

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

§ 1201. Short Title.

This chapter may be cited as the Submerged Lands Act.

Source: PL 1-23, § 1; amended by PL 6-13, § 2 (§ 1201).

Commission Comment: PL 1-23 took effect February 20, 1979. PL 6-13, which amended all codified sections of PL 1-23, took effect November 3, 1988. According to PL 6-13, § 1:

Section 1. Findings. The Legislature finds that, pursuant to [N.M.I. Const. art. XI, § 2], the Legislature has to date reserved to itself the power to grant licenses, permits or development leases over submerged lands in the Commonwealth of the Northern Mariana Islands. This Act shall extend the authority of the Department of Natural Resources over all submerged lands in the Northern Mariana Islands so as to allow licenses or leases for public, private or commercial hotel and marina development and other water and [non-water] dependent uses as defined by this Act and to grant exploration and extraction rights for petroleum deposits or other mineral deposits.

The Legislature further finds that Commonwealth-owned submerged lands are a finite natural resource of great value and an irreplaceable public heritage. The Legislature recognizes that the people of the Commonwealth [own] these submerged lands outright, which [are] held for the public by the Commonwealth government, and [have] delegated to the Department of Natural Resources the responsibility to manage these lands for the benefit of the public. The Legislature finds that water dependent industries and activities have played a major role in the history of the Commonwealth and will continue to be important in the future. The Legislature finds that revenues derived from the leases of Commonwealth-owned submerged lands should be used to enhance opportunities for public recreation, shoreline access, environmental protection, and other benefits associated with the submerged lands of the Commonwealth. The Legislature further finds that submerged lands are faced with conflicting use demands. The purpose of this Act is to articulate a management philosophy to guide the exercise of the Commonwealth's ownership interest and the exercise of the Department of Natural Resources management authority.

The Legislature recognizes that its power with respect to submerged lands is affected by its responsibilities to protect the Commonwealth's marine resources under [N.M.I. Const. art. XIV, § 1]. The Legislature further recognizes that it is restricted from granting or approving a use the submerged lands that would adversely affect the protection and preservation of marine resources for the benefit of the people of the Commonwealth.