



# COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

**Juan N. Babauta**  
Governor

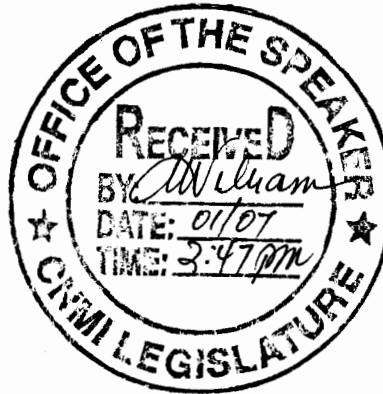
GOV. COMM. 14-124  
(HOUSE)

**Diego T. Benavente**  
Lieutenant Governor

JAN 07 2005

The Honorable Joaquin G. Adrinao  
Senate President  
Fourteenth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

The Honorable Benigno R. Fitia  
Speaker, House of Representatives  
Fourteenth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950



Dear Mr. President and Mr. Speaker:

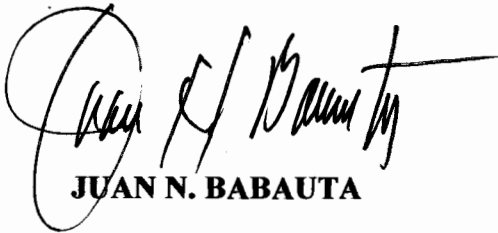
This is to inform you that I have signed into law House Bill No. 14-219, HD1, entitled, "To authorize the Department of Public Safety to close public beaches; and for other purposes," which was passed by the Fourteenth Northern Marianas Commonwealth Legislature.

The measure authorizes the Department of Public Safety to close public beaches during times of dangerous or hazardous conditions. These conditions include, but are not limited to: high surf; tropical storms; earthquakes; typhoons; conditions that might indicate the potential for tsunamis (tidal waves); or other similar climatic or environment conditions.

The Administration considers the safety of the people and visitors of the Commonwealth to be of utmost priority. I have, therefore, signed this measure into law. Also, given the fact that the need for this legislation has become even more apparent in light of the devastation caused by the recent tsunamis in Southeast Asia, I have directed the Department of Public Safety to promulgate rules and regulations to implement this measure as soon as possible.

This bill becomes Public Law No. 14-48. Copies bearing my signature are forwarded for your reference.

Sincerely,

A handwritten signature in black ink, appearing to read 'Juan N. Babauta', is written over a large, stylized circular flourish.

**JUAN N. BABAUTA**

CC: Attorney General, Office of the Attorney General  
Commissioner, Department of Public Safety  
Managing Director, Marianas Visitor Authority  
Secretary, Department of Commerce  
Secretary, Department of Finance  
Special Assistant for Programs and Legislative Review



**HOUSE OF REPRESENTATIVES**  
**FOURTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE**

SECOND DAY, SECOND REGULAR SESSION, 2004

PUBLIC LAW NO. 14-48

**H. B. No. 14-219, HD1**

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**AN ACT**

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

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**In the HOUSE OF REPRESENTATIVES**

**Introduced by Representatives:** Arnold I. Palacios, David M. Apatang, Jesus T. Attao,  
Joseph P. Deleon Guerrero, Heinz S. Hofschneider, Benjamin B. Seman, and  
Ramon A. Tebuteb

**Date:** August 19, 2004

Referred to: Committee on Judiciary and Governmental Operations

Public Hearing: None

Standing Committee Report: None

**Passed First and Final Reading on September 9, 2004**

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**In the SENATE**

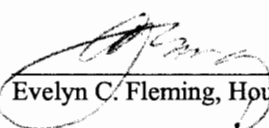
Referred to: None

Public Hearing: None

Standing Committee Report: None

**Passed Final Reading on November 23, 2004**

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Evelyn C. Fleming, House Clerk



**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:**

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

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

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

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

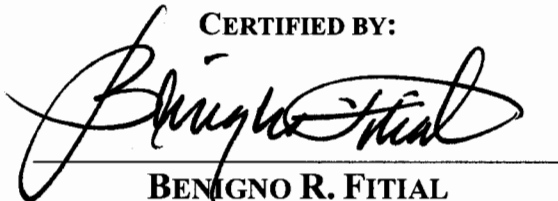
1       **Section 5. Regulations.** The Department of Public Safety is hereby authorized to  
2 promulgate rules and regulations necessary to carry out the intent and purposes of this Act  
3 including assessing fines, fees and costs relative to rescues and enforcement of violations to  
4 this Act.

5       **Section 6. 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 7. 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 8. Effective Date.** This Act shall take effect upon its approval by the  
17 Governor or becoming law without such approval.

CERTIFIED BY:

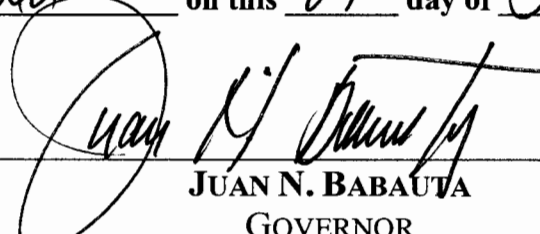


BENIGNO R. FITIAL  
SPEAKER OF THE HOUSE

ATTESTED TO BY:



EVELYN C. FLEMING  
HOUSE CLERK

*Approved* on this *07<sup>th</sup>* day of *January*, 200*4*<sup>5</sup>  
  
JUAN N. BABAUTA  
GOVERNOR  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS