


I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
322-36 (COR)	Jose "Pedro" Terlaje	AN ACT TO AMEND ARTICLE 1 OF CHAPTER 63 TITLE 5 GUAM CODE ANNOTATED AND § 60107 OF CHAPTER 60 TITLE 5 GUAM CODE ANNOTATED AND §12308 OF CHAPTER 12 OF ARTICLE 3 DIVISION 2 TITLE 9 OF THE GUAM ADMINISTRATIVE RULES AND REGULATIONS RELATIVE TO GAME AND FISH REGULATIONS, PROTECTING OUR MARINE PRESERVES AND STANDARDIZING PENALTIES FOR VIOLATIONS OF GAME AND FISH STATUTES AND THE ADJUDICATION PROCESS THEREOF.	6/27/22 12:59 p.m.						

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2022 (SECOND) Regular Session

Bill No. 322-36 (COR)

Introduced by:

Jose "Pedro" Terlaje 

**AN ACT TO AMEND ARTICLE 1 OF CHAPTER 63
TITLE 5 GUAM CODE ANNOTATED AND § 60107 OF
CHAPTER 60 TITLE 5 GUAM CODE ANNOTATED AND
§12308 OF CHAPTER 12 OF ARTICLE 3 DIVISION 2
TITLE 9 OF THE GUAM ADMINISTRATIVE RULES
AND REGULATIONS RELATIVE TO GAME AND FISH
REGULATIONS, PROTECTING OUR MARINE
PRESERVES AND STANDARDIZING PENALTIES FOR
VIOLATIONS OF GAME AND FISH STATUTES AND
THE ADJUDICATION PROCESS THEREOF.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Article 1 of Chapter 63, Title 5, Guam Code Annotated is hereby
amended to read as follows:

“ARTICLE 1

GAME & FISH

§ 63101. Definitions.

§ 63102. Authority of Department.

§ 63103. Chief Conservation Officer: Deputies.

§ 63103.1. Civilian Volunteer Conservation Officer Reserve.

§ 63104. Taking Fish with Explosives.

§ 63105. Use of Explosives Unlawful.

1 § 63106. Taking Fish by means of Poisonous or Intoxicating Substances
2 Unlawful.
3 § 63107. Use of Poison or Intoxicating Substance Unlawful.
4 § 63108. Use of Electrical Devices.
5 § 63109. Possession of Dynamite, Explosives, Poisonous or Intoxicating
6 Substances.
7 § 63110. Possession of Electric Shocking Devices.
8 § 63111. Fishing Equipment and Methods.
9 § 63112. Fishing With Gill Nets (Tekin).
10 § 63113. Destruction of Coral.
11 § 63114. Illegally Taken Fish.
12 § 63114.1. Shark Fins.
13 § 63114.2. Ray Parts.
14 § 63114.3. Shark Feeding Prohibited.
15 § 63114.4. Rules and Regulations.
16 § 63114.5. Consultation.
17 § 63115. Fish Weirs.
18 § 63116. Taking of Fish.
19 § 63116.1. Purpose of Marine Preserves.
20 § 63116.2 Activities within Marine Preserves.
21 § 63116.3 Fishing with SCUBA Devices.
22 § 63117. Recovery of Fish & Game.
23 § 63117.1. Purpose of Community-Based Fisheries Management.
24 § 63117.2. Humatak Fisheries Managed Area and Plan.
25 § 63117.3. No Effect to Existing Designated Marine Preserve Areas on
26 Guam.
27 § 63118. Unprotected Wild Animals.

1 § 63119. Unprotected Wild Birds.
2 § 63120. Protection of Wild Birds.
3 § 63121. Protection of Wild Animals.
4 § 63122. License to Take Wild Birds and Wild and Feral Animals.
5 § 63123. Special License.
6 § 63124. Importation: Harboring.
7 § 63125. Use of Artificial Light Prohibited.
8 § 63126. Keeping Guam Deer. [Repealed.]
9 § 63126.1. Domestication of Deer as Livestock. [Repealed.]
10 § 63127. Regulations.
11 § 63128. Illegal Use of Nets; Seizure & Forfeiture of Vessels, Firearms, etc.,
12 used in Violation of Article; Proceedings; Destruction or Use.
13 § 63129. Penalty.
14 § 63130. Wildlife Conservation Fund.
15 § 63131. Nonpayment of Child Support.
16 § 63132. Chamorro Terms Required.
17 § 63133. Indigenous Fishing Rights.

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20 **§ 63101. Definitions.**

21 As used in this Article:

22 (a) Altering – to change, damage, impact, break, remove,
23 relocate, or to harm, resulting from activities to include, but not
24 limited to, construction, drilling, trenching, mechanical equipment,
25 and development;

26 (b) Angling - taking of aquatic animal life with a hook;

1 (c) Aquatic Life - includes all aquatic animals and aquatic
2 plants;

3 (d) Coral – any live or dead member or part thereof of the
4 Phylum Cnidaria that form calcareous skeletons, spicules, or sclerites
5 (including soft and hard corals both hermatypic and ahermatypic) or
6 exist as sessile, solitary, or colonial polyps. Those members include,
7 but are not limited to, all stony corals (Scleractinia), fire corals
8 (Milleporina), hydrocorals (Stylasterina), soft corals (Alcyonacea),
9 blue corals (Coenothecalia), organpipe corals and relatives
10 (Stononifera) sea fans (Gorgonacea), black corals (Antipatharia), and
11 sea anemones (Order Actinaria, Ceriantharia, and Zoanthidea);

12 (e) Firearm - any weapon, the operating force of which is an
13 explosive. This definition includes pistols, revolvers, rifles, shotguns,
14 machine guns, automatic rifles, noxious gas projectors, mortars,
15 bombs, cannons, submachine guns, powerheads, and bangsticks. The
16 specific mention of certain weapons does not exclude from this
17 definition other weapons operated by explosives;

18 (f) Fish - any aquatic animal life, including, but not limited to,
19 oysters, clams, mollusks, mussels, crustaceans, other shellfish, and
20 coral;

21 (g) Fish Weir - an apparatus for catching fish, consisting of a
22 pocket or trap, with one or more wings or leaders, or both. Any
23 reference to a fish weir in this Article includes any part or component
24 thereof, including any pole, support, net, brush, wire, mesh, rope, or
25 other item or material. For the purpose of this Article, there are two
26 (2) types of fish weirs:

