

ELEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

PUBLIC LAW NO. 11-63

H. B. NO. 11-144, HD1

FIRST REGULAR SESSION, 1998

AN ACT

To establish a moratorium on the harvesting of seaweed, sea grass, and sea cucumber in the Commonwealth waters; and for other purposes.

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

Section 1. Findings. The Legislature finds that in recent years due to over harvesting or the deleterious effects of beach front development, heavy recreational use of the Commonwealth's lagoons by motorcraft, the water side presence of the Puerto Rico dump and its petrochemical, fluorocarbon, and heavy metal contaminants, the population of edible seaweed, sea grass, and sea cucumbers and other edible echinoderms has greatly declined. Since many other elements of marine life dependent on the lagoons and reefs are already threatened it is in the best interest of the Commonwealth's reef ecosystem to put a moratorium on the harvest of those elements most in danger of disappearing.

Section 2. Moratorium. There is hereby established for a period of at least ten years a moratorium on the harvest of all non-commercially grown seaweed, sea grass, or sea cucumbers or other edible echinoderms. Such moratorium may be extended in whole or in part by the Secretary of Lands and Natural Resources after ten years should it be determined the population of seaweed, sea grass, sea cucumbers and other edible echinoderms have not sufficiently recovered and permitting harvest is still inadvisable.

Section 3. Penalty. Any person who violates Section 2 of this Act shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined \$500 per violation, and imprisoned for not more than thirty (30) days.

Section 4. 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 5. 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herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes.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.

Section 6. Effective Date. This Act shall take effect upon its approval by the Governor or upon its becoming law without such approval.

CERTIFIED BY:

/s/ Ana S. Teregeyo
ANA S. TEREGEYO
Acting Speaker
House of Representatives

ATTESTED BY:

/s/ Evelyn C. Fleming
EVELYN C. FLEMING
House Clerk

Approved this 18th day of February, 1999

/s/ Pedro P. Tenorio
PEDRO P. TENORIO
Governor
Commonwealth of the Northern Mariana Islands