

TWENTY-SECOND NORTHERN MARIANAS COMMONWEALTH
LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

Session, 2021

H. B. 22-32

A BILL FOR AN ACT

To amend the Litter Control Act to prohibit the possession of glass
containers while on public beaches; and for other purposes.

**BE IT ENACTED BY THE 22ND NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 **Section 1. Findings and Purposes.** The Legislature finds that the presence
2 of glass containers on beaches that are used by the public for recreational purposes
3 is a hazard to the health, safety and welfare of members of the general public and
4 that the public health, safety and welfare would be served by prohibiting containers
5 or similar objects made entirely or partially of glass on the public beaches.

6 **Section 2. Amendment.** Title 2, Section 3411 of the Commonwealth Code
7 is amended by adding the following definitions:

8 “(g) “Glass container” shall mean any container, receptacle, bottle,
9 cup, drinking vessel, utensil, dish or similar object made entirely or partially
10 of glass.

11 “(h) “Public beach” shall mean any beach area used by the public for
12 recreational purposes which is considered “public land” and/or owned,

1 operated or controlled by the Commonwealth Government or any private
2 person.”

3 **Section 3. Amendment.** Title 2, Section 3413 of the Commonwealth Code
4 is amended as follows:

5 “(a) It shall be unlawful for any person to litter upon property owned
6 by another or upon the public property of the Commonwealth, or in any
7 waters of the Commonwealth

8 (b) It shall be unlawful for any person to take, transport, carry, use
9 or have in their possession any glass container on any public beach within
10 the Commonwealth.”

11 **Section 4. Amendment.** Title 2, Section 3416 (a) of the Commonwealth
12 Code is hereby amended; and to add a new subsection (b) under Title 2, Section
13 3416 of the Commonwealth Code to read as follows and all subsequent sections
14 shall be renumbered accordingly:

15 § 3416. Penalties.

16 “(a) A person found to have committed any of the offense described
17 in 2 CMC §3413, of littering, shall have committed an infraction, and shall
18 be punished by a fine of not less than \$25 and not more than \$5,000 \$50 and
19 not more than \$250 for the first offense, not less than \$251 and not more
20 than \$500 for a second offense, and not less than \$501 and not more than
21 \$5,000 for any third or subsequent offense.

1 Additionally, any person, business, corporation, association,
2 partnership, or sole proprietorship or any other entity conducting business
3 for a commercial purpose found to have committed the infraction of littering
4 created by this chapter may be ordered to pick up and remove litter from a
5 public place under the supervision of the ~~DPS~~ CRM or BECQ, or under the
6 supervision of such agency as the court shall otherwise provide, for a period
7 not exceeding eight hours for each offense. Furthermore, persons,
8 businesses, corporations, associations, partnerships, or sole proprietorships
9 or any other entity conducting business for a commercial purpose found to
10 have committed the infraction of littering shall be required to pay the costs
11 of removing any litter they caused.

12 (b) Disposition of Fines.

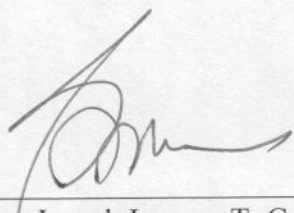
13 Notwithstanding any laws or provisions to the contrary, not less than
14 50% of all fees, fines, and penalties collected pursuant to this provision of
15 the Litter Control Act shall be collected in the manner prescribed by 6 CMC
16 section 4119 (c). Said 50% shall be deposited into an account created by the
17 Department of Finance for the benefit of the Coastal Resources
18 Management with the Director of CRM as the sole expenditure authority
19 and the remaining 50% shall be collected and deposited in the usual manner
20 consistent with 6 CMC section 4119 (c)."

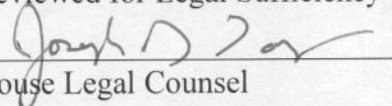
1 **Section 5. Severability.** If any provisions of this Act or the application of
2 any such provision to any person or circumstance should be held invalid by a court
3 of competent jurisdiction, the remainder of this Act or the application of its
4 provisions to persons or circumstances other than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

6 **Section 6. Savings Clause.** This Act and any repealer contained herein
7 shall not be construed as affecting any existing right acquired under contract or
8 acquired under statutes repealed or under any rule, regulation, or order adopted
9 under the statutes. Repealers contained in this Act shall not affect any proceeding
10 instituted under or pursuant to prior law. The enactment of the Act shall not have
11 the effect of terminating, or in any way modifying, any liability, civil or criminal,
12 which shall already be in existence on the date this Act becomes effective.

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

Prefiled: 3/11/2021

Date: 3/9/2021 Introduced by: 
Rep. Rep. Joseph Leepan T. Guerrero

Reviewed for Legal Sufficiency by:

House Legal Counsel

