

COPY



THE SENATE
Twenty-Third Northern Marianas Commonwealth Legislature
P. O. Box 500129
Saipan, MP 96950

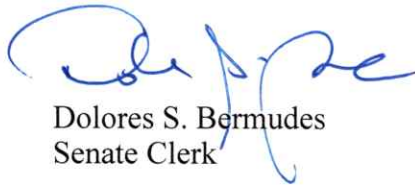
September 19, 2024

The Honorable Edmund S. Villagomez
Speaker
House of Representatives
23rd Northern Marianas Commonwealth Legislature
Saipan, MP 96950

Dear Speaker Villagomez:


I have the honor of returning with amendments House Bill No. 23-99, SD1, entitled, "To require all vessels and/or motorboats to possess and utilize a Global Positioning System (GPS)." The Senate passed H.B. No. 23-99, SD1 by the unanimous vote a quorum being present, in its 4th Day, Fourth Regular Session on September 18, 2024.

Sincerely,



Dolores S. Bermudes
Senate Clerk

Transmitted to HOUSE:

Received by:  Date: 9/19/2024 Time: 11:34a



The Senate
NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
P.O. BOX 500129
SAIPAN, MP 96950

STANDING COMMITTEE REPORT NO. 23-105
Date: September 4, 2024
RE: House Bill No. 23-99

Honorable Edith E. DeLeon Guerrero
President of the Senate
Twenty-Third Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Madam President:

Your Committee on Public Utilities, Transportation and Communications, to which was referred House Bill No. 23-99, entitled:

“To require all vessels and/or motorboats to possess and utilize a Global Positioning System (GPS).”

begs leave to report as follows:

I. RECOMMENDATION:

After considerable discussion and deliberation, your Committee recommends passage of the proposed legislation in the form of House Bill No. 23-99, Senate Draft 1.

II. ANALYSIS:

A) Purpose:

The purpose of House Bill No. 23-99 is to ensure safety for vessel/motorboat operators by requiring visibility of the precise location through Global Positioning Systems (GPS) equipped on each vessel/motorboat.

B) Committee Findings:

Your Committee finds that operators of commercial and personal vessels/motorboats in the CNMI utilize their watercraft for various reasons such as shipping trade, commercialized or subsistence fishing, as well as recreation, tourism and marine sports activities. Currently, 3 CMC Section 5451 itemizes the various types of equipment and hardware that all vessels/motorboats are required to carry or possess. These equipment include motorboat lights, bells, whistles, lifesaving devices, fire extinguishers, flame arrester, ventilation, ship-to-shore receiver, and distress signals. Your Committee finds that Global Positioning Systems (GPS) are not included in the statutory provision and finds that this specific equipment is necessary to enhance safe navigation and operational efficiency for the maritime industry of the Commonwealth.

Your Committee met on September 4, 2024 to discuss the provisions of the proposed legislation and the comments officially received by the Committee. During discussion, Your Committee agreed to incorporate a new section imposing a six-month implementation period for the Department of Public Safety to promulgate rules and regulations pursuant to the Act. Therefore, there were no objections by the members for the passage of the proposed legislation in the form of House Bill No. 23-99, Senate Draft 1.

C) Legislative History:

House Bill No. 23-99 was formally introduced by Representative Vincent R.S. Aldan and others on February 16, 2024 and was subsequently referred to the House of Representatives Standing Committee on Public Utilities, Transportation and Communications for disposition and reported its findings to the full body of the House of Representatives under House Standing Committee Report No. 23-74. On March 28, 2024, House Bill 23-99 was passed by the House of Representatives on First and Final Reading during its Sixth Day, Third Regular Session. House Bill 23-99 was transmitted to the Senate on April 4, 2024 and was subsequently referred to the Senate Standing Committee on Public Utilities, Transportation and Communications for disposition.

D) Public Hearing and Comment:

1. Public Hearing. No public hearing was scheduled for House Bill No. 23-99. However, a Committee Meeting, which is open to the public, was held on September 4, 2024. See below for further details:
2. Committee Meeting. The proposed legislation made its first appearance during the scheduled committee meeting convened on September 4, 2024; The respective Committee Meeting notices and agendas were officially posted on various legislative forums and social media sites in accordance with the Open Government Act to invite members of the general public to provide comments as indicated under Item No. IV. Public Comment of the Committee Agenda. No public comments were received on the

proposed legislation by your Committee during the scheduled Committee Meetings on September 4, 2024.

3. Written Comment. Your Committee had foregone requesting comments on the proposed legislation.

E) Estimated Fiscal Cost:

The enactment of House Bill No. 23-99 may potentially result in additional costs to the CNMI government associated with the Department of Public Safety's requirement to promulgate rules and regulations as well as for enforcement. However, the safety of all vessel/motorboat operators outweigh the fiscal impact.

F) Summary of Committee Amendments:

Your Committee agreed to the proposed amendments as follows:

1. **Section 3. Implementation.** Inserted section to incorporate a six-month implementation period for the Department of Public Safety to promulgate rules and regulations pursuant to the Act to read as follows:

Section 3. Implementation. The Department of Public Safety shall promulgate regulations to implement the provisions of this Act and require vessels and/or motor boats to comply with the global position systems requirement within six months of the effective date of this Act.

2. The following sections were renumbered accordingly.

III. CONCLUSION:

Your Committee agrees with the intent and purpose of the proposed legislation and recommends passage of the proposed legislation in the form of House Bill No. 23-99, Senate Draft 1.

Respectfully submitted,



Senator Paul A. Manglona
Chairperson

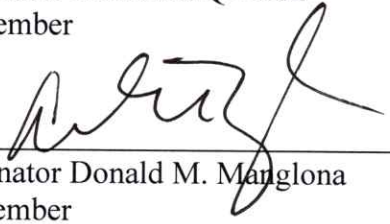


Senator Corina L. Magofna
Vice Chairperson

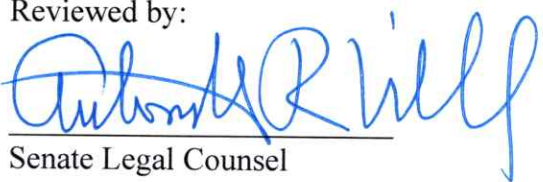
Senator Celina R. Babauta
Member

Senator Francisco Q. Cruz
Member

Senator Jude U. Hofschneider
Member



Senator Donald M. Manglona
Member

Reviewed by:


Senate Legal Counsel

TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 2024

Third Regular Session, 2024

H. B. 23-99, SD1

A BILL FOR AN ACT

To require all vessels and/or motorboats to possess and utilize a Global Positioning System (GPS).

**BE IT ENACTED BY THE 23RD NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 **Section 1. Findings and Purpose.** The Legislature finds that nowadays in
2 the CNMI, the use of commercial and/or personal vessels/motorboats are constantly
3 operating in and out of the water on a regular basis, whether it be commercial
4 shipping trade, commercialized or personal subsistence fishing, tourism and marine
5 sports activities. The Legislature further finds that pursuant to 3 CMC §5451, there
6 is a set of required equipment that is necessary to operate such boats. Due to the
7 occurrences of vessels/motorboats being lost at sea within the CNMI, it is evident
8 that there is a need to include a Global Positioning System (GPS) within such
9 requirements. The Legislature finds that by providing GPS real-time visibility of
10 each vessel/motorboat's precise location, it would significantly enhance safe

1 navigation, transparency, operational efficiency, and security throughout the entire
2 maritime industry of the CNMI.

3 Therefore, the purpose of this Act is to require all vessels and/or motorboats
4 to possess and utilize a Global Positioning System (GPS).

5 **Section 2. Amendment.** 3 CMC §5451 of the Commonwealth Code is
6 hereby amended by adding a new subsection (i) to read as follows:

7 **“§5451. Classification and Required Equipment.**

8 (i) *Global Positioning System (GPS)*. Every vessel and/or motorboat
9 shall carry and utilize a Global Positioning System (GPS). For the purpose
10 of this section, “Global Positioning System (GPS)” shall mean a network of
11 satellites and receiving devices used to determine the location of something
12 and/or someone on Earth.”

13 **Section 3. Implementation.** The Department of Public Safety shall
14 promulgate regulations to implement the provisions of this Act and require vessels
15 and/or motor boats to comply with the global position systems requirement within
16 six months of the effective date of this Act.

17 **Section 4. Severability.** If any provisions of this Act or the application of
18 any such provision to any person or circumstance should be held invalid by a court
19 of competent jurisdiction, the remainder of this Act or the application of its

1 provisions to persons or circumstances other than those to which it is held invalid
2 shall not be affected thereby.

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

10 **Section 6. Effective Date.** This Act shall take effect upon its approval by
11 the Governor, or it becoming law without such approval.

Intro: 2/16/2024

Date: _____

Introduced by: /s/ Rep. Vincent R. S. Aldan
/s/ Rep. Blas Jonathan "BJ" T. Attao
/s/ Rep. Roman C. Benavente
/s/ Rep. Angelo A. Camacho
/s/ Rep. Diego V. F. Camacho
/s/ Rep. Joel C. Camacho
/s/ Rep. Vicente C. Camacho
/s/ Rep. Manny G. T. Castro
/s/ Rep. Marissa R. Flores
/s/ Rep. Julie M. A. Ogo
/s/ Rep. Malcolm J. Omar
/s/ Rep. Edwin K. Propst
/s/ Rep. John Paul P. Sablan
/s/ Rep. Ralph N. Yumul

Reviewed for Legal Sufficiency by:

/s/ Joseph L.G. Taijeron, Jr. _____

House Legal Counsel