



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

PUBLIC LAW NO. 14-33
H. B. No. 14-116, SD1

AN ACT

To establish a Parole Supervision Assessment Fees Program in the Office of the Board of Parole, and for other purposes.

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

1 Section 1. Title. This Act shall be known as the Parole Supervision Assessment Fees
2 Program Act of 2004.

3 Section 2. Findings. The Legislature finds that certain inmates are released by the
4 Board of Parole on parole from incarceration at the Division of Corrections, Department of
5 Public Safety, with certain parole conditions. In enforcing these parole conditions, the Chief
6 Parole Officer and Parole Officers are required to conduct periodic job site visits, home visits,
7 other inspections, and investigations both during and after normal working hours. Parolees
8 found in violation of their parole conditions are required to report to the Board of Parole
9 Office, further investigation or other action may then be taken by the Parole Officers and
10 Board if necessary. The Legislature also finds that the Adult Probation Office of the
11 Commonwealth Superior Courts assess fees for all persons placed on probation.

12 Additionally, the Legislature finds that due to the economic setbacks being
13 experienced by the Commonwealth, it is necessary to take measures in order for government
14 agencies to be self-supporting to a certain degree. This proposed measure is intended to
15 address this issue to ensure that such agency or program is adequately and properly funded.
16 The implementation of a Parole Supervision Assessment Fees Program will allow for the
17 continuation of services while lessening the burden on the taxpayers.

1 Furthermore, the Legislature finds that parolees should be held financially and
2 personally accountable for the services they receive from the Office of the Board of Parole in
3 order to become law abiding and productive members of society.

4 It is the consensus of the members of the Legislature that implementation of the
5 Parole Supervision Assessment Fee Program is long overdue and shall be implemented
6 immediately.

7 Section 3. Parole Supervision - Assessment Fee Program. There is hereby
8 established in the Office of the Board of Parole, under the supervision of the Board of Parole,
9 a Parole Supervision Assessment Fee Program to be administered by the Chief Parole
10 Officer, or other person designated by the Board.

11 Section 4. Parole Supervision - Fee. There is hereby established a Parole Supervision
12 Fee of \$30.00 per month per parolee to defray costs of supervision. The payment of the
13 supervision fee shall be imposed as a condition of parole.

14 Section 5. Waiver of Fees. On request of a parolee, the Board of Parole may, in its
15 discretion and as it deems appropriate, waive all or part of a parolee's supervision fee. In
16 addition, or alternatively, the Board of Parole, at its discretion and as it deems appropriate,
17 may allow or order the parolee to perform community work service in lieu of payment of the
18 supervision fee for any or all of the supervision term.

19 Section 6. Condition of Parole. Parole supervision fees shall be imposed as an
20 additional condition of parole, in accordance with the provisions of this Act which shall be
21 applicable to all parolees, including those currently on parole supervision.

22 Section 7. Establishment of Special Account. The Secretary of the Department of
23 Finance shall establish a Special Account for "Parole Supervision Fees", and shall deposit all
24 funds collected by this Act into that Special Account. The Secretary of Finance or designee
25 shall submit an Annual Funds Status Report to the Presiding Officers of the Legislature and
26 the Chairman of the Board of Parole and the Chief Parole Officer on or before January 31 of
27 each year, or upon request by the Legislature or Chairman of the Board of Parole.

1 Section 8. Distribution of Funds. Funds collected by this Act shall be allotted as
2 follows:

3 a. Ninety percent (90%) shall be allotted to the Board of Parole to defray
4 supervision costs, rehabilitation and other costs associated in enforcing and
5 strengthening the parole conditions. Ten percent (10%) shall be allotted to the
6 Department of Finance to defray the costs of administering the special account.

7 Section 9. Fiscal Year Limitations. All funds collected by this Act shall remain
8 available until expended.

9 Section 10. Expenditure - Authority. The Chief Parole Officer or other person
10 designated by the Board of Parole, with the concurrence of the Chairman of the Board of
11 Parole, shall have the expenditure authority.

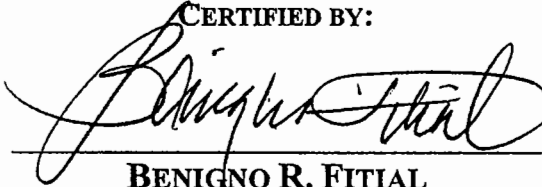
12 Section 11. Severability. If any provision of this Act or the application of any such
13 provision to any person or circumstance should be held invalid by a court of competent
14 jurisdiction, the remainder of this Act or the application of its provisions to persons or
15 circumstances other than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

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

PUBLIC LAW NO. 14-33
HOUSE BILL NO. 14-116, SD1

1 Section 13. Effective Date. This Act shall take effect upon its approval by the
2 Governor or becoming law without such approval.

CERTIFIED BY:



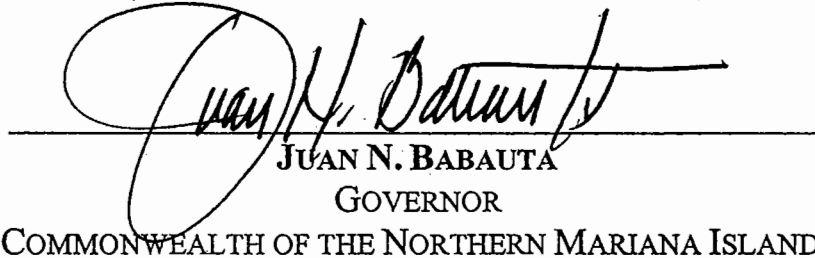
BENIGNO R. FITIAL
SPEAKER OF THE HOUSE

ATTESTED TO BY:



EVELYN C. FLEMING
HOUSE CLERK

Approved on this 8th day of October, 2004



JUAN N. BABAUTA
GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS