

TITLE 1: GOVERNMENT
DIVISION 6: ELECTIONS

§ 6105. Election Commission: Duties.

The Commission shall have the following powers and duties:

- (a) To appoint an Executive Director to be its executive officer.
- (b) To administer all general, primary, local, and special elections, including questions pertaining to initiatives, referenda and recalls in the Commonwealth.
- (c) To designate and publicize polling places within electoral district not later than fifteen (15) calendar days before an election day. Such polling places may include public facilities, such as schools and other public buildings.
- (d) To appoint poll supervisors for each election district and provide a complete list of registered voters in each election district. All poll supervisors so appointed shall be registered voters.
- (e) To promulgate rules, regulations, and instructions necessary to conduct and administer elections, including questions pertaining to initiatives, referenda, recalls, and voter registration.
- (f) To promulgate rules and regulations pertaining to registration by mail, nomination of candidates, voting procedures, and a system for absentee voting.
- (g) To promulgate rules and regulations pertaining to procedures to be followed respecting the receipt and investigation of, and the actions taken on, complaints of election irregularities.
- (h) To promulgate a manual of administrative procedures to be used in the conduct of elections. The manual shall include the regulations to be followed by all election officials as well as descriptions of the necessary equipment and forms to be used in any election.
- (i) To summon and examine witnesses and to maintain order during any of its official duties.
- (j) To conduct or coordinate any and all public education activities and events on any and all initiatives for local or general law, all proposed amendments to the NMI Constitution, all referenda and recall in the Northern Mariana Islands. The Commission may conduct the public education by deciding to make public the summaries of the text of any issues that may be proposed to be placed in the ballot. Subject to the availability of funds, the Commission may conduct any, part or all public education using newspapers with wide circulation in the Northern Mariana Islands, television and radio stations that broadcast widely in the Northern Mariana Islands, meetings within the individual election districts in each senatorial district, and the use of the Commission's website. Rather than publishing the entire text of any issue or question that is the subject of a public education, the Commission may, at its discretion, determine it necessary to publicize summaries of the initiatives, issues or questions. The Attorney General, or an attorney or attorneys licensed to practice law in the Northern Mariana Islands selected by the Commission, shall prepare all summaries that may be necessary under this section. All printed publications shall be in the Chamorro, Carolinian, and English languages. In the absence of an appropriation of funds for public or voter education to be conducted pursuant to this section or part, the Governor shall, notwithstanding any other provision of law, reprogram funds

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DIVISION 6: ELECTIONS

determined by the Commission as sufficient to carry out the provisions of this section or part, from executive branch accounts to the Election Commission. The executive director shall also have the authority, if in his discretion he finds it necessary, to contract out any or all parts of the conduct of public or voter education as may be required by this section.

Source: DL 5-19, § 5, modified; repealed and reenacted by PL 12-18, § 2 (6105); (j) amended by PL 14-57, § 2.

Commission Comment: The duties of board members was previously codified as 1 CMC § 6104. See the Commission comment to 1 CMC § 6001 regarding PL 12-18. PL 14-57 was enacted on January 27, 2005, and contained the following findings, along with severability and savings clause provisions:

Section 1. Findings. The Legislature supports the right of citizens of the Northern Mariana Islands to bring issues directly to the people through the initiative process by proposing initiatives and referenda. With this right comes the responsibility to adequately and fairly educate the public on issues or questions that will be placed on the ballot.