

**FIRST SENATORIAL DISTRICT
NINTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE**

ROTA LOCAL LAW NO. 9-1

SECOND REGULAR SESSION, 1994

**SENATE LOCAL
BILL NO. 9-7**

A LOCAL ACT

To establish a Wildlife Conservation area within the Sabana Heights region of Rota and extending to the I Chenchon Park area, and for other purposes.

**BE IT ENACTED BY THE ROTA LEGISLATIVE DELEGATION PURSUANT TO
CHAPTER 4 OF DIVISION 1 OF TITLE 1 OF THE COMMONWEALTH CODE:**

Section 1. Findings. The Rota Legislative Delegation finds that a large variety of wildlife and forest vegetation exists within the Sabana Heights and I Chenchon Park area on Rota. The Delegation further finds that the conservation of such wildlife, including but not limited to coconut crabs, fruitbats and various species of birds, is of the utmost importance to not only the current residents and future generations, but also to the tourist industry which provides a substantial boost to the local economy. The Delegation further finds that the Local Law Act of 1983, 1 CMC 1401, et. seq., defines a local bill as one that pertains exclusively to matters within one senatorial district and specifically lists conservation of wildlife, hunting and fishing matters as being included herein. Further, the Delegation finds that the Director of the Department of Natural Resources, in consultation with the Chief of Fish and Wildlife, is qualified to enforce conservationist restrictions as well as implement conservation techniques within the Sabana Heights area. Therefore, it is the purpose of this local bill to prohibit persons from engaging in certain activities within the Sabana Heights and I Chenchon Park area that may have an adverse impact on the wildlife and vegetation and to charge the Director of Natural Resources with the implementation and enforcement of such prohibitions.

Section 2. Prohibitions. All persons are hereby prohibited from taking or in any way harassing or disturbing all varieties of non game wildlife, including but not limited to fruitbats and Marianas Crow; all plant life, including any fungi, forest vegetation or grasses, with the exception of those plants that possess medicinal properties and/or those that have been used in traditional healing practices and/or those that are being utilized through normal agricultural activities; and any soil, including soil, sand or rock, within or from the area in Rota known and referred to as Sabana Heights and I Chenchon Park. For the purpose of this bill, "taking" shall be given its common meaning and shall include but not be limited to: hunting by any method, unless in the designated season; fishing by any method; trapping by any method; and/or harvesting, logging and/or gathering by any method, whether such act effect the entire plant form or any part thereof. For the purposes

of this bill, "harassing or disturbing" shall be given its common meaning shall include but not be limited to: darting, driving or herding the animals out of the area by any means; destruction of nesting areas; excavation of surface land for the removal of any type of soil or plant life; mining operations; and/or any other activities which result in the disruption of normal patterns of behavior or growth of any wildlife within in the area or the destruction of plant life or soil/rock/coral composition. Further, any activities, including recreational, commercial, and agricultural activities, which are not specifically listed above and that the Director of the Department of Natural Resources, in consultation with the Chief of Fish and Wildlife and the Resident Director of DNR, deems to be detrimental to the aquifer within or adjacent to the Sabana Heights area is hereby prohibited.

Section 3. Enforcement. The Director of the Department of Natural Resources, in consultation with the Chief of the Department of Fish and wildlife and the Resident Director of DNR, is hereby charged with the enforcement of this Local Act. The Director shall submit a detailed map setting forth the boundary of the area to the Rota Legislative delegation and the mayor for their approval by a vote of simple majority. Failure of the Rota Legislative delegation to either reject or approve the map within 15 days of its submission shall result in the map being deemed as approved thereof. Upon such approval, the Resident Director shall publish said map in a newspaper of local circulation and post the same at the Rota Mayor's Office, the Rota Round House, the Rota Post office and the Rota International Airport for a period of not less than thirty days. Within sixty days of the effective date of this local Act, the Director shall, in compliance with 1 CMC Section 9101, et. seq., promulgate rules and regulations and prohibitions set forth in Section 2, herein.

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

Section 5. Savings Clause. This Act and any repealer contained herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes. Repealers contained in this Act shall not affect any proceeding instituted under or pursuant to prior law. The enactment of this Act shall not have the effect of terminating, or in any way modifying, any liability civil or criminal, which shall already be in existence at the date this Act becomes effective.

Section 6. Effective Date. This Act shall take effect upon its approval by the Governor or upon its becoming law without such approval.

CERTIFIED BY:

/s/ Vianney B. Hocog
REP. VIANNEY B. HOCOG
CHAIRMAN
ROTA LEGISLATIVE DELEGATION

/s/ Juan S. Demapan
JUAN S. DEMAPAN
PRESIDENT OF THE SENATE

Approved this 13th day of October, 1994.

/s/ Froilan C. Tenorio
FROILAN C. TENORIO
GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS