

**TITLE 1: GOVERNMENT**  
**DIVISION 6: ELECTIONS**

**§ 6205. Registration Procedures.**

(a) Any person qualified to vote in a general, primary, local or special election may register to vote not less than sixty days before the day of the election.

(b) When registering to vote, the person shall sign an affidavit of registration on a form prepared and furnished by the Commission stating that he meets the qualifications established by the Constitution and by this part for voting in the elections in the Commonwealth.

(1) Except as provided in 1 CMC § 6214, no person may register to vote or vote in an election district other than that in which he is a resident. A person has a residence in, or is a resident of, the election district where that person is factually living and has an abode.

(2) No person may vote in any election or be listed in any general register who fails to register according to the requirements of this part.

(3) Persons who are domiciled in the Commonwealth as provided in 1 CMC §§ 6202-6204, but who are temporarily out of the Commonwealth for any reason such as business, employment, service in the Armed Forces, or Merchant Marines of the United States, education, training, or medical treatment are considered residents for purposes of this part.

(c) Any person desiring to register to vote in an election district may register with a registration clerk or other person authorized by the Commission or, if a person registers by mail, provide a picture identification form as part of the election registration packet. The Commission shall authorize one or more registration clerks for Rota and for Tinian and Aguiguan, which may be the Clerk of Court on the respective islands or other persons, and who shall be available to register voters at registrant shall be examined under oath as to his or her qualification and it may be attested to in the form of a mark. The affidavit shall contain the following information:

(1) Full legal name;

(2) Last four digits of the individual's social security number;

(3) Date and place of birth;

(4) Residence, including mailing address;

(5) That the residence stated in the affidavit is not simply because of the person's presence in the Commonwealth but that the residence was acquired with the intent to make the Northern Mariana Islands the person's legal residence with all the accompanying obligations therein;

(6) That the person is a citizen of the United States;

(7) Any other information as may be required by the Commission;

(8) That the person meets the requirements of the Commonwealth Constitution and this part.

(d) If a registration clerk administering an oath or the Election Commission staff upon reviewing the application has any question regarding the propriety of an affidavit of registration, the clerk or staff member shall forward the affidavit to the Commission for final decision as to its propriety. In case of a questionable affidavit, residency or any question regarding the qualifications of the voter, the

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Commission shall conduct a formal or informal hearing to determine the correct facts. The registrant has the right to present evidence to the board regarding his or her qualifications to vote and the registrant's proper election district.

(e) Any voter may change election districts by re-registering in the general, primary, or special election register in the manner prescribed by this section. The Commission shall cancel the existing registration and re-register the voter in the new election district. No registration may be allowed due to a change of residency within sixty days before an election. No change in residency during the forty days before an election shall affect the eligibility of the voter to vote in the precinct where registered.

(f) Notwithstanding any other registration requirements provided for in this part, a registered voter need not register again unless it is necessary due to a change of identification or residency or unless the voter has been removed from the register pursuant to 1 CMC § 6206 of this part or disqualifications enumerated by this part have intervened. If voting records have been destroyed or lost, the Commission nevertheless may require re-registration of voters.

(g) Registration of voters shall continue indefinitely, except during the sixty days prior to an election day.

**Source:** DL 5-19, § 7, modified; repealed and reenacted by PL 12-18, § 2 (6205), modified; amended by PL 17-11 § 3 (August 12, 2010), modified.

**Commission Comment:** The Commission changed references to agree with codified section numbers pursuant to 1 CMC § 3806(c). Public Law 17-11 was enacted by override on August 12, 2010. PL 17-11 included severability and savings clause provisions and the following:

Section 1. Findings and Purposes. The Legislature finds that Senate Legislative Initiative 16-11 was passed, moving the local elections to even numbered years so that they would be aligned with federal elections. Accordingly, during each local election, the voters will not only vote on local issues but also for the Federal Non-Voting Delegate. Federal elections have their own set of requirements that must be followed by both the government and all candidates. Consequently, in order to simplify the process and not have two different sets of rules for each election, the Legislature finds it necessary to amend election statutes that differ from federal election law.

Furthermore, the Legislature finds that by amending the local election statutes to conform to federal requirements, issues that arose during the 2009 General Election will no longer occur. By creating a "Voter Challenge" process, the Court will no longer have to question whether a voter is telling the truth about who they voted for under oath. Instead, Commonwealth Election Commission, an agency that specializes in elections will be able to handle this process prior to an individual voting. This will save the Commonwealth both time and money, by ensuring that lengthy court processes are unnecessary. The Legislature notes that, as of late March 2010, the contest for Mayor of the Northern Islands was still un-

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settled, and the various challenges arising out of the First Senatorial District have yet to become final.

Moreover, the Legislature finds that these amendments not only comply with federal requirements, but also empower the Commonwealth Election Commission to continue conducting elections in a fair and democratic manner.

The Legislature finds and declares that these amendments are necessary, and are a proper use of the legislative authority granted by section 1 of Article II of the Commonwealth Constitution.

. . .

Section 27. Rules and Regulations. The Commonwealth Election Commission shall promulgate rules and regulations to carryout the provisions of this Act.

Public Law 17-16 (effective September 24, 2010) amended PL 17-11. PL 17-16 included severability and savings clause provisions and the following:

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

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