

**CHAPTER 30-10**

**COMMONWEALTH ELECTION COMMISSION REGULATIONS**

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Chapter Authority: 1 CMC § 6105.

Chapter History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Amdts Emergency, 31 Com. Reg. 29760 (Aug. 2009) (effective for 120 days from August 27, 2009);\* Amdts Adopted 27 Com. Reg. 24119 (Mar. 17, 2005); Amdts Proposed 27 Com. Reg.

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23977 (Feb. 17, 2005); Amdts Adopted 27 Com. Reg. 24121 (Mar. 17, 2005); Amdts Proposed 27 Com. Reg. 23967 (Feb. 17, 2005); Amdts Adopted 27 Com. Reg. 24084 (Feb. 17, 2005); Amdts Proposed 27 Com. Reg. 23813 (Jan. 17, 2005); Amdts Adopted 26 Com. Reg. 23118 (Aug. 26, 2004); Amdts Proposed 26 Com. Reg. 22671 (June 24, 2004); Amdts Emergency 25 Com. Reg. 21062 (Sept. 18, 2003) (effective for 120 days from Sept. 15, 2003); Amdts Emergency 25 Com. Reg. 21059 (Sept. 18, 2003) (effective for 120 days from Sept. 2, 2003); Amdts Emergency 25 Com. Reg. 20241 (July 15, 2003) (effective for 120 days from July 15, 2003); Amdts Adopted 23 Com. Reg. 18420 (Oct. 19, 2001); Amdts Proposed 23 Com. Reg. 18244 (Aug. 16, 2001); Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001) (repealing and superseding all existing regulations).

Public Law 17-11 (effective August 10, 2010) amended the CNMI election statutes to conform to federal requirements.

\* On August 27, 2009, the Commonwealth Election Commission (CEC) promulgated emergency regulations proposing to amend the regulations in this chapter. To date, a notice of adoption has not been published.

Commission Comment: Title 1, division 6 of the Commonwealth Code, 1 CMC §§ 6001-6910, governs elections in the Commonwealth. Until September 2000, this division created a Board of Elections and authorized the board to implement its provisions. See former 1 CMC §§ 6101 and 6104 (1999).

PL 12-18 (effective Sept. 14, 2000), “The Northern Mariana Islands Election Reform Act of 2000,” codified as amended at 1 CMC §§ 6001-6706, repealed and reenacted the election law of the Commonwealth (1 CMC, division 6, part 1). See PL 12-18 § 2. The act establishes the Commonwealth of the Northern Mariana Island Election Commission and authorizes the Commission to implement its provisions. 1 CMC §§ 6101 and 6105.

In May 2001, the Commonwealth Election Commission promulgated “Commonwealth of the Northern Mariana Islands Election Commission Regulations” that repealed and replaced the existing “Election Rules and Regulations” promulgated by the Board of Elections in 1979. The history of the Board of Elections rules and regulations prior to 2001 is as follows:

Amdts Adopted 21 Com. Reg. 16807 (June 23, 1999); Amdts Proposed 21 Com. Reg. 16788 (May 19, 1999); Adopted 1 Com. Reg. 307 (June 16, 1979); Proposed 1 Com. Reg. 220 (May 16, 1979).

On June 16, 1979, the Board of Elections published a public notice regarding re-registration of certain voters for the November 4, 1979 general election. See 1 Com. Reg. 326 (June 16, 1979).

In 1989, the Board of Elections published emergency regulations to establish procedures for the certification of signatures for proposed constitutional amendments by popular initiative. See 11 Com. Reg. 6273 (July 15, 1989) (effective for 120 days from June 19, 1989).

On July 15, 2005, the Commonwealth Election Commission issued a declaratory ruling that interpreted 1 CMC § 6303. The Commission found that 1 CMC § 6303 requires a candidate for the House of Representatives to be registered to vote in the election district where he or she is a candidate for at least two years immediately preceding the date of election. See 27 Com. Reg. 24687 (July 20, 2005). PL 14-87 (effective Sept. 19, 2005) amended 1 CMC § 6303 to remove this requirement.

In April 2014 the Commonwealth Election Commission amended this subchapter by entirely repealing and replacing parts 001, 200, 400, 500, and 800. In addition, the Commonwealth Election Commission amended select provisions in part 700.

### **Part 001 - General Provisions**

**§ 30-10-001 Authority**

The Commonwealth of the Northern Mariana Islands Election Commission is vested with the authority to adopt and promulgate rules and regulations pursuant to 1 CMC § 6105(e)-(g) and in accordance with the Commonwealth Administrative Procedure Act, 1 CMC §§ 9101-9115.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

**§ 30-10-005 Purpose and Scope**

The purpose of the rules and regulations in this chapter is to provide for the fair and impartial treatment of all qualified voters and to ensure the orderly and efficient conduct of all elections in the Commonwealth. These rules and regulations supersede all previous regulations promulgated by the Commonwealth of the Northern Mariana Islands Election Commission.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

**§ 30-10-010 Definitions**

Unless the context clearly requires a different interpretation, the following terms shall have the following meanings. In addition any term that is defined in 1 CMC § 6003, shall have the same definition unless otherwise stated.

- (a) “Affidavit” means the affidavit of registration form as created by the Commission that is duly executed by the person entitled to register under the election laws of the Commonwealth.
- (b) “Aggregate” means the cumulative total of the fair market value of contributions received from one contributor or supporter, or the cumulative total of the fair market value of expenses and campaign spending for a particular type of expenditure.
- (c) “Ballot box” means a secure receptacle into which a voter deposits his or her completed ballot located at each polling place on Election Day.
- (d) “Campaign spending” means all payments, obligations, or transfers of anything of value by a supporter, contributor, candidate, potential candidate, or other person or entity in support of a campaign.
- (e) “Cash” means currency, coins, checks, credit or debit card charges, money orders, traveler’s checks, cashier’s checks, bonds, stock certificates, or any other form of monetary instrument commonly accepted in trade or business for the transaction of

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business or repayment of legal debts.

(f) “Citizen” means a person who is a United States citizen by birth or naturalization as defined in the Commonwealth Constitution.

(g) “Commission” means the Commonwealth of the Northern Mariana Islands Election Commission.

(h) “Commonwealth” means the Commonwealth of the Northern Mariana Islands.

(i) “Contributed property” includes, but is not limited to, goods, tangible items, equipment, supplies, livestock, vehicles, objects, or other items donated to a campaign, candidate, potential candidate, or committee with the intent to transfer ownership, and which once transferred will not be returned to the contributor or supporter after the campaign.

(j) “Contributor” means any individual, corporation, political party, association, family trust, business, partnership, political action committee, candidate, organization, group, committee, elected official, citizen, or any other entity that provides money, property, advertising, independent expenditures, expendable goods or services, or anything else of value to a candidate, potential candidate, for that candidate’s campaign.

(k) “Detailed financial statement of account” is the campaign statement of account (as defined by 1 CMC § 6421(a)) and all other necessary supporting details that relate to the candidate’s campaign financial activity.

(l) “Election” means an election held throughout the Commonwealth on the Tuesday following the first Monday of November in even-numbered years. It may also include a special election called pursuant to a proclamation issued by the Governor of the Commonwealth.

(m) “Eligible voter” means a person who is qualified and duly registered to vote. A voter is not qualified to vote if after registration there is a change in their eligibility status (e.g., the person is convicted of a felony, declared of unsound mind, or is no longer a resident or domiciliary of the Commonwealth).

(n) “Expenditures for the operation of a permanent political party headquarters” include, but are not limited to, expenditures for rent, utilities, telephone service, furniture and furnishings, equipment and supplies, and salaries of political party headquarters staff.

(o) “Fair market value” means the price that buyers and sellers in the local community, who have reasonable knowledge of the relevant facts and are not under any compulsion to buy or sell, would be willing to pay and accept for a good or service.

(p) “Fundraising event” means any gathering of persons that is designed to or with the purpose being to solicit or receive contributions (by such means that includes, but is

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not limited to, the purchase of tickets, payment of attendance fees, donations for prizes, or through the purchase of goods, services, or political merchandise) for the benefit of a candidate, potential candidate, or his or her campaign.

(q) “Independent expenditure” means a payment, service, advertisement, expense, expendable good or service, or anything else of value that a contributor or supporter directly incurs and pays for on behalf of a candidate or potential candidate, for purposes of benefitting or promoting that candidate’s campaign.

(r) “In-kind contributions” include, but are not limited to, the following:

(1) Expendable items such as food, drinks, t-shirts, advertisements, banners, posters, lumber, construction materials, and supplies.

(2) The reasonable value of donated services, such as advertising, trucking, transportation, entertainment, tents or lodging, and catering.

(3) The reasonable rental value of real or personal property loaned out or used for free—such as the use of buildings, computers, tents and canopies.

(s) “Observer” means a designee, representative, partisan, or other authorized person who is allowed access inside the polling place area to observe the election process on behalf of his or her candidate or issue.

(t) “Person” means a human being.

(u) “Personal use” means a use that primarily furthers an individual or a family purpose that is not connected with the performance or activities as a candidate for or holder of a public office, and includes the personal use of an asset purchased with a contribution and the personal use of any interest or other income or benefit earned from a contribution.

(v) “Reasonable diligence” means the measure of prudence, care, or assiduity, as is properly to be expected from, and ordinarily exercised by, a reasonable and prudent person under the particular circumstances.

(w) “Supporter” means a contributor, or an individual who is not a contributor but who advocates the election of one or more candidates or the approval or rejection of an issue on the ballot or otherwise supports a campaign.

(x) “Team” means a pair of candidates that is running for Governor and Lieutenant Governor under the same political party or as independent candidates for those offices.

(y) “Temporary” means transitory, impermanent, or of the moment.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

Commission Comment: The Commission inserted commas after the words “objects” in subsection (i) and

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“expenditures” in subsection (j) and inserted an apostrophe into the word “candidate’s” in subsection (j) pursuant to 1 CMC § 3806(g). Although “Commission” is defined in this chapter as the CNMI Election Commission, “Commission” in the comments refers to the Law Revision Commission.

### § 30-10-015 [Reserved]

[Reserved.]

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001).

Commission Comment: This section was entitled “Definition,” and was repealed by the 2014 amendments.

## Part 100 - Formation of New Political Parties

### § 30-10-101 General

Pursuant to 1 CMC § 6005, a new political party may be formed prior to an election, pursuant to uniform rules and regulations as adopted by the Election Commission. This part will develop those requirements and rules in order for a new political party to be formed, and for that party to have an opportunity to place its candidates on the ballot for any of the available offices for that election.

Modified, 1 CMC § 3806(d), (f).

History: Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

### § 30-10-105 Name of Party

The new political party must have a name and the name cannot be the same or identical of another recognized political party in the Commonwealth. The name must not create confusion with an existing political party. An example of a confusing similar name would be as follows: “The XY Party of the CNMI,” and “The CNMI XY Party.” Only one of these names would be allowed as it would create confusion on the ballot. The name of the new political party must be clearly identified on the petition sheet.

History: Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

### § 30-10-110 Petition Signatures

In order for a new political party to be formed it must present to the Election Commission valid signatures of any number of qualified and registered voters in the Commonwealth. The Election Commission staff, as directed by the Executive Director shall inspect each and every signature submitted to determine that the person is in fact a qualified and registered voter, and that the signature is authentic. Those petitions must swear or affirm that the signatories desire the creation of a new political party in the Commonwealth.

History: Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

**§ 30-10-115 Party Officers**

(a) All new political parties must have a chairman, secretary, and treasurer who are duly elected to those offices by members of the party and who signed the petition creating the political party.

(b) No person may hold more than one of those offices within that political party and no person elected as an officer of a new political party may currently hold an office in another “recognized political party.”

Modified, 1 CMC § 3806(f).

History: Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

Commission Comment: The original paragraphs of this section were not designated. The Commission designated subsections (a) and (b). The Commission inserted a comma after the word “secretary” in subsection (a) pursuant to 1 CMC § 3806(g).

**§ 30-10-120 Election of Officers**

At the same time that the new political party submits its petition signatures it must also submit to the Commission, duly authorized minutes of the election of its officers, that will reflect where the voting occurred, the date and time the voting occurred, who presided over the elections, who was elected to the officer positions of the party, and who was in attendance at the vote and lawfully voted for the officer positions. It is not necessary that all who signed the petition participate in the vote for officers.

History: Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

**§ 30-10-125 Publication of the Election of Officers**

A new political party shall publicize in advance the date, time and location of its officer elections in a newspaper of general circulation in the Commonwealth.

History: Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

Commission Comment: The Commission changed the word “Publicization” in the title of this section to “Publication” to correct a manifest error. The Commission inserted a comma after the word “time” pursuant to 1 CMC § 3806(g).

**§ 30-10-130 Submission of Signatures and Minutes**

A new political party shall submit its signatures, list of officers, and minutes of their election to the Commission no less than 120 days prior to a general election and no less than 45 days prior to any special election. The submission of signatures and documents shall be accompanied by a fee of \$500.

History: Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).



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Commission Comment: On July 15, 2003, the Commonwealth Election Commission promulgated an emergency amendment to this section reducing the 120-day requirement to 90 days. See 25 Com. Reg. 20241 (July 15, 2003). The emergency provision expired 120 days after promulgation on November 12, 2003.

The Commission inserted a comma after the word “officers” pursuant to 1 CMC § 3806(g).

### § 30-10-135 Certification

(a) Parties could only be allowed to be recognized Commonwealth-wide. Any party presently recognized with a status less than Commonwealth-wide is automatically deemed to have Commonwealth-wide recognition status. If it appears to the satisfaction of the Commission, on the recommendation of the Commission staff that a new political party has met the above requirements, then the Commission shall certify that a new political party has been formed within the Commonwealth and shall be allowed a place on the ballot with candidates for any offices it seeks, provided each candidate meets the statutory requirements for inclusion on the ballot as a candidate. A new political party must be certified prior to its submission of nomination papers for its candidates.

(b) After submitting the documents for the formation of a new political party to the Commission for formal certification, if the Commission fails to act within 30 days of that submission then the new political party shall be considered certified. The decision for the certification of a new political party shall occur at a formal publicly noticed meeting of the Commission.

(c) After a general or special election a new political party must meet the requirements of 1 CMC § 6003(o)(3) in order to be a recognized political party and maintain a position on future ballots published by the Commission pursuant to law.

Modified, 1 CMC § 3806(f).

History: Amdts Adopted 26 Com. Reg. 23118 (Aug. 26, 2004); Amdts Proposed 26 Com. Reg. 22671 (June 24, 2004); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

Commission Comment: The original paragraphs were not designated. The Commission designated subsections (a) through (c).

The 2004 amendments amended subsection (a).

### § 30-10-140 Corporate Charter

Nothing in this part shall prevent a new or recognized political party from seeking a charter as a non-profit or for-profit corporation through the Registrar of Corporations, but such status shall be irrelevant in determining whether such party qualifies as a political party in the Commonwealth of the Northern Mariana Islands, as only the Commission shall determine, in accordance with this chapter and the Commonwealth of the Northern Mariana Islands Election law, whether a political party qualifies as a new or recognized

political party.

Modified, 1 CMC § 3806(d), (f).

History: Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

## **Part 200 - Registration**

### **§ 30-10-201 General Registration Procedures**

The primary method of voter registration shall be in person before a duly authorized registration clerk, a Commission staff person, or a Commission member. Any qualified and eligible voter may register at the Commission office in Saipan, at their residence, or other place that the Commission allows for the registration of voters.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

### **§ 30-10-205 Registration Affidavit**

A voter registers to vote by completing the affidavit, as attached and incorporated herein as exhibit A to this chapter, and providing all of the information as required by law and executing same under the penalty of perjury.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

### **§ 30-10-210 Mail Registration**

(a) A person otherwise qualified to vote may submit his registration affidavit by mail so long as the registration affidavit is signed. Upon signing the affidavit, the voter must mail the registration affidavit via first class mail, priority mail, or express mail to the following address:

Commonwealth Election Commission  
Commonwealth of the Northern Mariana Islands  
PO Box 500470  
Saipan, MP 96950

(b) If a person submits his or her registration affidavit by mail, it must be postmarked no later than the deadline for registration for all Commonwealth voters to be eligible to vote in the next election. If a person mails the affidavit from a locale that does not properly affix a postmark, such as a ship or submarine, then the date on the affidavit shall be presumed to be the day that the affidavit was mailed. If that date is on or before the deadline for registration, then the voter shall be presumed to be registered if the Commission satisfactorily determines that the voter is eligible.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

**§ 30-10-215 Mail Registration Requirements**

A person who is physically present in the Commonwealth shall not register by mail. The registration clerk who receives a registration affidavit by mail must check the postmark or other such evidence to insure that the person who submitted the application did not mail it from a location within the Commonwealth.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

**§ 30-10-220 Residency and Domiciliary Requirements**

A person who is otherwise qualified to register by mail must meet residency and domiciliary requirements as provided by law and as attested to on the registration affidavit.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

**§ 30-10-225 Establishment of Identity and U.S. Citizenship or Nationality a Prerequisite to Voter Registration**

(a) The registration clerk shall reject any application for registration that is not accompanied by satisfactory evidence of identity and United States citizenship or nationality. Satisfactory evidence of identity and citizenship or nationality shall include any of the following:

(1) The number of the applicant's currently valid driver's license or non-operating identification license issued by a government agency within the United States if the agency indicates on the applicant's driver's license or non-operating identification license that the person has provided satisfactory proof of United States citizenship or nationality.

(2) A legible photocopy of the applicant's birth certificate that verifies U.S. citizenship or nationality to the satisfaction of the registration clerk. Any rejection of a legible birth certificate shall be done in writing within 15 days at the applicant's request.

(3) A legible photocopy of pertinent pages of the applicant's United States passport identifying the applicant and the applicant's passport number or presentation to the registration clerk of the applicant's United States passport.

(4) A presentation to the registration clerk of the applicant's United States naturalization documents or the number of the certificate of naturalization. If only the number of the certificate of naturalization is provided, the applicant shall not be included in the registration rolls until the number of the certificate of naturalization is verified with the United States immigration and naturalization service by the Commonwealth Election

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Commission. The Commonwealth Election Commission shall accomplish the verification within five ~~(5)~~ business days.

(5) Other documents or methods of proof that are established pursuant to the Immigration Reform and Control Act of 1986.

(6) Other documents or methods of proof that are established pursuant to the Article III of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, 48 U.S.C. § 1801 note.

(7) The applicant's bureau of Indian affairs card number, tribal treaty card number, or tribal enrollment number.

(b) Notwithstanding subsection (a) ~~of this section~~, any person who is registered in the Commonwealth on the effective date of this section is deemed to have provided satisfactory evidence of citizenship or nationality and shall not be required to re-submit evidence of citizenship or nationality unless the person is changing voter registration from one election district to another, or is re-registering after having his or her name removed from the Register. Provided, however, that all individuals shall be required to establish identity.

(c) For the purposes of this section, proof of voter registration from another State, Territory, or Commonwealth is not satisfactory evidence of citizenship or nationality.

(d) A person who modifies voter registration records with a new residence ballot shall not be required to submit evidence of citizenship or nationality, but shall be required to establish identity.

(e) After citizenship has been demonstrated to the Election Commission, the person is not required to re-submit satisfactory evidence of citizenship or nationality, but shall be required to establish identity when re-registering or changing registration status.

(f) After a person has submitted satisfactory evidence of citizenship or nationality, the Commonwealth Election Commission shall indicate this information in the person's pennant voter file. After two years, the Commonwealth Election Commission may destroy all documents that were submitted as evidence of citizenship or nationality.

~~(g)~~ <sup>(h)</sup> For the purposes of establishing identity when sufficient evidence of U.S. citizenship or nationality is not required, any of the evidence listed in (a)(1) ~~to~~ (7) shall be sufficient, provided that such evidence need not demonstrate U.S. citizenship or nationality.

~~(h)~~ <sup>(i)</sup> Any person who wishes to appeal a denial of registration under this section shall appeal in writing within 14 days. Such appeal shall be conducted pursuant to the hearing procedures for registration challenges as set forth in § 30-10-420.

Modified, 1 CMC § 3806(a), (f), (g).

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22,

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2001); Amdts Adopted 40 Com. Reg. 41324 (Dec. 28, 2018); Amdts Proposed 40 Com. Reg. 40847 (July 28, 2018).

Commission Comment: ~~This section was entitled “Public Record Information of Voter Registration,” and was repealed by the 2014 amendments.~~[Historical comment removed.]

### § 30-10-230 Registration Clerks

(a) All duly employed staff members of the Commission, members of the Commission, and persons properly designated by the Commission may serve as registration clerks.

(b) Upon receipt of a duly executed affidavit from within the Commonwealth, the registration clerk shall promptly transmit the affidavits in a sealed envelope via first-class mail or government pouched mail to the Commission’s office on Saipan at the address listed in § 30-10-210 or immediately deliver the affidavits in person so that the voters’ names shall appear on the register.

(c) The Commission shall ensure registration clerks have a sufficient number of voter registration affidavits.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

Commission Comment: The Commission inserted an apostrophe into the word “voters” in subsection (b) pursuant to 1 CMC § 3806(g).

### § 30-10-235 No Refusal Right

(a) A registration clerk shall not refuse to register a person seeking to register to vote, provided that the person has submitted satisfactory evidence of identity and U.S. citizenship or nationality.

(b) If the registration clerk believes that a person is not qualified to register to vote, the registration clerk shall allow the person to fill out the affidavit and then immediately inform the Executive Director or a Commission staff person that the person may not be eligible to vote in the Commonwealth. The registration clerk shall also provide the reasons why he or she believes that the person may not be eligible to vote. The Commission shall then follow the hearing procedures for registration challenges as set forth in § 30-10-240.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001); Amdts Adopted 40 Com. Reg. 41324 (Dec. 28, 2018); Amdts Proposed 40 Com. Reg. 40847 (July 28, 2018).

### § 30-10-240 Hearings on Challenges of Registrations

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(a) As authorized by law, the Commission shall hold hearings on all challenged registrations where it appears that a person does not meet the qualifications required by statute to register to vote in the Commonwealth.

(b) The hearings shall occur no more than 30 days after the person submitted his or her registration affidavit. If the Commission fails to hold a hearing on the challenged registration within the 30-day time period then the challenged registrant will be presumed eligible and qualified to register to vote and his or registration will be deemed to be valid.

(c) A quorum of the Commission shall be necessary to conduct a hearing.

(1) Pursuant to the law, the quorum must consist of at least 5 members provided that there is at least one representative from each senatorial district.

(2) If necessary, a Commission member may participate in the hearing via telephone.

(d) The hearings shall be informal in nature.

(1) The hearing need not be publicly noticed, but the challenged registrant shall be given reasonable notice prior to the hearing and given an opportunity to be heard at the hearing. The challenged registrant may participate in the hearing in person or via telephone.

(2) The challenged registrant shall be allowed to offer any oral or documentary evidence as to why he should be registered to vote. The challenged registrant may be represented by counsel of his own choosing and at his own expense.

(3) Any person shall be allowed to offer any oral or documentary evidence as to why the challenged registrant should or should not be permitted to register to vote.

(e) A decision denying the challenged registrant the right to be registered to vote shall be decided by at least three-fourths of the Commission members present at the hearing, including those members, if any, participating via telephone.

(1) If less than three-fourths of the Commission members present vote in favor of the challenged registrant's ineligibility, then it shall be presumed that the challenged registrant is eligible and qualified to register to vote.

(2) A Commission member, who does not participate (either in person or via telephone) in a challenge hearing, shall not vote on whether or not the challenged registrant is qualified or eligible to vote. The Commission shall announce its decision in writing to the challenged registrant and make its decision available to the public no later than three days after the conclusion of the hearing.

(f) The decision of the Commission shall be the final agency action and subject to the judicial review petition procedures of the Commonwealth Administrative Procedure Act (1 CMC §§ 9101-9115).

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

### **Part 300 - Polling Places**

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Public Law 17-11 (effective August 10, 2010) amended the CNMI election statutes to conform to federal requirements. Public Law 18-46 (effective April 23, 2014) further amended CNMI election statutes. To the extent these regulations conflict with amendments made by Public Laws 17-11 and 18-46, they are superseded.

### **§ 30-10-301 Locations**

The Commission shall choose polling places for each election no less than 60 days prior to the date of the election. Public schools and public buildings, whenever possible, shall be utilized as polling places during elections and the Commission shall ensure that polling places are located in prominent locations or central portions of precincts or in the heaviest most populated areas of the precinct to make the polling locations as easily accessible to all voters.

Modified, 1 CMC § 3806(f).

History: Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

Commission Comment: The Commission replaced “insure” with “ensure” to correct a manifest error.

### **§ 30-10-305 Accessibility**

All polling places must be accessible to voters with disabilities, and no polling place shall be chosen that is unable to accommodate a voter with a disability.

History: Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

### **§ 30-10-310 Announcement**

The polling place locations shall be published in the newspapers of general circulation in the Commonwealth at least 15 days prior to the election. In addition the Commission shall make available to any voter who so requests the list of polling places for each precinct.

History: Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

### **§ 30-10-315 Further Publication**

Nothing in this section shall limit the Commission in announcing the polling locations through other additional mediums such as television, the internet, or official posting boards within government offices. The Commission should strive for maximum notification of the polling place locations.

Modified, 1 CMC § 3806(f).

History: Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

## **Part 400 - Voting Procedures**

**§ 30-10-401 Voting Ballot**

(a)(1) The Commonwealth uses a paper ballot method of voting. Prior to the election, the Commission shall print a ballot for each voting precinct on paper which shall list all candidates who have met the requirements to be listed on the ballot. The ballot shall be organized by race or office wherein the names of candidates for a particular office(s) shall be placed together and identified as candidates for the particular office(s). The candidate's political party or independent candidacy shall be placed immediately under the candidate's name on the ballot.

(2) In the case of non-partisan offices (e.g., Municipal Council and Board of Education) and independently nominated candidates for any office, no political party affiliation shall be listed. An independently nominated candidate who was previously affiliated with a political party may not use that affiliation unless he is nominated for that office by that political party.

(b) All candidate names shall be printed in a uniform font type and size and shall be of a sufficient font size for all voters to read. No candidate's name shall be printed in a font size or type that differs from the other candidates' names.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Amdts Emergency 31 Com. Reg. 29760 (August 27, 2009) (effective for 120 days from Aug. 27, 2009); Amdts Adopted 27 Com. Reg. 24121 (Mar. 17, 2005); Amdts Proposed 27 Com. Reg. 23967 (Feb. 17, 2005); Amdts Adopted 23 Com. Reg. 18420 (Oct. 19, 2001); Amdts Proposed 23 Com. Reg. 18244 (Aug. 16, 2001); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

Commission Comment: The original paragraphs of subsection (a) were not designated. The Commission designated subsections (a)(1) and (a)(2).

The October 2001 and March 2005 amendments amended subsections (a) and (b). The October 2001 amendments contained authority and purpose and scope provisions as follows:

Section 1.1 Authority. The authority for the adoption and promulgation of the Commonwealth of the Northern Mariana Islands Election Commission Rules and Regulations is by virtue of the authority and directions set forth in 1 CMC § 6000 et. seq. and the Commonwealth Administrative Procedures Act, 1 CMC § 9101 et. seq.

Section 1.2 Purpose and Scope. The purpose of these regulations is to provide rules and guidelines on voting procedures for use with the E S & S Model 150 Central Ballot Scanner. These amendments relate to the CNMI Election Commission Regulations, as published in the Commonwealth Register Vol. 23 No. 3, page 17724, March 22, 2001 and adopted Volume 23, No. 5, page 17854, May 24, 2001.

23 Com. Reg. at 18248 (Aug. 16, 2001).

On September 2, 2003, the Commonwealth Election Commission promulgated an emergency amendment to the Election Commission Regulations adding a new § 5.28, entitled "Secret Ballot." See 25 Com. Reg. 21059 (Sept. 18, 2003). The emergency provision expired 120 days after promulgation on December 31, 2003.

On August 27, 2009, the Commonwealth Election Commission promulgated an emergency amendment to



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this section. See 31 Com. Reg. 29760 (Aug. 27, 2009). The emergency provision expired 120 days after promulgation on December 25, 2009.

### § 30-10-402 Design and Non-contestability of Ballot

- (a) The staff of the Commission shall have the primary responsibility for the design of the ballot. The Commission shall have final approval over the design of the ballot.
- (b) Prior to the final publication of the ballot, the candidates' locations (position or row) on the ballot for the various offices shall be designated by a number corresponding to their location (position or row). The executive director shall administer a drawing for ballot locations when there is at least two candidates for a particular office or race.
- (1) On a date designated by the executive director, the candidates or their representatives shall draw numbers corresponding to a ballot location out of a paper bag, box, hat, or other similar container. The numbers shall be drawn in a manner so that the person choosing the number has no way of knowing which number he or she is choosing.
- (2) A person may act as a representative for more than one candidate (for example, the chairman of a political party may act as the representative for all of the party's candidates).
- (c) After the Commission publishes the ballot, a specimen copy of the ballot shall be made available in Saipan, Tinian, and Rota for public viewing upon reasonable request.
- (d) The design of the ballot as approved by the Commission shall be final and non-contestable in any Commonwealth or United States court.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Amdts Emergency 31 Com. Reg. 29760 (August 27, 2009) (effective for 120 days from Aug. 27, 2009); Amdts Adopted 27 Com. Reg. 24121 (Mar. 17, 2005); Amdts Proposed 27 Com. Reg. 23967 (Feb. 17, 2005); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

Commission Comment: The March 2005 amendments amended subsection (b). The March 2005 adopted regulations did not include Example B, "Sample General Election Ballot," published with the proposed regulations. See 27 Com. Reg. at 23976 (Feb. 17, 2005).

On August 27, 2009, the Commonwealth Election Commission promulgated an emergency amendment to this section. See 31 Com. Reg. 29760 (Aug. 27, 2009). The emergency provision expired 120 days after promulgation on December 25, 2009.

### § 30-10-404 Number of Ballots

- (a) The Commission shall ensure that a sufficient number of ballots are printed and shall print a number of ballots that is sufficiently in excess of the number of registered voters within the Commonwealth to account for spoiled and damaged ballots.
- (b) Each polling place shall have a sufficient supply of ballots, in case a voter damages or incorrectly marks his or her ballot.

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- (c) Voters who spoil or damage a ballot are entitled to receive a replacement ballot.
- (1) A voter shall surrender his or her damaged or incorrectly marked ballot to the precinct official before he or she may receive another ballot.
- (2) Any individual voter shall not receive more than three replacement ballots.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

### § 30-10-406 Ballot Instructions

- (a) Each ballot shall contain instructions on how to properly mark the ballot.
- (1) The instructions shall state that the voter is to properly mark the corresponding block next to the candidate's name that the voter intends to vote for.
- (2) If applicable, the instructions shall also state that the voter may choose only as many candidates as the number of offices available in each precinct.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Amdts Adopted 23 Com. Reg. 18420 (Oct. 19, 2001); Amdts Proposed 23 Com. Reg. 18244 (Aug. 16, 2001); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

### § 30-10-408 Ballot Marks

The following markings may not be proper and may result in the voter's vote for that particular office not being counted:

- (a) Circling the candidate's name;
- (b) Writing the word yes next to the candidate's name;
- (c) Drawing a line from the candidate's name to the block;
- (d) Puncturing a hole in the block; and
- (e) Underlining the candidate's name.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Amdts Adopted 23 Com. Reg. 18420 (Oct. 19, 2001); Amdts Proposed 23 Com. Reg. 18244 (Aug. 16, 2001); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

Commission Comment: The October 2001 amendments deleted former subsections (b), (d), (g) and (j). The Commission redesignated the remaining subsections accordingly. The 2014 amendments listed the entire section as part of subsection (a). As there were no other subsections, the Commission removed the subsection designated pursuant to 1 CMC § 3806(a). The Commission inserted an apostrophe into the word "candidate's" in subsection (c) pursuant to 1 CMC § 3806(g).

### § 30-10-410 Initiatives and Referendums

(a) If an initiative or referendum has been duly certified for the election, the ballot shall include the initiative or referendum in the form of a question that can be answered with “yes” or “no.”

(b) Below the wording of the question shall be the words “yes” and “no” with corresponding blocks for those responses. A voter who chooses to vote on a particular initiative or referendum shall mark the block of their choice using the same methods that are prescribed for voting for candidates.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

**§ 30-10-412 Absentee Voting**

Nothing in these sections regarding voting procedures shall prevent an eligible voter from voting by absentee ballot or during the early voting period if he or she otherwise qualifies for such as provided for by law. The same rules and requirements for marking the “Election Day” ballot shall apply to absentee ballots and early voting ballots.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

**§ 30-10-414 Ballot Language**

The ballot and any accompanying instructions shall be printed in the English language.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

**§ 30-10-416 Voter Assistance**

(a) If a voter at a polling place states that he or she cannot read or write, then he or she shall state such to a polling place supervisor. The polling place supervisor shall provide the voter with the assistance necessary to enable the voter to vote.

(b) If a voter has any other disability that prevents him or her from voting, then the polling place supervisors shall provide the voter with the assistance necessary to enable the voter to vote.

(c) In providing assistance under subsections (a) and (b), a polling place supervisor may ask the voter which candidate he or she would like to vote for and whether he or she is or is not in favor of a particular issue presented on the ballot for voting; in no other instance shall a person ask another person at a polling place as to which candidate he intends to vote for or which candidate he voted for or whether he or she is or is not in

favor of a particular issue that is presented on the ballot for voting.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

**§ 30-10-418 Polling Place Privacy**

(a) Except as necessary to carry out the mandate of § 30-10-416 or as otherwise permitted, the polling place booth where the voter marks his or her ballot shall remain private.

(b) No person may enter a booth when a voter is inside the booth in the process of voting. A voter that is inside a voting booth shall be presumed to be in the process of voting.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

**§ 30-10-420 Ballot Privacy**

Upon completing his or her selections on the ballot, the voter shall fold the ballot in such a way that his or her choices remain private, and shall promptly deposit his or her ballot into the ballot box. If the Commission provides the voter with a secrecy sleeve as part of the Commonwealth ballot, the voter shall place his or her ballot in the secrecy sleeve prior to exiting the voting booth and promptly deposit the ballot in the ballot box.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

**§ 30-10-422 Proof of Voting**

The polling place workers shall cross off the name of each voter on their list after that voter has received their ballot, and the voter must initial next to their name after it has been crossed off.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Amdts Adopted 27 Com. Reg. 24119 (Mar. 17, 2005); Amdts Proposed 27 Com. Reg. 23977 (Feb. 17, 2005); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

**§ 30-10-424 Write-in Votes**

(a) Write-in votes shall not be allowed. A voter shall not write in the name of a person who has not qualified for the ballot as provided for by law, nor shall a voter write in a name of a candidate whose name has already been printed on the ballot.

(b) Write-in votes will not be counted for any candidate that should receive such votes.

(c) A write-in vote for a particular office will automatically disqualify any valid vote on the ballot for that particular office.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

**§ 30-10-426 Voter Challenges**

Challenges to a voter's eligibility to vote in the Commonwealth shall be made in accordance with the procedures set for in 1 CMC § 6215.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

**§ 30-10-428 Polling Place Observers**

(a) A recognized political party may have two observers per senatorial district who may be present at any polling place or tabulating location at any time. Candidates who are not affiliated with a political party and proponents or opponents of an issue or referendum may have one observer per senatorial district, election district, or municipality depending on the office sought or the issue being supported or opposed.

(b) The observers shall be allowed to be present at any time while the polling place is open. The observers may not wear any buttons, t-shirts, or other identifying items that reveal the candidate or issue they support. Any observer who attempts to campaign on their candidate or issue's behalf shall be removed by the polling place supervisor and will not be allowed to return to any polling place. Campaigning is defined as the following:

(1) Making oral statements to voters to vote for a candidate or support an issue, an initiative, or a referendum.

(2) Making oral statements to voters to support a candidate, issue, initiative, or referendum.

(3) Wearing, displaying, or handing out any materials that reflect which candidate, issue, initiative, or referendum they are supporting.

(4) The observers shall not disrupt the voting process at any polling place in any manner. An observer that disrupts the voting process at a polling place shall be removed by the polling place supervisor and shall not be allowed to return to any of the polling places.

(5) An observer may not be a candidate that is appearing on the ballot. Any such candidate-observer will be asked by the polling place supervisor to leave the polling place area immediately.

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History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Amdts Adopted 23 Com. Reg. 18420 (Oct. 19, 2001); Amdts Proposed 23 Com. Reg. 18244 (Aug. 16, 2001); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

Commission Comment: The Commission inserted commas after the words “district” in subsection (a), “t-shirts” in subsection (b), and “initiative” in subsections (b)(2) and (b)(3) pursuant to 1 CMC § 3806(g).

The October 2001 amendments amended subsection (a).

On September 15, 2003, the Commonwealth Election Commission promulgated an emergency amendment to this section amending subsections (a)(1), (a)(2), (a)(3) and (b). See 25 Com. Reg. 21062 (Sept. 18, 2003). The emergency provision expired 120 days after promulgation on January 13, 2004.

### **§ 30-10-430 Voter Behavior within 300 feet of Polling Place**

No voter or other person shall engage in any activity that is prohibited under § 30-10-428. Commonwealth law provides that campaign activity shall cease on Election Day from 7:00 a.m. to 7:00 p.m. within 300 feet of a polling place. A voter or other person who engages in such proscribed activity within 300 feet of a polling place shall be removed from the 300-foot radius of the polling place.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Amdts Emergency 31 Com. Reg. 29760 (August 27, 2009) (effective for 120 days from Aug. 27, 2009); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

Commission Comment: On August 27, 2009, the Commonwealth Election Commission promulgated an emergency amendment to this section. See 31 Com. Reg. 29760 (Aug. 27, 2009). The emergency provision expired 120 days after promulgation on December 25, 2009.

### **§ 30-10-432 Use of Police Officers**

If necessary, the Commission shall use the services of the designated police officers to maintain order and security at polling place locations, and to safely and securely transport the ballots for tabulation and counting.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

### **§ 30-10-434 Removal of Ballots from Polling Places**

Unless otherwise authorized by the Commission, no person shall remove a ballot from any polling place at any time while the polls are still open.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

### **§ 30-10-436 Accounting for Ballots**

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(a) Poll supervisors shall account for the ballots delivered to them by returning the same number of ballots that were delivered to them. The sum of unused ballots, official ballots cast, and spoiled ballots shall equal the number of ballots delivered.

(b) The Commission shall require an accounting of returned ballots upon their receipt to ensure that number of ballots returned is the same as the number of ballots that were delivered.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

### **§ 30-10-438 Unused Ballots**

When the polls close and before the marked ballots leave the polling place, the election officials shall deface all unused ballots.

(a) Three authorized polling place workers shall witness the defacing of the ballots. The poll workers shall deface the ballots by drawing an “X” on the face of the ballot.

(b) All defaced ballots, including spoiled or damaged ballots, shall be placed into a sealed envelope. A majority of the election officials at a polling place shall sign their names on the envelope. The envelope shall indicate the polling place.

(c) The locked ballot boxes, along with the defaced ballots and all other election materials, shall be delivered to the Commission for counting and tabulation.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

Commission Comment: The 2014 amendments designated the entire section as subsection (a). As there were no other subsections, the Commission redesignated subsections pursuant to 1 CMC § 3806(a).

### **§ 30-10-440 Voting Procedure at the Polls for Central Ballot Scanner Votes**

(a) A demonstration of the proper way to mark the ballot shall be available to all voters at the polling place. A card or poster of instructions detailing the proper way of marking ballots and voting shall be posted outside the polling place and in each voting booth.

(b) After the voter receives a ballot, the voter shall proceed into the voting booth and shall properly mark the ballot as prescribed on the card or poster of instructions. Inside the voting booth the voter shall designate his or her choice(s) by marking in the left hand block or blocks next to the name of the candidate for whom the voter desires to vote or the block with the response to the question for which the voter desires to vote.

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History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Amdts Adopted 23 Com. Reg. 18420 (Oct. 19, 2001); Amdts Proposed 23 Com. Reg. 18244 (Aug. 16, 2001).

### **§ 30-10-442 Counting Center Procedures (Authorized Persons)**

The tabulating and counting of ballots shall be observed in accordance with § 30-10-428 and 2 CMC § 6524. The official observers shall observe the processes within the counting centers for both the Central Tabulation Site and the Preliminary Counting Sites on Tinian and Rota, and shall report any changes or deviations from the rules or procedures to the Chairman or members of the Commission. No person shall be permitted into the counting centers without an official badge to be provided by the Commission.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Amdts Adopted 23 Com. Reg. 18420 (Oct. 19, 2001); Amdts Proposed 23 Com. Reg. 18244 (Aug. 16, 2001).

### **§ 30-10-444 Counting Center Procedures (Receipt of Ballots)**

The Executive Director or his or her designee shall be at the counting center and shall receive and sign for the sealed ballot boxes for each precinct polling location. The ballot boxes shall be unsealed and opened in such a fashion to protect the integrity and sanctity of the election process. The ballots in the ballot boxes shall be placed in containers or ballot boxes marked with the appropriate district and precinct identification.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Amdts Adopted 23 Com. Reg. 18420 (Oct. 19, 2001); Amdts Proposed 23 Com. Reg. 18244 (Aug. 16, 2001).

### **§ 30-10-446 Counting Method (Primary and Alternate)**

(a) The primary method of tabulating and counting ballots shall be through the Central Ballot Scanner. The alternate method of tabulating and counting shall be by hand.

(b) If the Commission decides that under the circumstances the primary method cannot be used and that the alternate method must be used, then all ballots in the Commonwealth shall be tabulated and counted by hand.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Amdts Emergency 31 Com. Reg. 29760 (August 27, 2009) (effective for 120 days from Aug. 27, 2009); Amdts Adopted 23 Com. Reg. 18420 (Oct. 19, 2001); Amdts Proposed 23 Com. Reg. 18244 (Aug. 16, 2001).

Commission Comment: On August 27, 2009, the Commonwealth Election Commission promulgated an emergency amendment to this section. See 31 Com. Reg. 29760 (Aug. 27, 2009). The emergency provision expired 120 days after promulgation on December 25, 2009.

### **§ 30-10-448 Counting Center Procedures (Inspection and Preparation of Ballots)**



Each election district's ballots shall be segregated from the other election districts' ballots, and there shall be no intermingling of the ballots from different districts. Once a ballot box is opened and the district's ballots are retrieved from the box, the ballots shall be processed through the central ballot scanner for tabulation, in accordance with proper procedures for that machine/equipment.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Amdts Emergency 31 Com. Reg. 29760 (August 27, 2009) (effective for 120 days from Aug. 27, 2009); Amdts Adopted 23 Com. Reg. 18420 (Oct. 19, 2001); Amdts Proposed 23 Com. Reg. 18244 (Aug. 16, 2001).

Commission Comment: The Commission changed "districts" to "district's" to correct a manifest error. On August 27, 2009, the Commonwealth Election Commission promulgated an emergency amendment to this section. See 31 Com. Reg. 29760 (Aug. 27, 2009). The emergency provision expired 120 days after promulgation on December 25, 2009.

**§ 30-10-450 Rejected Machine Ballots, Over vote Ballots and Under vote Ballots**

If the central ballot scanner rejects any ballot in part or in its entirety or record an over vote or under vote, then the ballot shall be referred to the Commission for final determination of the vote.

(a) If the Commission finds that the voter marked their ballot with either a proper mark or a marginal mark and that the mark reflects the clear choice of the voter, then the voter's ballot shall be counted.

(b) If the Commission cannot determine the clear choice of the voter, then the ballot shall not be counted.

(c) Over vote ballots may be examined by the Commission to determine if the voter voted for more candidates than are allowed for a particular office. If smudges or marks of some kind are identified as clearly unintentional, but had the effect of registering too many votes for an office then the Commission may produce a duplicate ballot to properly reflect the voter's clear choice. Alternatively, the Commission may place a removable label over the unintentional mark and re-feed the ballot through the central ballot scanner.

(d) In all situations where the machine either rejects a ballot, records an over vote, records an under vote, or a ballot is damaged or spoiled and the machine cannot read the ballot or record a vote, then the Commission may make an exact duplicate ballot that reflects the clear choice of the voter, and that ballot shall be submitted through the machine. The Commission may also hand count the subject ballot if they have determined the clear choice of the voter. Such hand count totals will be added to the machine count totals for the final count.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Amdts Emergency 31 Com. Reg. 29760 (August 27, 2009) (effective for 120 days from Aug. 27, 2009); Amdts Adopted 23 Com. Reg. 18420 (Oct. 19, 2001); Amdts Proposed 23 Com. Reg. 18244 (Aug. 16, 2001).

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Commission Comment: The 2014 amendments designated the entire section as subsection (a). As there were no other subsections, the Commission redesignated subsections pursuant to 1 CMC § 3806(a).

On August 27, 2009, the Commonwealth Election Commission promulgated an emergency amendment to this section. See 31 Com. Reg. 29760 (Aug. 27, 2009). The emergency provision expired 120 days after promulgation on December 25, 2009.

### **§ 30-10-452 Counted Ballots (Post-tabulation Procedures)**

(a) Once the ballots have been counted for each particular precinct, the ballots shall remain segregated and identified as counted ballots from that precinct except for ballots preliminarily counted on Tinian or Rota.

(b) Ballots preliminarily counted on Tinian or Rota shall be secured and shipped to the Third Senatorial District (Saipan) for final tabulation. Upon arrival at the Central Tabulation Site, the ballots shall be segregated by the Executive Director or his or her designee in an area at the counting center. The ballots shall be guarded by at least two people, while the ballots are being tabulated.

(c) The Commission shall retain all used ballots for twenty-two months after the date of the election. After twenty-two months have passed, then the Commission may permanently dispose of the ballots.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Amdts Adopted 27 Com. Reg. 24084 (Feb. 17, 2005); Amdts Proposed 27 Com. Reg. 23813 (Jan. 17, 2005); Amdts Adopted 23 Com. Reg. 18420 (Oct. 19, 2001); Amdts Proposed 23 Com. Reg. 18244 (Aug. 16, 2001).

Commission Comment: On September 2, 2003, the Commonwealth Election Commission promulgated an emergency amendment to the Election Commission Regulations adding a new § 5.28, entitled “Secret Ballot.” See 25 Com. Reg. 21059 (Sept. 18, 2003). The emergency provision expired 120 days after promulgation on December 31, 2003.

## **Part 500 - Procedures for Complaints of Election Irregularities**

### **§ 30-10-501 Receipt of Complaint**

Upon the receipt of an oral or a written complaint, the Executive Director or Chairman of the Commission shall immediately review the substance of the complaint to determine the nature of alleged election irregularity.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

### **§ 30-10-505 Consultation with Attorney General’s Office**

(a) The Executive Director shall immediately consult with the Attorney General or an Assistant Attorney General to determine how the complaint should be investigated.

(b) If the allegation appears to be a violation of law, the Executive Director shall seek the assistance of or refer the complaint to the Attorney General or the Department of Public Safety.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

**§ 30-10-510 Referral to the Public Auditor**

If the allegation of election irregularity appears to be a violation of the Government Ethics Code (1 CMC §§ 8501-8577), then the Executive Director shall refer the matter to the Public Auditor for investigation.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

**§ 30-10-515 Confidentiality**

(a) During the investigation stage, all complaints of election irregularity and alleged violation of laws are to remain strictly confidential. The Executive Director, Commission staff, and the members of the Commission shall not reveal the identity of the person making the complaint or the subject matter of the complaint to any outside person.

(b) After the investigation has been completed, the complaint shall become a matter of public record, unless an exception under 1 CMC § 9918 applies.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

**§ 30-10-520 Time Is of the Essence**

All election irregularity complaints shall be treated as extremely time sensitive. Upon receipt of a complaint, the Executive Director or the Commission shall immediately begin the procedure set forth in this part to properly investigate and prevent irregularities. This section shall apply to complaints made both before and after an election has taken place.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

**§ 30-10-525 Outcome of Election**

A complaint made to the Commission, the Department of Public Safety, the Attorney

General, or the Public Auditor shall not be sufficient to change to outcome of an election. If a person seeks to change the outcome of an election based on an election irregularity, the person must comply with the election contest provisions of the Election Law (1 CMC §§ 6601-6610) and properly file a complaint with the Commonwealth Superior Court.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

## **Part 600 - Tabulation, Poll and Election Officials**

Public Law 17-11 (effective August 10, 2010) amended the CNMI election statutes to conform to federal requirements. Public Law 18-46 (effective April 23, 2014) further amended CNMI election statutes. To the extent these regulations conflict with amendments made by Public Laws 17-11 and 18-46, they are superseded.

### **§ 30-10-601 Appointments**

The Commission is authorized to appoint and employ such officials as may be required to supervise Commonwealth elections. The Commission shall not employ or appoint a person who is a candidate for public office or who holds an elected position, or who is a convicted felon still on parole. Any person who is appointed shall take and subscribe to an oath of office, a copy of which is attached to this chapter as exhibit “B.”

Modified, 1 CMC § 3806(d), (f), (g).

History: Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

Commission Comment: The Commission changed “exh.” to “exhibit.”

## **Part 700 - Campaign Financial Disclosure**

### **§ 30-10-701 Campaign Committee Designations**

(a) Pursuant to 1 CMC § 6424 all candidates who are officially certified are required to file campaign finance and spending disclosure statements with the Office of the Public Auditor.

(b) Upon submitting their nomination papers, all candidates shall also submit a campaign committee statement that identifies the chairman and treasurer of their committee. The form shall also provide postal addresses and telephone numbers for the chairman and treasurer. Upon request of the Office of Public Auditor, and for purposes of enforcing this provision the Commission shall provide such contact information to the Office of Public Auditor upon reasonable request.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

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Commission Comment: The title of this part was changed in the notice of adoption of the August 2001 amendments. See 23 Com. Reg. 18258 (Aug. 16, 2001).

### § 30-10-705 Duties and Obligations of Candidates

The candidate is ultimately responsible for accurate, full and detailed campaign financial disclosure.

(a) The candidate shall appoint a treasurer to assist the candidate to fully comply with the law.

(b) The candidate shall keep a written record of all contributions from contributors and supporters, and all campaign expenses paid to ensure full accountability of all campaign financial activity.

(1) The duty to keep a written record of all contributions and expenses begins when the first contribution is received or the first expenditure is made in furtherance of a potential candidate's campaign.

(2) The candidate shall maintain an accurate and detailed record of the names of all contributors and supporters and of campaign expense details.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001).

Commission Comment: The 2014 amendments designated the entire section as subsection (a). As there were no other subsections, the Commission redesignated subsections pursuant to 1 CMC § 3806(a). The Commission changed the phrase "begins the" in subsection (b)(1) to "begins when the" pursuant to 1 CMC § 3806(g).

The May 2001 Election Commission Regulations § 8, entitled "Campaign Finance Disclosure," contained only § 30-10-701. See 23 Com. Reg. at 17740 (Mar. 22, 2001). The August 2001 amendments added § 11, entitled "Campaign Financial Disclosure," which is codified in sections 30-10-705 through 30-10-795. See 23 Com. Reg. at 17945-50 (June 19, 2001). The Commission moved the original May 2001 Election Commission Regulations §§ 9 and 10 after this part for clarity.

Public Law 15-6 (effective April 26, 2006) amended the definition of "campaign statement of account" to read:

"Campaign Statement of Account" means an itemized statement prepared by a candidate or potential candidate showing the specific source, names of contributors and amount of contributions and expenses, including the names of persons receiving such expense, except where the aggregate fair market value of an expense or contribution is less than five hundred dollars.

1 CMC § 6421(a).

### § 30-10-710 Names and Identities of Contributors, Supporters and Expenses

A candidate shall disclose the names and identities of all contributors and supporters who contribute in the aggregate \$100 or more in cash or fair market value of property to a candidate, potential candidate, campaign or committee. A candidate or potential

candidate is required to keep a written record of all contributions since a contributor or supporter may contribute less than a \$100 at one time, but make multiple contributions at different periods which, in the aggregate, may total \$100 or more.

History: Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001).

Commission Comment: See the comment to § 30-10-705.

### **§ 30-10-715 Anonymous Contributions Prohibited**

Since candidates are required to identify the names of all contributors and supporters who contribute \$100 or more, acceptance of anonymous contributions of any amount is not allowed. Any such anonymous contribution must be immediately returned to the contributor or supporter. If the candidate receives a contribution that is non-traceable or non-identifiable, a candidate must immediately forward the contribution to the Commonwealth Treasurer for deposit to the Commonwealth general fund.

History: Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001).

Commission Comment: See the comment to § 30-10-705.

### **§ 30-10-720 All Contributions Are Reportable**

All contributions are required to be reported on the candidate's campaign statement of account. If a candidate receives a contribution of less than \$100 from a contributor or supporter, then the amount of that contribution is required to be reported regardless of the amount, even though the name of the contributor need not be disclosed. The candidate must identify any contributor who has contributed \$100 or more in the aggregate. For example, if a contributor bought five \$20 raffle tickets at several fund raising events, the candidate must identify and report the name of the contributor in the campaign statement of account. However, if such contributor bought less than \$100 in tickets during the campaign, the candidate would not be required to identify the contributor in the campaign statement of account, but must still account for the contribution and post the amount received.

Modified, 1 CMC § 3806(f).

History: Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001).

Commission Comment: See the comment to § 30-10-705.

### **§ 30-10-725 Classifying Contributions**

To assist in preparing the suggested forms and schedules, it is recommended that a candidate and the candidate's treasurer collect all contributions and place them in the

following categories:

- (a) Gross proceeds from fund-raising events such as lunches, dinners, raffles, and similar fund-raising events.
- (b) Other monetary contributions received as direct monetary donations rather than as receipts generated from the sale of fund-raising tickets, lunches, dinners, etc.
- (c) In-kind contributions include:
  - (1) Expendable items, such as food, drinks, t-shirts, print-ads, banners, posters, lumber, construction materials, and the like.
  - (2) Reasonable value of donated services, i.e., advertising, trucking, transportation, entertainment, tents, lodging, catering, and the like.
  - (3) Reasonable rental value of real or personal property loaned out or used for free, such as use of computers, tents, canopies, and the like.
- (d) Contributed property, such as computers, components and accessories, furniture, vehicles, tools, equipment, and the like given to a candidate with the intent of transferring the ownership to the candidate and allowing the candidate to retain or keep the property after the election.

Modified, 1 CMC § 3806(f).

History: Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001).

Commission Comment: See the comment to § 30-10-705. The Commission inserted a period at the end of subsection (c)(1) pursuant to 1 CMC § 3806(g).

### **§ 30-10-730 Classifying Expenses**

To assist in preparing the suggested forms and schedules, it is recommended that a candidate and the candidate's treasurer collect all expenses and place them in the following categories:

- (a) Fund-raising expenditures (monetary) directly related to fund-raising events, such as the cost of food and drinks, printing of tickets, advertising, and the like.
- (b) In-kind expenditures, such as the fair market value of donated goods and services (shown as deductions from contributions received).
- (c) Multi-candidate expenses - expenses which have been allocated to various candidates and/or committees.
- (d) Contributions to other candidates or committees, such as transfer of campaign funds or property assets.

(e) General expenditures - all other expenses not falling under the above classifications.

History: Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001).

Commission Comment: See the comment to § 30-10-705.

**§ 30-10-735 Contributions Are for Election Campaigns Only**

All contributions from supporters are to be used for campaigns and election purposes only. Contributions are not to be used for personal use. If a candidate has campaign funds remaining after an election, he or she may retain those funds for a future election campaign, or return the funds to their contributors and supporters. If the remaining funds are retained for a future election campaign, the candidate shall report the carried-over funds on the future election campaign statement of account. Nothing in this section shall prevent a candidate from using campaign funds for having one or more post-election meetings, rallies or parties within a reasonable time after the election. If the candidate returns the funds to their contributors or supporters, or if they are used for post election meetings, rallies, or parties, or a combination thereof, the candidate shall file an original and two copies of an amended campaign statement of account with the Public Auditor, and provide a copy to the Election Commission (bearing the OPA stamp), within fifteen days after the return and/or use of such funds. Should the candidate, in good faith, elect to retain remaining campaign funds for a future election, and is later unable or unwilling to run for election, he or she may either return the funds to their original contributors or supporters, or donate the funds to a legally organized charity of their choice. In such case, the candidate shall file an original and two copies of an amended campaign statement of account (bearing the OPA stamp), within fifteen days after the return or donation of such funds.

Modified, 1 CMC § 3806(e), (f).

History: Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001).

Commission Comment: The notice of adoption of the August 2001 amendments changed the proposed language of this section. See 23 Com. Reg. at 18258-59 (Aug. 16, 2001); see also the comment to § 30-10-705.

**§ 30-10-740 Campaign Statement of Account**

All candidates are required to file an original and two copies of a campaign statement of account with the Public Auditor, and provide a copy to the Election Commission (bearing the OPA stamp), within 50 days after the election. The campaign statement of account may be delivered by certified mail as long as it is postmarked no later than the 50th day after the election. The campaign statement of account shall be verified under oath by both the candidate and the candidate's treasurer. Such verification shall attest that the candidate and treasurer have used all reasonable diligence in the preparation of the



statement and all supporting documents, and that the statement is true, full and explicit. (Attached as exhibit “C” to this chapter is the required “campaign statement of account” form that candidates must use.) This form will be available at both the Public Auditor’s office and the Election Commission office. The statement shall include the names and contributions of contributors and supporters who make cash or in-kind contributions, consistent with the requirements of § 30-10-720 above. It must also include a detailed statement of campaign spending. For campaign financial disclosure filing purposes only, candidates for Governor and Lt. Governor are considered one candidate, and are only required to file a single statement of account to be signed and verified by both individuals and their treasurer.

Modified, 1 CMC § 3806(c), (d), (f).

History: Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001).

Commission Comment: The Commission changed “exhibit ‘A’” to “exhibit ‘C’” to accommodate exhibits A and B attached to the May 2001 Election Commission Regulations and referenced in §§ 30-10-205 and 30-10-601; see also the comment to § 30-10-705. The Commission changed the brackets around the statement “Attached as exhibit ‘C’....” to parenthesis, as brackets are reserved for Commission use.

### **§ 30-10-745 Suggested Schedules and Reporting**

In order to comply with the law, there is additional information that a candidate is required to report and disclose. Unlike the campaign statement of account form, the law does not mandate particular forms to report and disclose this additional information. In order to assist candidates, the Public Auditor and the Commission will make available suggested schedules and reports to enable filers to comply with all other statutorily required reporting requirements. [Attached as exhibit “D” are copies of the suggested schedules and reports].

Modified, 1 CMC § 3806(f).

History: Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001).

Commission Comment: The Commission changed “exhibit ‘B’” to “exhibit ‘D’” to accommodate exhibits A and B attached to the May 2001 Election Commission Regulations and referenced in §§ 30-10-205 and 30-10-601; see also the comment to § 30-10-705. The Commission changed the brackets around the statement “Attached as exhibit ‘D’....” to parenthesis, as brackets are reserved for Commission use.

### **§ 30-10-750 Fund-raising Activity Reporting**

A candidate shall submit an itemized report for all fund-raising activities, which shall list the gross proceeds from fund-raising events, in-kind contributions received and contributed property. It shall also list fund-raising expenses, and allow for an adjustment of all in-kind contributions received. All candidates shall be required to report total

receipts and total disbursements for all fund-raising activities.

History: Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001).

Commission Comment: See the comment to § 30-10-705.

### **§ 30-10-755 Contributions and Expenses From Fund-raising Events**

Receipts or contributions from fund-raising events are reported on a “gross” basis. For example, in fund-raising events where tickets are sold, “contributions” would be reflected at their sales value rather than at the net proceeds of the event. Fund-raising expenses are those expenses incurred at a fund-raising event that are directly related to the event, such as the cost of food and drinks, printing of tickets, advertising, and the like.

History: Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001).

Commission Comment: See the comment to § 30-10-705.

### **§ 30-10-760 Multi-candidate Apportionment and Reporting**

A candidate must report contributions that are made for the benefit of more than one candidate. Where contributions and/or expenditures are made to benefit more than one candidate, each candidate benefitting shall report his or her equal and/or agreed upon share. For example, if a candidate’s name and photo are advertised in a newspaper as part of a group, then each candidate shall report the contribution or independent expenditure as an equal or agreed upon share of the cost of the advertisement. The requirements for multi-candidate apportionment are applicable to all groups of more than one candidate for expenses, independent expenditures, fund-raising events, rallies, meeting, gatherings, parties or any other event where expenses are incurred, and more than one candidate benefits from the event.

History: Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001).

Commission Comment: See the comment to § 30-10-705.

### **§ 30-10-765 General Contribution and Expense Reporting**

All candidates are required to report all contributions, expenses and independent expenditures that are otherwise not related to fund-raising. These contributions and expenses must be listed separate and apart from the fund-raising event report. A candidate must report all receipts of general contributions to include monetary contributions from non-fund-raising events, in-kind contributions and contributed property received from their contributors and supporters. A candidate shall also report all expenses and independent expenditures such as general expenditures, contributions to other candidates and an adjustment for in-kind contributions received. All candidates are

required to report total receipts and total disbursements that are not related to fund-raising.

History: Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001).

Commission Comment: See the comment to § 30-10-705.

### **§ 30-10-770 Contributed Property**

Property contributions are reported at the fair market value of the contributions.

History: Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001).

Commission Comment: See the comment to § 30-10-705.

### **§ 30-10-775 Contributions to Other Candidates**

A candidate is required to report all contributions, either cash, in-kind or donated property, that they make to other candidates, regardless of whether they use their own personal funds or campaign committee funds.

History: Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001).

Commission Comment: The notice of adoption of the August 2001 amendments changed the proposed language of this section. See 23 Com. Reg. at 18259 (Aug. 16, 2001); see also the comment to § 30-10-705.

### **§ 30-10-780 Loan Forgiveness**

A candidate who received a loan from any contributor or supporter for the purpose of benefitting their election campaign shall report that loan as a contribution, if the loan was forgiven or otherwise not repaid in full by the date that the candidate is required to file his or her campaign statement of account. If a partial payment has been made then the net amount forgiven shall be the value of the reported contribution.

Modified, 1 CMC § 3806(f).

History: Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001).

Commission Comment: See the comment to § 30-10-705.

### **§ 30-10-785 Interest Free Loans**

A candidate shall report the value of the fair market interest rate on all interest free loans as a contribution, regardless of whether the loan has been repaid on the date that the candidate is required to file his or her campaign statement of account.

Modified, 1 CMC § 3806(f).

History: Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001).

Commission Comment: See the comment to § 30-10-705.

**§ 30-10-790 Extension of Deadline**

A candidate may request a 15-day extension of time to file the campaign statement of account, however a candidate will be fined a non-waivable \$100 penalty by the Commission for each day the financial report is late unless the candidate has his or her deadline extension request approved by the Commission by the filing due date of the campaign statement of account.

Modified, 1 CMC § 3806(f).

History: Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001).

Commission Comment: See the comment to § 30-10-705.

**§ 30-10-795 Acts to Establish All Reasonable Diligence**

A candidate is required to use all reasonable diligence to discover and report all multi-candidate expenses and independent expenditures made directly by supporters and political parties on their behalf, or on behalf of “multi-candidates,” where the expense shall be apportioned. The following will establish all reasonable diligence:

- (a) Writing a letter of request to the supporter or political party.
- (b) Asking the supporter or political party in that letter what expenses were multi-candidate apportioned or what independent expenditures were made on his or her behalf.
- (c) If the supporter or political party responds, then the candidate must report what the supporter or political party expended on their behalf, and what portion was attributable to them where such independent expenditures were multi-candidate apportionments.
- (d) If no response is received from the letter, then either a telephone call or personal visit to the supporter or political party who made the multi-candidate apportionment or independent expenditure should be attempted.
- (e) If still no response is received, then after a reasonable time has elapsed, the candidate shall have met their reasonable diligence requirement so long as the information was requested within a reasonable time prior to the filing deadline. A candidate shall be required to provide a good faith estimate of all known multi-candidate

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expenses and independent expenditures, which shall clearly state that it is a good faith estimate. If the candidate subsequently becomes aware of the accurate multi-candidate expense or independent expenditure information after the filing deadline, the candidate must promptly, within 10 days, file an “amended” campaign statement of account. Upon a showing of good cause by the candidate, no penalty will be assessed for an “amended” campaign statement of account filed after the deadline and in accordance with this provision.

Modified, 1 CMC § 3806(f).

History: Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001).

Commission Comment: See the comment to § 30-10-705.

### **Part 800 - Miscellaneous Provisions**

#### **§ 30-10-801 Severability**

If any provision of the regulations in this chapter shall be held invalid by a court of competent jurisdiction, the validity of the remainder of the regulations in this chapter shall not be affected thereby.

History: Amdts Adopted 36 Com. Reg. 35399 (Aug. 28, 2014); Amdts Proposed 36 Com. Reg. 35083 (June 28, 2014); Amdts Adopted 23 Com. Reg. 18420 (Oct. 19, 2001); Amdts Proposed 23 Com. Reg. 18244 (Aug. 16, 2001); Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

Commission Comment: For clarity, the Commission moved the original May 2001 Election Commission Regulations § 9, entitled “Severability,” after the August 2001 amendments § 11, entitled “Campaign Financial Disclosure,” which is codified in §§ 30-10-705 through 30-10-795. See 23 Com. Reg. at 17740 (Mar. 22, 2001). The October 2001 amendments and the August 2001 amendments contained identical severability sections. See 23 Com. Reg. at 17950 (June 19, 2001); 23 Com. Reg. at 18253 (Aug. 16, 2001).

In 2014 the Commonwealth Election Commission repealed part 800, entirely replacing the language previously modified by the Law Revision Commission. The Commonwealth Election Commission replaced this repealed section with an identical severability section.

#### **§ 30-10-805 Effective Date**

The regulations in this chapter shall take effect ten days after the notice of adoption and final publication in the Commonwealth Register.

History: Amdts Adopted 23 Com. Reg. 18420 (Oct. 19, 2001); Amdts Proposed 23 Com. Reg. 18244 (Aug. 16, 2001); Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001); Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).

Commission Comment: For clarity, the Commission moved the original May 2001 Election Commission Regulations § 10, entitled “Effective Date,” after the August 2001 amendments § 11, entitled “Campaign

## TITLE 30: COMMONWEALTH ELECTION COMMISSION

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Financial Disclosure,” which is codified in §§ 30-10-705 through 30-10-795. See 23 Com. Reg. at 17740 (Mar. 22, 2001). The October 2001 amendments and the August 2001 amendments contained identical effective date sections. See 23 Com. Reg. at 17950 (June 19, 2001); 23 Com. Reg. at 18253 (Aug. 16, 2001).

In 2014 the Commonwealth Election Commission repealed part 800, entirely replacing the language previously modified by the Law Revision Commission.

**TITLE 30: COMMONWEALTH ELECTION COMMISSION**

**Exhibit A  
Affidavit of Registration**



**ELECTION COMMISSION  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
AFFIDAVIT OF REGISTRATION**

Social Security No. _____	Affidavit No. _____	ED No. _____	Code N R T C
Full legal Name _____			
Last		First	
Middle			
Mailing Address _____			
Residence (Village) _____	Island _____	Since _____	
Date of Birth _____	Place of Birth _____	Gender _____	
I last registered under _____			
Last Name		First	
Middle			
I am a United States citizen or national as defined in the NMI Constitution.			
I am not registered to vote in any other jurisdiction.			
The residence, and the time since that residence was established, stated herein was acquired with the intent to make the Northern Mariana Islands my legal residence with all the accompanying obligations therein.			
I am not presently serving a criminal sentence for a felony conviction.			
I am not confined to a mental institution nor have I been declared insane by the courts.			
I meet the eligibility to vote requirements of the NMI Constitution and the election laws of the CNMI.			
<b>OATH</b>			
I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on _____ at _____			
_____ Signature of Registrant			
<b>SUBSCRIBED AND SWORN TO BEFORE ME ON _____ 20____</b>			
<input type="checkbox"/> Election Official	_____ Signature of Person Administering Oath		
<input type="checkbox"/> Notary Public			
<input type="checkbox"/> Commission Officer Authorized to Take Oath			
<p><b>1 CMC §8504:</b> A person who signs an affidavit of registration knowing that he does not qualify to vote or who knowingly registers with intent to vote more than once or who registers in an election district in which he does not reside shall upon conviction be fined not more than \$3,000 or imprisoned for not more than one year.</p> <p><b>6 CMC §8808:</b> Every person who swears or certifies or any legal substitute for it before a competent tribunal, officer, or person, in any case in which the law of the Commonwealth authorizes an oath, or any legal substitute for it to be administered, that he or she will testify, declare, depose, or certify truly, or that any written testimony, deposition, or certificate by the witness subscribed is true, and who willfully and contrary to such oath or legal substitute states or subscribes any material which he or she does not believe to be true, is guilty of perjury, and upon conviction thereof, shall be fined up to \$5,000 and imprisoned up to five years.</p>			

History: Adopted 23 Com. Reg. 17854 (May 24, 2001); Proposed 23 Com. Reg. 17724 (Mar. 22, 2001).





**TITLE 30: COMMONWEALTH ELECTION COMMISSION**

**Exhibit C  
Campaign Statement of Account**



**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
CAMPAIGN FINANCIAL DISCLOSURE**

**CAMPAIGN STATEMENT OF ACCOUNT**

**GENERAL**     **SPECIAL ELECTION**  
 (Year)

Report Type:
<input type="checkbox"/> Final Report
<input type="checkbox"/> Amendment

**IMPORTANT: FILE THIS REPORT NOT LATER THAN**  
**FILE ORIGINAL AND TWO COPIES WITH THE OFFICE OF THE PUBLIC AUDITOR.**

This Campaign Statement of Account form is mandatory. Candidates may use the suggested reports and schedules furnished by the Election Commission, or they may use their own detailed formats. Should you use an alternative schedule format, you must provide, at a minimum, detailed information as required in the A.

Candidate Name (Last Name, First Name, MI):	Office Sought:	
Treasurer Name (Last Name, First Name, MI):	Preferred Mailing (P.O. Box) Address:	Telephone:

	CASH	IN-KIND
<b>1. BALANCE CARRIED FORWARD FROM PREVIOUS ELECTION(S)</b>		
<b>ADD: RECEIPTS THIS ELECTION PERIOD</b>		
2. RECEIPTS FROM FUNDRAISING EVENTS		
3. MULTI-CANDIDATE CONTRIBUTIONS		
4. RECEIPTS FROM GENERAL CONTRIBUTIONS		
5. OTHER RECEIPTS		
<b>6. TOTAL AVAILABLE (Add Lines 1 through 5)</b>		
<b>LESS: DISBURSEMENTS THIS ELECTION PERIOD</b>		
7. DISBURSEMENTS FOR FUNDRAISING EVENTS		
8. MULTI-CANDIDATE EXPENSES		
9. DISBURSEMENTS FOR GENERAL EXPENDITURES		
10. OTHER DISBURSEMENTS		
<b>11. TOTAL DISBURSEMENTS (Add Lines 7 through 10)</b>		
<b>12. EXCESS (SHORTFALL) OF RECEIPTS OVER DISBURSEMENTS (Subtract Line 11 from Line 6)</b>		

**VERIFICATION**

Commonwealth of the Northern Mariana Islands }  
 Island of \_\_\_\_\_ } S.S.

I, \_\_\_\_\_, being duly sworn on oath, depose and say:  
 (Candidate)

That I am the individual named above; that I prepared the foregoing Campaign Statement of Account, that I have used all reasonable diligence in preparing this Statement, and that the contents thereof, including the contents of all supporting attachments, are a true, full and explicit accounting of all contributions received and expenses incurred in aid of the campaign. I understand that providing false information herein may subject me to civil and criminal penalties as provided by the Northern Mariana Islands Election Reform Act of 2000, 1 CMC §6428.

Signature of Candidate \_\_\_\_\_ Date (Month, Day, Year) \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_\_ of \_\_\_\_\_, 200\_\_.

Notary Stamp \_\_\_\_\_ Notary Seal \_\_\_\_\_

Commonwealth of the Northern Mariana Islands }  
 Island of \_\_\_\_\_ } S.S.

I, \_\_\_\_\_, being duly sworn on oath, depose and say:  
 (Treasurer)

That I am the individual named above; that the foregoing Campaign Statement of Account, and the contents thereof, including the contents of all supporting attachments, are true, full and explicit accounting of all contributions received and expenses incurred in aid of the campaign. I understand that providing false information herein may subject me to civil and criminal penalties as provided by the Northern Mariana Islands Election Reform Act of 2000, 1 CMC §6428.

Signature of Treasurer \_\_\_\_\_ Date (Month, Day, Year) \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_\_ of \_\_\_\_\_, 200\_\_.

Notary Stamp \_\_\_\_\_ Notary Seal \_\_\_\_\_

CFD-001, Revised July 2001

**TITLE 30: COMMONWEALTH ELECTION COMMISSION**



**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
CAMPAIGN FINANCIAL DISCLOSURE**

**CAMPAIGN STATEMENT OF ACCOUNT  
FOR GOVERNOR AND LT. GOVERNOR CANDIDATES**

**GENERAL**     **SPECIAL ELECTION**  
(Year)

Report Type:  
 Final Report  
 Amendment

**IMPORTANT: FILE THIS REPORT NOT LATER THAN \_\_\_\_\_.**  
**FILE ORIGINAL AND TWO COPIES WITH THE OFFICE OF THE PUBLIC AUDITOR.**  
 This Campaign Statement of Account form is mandatory. Candidates may use the suggested reports and schedules furnished by the Election Commission, or they may use their own detailed formats. Should you use an alternative schedule format, you must provide, at a minimum, detailed information as required in the Act.

Candidate Name (Last Name, First Name, MI):	Office Sought:	
Treasurer Name (Last Name, First Name, MI):	Preferred Mailing (P.O. Box) Address:	Telephone:

	CASH	IN-KIND
<b>1. BALANCE CARRIED FORWARD FROM PREVIOUS ELECTION(S)</b>		
<b>ADD: RECEIPTS THIS ELECTION PERIOD</b>		
<b>2. RECEIPTS FROM FUNDRAISING EVENTS</b>		
<b>3. MULTI-CANDIDATE CONTRIBUTIONS</b>		
<b>4. RECEIPTS FROM GENERAL CONTRIBUTIONS</b>		
<b>5. OTHER RECEIPTS</b>		
<b>6. TOTAL AVAILABLE (Add Lines 1 through 5)</b>		
<b>LESS: DISBURSEMENTS THIS ELECTION PERIOD</b>		
<b>7. DISBURSEMENTS FOR FUNDRAISING EVENTS</b>		
<b>8. MULTI-CANDIDATE EXPENSES</b>		
<b>9. DISBURSEMENTS FOR GENERAL EXPENDITURES</b>		
<b>10. OTHER DISBURSEMENTS</b>		
<b>11. TOTAL DISBURSEMENTS (Add Lines 7 through 10)</b>		
<b>12. EXCESS (SHORTFALL) OF RECEIPTS OVER DISBURSEMENTS: (Subtract Line 11 from Line 6)</b>		

**VERIFICATION**

<p>Commonwealth of the Northern Mariana Islands )                  Island of _____ ) s.s.                  I, _____ being                  (Candidate for Governor)</p> <p>duly sworn on oath, depose and say:                  That I am the individual named above; that I prepared the foregoing Campaign Statement of Account, that I have used all reasonable diligence in preparing this Statement, and that the contents thereof, including the contents of all supporting attachments, are a true, full and explicit accounting of all contributions received and expenses incurred in aid of the campaign. I understand that providing false information herein may subject me to civil and criminal penalties as provided by the Northern Mariana Islands Election Reform Act of 2000, 1 CMC §6428.</p> <p>_____                  Signature of Candidate                      Date</p> <p>Subscribed and sworn before me this _____ day of _____, 200__.</p> <p align="center">Notary Stamp</p>	<p>Commonwealth of the Northern Mariana Islands )                  Island of _____ ) s.s.                  I, _____ being                  (Candidate for Lt. Governor)</p> <p>duly sworn on oath, depose and say:                  That I am the individual named above; that I co-prepared the foregoing Campaign Statement of Account, that I have used all reasonable diligence in preparing this Statement, and that the contents thereof, including the contents of all supporting attachments, are a true, full and explicit accounting of all contributions received and expenses incurred in aid of the campaign. I understand that providing false information herein may subject me to civil and criminal penalties as provided by the Northern Mariana Islands Election Reform Act of 2000, 1 CMC §6428.</p> <p>_____                  Signature of Candidate                      Date</p> <p>Subscribed and sworn before me this _____ day of _____, 200__.</p> <p align="center">Notary Stamp</p>	<p>Commonwealth of the Northern Mariana Islands )                  Island of _____ ) s.s.                  I, _____ being                  (Treasurer)</p> <p>duly sworn on oath, depose and say:                  That I am the individual named above; that the foregoing Campaign Statement of Account, and the contents thereof, including the contents of all supporting attachments, are a true, full and explicit accounting of all contributions received and expenses incurred in aid of the campaign. I understand that providing false information herein may subject me to civil and criminal penalties as provided by the Northern Mariana Islands Election Reform Act of 2000, 1 CMC §6428.</p> <p>_____                  Signature of Treasurer                      Date</p> <p>Subscribed and sworn before me this _____ day of _____, 200__.</p> <p align="center">Notary Stamp</p>
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GD-601(O/LO), Revised July 2001

History: Amdts Adopted 23 Com. Reg. 18258 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17939 (June 19, 2001).

**TITLE 30: COMMONWEALTH ELECTION COMMISSION**

**Exhibit D  
Fund-raising Event Report**

**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
CAMPAIGN FINANCIAL DISCLOSURE**

**FUNDRAISING EVENT REPORT  
FUNDRAISING DATE(S): \_\_\_\_\_**

**IMPORTANT:** USE A SEPARATE REPORT FOR EACH FUNDRAISING EVENT.

Candidate Name (Last Name, First Name, MI):	Treasurer Full Name (Last Name, First Name, MI):
Name of Fundraising Event:	Date(s) Held:

**SUMMARY OF FUNDRAISING RECEIPTS AND DISBURSEMENTS**  
(Complete Supporting Schedules Before Completing This Section)

<b>RECEIPTS</b>	<b>CASH</b>	<b>IN-KIND</b>
<b>1. GROSS PROCEEDS FROM FUNDRAISING EVENT</b> (Total Cash Proceeds from Line 3 of Result Summary of Supporting Schedule FR-A)		
<b>2. IN-KIND CONTRIBUTIONS RECEIVED</b> (Total In-kind Contributions Received from Schedule FR-B. Bring down this value to Line 6 below.)		
<b>3. CONTRIBUTED PROPERTY RECEIVED</b> (Total Contributed Property Received from Schedule FR-C)		
<b>4. TOTAL RECEIPTS</b> (Transfer to Line 1 of Campaign Statement of Account)		
<b>DISBURSEMENTS</b>		
<b>5. FUNDRAISING EXPENSES</b> (Total Fundraising Expenses from Line 4 of Result Summary of Schedule FR-A)		
<b>6. ADJUSTMENT FOR IN-KIND CONTRIBUTIONS RECEIVED</b> (From Line 2 above)		
<b>7. TOTAL DISBURSEMENTS</b> (Transfer to Line 6 of Campaign Statement of Account)		
<b>NET RECEIPTS AND DISBURSEMENTS</b> (Subtract Line 7 from Line 4)		





# TITLE 30: COMMONWEALTH ELECTION COMMISSION

**IMPORTANT:** FILE SEPARATE SCHEDULE FOR EACH FUNDRAISING EVENT.

**SUPPORTING SCHEDULE FOR FUNDRAISING EVENT HELD ON DATE(S):** \_\_\_\_\_ **PAGE** \_\_\_\_\_ **OF** \_\_\_\_\_

Candidate Name (In Full) :	Signature of Treasurer:	Date:
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## SUPPORTING SCHEDULE FR-B IN-KIND CONTRIBUTIONS RECEIVED

FULL NAME OF CONTRIBUTOR	DESCRIPTION OF CONTRIBUTION	FAIR MARKET VALUE
Example: ABC Retail	Give-away t-shirts (250 pcs @ \$ 5.00)	\$ 1,250
TOTAL OF RECEIPTS THIS PAGE ONLY (Use additional sheets as necessary) .....		➔
TOTAL RECEIPTS (IF LAST PAGE ONLY) (Transfer Total to Line 2 of either the Fundraising Event Report or the General Contribution and Expense Report) .....		➔

## SUPPORTING SCHEDULE FR-C CONTRIBUTED PROPERTY RECEIVED

FULL NAME OF CONTRIBUTOR	DESCRIPTION OF PROPERTY RECEIVED	FAIR MARKET VALUE
Example: Island Computers	Old Computer with printer	\$ 600
SUB-TOTAL OF RECEIPTS THIS PAGE ONLY (Use additional sheets as necessary) .....		➔
TOTAL RECEIPTS (IF LAST PAGE ONLY) (Transfer Total to Line 3 of either the Fundraising Event Report or the General Contribution and Expense Report) .....		➔

**CFR-FR (B&C), Revised June 2001**

**TITLE 30: COMMONWEALTH ELECTION COMMISSION**

**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
CAMPAIGN FINANCIAL DISCLOSURE**

**MULTI-CANDIDATE  
CONTRIBUTION AND EXPENSE REPORT**

Candidate Name (Last Name, First Name, MI):	Treasurer Full Name (Last Name, First Name, MI):
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**CONTRIBUTIONS RECEIVED**

RECEIVED FROM	DESCRIPTION	AMOUNT
Example: BEST PARTY IN THE LAND	Cash Allocation of Party General Fundraising Proceeds	\$ 21,000
SUB-TOTAL OF CONTRIBUTIONS RECEIVED THIS PAGE ONLY (Use additional sheets as necessary) .....		➔
TOTAL CONTRIBUTIONS RECEIVED (IF LAST PAGE ONLY) (Transfer Total to Line 2 of Campaign Statement of Account) .....		➔

**EXPENSES**

FULL NAME OF PAYEE	DESCRIPTION OF EXPENDITURE	AMOUNT
Example: BEST PARTY IN THE LAND	Allocation of Party General Expenses	\$ 15,000
SUB-TOTAL OF EXPENSES THIS PAGE ONLY (Use additional sheets as necessary) .....		➔
TOTAL ALLOCATED EXPENDITURES (IF LAST PAGE ONLY) (Transfer Total to Line 7 of Campaign Statement of Account) .....		➔

**CFD-MCCER, Revised June 2001**

**TITLE 30: COMMONWEALTH ELECTION COMMISSION**

**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
CAMPAIGN FINANCIAL DISCLOSURE**

**GENERAL CONTRIBUTION AND EXPENSE REPORT**

Candidate Name (Last Name, First Name, MI):	Treasurer Full Name (Last Name, First Name, MI):
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**SUMMARY OF RECEIPTS AND DISBURSEMENTS**  
(Complete Supporting Schedules Before Completing This Section)

	CASH	IN-KIND
<b>RECEIPTS</b>		
<b>1. MONETARY CONTRIBUTIONS FROM NON-FUNDRAISING EVENTS</b> (Total Contributions from Schedule GC-A)		
<b>2. IN-KIND CONTRIBUTIONS RECEIVED</b> (Total In-kind Contributions Received from Schedule GC-B. Bring down this value to Line 7 below.)		
<b>3. CONTRIBUTED PROPERTY RECEIVED</b> (Total Contributed Property Received from Schedule GC-C)		
<b>4. TOTAL RECEIPTS</b> (Transfer to Line 3 of Campaign Statement of Account)		
<b>DISBURSEMENTS</b>		
<b>5. GENERAL EXPENDITURES</b> (Total General Expenditures from Schedule GC-D)		
<b>6. CONTRIBUTIONS TO OTHER CANDIDATES</b> (Total Contributions To Other Candidates from Schedule F)		
<b>7. ADJUSTMENT FOR IN-KIND CONTRIBUTIONS RECEIVED</b> (From Line 2 above)		
<b>8. TOTAL DISBURSEMENTS</b> (Transfer to Line 8 of Campaign Statement of Account)		
<b>NET RECEIPTS AND DISBURSEMENTS</b> (Subtract Line 8 from Line 4)		











**TITLE 30: COMMONWEALTH ELECTION COMMISSION**

**Exhibit E  
Sample General Election Ballot**

**SAMPLE GENERAL ELECTION BALLOT**      Example "B"  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
NOVEMBER 3, 2001

Election District No. 1

**INSTRUCTIONS:**

1. VOTE FOR THE CANDIDATE OF YOUR CHOICE IN EACH RACE BY DARKENING IN THE OVAL (•) PROVIDED TO THE LEFT OF THE NAME OF THE CANDIDATE.
2. VOTE FOR NO MORE CANDIDATES THAN THERE ARE OFFICES TO BE FILLED. IF YOU VOTE FOR MORE CANDIDATES THAN THERE ARE OFFICES TO BE FILLED, YOUR VOTE WILL NOT BE COUNTED FOR THAT RACE.

<p align="center"><b>Governor/Lieutenant Governor</b> VOTE FOR NO MORE THAN ONE (1)</p> <p><input type="radio"/> BABAUTA, JUAN NEKA/ BENAVENTE, DIEGO TENORIO (Republican)</p> <p><input type="radio"/> BORJA, JESUS CAMACHO/ ICHIHARA, BRIGIDA DELEON GUERRERO (Democratic)</p> <p><input type="radio"/> FTIAL, BENIGNO REPEKI/ INOS, RITA HOCOG (Covenant)</p> <p><input type="radio"/> TENORIO, FROILAN CRUZ/ SABLAN, DAVID CASTRO (CNMI Reform)</p> <hr/> <p align="center"><b>Resident Representative to the US</b> VOTE FOR NO MORE THAN ONE (1)</p> <p><input type="radio"/> DELEON GUERRERO, HERMAN ROGOLOFOI (Covenant)</p> <p><input type="radio"/> MCPHETRES, AGNES MANGLONA (Democratic)</p> <p><input type="radio"/> TENORIO, PEDRO AGULTO (Republican)</p> <hr/> <p align="center"><b>Mayor of Saipan</b> VOTE FOR NO MORE THAN ONE (1)</p> <p><input type="radio"/> CEPEDA, FRANK GUERRERO (Republican)</p> <p><input type="radio"/> GUERRERO, JESUS TENORIO (CNMI Reform)</p> <p><input type="radio"/> MAFNAS, JOSE PANGELINAN (Independent)</p> <p><input type="radio"/> TUDELA, JUAN BORJA (Democratic)</p> <hr/> <p align="center"><b>Senate</b> VOTE FOR NO MORE THAN TWO (2)</p> <p><input type="radio"/> APATANG, DAVID MUNDO (Covenant)</p> <p><input type="radio"/> CRISOSTIMO, LUIS PALACIOS (Democratic)</p> <p><input type="radio"/> GONZALES, JOHN OLIVER DELOS REYES (Covenant)</p> <p><input type="radio"/> QUITUGUA, JOAQUIN TERLAJE (CNMI Reform)</p> <p><input type="radio"/> REYES, PETE PANGELINAN (Republican)</p> <p><input type="radio"/> VILLAGOMEZ, THOMAS PANGELINAN (Republican)</p>	<p align="center"><b>House of Representatives</b> VOTE FOR NO MORE THAN SIX (6)</p> <p><input type="radio"/> ADA, MARTIN BORJA (Republican)</p> <p><input type="radio"/> CABRERA, JAMES DUENAS (Democratic)</p> <p><input type="radio"/> CAMACHO, ANTONIO MUNA (Covenant)</p> <p><input type="radio"/> CASTRO, PEDRO PANGELINAN (Republican)</p> <p><input type="radio"/> CEPEDA, BENJAMIN MATAGOLAI (Covenant)</p> <p><input type="radio"/> DELEON GUERRERO, FLORENCIO TENORIO (Democratic)</p> <p><input type="radio"/> DELEON GUERRERO, JOSEPH PINAULA (Republican)</p> <p><input type="radio"/> DEMAPAN, FRANCISCO DELEON GUERRERO (Covenant)</p> <p><input type="radio"/> MARATTITA, JANET ULLOA (Covenant)</p> <p><input type="radio"/> MUNA, JACK CAMACHO (Democratic)</p> <p><input type="radio"/> PALACIOS, HERMAN TUDELA (Republican)</p> <p><input type="radio"/> PITEG, BENUSTO LIFOIFOI (CNMI Reform)</p> <p><input type="radio"/> SABLAN, GEORGE AYUYU (Covenant)</p> <p><input type="radio"/> SABLAN, PEDRO CABRERA (CNMI Reform)</p> <p><input type="radio"/> SEMAN, BENJAMIN BENAVENTE (Republican)</p> <p><input type="radio"/> TAITINGFONG, ATANACIO AYUYU (Covenant)</p> <p><input type="radio"/> TENORIO, MANUEL AGULTO (Republican)</p> <p><input type="radio"/> TUDELA, ANTONIA MANIBUSAN (CNMI Reform)</p> <p><input type="radio"/> TUDELA, JUAN CEPEDA (Democratic)</p>	<p align="center"><b>Municipal Council</b> VOTE FOR NO MORE THAN THREE (3)</p> <p><input type="radio"/> DELEON GUERRERO, GREGORIO VILLAGOMEZ</p> <p><input type="radio"/> INDALECIO, DAVID ALDAN</p> <p><input type="radio"/> SABLAN, ALEXANDER PANGELINAN</p> <hr/> <p align="center"><b>Board of Education</b> VOTE FOR NO MORE THAN ONE (1)</p> <p><input type="radio"/> ARRIOLA, PEDRO COGURE</p> <p><input type="radio"/> CASTRO, JESUS MANIBUSAN</p> <p><input type="radio"/> GUERRERO, HERMAN TENORIO</p> <hr/> <p align="center"><del>Shall Judge Virginia Sablan Onerheim of the Commonwealth Superior Court be Retained in Office?</del> VOTE YES OR NO</p> <p align="center">SHALL JUDGE VIRGINIA SABLAN ONERHEIM OF THE COMMONWEALTH SUPERIOR COURT BE RETAINED IN OFFICE?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p>
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COMMONWEALTH REGISTER      VOLUME 27 NUMBER 02      February 17, 2005      P.

History: Amdts Proposed 27 Com. Reg. 23977 (Feb. 17, 2005).

Commission Comment: The March 2005 adopted regulations did not include Example B, "Sample General Election Ballot," published with the proposed regulations. See 27 Com. Reg. at 23976 (Feb. 17, 2005); 27 Com. Reg. 24121 (Mar. 17, 2005).