



HOUSE OF REPRESENTATIVES  
FOURTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE  
FIRST REGULAR SESSION, 2004

PUBLIC LAW NO. 14-49  
**H. B. No. 14-56**

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AN ACT

To designate the Department of Lands and Natural Resources as the administering authority over those islands protected under NMI Const. Art. XIV, § 2.

**BE IT ENACTED BY THE FOURTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:**

**Section 1. Purpose.** Section 2, article XIV of the NMI Constitution mandates that the islands of Maug, Uracas, Asuncion, and Guguan be maintained as uninhabited places and used only for the preservation and protection of natural resources, including but not limited to bird, wildlife and plant species. While the enabling statute for the Department of Lands and Natural Resources sets forth its duties and jurisdiction, it does not specifically assign the department with the responsibility of overseeing the protection and preservation of those islands so designated under the Constitution, even though similar conservation responsibilities have been given to the department pursuant to the Fish, Game and Endangered Species Act. Consistent with that statute and its primary mission of protecting and managing the Commonwealth's natural resources, this Act accordingly designates the Department of Lands and Natural Resources as the administering authority over those islands protected under the Constitution.

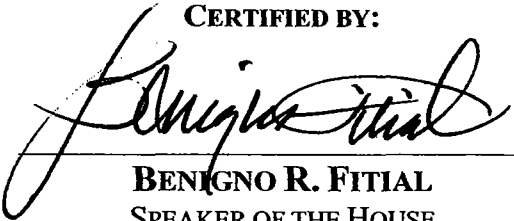
**Section 2. Amendment.** The following new subsection (b) shall be inserted into Chapter 13 of Division 2, Title 1 of the Commonwealth Code with subsequent subsections relettered accordingly:


“(b) To be responsible, in consultation with the Marianas Public Lands Authority, for the protection and preservation of Maug, Uracas, Asuncion, and Guguan as mandated by section 2, article XIV of the NMI Constitution.”

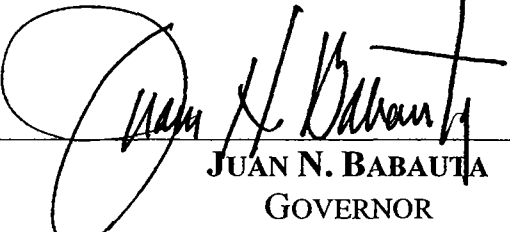
**Section 3. Severability.** If any provision of this Act or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Act or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

**Section 4. 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 the Act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence on the date this Act becomes effective.

**Section 5. Effective Date.** This Act shall take effect upon its approval by the Governor, or becoming law without such approval.

CERTIFIED BY:  
  
BENIGNO R. FITIAL  
SPEAKER OF THE HOUSE

ATTESTED TO BY:  
  
EVELYN C. FLEMING  
HOUSE CLERK

Approved on this 07<sup>th</sup> day of January 2004  
  
JUAN N. BABAUTA  
GOVERNOR  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS