



# *The House of Representatives*

NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. BOX 500586

SAIPAN, MP 96950

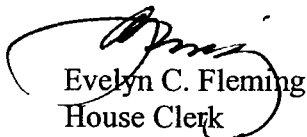
JUL 17 2007

The Honorable Benigno R. Fitial  
Governor  
Commonwealth of the Northern Marianas  
Islands  
Capitol Hill  
Saipan, MP 96950

Dear Governor Fitial:

I have the honor of transmitting herewith a certified copy of **H. L. I. No. 15-16, Senate Draft 1**, entitled, "A House Legislative Initiative 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 candidates receive a majority of the votes cast and counted for that office in a general election," which was passed by the Fifteenth Northern Marianas Commonwealth Legislature with an affirmative three-fourths vote of the members present and voting in each house.

Sincerely yours,

  
Evelyn C. Fleming  
House Clerk

Attachment



**HOUSE OF REPRESENTATIVES**  
**FIFTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE**  
SECOND DAY, SEVENTH SPECIAL SESSION, 2007

**H. L. I. No. 15-16, SD1**

*A HOUSE LEGISLATIVE INITIATIVE*

**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 candidates receive a majority of the votes cast and counted for that office in a general election.**

**In the HOUSE OF REPRESENTATIVES**

*Offered by Representatives: Arnold I. Palacios, Joseph P. Deleon Guerrero, Candido B. Taman, Manuel A. Tenorio, and Stanley T. Torres*

Date: February 20, 2007

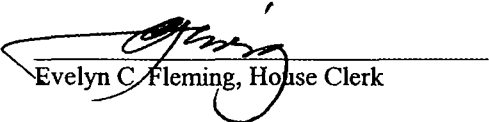
Referred to: Committee on Judiciary and Governmental Operations  
Public Hearing: None  
Standing Committee Report No. 15-62

**Passed First and Final Reading on June 25, 2007**  
**Accepted the Senate amendments on July 9, 2007**

**In the SENATE**

Referred to: Committee on Judiciary, Government and Law  
Public Hearing: None  
Standing Committee Report: None

**Passed Final Reading on July 3, 2007**

  
Evelyn C. Fleming, House Clerk



HOUSE OF REPRESENTATIVES  
FIFTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE  
THIRD REGULAR SESSION, 2007

HOUSE LEGISLATIVE INITIATIVE 15-16, SD1

A HOUSE LEGISLATIVE INITIATIVE

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 candidates receive a majority of the votes cast and counted for that office in a general election.

BE IT ENACTED BY THE FIFTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1           **Section 1. Findings.** The Legislature finds that a fundamental principle of democracy  
2 is that elected officials be elected by a majority of the voters. However, the present election  
3 system in the Commonwealth allows a person to be elected to the offices of governor and  
4 lieutenant governor with less than a majority of the total votes cast and counted for those  
5 offices. The Legislature further finds that the Commonwealth would be better served by  
6 requiring the governor and lieutenant governor to be elected to office by a majority or more  
7 than one half of the total votes cast and counted for those offices for several reasons. First,  
8 true democracy would be achieved if a majority of the people rather than a fraction of the  
9 people elected the governor and lieutenant governor. Second, the legitimacy and credibility  
10 of the governor and lieutenant governor would not be questioned because they received a  
11 majority or more than one half of the total votes cast and counted for their offices. Third,  
12 people of the Commonwealth would have confidence in the governor and lieutenant  
13 governor's ability to lead the people. Accordingly, the purpose of this legislative initiative is  
14 to amend Article III, Section 4 of the Constitution to require that the governor and lieutenant  
15 governor be elected by a majority or more than one half of the votes cast and counted for  
16 those offices in a general election.

1           **Section 2. Legislative Initiative.** The Fifteenth Northern Marianas Commonwealth  
2 Legislature, by the affirmative vote of three-fourths of the members of each house present  
3 and voting, hereby proposes the following amendment to Article III, Section 4 of the  
4 Constitution of the Northern Mariana Islands to be placed before the people for ratification at  
5 the next general election:

6                                   **“A PROPOSED CONSTITUTIONAL AMENDMENT**

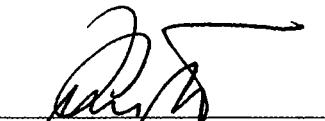
7           To amend Article III, Section 4 of the Constitution of the Northern Mariana  
8 Islands to require a runoff election for governor and lieutenant governor if no  
9 candidates receive a majority of the votes cast and counted for that office to  
10 read as follows:

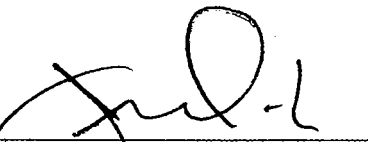
11                   **Section 4: Joint Election of the Governor and Lieutenant**  
12 **Governor.** The governor and lieutenant governor shall be elected at large  
13 within the Commonwealth for a term of office of four years. The governor  
14 and lieutenant governor shall be elected jointly with each voter casting a single  
15 vote applicable to both offices. After the Commonwealth Election  
16 Commission certifies the results of a general election and if no candidates  
17 receive more than one half of the total votes cast and counted for the offices of  
18 governor and lieutenant governor, on the fourteenth day thereafter, a runoff  
19 election shall be held between the candidates for governor and lieutenant  
20 governor receiving the highest and second highest number of votes cast and  
21 counted for those offices. Runoff election procedures shall be provided by  
22 law. No person may be elected governor more than twice.”

1           **Section 3. Adoption and Transmittal.** The Speaker of the House and the President  
2 of the Senate shall certify, and the Clerks of the House and Senate shall attest to the passage  
3 of this Legislative Initiative. The House Clerk shall then cause the Initiative to be transmitted  
4 to the Governor and the Board of Elections. Pursuant to Article XVIII, Section 5 of the  
5 Commonwealth Constitution, the Board shall place this Legislative Initiative, with the  
6 Findings and Purpose section herein, before the people of the Commonwealth for ratification  
7 vote in the next regular general election.

*Passed by the House of Representatives on July 9, 2007, and the Senate on July 3, 2007, by  
the affirmative vote of three-fourths of the members present and voting in each house.*

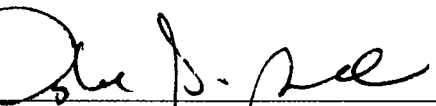
CERTIFIED BY:

  
\_\_\_\_\_  
**OSCAR M. BABAUTA**  
SPEAKER OF THE HOUSE

  
\_\_\_\_\_  
**JOSEPH M. MENDIOLA**  
SENATE PRESIDENT

ATTESTED TO BY:

  
\_\_\_\_\_  
**EVELYN C. FLEMING**  
HOUSE CLERK

  
\_\_\_\_\_  
**DOLORES S. BERMUDES**  
SENATE CLERK