

Arnold I. Palacios
Governor



GOV. COMM. 23-115
(HOUSE)

David M. Apatang
Lieutenant Governor

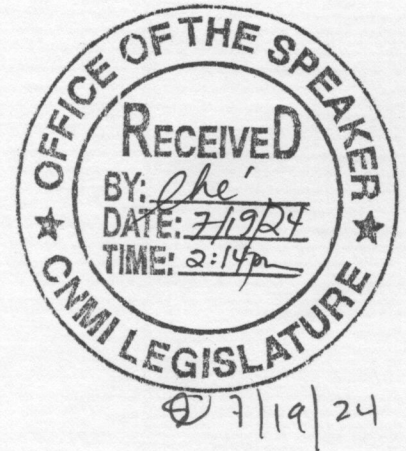
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
OFFICE OF THE GOVERNOR

18 JUL 2024

GOV2024-515

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

The Honorable Edith E. Deleon Guerrero
President of the Senate
Twenty-Third Northern Marianas
Commonwealth Legislature
Saipan, MP 96950



Dear Mr. Speaker and Madame President:

This is to inform you that I have signed into law **House Bill No. 23-34**, entitled, "To establish and authorize the use of legend drugs and controlled substances for euthanasia by animal control agencies and humane societies.", which was passed by the House of Representatives and the Senate of the Twenty-Third Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 23-22**. Copies bearing my signature are forwarded for your reference.

Sincerely,

ARNOLD I. PALACIOS
Governor

HOUSE CLERK'S OFFICE
RECEIVED BY
DATE 7/31/2024 TIME 10:16a

cc: Lieutenant Governor; Attorney General; Commonwealth Law Revision; Public Auditor;
Special Assistant for Administration; Mayor of Saipan; Mayor of Tinian;
Mayor of Rota; Programs and Legislative Review Office



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

FIRST REGULAR SESSION

MARCH 31, 2023

REPRESENTATIVE EDWIN K. PROPST OF SAIPAN, PRECINCT 1 (*for himself*, Representatives Vincent R.S. Aldan, Blas Jonathan "BJ" T. Attao, Joel C. Camacho, Marissa R. Flores, Julie M. A. Ogo, Malcolm J. Omar, Edmund S. Villagomez, and Ralph N. Yumul) in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

H. B. No. 23-34

AN ACT

**TO ESTABLISH AND AUTHORIZE THE USE OF LEGEND
DRUGS AND CONTROLLED SUBSTANCES FOR
EUTHANASIA BY ANIMAL CONTROL AGENCIES AND
HUMANE SOCIETIES.**

IN THE HOUSE OF REPRESENTATIVES

The Bill was referred to the House Committee on Health and Welfare, which submitted Standing Committee Report 23-63; adopted 12/27/2023.

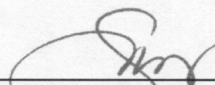
**THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON FIRST AND FINAL READING,
DECEMBER 27, 2023;**
without amendments and transmitted to **THE SENATE.**

IN THE SENATE

The Bill was referred to the Senate Committee on Health, Education and Welfare, which submitted Standing Committee Report 23-93; adopted 6/7/2024.

THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING, JUNE 7, 2024;
without amendments and returned to **THE HOUSE OF REPRESENTATIVES.**

**H. B. NO. 23-34 IS DULY PASSED BY THE TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH
LEGISLATURE.**



Linda B. Muña, House Clerk



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

ELEVENTH DAY, SECOND REGULAR SESSION

DECEMBER 27, 2023

H. B. No. 23-34

AN ACT

TO ESTABLISH AND AUTHORIZE THE USE OF LEGEND DRUGS
AND CONTROLLED SUBSTANCES FOR EUTHANASIA BY
ANIMAL CONTROL AGENCIES AND HUMANE SOCIETIES.

**BE IT ENACTED BY THE TWENTY-THIRD NORTHERN
MARIANAS COMMONWEALTH LEGISLATURE:**

1 **SECTION 1. FINDINGS AND PURPOSES.**

2 The Legislature finds that there is a need for a modern, uniform law addressing how
3 animals in CNMI are euthanized. The purpose of this bill is to relieve animals of unnecessary
4 suffering from disease, illness or injury and provide appropriate trained personnel with a painless
5 method for handling this difficult task.

6 Typically, issues regarding animal control, including the control of dogs, are decided by
7 local laws. 1 CMC section 1402(a)(13) (including "licensing and control of animals" in list of
8 subjects for local bills). Indeed, Saipan, Rota and Tinian have local animal control laws focused
9 on dogs. 10 CMC Div. 1, Ch. 1, Art. 2 (Rota Dog Control Act), 10 CMC Div. 2, Ch. 8 (Tinian

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1 and Aguiguan Islands Dog Control Act), & 10 CMC Div. 3, Ch. 7, Art. 1 (Saipan and Northern
2 Islands Dog Control Act). However, these laws all lack a uniform, modern process for handling
3 animal euthanasia. For example, Rota local law only provides that dogs shall be euthanized
4 “using the most humane procedure or means reasonable available.” 10 CMC section 1125.
5 Tinian and Saipan local laws authorize the Mayors to enact rules and regulations “for the
6 regulation, licensing, control and disposal of dogs...” 10 CMC section 2802; 10 CMC section
7 3702(a). However, those rules and regulations do not address specific methods for euthanizing
8 a dog.

9 The best method for euthanizing an animal involves the use of appropriate controlled
10 substances or drugs. The use of such controlled substances or drugs requires express legal
11 authorization and supervision and compliance with CNMI and federal laws. This bill establishes
12 a legal framework for the use of this best method.

13 The Legislature finds that there is a need to relieve animals from unnecessary suffering
14 that comes from disease, illness or injury. The Legislature further finds that the people of CNMI
15 have a responsibility to ensure that any method used to euthanize an animal be quick and painless
16 and in accordance with best animal care and control practices and methods, as established by the
17 American Veterinary Medical Association Guidelines for the Euthanasia of Animals. The
18 purpose of this Act is to authorize appropriately trained personnel working with animal control
19 agencies and humane to acquire and administer medications necessary to euthanize animals.

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SECTION 2. AMENDMENT.

Title 2 of the Commonwealth Code, is hereby amended to add a new Chapter 10:

“Chapter 10. Animal Control.

§6001. Definitions. The following definitions apply throughout this chapter unless the context indicates otherwise:

(a) “Animal control agency” means any agency designated by a Mayor to enforce laws and ordinances regulating the care, control, licensing, or treatment of animals. Such agency also may euthanize or destroy animals and sedate animals prior to euthanasia.

(b) “Approved legend drugs” means any legend drug approved by the American Veterinary Medical Association for use on animals for the purpose of sedating animals prior to euthanasia or for use in chemical capture programs.

(c) “Controlled substances” means a drug, substance, or chemical as defined by the federal Drug Enforcement Agency and used to anesthetize or euthanize animals using methods in accordance with the American Veterinary Medical Association.

(d) “Humane society” means a nonprofit organization, association, or corporation, the primary purpose of which is to prevent cruelty to animals, place unwanted animals in homes, provide other services relating to lost and found pets, and provide animal care education to the public, as well as sponsoring a neutering program to control the animal population.

(e) “Legend drugs” means any drugs which are required by federal law to be dispensed by prescription only or are restricted to use by practitioners only.

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1 §6002. Authority.

2 (a) Humane societies and animal control agencies, as approved in writing on an
3 annual basis by the Mayor and after obtaining a federal Drug Enforcement Agency
4 controlled substance permit, may purchase, possess, and administer sodium
5 pentobarbital and approved legend drugs as provided in accordance with federal laws
6 and using methods in accordance with the American Veterinary Medical Association.
7 Humane societies and animal control agencies operating in CNMI are authorized to
8 obtain a federal Drug Enforcement Agency controlled substance permit for the
9 purchasing, possession and administration of sodium pentobarbital and all legend drugs
10 in order to provide humane euthanasia of animals.

11 (b) A humane society and animal control agency purchasing, possessing or
12 administering sodium pentobarbital or legend drugs shall, at a minimum:

13 (1) require that any individual administering sodium pentobarbital or legend
14 drugs has completed legend drug and euthanasia training under the direct supervision
15 of a veterinarian licensed in the United States;

16 (2) Maintain written policies and procedures on the use of legend drugs and
17 euthanasia including log books to record all drugs administered;

18 (3) Establish a system for the secure storage of all drugs to prevent access by
19 unauthorized personnel to guard against theft and diversion;

20 (4) Establish a system for accountability of access, use, and stocking of drug
21 inventory;

22 (5) Ensure the proper disposal of all drugs in compliance with any

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1 commonwealth and federal laws and rules; and

2 (6) Establish a method to investigate and report the theft, loss, or diversion of
3 approved legend drugs and sodium pentobarbital, in compliance with any
4 commonwealth and federal laws and rules.

5 (c) Approved legend drugs. The following legend drugs are designated as
6 “approved legend drugs” for use by authorized humane societies or animal control
7 agencies for pre-euthanasia sedation: Acetylpromazine; Dexmedetomidine;
8 Medetomidine and Xylazine.

9 (d) Approved controlled substance. Recognized humane societies and animal
10 control agencies may use sodium pentobarbital to euthanize injured, sick, homeless or
11 unwanted domestic pets, and domestic or wild animals in accordance with methods set
12 forth by the American Veterinary Medical Association.

13 (e) Nothing in this section shall prevent the use of any other method of animal
14 euthanasia authorized by law.”

15 **SECTION 3. AMENDMENT.**

16 Title 1, § 5107(f) of the Commonwealth Code is hereby amended as follows:

17 “§ 5107. Mayor: Additional Duties. A mayor shall also have the power and duty
18 to:

19 (f) Be responsible for Commonwealth programs and activities pertaining to:

20 (1) Improvement of local communities and villages, community development
21 and community action programs;

22 (2) Services to and programs for children, young people, adults, and the elderly;

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1 (3) Local registration and licensing formerly exercised by the chartered
2 municipalities of Saipan, Rota, and Tinian;

3 (4) Regulation and licensing of dogs, cats, and other domestic animals and
4 authorize a qualified humane society and animal control agency to engage in animal
5 euthanasia consistent with 2 CMC Chapter 10 (Animal Control);

6 (5) Local public recreation programs not provided by any other government
7 agency or department;

8 (6) Licensing of restaurant and other eating establishments;

9 (7) Licensing of privately owned or operated public recreation or sport
10 activities, including cockfights, motion picture houses, bars and night clubs; and

11 (8) Any consumer protection activities that may be authorized by law.”

12 **SECTION 4. SEVERABILITY.**

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

17 **SECTION 5. SAVINGS CLAUSE.**

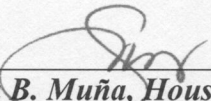
18 This Act and any repealer contained herein shall not be construed as affecting any
19 existing right acquired under contract or acquired under statutes repealed or under any rule,
20 regulation, or order adopted under the statutes. Repealers contained in this Act shall not affect
21 any proceeding instituted under or pursuant to prior law. The enactment of the Act shall not have

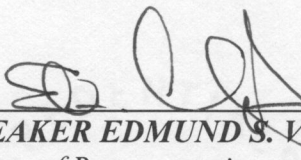
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1 the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall
2 already be in existence on the date this Act becomes effective.

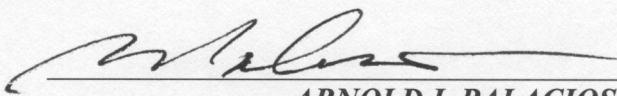
3 **SECTION 6. EFFECTIVE DATE.**

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

Attested to by: 
Linda B. Muña, House Clerk

Certified by: 
SPEAKER EDMUND S. VILLAGOMEZ
House of Representatives
23rd Northern Marianas Commonwealth Legislature

Approved this 18th day of July, 2024


ARNOLD I. PALACIOS
Governor
Commonwealth of the Northern Mariana Islands