

FIFTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

THIRD REGULAR SESSION, 2007

H. L. I. NO. 15-16

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

17 **Section 2. Legislative Initiative.** The Fifteenth Northern Marianas
18 Commonwealth Legislature, by the affirmative vote of three-fourths of the members of

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1 each house present and voting, hereby proposes the following amendment to Article III,
2 Section 4 of the Constitution of the Northern Mariana Islands to be placed before the
3 people for ratification at the next general election:

4 **“A PROPOSED CONSTITUTIONAL AMENDMENT**

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

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

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

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Prefiled: 2/16/07

Date: February 20, 2007

Introduced By: /s/ Rep. Arnold I. Palacios

/s/ Rep. Manuel A. Tenorio

/s/ Rep. Candido B. Taman

/s/ Rep. Joseph P. Deleon Guerrero

/s/ Rep. Stanley T. Torres

Reviewed for Legal Sufficiency by:

/s/ Antonette R. Villagomez

House Legal Counsel