

A BILL FOR AN ACT

To amend 2 CMC § 4144(e) so that it is consistent with the 150-foot limit provided under 1 CMC § 2806(e).

BE IT ENACTED BY THE TWENTY-FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 **Section 1. Findings and Purpose.**

2 The Legislature acknowledges that 1 CMC § 2806(e) provides that the Department
3 of Public Lands may not transfer public lands located within 150 feet of the high water
4 mark of a sandy beach. The Legislature also acknowledges that 2 CMC § 4144(e) provides
5 that public lands in the First Senatorial District that are within 300 feet of the high water
6 mark shall be exchanged for private land or used as compensation for private land taking.
7 This provision also prohibits the exchange of public lands between the ocean and the first
8 public road, whichever is closer than 300 feet.

9 The Legislature finds that coastal public lands, particularly those adjacent to sandy
10 beaches, are vital natural, recreational, and cultural resources that must be protected for the
11 benefit of present and future generations in the Commonwealth. The Legislature finds that
12 existing statutes impose differing restrictions on the use and disposition of coastal lands,
13 creating a potential for conflict, misinterpretation, or inconsistent enforcement.
14 Specifically, 1 CMC § 2806(e) prohibits transfer of interest and erection of permanent
15 structures within 150 feet of the high water mark of sandy beaches, while another provision
16 applicable to the First Senatorial District prohibits exchange or compensation use of public
17 lands within 300 feet of the high water mark, or between the ocean and the first public
18 road, whichever is closer. These laws must be harmonized to protect coastal resources
19 consistently and clearly.

20 The purpose of this Act is to establish a unified, enforceable rule that applies
21 throughout the Commonwealth by amending 2 CMC § 4144(e).

1 **Section 2. Amendment.** 2 CMC § 4144(e) is amended to read:

2 “(e) No public land in the First Senatorial District that is either within ~~300~~ 150 feet
3 of the high water mark, or between the ocean and the first public road which is in existence
4 on ~~the date Public Law 15-64 becomes effective [May 30, 2007]~~, whichever is closer, shall
5 be exchanged for private land or be used as compensation for the taking of private land;
6 nor shall any permanent structure be built thereupon ~~with the exception of~~ except for public
7 parks, marine science and fisheries development facilities.”

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

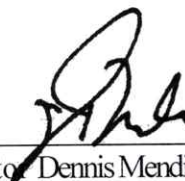
12 **Section 4. Savings Clause.** This Act and any repealer contained herein shall not
13 be construed as affecting any existing right acquired under contract or acquired under
14 statutes repealed or under any rule, regulation, or order adopted under the statutes.
15 Repealers contained in this Act shall not affect any proceeding instituted under or pursuant
16 to prior law. The enactment of the Act shall not have the effect of terminating, or in any
17 way modifying, any liability, civil or criminal, which shall already be in existence on the
18 date this Act becomes effective.

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

Prefiled:

Date: 6/30/25

Introduced By: _____


Senator Dennis Mendiola

Reviewed for Legal Sufficiency by:



Senate Legal Counsel