

TITLE 3: HUMAN RESOURCES
DIVISION 2: HEALTH

§ 2621. Definitions.

(a) “Public cemetery” means a place or area set apart to serve as the final resting-place for the dead and which is owned and managed by the Commonwealth government. This term also includes all public facilities located on the site generally associated or found in public cemeteries, which may include, but not limited to, parking lots, landscaped areas, a chapel, a house of meditation or other structures appropriate in a public cemetery.

(b) “Site” or “Marpi Public Cemetery” means the public lands identified in 3 CMC § 2622 designated for the establishment of the Marpi Public Cemetery.

(c) When used in this chapter, references to the Department of Public Health, Department of Lands and Natural Resources, Department of Public Safety, and the Department of Public Works shall mean each senatorial district's department respectively.

(d) When used in this chapter, “Secretary” shall mean the Secretary of the respective department or for the First and Second Senatorial District it shall mean the resident department head of the respective department.

Source: PL 11-117, § 3, modified; (c) and (d) added by PL 17-38 § 2(A) (April 21, 2011).

Commission Comment: PL 11-117 that repealed the former Chapter 6 and created this new Chapter 6 took effect January 25, 2000. PL 11-117 contained short title, findings and purpose, repealer, severability, and savings clause provisions as follows:

Section 1. Short Title. This Act may be cited as the Public Cemetery Act of 1999.

Section 2. Findings and Purpose. The Legislature finds that there are presently three burial sites on Saipan on which the deceased may be interred or otherwise disposed of. They include the Chalan Kanoa Catholic Cemetery (private), the Wireless Hill Public Cemetery located at Capitol Hill, and the Tanapag Cemetery. These sites are full to capacity and/or an environmental hazard to underground water sources. With an average of 105 deaths per year in the CNMI, most of them occurring on Saipan, the Legislature finds that this number is steadily increasing as the population continues to increase. Consequently, a new public cemetery is needed on Saipan and perhaps on the other islands in the future to meet the growing demand for burial sites and to provide an ecologically suitable and aesthetically fitting final resting place for the dead.

. . .

Section 10. Repealer. Chapter 6 of Division 2 of Title 3 is hereby repealed in its entirety.

Section 11. Severability. If any section of this Act or any regulation issued under the authority of this Act should be declared invalid or unen-

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forceable 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 12. 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.