

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

CIVIC CENTER, SAIPAN, MARIANA ISLANDS

Volume 5 Number 7

Page 2240 to Page 2285

Date of Publication: July 29, 1983



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# Commonwealth

# Register

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Saipan, Mariana Islands 96950

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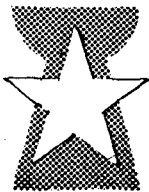
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# Marianas Public Land Corporation

P.O. Box 380  
Saipan, CM 96950

Filed this 5th day of July 1983.

PUBLIC NOTICE Office of Registrar of Corporations  
Commonwealth of the Northern Mariana Islands

Adopted Rules and Regulations  
Governing the Administration of the  
Northern Mariana Islands Homestead  
Waiver Program (Public Law 2-13, as amended)

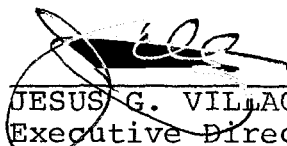
The Marianas Public Land Corporation (MPLC) hereby gives public notice that the MPLC Board of Directors has adopted and approved the final rules and regulations that will govern the administration and implementation of the Homestead Waiver Act of 1980, Commonwealth Public Law 2-13, as amended. The rules and regulations are authorized pursuant to Section 5 of P.L. 2-13, as amended, and as promulgated in the Commonwealth Register, Volume 5, Number 5 dated May 27, 1983.

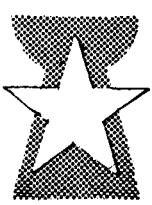
MPLC hereby advises the general public that the homestead waiver rules and regulations are available at the MPLC Office, at the Nauru Building, 6th Floor, Saipan, Mariana Islands. The rules and regulations shall become effective ten (10) days after the final publication.

Dated this 12th day of July, 1983.

MARIANAS PUBLIC LAND CORPORATION

By:

  
\_\_\_\_\_  
JESUS G. VILLAGOMEZ  
Executive Director



# Marianas Public Land Corporation

P.O. Box 380  
Saipan, CM 96950

Filed this 27th day of  
July 1983.

Office of Registrar of Corporations  
Commonwealth of the Northern Mariana Islands

NOTICIA PARA I PUBLIKO

Ma adopta na areglamento yan  
I regulasion siha ni para uginobietna i  
administrasion homestead gualo gi timan kumplidu  
pat timan areglao sigun i ginagagao ni  
lai publiko 2-13 ni ma amenda

I Marianas Public Land Corporation (MPLC) hanotitisia i publiko na i MPLC Board of Directors ma adopta yan ma apreba i areglamento yan regulasion pot i administrasion i 1980 na Homestead Waiver Act, Commonwealth Public Law 2-13 ni ma amenda. Este na areglamento yan regulasion inauto-ririsa ni i seksiona 5 gi papa i Lai Publiko 2-13, ni ma amenda, ya oficiatmente ma publika gi Commonwealth Register, Volume 5, Numero 5 gi dia 27 gi Mayo, 1983.

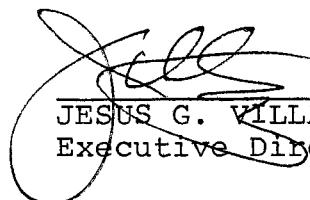
I MPLC haabibisa i publiko henerat na i areglamento yan regulasion i programan homestead gualo ni timan kumplidu pat timan areglao sigun i ginagagao ni Lai Publiko 2-13 gaige gi ofisinan MPLC gi mina sais bibienda gi Nauru Building, Saipan, Mariana Islands.

I areglamento yan regulasion siempre uefectibo dies (10) dias despues de ma publika gi Commonwealth Register.

Ma fecha este gi mina 10 an haane gi July, 1983.

MARIANAS PUBLIC LAND CORPORATION

Renipresenta as:

  
\_\_\_\_\_  
JESUS G. VILLAGOMEZ  
Executive Director

Filed this 29th day of

July 1983.

Office of Registrar of Corporations

Commonwealth of the Northern Mariana Islands

PUBLIC NOTICE

PROPOSED AMENDMENTS TO REGULATIONS ESTABLISHING  
MARINE AND FRESH WATER QUALITY STANDARDS

The Chief of the Division of Environmental Quality in the Department of Public Health and Environmental Services is proposing to promulgate amendments to the regulations establishing marine and fresh water quality standards in accordance with Public Law No. 3-23, Section 7; and Title 17, Section 4(1) of the Trust Territory Code.

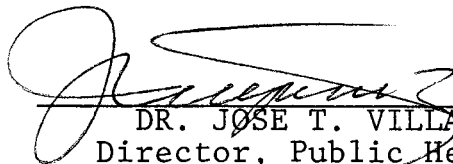
These regulations will amend the regulations found in Volume 5, Number 3 of the March 31, 1983 Commonwealth Register by adding Section (q) to Part 4 defining "person" and by adding Part 12 which prohibits discharging which lowers water quality.

Copies of the proposed amendments may be obtained from the Division of Environmental Quality at Dr. Torres Hospital, Saipan, CM 96950.

Anyone interested in commenting on the proposed amendments may do so by submitting comments in writing to the Chief of the Division of Environmental Quality within thirty days from the date this notice is published in the Commonwealth Register.

7/28/83

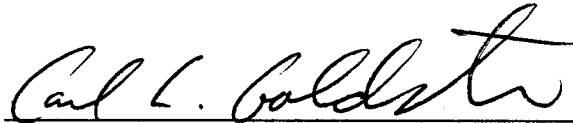
DATE



DR. JOSE T. VILLAGOMEZ  
Director, Public Health and  
Environmental Services

7/28/83

DATE



CARL GOLDSTEIN  
Chief, Division of  
Environmental Quality

Filed this 29<sup>th</sup> day of July 1983.

Office of Registrar of Corporations  
Commonwealth of the Northern Mariana Islands

NOTISIAN PUBLIKO

PROPOSITON AMENDA PARA REGULASION HANOM TASI YAN  
HANOM FRESKU KUALIDAT AREKLAMENTO SIHA

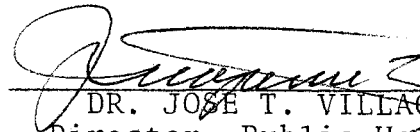
I Atkadin i Environmental na setbisio gi Depattamenton Hinemlo' Publika ha propopone amenda para regulasion hanom tasi yan hanom fresku kualidat areklamento sigun gi Lai Publika 3-23, Section 7; yan Title 17, Section 4 (1) i Trust Territory Code.

Este siha na regulasion para hu amenda i areklamento siha ni ma sodda' gi Volume 5, numiru 3 gi Matso 13, 1983 gi Commonwealth Register ya mana'dana' i Section (q) esta i Patte 4 ha dififina "petsona" yan mana'dana' Patte 12 ni ma prohibi hanom ni humuhuyong ni ha na' tatakpapa' i kualidat hanom.

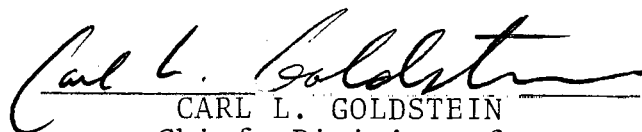
Kopia pot i propositon regulasion siha sina machule' ginen i Depattamenton i Hinemlo' yan Environmental na setbisio, Division of Environmental Quality, Dr. Torres Hospital, Saipan, CM 96950.

Haye i interesau pot i proposito na amendasion u satmiti hafa mas para usangan gi matugi na manera guato gi Atkadin, Division of Environmental Quality halom 30 dias na tiempo desde i haane anai este na notisia ma publika gi halom i Commonwealth Register.

7/27/83  
DATE

  
DR. JOSE T. VILLAGOMEZ  
Director, Public Health and  
Environmental Services

7/28/83  
DATE

  
CARL L. GOLDSTEIN  
Chief, Division of  
Environmental Quality

SECTION 1. Person Defined.

There shall be added to Part 4 of the Regulations Establishing Marine and Fresh Water Quality Standards adopted on March 31, 1983 in Volume 5, Number 3, page 1940 of the Commonwealth Register a subsection (q) which shall read:

(q) "Person" means any individual, corporation, association, partnership, or governmental entity.

SECTION 2. Unlawful Discharge.

There shall be added to the Regulations referred to in Section 1 at page 1949 a Part 12 which shall read:

PART 12 UNLAWFUL DISCHARGE

It shall be unlawful for any discharger to emit any wastewater, substance, or material into the waters within the jurisdiction of Public Law No. 3-23 which causes any portion of such waters to fail to meet the water quality criteria applicable as specified in Parts 6 and 7 of these Regulations. A violation of this Part will subject the discharger to the sanctions provided in Section 9 of Public Law No. 3-23 including, but not limited to, imprisonment for up to one year, a fine of \$10,000, or both.

Filed this 29th day of

July 1983.

Office of Registrar of Corporations  
Commonwealth of the Northern Mariana Islands

PUBLIC NOTICE OF ADOPTED REGULATIONS

*J*

The Director of Commerce and Labor, pursuant to the authority vested in him under Public Law No. 1-8, Chapter 9, hereby adopts rules and regulation establishing procedures and standards for the licensing of offshore banking in the Commonwealth of the Northern Mariana Islands.

The following rules and regulations are hereby adopted.

7/29/83  
Date

  
\_\_\_\_\_  
JESUS R. SABLAN  
Director, Commerce & Labor



Filed this 29th day of

July 1983.

Office of Registrar of Corporations

Commonwealth of the Northern Mariana Islands

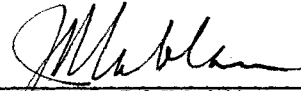
NUTISIAN PUBLIKU POT I MAADAPTAN REGULASION

I Direktot i Commerce yan Labor, segun i autoridat ni manae katgo giya guiya gi papa i Lai Publiko 1-8, Chapter 9, ha adopta Otdin yan Regulasion maestablelesi areklon para ma licensian offshore na bisnis banko gi halom i Commonwealth i Islas Marianas.

I sigiente siha na otdin yan regulasion man ma adopta.

7/29/83

Fecha



JESUS R. SABLAN

Direktot i Commerce yan Labor

Filed this 27th day of  
July 1983.

Office of Registrar of Corporations  
Commonwealth of the Northern Mariana Islands

ARONGRONG NGALIR PUBLIKO REEL  
ADOOPTAL REGULESIUNUL BONGKOL OFFSHORE

*JS*

Líol Seksion 6, Chapter 9 me Ilol Laiil Publiko 1-8, Deppóttamentol Commerce me Labor eyoor yaal óutoridóð ebwe issiis wow lisensial bisnis. Direktodol Commerce me Labor a adóoptali Oddin me Regulesiunul issiis wowuul me liilool lisensial koporesion ikka re muschal rebwe auru yaar bisnisil Bongkol Offshore me Ilol Commonwealth Islal Marianas.

7/29/83  
/Raal

*J. Sablan*  
\_\_\_\_\_  
JESUS R. SABLAN  
Direktod  
Commerce bwal Labor

Section 1. Purpose.

Public Law 3-11, at Section 503(d)(2), provides for issuance of an off-shore banking license by the Director of Commerce and Labor. Licensing authority is also extended to the Department of Commerce and Labor by Chapter 9 of Public Law 1-8. General comments on business license issuance, renewal and revocation are contained in Section 503 of Public Law 3-11. Off-shore banks are defined in Section 104(p) of Public Law 3-11, which section also contains a prohibition against off-shore banks operating as retail banks in the Commonwealth. These rules and regulations are hereby adopted for purposes of establishing criteria for qualifications and procedures of issuing, suspending, renewing or revoking off-shore banking licenses by the Director of Commerce and Labor, to corporations intending to operate off-shore banking businesses in the Commonwealth.

Section 2. Definitions.

(a) "Bank" means any corporation operating a banking business whether subject to the laws of the Commonwealth, or the laws of any other jurisdiction. It shall not include the Development Bank of the Government of the Commonwealth.

(b) "Banking Business" means the business of accepting deposits that provide the depositor with a legal right to withdraw, combined with the business of making loans in other than a fiduciary capacity.

(c) "Commonwealth" means the Commonwealth of the Northern Mariana Islands.

(d) "Corporation" means any corporation incorporated under the laws of the Commonwealth, pursuant to Title 37, Trust Territory Code.

(e) "Director" means the Director of Commerce and Labor for the Commonwealth Government or his designee.

(f) "Off-shore Bank" means a bank operating a banking business, incorporated under the laws of the Commonwealth, whose purposes and activities are limited to:

(i) negotiating, making and extending loans to borrowers who are not residents or citizens of the Commonwealth; or

(ii) borrowing from lenders, or accepting deposits from depositors, who are not residents or citizens of the Commonwealth.

(g) "Off-shore Banking License" means a license issuable, suspendable, renewable or revocable by the Director under Section 503 of Public Law 3-11 and these rules and regulations necessary for the operation of an Off-shore Bank in the Commonwealth.

Section 3. Requirement of Off-shore Banking License.

No person shall engage in the operation of an Off-shore Bank in the commonwealth without first obtaining, and maintaining in a currently valid status, an Off-shore Banking License, pursuant to §503 of Public Law 3-11 and these rules and regulations.

Section 4. Exceptions.

Section 2 does not apply to credit unions holding a license to do business in the Commonwealth, or the Development Bank of the Commonwealth, as may be established by law.

Section 5. Qualifications for Initial License.

An Off-shore Banking License shall be issued by the Director when an Off-shore Bank has fulfilled the following requirements:

(a) The applicant has filed an application with the Director supplying the information indicating compliance with these qualifications pursuant to Section 8 herein.

(b) The applicant has been duly incorporated under the laws of the Commonwealth, and has complied with applicable law relating to domestic corporations operating in the Commonwealth.

(c) The applicant has submitted proof of payment of its Off-shore Bank license fee pursuant to Section 503(d)(2), Public Law 3-11, as well as proof of payment of its Off-shore Bank application fee pursuant to Section 10 herein, to the Director.

(d) The applicant has submitted proof of establishment of paid-in-capital which shall not be less than:

(i) Capital consisting of common or preferred stock actually paid in in cash of not less than \$150,000; and

(ii) Paid-in-surplus amounting to not less than \$100,000 actually paid in in cash or its equivalent as determined by the Director.

(e) The applicant has appointed a resident agent in the Commonwealth, which agent has taken an oath that he will diligently and honestly administer the affairs of the corporation and will not knowingly or willfully violate or permit to be violated any of the provisions of law applicable to the Off-shore Bank, which oath shall be subscribed by the agent and placed with the Director at the time of application for Off-shore Banking License.

(f) The Director finds, after a reasonable review of the information provided on personal backgrounds of the principal officers, directors and principal shareholders (defined in Section 8 herein), that these persons associated with the proposed Banking Business are of good moral character.

Section 6. Existing Off-shore Banks.

(a) Any licensed Off-shore Bank doing business in the Commonwealth (or under license without operating as an Off-shore Bank) on the effective date of these rules and regulations shall have no requirements of licensure other than those prescribed herein, and that any provisions of licensure provided in prior rules and regulations are hereby null and void; and

(b) Any licensed Off-shore Bank doing business in the Commonwealth (or under license without operating as an Off-shore Bank) on the effective date of these rules and regulations shall take immediate steps to comply with the criteria and standards of licensed status prescribed herein, and shall, within one hundred and twenty (120) days of the effective date of these rules and regulations, submit proof of compliance with the qualifications contained in Section 5 herein. No fee shall be assessed for purposes of reviewing such proof, but failure to submit such proof within the time specified shall subject the licensee to revocation or suspension proceedings; and

(c) Any licensed Off-shore Bank doing business in the Commonwealth (or planning commencement of business) on the effective date of these rules and regulations, shall take immediate steps to comply with the Deposit Requirement specified in Section 17 herein, and shall, within one hundred and twenty (120) days of the effective date of these rules and regulations, submit proof of compliance with such Deposit Requirement; provided, that if the existing licensed Off-shore Bank does not currently operate, or plan operation in the Commonwealth on the effective date of these rules and regulations, it need not comply with the Deposit Requirement until such time as the Off-shore Bank commences operation, pursuant to Section 17 herein.

Section 7. Off-Shore Banking License Renewal.

(a) Corporations holding current Off-shore Banking Licenses must file renewal applications each year between September 1, and November 1, regardless of operating status, unless they desire their banking licensed status to terminate on December 31 of that year. The Director shall provide forms for purposes of filing renewal applications, which forms shall require information identical to that required in an application for an initial Off-shore Banking License:

(b) Decisions by the Director on renewal applications must be rendered within sixty (60) days following receipt of the application, or else the prior existing license shall continue in force and effect until such time as the Director issues a decision on the renewal application.

Section 8. Application Procedure for Initial License.

An application for an initial Off-shore Banking License shall be made to the Director on forms supplied by the Director and shall include, but not limited to, the following:

- (a) The name of the applicant corporation;
- (b) The location of the principal place of business of the corporate applicant;
- (c) The name and address of a corporate agent who is a resident of the Commonwealth, and an oath by the agent pursuant to Section 5(e) herein;
- (d) A copy of the applicant's corporate articles of incorporation, corporate charter, and by-laws;
- (e) Information providing proof of compliance with minimum capitalization requirements established in Section 5(d) herein;
- (f) A license fee in an amount specified by law, and an application fee in an amount specified in Section 10 herein;
- (g) Information with respect to the character, criminal record, business activities, financial affairs and business associates of the corporate applicant's principal officers, directors and principal shareholders covering a period of at least seven (7) years prior to the date of application. The term "principal officers" includes all officers of the proposed or existing Off-shore Bank associated with its Commonwealth operation, as opposed to officers working in banks operated by the applicant in other jurisdictions. The term "principal shareholders" includes any shareholder which owns a beneficial or legal interest in more than five percent (5%) of any class of outstanding stock of the applicant corporation. For purposes of compliance with this section, the applicant shall secure the services of a reputable agency engaged in the business of investigation.

Section 9. Duration of Off-shore Banking License.

(a) Initial Off-shore Banking Licenses may be applied for or issued at any time during the calendar year. If they are issued after November 1 of any calendar year, they will remain in force and effect for the balance of the calendar year, and also through the subsequent calendar year. If they are

issued prior to November 1 in any calendar year, they will remain in effect only for the balance of the calendar year in which they were issued. License and application fees for Off-shore Banking Licenses are set by law and these rules and regulations, and they are chargeable in full regardless of the duration of the license period during any particular calendar year.

(b) Off-shore Banking License renewals shall be sought between September 1 and November 1 during any calendar year. After issuance, they are effective during the entire calendar year following the year of application. If an existing licensed bank fails to submit a renewal application within the time period specified herein, it must make application for a new, initial license, the duration of which is established in Section 9(a).

Section 10. License and Application Fees.

(a) License fees for Off-shore Banking Licenses, whether for initial or renewed licenses, and whether for a twelve-month period, or for any portion of a calendar year, shall be as provided by law as an annual license fee.

(b) Applicants filing initial or renewal applications, or applications for review of transfer, pursuant to Section 14 herein, shall tender a non-refundable application fee of One Hundred Dollars (\$100.00) payable to the Treasurer of the Commonwealth, in addition to the license fee prescribed in Section 10(a) by law. This additional fee is assessed for purposes of defraying the extensive costs of reviewing applications for Off-shore Banking Licenses pursuant to these rules and regulations.

Section 11. Public Notice of Application.

An applicant for an initial Off-shore Banking License, or a review of transfer under Section 14 herein, shall cause to be published a notice of the filing of such an application once each week for a period of four (4) weeks, in a newspaper of general distribution in the Commonwealth, stating the information contained in the application which is essential to the public interest, immediately subsequent to filing its application with the Director. The notice shall be reviewed and approved by the Director prior to its publication.

Section 12. Application Schedule.

Upon determining that an application for initial or renewal license status includes the materials specified in Sections 7 and 8 herein, the Director shall issue a letter indicating acceptance of filing and receive payment, through the Department of Finance, for license and application fees pursuant to Section 10. The Director shall investigate the information provided in the application and render a decision thereon within sixty (60) days of the date of application. If the Director is unable, despite diligence, to render a

decision within sixty (60) days, he shall notify the applicant in writing of the reasons for the delay, and in the case of a renewal application, pursuant to Section 7(b), the prior license shall remain in force and effect until such time as the Director renders a final decision.

Section 13. Required Reports.

(a) Each calendar year upon application for renewal, existing Off-shore Banks shall submit consolidated, written financial statements signed by the applicant's chief financial officer, certified to be true and correct and in accordance with generally accepted accounting principles, and audited by an independent, certified public accountant (certified under the laws of any U.S. state).

(b) In addition to the statements required upon renewal by Section 13(a), the Director may require additional statements, including unconsolidated financial statements limited to the applicant's Commonwealth banking operation, if the Director determines that such information is necessary for further review of the application, or for purposes of statistical analysis of the Commonwealth banking community.

(c) In addition to the statements allowable under Section 13(a) and 13(b), the Director may require, at any time during the period of licensure, examination of particular books of records of any licensee necessary to assure the Director of compliance with these rules and regulations.

(d) Except as otherwise provided herein, the names of the principal shareholders of an off-shore bank, as defined in Section 8(g) shall be public information. Off-shore bank records, including records of transactions between an off-shore banking corporation and its individual customers, reports, or information provided to or obtained by the Director, shall be confidential and shall not be furnished to any third parties, except for purposes of law enforcement pursuant to court order, subpoena, or judicial process or upon prior written consent of the individual to whom the information pertains.

Section 14. Transfer of Ownership Interest.

In furtherance of the Director's responsibility to make a finding on the moral character and professional capability of principal officers, directors and principal shareholders under Sections 5 and 8, licensees shall notify the Director in writing during the pendency of licensure of any changes of any principal officers or directors, or any transfers of stock in amounts greater than five (5%) percent of any class of outstanding stock of the corporation. Upon receipt of such notice, the Director may require the licensee to submit additional, under Section 8(g), on the character, criminal record, etc., of any such new individuals. The Director shall review the transfer and issue a letter making a finding of moral character of the new individuals associated with the licensee.



Section 15. Penalties for Operating Without a License.

Any person who knowingly and willfully participates in the operation of an Off-shore Bank banking business in the Commonwealth within the definition provided in Section 2, in violation of Section 3 herein, shall be guilty of a misdemeanor, punishable by a fine not greater than one thousand (\$1,000) dollars or a jail sentence not greater than six (6) months, or both.

Section 16. Revocation of Off-shore Banking License.

(a) The Director, after permitting the licensee (or its authorized representative or agent) to appear before him, in person, and finding, upon a preponderance of the evidence reviewed by the Director that the licensee has violated any of the following standards, shall, depending on the particular circumstances of the case, either take steps to secure correction of insufficiency or non-compliance, or suspend or revoke the licensee's Off-shore Banking License:

(i) pursuant to Section 5(b), licensee has failed to maintain corporate status of the bank under Title 37, Trust Territory Code;

(ii) pursuant to Section 5(d), licensee has failed to maintain minimum capitalization requirements during the pendency of its licensure;

(iii) pursuant to Section 17, licensee has commenced operation as an Off-shore Bank, without first submitting proof of compliance with the Deposit Requirement, or failed to maintain the Deposit Requirement during the pendency of operation as an Offshore Bank;

(iv) pursuant to Section 6, an existing, licensed Off-shore Bank has failed to comply with Section 5(d) minimum capitalization requirements within one hundred and twenty (120) days following the effective date of these rules and regulations;

(v) pursuant to Section 13, licensee has failed to submit annual or specially requested required reports, either at the time requested in Section 13, or when requested by the Director;

(vi) pursuant to Section 14, licensee has failed to submit transfer of ownership interest information, within a period of sixty (60) days after the transfer in ownership has occurred;

(vii) pursuant to Section 8, and the application process, licensee has committed fraud or misrepresentation in any material assertion in an application for initial or renewal license, or review of transfer, or any reports required under Section 13;

(viii) licensee has violated any provision of Public Law 3-11, Section 503, and of these rules and regulations; or

(ix) licensee has carried on its business in a manner detrimental to the public interest, or to the interests of its depositors or creditors, or conducted its business in a manner violative of any applicable laws.

(b) Should the Director determine that serious grounds for license revocation exist, the Director shall cause written notice of any insufficiency or non-compliance to be dispatched to the offending licensee, or its agent in the Commonwealth, requesting a response in writing to the Director's concerns. While the Director may exercise discretion in terms of utilizing corrective steps rather than the more drastic response of revocation, any of the grounds listed in Section 16(a) are sufficient, standing alone, to justify a decision to revoke or suspend an Off-shore Banking License. Any decision revoking or suspending an Off-shore Banking License shall be in writing, including a detailed statement of the reasons therefore, and shall be communicated to the licensee, as well as the Attorney General of the Commonwealth.


Section 17. Deposit Requirement.

Prior to commencing operation of an Off-shore Bank in the Commonwealth, and subsequent to receipt of an Off-shore Banking License pursuant to these rules and regulations, the licensee shall place in an account in a licensed retail bank within the Commonwealth the sum of ten thousand (\$10,000) dollars, and shall maintain this amount throughout the pendency of the Off-shore Banking operation in the Commonwealth. This Deposit Requirement applies to Off-shore Banks operating in the Commonwealth on the effective date of these rules and regulations pursuant to Section 6(c) herein. The agent nominated pursuant to Section 5(e) shall cause the retail bank holding the Deposit Requirement to submit proof of compliance to the Director prior to commencement of operation.

Section 18. Severability.

Should any provision of these rules and regulations or the application of any rules and regulation to any person, corporation or other entity, be held invalid, by a court of competent jurisdiction, the remainder of the rules and regulations, and the application of the other rules and regulations to any other such person, corporation or entity, shall not be affected thereby.

DATE: 7/29/83

  
\_\_\_\_\_  
JESUS R. SABLAN  
Director

PUBLIC NOTICE

July 1983.

Office of Registrar of Corporations  
Commonwealth of the Northern Mariana Islands

NOTICE OF ADOPTION OF THE REGULATIONS FOR THE NUTRITION ASSISTANCE PROGRAM  
DEPARTMENT OF COMMUNITY AND CULTURAL AFFAIRS.

The Director of the Department of Community and Cultural Affairs hereby adopts the Regulations for the Administration of the Nutrition Assistance Program in the Northern Marianas as promulgated.

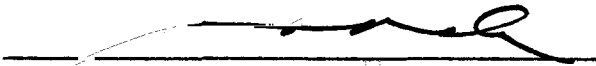
The purpose of these Regulations is to prescribe policies and procedures which will govern the Administration of the NAP in the Northern Marianas.

Embodied in the NAP Manual of Operations, the adopted Regulations include the following subject areas:

1. Eligibility of Households
2. Certification of Households
3. Issuance and Use of Food Coupons
4. Participation of Retail Food Stores and Banks
5. Penalties for Non-compliance

For a nominal fee, copies of the adopted Regulations may be obtained from the Department of Community and Cultural Affairs, Nutrition Assistance Program Division, Lower Base, Saipan CM 96950

Date: 7/15/83



Gilbert C. Ada  
Director, C&CA

Nutisia pot i ma'adaptan i areklamenton i Prugraman Ayudon Nengkanno' gi Dipattamenton Kuminida yan Kuttura.

I direktot i Dipattamenton Kuminida yan Kuttura ha diklara na ha adapta i areklamenton i ma'atministran i Prugraman Ayudan Nengkanno'.

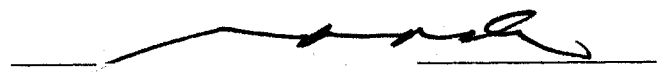
I propositon este na areklamento i pot para u na'guaha dokumento pot areklamento yan ma'cho'gue-ña ni para u dinirihi i administrasion i NAP gi sangkattan siha na isla.

Kinikibre gi halom i lepblon i NAP, i ma'adapta na areklamento ni ha engklulusu i sigiente siha na patte:

1. I manilihipble na petsonas
2. Mamasettifika na petsonas
3. Malaknos yan ma'usan i kat nengkanno'
4. I mañasaoñao na tenda yan Bangko
5. Pena para i ti tumattiyi i areklamento

Pot mas didide' na apas, siña en chile' este i ma'adaptan i areklamento siha gi Depattamenton i kuminida yan kuttura, dibision i Prugraman Ayudan Nengkanno' gi Lower Base, Saipan CM 96950

Fecha: 7/15/83

  
Direktot, C&CA

ARONGORONG NGALIIR  
ARAMAS TOWLAP

Filed this 29<sup>th</sup> day of  
July 1983.  
Office of Registrar of Corporations  
Commonwealth of the Northern Mariana Islands

Arongorong reel fféerúl alléghúl Progróomaal Ammwongo,  
Depattamentool Community me Cultural Affairs.

Direktoodul, Depattamentool Community me Cultural Affairs aa  
fféer allégh ye e arongáágha miwow, reel mwóghútúghútúl  
Progróomaal Ammwongo mellól Northern Marianas.

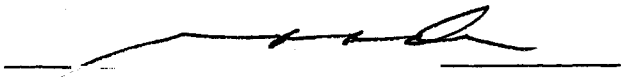
Faal allégh kkaal nge ebwe amatafaawow mwóghútúghútúl me  
ammwóghútúl iye ebwe apayú mwóghútúghútúl NAP mellól Northern  
Marianas.

Ówtol kkapasal mwóghútúghútúl Tiliighiil NAP, nge allégh ye aa fféer  
ebwal llolong milikka faal:

1. Emmwel bwe taataal llól iimw ebwe bweébwogh.
2. Rállil makkú taataal llól iimw.
3. Isiisiwowul me yááyáál kippuul mwungo.
4. Azuudoor schóól tenda me bwóngko.
5. Kastiigo ye ubwe parengi ngáre usu tabweey.

Bwelle ete ghi ssogh weires, emmwel schagh ubwe ló bweibwogh  
allégh ye aa fféerétiw me Depattamentool Community me Cultural  
Affairs, Progróomaal ammwongo me Lower Base, Seipél, CM 96950.

Maram, Rál, Ráagh: 7/15/83

  
Gilbert C. Ada  
Direktoodul, C. & C.A.



# Commonwealth of the Northern Mariana Islands Office of the Governor

Saipan, Mariana Islands 96950

FOR OFFICIAL USE  
CABLE ADDRESS  
GOV. NMI SAIPAN  
REPLY TO:  
DNR

Filed this 29th day of

July 1983

Office of Registrar of Corporations  
Commonwealth of the Northern Mariana Islands

## PUBLIC NOTICE

### Proposed Regulations for Fish and Game

The Director of Natural Resources is proposing to promulgate regulations for the protection of fish and game. These regulations are being promulgated pursuant to authority under Public Laws 1-8 and 2-51, (P.L. 2-51).

The purpose for these regulations is to establish a system for the protection and conservation of the Commonwealth's fish and wildlife resources. The purpose is based on the Director's findings that without these regulations irreparable harm can occur to valuable resources. The Director further finds that without these regulations on the method for taking fish and game that continued harm will occur contrary to the purposes of P.L. 2-51.

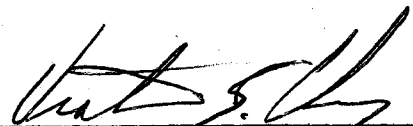
The proposed regulations include the following subject areas:

1. General Provisions
2. License
3. Hunting Regulations
4. Fishing Regulations

Copies of these proposed regulations may be obtained from the Department of Natural Resources, Division of Fish and Wildlife, CNMI, Saipan, CM 96950.

Anyone interested in commenting on the proposed regulations may do so by submitting in writing to the Department of Natural Resources, Commonwealth of the Northern Mariana Islands, Saipan, CM 96950 within thirty (30) days from the date of this publication in the Commonwealth Register.

7/29/83  
Date

  
VICTORINO S. CHONG  
Acting Director  
Department of Natural Resources



Commonwealth of the Northern Mariana Islands  
Office of the Governor

Saipan, Mariana Islands 96950

FOR OFFICIAL USE  
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REPLY TO:

Filed this 29th DEPT. ACTIVITY

NOTISIAN PUBLIKO

July 19 83.  
Office of Registrar of Corporations  
Commonwealth of the Northern Mariana Isla

Inifresi Na Areklamento Para Guihan Yan  
Ga'ga Machalek

I Direktot Natural Resources ha'ofresi para u establese este siha na areklamento pot proteksion guihan yan ga'ga machalek siha. Este todos siha na areklamento ma establise sigun aturidat ginen Lai Publiko 1-8 yan 2-51 (P.L. 2-51).

I rason para este siha na areklamento pot para ma establese sistema para proteksion yan inadahi para i guihan yan ga'ga machalek i Commonwealth. I rason ha bes i Direktot gi sinidana na sin este na areklamento siha addet na danu sina ma susedi para i presiosu na guinahan i tano espesiatmente i guihan yan ga'ga machalek. I Direktot ha sodda mas na sin este siha na areklamento nu i manera para pumeskan guihan yan ga'ga machalek na danu kontra este na ga'ga siha siempre sigi ha ma susedi komu kontradiksion pot P.L. 2-51.

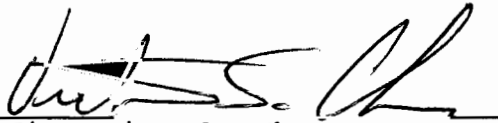
I ma ofresi na areklamento ha konsiste este siha na suhetas:

1. Heneral Probension
2. Lisensia
3. Peskan Ga'ga Machalek
4. Pumeskan Guihan
5. Probension Otro Klasi

I kopian este siha na areklamento ni ma ofresi sina machule ginen ofisinin Division of Fish and wildlife giya Puetton Tanapag pot mas matungo komu Charlie Dock.

Yanggen hagi interesao munahalom rekomendasion o sino opinion pot este i ma ofresi na areklamento sina ha tugi'i i Depattementon Natural Resources gi halom trenta (30) dias desde ma publika este siha na areklamento gi Commonwealth Register.

7/29/83  
Fecha

  
Victorino S. Chong  
Acting Director,  
Department of Natural  
Resources



DEPARTMENT OF NATURAL RESOURCES  
FISH AND GAME REGULATIONS

Part 1. GENERAL PROVISIONS

- Section 1. Findings
- Section 2. Authority
- Section 3. Purpose
- Section 4. Definitions
- Section 5. Exemptions
- Section 6. Penalties

Part 2. LICENSES

- Section 1. General Procedures
- Section 2. Scientific Research License
- Section 3. Export License

Part 3. HUNTING REGULATIONS

- Section 1. General Regulations
- Section 2. Northern Islands
- Section 3. Mariana Fruit Bat
- Section 4. Coconut Crab
- Section 5. Captive Wildlife

Part 4. FISHING REGULATIONS

- Section 1. General Regulations
- Section 2. Use of Explosives, Chemicals,  
Poisons, and Electrical Shocking  
Devices.
- Section 3. Use of Nets for Fishing
- Section 4. Collection of Hard Corals
- Section 5. Harvest of Trochus niloticus
- Section 6. Taking of Lobster
- Section 7. Fish Weirs
- Section 8. Dredging or Dragging for  
Precious Corals

Part 5. MISCELLANEOUS PROVISIONS

- Section 1. Introduced Species

GENERAL PROVISIONSSection 1. Findings

The Director finds that the use of certain mesh sized and type of nets, explosives, chemicals, electricity and substances in the taking of fish is contrary to the purposes of P.L. 2-51. The Director further finds that the use of lights, fire, dogs, traps, explosives and vehicles in the taking of game is also contrary to P.L. 2-51.

Section 2. Authority

Pursuant to Section 5(b) (7) of Public Law 2-51 of the Commonwealth of the Northern Mariana Islands, the subject regulations are hereby promulgated.

Section 3. Purpose

To establish uniform regulations governing hunting and fishing with respect to law as set forth in Section 5(a), (b) and (c) of Public Law 2-51.

Section 4. Definitions

For the purposes of these regulations, the term

- a. "ACT" means CNMI P.L. 2-51, "The Fish, Game and Endangered Species Act."
- b. "Animal" means any species or organism in the animal kingdom including, but not limited to, mammals, birds, reptiles, amphibians, fish, mollusks, crustaceans, and corals.

- c. "Chief" means the Chief of the Division of Fish and Wildlife of the Department of Natural Resources, CNMI.
- d. "Director" means the Director, Department of Natural Resources, CNMI.
- e. "Department" means Department of Natural Resources.
- f. "Division" means Division of Fish and Wildlife, Department of Natural Resources, CNMI.
- g.. "Export" means to remove from any land or water area under the jurisdiction of the CNMI to any other place in the world.
- h. "Industry or Trade" in the definition of "Commercial Activity" means the actual or intended transfer of wildlife or plants from one person to another person in the pursuit of gain or profit.
- i. "Commercial Activity" means all activities of industry and trade including, but not limited to, buying or selling of commodities, and activities conducted for the purpose of facilitating such buying and selling.
- j. "Import" means to land on, bring into or attempt to land on, bring into, or introduce into any place subject to the jurisdiction of the CNMI.
- k. "Harass" in the definition of "take" means an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding or sheltering.

- l. "Harm" in the definition of "take" means an act or omission which actually injures or kills wildlife, including acts which annoy it to such an extent as to significantly disrupt essential behavioral patterns, which include, but are not limited to, breeding, feeding or sheltering.
- m. "Person" means any individual, corporation, partnership, trust, association, or any other private entity, or any officer, employee, agent, department or instrumentality of the Government of the Commonwealth of the Northern Mariana Islands (CNMI), or any CNMI Municipality.
- n. "Possession" occurs when an article, object, or thing is under a person's dominion and control is carried on his person or is in his presence and custody, or, if not on his person or presence the dominion and control thereof is immediate, accessible, and exclusive to him. Two or more persons may have joint possession of an article, object or thing if jointly and knowingly they have exclusive dominion and control.
- o. The term "or parts thereof" means, in the case of animals, any flesh, hide, hair, bone, skeleton, teeth, feathers, skin, scales, tissues or internal organs. In the case of plants, the term means any root, leaf, stem, trunk, bark, fiber, fruit, flower, tissue or extract.
- p. "Population" means a distinct group of fish or wildlife in the same taxon below the subspecific level, in common spatial arrangement that interbreed when mature.
- q. "Specimen" means any animal or plant or any part, product, egg, seed or root of any animal or plant.
- r. "Plant" means any species of organism in the plant kingdom including, but not restricted to, trees, shrubs, flowers, grasses, algae and fungus.

- s. "Subsistence Taking" means the customary, traditional taking of restricted game to provide sustenance for the taker and his immediate family when no other means of providing sustenance is available or when curtailment would result in severe malnutrition.
- t. "Take" means to harass, harm, pursue, hunt, shoot, angle, wound, kill, trap, spear, capture or collect, or to attempt to engage in any such conduct.
- u. "Wasteful Manner" means any taking or method of taking which is likely to result in the killing or injury of fish and/or game, or which results in the waste of a substantial portion of a population of fish and/or game, and includes without limitation the employment of a method of taking which is not likely to assure the capture or killing of the wildlife, or which is not immediately followed by a reasonable effort to retrieve the fish and/or game.
- v. "Southern Islands" includes Saipan, Bird Island, Forbidden Island, Managaha, Tinian, Aguijan, Naftan Rock, Rota and Anjota Island.
- w. "Northern Islands" includes Farallon de Mendinilla, Anatahan, Sariguan, Guguan, Alamagan, Pagan, Agrihan, Asuncion, Maug Islands and Farallon de Pajaros.

Section 5. Exemptions

Division staff and conservation officers shall be exempt from provisions of the Act and regulations issued under the Act when acting in the course of their official duties, provided those duties are consistent with the overall purposes of the Act.

Section 6. Penalties

Violation of any of the provisions of this chapter shall be penalized in accordance with Section 10 of P.L. 2-51.

LICENSESSection 1. General Proceduresa. License Required

A license is required for the taking of any of the following fish and game:

1. Sambar Deer (Cervus marianus) Binado
2. Wild Pig (Sus scrofa) Babuin halom tano
3. Wild Goat (Capra hircus) Chiban halom tano
4. Marianas Fruit Bat (Pteropus mariannus) Fanihi
5. Coconut Crab (Birgus latro) Ayuyu
6. Wild Chicken (Gallus gallus) Manog halom tano
7. Land Crab
  1. (Cardisoma hirtipes) Pangloa tunas
  2. (Cardisoma carnifex) Pangloa echung
8. Philippine Turtle-Dove (Streptopelia bitorquata) Paluman Apu
9. White-Throated Ground Dove (Gallicolumba xanthonura) Paluman Kotbata/Apaka/Fachi
10. Marianas Fruit-Dove (Ptilinopus roseicapilla) Totut
11. Micronesian Starling (Aplonis opacus) Sali
12. Trochus (Trochus niloticus) Aliling tulompo

13. Coral (Hermatypic Hard-reef building)  
Coraling Mahetog
14. Monitor Lizard (Varanus indicus) Hilitai
15. Green Turtle (Chelonia mydas) Haggan betde

b. Type of License

The following types of license shall be issued:

License	Fee
1. Scientific Research	10.00
2. Export	10.00
3. Trochus	2.00
4. Net	
A. Commercial	25.00
B. Non-Commercial	5.00
5. Resident Hunting	
A. Each Species	5.00
B. All Species	25.00
6. Non-Resident Hunting	
A. Each Species	100.00
B. All Species	300.00
7. Coral (Afuk)	15.00
8. Green Turtle	5.00

c. Issuance of License

No Person shall be issued a license if he has:

1. been convicted of any violation of these regulations or any other law relating to the taking of any fish and game; or
2. failed to provide the information required to issue a license or has made false statements in his application; or
3. no valid CNMI identification card allowing him to possess firearms, if he is applying for a hunting license.

d. Duration of License

A license shall be valid from 0000 hour of January 1 until December 31 at 2400 hours, regardless of the date of its issuance. However, a license may be suspended or revoked by the Chief of the Division after a civil hearing conducted by the Division.

e. Alteration of License

No license shall be altered or copied.

f. Transfer of License

It is unlawful to borrow, loan, or in any way transfer one's own license or receive another's license.

g. Display of License

Any license issued shall be displayed for inspection upon request of the Director or Chief or any conservation officer.

Section 2. Scientific Research License:

a. Purpose

The purpose of the scientific research license is to gain access to the research data for use in resource management.

b. Persons Requiring License

1. Scientific research license are required for all persons conducting biological research in the CNMI.
2. When the research is being conducted by a team, only the Team Leader is required to have a license provided:
  - A. The team leader is always present during field studies.



B. All other members of the team are under the team leaders direct supervision.

c. Issuance of license

1. Prior to issuing the license the Director or Chief shall analyze the benefit of the particular research to the CNMI and determine whether it outweighs any harm to the resource involved.
2. The license will be issued only upon agreement by the licensee that a complete data report be submitted to the division within one (1) year.

d. Exemption from Regulations

The Director may exempt, for a specific period of time, the licensee from specific regulations.

Section 3. Export License:

a. Persons Requiring License

Any person who for gain removes any fish or wildlife from the jurisdiction of the Commonwealth for export must obtain an export license.

b. Issuance of License

1. Upon application for an export license, the Director shall determine the extent of the proposed commercial export activity and its anticipated impact upon the natural resources of the Commonwealth.
2. Based upon such an assessment, the Director may deny issuance of an export license or grant its issuance upon specific terms and conditions. Such specific terms shall include any limit necessary for the protection of fish and game on the number, size, reproductive state and geographic location of the species covered by the license.

c. Record Keeping

- a. A person granted an export license shall be required to maintain the following records which must be presented upon annual renewal of the export license.
1. Form of wildlife such as, dead, cooked, frozen, live, rawhides, garments, etc.
  2. Numbers of pieces.
  3. Weight
  4. Common and scientific names
  5. Exact place of origin
  6. Date and place of export.
  7. Date of subsequent disposition or sale.
  8. Manner of disposition such as: sale, trade, consumed, etc.
- b. The licensee shall permit conservation officers to examine and copy these records during regular working hours upon request by the conservation officer.

PART 3

HUNTING REGULATIONS

Section 1. General Regulations

a. Legal Hunting Time:

It shall be legal to hunt wild game in season from one-half hour before sunrise to one-half hour after sunset.

b. Hunting License Required:

It shall be unlawful for any person to take any wildlife without first obtaining a general hunting license from the Chief or any authorized agent. All persons obtaining a hunting license shall complete hunters report cards (attached to each license) whether they harvest game or not.

c. Unprotected Wildlife:

The following wildlife may be taken at any time of year during the legal shooting time as specified in Part 3 Section 1a without a hunting license.

1. Wild Dogs (Feral Dogs)
2. Wild Cats (Feral Cats)
3. Rodents

d. License to be in Possession:

Every hunter shall have on his person while taking wildlife a valid CNMI hunting license.

e. Inspection of License and Game Bag:

The game bag or kill are subject at all times to inspection by any conservation officer or peace officer of the Commonwealth.

f. Hunting Age:

Only persons 21 years of age or older may hunt with firearms, bows and arrows or cross bows.

g. Influence of Alcohol/Drugs

No person shall hunt at any time while under the influence of alcohol or a narcotic or another disabling drug.

h. Hunting from Moving Vehicle Prohibited:

No person shall take any wildlife while operating or riding in or on a moving automobile, power propelled vehicle or other mechanical contrivance. Nor shall any person take any wildlife while mounted upon an animal's back.

i. Use of Lights and Fire Prohibited:

The use of fire or artificial light of any kind as an aid to the taking of game is prohibited.

j. Villages and Roads Closed to Hunting:

The firing of any gun, bow and arrow or cross bow to take any wildlife is prohibited within a village or within 100 yards thereof or within 100 yards of an occupied dwelling, or across a public road, or within twenty-five (25) feet of a road.

k. Use of Dogs Prohibited:

The use of dogs in hunting or hunting related activities is prohibited.

l. Hunting Areas:

Hunting shall be conducted only on designated public lands. Any Hunting on private lands shall be done with the permission of the landowner.

m. Taking of Sambar Deer, Wild Goats and Wild Pigs:

1. Only Sambar deer having visible antlers may be taken.
2. Only wild billy (male) goats may be taken.
3. Only wild boar (male) pigs may be taken.

n. Only the following Weapons are authorized for hunting.

1. Shotguns no larger than .410 gauge, using rifled slugs or buckshot may be used.
2. Centerfire rifles of .22 caliber may be used and only bullets of the expanding type may be used.
3. Crossbows and bows and arrows may be used, provided:
  - A. Bows or crossbows must have a minimum draw weight of at least fifty (50) lbs.
  - B. Bow and Crossbow arrows must be fitted with arrowheads that measure no less than seven-eighths (7/8) of an inch at the widest point or that have no fewer than two sharp cutting edges.
4. Taking of Game Birds:  
When using .410 gauge shotguns to hunt game birds, the shot shall be no larger than No. 6.

o. Special Hunts:

1. The Director, after consultation with the Chief, may authorize special hunts for the following purposes:
  - A. To prevent economic, social or traditional hardship;
  - B. To mitigate adverse impact to the environment; and,

- C. To avert any danger or safety hazard to man.
- 2. The Director may promulgate special regulation for special hunts.
- 3. The Director may waive any provision of these regulations for any special hunt.
- 4. Special hunts for other than for agricultural damages shall require possession of a valid hunting license.

p. Definition of Bag, and Season Limits:

- 1. Bag limit is the maximum number of game species (each) that may be legally taken in one hunting day.
- 2. Season Limit is the maximum number of game species (each) that a hunter may take or bag during an entire given season.

q. Hunting Seasons and Bag Limits:

The following are the bag limits and season limits as well as the dates of the seasons for the hunting of game:

	<u>Bag Limit</u>	<u>Season Limit</u>	<u>Season</u>
Sambar Deer	1	1	9/1-12/31
Wild Pig	2	6	9/1-12/31
Wild Goat	3	9	9/1-12/31
Philippine Turtle Dove	10	40	7/1-7/31
White-Throated Ground Dove	2	6	7/1-7/31

Coconut Crab	10	50	9/1-//30
Land Crab	No Limit		4/1-6/30 10/1-12/31
Wild Chicken	4	12	7/1-7/31
Marianas Fruit-Dove	3	9	7/1-7/31
Starling	10	40	7/1-7/31
Monitor Lizard	No Limit		Open
Green Turtle	1	1	9/1-11/30

r. Moratorium:

When it is determined by the Director, in consultation with the Chief, that a moratorium on hunting of any or all game species identified in these regulations is required, he shall have the authority to do so. A moratorium shall remain in effect until it is determined by the Director, in consultation with the Chief, that the population of the affected species has reached levels sufficient to sustain hunting pressure.

s. Subsistence Taking

The Director may exempt persons from bag and season limits for subsistence taking of wildlife, as defined in Part 1 Section 3.

t. Accidental Taking or Killing of Game

All accidental taking or killing of game shall be reported to the Division. The Division shall investigate to obtain pertinent biological data on the accidental kill.

Section 2. Northern Islands:

- a. Persons transporting game taken on the Northern Islands to the islands of Saipan, Tinian or Rota must check in at the Division of Fish and Wildlife on Saipan before the game is landed.

- b. Bag limits as promulgated in Part 3 Section 1.q shall not be in effect for the Northern Islands.
- c. Season limits as promulgated in Part 3 Section 1.q shall be in effect.
- d. Taking or hunting of any animal on Sarigan and Guguan is prohibited. These two islands are declared off-limits to all landings by people except in case of an actual emergency.

Section 3. Marianas Fruit Bat:

a. Moratorium:

It shall be unlawful to take fruit bats (Pteropus mariannus and P. tokudae) on the islands of Rota, Tinian, Aguiguan, and Saipan for a period of two (2) years from the effective date of these regulations. Further, it shall be unlawful to take fruit bats on any island north of Saipan for a period of one (1) year from the effective date of these regulations.

Section 4. Coconut Crab (Birgus latro) AYUYU

a. General Provisions:

These provisions apply only to coconut crabs taken within the Commonwealth of the Northern Marianas.

1. No coconut crab may be taken at any time which measures less than three (3) inches wide across the back (carapace).
2. No female crab, regardless of size, may be taken that is berried (carrying eggs beneath the abdomen).
3. No coconut crab may be possessed in any form other than live or cooked.
4. The preserving or mounting of coconut crabs, taken in the Commonwealth, for display purposes or selling of crabs taken in the Commonwealth that have been subsequently mounted is prohibited.



Section 5. Captive Wildlife

- a. The possession of captive wildlife is prohibited; except, that this provision shall not apply to captive wildlife possessed before the effective date of these regulations; Provided, however, that the captive wildlife shall be reported to the Division for recording and tagging and/or banding.
- b. The off-springs of captive wildlife born after the effective date of these regulations shall be public property under the control and supervision of the Division. The Division may allow the off-spring to continue under the care of captive wildlife owner.
- c. The Division shall inspect all captive wildlife pens or enclosures etc., to insure proper and humane treatment. Wildlife held under improper and humane conditions shall be confiscated by the Division.
- d. The Division shall issue a license to possess captive wildlife. The duration of the license is the calendar year and shall be renewed annually. The Division may impose any terms and conditions of the face of the license.

PART 4  
FISHING REGULATIONS

Section 1. General Regulations

a. Legal Fishing Time:

It shall be legal to fish during all hours of the day and during all days of the year.

b. Fishing License Required:

No license is required when taking fin fishes with rod and reel, line tackle or with spear.

c. Fishing Age:

Persons of all ages may fish.

Section 2. Use of Explosives, Chemicals, Poisons, and Electrical Shocking Devices.

a. Prohibitions:

The use of explosives, chemicals, poisons, and electric shocking devices is prohibited in the taking of any fish or wildlife.

1. No person shall place or cause to be placed, in any waters of the Commonwealth, explosives, poisons, chemicals, electric shocking devices, or other substances with the intent to kill fish, game, marine or other aquatic life.
2. No person shall take any fish, game or other marine or aquatic life by means of explosives, poison, chemicals, electric shocking devices or other substances.
3. No person shall possess, sell, or purchase any fish, game, marine or other aquatic life taken by means prohibited in this section.

b. Definitions:

1. The terms "Poisons", "Chemicals", include but are not limited to Hypochlorus Acid or any of its salts, including bleaches commonly sold under various trade names

such as Clorox and Purex and bleaching powders, preparations containing Rotenone, Tephrosin, or plant material from Barringtonia asiatica, Coculus ferrandianus, Hura drepitans, Piscidia erythrina, Derris ssp. Tephrosia purpurea, and Wikstremia.

2. The term "Electric shocking Device" means a device that either maims, stuns or kills wildlife by generating an electric current (either AC or DC).

### Section 3. Use of Nets for Fishing

#### a. Mesh Size

The use of nets for fishing with a stretched mesh dimension of less than one and one-half ( $1\frac{1}{2}$ ) inches in linear measure is prohibited; Provided, however, that the traditional methods of catching fish by the use of such nets as talaya, chenchulu and lagua shall be exempted from this provision.

#### b. License Required

A license shall be required for fishing with the use of a net.

#### c. Definitions

Fishing nets covered by these regulations include but are not limited to the following:

1. Cast net (Talaya)
2. Drag net/Beach seine (Chenchulu and lagua)
3. Trap net (Chenchulun managam)
4. Surround net (Chenchulun umesugon)
5. Gill net (Tekken)
6. Bait nets
7. Aguarium fish scoop and surround nets.

#### d. Use Restrictions

1. Nets shall not be placed in any area(s) customarily traversed by boats and/or

ships. Nor shall nets be placed, set or used in areas customarily used by the public for swimming; except, that this provision shall not apply during the hours of darkness, or when fishing for seasonal runs of mackeral (atulai), juvenile goatfish (tiao) and juvenile rabbitfish (manahak).

2. Nets placed in or set near waters customarily traversed by boats and/or ships shall be marked by bright colored, floats of at least 12 inches diameter, or floats with red or other bright colored flags.
3. Nets placed in the water shall be tended on a regular basis or at least once every 6 hours.
4. Placed nets found in violation of these provisions shall be confiscated by conservation officers.

e. Moratorium

The enforcement on the mesh size of nets is suspended until one year after the effective date of these regulations. This will give affected net owners an opportunity to recover their costs. All other provisions of this section shall be enforced.

f. Commerce in Nets

It shall be unlawful to sell import or possess with the intent to sell nets whose stretched mesh dimension is less than one and one-half ( $1\frac{1}{2}$ ) inches in linear measure; Provided, that this provision shall not apply to the sale of talaya, chenchulu and lagua. Nets violating these provisions shall be removed from sales areas and disposed of outside the Commonwealth or in some other manner.

Section 4

Collection of Hard Corals

a. Prohibitions

The collection and/or removal from the water of the Commonwealth of any and all species

of Hermatypic reef building hard corals is prohibited with the following exception. A license may be issued by the Chief for the collection of dead coral for the purpose of manufacturing "Afuk" (Calcium Carbonate).

1. All coral landed by the licensee may be inspected to insure that any coral taken was dead at time of collection.

Section 5. Harvest of Trochus niloticus (Aliling)

a. Harvesting

1. No trochus may be taken except during open season declared by the Director.
2. No Trochus shall be taken whose shell is less than three (3) inches in diameter at the base.

b. Sanctuaries

Two closed areas are hereby established. These areas are designated to insure continuous high levels of productivity of Trochus. These closed areas are:

1. An area encompassing the barrier reef from the Garapan channel marker (light-house) south one (1) mile. The inshore boundary extents fifty (50) yards inshore of the inshore edge of the reef. The offshore boundary is the forty (40) feet depth contour.
2. The entire reef at Tank Beach, Kagman (Chacha), extending from the northern rocky headland to the southern rocky headland and bounded inshore by the mean high tide line and offshore by the forty (40) feet depth contour.

c. License

Commercial harvesting, buying or selling of Trochus shall hereby be subject to licensing and reporting requirements as outlined below:

1. Harvesting

- A. A permit for the harvesting of Trochus for commercial sale and/or buying of Trochus shell or meat from fishermen must be obtained prior to the opening of any season.
- B. Attached to the seasonal permit will be a catch report which shall be returned to the Chief no later than one (1) month after the close of any open season(s).

Section 6. Taking of Lobster

a. Definitions

"Lobster" means only the spiny lobster species Panulirus penicillatus and Panulirus versicolor.

b. Prohibitions

It shall be prohibited and deemed unlawful to take any lobster:

- 1. Which measures less than three and one-fourth ( $3\frac{1}{4}$ ) inches (or 82.5mm) in length measured in a straight line along the carapace (or head) from the ridge between the two (2) largest spines above the eyes, back to the rear edge of the carapace (see attached figure); or
- 2. Which is carrying eggs.

Section 7. Fish Weirs

- a. It shall be unlawful for any person to place or maintain a fish weir, including any part or component of a fish weir or any fencing leading to a fish trapping device, in the waters of the Commonwealth without a license from the Director. The Director shall:

- 1. Designate areas where fish weirs will be allowed. Provided that there are not more than three (3) areas for Saipan and one (1) area each for Rota and Tinian; and, Provided, further, that not more than two (2) fish weirs shall be placed in each area.

2. Impose such conditions on the face of the license as are necessary so as not to: unjustly restrict the fishing of others; impact adversely on the survival needs of fishes; or, violate other provision of these regulations.
3. Award fish weir licenses to the highest bidder based on a minimum bid of Fifty Dollars (\$50.00). The license shall be valid for one (1) calendar year only.
  - b. The fish weir licensee shall remove the weir within thirty (30) days after the expiration of the license (unless the license is renewed). The Director may require a security deposit of Two Hundred Fifty Dollars (\$250.00) to be deposited with the Division of Fish and Wildlife at the time the license is granted which sum shall be applied in removing the weir should the licensee violate the first part of this subsection.
  - c. It shall be unlawful for a licensee to leave his/her weir unattended for a period of fifteen (15) or more days.
  - d. It shall be unlawful for any person or persons to violate the conditions of any license issued under this section.
  - e. It shall be unlawful for any person to place a weir in an area customarily traversed by boats and/or ships.

Section 8. Dredging or Dragging for Precious Corals

It shall be unlawful to dredge or drag for any species of precious coral in the waters of the Commonwealth without first obtaining a license from the Chief. A fee of Five Hundred Dollars (\$500.00) shall be paid for each license. The license shall expire at the end of the calendar year regardless of when issued.

Part 5. MISCELLANEOUS PROVISIONS

Section 1. Introduced Species

- a. It shall be unlawful to release any fish or game species not native or naturalized to the Commonwealth.
- b. The Division shall document all instances of illegal or accidental introduction; further, the Division shall take all efforts necessary to extirpate the introduced species.
- c. The Division shall be exempt from the provisions of this Part in the conduct of its programs.