



HOUSE OF REPRESENTATIVES
FOURTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
SECOND SPECIAL SESSION, 2004

PUBLIC LAW NO. 14-57
H. B. No. 14-175, HD1, SD1

AN ACT

To amend 1 CMC § 6105(j) as enacted by Public Law 12-18, as amended, to clarify and augment the Election Commission's responsibilities in the conduct of public education on amendments to the constitution, initiatives, recall and referenda; and for other purposes.

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

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.

Section 2. Amendment. 1 CMC § 6105(j) as enacted by Public Law 12-18, as amended, is amended to read as follows:

“(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 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.

Section 3. 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 4. 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 the Act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence on the date this Act becomes effective.

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

CERTIFIED BY:

/s/

BENIGNO R. FITIAL
SPEAKER OF THE HOUSE

ATTESTED TO BY:

/s/

EVELYN C. FLEMING
HOUSE CLERK

APPROVED on this 27th day of JANUARY, 2005

/s/

JUAN N. BABAUTA
GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS