

**§ 3904. License for Bioprospecting.**

(a) Beginning immediately upon the promulgation of rules and regulations by DLNR, DLNR shall create a license application form for purposes of this article that includes:

(1) notice of the CNMI's reservation of economic interests provided in 2 CMC § 3905;

(2) a statement to be signed by a person who is applying for a license that states that the person agrees to negotiate as described in 2 CMC § 3905; and

(3) a requirement that the person lists the locations at which the person anticipates bioprospecting during the 12-month period of the license.

(4) a requirement that the person reports the results of the bioprospecting within 12 months after the end of the license period. Results must identify any findings identified as being potentially valuable, either economically, historically, or culturally, and state whether or not any further action will be taken in regards to the potentially valuable findings.

(5) a requirement that the person report to DLNR of any subsequent actions taken in regards to any findings.

(6) a requirement that DLNR be advised within three months of any assignment of the findings to another party.

(7) a requirement that all obligations under this article of the person confer to subsequent assignees of the findings.

(b) Before engaging in an act of bioprospecting, a person shall apply for a license with the DLNR and consent to any monitoring deemed necessary by DLNR.

(1) A license under this article expires one year after issuance of the license unless otherwise revoked by DLNR at an earlier time.

(c) To obtain a license with the division or renew a license, a person shall:

(1) submit a license application form created by the DLNR in accordance with this article;

(2) pay a license fee established by DLNR.

(d) Fifty percent of the license fee shall be deposited in a special account, to be called the "Bioprospecting Revolving Fund" to be established by the Secretary of the Department of Finance that shall be used by the Department of Lands and Natural Resources for expenses incurred as a result of enforcement and compliance monitoring for any licensed bioprospecting activity in the CNMI.

(e) The Secretary of the Department of Lands and Natural Resources shall be the expenditure authority for the license fees collected in the "Bioprospecting Revolving Fund" account established in subsection (d).

**Source:** PL 22-19, § 3(104) (June 24, 2022), modified.

**Commission Comment:** *Legislative Findings of 2022 Legislation.*— For Findings and Purposes of PL 22-19, see Commission comment to 2 CMC § 3901:

**TITLE 2: NATURAL RESOURCES**  
**DIVISION 3: THE ENVIRONMENT**

*Modifications.*— In codifying PL 22-19, the Commission numbered this section, pursuant to 1 CMC § 3806(a); redesignated 1st level subsections to lowercase letters and 2nd level subsections to Arabic numeral paragraphs, pursuant to 1 CMC § 3806(a), to ensure consistency in numbering hierarchy; substituted “2 CMC § 3905” for “Section 105” in subsec. (a) and “subsection (d)” for “subsection (4)” in subsec. (e) to conform references, pursuant to 1 CMC § 3806(c); and substituted “this article” for “this Act” each time it appeared, pursuant to 1 CMC § 3806(d).