

TWELFTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

THIRD REGULAR SESSION, 2001

Public Law 12-55

H. B. NO. 12-393

AN ACT

To amend 1 CMC §§ 6321, 6331(b) and 6342 to provide for the timely filing of nominating petitions for candidates for elective offices in the Northern Mariana Islands, to add a new article 5 to Chapter 3; and for other purposes.

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

Section 1. Findings. The Legislature finds administrative necessity to require that candidates for elected offices within the Northern Mariana Islands file their nominating petitions earlier than the 90 days presently required by Public Law 12-18.

Section 2. Amendment. Public Law 12-18 is amended as follows:

“§ 6321. Nominations: Governor and Lieutenant Governor.

Any political party may nominate candidates for governor and lieutenant governor by having its chairman and secretary certify to the Commission the names of the party’s team of candidates not more than one hundred twenty (120) days and not less than ninety (90) days prior to the election. At the same time, the political party shall file a petition containing the signatures, printed names, residences and mailing addresses of not less than two-hundred (200) registered voters in support of the party’s team of candidates. No person may sign more than one petition for governor and lieutenant governor. Each petition shall be accompanied by the signature of the person nominated, which shall constitute the nominee’s assent to be a candidate.

“§ 6331 (b). All independent nomination petitions for governor and lieutenant governor and the candidate’s acceptances shall be filed with the Commission not more than one hundred twenty (120) days and not less than ninety (90) days prior to the general election.

§ 6342. Nomination: Senators and Representatives.

Political parties shall nominate their candidates for senator or representative in the manner prescribed in their party rules and regulations and according to the provisions of this Chapter. The political party chairman and secretary shall certify to the Commission the names of the Party's nominees not more than one hundred twenty (120) days and not less than ninety (90) days before the general election. All certifications of candidates by political parties and independent candidates shall be accompanied by petitions containing the signatures, printed names, residences, and mailing address of not less than five (5%) or one hundred (100), whichever is less, in the case of a senator, and fifty (50) in the case of a representative, of the registered voters of the respective senatorial or electoral district, as the case may be. Each name certified as a nominee shall be accompanied by the signature of the person nominated, which signature constitute the nominees assent to be a candidate of that political party. The political party may not nominate more candidates than the number of vacancies in the Senate and the House of Representatives.”

Section 3. A new article 5 is inserted to Chapter 3 of Public Law 12-18 to read as follows:

“Article 5. Amendments to the NMI Constitution and Referendums.

§ 6351. Amendments to the NMI Constitution and Referendums.

All proposal for amendments to the NMI Constitution pursuant to Article 18 of the NMI Constitution, and all issues of referendum proposed for submission to the voters, shall be certified and submitted to the Commission not more than one hundred twenty (120) days and not less than ninety (90) days before the day of the election.”

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

Section 5. Savings Clause. This Act and any repealer contained herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes. Repealers contained in this Act shall not affect any proceeding instituted under or pursuant to prior law. The enactment of this Act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence at the date this Act becomes effective.

Section 6. Effective Date. This Act shall take effect upon its approval by the Governor or upon its becoming law without such approval.

CERTIFIED BY:

ATTESTED TO BY:

/s/ _____

BENIGNO R. FITIAL
SPEAKER OF THE HOUSE

/s/ _____

EVELYN C. FLEMING
HOUSE CLERK

Approved this 20th day of June, 2001

/s/ _____

PEDRO P. TENORIO
GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS