



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Benigno R. Fitial
Governor

Timothy P. Villagomez
Lieutenant Governor

The Honorable Joseph M. Mendiola
Senate President, The Senate
Fifteenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

OCT 02 2007

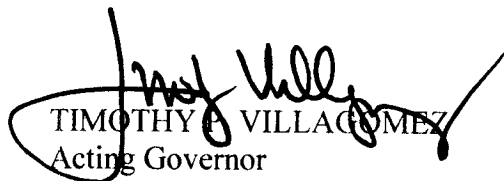
The Honorable Oscar M. Babauta
Speaker, House of Representatives
Fifteenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Mr. President and Mr. Speaker:

This is to inform you that I have signed into law Senate Bill 15-90, SD1, entitled, "To create a Marine Reserve Area on Tinian from Southwest Carolinas Point and to Puntan Diablo; and for other purposes," which was passed by the Fifteenth Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 15-90**. Copies bearing my signature are forwarded for your reference.

Sincerely,


TIMOTHY P. VILLAGOMEZ
Acting Governor

cc: Special Legal Counsels, Office of the Governor
Legal Counsel, Office of the Lt. Governor
Attorney General, Office of the Attorney General
Secretary, Department of Lands and Natural Resources
Chairman, Tinian Municipal Council
Director, Historical Preservation Office
Secretary, Department of Public Lands
Director, Coastal Resources Management
Senior Policy Advisor
Special Assistant to the Administration
Special Assistant for Programs and Legislative Review



The Senate
NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. Box 500129
Saipan, MP 96950

August 27, 2007

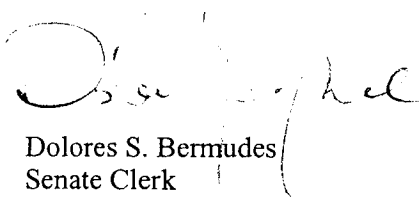
PUBLIC LAW NO. 15-90

The Honorable Benigno R. Fitial
Governor
Commonwealth of the Northern
Mariana Islands
Capitol Hill
Saipan, MP 96950

Dear Governor Fitial:

I have the honor of transmitting herewith Senate Bill No. 15-90, SD1, entitled, "To create a Marine Reserve Area on Tinian from Southwest Carolinas Point and to Puntan Diablo; and for other purposes," which was passed by the Senate and the House of Representatives of the Fifteenth Northern Marianas Commonwealth Legislature.

Sincerely yours,



Dolores S. Bermudes
Senate Clerk

Attachment



THE SENATE
FIFTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

PUBLIC LAW NO. 15-90
SENATE BILL NO.15-90, SD1

AN ACT

**TO CREATE A MARINE RESERVE AREA ON TINIAN FROM
SOUTHWEST CAROLINAS POINT AND TO PUNTAN DIABLO,
AND FOR OTHER PURPOSES.**

SENATE ACTION

Offered by Senator(s): Joseph M. Mendiola

Date: May 10, 2007

Referred to: Resources, Economic Development and Programs

Standing Committee Report No.: 15-107

Final Reading: July 26, 2007

HOUSE ACTION

Referred to: None

Standing Committee Report No.:

First and Final Reading: August 21, 2007

Maria Frica T. Rangelinan

SENATOR MARIA FRICA T. RANGELINAN
SENATE LEGISLATIVE SECRETARY

FIFTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SECOND SPECIAL SESSION, 2007

**PUBLIC LAW NO. 15-90
SENATE BILL NO. 15-90. SD1**

AN ACT

TO CREATE A MARINE RESERVE AREA ON TINIAN FROM
SOUTHWEST CAROLINAS POINT AND TO PUNTAN DIABLO, AND
FOR OTHER PURPOSES.

**BE IT ENACTED BY THE FIFTEENTH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 **Section 1. Findings and Purposes.** The Commonwealth Legislature finds that
2 there is a need to preserve the marine environment for its natural and pristine beauty, and to
3 regulate the fishing and harvesting of other marine life in the area located from the
4 Southwest Carolinas Point to Puntan Diablo Point to Tachongna Beach. The
5 Commonwealth Legislature further finds that the protection of marine life in this area will
6 be best accomplished by establishing a marine reserve area wherein fishing and other
7 potentially harmful activities to the marine life shall be restricted. The purpose of this act is
8 to restrict activities in said area and to provide for penalties.

