



HOUSE OF REPRESENTATIVES
FIFTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
FIRST REGULAR SESSION, 2006

PUBLIC LAW NO. 15-52
H. B. No, 15-21, HSI

AN ACT

To amend Article 1, Chapter 5, Division 6, Title 1 of the Commonwealth Code by adding a new Section 6523 regarding orderly conduct at polling places; and for other purposes.

BE IT ENACTED BY THE FIFTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 **Section 1. Findings, and Purpose.** The Legislature finds there have been many
2 complaints by voters that they feel harassed or pressured by political party supporters upon
3 entering the polling sites. Some voters have expressed that they often will try to find
4 alternate entries to polling places to avoid political party supporters or even have opted not
5 to vote altogether simply to avoid the ordeal of entering the polling place. Further,
6 overzealous supporters have risked their safety and the safety of others by impeding the
7 flow of traffic. This has resulted in police officers being called in to clear the streets. The
8 Legislature finds that this is unacceptable as it infringes upon the fundamental right of
9 citizens to cast a ballot in an election, free from the taint of intimidation and fraud.

10 The purpose of this Act is to prohibit political activity within a three hundred foot
11 radius of polling places on election day. The Legislature further finds that many states have
12 enacted similar legislation to: 1) provide for the orderly conduct of elections; 2) maintain
13 integrity in elections; and 3) ensure no interference with voters; therefore, the Legislature
14 finally finds that the CNMI should do no less for its citizens.

15 **Section 2. Amendment.** Article 1, Chapter 5, Division 6, Title 1 of the
16 Commonwealth Code of the Northern Mariana Islands is hereby amended to add a new
17 Section 6523 with subsequent sections renumbered accordingly:

1 **"§ 6523. Polling Places: Three Hundred Foot Radius Prohibition of**
2 **Campaign Activity.**

3 (a) It shall be unlawful for any person, between the hours of 7:00 a.m. to 7:00
4 p.m. on the day of the election to perform or cause to be performed any of the
5 following acts within a three hundred foot radius of the polling place:

6 (1) To solicit in any manner or by any means whatsoever any other
7 person to vote for or against any candidate or proposition being voted on in
8 such election.

9 (2) To remain within any polling place or within three hundred feet of
10 the entrance of any polling place, except when exercising the right to vote,
11 after having been directed by an election official to leave the premises.

12 (3) To hand out, place, or display campaign cards, pictures, stickers, or other
13 campaign literature of any kind or description.

14 (b) Election officials shall post in a conspicuous place, prior to the opening of
15 the polls, a map designating an area of three hundred feet from the perimeter of the
16 polling place and its appurtenances. For the purposes of this section, a polling place
17 and its appurtenances shall include:

18 (1) The building in which the polling place is located;

19 (2) Any parking lot adjacent to the building and routinely used for
20 parking at that building;

21 (3) The routes of access between the building and any parking lot;
22 and

23 (4) Any route of access between any public thoroughfare (right of
24 way) and the polling place to ensure an open and accessible ingress and egress
25 to and from the polling place for voters.

26 (c) Law enforcement officers shall assist election commissioners in
27 preserving order, enforcing election laws, and protecting election officials from
28 interference with the performance of their duties. A law enforcement officer shall not

1 enter a polling place except to vote or to enforce the orders of the commissioners and
2 shall not interfere with the conduct of the election, the voters, or the election officials.

3 (d) Any voter who displays campaign material in the polling place shall
4 remove or cover that material before entering the polling place.

5 (e) Section 6523(a) shall not apply to activities conducted on private property.

6 (f) Any person who violates any provision of this section shall be fined not
7 more than five hundred dollars or be imprisoned for not more than six months, or
8 both. On a second offense or any succeeding offense, the penalty shall be a fine of
9 not more than one thousand dollars or imprisonment for not more than one year, or
10 both."


11 **Section 3. Repealers.** 1 CMC § 6423 is hereby repealed in its entirety. 1 CMC
12 § 6705(a), (b) and (c) are hereby repealed in their entirety and the remaining subsections shall
13 be renumbered accordingly.

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

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

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

CERTIFIED BY:




OSCAR M. BABAUTA
SPEAKER OF THE HOUSE

ATTESTED TO BY:



EVELYN C. FLEMING
HOUSE CLERK

APPROVED on this 11th day of APRIL, 2007



BENIGNO R. FITIAL
GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS