Honorable Froilan C. Tenorio  
Speaker, House of Representatives  
Seventeenth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

Honorable Paul A. Manglona  
President, The Senate  
Seventeenth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

Dear Mr. Speaker and Mr. President:

This is to inform you that I have signed into law House Bill No. 17-104, HS1, SS1, entitled, "To amend Public Law 17-11 to address the concerns of abuse and fraud; and for other purposes," which was passed by the Seventeenth Northern Marianas Commonwealth Legislature.

This bill becomes Public Law No. 17-16. Copies bearing my signature are forwarded for your reference.

Sincerely,

[Signature]

BENIGNO R. FITIAL

cc: Lt. Governor  
Attorney General  
Commonwealth Election Commission  
Department of Public Safety  
Department of Finance  
Board of Education  
Mayors  
Municipal Councils  
CNMI Public Auditor  
Special Assistant for Administration  
Commonwealth’s Law Revision Commission  
Special Assistant for Programs and Legislative Review

Caller Box 10007 Saipan, MP 96950 Telephone: (670) 664-2200/2201 Facsimile: (670) 664-2211
September 16, 2010

The Honorable Benigno R. Fitial
Governor
Commonwealth of the Northern
Mariana Islands
Capitol Hill
Saipan, MP 96950

Dear Governor Fitial:

I have the honor of transmitting herewith for your action H.B. 17-104, HS1, SS1, entitled: "To amend Public Law 17-11 to address the concerns of abuse and fraud; and for other purposes.", which was passed by the House of Representatives and the Senate of the Seventeenth Northern Marianas Commonwealth Legislature.

Sincerely yours,

[Signature]
Evelyn C. Fleming
House Clerk

Attachment
Seventeenth Legislature
of the
Commonwealth of the Northern Mariana Islands

IN THE HOUSE OF REPRESENTATIVES
3rd Day Second Regular Session
August 24, 2010

Public Law No. 17-16

Representative Eliceo D. Cabrera, of Saipan, Precinct 1 (for himself) in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

H. B. 17-104

AN ACT
TO AMEND PUBLIC LAW NO. 17-11 TO ADDRESS THE CONCERNS OF ABUSE AND FRAUD; AND FOR OTHER PURPOSES.

The Bill was referred to the House Committee on Judiciary, Governmental, and Operations, which was placed on the Bill Calendar on September 2, 2010.

THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON FIRST AND FINAL READING, SEPTEMBER 2, 2010;
with amendments in the form of H. B. 17-104, HS1 and transmitted to the
THE SENATE.

THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING ON SEPTEMBER 3, 2010;
with amendments in the form of H. B. 17-104, HS1, SS1.

H. B. 17-104, HS1, SS1 WAS RETURNED TO THE HOUSE OF REPRESENTATIVES ON SEPTEMBER 7, 2010.

The House of Representatives accepted the Senate amendments and passed H. B. 17-104, HS1, SS1 during its Sixth Day, Second Regular Session on September 9, 2010.

Evelyn C. Fleming, House Clerk
Section 1. Findings and Purpose. The Legislature finds that there is a need to amend the new early voting law set forth in Public Law 17-11 to address some issues raised including voter intimidation, fraud, and increased cost of elections. One of the amendments includes extending the 300 foot radius prohibition of campaign activity to early voting polling places. Another amendment is to set a list of criteria for registered voters to use when requesting to vote early at any election. The last amendment involves extending the early voting time period for the Northern Islands to give the Commonwealth Election Commission (CEC) time to coordinate transportation to the Northern Islands with other government agencies at little or no cost.
The Legislature finds that the early voting process will not cost more money because the CEC will utilize its staff and offices to conduct the early voting except that the polling places on Tinian and Rota will be at the Department of Public Safety where all the election ballots will be stored and secured during the early voting period. Accordingly, the purpose of this legislation is to amend Public Law 17-11 to address early voting concerns.

Section 2. Amendment. 1 CMC § 6528 (a) is hereby amended to read as follows:


(a) It shall be unlawful for any person, between the hours of 7:00 a.m. to 7:00 p.m. on the day of the election and during early voting to perform or cause to be performed any of the following acts within a three-hundred foot radius of the polling place:

(1) [Unchanged.];
(2) [Unchanged.];
(3) [Unchanged.].”

Section 3. Amendment. Section 26 of Public Law 17-11 is hereby amended and renumbered accordingly by adding the following new sections to read as follows:


(a) Any registered voter of the Commonwealth may vote early at any election if he/she will be prevented from personally going to the polls and voting on election day because of:
(1) The conduct of his/her business;
(2) The necessity of travel;
(3) Serving in the United States Armed Forces or the Merchant Marine;
(4) Receiving treatment at a medical institution;
(5) Government representation; or
(6) Accompanying a member of the household who is engaged in an activity listed above.

(a) Each voter shall be required to show photo identification at the poll in order to receive a ballot; if the voter does not have or refuses to produce photo identification, the voter shall fill out an affidavit that includes their name, address and their signature swearing under penalty of perjury as to the truth of the affidavit.
(b) Each voter shall be required to bring a copy of their photo identification to include in their early voting packet; if the voter does not have or refuses to produce photo identification, the voter shall fill out an affidavit that includes their name, address and their signature swearing under penalty of perjury as to the truth of the affidavit.
§ XXX. Early Voting: Ballot Box.

(a) During the period of early voting, the keys to the ballot box used at each early voting polling place will be kept at the Office of the Public Auditor in Saipan.

(b) During the period of early voting, DPS must be stationed at the polling place at all hours that the polling place is opened.

Section 4. Amendment. Section 26, § XXX. Early Voting: Issuance of Ballots; Voting Booths, of Public Law 17-11 is hereby amended to read as follows:

§ XXX. Early Voting: Issuance of Ballots; Voting Booths.

(a) [Unchanged.].

(b) On the dates for early voting, the Commission shall provide voting booths, with suitable equipment for voting, on the premises of the Commission and any other designated early voting polling place for use by registered voters who are issued ballots for early voting.

(c) [Unchanged.]"

Section 5. Amendment. Section 26, § XXX. Early Voting: Period for Early Voting; Hours, of Public Law 17-11 is hereby amended to read as follows:

§ XXX. Early Voting: Period for Early Voting; Hours.

(a) The period for early voting by personal appearance begins the 11th day preceding an election and extends through the last day before the election day; provided that the period for early voting for the Northern Islands begins
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.

Attested to by:  
Evelyn C. Fleming, House Clerk

Certified by:  
FROILAN C. TENORIO, SPEAKER

APPROVED this 24th day of SEPTEMBER, 2010

BENIGNO R. FITIAL  
Governor  
Commonwealth of the Northern Mariana Islands