

TITLE 2: NATURAL RESOURCES
DIVISION 3: THE ENVIRONMENT

§ 3411. Definitions.

(a) “Apprehend” shall mean to cite for commission or violation of an infraction created by this chapter;

(b) “Apprehending officers” shall mean designated employees of the Bureau of Environmental and Coastal Quality, Department of Lands and Natural Resources, Department of Public Health, Department of Public Works, Office of the Mayor, Commonwealth Zoning Office, the Department of Public Lands and the Department of Public Safety. Apprehending officers for each bureau, department or office shall be jointly trained and certified by the Bureau of Environmental and Coastal Quality and the Department of Public Safety in accordance with promulgated regulations and established enforcement procedures concerning litter control violation for the execution of a lawfully proper and effective violator apprehension and issuance of violation citations;

(c) “Litter” shall mean garbage, trash, rubbish, refuse, paper containers, packing or construction materials, carcasses of dead animals, bottles, cans, debris, including but not limited to organic waste such as betelnut or tobacco waste or spittle or any other disposal item of whatsoever nature that results in the defacing of public places or infrastructure;

(d) “Littering or Illegal Dumping” shall mean throwing, dropping, placing, depositing, sweeping, discarding or otherwise disposing of any litter on land or water, or in such a manner that the litter becomes airborne, in other than appropriate storage containers or areas designated for such purpose, and shall include depositing any litter that was generated in a home or business into any public litter container or receptacle, except for containers or receptacles specifically designated for household or commercial waste disposal, such as containers or receptacles at a transfer station;

(e) “Vehicle” shall mean a device in, upon or off or by which any person or property may be propelled, moved, or drawn upon a road; and

(f) “Watercraft” shall mean any boat, ship, vessel, barge, or other floating craft.

Source: [PL 6-37](#), § 3; subsection (b) amended by [PL 11-15](#), § 24; (b)–(d) amended by [PL 19-53](#) § 2 (July 15, 2016).

Commission Comment: [PL 6-37](#), the “Commonwealth Litter Control Act or 1989,” took effect September 8, 1989. According to [PL 6-37](#), § 2:

Section 2. **Findings and Purpose.** The Legislature finds that the quality of the environment is as important to the welfare of the people of the Commonwealth as its economy. The Legislature further finds that the determination of an optimum balance between economic development and environmental quality deserves the most thoughtful consideration, and that the maintenance of the optimum quality of the environment deserves the most intensive care.

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The purpose of this bill is to provide for a Commonwealth Anti-Litter Control program to be administered by the Division of Environmental Quality (D.E.Q.) with the cooperation and assistance of other government agencies having law enforcement powers or aesthetical functions to assist in the enforcement of this act.

With respect to the references to the “Department of Natural Resources,” the “Department of Public Health and Environmental Services,” the “Department of Public Works” and the “Department of Public Safety” in [2 CMC § 3411](#), see Executive Order 94-3 (effective Aug. 23, 1994), reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to [1 CMC § 2001](#).

[PL 11-15](#), § 24 changed “Marianas Visitors Bureau” in subsection (b) of this section to “Marianas Visitors Authority”. [PL 11-15](#) took effect on June 17, 1998.