



The Senate

NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. BOX 500129
SAIPAN, MP 96950

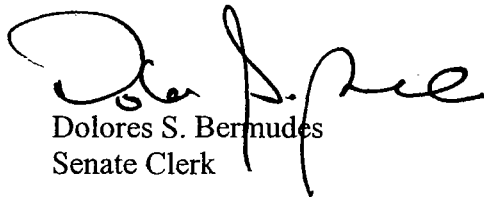
August 10, 2009

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 **S. L. I. NO. 16-11**, entitled, "Proposing to amend Article VIII, Section 1 of the CNMI Constitution regarding regular general elections," which was passed by the Sixteenth Northern Marianas Commonwealth Legislature with an affirmative three-fourths vote of the members present and voting in each house.

Sincerely yours,



Dolores S. Bermudes
Senate Clerk

Attachment



THE SENATE
SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SENATE LEGISLATIVE INITIATIVE NO. 16-11

A SENATE LEGISLATIVE INITIATIVE

Proposing to amend Article VIII, Section 1 of the CNMI
Constitution regarding regular general elections.

SENATE ACTION

Offered by Senator(s): Jude U. Hofschneider

Date: December 04, 2008

Referred to: None

Standing Committee Report No.: None

Final Reading: December 04, 2008

HOUSE ACTION

Referred to: Judiciary and Governmental Operations

Standing Committee Report No. : None

First and Final Reading: August 10, 2009



THE SENATE
SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
SECOND REGULAR SESSION, 2008

SENATE LEGISLATIVE INITIATIVE 16-11

A SENATE LEGISLATIVE INITIATIVE

Proposing to amend Article VIII, Section 1 of the CNMI
Constitution regarding regular general elections.

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

1 **Section 1. Findings.** With the implementation of US Public Law 110-229 granting
2 the Commonwealth a non-voting delegate to the US Congress, the CNMI Government has to
3 conduct a separate election for that office in even-numbered years commencing in 2008 in
4 addition to holding regular general election in odd-numbered years pursuant to Article VIII,
5 Section 1 of the CNMI Constitution. By not holding an election every year, the Legislature
6 finds that the cost-savings could be used for other programs and services in need of additional
7 funds. Therefore, the purpose of this initiative is to propose an amendment as set forth in
8 section 2 hereof to Article VIII, Section 1 of the CNMI Constitution to hold regular general
9 elections only in even-numbered years.

10 **Section 2. Legislative Initiative.** The Sixteenth Northern Marianas Commonwealth
11 Legislature, by the affirmative vote of three-fourths of the members of each house present
12 and voting, hereby enacts a legislative initiative proposing the following amendment to the
13 Constitution to be placed before the people for ratification:

“A PROPOSED CONSTITUTIONAL AMENDMENT

To Article VIII, Section 1 of the CNMI Constitution to read as follows:

“**Section 1: Regular General Election.** The regular general election of the Commonwealth shall be held the Tuesday next after the first Monday Saturday in November in even-numbered years.”

Section 3. Implementation. Upon ratification of this initiative in accordance with section 4 hereof, Article VIII, Section 1, as amended hereby, shall be implemented as follows, notwithstanding any constitutional or statutory provision to the contrary:

(a) There shall be a regular general election in 2009 held pursuant to Article VIII, Section 1 of the CNMI Constitution and applicable election laws of the Commonwealth that were in effect prior to ratification of this initiative; provided that a person elected to office, the term of which is:

(1) Two years, shall serve a term of three years such that the next regular general election to that office shall occur in 2012 and every two years thereafter.

(2) Four years, shall serve a term of five years such that the next regular general election to that office shall occur in 2014 and every four years thereafter.

(b) The regular general election in 2011 shall be moved to 2012 as prescribed by Article VIII, Section 1, as amended, of the CNMI Constitution and Commonwealth election laws. The term of office of an incumbent holding office to which the election has been moved from 2011 to 2012 shall expire at midnight of the

1 day prior to inauguration to that office in 2013.

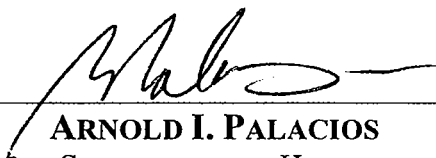
2 **Section 4. Adoption; Transmittal; Special Election.** The President of the Senate
3 and the Speaker of the House shall certify and the Senate Legislative Secretary and House
4 Clerk shall attest to the adoption of this Legislative Initiative. The Senate Clerk shall then
5 cause the Initiative to be transmitted to the Governor and the Commonwealth Election
6 Commission with instructions that the Commission place it before the people of the
7 Commonwealth for a ratification vote in a special election, in conformance with Article
8 XVIII, Section 5 of the Commonwealth Constitution and 1 CMC § 6505, to be held on the
9 Saturday next after 90 days from the date of the initiative's enactment by ratification.

*Passed by the Senate on December 04, 2008 House of Representatives on August 10, 2009
and by the affirmative vote of three-fourths of the members in each house.*

CERTIFIED BY:

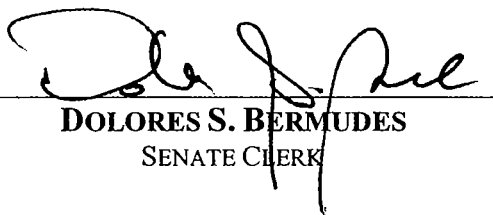


PETE P. REYES
SENATE PRESIDENT

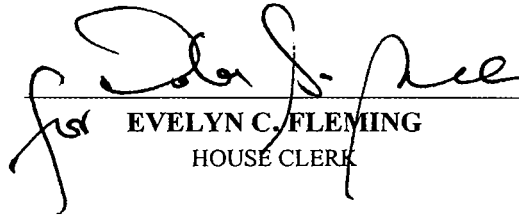


ARNOLD I. PALACIOS
SPEAKER OF THE HOUSE

ATTESTED TO BY:



DOLORES S. BERMUDES
SENATE CLERK



EVELYN C. FLEMING
HOUSE CLERK