

§ 2516. Limitations Applicable to the Commonwealth.

(a) An action brought by the Commonwealth for the following shall not be subject to statutes of limitation and may be asserted at any time:

(1) For the restoration of, or for the recovery of damages to, the Commonwealth's natural resources, including, but not limited to, surface waters, groundwater, and drinking water supplies. This section shall be applied retroactively, including to those matters pending on the Effective Date of this Act. Any such claim which has been barred by virtue of the expiration of any civil statute of limitations shall be permitted to proceed or be filed in any court of competent jurisdiction; and

(2) For the recovery of past or future costs of investigation, treatment, and/or remediation of the Commonwealth's natural resources, including, but not limited to, surface waters, groundwater, and drinking water supplies. This section shall be applied retroactively, including to those matters pending on the Effective Date of this Act. Any such claim which has been barred by virtue of the expiration of any civil statute of limitations shall be permitted to proceed or be filed in any court of competent jurisdiction.

(b) An action brought by the Commonwealth for the recovery of damages to the Commonwealth or the property of the Commonwealth due to per- and polyfluoroalkyl substances, hazardous substances, or other chemical contamination shall be commenced within 10 years after the cause of action accrues. This section shall be applied retroactively, including to those matters pending on the Effective Date of this Act. Any such claim which has been barred by virtue of the expiration of any civil statute of limitations shall be permitted to proceed or be filed in any court of competent jurisdiction.

Source: PL 22-06, § 4 (Aug. 20, 2021), modified.

Commission Comment: PL 22-06 designated "The Commonwealth of the Northern Mariana Islands Protection from PFAS Act" to be included in Chapter 5, § 2515. However, PL 22-12 has already been codified into Chapter 5, § 2515. Accordingly, in codifying PL 22-06, the Commission renumbered the section pursuant to 1 CMC § 3806(b).

In codifying PL 22-06, the Commission changed the capitalization of the following words pursuant to 1 CMC §3806(f): "applicable" in the name of the section; "for" in subsection (a)(1); "section" in subsection (a)(1); "for" in subsection (a)(2); "section" in subsection (a)(2); "section" in subsection (b).