and dogs shall be destroyed by the
2 Department of Natural Resources using the most humane procedure or means reasonably
3 available.”

4 **SECTION 3. AMENDMENT.** 10 CMC § 1130 is hereby amended to read as follows:

5 “§ 1130. Rules and Regulations.

6 The ~~Rota Municipal Council~~ Department of Natural Resource shall have the power and duty
7 to adopt and issue those rules and regulations as are necessary to carry out the purpose and
8 provisions of this article, including, but not limited to (1) develop, prescribe and provide suitable
9 forms of applications, registration cards, licenses in the form of tags, fee receipts, and other forms
10 required or deemed necessary to carry out the provisions of the article; (2) accept applications for
11 the registration of dogs; (3) issue dog licenses in the form of a tag; and (4) capture, hold, and
12 dispose of ~~or otherwise destroy dangerous, stray, or unregistered dogs~~ as set forth in the provisions
13 of this Act.”

14 **SECTION 4. SEVERABILITY.**

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

19 **SECTION 5. SAVINGS CLAUSE.**

20 This Act and any repealer contained herein shall not be construed as affecting any existing
21 right acquired under contract or acquired under statutes repealed or under any rule, regulation or
22 order adopted under the statutes. Repealers contained in this Act shall not affect any proceeding

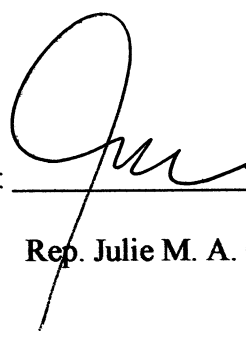
1 instituted under or pursuant to prior law. The enactment of the Act shall not have the effect of
2 terminating, or in any way modifying, any liability, civil or criminal, which shall already be in
3 existence on the date this Act becomes effective.

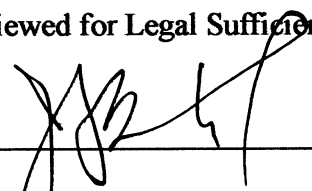
4 **SECTION 6. EFFECTIVE DATE.**

5 This Act shall take effect upon its approval by the Governor or its becoming law without
6 such approval.

Prefiled: 2/15/2023

Date: 2/15/2023

Introduce by: 
Rep. Julie M. A. Ogo

Reviewed for Legal Sufficiency by:

Legal Counsel