

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

§ 1636. Enforcement, Remedies, and Penalties.

(a) The division shall develop and keep a log of daily activity relevant to the operation and management of the conservation area. Upon request by the department, other enforcement agencies, including but not limited to, the Department of Public Safety, Department of Public Health, the Office of Emergency Operations and the Coastal Resources Management Office shall render the necessary assistance to enforce the provisions of this article.

(b) Any person who knowingly violates any provision of this article or regulations hereunder shall be fined not less than \$500 but not more than \$10,000. Each day that a violation occurs shall constitute as a separate violation. Violations of this article or any rule, regulation, or order or wherein a monetary penalty is sought shall be adjudicated in an administrative proceeding as provided under the Administrative Procedure Act (1 CMC § 9101 et seq.)

(c) Any item seized pursuant to enforcement of this article and its regulations shall be held by any person authorized by the department pending disposition of civil or criminal proceedings, or the institution of an action *in rem* for the forfeiture of such item, except that after notice and public hearing the department may, in lieu of holding such item, permit the owner, consignee, or other responsible person to post a bond or other surety satisfactory to the department.

Source: PL 12-12, § 8.

Commission Comment: In the first line of subsection (b) of this section, the word “than” has been added before the figure “\$10,000” pursuant to the Commission’s authority to correct manifest clerical or typographical errors provided by 1 CMC § 3806(g).