



HOUSE OF REPRESENTATIVES
FOURTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
THIRD REGULAR SESSION, 2005

PUBLIC LAW NO. 14-77
H. B. NO. 14-292

AN ACT

To empower the CNMI Department of Public Safety to promulgate rules and regulations to enhance safety in the CNMI.

BE IT ENACTED BY THE FOURTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Short Title. This Act may be cited as the "Public Safety Enhancement Act of 2005."

Section 2. Findings. The legislature finds that the Department of Public Safety currently provides services that are either outside the scope of their duties, non-essential, or an abuse of public safety services by the public. Such activities diverts public safety officers time and expertise in order to accommodate these situations, which takes away from essential services such as responding to emergencies, patrolling the streets of the CNMI, and investigating pending crimes. Therefore, it is the intent of this Act to set a fee schedule for activities that hinder or prevent the Department of Public Safety from performing their core duties.

Section 3. Public Safety Enhancement Act of 2005. Activities enhancing and improving services to the residents of the CNMI shall be identified according to the following criteria:

- (a) Non-essential services provided by the Department of Public Safety that are currently performed free of charge.
- (b) Law enforcement activities wherein the services of the Department of Public Safety is abused.

(c) Services provided by the Department of Public Safety to private companies and organizations to effectuate the private companies' and organizations' objectives.

(d) Other activities as deemed necessary and appropriate, which currently hamper the effective operations of the Department of Public Safety.

Section 4. Enabling Authority. The Commissioner of the Department of Public Safety is authorized to promulgate rules and regulations to effectuate the intent of this Act, which includes but is not limited to setting a fee schedule and collecting fees.

Section 5. Special Account. The Department of Finance shall create a special account called the "Public Safety Enhancement Account" for the Department of Public Safety where revenue generated pursuant to this Act shall be deposited.

Section 6. Expenditure Authority. The expenditure authority for revenues generated shall be the Commissioner of DPS. The Commissioner may not utilize such funds for purposes of travel or payment of recurring bills such as telephone and cellular phone bills. The funds may only be expended as follows:

- (a) Purchase, service, and maintenance of equipment and supplies; and
- (b) Training of personnel.

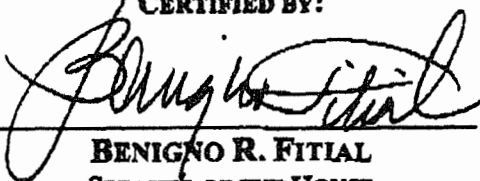
All revenues generated may be used without further appropriation.

Section 7. 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 8. 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 9. Effective Date. This Act shall take effect upon its approval by the Governor or becoming law without such approval.

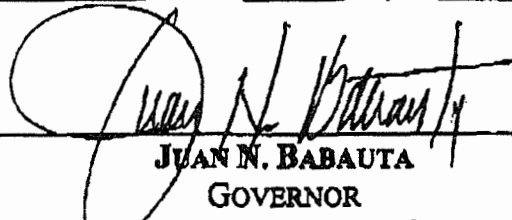
CERTIFIED BY:


BENIGNO R. FITIAL
SPEAKER OF THE HOUSE

ATTESTED TO BY:


EVELYN C. FLEMING
HOUSE CLERK

Approved on this 8th day of July, 2005


JUAN N. BABAUTA
GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS