



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Benigno R. Fitial
Governor

Eloy S. Inos
Lt. Governor

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

SEP 24 2010

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,

A handwritten signature in black ink, appearing to read "Benigno R. Fitial", is written over a printed name.

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



HOUSE OF REPRESENTATIVES
SEVENTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
P.O. BOX 500586
SAIPAN, MP 96950

September 16, 2010


Public Law No. 17-16

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,


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. 17-04, 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



Seventeenth Legislature
of the
Commonwealth of the Northern Mariana Islands
IN THE HOUSE OF REPRESENTATIVES

6th Day, Second Regular Session

September 9, 2010

Public Law No. 17-16

H. R. 17-104, HS1, SS1

AN ACT

**TO AMEND PUBLIC LAW 17-11 TO ADDRESS THE CONCERNS OF ABUSE
AND FRAUD; AND FOR OTHER PURPOSES.**

**Be it enacted by the Seventeenth Northern Marianas Commonwealth
Legislature:**

1 **Section 1. Findings and Purpose.** The Legislature finds that there is a need to
2 amend the new early voting law set forth in Public Law 17-11 to address some issues raised
3 including voter intimidation, fraud, and increased cost of elections. One of the amendments
4 includes extending the 300 foot radius prohibition of campaign activity to early voting
5 polling places. Another amendment is to set a list of criteria for registered voters to use when
6 requesting to vote early at any election. The last amendment involves extending the early
7 voting time period for the Northern Islands to give the Commonwealth Election Commission
8 (CEC) time to coordinate transportation to the Northern Islands with other government
9 agencies at little or no cost.

1 The Legislature finds that the early voting process will not cost more money because
2 the CEC will utilize its staff and offices to conduct the early voting except that the polling
3 places on Tinian and Rota will be at the Department of Public Safety where all the election
4 ballots will be stored and secured during the early voting period. Accordingly, the purpose of
5 this legislation is to amend Public Law 17-11 to address early voting concerns.

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

7 **“§ 6528. Polling Places: Three-hundred Foot Radius Prohibition of**
8 **Campaign Activity.**

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

13 (1) [Unchanged.];

14 (2) [Unchanged.];

15 (3) [Unchanged.].”

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

18 **“§ xxxx. Early Voting: Criteria for Early Voting.**

19 (a) Any registered voter of the Commonwealth may vote early at any
20 election if he/she will be prevented from personally going to the polls and
21 voting on election day because of:
22

1 (1) The conduct of his/her business;

2 (2) The necessity of travel;

3 (3) Serving in the United States Armed Forces or the Merchant
4 Marine;

5 (4) Receiving treatment at a medical institution;

6 (5) Government representation; or

7 (6) Accompanying a member of the household who is engaged
8 in an activity listed above.”

9 **“§ xxx. Early Voting: Photo Identification.**

10 (a) Each voter shall be required to show photo identification at the poll
11 in order to receive a ballot; if the voter does not have or refuses to produce
12 photo identification, the voter shall fill out an affidavit that includes their
13 name, address and their signature swearing under penalty of perjury as to the
14 truth of the affidavit.

15 (b) Each voter shall be required to bring a copy of their photo
16 identification to include in their early voting packet; if the voter does not have
17 or refuses to produce photo identification, the voter shall fill out an affidavit
18 that includes their name, address and their signature swearing under penalty of
19 perjury as to the truth of the affidavit.”

20

1 **“§ xxxx. Early Voting: Ballot Box.**

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

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

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

9 **“§ xxxx. Early Voting: Issuance of Ballots; Voting Booths.**

- 10 (a) [Unchanged.].
- 11 (b) On the dates for early voting, the Commission shall provide voting
12 booths, with suitable equipment for voting, on the premises of the
13 Commission and any other designated early voting polling place for use by
14 registered voters who are issued ballots for early voting.
- 15 (c) [Unchanged.].”

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

18 **“§ xxxx. Early Voting: Period for Early Voting; Hours.**

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

1 on the 46th day preceding the election and extends ~~to~~ through the last day
2 before the election at 4:00 p.m.

3 (b) [Unchanged.]”

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

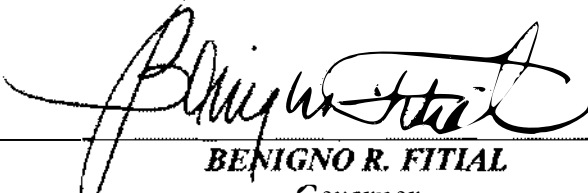
8 **Section 7. Savings Clause.** This Act and any repealer contained herein shall not be
9 construed as affecting any existing right acquired under contract or acquired under statutes
10 repealed or under any rule, regulation or order adopted under the statutes. Repealers
11 contained in this Act shall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

1 **Section 8. Effective Date.** This Act shall take effect upon its approval by the
2 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