



**THE SENATE  
FOURTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE**

**FOURTH REGULAR SESSION, 2005**                      **PUBLIC LAW NO. 14-87  
SENATE BILL NO. 14-96, SD1, HD1**

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**AN ACT**

**To amend the Election Law of the Commonwealth of the Northern  
Mariana Islands**

**BE IT ENACTED BY THE FOURTEENTH NORTHERN MARIANAS  
COMMONWEALTH LEGISLATURE:**

1            **Section 1. Findings and Intent.** The Legislature finds and declares that the  
2 republican form of government functions best, and the people of the Commonwealth are  
3 therefore best served, when legislators are popularly elected in spirited contests in which the  
4 people are free to choose from the widest range of qualified candidates.

5            The Legislature finds that the Election Law of the Commonwealth of the Northern  
6 Mariana Islands imposes upon candidates for the House of Representatives certain qualifying  
7 restrictions which are not imposed on senatorial or mayoral candidates.

8            The Legislature intends to remove certain qualifying restrictions which are imposed  
9 on candidates for the House of Representatives, and to make the new qualifications apply  
10 prospectively as well as apply retroactively to all persons who filed to have his or her  
11 candidacy for the November 5, 2005 general election certified by the Commonwealth of the  
12 Northern Mariana Islands Election Commission. The Legislature finds that this Act is  
13 necessary and is a proper use of the Legislative power.

14            **Section 2. Amendments.**

15            (a) Section 6004 of Title 1 of the Commonwealth Code is amended as  
16 follows:

1 “§ 6004. Political Party: Rights.

2 In addition to any other rights accorded in this part to a political party,  
3 a recognized political party shall have the right to a place on the ballot, in any  
4 election, and to have the names of its candidates identified thereon with the  
5 party's name or other official designations. Furthermore, all candidates of a  
6 recognized political party shall be listed consecutively on the ballot with all  
7 the other candidates of the same party. Any recognized political party which  
8 shall fail to poll on any general election, the percentage of total votes cast as  
9 required by Section 6003(o)(3) shall lose its recognition as a recognized  
10 political party, and shall be denied a place upon the ballot unless it complies  
11 with the provisions of Section 6005. Provided further that this section shall be  
12 effective at the next general election 2007 and thereafter.”

13 (b) Section 6303 of Title 1 of the Commonwealth Code is hereby amended  
14 as follows:

15 “§ 6303. Representatives.

16 A candidate for the House of Representatives shall be qualified to vote  
17 in the Commonwealth, at least twenty-one (21) years of age, a resident and a  
18 domiciliary of the Commonwealth for at least ~~five (5)~~ three (3) years  
19 immediately preceding the date on which a representative would take office.  
20 ~~In addition, a~~ A candidate for the House of Representatives shall ~~also be~~  
21 a registered voter and a resident of the election precinct where he or she is a  
22 candidate ~~for at least two (2) years immediately preceding the date of election.~~  
23 No person convicted of a felony in the Commonwealth or in any area under  
24 the jurisdiction of the United States may be eligible for this office unless a full  
25 pardon has been granted.”

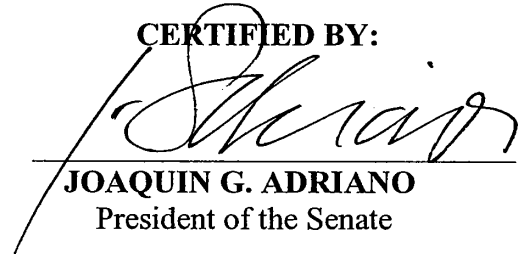
26 **Section 3. Applicability.** The provisions of this Act shall apply prospectively and  
27 further apply retroactively to all persons who filed candidacy nomination petitions for the  
28 November 5, 2005 general election. Notwithstanding any other law, rule or regulation to the  
29 contrary, the Northern Mariana Islands Election Commission shall have two weeks from the

1 effective date of this Act to reconsider its actions regarding the certification of the  
2 candidacies of people to whom this Act applies retroactively.

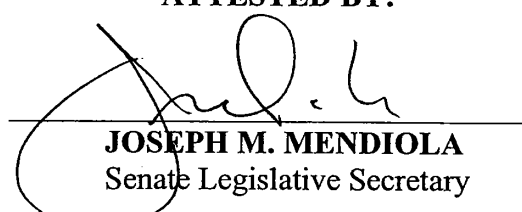
3 **Section 4. Severability.** If any provision of this Act or the application of any such  
4 provision to any person or circumstance should be held invalid by a court of competent  
5 jurisdiction, the remainder of this Act or the application of its provisions to persons or  
6 circumstances other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

7 **Section 5. Effective Date.** This Act shall take effect upon its approval by the  
8 Governor or becoming law without such approval.

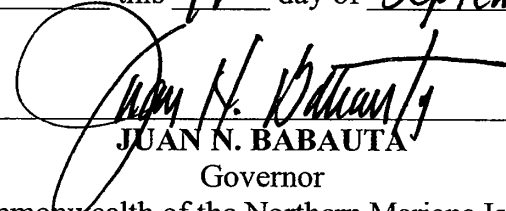
**CERTIFIED BY:**

  
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**JOAQUIN G. ADRIANO**  
President of the Senate

**ATTESTED BY:**

  
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**JOSEPH M. MENDIOLA**  
Senate Legislative Secretary

*Approved* this *19<sup>th</sup>* day of *September*, 2005

  
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**JUAN N. BABAUTA**  
Governor  
Commonwealth of the Northern Mariana Islands

