

November 23, 1976

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CHANGES FOR STYLE, CONSISTENCY
AND CLARITY RECOMMENDED BY THE
CONSULTANTS

ARTICLE II: LEGISLATIVE BRANCH

Section 1: Legislative Power. The legislative power of the Commonwealth shall extend to all rightful subjects of legislation and shall be vested in a Northern Marianas Commonwealth ~~Legislature~~ legislature composed of a Senate senate and a House house of Representatives representatives.

Section 2: Composition of the Senate.

a) The senate shall consist of nine members with three members elected at large from each of three senatorial districts. The first senatorial district shall consist of Rota, the second senatorial district shall consist of Tinian and Aguiguan, and the third senatorial district shall consist of Saipan and the islands north of it. The senate shall be increased to twelve members and three members shall be elected at large from a fourth senatorial district consisting of the islands north of Saipan at the first regular general election after the population of these islands exceeds one thousand persons.

b) The term of office for senator shall be four years except that the candidate receiving third highest number of votes in the first election in each senatorial

district shall serve a term of two years.

c) A senator shall be qualified to vote in the Commonwealth, at least twenty-five years of age, and a resident and domiciliary for at least five years immediately preceding the date on which the senator takes office his election. A longer residency and domicile requirement may be provided by law.

Section 3: Composition of the House of Representatives.

a) The house of representatives shall consist of ^{fourteen} ~~nineteen~~ members with ^{twelve} ~~sixteen~~ members elected from Saipan and the islands north of Saipan, ^{one} ~~two~~ members elected from Rota and one member elected from Tinian and Aguiguan. The number of representatives may be increased by law to not more than twenty ~~five~~. The term of office for representative shall be two years.

b) For purposes of electing representatives Rota shall constitute one district, Tinian and Aguiguan shall constitute one district, and Saipan and the islands north of Saipan shall constitute six districts. The legislature may change the number and boundaries of these districts only pursuant to its duties under section 4 of this article. When the population of the islands north of Saipan equals or exceeds the number of persons represented by any member of the house of representatives these islands shall constitute a separate district electing one representative.

c) A representative shall be qualified to vote in the Commonwealth, at least twenty-one years of age, and a resident and domiciliary of the Commonwealth for at least three years immediately preceding ~~his election~~ the date on which the representative takes office. A longer residency and domicile requirement may be provided by law.

Section 4: Reapportionment and Redistricting.

a) At least every ten ~~(10)~~ years and within one hundred and twenty ~~(120)~~ days following publication of the results of each a decennial census, the legislature shall reapportion the seats in the house of representatives or revise the districts for electing representatives as required by changes in Commonwealth population or by law. Any such reapportionment or redistricting plan shall provide for contiguous and compact and-contiguous districts and for representation by each member of the house of representatives of approximately the same number of residents to the extent permitted by the ~~geography-of~~ separate islands and the distribution of population in the Commonwealth.

b) If the legislature fails to act ~~reapportion-the-House-of-Representatives~~ pursuant to subsection (a), the governor shall promulgate a reapportionment or redistricting plan within one hundred and twenty days after the expiration of the time for the legislature's failure to act. The governor's plan shall be published in the same

manner ~~provided for~~ as an acts of the legislature and upon publication shall have the force of law ~~upon such publication~~. Upon the ~~application~~ petition of any person qualified to ~~voter~~ vote, the Commonwealth appeals court or the United States District Court if no Commonwealth appeals court has been created under section 3 of article IV shall have original and exclusive ~~and final~~ jurisdiction to review any a ~~reapportionment~~ plan and shall have jurisdiction to make orders to amend the plan to comply with the requirements of this Constitution or to establish a plan if the governor has failed to ~~promulgate a plan~~ act within the time provided. ~~to make one or more orders establishing such a plan.~~

Section 5: Enactment of Legislation.

a) Appropriations and revenue bills may be introduced only in the House house of Representatives representatives. Other bills may be introduced in either house of the legislature.

b) Every bill shall be confined to one subject except bills for appropriations and or bills for the codification, revision or rearrangement of existing laws. All appropriation bills shall be limited to the subject of appropriations. Legislative compliance with the requirements of this subsection is a constitutional responsibility not subject to judicial review.

c) The legislature shall enact no law except by bill and no bill shall be enacted without the approval of at least a majority of the votes cast in each house of the legislature.

Section 6: Local Laws. Laws that relate exclusively to local matters within one senatorial district may be enacted by the legislature or by the affirmative vote of a majority of the members representing that district. The legislature shall define the local matters that may be the subject of legislation enacted by the members from the respective senatorial districts, regulations promulgated by a mayor pursuant to article VI, section 3(e), or local ordinances adopted by agencies of local government established pursuant to article VI, section 6(b).

Section 7: Action on Legislation by the Governor.

a) Every bill ~~enacted passed-by-the-legislature under-section-5-or-by-designated-members-of-the-legislature under-section-6~~ shall be signed by the presiding officer of the house in which the bill originated and transmitted to the governor. If the governor signs approves the bill, ~~he shall sign it and the bill~~ shall become law. If the governor vetoes ~~disapproves~~ the bill, it he shall be returned ~~indicate his veto on the bill and return it~~ to the presiding officer of each ~~both~~ houses of the legislature with a statement of the reasons for the veto ~~his action.~~ The governor may veto an ~~any~~ specific item or section ~~items~~ in any appropriations bill and sign the remainder of the bill.

b) The governor shall have twenty ~~(20)~~ days in which to consider appropriation bills and forty ~~(40)~~ days in which to consider all other bills. If the governor fails either to sign or veto a bill within the applicable period, it shall become law. ~~in-the-same-manner-as-if-he-had-signed-the-bill.~~

c) Any bill or item of a bill vetoed by the governor may be reconsidered by the legislature. If two-thirds ~~(2/3)~~ of the members in each house vote upon reconsideration to pass the bill or item, it shall become law.

Section 8; Impeachment. The legislature may impeach ~~the-governor-and-such-other~~ those executive and judicial officers of the Commonwealth ~~as-are-made~~ subject to impeachment by under this Constitution. The House house of Representatives representatives shall ~~have-the-power-to~~ may initiate impeachment proceedings by the affirmative vote of two-thirds ~~(2/3)~~ of its members and the Senate senate shall ~~have the-power-to-hear-impeachment-charges-and-to~~ ^{may} convict after hearing by the affirmative vote of two-thirds ~~(2/3)~~ of its members. ~~The-legislature-shall-provide-procedures-for-the-trial-and-removal-from-office-after-conviction-of-officers-so-impeached.~~

Section 9 : Vacancies Vacancy. A vacancy in the legislature shall be filled by special election if ~~more than~~ one-half or more $\{1/2\}$ of the term remains. If less than one-half $\{1/2\}$ of the term remains, the governor shall fill the vacancy by appointing the unsuccessful candidate for the office in the last election who received the largest number of votes and is willing to serve or, if no such candidate is available ~~for appointment~~, any person qualified for the office from the island or electoral district involved.

Section 10: Legislative Compensation. The members of the legislature shall receive an annual salary of eight thousand dollars and reasonable allowances for expenses provided by law. The salary of members may be adjusted no more than once every four years and only upon the recommendation of an advisory commission established by law to make recommendations concerning the compensation of Commonwealth executive, legislative and judicial officers except that no adjustment in the salary may be made that exceeds a percentage ~~which is the same~~ ² ~~percentage change, up or down,~~ ^{an} ~~in a generally~~ accepted index of the cost of living. No increase in the salary ~~of the members of the legislature~~ shall apply to the legislature which that enacted ~~the same~~ it.

Composite price

for the period since the last adjustment.

Section 11: Prohibition-on Other Government Employment. No member of the legislature shall serve in any other Commonwealth government position including any independent board, agency, authority or commission established by this Constitution or by Commonwealth law.

Section 12: Legislative Immunity. No member of the legislature shall be questioned in any other place for any written or oral statement in the legislature and no member of the legislature shall be subject to arrest while going to or coming from a meeting of the legislature except for treason, felony or breach of the peace.

Section 13: Sessions. The legislature shall meet for organizational purposes on the second Monday of January in the year following the regular general election at which members of the legislature are elected and shall be a continuous body for the two years between such organizational meetings. Each house shall meet in regular sessions as provided by ~~law-or~~ its rules of procedures and may be convened at other times by its presiding officer or by the governor. When meeting pursuant to ~~the-governor's~~ a call by the governor, the legislature shall consider only those subjects described in the call.

Section 14: Organization and Procedures.

a) Each house of the legislature shall be the final judge of the election and qualifications of its members and the legislature may ~~by-law~~ vest in the courts the ~~trial-and~~ jurisdiction to determination determine of contested elections of members. Each house may compel the attendance of absent members, discipline its members and, ~~with-the-concurrence~~ by the affirmative vote of three-fourths ~~(3/4)~~ of its members, expel a member for commission of treason, a felony, breach of the peace, or violation of the ~~legislature's-rules~~ rules of that house.

b) Each house of the legislature shall choose its presiding officer from among its members, establish ~~such~~ the committees ~~as-it-deems~~ necessary for the conduct of its business, and ~~determine-its~~ promulgate rules of procedures. Each house ~~shall-have-the-power-to~~ may compel the attendance and testimony of witnesses and the production of books and papers before ~~such~~ the house or its committees. The legislature shall keep a journal of its proceedings that shall be published from day to day.

c) The meetings of the legislature and its committees shall be public provided, however, that each house of the legislature and any legislative committee may meet in executive session if authorized ~~to-do-so~~ by the affirmative vote of two-thirds ~~(2/3)~~ of the members of the house ~~involved~~. No final action on any legislative matter may be taken in executive session.

Section 15: Conduct of Members. Any member of the legislature who has a financial or ~~other~~ personal interest in any bill before the legislature shall disclose ~~the-fact-to-the-house-of-which-he-is-a-member~~ that interest and shall not vote ~~thereon~~ on the bill. The legislature shall enact a comprehensive code of conduct for its members that ~~prohibits-certain-actions-by~~ includes a definition of proper conduct for members with conflicts of interest and a definition of ~~7-defines~~ the proper scope of debate in the legislature ~~and-deals-with-other-germane-subjects~~.