(1) Main weir means the central pocket or trap of any fish weir and its leader (main entrance) and wings (side entrance); and

(2) Auxiliary weir means any supplementary trap or pocket and its leader and wings which are attached to the leader or wings of a main weir;

(h) Game - all native or introduced species of wild birds and wild or feral animals;

(i) Juvenile Goatfish (Ti'ão)- is defined as fish within the family Mullidae (Goatfishes) that are four (4) inches (100 mm) or smaller when measured from the tip of the snout or jaw to the rear center edge or fork of the tail (fork length);

(j) Juvenile Jacks (I'e')- is defined as fish within the family Carangidae (Jacks) that are four (4) inches (100 mm) or smaller when measured from the tip of the snout or jaw to the rear center edge or fork of the tail (fork length);

(k) Juvenile Rabbitfish (Mañahak) - is defined as fish within the family Siganidae (Rabbitfishes) that are three (3) inches (76 mm) or smaller when measured from the tip of the snout or jaw to the rear center edge or fork of the tail (fork length);

(l) Mangroves - are defined as plants growing in soils with a high salt content and/or possess a well-developed system of conducting tissue to transport water, mineral salts, and sugars that occur in estuarine-tidal flat areas to include, but not limited to, species in the family Rhizophoraceae;

(m) Marine Preserve - is defined as a delineated area in which certain activities or uses are permanently restricted or prohibited;

1 (n) Resource - is defined as any non-living, or living entity;

2 (o) Rock - is defined as any hard material larger than sand size
3 grains made from a mineral or petrified mass including, but not
4 limited to, coral skeleton that has been weathered to form limestone;

5 (p) Sand - is defined as any loose grainy non-living material
6 formed from the erosion of rocks, skeletal material and/or calcium
7 carbonate formations;

8 (q) Seagrass - is defined as any species of marine angiosperms
9 (flowering plants) to include, but not limited to, species in the families
10 Hydrocharitaceae and Potamogetonaceae;

11 (r) Snagging - is defined as fishing in a manner with jerking
12 motions with hooks and line in an attempt to pierce the body of the
13 fish externally;

14 (s) Take - is defined as hunt, pursue, catch, capture, angle,
15 seize, kill, trap, harm, shoot in any way or by any agency or device;
16 every attempt to do such acts or to assist any other person in the doing
17 of or the attempt to do such acts;

18 (t) Traditional Fishing Methods - is defined as subsistence-level
19 cultural fishing practices in which the catch is not marketed, but rather
20 is shared within the family or community for purposes of home
21 consumption. Traditional methods most commonly include, but are
22 not necessarily limited to:

23 (1) cast net (talåya);

24 (2) drag net/seine (chenchulon ma hålla);

25 (3) surround net (chenchulon ma sugon);

26 (4) trap net (chenchulon ma mongle); and

27 (5) butterfly net (chenchulon ababbang).

1 (u) Vehicle - is defined as including every description of
2 carriage or other contrivance used, or capable of being used, as means
3 of transportation on, below, or above the land, including boat trailers,
4 but does not include aircraft;

5 (v) Vessel - is defined as including every description of
6 watercraft or other contrivance used, or capable of being used, as
7 means of transportation in water; and (

8 w) Waters of Guam - is defined as that area of shore and waters
9 seaward of the mean high water line (mark) to the outermost limits of
10 Guam's exclusive economic zone as provided by 1 GCA § 402(a).

11 (x) Ray is defined as animals in the Order Myliobatiformes,
12 including, but not limited to, Eagle Rays (*Aetobatus narinari*), Manta
13 Rays (*Manta birostris*) and Blue-spotted Rays (*Taeniura lymma*).

14 (y) Shark is defined as an animal commonly known as a shark
15 and includes all animals in the Orders Hexanchiformes,
16 Pristiophoriformes, Squaliformes, Squatiniforms, Heterodontiformes,
17 Orectolobiformes, Lamniformes and Carcharhiniformes.

18 (z) Shark Fin is defined, for the purpose of this Act, as the fin
19 or tail of a shark that has been removed from the body.

20 (aa) Ray Part is defined as any part of a ray.

21 (bb) Shark Finning is defined as the taking of a shark, removing
22 the fin or fins (whether or not including the tail) of a shark, and
23 returning the remainder of the shark to the sea.

24 (cc) Community-Based Fisheries Management - a system in
25 which fishermen and their communities exercise primary
26 responsibility for stewardship and fisheries management, to include
27 taking part in the decision-making on all aspects of fisheries

1 management, such as harvesting, access, compliance, research, and
2 marketing.

3 (dd) SCUBA Diving – is defined as a form of underwater
4 diving in which a diver uses any apparatus or device that contains
5 compressed air or a mixture of air and gas; including, but not limited
6 to, SCUBA (self-contained underwater breathing apparatus), Nitrox,
7 and surface supplied air, and rebreathers.

8 **§ 63102. Authority of Department.** The control and regulation of
9 fish and game in and about Guam and the administration of this Article shall
10 be vested in the Department [of Agriculture]. Violations of this chapter
11 which are not identified as a misdemeanor or felony shall be adjudicated by
12 the Traffic Court Division of the Superior Court of Guam.

13 **§ 63103. Authority of Department.** Chief Conservation Officer:
14 Deputies. The provisions of this Article shall be enforced by the Director,
15 who shall be ex officio Chief Conservation Officer, and suitable employees
16 of the Department, whom the Director may appoint as Deputy Conservation
17 Officers, as well as by peace officers, as defined in 8 GCA § 5.55. The Chief
18 Conservation Officer and Deputy Conservation Officers acting hereunder
19 shall have the powers of peace officers to carry arms, to make arrests and to
20 issue citations for violations.

21 **§ 63103.1. Civilian Volunteer Conservation Officer Reserve.**

22 (a) Creation. There is hereby created within the Department of
23 Agriculture of the government of Guam, the Civilian Volunteer
24 Conservation Officer Reserve, which shall be headed by the Director
25 of Agriculture, hereafter referred to as the Director. The Director,
26 subject to the advice and control of I Maga'lahi, shall carry out the

1 purposes of this Chapter and shall have such additional duties and
2 responsibilities as are authorized herein.

3 (b) Functions and Duties. The general function and duties of the
4 Civilian Volunteer Conservation Officer Reserve shall be to provide
5 backup manpower for the suppression of fish and wildlife crimes,
6 preservation of law and order, and to assist in civil emergencies. The
7 Director shall formulate a program whereby the Civilian Volunteer
8 Conservation Officer Reserve shall fulfill the functions and duties
9 herein prescribed. From time to time, the Director shall review and
10 revise the functions and duties of the Civilian Volunteer Conservation
11 Officer Reserve to insure an amicable discharge of its responsibilities
12 and duties knowing that its role is the extension of duties of regular
13 Department of Agriculture personnel.

14 (c) Recruitment. The Director shall recruit, on an entirely
15 volunteer basis, local residents who desire to provide their services to
16 the Department of Agriculture in carrying out its law enforcement
17 duties and emergency functions. The Director shall promulgate rules
18 and regulations consistent with the requirements of hiring regular
19 Conservation Officers.

20 (d) Training, Equipment and Maintenance of Records. The
21 Director shall devise a program whereby the Law Enforcement
22 Section in the Division of Aquatic and Wildlife Resources of the
23 Department of Agriculture and the Civil Defense Office provides the
24 members of the Civilian Volunteer Conservation Officer Reserve
25 training in crime prevention and operational techniques and
26 procedures for natural and man-made emergencies. Volunteer officers
27 must have a certificate of completion of a training program approved

1 by competent authority. The Civilian Volunteer Conservation Officer
2 Reserve shall maintain a roster of volunteers who have received the
3 training prescribed herein. In order to maintain membership in the
4 Reserve, each member must complete his or her scheduled training
5 and no volunteer may remain in the Reserve if he or she is unable to
6 successfully complete the training. Additionally, basic supplies and
7 equipment shall be provided to assure constant functioning of the
8 Civilian Volunteer Conservation Officer Reserve, including a
9 continuing program for replacement of officers.

10 (e) Volunteer: Authority. Whenever members of the Civilian
11 Volunteer Conservation Reserve render assistance to Conservation
12 Officers, the volunteers shall have the same powers, duties, rights,
13 including coverage under the Worker's Compensation Act, privileges
14 and immunities, as full-time employees of the Department of
15 Agriculture, except that they shall earn recruitment credit for services
16 performed as volunteers.

17 (f) Same: Allowance. Each member of the Civilian Volunteer
18 Conservation Officer Reserve who successfully completes
19 probationary requirements as established by the Director and who
20 contributes a minimum of forty-two (42) hours or more per month,
21 shall receive an allowance of five hundred dollars (\$500.00) per
22 month, to defray the cost of maintenance of his equipment and
23 uniforms. The Department of Agriculture shall identify funds within
24 department appropriations or other appropriate funding sources to
25 satisfy the requirements of this Section.

26 (g) Same: Eligibility and Oath. No person shall be a volunteer
27 member of the Civilian Volunteer Conservation Officer Reserve

1 established under this Chapter who advocates a change by force or
2 violence in the constitutional form of the Government of the United
3 States or Guam or the overthrow of any Government in the United
4 States by force, or who has been convicted of or is under indictment
5 or information charging any subversive act against the United States.
6 Every volunteer shall, entering upon his or her duties, take an oath, in
7 writing, before a person authorized to administer oaths in Guam,
8 which oath shall be substantially as follows:

9 ‘I _____, do solemnly swear (or affirm)
10 that I will support and defend the Constitution of the United
11 States and the laws of Guam, against all enemies, foreign or
12 domestic; that I will bear true faith and allegiance to the same;
13 that I take this obligation freely, without any mental reservation
14 or purpose of evasion; and that I will well and faithfully
15 discharge the duties upon which I am about to enter and I do
16 further swear (or affirm) that I do not advocate, nor am I a
17 member of any political party or organization that advocates the
18 overthrow of the Government of the United States or of Guam
19 by force or violence; and that during such time as I am a
20 member of the Civilian Volunteer Conservation Reserve I will
21 not advocate nor become a member of any political party or
22 organization that advocates the overthrow of the Government of
23 the United States or of Guam by force or violence.’

24 (h) Rules and Regulations: Recommendations. The Director shall
25 create rules and regulations through the Administrative Adjudication process
26 to implement and maintain the Civilian Volunteer Conservation Officer
27 Reserve.

1 **§ 63104. Taking Fish with Explosives.** It shall be ~~unlawful~~ a felony
2 to take any fish using dynamite or any other explosives.

3 **§ 63105. Use of Explosives Unlawful.** It shall be ~~unlawful~~ a felony
4 for any person to throw, drop or explode any dynamite or other explosive, or
5 cause to be thrown, dropped or exploded any dynamite or other explosive in
6 any waters of the Territory of Guam whether done for the purpose of taking
7 fish or not, ~~except as may be authorized pursuant to regulations.~~

8 **§ 63106. Taking Fish by means of Poisonous or Intoxicating**
9 **Substances Unlawful.** It shall be ~~unlawful~~ a felony for any person to take
10 any fish by means of any substance which has a poisonous or intoxicating
11 effect upon fish.

12 **§ 63107. Use of Poison or Intoxicating Substance Unlawful.** It
13 shall be ~~unlawful~~ a felony for any person to deposit, throw, drop or
14 discharge, or cause to be deposited, thrown, dropped or discharged in any
15 manner in the waters of Guam any substance which has a poisonous or
16 intoxicating effect upon fish whether done for the purpose of taking fish or
17 not.

18 **§ 63108. Use of Electrical Devices.** It shall be ~~unlawful~~ a
19 misdemeanor for any person to take fish by means of any device which
20 operates by shocking with an electric current (either AC or DC).

21 **§ 63109. Possession of Dynamite, Explosives, Poisonous or**
22 **Intoxicating Substance.** It shall be ~~unlawful~~ a misdemeanor for any
23 ~~fisherman, or person in the habit of fishing, or person who is in the water or~~
24 close by the shore where fish can be taken, to possess, in the absence of
25 satisfactory cause for possession of the same, any dynamite or other
26 explosive, or any substance which has a poisonous or intoxicating effect
27 upon fish.

1 **§ 63110. Possession of Electric Shocking Devices.** It shall be
2 ~~unlawful a misdemeanor~~ for any fisherman, ~~person in the habit of fishing, or~~
3 person who is in the water or close by the shore where fish can be taken, to
4 possess, in the absence of satisfactory cause, any device capable of emitting
5 an electric discharge into the water.

6 **§ 63111. Fishing Equipment and Methods.** The use of nets, flails,
7 hooks and other devices and methods which may result in the taking of, or
8 damage to, fish in violation of regulations governing fishing shall be
9 unlawful.

10 **§ 63112. Fishing With Gill Nets (Tekin).**

11 (a) It shall be unlawful to abandon or discard a gill net in the
12 waters of Guam.

13 (b) It shall be unlawful to leave a gill net, whether attended or
14 unattended, in the waters of Guam for more than six (6) consecutive
15 hours. For the purposes of this Section, the six (6) hour consecutive
16 period continues to run if the gill net is not moved at least fifty (50)
17 yards within a six (6) hour period from the time of its initial
18 placement in the waters of Guam.

19 (c) It shall be unlawful to use a gill net with a length greater
20 than one thousand (1,000) feet and no person shall intentionally set a
21 net to drift in the waters of Guam.

22 (d) No person other than an individual engaged in traditional
23 fishing methods as that term is defined by Section 63101(h) of this
24 Chapter, or engaged in fishing for scientific purposes as permitted by
25 the Division of Aquatic and Wildlife Resources of the Department of
26 Agriculture shall take marine life with a gill net, including pelagic
27 drift nets.

1 **§ 63113. Destruction of Coral.** It shall be ~~unlawful~~ a misdemeanor to
2 willfully destroy coral growth for purposes of flushing fish from their habitat
3 or for clearing an area for net fishing.

4 **§ 63114. Illegally Taken Fish.** It shall be unlawful for any person
5 knowingly to take, buy, sell, transport or possess any fish, or any part
6 thereof, contrary to the provisions of this Article or regulations made under §
7 63127.

8 **§ 63114.1. Shark Fins.**

9 (a) It shall be unlawful for any person to possess, sale, offer for
10 sale, take, purchase, barter, transport, export, import, trade or
11 distribute shark fins in Guam. Restaurants in possession of shark fins
12 which are prepared for consumption upon the enactment of this Act,
13 may sell or offer for sale such shark fins for a period of ninety (90)
14 days after the enactment of this Act.

15 (b) Notwithstanding Subsection (a), any person with a valid
16 license or permit issued by the Director of the Department of
17 Agriculture to conduct research and who possesses shark fins shall not
18 be held in violation of this Act

19 (c) Notwithstanding Subsection (a), a person in possession of a
20 shark for subsistence and traditional and cultural sharing purposes
21 shall not be held in violation of this Act.

22 **§ 63114.2. Ray Parts.**

23 (a) It shall be unlawful for any person to possess, sale, offer for
24 sale, take, purchase, barter, transport, export, import, trade or
25 distribute ray parts in Guam.

26 (b) Notwithstanding Subsection (a), any person with a valid
27 license or permit issued by the Director of the Department of

1 Agriculture to conduct research and who possesses ray parts shall not
2 be held in violation of this Act. Research data and findings made
3 pursuant to a license or permit shall be reported to *I Maga'lahi* and *I*
4 *Liheslatura* as a condition of the license or permit.

5 (c) Notwithstanding Subsection (a), a person in possession of
6 ray parts for subsistence and traditional and cultural sharing purposes
7 shall not be held in violation of this Act.

8 **§ 63114.3. Shark Feeding Prohibited.**

9 (a) It shall be unlawful for any person to conduct any activity
10 related to the feeding of sharks in Guam's territorial marine waters.

11 (b) Persons engaged in the taking of marine life that results in
12 captured, injured, or dead fish being incidentally eaten by sharks shall
13 not be considered in violation of this Section; provided, that the
14 purpose of the taking of marine life is not the feeding of sharks.

15 (c) Chumming or feeding fish for the purpose of harvesting
16 marine species is permitted.

17 (d) As used in this Section: Commercial activity means to
18 engage in any action or to attempt to engage in any action for
19 compensation in any form. The action or actions may include, but are
20 not limited to, providing, or attempting to provide, guide services,
21 charters, tours, and transportation to and from the location or locations
22 for which such services are provided. Compensation means money,
23 barter, trade, credit, and other instruments of value, goods, and other
24 forms of payment. Feeding means the introduction of or an attempt to
25 introduce any food or other substance into the water to attract marine
26 life for any purpose other than to take the marine life.

1 **§ 63114.4. Rules and Regulations.** The Director of the Department
2 of Agriculture shall develop rules and regulations, in accordance with the
3 Administrative Adjudication Act (AAA), Title 5, Guam Code Annotated,
4 Chapter 9, to carry out the provisions of this Act. Such rules and regulations
5 may be revisited annually for revision through the AAA process.

6 **§ 63114.5. Consultation.** Every five (5) years this Act shall be
7 reviewed by the Department of Agriculture to determine if changes are
8 necessary. In so doing, the Department shall consult with the University of
9 Guam Marine Laboratory, the National Oceanic and Atmospheric
10 Administration, local fishermen, including the Guam Fishermen's Co-
11 Operative Association, the Marianas Underwater Fishing Federation, and the
12 Guam Organization of Salt Water Anglers, to have local input to balance
13 scientific data presented. The report shall be forwarded to *I Liheslaturan*
14 *Guåhan* thirty (30) days after completion.

15 **§ 63115. Fish Weirs.**

16 (a) It shall be unlawful for any person to place or maintain a
17 fish weir in the waters of Guam unless he holds a valid license from
18 the Director of Agriculture, hereinafter referred to as Director. The
19 Director may, at his discretion, issue such a license imposing such
20 conditions on the face thereof as are necessary so as not to unjustly
21 restrict the fishing of others nor result in the violation of provisions of
22 this Article and supporting regulations. Any applicant for a permit to
23 place or maintain a fish weir shall not be required to obtain a land use
24 permit to place a fish weir on submerged public lands.

25 (b) Limitations and Prohibitions.

1 (1) Main Weir: No wing exceed three hundred (300) feet
2 in length. No leader shall exceed five hundred (500) feet in
3 length.

4 (2) Auxiliary Weir: No wing shall exceed one hundred
5 fifty (150) feet in length. No leader shall exceed two hundred
6 fifty (250) feet in length.

7 (3) The mesh of the netting used in the construction of
8 fish weirs, main or auxiliary, shall be such as to permit the
9 passage of objects or organisms measuring less than one (1)
10 inch in diameter or one (1) inch square.

11 (4) No permit shall be issued authorizing more than one
12 (1) main weir and two (2) auxiliary weirs for the area covered
13 by such permit.

14 (5) The area covered by a single permit shall be
15 contiguous, but this shall not be construed to authorized
16 installations of fish weirs anywhere within such area if
17 otherwise prohibited.

18 (6) No person shall place, install, construct, maintain or
19 operate any fish weir, including any part of component of a fish
20 weir, except as authorized by a permit issued under this Article.

21 (c) Location of Fish Weirs. No fish weir or any or component
22 thereof shall be located within one hundred (100) feet of the mean
23 high water mark, one hundred fifty (150) feet of any boat channel, six
24 hundred (600) feet of a sewage outlet opening, or two hundred (200)
25 feet from the fish weir of another permittee, or outside the area
26 covered by the permit. No permit will be issued for the location of a

1 fish weir at any other site determined by the Director to be detrimental
2 to the best interest of the public or responsible fisheries management.

3 (d) Application for Permit. Any applicant for a permit to place
4 and operate one or more fish weirs in the waters of Guam shall submit
5 complete and signed applications for the placement and operation
6 thereof to the Director in a form prescribed by him. The application
7 shall show

8 (1) the name and address of the applicant;

9 (2) the area requested to be covered by the permit; and

10 (3) the number of fish weirs (pocket or traps) applied for.

11 (e) Investigation. Upon receipt of a complete and signed
12 application, the Director shall promptly cause an investigation of all
13 aspects of the application to be made.

14 (f) Issuance of Permit. When all the requirements set forth in
15 this Section have been met, and the application has been approved by
16 the Director, he shall issue a permit in a form prescribed by him. The
17 original copy shall be given to the permittee and a duplicate copy shall
18 be retained in the Department of Agriculture. A fee of Twenty-Five
19 Dollars (\$25) shall be paid for each fish weir pocket or trap before the
20 permit is issued. A permit shall be valid for one (1) year from the date
21 of issuance unless otherwise revoked. No permit may be transferred
22 except upon approval by the Director. Upon approval or transfer of a
23 permit, the permittee shall write his signature, and the transferee shall
24 write his signature and address in the appropriate space provided upon
25 the permit. The Director shall then affix his signature of approval.

26 (g) Installation and Operation of Fish Weir. At least one (1) fish
27 weir must be constructed and placed in operation within sixty (60)

1 days from the date of issuance of the permit, and sixty (60) days after
2 any subsequent removal or destruction during the term of the permit.
3 No owner of a fish weir shall leave a fish weir in the water unattended
4 for a period of fifteen (15) days or more.

5 (h) Submission of Monthly Catch Records Report. Each
6 permittee shall be required to submit monthly catch records to the
7 Department of Agriculture, Division of Aquatic and Wildlife
8 Resources, commencing thirty (30) days after the weir is placed in
9 operation and every subsequent thirty-day period until its removal.

10 (i) Removal of Fish Weirs. The owner of a fish weir must
11 remove such fish weirs from the water within thirty (30) days after
12 notice of expiration of his permit unless such permit is renewed.

13 (j) Revocation of Permit. The Director may revoke a permit for
14 any violation of this regulation upon the completion of a hearing held
15 for such purposes. Notice of the hearing shall be given to the
16 permittee ten (10) days in advance and shall state the violations
17 charged, and the date, time and place of the hearing. Any order of
18 revocation entered pursuant to such hearing shall be effective thirty
19 (30) days after notice of the order or revocation to the permittee by
20 which time he shall surrender his permit to the Director and remove
21 his fish weir from the water.

22 (k) Disturbance of Fish Weirs. It shall be unlawful for any
23 person not authorized by the owner to remove fish from a fish weir. It
24 shall be unlawful for any person other than the owner to remove,
25 damage or otherwise willfully disrupt the operation of a fish weir
26 operation under a lawful permit. It shall also be unlawful to use gill

1 nets within one hundred (100) feet of a fish weir operating under a
2 lawful permit.

3 **§ 63116.1. Purpose of Marine Preserves.** The purpose of the marine
4 preserve is to protect, preserve, manage, and conserve aquatic life, habitat,
5 and marine communities and ecosystems, and to ensure the health, welfare
6 and integrity of marine resources for current and future generations by
7 managing, regulating, restricting, or prohibiting activities to include, but not
8 limited to, fishing, development, human uses.

9 **§ 63116.2. Activities within Marine Preserves.** All forms of fishing,
10 and the taking or altering of aquatic life, living or dead coral and any
11 resources to include, but not limited to, mangroves, seagrass, sand, and rocks
12 within a preserve, is ~~unlawful~~ shall be a felony except as specifically
13 permitted by the Director of Agriculture through regulations. Possession of
14 fishing equipment or fish in a marine preserver shall be unlawful. Any
15 person empowered by law to enforce this Chapter and any rule or regulation
16 adopted by the Department of Agriculture pursuant thereto shall have the
17 authority to stop and board any vessel or any motor vehicle or inspect any
18 cooler or container found within a Marine Preserve subject to this Section
19 for the purpose of inspection or to determine compliance with this Section or
20 any such rule or regulation.

21 **§ 63116.3. Fishing With SCUBA Devices.**

22 (a) It is unlawful to take any fish with a spear or any other
23 device used for the purpose of taking fish while SCUBA diving, as
24 defined in § 63101(dd) of this Article, unless otherwise authorized
25 pursuant to § 63123 of this Article.

26 (b) Enforcement. Any person empowered by law to enforce this
27 Chapter and any rule or regulation adopted by the Department of

1 Agriculture pursuant thereto shall have the authority to stop and board
2 any vessel or any motor vehicle subject to this Section for the purpose
3 of inspection or to determine compliance with this Section or any such
4 rule or regulation. Any person empowered by law to enforce this
5 Chapter may issue a citation and a notice to appear at the Traffic
6 Court Division of the Superior Court of Guam pursuant to 5 GCA §
7 60107(b)(1).

8 (c) Possession. Any person deemed in possession of fish taken
9 while SCUBA diving shall be in violation of this Section and subject
10 to the applicable fines or terms of imprisonment contained in §
11 63129(a). It is prima facie evidence of a violation of this Section if a
12 person is:

13 (1) in possession of any SCUBA diving equipment;

14 (2) in possession of fish or spearguns, spears, or similar
15 equipment; and

16 (3) in or near the water where fish can be taken or aboard any
17 fishing vessel or boat.

18 **§ 63117. Recovery of Fish & Game.** It shall be unlawful for any
19 person to kill, maim or injure any fish or game without making a reasonable
20 effort to retrieve the fish or game and to include it in his or her daily bag or
21 creel limit.

22 **§ 63117.1. Purpose of Community-Based Fisheries Management.**

23 (a) The purpose of a community-based fisheries management
24 strategy is to empower coastal resource communities to protect,
25 preserve, manage, and conserve aquatic life, habitat, and marine
26 communities and ecosystems, and to ensure the health, welfare and
27 integrity of marine resources for current and future generations

1 through a more holistic ecosystem-based management approach,
2 which shall be consistent with this Chapter and 9 GAR Chapter 12
3 (Fishing Regulations).

4 (b) The Director of the Department of Agriculture, Mayors, and
5 Municipal Planning Councils shall have the authority to designate
6 community-based fisheries managed areas and develop fisheries
7 management plans, along with rules and regulations subject to the
8 Administrative Adjudication Law, 5 GCA Chapter 9. Such rules and
9 regulations may be revisited annually for any revisions to be made
10 through the Administrative Adjudication Law process. authority to
11 enforce the laws of Guam within community based fisheries.

12 **§ 63117.2. Humatak Fisheries Managed Area and Plan.**

13 (a) The Director of the Department of Agriculture and the
14 Director of the Bureau of Statistics and Plans shall provide the
15 necessary technical assistance to the Mayor and Municipal
16 Planning Council (MPC) of Humatak to designate Humatak
17 Bay, inclusive of adjacent reef areas as identified by the Mayor
18 and the MPC of Humatak, as a community-based Humatak
19 fisheries managed area, as well as for the development of a
20 communitybased Humatak fisheries management plan,
21 consistent with the Humatak Revitalization Plan, the Southern
22 Development Master Plan, and any other development plan
23 approved by the community of Humatak.

24 (1) The plan shall be due within twelve (12)
25 months upon enactment.

26 (2) The plan and any resulting rules and
27 regulations shall be in accordance with the

1 Administrative Adjudication Law (5 GCA Chapter 9) to
2 carry out the provisions of this Section. Such rules and
3 regulations may be revisited annually for any revisions
4 that need to be made through the Administrative
5 Adjudication Law process.

6 (b) In the event a final plan is not produced within twelve
7 (12) months following the enactment of this Section, an interim
8 report shall be produced at the end of said twelve (12) month
9 period, and every six (6) month period thereafter. The interim
10 report shall be transmitted to the Speaker of *I Liheslaturan*
11 *Guåhan* (the Guam Legislature) and the Bureau of Statistics
12 and Plans.

13 **§ 63117.3. No Effect to Existing Designated Marine Preserve**
14 **Areas on Guam.** Nothing in §§ 63117.1 or 63117.2 shall allow for any
15 changes to existing designated Marine Preserves on Guam, as provided in 9
16 GAR Chapter 12.

17 **§ 63118. Unprotected Wild Animals.** The following wild animals
18 may be taken in the daytime: (a) wild dogs; (b) wild cats; (c) reptiles; (d)
19 rats; (e) feral pigs

20 **§ 63119. Unprotected Wild Birds.** The following wild birds may be
21 taken in the daytime:

- 22 (a) Black drongos;
- 23 (b) Rock doves (domestic pigeons);
- 24 (c) Black-headed mannikin;
- 25 (d) European tree sparrow;
- 26 (e) feral chickens;

1 **§ 63120. Protection of Wild Birds.** It shall be unlawful for any
2 person to take, buy, sell, transport or possess any wild bird, or any part
3 thereof, or wild bird eggs, except as authorized in this Article or as
4 authorized by regulations made under § 63127

5 **§ 63121. Protection of Wild Animals.** It shall be unlawful for any
6 person to take, buy, sell, transport, or possess any wild or feral animal, or
7 any part thereof, except as authorized in this Article or as authorized by
8 regulations made under 5 GCA §§ 62104, 62104.3(i), and 63127.

9 **§ 63122. Revocable Permit to Take Wild Birds and Wild and**
10 **Feral Animals.** Any owner or tenant of land or property that is being
11 damaged or destroyed, or is in danger of being damaged or destroyed by any
12 protected wild bird or wild or feral animal, may apply to the Director for a
13 revocable permit to take such wild bird, or wild or feral animal. The
14 Director, upon satisfactory evidence of such damage or destruction, actual or
15 threatened, may issue a revocable permit for the taking of such bird or wild
16 or feral animal. It shall be unlawful for any person to violate the conditions
17 of any revocable permit issued under the provisions of this Section.

18 **§ 63123. Special License.** The Director may issue, free of charge, to
19 any qualified person, a license to take and transport fish or game, at any
20 time, for scientific or educational purposes. Such a license shall be valid at
21 the discretion of the Director and shall show upon its face the period of its
22 validity.

23 **§ 63124. Importation: Harboring.**

24 (a) It shall be unlawful for any person to import any game
25 without first obtaining a license issued by the Director. The Director
26 may, in his discretion, issue such a license imposing such conditions
27 on the face thereof as are necessary for the control of such game.

1 (b) It shall be unlawful to harbor or maintain any protected
2 game in captivity without first obtaining a license issued by the
3 Director. The Director may, in his discretion, issue such a license
4 imposing such conditions on the fact thereof as are necessary for the
5 control of such game.

6 (c) It shall be unlawful for any person to violate the conditions
7 of any license issued under the provisions of this Section.

8 **§ 63125. Use of Artificial Light Prohibited.** It shall be ~~unlawful~~ a
9 misdemeanor for any person to take any game with a spotlight or any other
10 artificial light of any kind. To be found with any spotlight with any rifle,
11 shotgun or other firearm, and with ammunition, after sunset, in any wooded
12 section or other place where any game may reasonably be expected, shall be
13 prima facie evidence of violation of this section. Provided, however, that this
14 section shall not apply to the taking of game pursuant to a permit issued in
15 accordance with regulations issued under § 63127 of this Article.

16 **§ 63126. Keeping Guam Deer. [Repealed.]**

17 **§ 63126.1. Domestication of Deer as Livestock. [Repealed.]**

18 **§ 63127. Regulations.** Regulations implementing this Article shall be
19 formulated, approved and issued in accordance with the procedures set forth
20 in the Administrative Adjudication Act, which regulations may include but
21 shall not be limited to the following:

22 (a) To fix, close, terminate, shorten or divide an open season or
23 make open seasons conditional;

24 (b) To prescribe the time of day when taking is permitted;

25 (c) To regulate bag or creel limits and possession limits;

26 (d) To regulate buying, selling or transporting fish and game;

1 (e) To regulate the size and type of any device used for taking
2 and regulate and method of taking;

3 (f) To regulate or restrict the places where taking is permitted;

4 (g) To provide for the issuance of annual hunting and fishing
5 licenses under this Article;

6 (h) To regulate the trapping and capture of wild and feral
7 animals for the purposes of domestication under § 62104.1;

8 (i) To set a fee for any licensed issued; however, in no event
9 shall such fee exceed the sum of Five Hundred Dollars (\$500.00); and

10 (j) To provide a grace period for payment of fees due for
11 renewal of hunting and fishing licenses for a member of the Guam
12 National Guard or Reserves, or a dependent of a member of the Guam
13 National Guard or Reserves, while that member is on active service
14 outside Guam and for the next one hundred eighty (180) days after
15 completion of such service. No interest or penalties shall be assessed
16 for any period prior to expiration of the one hundred eighty (180)
17 days; and

18 (k) To otherwise implement or carry out the purposes of this
19 Article.

20 **§ 63128. Illegal Use of Nets, Vessels Including Engines, Motors**
21 **and All Vessel Accessories, Paraphernalia, Beasts of Burden, Traps,**
22 **Firearms, Electrical Devices, or Vehicles; Seizure; Forfeiture**
23 **Proceeding; Sale or Destruction.**

24 (a) Any net, vessel including engines, motors and all vessel
25 accessories, paraphernalia, including SCUBA diving equipment, spearguns,
26 or spears, beast of burden, trap, firearm, electrical device or vehicle used for
27 taking or transporting fish or game taken in violation of the provisions of

1 this Article is a public nuisance. Every person authorized to make an arrest
2 for such violation shall seize and keep such net, vessel including engines,
3 motors and all vessel accessories, paraphernalia, including SCUBA diving
4 equipment, spearguns, or spears, trap, firearm, electrical device or vehicle
5 and report the seizure to the Department of Agriculture.

6 (b) The Department of Agriculture shall commence proceedings in the
7 Superior Court by petitioning the court for a judgment forfeiting the items
8 seized. Upon the filing of such petition, the clerk of court shall fix a time for
9 a hearing and cause notices to be posted for fourteen (14) days in at least two
10 (2) public places in the place where the court is held and in the Mayor's
11 Office of the village wherein the person from whom the items were seized
12 resides, setting forth the substance of the petition and the time and place
13 fixed for its hearing. Upon proof that the items seized were used in violation
14 of this Article, the court shall order such items forfeited. Any article so
15 forfeited shall be sold, used or destroyed by the Department of Agriculture.
16 The proceeds from all such sales shall be paid into the Wildlife Conservation
17 Fund.

18 **§ 63129. Penalty.**

19 (a) Any person violating § 63104, § 63105, § 63106, § 63107, §
20 63108, § 63109, § 63114.1, § 63114.2, or § 63116.3 of this Article is
21 guilty of a felony punishable by imprisonment of not more than five (5)
22 years, or by a fine of not less than Five Hundred Dollars (\$500), ~~nor~~
23 ~~more than Five Thousand Dollars (\$5,000), or by both,~~ per violation.

24 (b) Any person violating § 63114.3 of this Chapter or any rule
25 adopted thereunder shall be subject to:

26 (1) seizure and forfeiture of a commercial marine license,
27 vessel, or shark feeding equipment; and

1 (2) an administrative fine of at least Twenty-five
2 Thousand Dollars (\$25,000) per violation; provided, that the
3 violator may be assessed administrative fees and costs and
4 attorneys' fees and costs.

5 (c) Any person violating § 63606.1 or § 63606.2 of this Chapter
6 shall be guilty of a felony, and upon conviction thereof may be
7 imprisoned for not more than five (5) years, or fined not more than One
8 Hundred Thousand Dollars (\$100,000), or both.

9 (d) A violation of any other provision of this Article or its
10 supporting regulations shall be ~~guilty of a misdemeanor, and upon~~
11 ~~conviction thereof, shall be~~ punishable by a fine of ~~not less than Fifty~~
12 ~~Dollars (\$50), nor more than~~ Five Hundred Dollars (\$500) for each
13 individual offense, ~~or by imprisonment of not more than ninety (90)~~
14 ~~days, or by both fine and imprisonment.~~ In addition, all pelagic drift
15 nets or their components, equipment for their manufacture, containers
16 for such nets, fish or fish products gathered through the use of a pelagic
17 drift net, and all conveyances including aircraft, vehicles and vessels
18 used for their transport shall be subject to forfeiture, and may be seized
19 by an authorized government of Guam official under process issued by
20 the Superior Court, except that such seizure without such process may
21 be made when the seizure is incidental to an arrest or a search pursuant
22 to a search warrant, or as provided by § 63128 of this Article.

23 **§ 63130. Wildlife Conservation Fund.**

24 (a) There is hereby established a fund to be known as the
25 “Wildlife Conservation Fund” which shall be maintained separate and
26 apart from any other funds of the government of Guam, and
27 independent records and accounts shall be maintained in connection

1 therewith. All license fees and fines collected under this Article shall
2 be deposited into said Fund. Deposits into said Fund shall include, but
3 are not limited to,

4 (1) fine payments,

5 (2) donations and

6 (3) permit fees.

7 All funds collected under this Article or activities associated
8 with the Division of Aquatic and Wildlife Resources shall be
9 deposited into the Fund. The Chief of the Division of Aquatic and
10 Wildlife Resources shall account for the license fees, permit fees,
11 payment of fines and donation separately.

12 (b) The Wildlife Conservation Fund shall be used exclusively
13 for the purposes of this Article, or other activities under the
14 management of the Division of Aquatic and Wildlife Resources
15 including but not limited to equipment, training costs, and public
16 educational programs. Said Fund shall be examined and reported upon
17 by the Director of the Department Administration as required by law,
18 who shall submit a quarterly report to *I Liheslaturan Guåhan*. The
19 certifying officer for said Fund shall be the Director. The Chief of the
20 Division of Aquatic and Wildlife Resources shall have programmatic
21 oversight of said Fund, and no expenditure shall be made therefrom
22 without both the Chief of the Division of Aquatic and Wildlife
23 Resources and the Director of the Department of Agriculture's prior
24 written consent.

25 **§ 63131. Nonpayment of Child Support.** The Director of
26 Agriculture shall not issue or re-issue any annual hunting or fishing license
27 provided under this Article or regulations adopted under this Article to any

1 person upon receipt of a certification from the ~~Department of Law~~ the
2 Attorney General that the person is in non-compliance with a court order of
3 support, and shall suspend any such license in effect at the time of receipt of
4 such certification, with such suspension to remain in effect until a
5 confirmation of compliance is received from the ~~Department of Law~~. the
6 Attorney General.

7 **§ 63132. ~~Chamorro~~ CHamoru Terms required.** All references in
8 Guam statutes and regulations to terms defined by Title 5 GCA § 63101 are
9 hereby modified to reflect the updated ~~Chamorro~~ CHamoru spelling therein.

10 **§ 63133. Indigenous Fishing Rights.** The policy of the government
11 of Guam is that the ~~Chamorro~~ CHamoru people shall have special rights to
12 off-shore fishing and harvesting of resources in order to redress historical
13 discriminatory policies. The ~~Chamorro~~ CHamoru people, the Native
14 Inhabitants of Guam, are defined in Title 1 GCA §2102 as “those persons
15 who became U.S. Citizens by virtue of the authority and enactment of the
16 1950 Organic Act of Guam and descendants of those persons.” The
17 Department of Agriculture is hereby tasked to develop rules and regulations
18 to put this policy into effect and submit the draft rules and regulations, in
19 accordance with the Administrative Adjudication Act (AAA), Title 5, Guam
20 Code Annotated, Chapter 9, to *I Liheslatura* for review and approval. Such
21 rules and regulations may be revisited annually for revision through the
22 AAA process. At all stages of development of the rules, the Department
23 shall seek the input of and consult with an Indigenous Native Resources
24 Task Force, which shall be comprised of ten (10) voting members: four (4)
25 men, four (4) women, and two (2) youths of adult age, all of ~~Chamorro~~
26 CHamoru ancestry. The Task Force shall be comprised of one (1)
27 representative each elected from no more than ten (10) ~~Chamorro~~ CHamoru

1 grassroots organizations. Each Task Force member shall be a resident of
2 Guam for at least five (5) years. The Task Force shall participate together
3 with the Department of Agriculture in the formulation of the rules and
4 regulations required by this Section.

5 **Section 3.** § 60107 of Chapter 60 Title 5 Guam Code Annotated is hereby
6 *amended* to read:

7 **§ 60107. Violation.**

8 (a) The Director of the Department of Agriculture, through the
9 Administrative Adjudication Law, is hereby authorized to enact schedules
10 for penalties and citations that

11 ~~(1) do not exceed One Thousand Dollars (\$1,000.00) per~~
12 ~~incident; and~~

13 ~~(2)~~ allow any peace officer on Guam to issue a citation for a
14 violation of Chapters 60 and 63 of Title 5 of the Guam Code
15 Annotated, their supporting regulations and Public Law 24-21 as
16 appropriate.

17 (b) (1) A citation issued pursuant to Chapters 60 and 63 of Title 5
18 of the Guam Code Annotated, their supporting regulations and Public Law
19 24-21, shall be accompanied by a notice to appear at the Traffic Court
20 Division of the Superior Court of Guam. Failure of the person cited to
21 appear as directed by the notice shall result in a default judgement and may
22 subject him to further penalties for contempt of court.

23 (2) Violations of this Article shall be prosecuted in the Traffic Court
24 Division of the Superior Court of Guam, which shall impose the penalties
25 created herein. Parents and legal guardians shall be responsible for any
26 violations hereof committed by minors under their custody.

1 (c) All monies collected by the court for fines and penalties imposed
2 hereunder shall be transferred to the Wildlife Conservation Fund as
3 described in § 63130 of Article 1, Chapter 63, Division 6 of Title 5 of the
4 Guam Code Annotated every quarter. The Superior Court shall render a
5 quarterly report to the Department of Agriculture reflecting defendants'
6 names, addresses and other identifying information regarding violators who
7 have been ordered to remit fines and penalties. The Superior Court shall
8 create forms approved by the Director of the Department of Agriculture for
9 citations, record violations, provide for the administration of the prosecution
10 of violators and establish an orderly, secure and efficient procedure for the
11 processing of Natural Resource citations pursuant to Subsections (a) and (b)
12 hereof.

13 (d) The Director of the Department of Agriculture may enter into such
14 written Memoranda of Understanding with the Superior Court of Guam and
15 other government of Guam agencies as are necessary to effectuate the
16 purposes of this Act.

17 (e) The Director of the Department of Agriculture may also enact such
18 regulations to effectuate the purposes of this Act as are appropriate. The
19 existing penalties as described in § 63129 of Chapter 63 of Title 5 of the
20 Guam Code Annotated, Public Law 28-107, and their supporting regulations
21 to include Public Law 24-21 shall remain in effect until the new schedule of
22 penalties and citations is enacted.

23 (f) Nothing in this Section shall nullify or modify any civil or criminal
24 law enforcement powers, penalties or obligations granted by federal or local
25 law to the Department of Agriculture to punish offenses of the hunting and
26 fishing laws of Guam, including, but not limited to, the right to perform

1 searches and seizures, to make lawful arrests and to seek and recover the
2 forfeiture of items employed by violators.

3 **Section 3.** Chapter 12 Division 2 Title 9 §12308 of the Guam
4 Administrative Rules and Regulations is *amended* to read:

5 “§12308. Harvest of Other Marine Invertebrates, Including Holothurians and
6 Echinoderms.

7 (a) Marine invertebrates taken locally for personal use shall not be
8 sold, traded or bartered, except that locally caught octopi may be sold,
9 traded or bartered.

10 (b) Harvest shall be limited to one hundred (100) pieces combined per
11 person per day. Harvest of holothurians shall be limited to (5) pieces
12 per person per day.

13 (c) There shall be no export of locally-caught marine invertebrate.”

14 **Section 4. Severability.** If any provision of this Act or its application to any
15 person or circumstance is found to be invalid or contrary to law, such invalidity shall
16 not affect other provisions or applications of this Act that can be given effect without
17 the invalid provision or application, and to this end the provisions of this Act are
18 severable.

19 **Section 5. Effective Date.** This act shall be effective immediately upon
20 enactment.