

Arnold I. Palacios
Governor

David M. Apatang
Lieutenant Governor

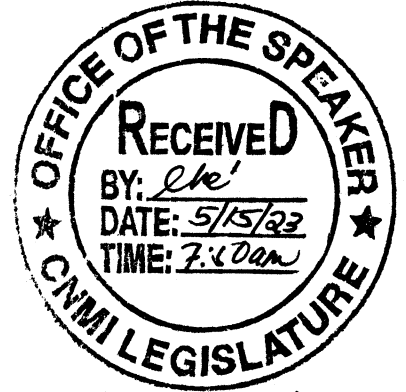
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
OFFICE OF THE GOVERNOR

May 12, 2023

GOV 2023-641

The Honorable Donald M. Manglona
Chairman
Rota Legislative Delegation
Twenty-Third Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

The Honorable Edmund S. Villagomez
Speaker, House of Representatives
Twenty-Third Northern Marianas
Commonwealth Legislature
Saipan, MP 96950



5/15/23

Dear Mr. Chairman and Mr. Speaker:

This is to inform you that I have signed into law **House Local Bill No. 23-05**, entitled, "To amend the Rota Dog Control Act under Title 10, Division 1, Chapter 1, Article 2, of the Commonwealth Code." Which was passed by the Rota Legislative Delegation of the Twenty-Third Northern Marianas Commonwealth Legislature.

This bill becomes **Rota Local Law No. 23-03**. Copies bearing my signature are forwarded for your reference.

Sincerely,

ARNOLD I. PALACIOS
Governor

HOUSE CLERK'S OFC
RECEIVED BY
DATE 5/15/2023 TIME 4:23 pm

- cc: Lt. Governor; Attorney General; Commonwealth Law Revision;
Public Auditor; Mayor of Rota; Rota Department of Natural Resources;
Special Assistant for Administration; Programs and Legislative Review Office

Office of the Delegation Clerk
Received By:
Date/Time: 5/12/23 @ 4:19 pm



**ROTA LEGISLATIVE DELEGATION
FIRST SENATORIAL DISTRICT
TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
FIRST REGULAR SESSION, 2023**

HOUSE LOCAL BILL NO. 23-05

**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.

OFFERED BY

Representative Julie Marie A. Ogo

Introduced on February 03, 2023

HOUSE ACTION

Transmitted to Rota Legislative Delegation for action on

March 09, 2023

DELEGATION ACTION

Referred to:	None
Comments Solicited:	3/21/23: Mayor of Rota [Del. Matters 23-13] & 19 th Rota Municipal Council [Del. Matters 23-14]
Comments Received:	None
Standing Committee Report:	None
Passed First & Final Reading:	March 31, 2023

A handwritten signature in black ink, appearing to read "Frances Joan P. Kaipat".

**Frances Joan P. Kaipat
Delegation Clerk**



**ROTA LEGISLATIVE DELEGATION
FIRST SENATORIAL DISTRICT
TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH LEGISLATURE**

FIRST REGULAR SESSION, 2023

H. L. B. NO. 23-05

**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:**

SECTION 1. FINDINGS AND PURPOSE.

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

1 the program to be placed into a Dog Control Fund account in the Rota Municipal Treasury
2 for the RLD to appropriate for dog control program operation, training, and infrastructure
3 development.

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

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

13 **SECTION 2. REPEALER AND REENACTMENT.**

14 10 CMC §§ 1122-1125 are repealed and reenacted to read as follows:

15 "§ 1122. Licensing.

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

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

6 §1123. Authority of the Department of Natural Resources.

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

11 § 1124. Unlicensed Dogs.

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

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

19 (c) Licensed dogs shall be issued a color-coded collar to indicate their license
20 status and when a dog is loose and at large shall be impounded and the owner shall be
21 notified. The owner shall have five (5) days to pay an impound fee of \$20.00 to claim

1 the dog. If the owner does not pay the impound fee to take the dog back after five days,
2 the Department of Natural Resources may advertise for 10 days for a dog's adoption. If
3 the dog is adopted, the new owner must register and pay the license fee. If the dog is
4 not adopted, it shall be disposed of as set forth in 10 CMC § 1125 and the owner shall
5 be penalized the cost of disposal as set forth in (b).

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

9 "§ 1125. Disposal of Dogs.

10 Any unlicensed, unclaimed, or abandoned puppies and dogs shall be destroyed by
11 the Department of Natural Resources using the most humane procedure or means
12 reasonably available."

13 **SECTION 3. AMENDMENT.**

14 10 CMC § 1130 is hereby amended to read as follows:

15 "§ 1130. Rules and Regulations.

16 ~~The Rota Municipal Council~~ Department of Natural Resources shall have the power
17 and duty to adopt and issue those rules and regulations as are necessary to carry out the
18 purpose and provisions of this article, including, but not limited to (1) develop, prescribe
19 and provide suitable forms of applications, registration cards, licenses in the form of tags,
20 fee receipts, and other forms required or deemed necessary to carry out the provisions of
21 the article; (2) accept applications for the registration of dogs; (3) issue dog licenses in

1 the form of a tag; and (4) capture, hold, and dispose of ~~or otherwise destroy dangerous,~~
2 ~~stray, or unregistered~~ dogs as set forth in the provisions of this Act."

3 **SECTION 4. SEVERABILITY.**

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

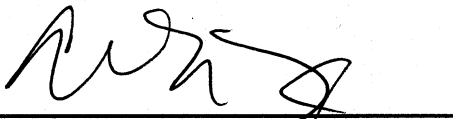
8 **SECTION 5. SAVINGS CLAUSE.**

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

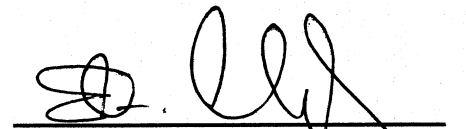
15 **SECTION 6. EFFECTIVE DATE.**

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

CERTIFIED BY:




Donald M. Manglona
Chairman
Rota Legislative Delegation



Edmund S. Villagomez
Speaker
23rd House of Representatives

approved this 12th day of May, 2023.



Arnold I. Palacios
Governor
Commonwealth of the Northern Mariana Islands