

TITLE 1: GOVERNMENT
DIVISION 2: EXECUTIVE BRANCH

§ 2708. Police Powers.

(a) With the approval of the secretary, the director shall designate and provide with official identification one or more employees assigned to the division as park rangers who shall be vested with police powers to enforce the laws of the Commonwealth and to enforce rules and regulations adopted by the division at Commonwealth parks and recreational facilities.

(b) The Department of Public Safety shall have concurrent jurisdiction to enforce the laws of the Commonwealth in Commonwealth parks and recreational facilities.

Source: PL 11-106, § 3 (2708).

Commission Comment: PL 11-106 that created this article took effect October 8, 1999. PL 11-106 contained short title and findings and purpose provisions as follows:

Section 1. Short Title. This Act may be cited as the “Parks and Recreation Act of 1998.”

Section 2. Findings and Purpose. The Legislature finds that the Department of Lands and Natural Resources is empowered to establish landscaping and beautification projects pursuant to Public Law 10-57. The Legislature further finds that the Department of Lands and Natural Resources has enhanced, maintained, and beautified public parks since approximately 1979. The Legislature further finds that the number of public parks managed by the Department of Lands and Natural Resources has increased substantially since 1979 and maintenance of the parks has become increasingly difficult without the power to charge fees, promulgate regulations, and enforce rules. The Legislature further finds that there is currently no single governmental entity charged with the responsibility of constructing, maintaining and repairing community sports facilities. To this end, a Division of Parks and Recreation within the Department of Lands and Natural Resources must be established with the necessary powers to oversee the administration of such parks and recreational sports facilities.

PL 11-106 contained conforming amendments, authorization for appropriation, repealer, transitional clause, severability, and savings clause provisions as follows:

Section 4. Conforming Amendments. Public Law 10-57 is further hereby amended to insert in Section 2 after §2653(m) new subsections to read as follows:

“(n) To manage and operate the Commonwealth Mitigation Bank, as provided by law;

(o) To construct, maintain, and repair recreational facilities as defined in 1 CMC § 2674(g)”.

Section 5. Authorization for Appropriation. There is hereby authorized to be appropriated from the general fund the amounts necessary to accomplish the objectives set forth within this Act.

Section 6. Repealer. The provisions of Section 2 in Public Law No. 10-84 are hereby repealed in their entirety.

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Section 7. Transitional Clause. Except as provided in this Act, any powers or duties relative to Commonwealth parks and recreational facilities previously charged to any other government entity shall be transferred to the Division.

Section 8. 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 9. 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.