



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

PUBLIC LAW NO. 14-48
H. B. No. 14-219, HD1

AN ACT

To authorize the Department of Public Safety to close public beaches; and for other purposes.

BE IT ENACTED BY THE FOURTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Findings and Purpose. The Legislature finds that it is in the best interest of public safety to permit the Department of Public Safety to close public beaches during times of dangerous or hazardous conditions. Such conditions include high surf, tropical storms, earthquakes, typhoons, potential tsunami (tidal waves) or other similar climatic or environmental conditions.

Section 2. Public Beach Closures. The Department of Public Safety is hereby authorized to close public beaches during times of dangerous or hazardous conditions such as high surf, tropical storms, earthquakes, typhoons, potential tsunami (tidal waves) or other similar climatic or environmental conditions. No person shall use any public beach when such notice of closure has been issued or published.

Section 3. Public Notice. The Department of Public Safety shall notify the public of public beach closures by local media including but not limited to radio, television, or newspaper.

Section 4. Penalties. Police Officers are authorized to issue warnings or citations for individuals wading, swimming, snorkeling, scuba diving, boating, fishing, surfing, windsurfing, boogie boarding, or engaging in any other recreational marine activity when a public beach is closed. A fine pursuant to Section 5 of this Act may be imposed on any person found to be in violation of these provisions.

Section 5. Regulations. The Department of Public Safety is hereby authorized to promulgate rules and regulations necessary to carry out the intent and purposes of this Act including assessing fines, fees and costs relative to rescues and enforcement of violations to this Act.

Section 6. 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 7. 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.

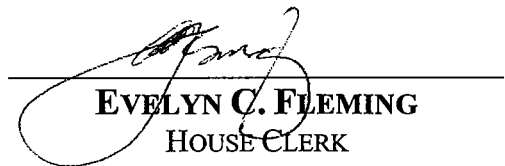
Section 8. Effective Date. This Act shall take effect upon its approval by the Governor or becoming law without such approval.

CERTIFIED BY:



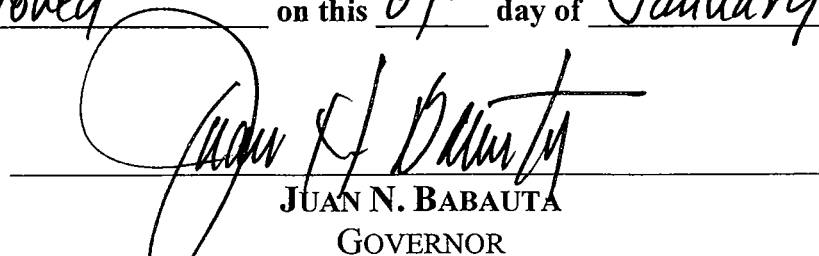
BENIGNO R. FITIAL
SPEAKER OF THE HOUSE

ATTESTED TO BY:



EVELYN C. FLEMING
HOUSE CLERK

Approved on this 07th day of January 2004



JUAN N. BABAUTA
GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS