

TITLE 2: NATURAL RESOURCES
DIVISION 1: MARITIME AND COASTAL RESOURCES

§ 1638. Regulations.

(a) Within 180 days after the enactment of this article, the secretary shall promulgate rules and regulations necessary to carry out the intent of this article.

(b) The Secretary of the Department of Lands and Natural Resources is authorized to adopt, amend, and repeal regulations for the purpose of carrying out the provisions of this article.

Source: [PL 12-12](#), § 10; (b) enacted by [PL 20-44](#) § 7 (Mar. 9, 2018), modified.

Commission Comment: [PL 12-12](#) that created this article took effect on August 8, 2000. [PL 12-12](#) contained short title, findings and purpose, amendments, severability, and savings clauses as follows:

Section 1. Short Title. This act may be cited as the Managaha Marine Conservation Act of 2000.

Section 2. Findings and Purpose. The Legislature finds that Article XIV, Section 1 of the Commonwealth Constitution, mandates that “the marine resources shall be managed, controlled, protected and preserved by the Legislature for the benefit of the people.” The Legislature also finds that Managaha Island and its surrounding waters contain historical, cultural, and natural resources that must be protected. Therefore the purpose of this legislation is to designate certain areas as marine conservation areas through strict management programs. These management programs shall ensure that areas such as Managaha Island and its surrounding waters continue to exist as protected recreational and educational areas; safe habitats for fish and other marine life to exist and propagate for the continued use and enjoyment for the people of the Commonwealth and its visitors. This act is the product of collaborative efforts between the Administration and the Legislature to correct deficiencies in a similar bill enacted by the Eleventh Northern Marianas Legislature.

Section 11. Amendments.

(a) [1 CMC § 2268\(c\)](#) is hereby amended to read:

“(c) To approve and establish curricula and courses of instruction, including marine conservation and environmental management, and administrative policies of the Public School System, including special projects and federally funded programs;”

(b) [Public Law 10-57](#) as amended is hereby further amended to add in Section 2 after § 2653 a new subsection (p) to read:

“(p) To conduct administrative adjudication for the Department and its subdivisions as required by law.”

Section 12. Severability. If any section of this Act or any regulation issued under the authority of this Act should be declared invalid or unenforceable by a court of competent jurisdiction, the judicial determination shall not affect the validity of the Act as a whole, other than the particular part declared invalid or unenforceable.

Section 13. 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.

In codifying [PL 20-44](#), the Commission renumbered the leading paragraph as (a) and codified [PL 20-44](#) § 7 as (b) pursuant to [1 CMC § 3806\(a\)](#).