

TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

Regular Session, 2023

H. B. 23- 43

A BILL FOR AN ACT

To amend Title 2, Division 3, Chapter 4, Section 34169(c) of the Commonwealth Code to enable the mayors of each municipality to enforce provisions in the Litter Control Act of 1989, as amended; and for other purpose.

**BE IT ENACTED BY THE 23RD NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 **Section 1. Findings and Purpose.** The purpose of this Act is to empower
2 each CNMI district Mayor's Office to enforce provisions of the Litter Control Act
3 of 1989, with the aim of improving the cleanliness and beauty of our islands. By
4 delegating enforcement authority to each Mayor's Office, we hope to encourage
5 greater community involvement in keeping our islands free from litter and other
6 forms of pollution.

7 Moreover, by having each senatorial district Mayor's Office enforce the
8 Litter Control Act, we can ensure that enforcement efforts are tailored to the
9 specific needs and characteristics of each district. For example, some districts may
10 have more littering problems on beaches, while others may have more issues with
11 illegal dumping in public areas. By empowering each Mayor's Office to enforce

1 the Act, we can better address these unique challenges and tailor enforcement
2 efforts to the specific needs of each district.

3 All fines collected by a Mayor's Office shall be retained by the district and
4 used for litter control and beautification efforts within the district. This will
5 incentivize each district to actively enforce the Act, as they will benefit directly
6 from the fines collected. Overall, this Act seeks to promote greater community
7 involvement in keeping our islands clean, beautify our communities, and ensure
8 that our environment is protected for future generations. Therefore, the purpose of
9 this Act is to amend certain sections under Title 2, Division 3, Chapter 4 of the
10 Commonwealth Code to enable the mayors of each municipality to enforce
11 provisions in the Litter Control Act of 1989, as amended, and for other purposes.

12 **Section 2. Amendment.** 2 CMC §3411(b) of the Commonwealth Code is
13 hereby amended to read as follows:

14 "(b)"Apprehending officers" shall mean designated employees of the
15 Bureau of Environmental and Coastal Quality, Department of Lands and Natural
16 Resources, ~~Department of Public Health~~ Bureau of Environmental Health,
17 Department of Public Works, Office of the Mayors of each municipality,
18 Commonwealth Zoning Office, the Department of Public Lands and the
19 Department of Public Safety. Apprehending officers for each bureau, department
20 or office shall be jointly trained and certified by the Bureau of Environmental and
21 Coastal Quality and the Department of Public Safety in accordance with

1 promulgated regulations and established enforcement procedures concerning litter
 2 control violation for the execution of a lawfully proper and effective violator
 3 apprehension and issuance of violation citations.

4 **Section 3. Amendment.** Notwithstanding any laws, statutes, rules or
 5 regulations, 2 CMC §34169(c) of the Commonwealth Code is hereby amended to
 6 read as follows:

7 “(c) Litter Control Program Fund Account for each Senatorial District.
 8 Consistent with this Act, the Secretary of Finance shall establish a new and separate
 9 Litter Control Program Fund accounts for the Municipality of Saipan and the
 10 Northern Islands, an account in the name of the Third Senatorial District; for the
 11 Mayor of the Municipality of Rota for the account of the First Senatorial District;
 12 and the Mayor of the Municipality of Tinian and Aguiguan for the account of the
 13 Second Senatorial District for each senatorial district for the sole purpose of
 14 supporting the costs of administering the Litter Control Program, including Litter
 15 Control enforcement, training, and public education and outreach. The expenditure
 16 authority for the Litter Control Program Funds shall be the ~~Administrator of the~~
 17 ~~Bureau of Environmental and Coastal Quality~~ Mayors of each respective senatorial
 18 district. Fifty percent of All the fines collected as a result of the issuance of litter
 19 citations shall be deposited ~~in this~~ into the respective senatorial district special fund
 20 account from where the citation was issued. The Bureau of of Environmental and
 21 Coastal Quality may further prepare and submit a detailed proposed budget to the

1 Legislature for appropriations to the Litter Control Program. These funds shall be
2 used ~~solely~~ solely for the effective implementation of this Act, but not limited to
3 operations. Furthermore, any unused funds at the end of a fiscal year shall not lapse
4 and shall be available without fiscal year limitation.”

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

10 **Section 5. Savings Clause.** This Act and any repealer contained herein
11 shall not be construed as affecting any existing right acquired under contract or
12 acquired under statutes repealed or under any rule, regulation, or order adopted
13 under the statutes. Repealers contained in this Act shall not affect any proceeding
14 instituted under or pursuant to prior law. The enactment of the Act shall not have
15 the effect of terminating, or in any way modifying, any liability, civil or criminal,
16 which shall already be in existence on the date this Act becomes effective.

17 **Section 6. Effective Date.** This Act shall take effect upon its approval by
18 the Governor, or it becoming law without such approval.

Prefiled: 4/13/2023

Date: 4/13/23

Introduced by: 
Rep. Manny G. T. Castro

Reviewed for Legal Sufficiency by:


House Legal Counsel