9 **Section 2. Marine Reserve Area.** This Act shall create a marine reserve area, to be
10 located from the Southwest Carolinas Point to Puntan Diablo Point, specifically
11 encompassing all the areas from Tachogna Beach, Taga Beach, YCC Beach, Kammer
12 Beach, Tinian Harbor, Breakwater area to Leprosarium Beach (*aka* Nasarinu) and Barcinas
13 Bay, from the high-tide mark on shore to one-half mile out to the reef. The Department of
14 Lands and Natural Resources, in consultation with the Tinian Resident Director of the
15 Department of Lands and Natural Resources, shall delineate the boundaries of said areas by
16 installing buoys to ensure that the boundaries are visible to the general public.

1 **Section 3. Assessment after 3 years.** The Division of Fish and Wildlife shall,
2 three years from the effective date of this provision, conduct a marine biologist-certified
3 assessment of the marine life of this area to determine whether the fish population and
4 marine habitat has reached a level adequate for sustainable fishing and harvesting. In the
5 event that the assessment results show that the area has reached a level adequate for
6 sustainable fishing and harvesting, the Secretary of the Department of Lands and Natural
7 Resources, in consultation with the Director of the Division of Fish and Wildlife and the
8 Resident Director of Department of Lands and Natural Resources in the Second Senatorial
9 District, may allow certain activities and impose conditions on such activities, including the
10 period during which such activities may be permitted.

11 **Section 4. Activities Restricted.** For a period of five years from the effective date
12 of this Act, the removal, disturbance, damage, or destruction of any marine life or habitat,
13 including any fish, coral, lobster, shellfish, clams, octopus or any shellfish, shall be
14 prohibited within the Marine Reserve Area, except that seasonal fish, such as atulai, i'i', and
15 ti'ao may be removed only during their respective seasons. Any other activities which are
16 exploitative or destructive to the marine life or to any historical value of this Area are
17 strictly prohibited, except that aquaculture and marine studies conducted in the area shall not
18 be considered a violation of this Act.

19 **Section 5. Enforcement and Remedies.**

20 Enforcement of this Act shall be subject to Title 2 Division 5, Chapter 1 (2 CMC
21 §5101 et. seq.) and shall be the responsibility of the Secretary of the Department of Lands
22 and Natural Resources, in consultation with the Director of the Division of Fish and Wildlife
23 and the Resident Director of Department of Lands and Natural Resources in the Second
24 Senatorial District. The Secretary of the Department of Lands and Natural Resources, in
25 accordance with existing law, shall promulgate such regulations necessary to carry out the
26 purposes of this Act.

27 **Section 6. Severability.** If any provision of this Act or the application of any such
28 provision to any person or circumstances should be held invalid by a court of competent
29 jurisdiction, the remainder of this Act or the application of its provisions to persons or


1 circumstances other than those to which it is held invalid shall not be affected thereby.

2 **Section 7. Savings Clause.** This Act and any repealer contained herein shall not be
3 construed as affecting any existing right acquired under contract or acquired under statutes
4 repealed or under any rule, regulation or order adopted under the statutes. Repealers
5 contained in this Act shall not affect any proceeding instituted under or pursuant to prior
6 law. The enactment of this Act shall not have the effect of terminating, or in any way
7 modifying, any liability (civil or criminal), which shall already be in existence at the date
8 this Act becomes effective.

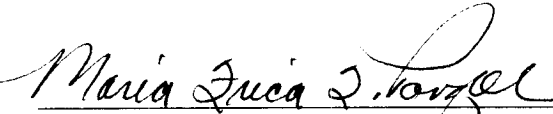
9 **Section 8. Effective Date.** This Act shall take effect upon its approval by the
10 Governor or upon its becoming law without such approval.

CERTIFIED BY:

ATTESTED BY:

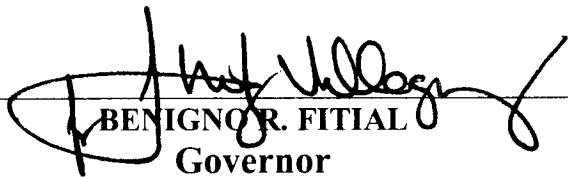


PETE P. REYES
Acting President of the Senate



MARIA FRISCA T. PANGELINAN
Senate Legislative Secretary

Approved this 2nd day of October, 2007



BENIGNO R. FITIAL
Governor
Commonwealth of the Northern Mariana Islands