



HOUSE OF REPRESENTATIVES  
SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE  
FIRST REGULAR SESSION, 2008

PUBLIC LAW NO. 16-6  
H. B. No. 16-11, HS1

AN ACT

TO AMEND THE SAFE DIVING ACT OF 1990 TO GIVE THE DEPARTMENT OF  
PUBLIC SAFETY ENFORCEMENT AUTHORITY IN ORDER TO STRENGTHEN  
ENFORCEMENT OF THE SAFE DIVING ACT; AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE SIXTEENTH NORTHERN MARIANAS COMMONWEALTH  
LEGISLATURE:

1           Section 1. Short title. This Act may be cited as the "Divers Safety First Act of  
2 2008."

3           Section 2. Purpose. The primary purpose of this Act is to strengthen the Safe  
4 Diving Act of 1990 by enlisting the enforcement and technical assistance of the Department  
5 of Public Safety. This Act authorizes DPS to issue citations to those who operate businesses  
6 for scuba instruction or scuba diving tours without meeting or maintaining the requirements  
7 established by law. DPS may also work in conjunction with the Department of Finance and  
8 the Department of Lands and Natural Resources to assess the level of difficulty of each dive  
9 site throughout the Commonwealth and set forth pertinent restrictions to ensure the safety of  
10 divers.

11           Section 3. Amendments.

12           (a) 1 CMC §2504 is amended by adding a new subsection (k) to read as follows:

13               "§2504. Department of Public Safety; duties and responsibilities.

14                       (k) to enforce the Safe Diving Act of 1990, as amended."

15           (b) 3 CMC §5603(a) which defines the term "certified" is amended by inserting the  
16 following phrase after the word "organization": "approved by the Department of  
17 Finance by regulation in consultation with the Department of Public Safety."

18           (c) *Technical Amendments.*

19               (1) 3 CMC §§5606(d) and 5607(d) are amended by replacing references to the  
20 "Department of Commerce and Labor" with the "Department of Finance."

21               (2) 3 CMC §5611 is amended by striking out the word "director" and inserting the  
22 words "Secretary of Finance."

1 Section 4. Regulation and enforcement. The Department of Public Safety, in  
2 consultation with the Department of Finance, shall promulgate regulations for the  
3 implementation of its responsibilities under Section 3(a) of this Act. Such regulations may  
4 include violations and corresponding civil penalties.

5 Section 5. Severability. If any provision of this Act or the application of any such  
6 provision to any person or circumstance should be held invalid by a court of competent  
7 jurisdiction, the remainder of this Act or the application of its provisions to persons or  
8 circumstances other than those to which it is held invalid shall not be affected thereby.

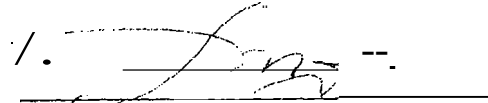
9 Section 5. Savings clause. This Act and any repealer contained herein shall not be  
10 construed as affecting any existing right acquired under contract or acquired under statutes  
11 repealed or under any rule, regulation or order adopted under the statutes. Repealers  
12 contained in this Act shall not affect any proceeding instituted under or pursuant to prior law.  
13 The enactment of the Act shall not have the effect of terminating, or in any way modifying,  
14 any liability, civil or criminal, which shall already be in existence on the date this Act  
15 becomes effective.

16 Section 6. Effective date. This Act shall take effect upon its approval by the  
17 Governor or becoming law without such approval.

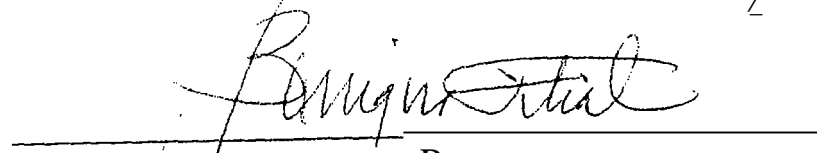
CERTIFIED BY:



ATTESTED TO BY:

  
EVELYN C. FLEMING  
HOUSE CLERK

APPROVED on this 11<sup>th</sup> day of July, 2008

  
BENIGNO R. FITIAL  
GOVERNOR

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS