

TITLE 1: GOVERNMENT
DIVISION 6: ELECTIONS

§ 6206. Removal of Names from Register; When; Re-registration.

(a) The Commission shall remove the name of a registered voter from the register in the following cases:

(1) At the written request of the person registered.

(2) When the insanity of the person registered is legally established.

(3) Upon the receipt of certification from the Court that the person registered is serving a sentence for a felony. Within fifty days of each general election the court shall transmit to the Commission a list of all persons convicted of a felony during the preceding two year period. The Commission may request of the court, at any time, the identity of any person who has been convicted of a felony.

(4) Upon submission of a death certificate of the person registered. Not later than the fifteenth day of each month the Secretary of Public Health shall furnish the Commission an abstract of the register of deaths showing, for all decedents eighteen years of age or over, as follows: the name; sex; age; place of residence; month, day and year of birth and death; and certificate of death number.

(5) Upon finding, after notice and opportunity to be heard, that the person registered in an election or senatorial district or municipality where that person is not a resident.

(6) If the person is confined to a mental institution.

(7) If the person did not vote in the preceding two general elections, provided however, that failure to vote in a general election that gives rise to a run-off election shall not preclude the person from participating in a run-off election related to that same general election; A person who votes in a run-off election shall remain a registered voter unless otherwise disqualified under 1 CMC §§ 6201 to 6214.

(8) If the person registered to vote in another jurisdiction.

(b) Beginning six months prior to an election, the Commission shall register electors at such time and places within the Commonwealth as the Commission shall deem advisable and convenient until fifty days prior to an election and the Commission may deputize volunteers as registration clerks for such purposes. No person holding an elective office or who is a candidate for elective office shall be a deputized volunteer.

Source: Repealed and reenacted by PL 12-18, § 2 (6206), modified; subsection (a)(7) amended by PL 16-43, § 2(d); subsection (a)(7) amended by PL 17-11 § 4 (August 12, 2010), modified.

Commission Comment: The Commission, pursuant to 1 CMC § 3806(g), corrected a manifest error by changing a semi-colon to a period at the end of the first sentence in subsection (a)(7). Public Law 16-43 was enacted on July 24, 2009. PL 16-43 contained severability and savings clause provisions and the following:

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Section 1. Findings and Purpose. The Legislature finds that House Legislative Initiative 15-16, SD1 was placed before the people for ratification during the 2007 general election. This initiative proposed to amend Article III, Section 4 of the Constitution of the Northern Mariana Islands to require a runoff election for governor and lieutenant governor if no candidate receives a majority of the votes cast and counted for that office. Approximately 73% of total votes cast during the 2007 general election were in support of this initiative. As a result, a runoff election for governor and lieutenant governor is required if no candidate receives a majority of the votes cast and counted for that office. Additionally, runoff election procedures shall be established by law. The Legislature therefore finds it necessary to establish runoff election procedures as mandated by the ratification of House Legislative Initiative 15- 16, SD 1.

The Legislature further finds that current election statutes provide a period of no later than fourteen days after the election date for absentee ballots to arrive on Saipan and be considered valid. The Commonwealth Election Commission shall then tabulate the absentee ballots and subsequently certify the election results. If no candidate receives a majority of the votes cast and counted for the office of governor and lieutenant governor, then a runoff election shall be held on the fourteenth day thereafter. An additional fourteen days would also be allotted for the arrival of absentee ballots for the runoff election. These additional days drastically reduce the transitional period provided for the governor-elect and lieutenant governor-elect to assume office. The Legislature therefore finds it necessary to mandate the counting of absentee ballots received on or prior to election day to allow for more time for the transitional period of the governor-elect and lieutenant governor-elect.