

November 3, 1976

ARTICLE ____

THE LEGISLATIVE BRANCH
OF GOVERNMENT

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 composed of a Senate and a House of Representatives.

Section 2: Composition of the Senate.

a) The Senate shall consist of nine (9) members with three (3) members elected at large from Rota, three (3) members elected at large from Saipan and the islands north of it, and three (3) members elected at large from Tinian and Aguiguan. The term of office for senator shall be four (4) years except that the candidate receiving the third highest number of votes in the first election for senator on each island pursuant to this section shall serve a term of two (2) years.

b) The Senate shall be increased to twelve (12) members and three (3) members shall be elected from the islands north of Saipan at the first regular general election after the population of these islands exceeds one thousand (1,000) persons. The senator receiving the third highest number of votes in the first such election shall serve for two (2) years.

c) A senator shall be a qualified voter of the Commonwealth, a United States citizen or national, at least twenty-five (25) years of age, and a resident of the Commonwealth for at least five (5) years immediately preceding his election. A longer residency requirement may be provided by law.

Section 3: Composition of the House of Representatives.

a) The House of Representatives shall consist of thirty (30) members with twenty-five (25) members from Saipan and the islands north of Saipan, three (3) members from Rota and two (2) members from Tinian and Aguiguan provided, however, that the number of representatives may be increased by law to not more than forty (40). The term of office for representative shall be two (2) years.

b) A representative shall be a qualified voter of the Commonwealth, a United States citizen or national, at least twenty-one (21) years of age, and a resident of the Commonwealth for at least three (3) years immediately preceding his election. A longer residency requirement may be provided by law.

c) Rota shall constitute one electoral district, Tinian and Aguiguan shall constitute one electoral district, the islands north of Saipan shall constitute one electoral district, and Saipan shall be divided into six (6) electoral districts for the election of representatives. The legislature may change the number and boundaries of the electoral districts used for electing representatives but no district on Rota and

Saipan shall consist of more than one island. For ten (10) years following the effective date of this constitution, the legislature shall not change the electoral districts on Saipan and the islands north of Saipan except pursuant to its duties under section 4 of this article.

Section 4: Reapportionment.

a) At least every ten (10) years and within one hundred and twenty (120) days following each decennial census, the legislature shall reapportion the seats in the House of Representatives as required by changes in Commonwealth population or by law. Any such reapportionment plan shall provide for 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 the Commonwealth and the distribution of population among the separate islands.

b) If the legislature fails to reapportion the House of Representatives pursuant to subsection (a), the governor shall promulgate a reapportionment plan within one hundred and twenty days after the legislature's failure to act. The governor's plan shall be published in the manner provided for acts of the legislature and shall have the force of law upon such publication. Upon the application of any qualified voter, the court with jurisdiction over appeals from the Commonwealth trial court shall have original, exclusive and final jurisdiction to review any reapportionment

plan and shall have jurisdiction to make orders to amend the plan to comply with the requirements of this Constitution or, if the governor has failed to promulgate a plan 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 of 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 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 become law without the approval of at least a majority of the votes cast in each house of the legislature.

Section 6: Action on Legislation by the Governor.

a) Every bill passed by the legislature shall be signed by the presiding officer of each house and transmitted to the governor by the presiding officer of the house in which the bill originated. If the governor approves the bill, he shall sign it and the bill shall become law. If the governor disapproves the bill, he shall indicate his

veto on the bill and return it to the presiding officers of both houses of the legislature with a statement of the reasons for his action. The governor may veto any specific item or 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 7: Confirmation of Appointments. The Senate shall have the power to confirm appointments by the governor where such confirmation is required by this constitution or by law.

Section 8: Impeachment. The legislature may impeach the governor and such other executive and judicial officers of the Commonwealth as are made subject to impeachment by this constitution. The House of Representatives shall have the power to initiate impeachment proceedings by the vote of two-thirds (2/3) of its members and the

Senate shall have the power to hear impeachment charges and to convict by the 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. A vacancy in the legislature shall be filled by special election if more than one-half (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 twelve thousand dollars (\$12,000) and such reasonable allowances for expenses as may be provided by law. The salary of members may be increased no more frequently than once every four (4) years and only upon the recommendation of an advisory commission to be established by law to study and make recommendations concerning the compensation of Commonwealth executive, legislative and judicial officers. No increase in the salary of the members of the legislature shall apply to the legislature which enacted the same.

Section 11: Prohibition on Government Employment. No member of the legislature shall serve in any other government position including any independent board, agency, authority or

commission established 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 or its committees and no member of the legislature shall be subject to arrest while going to or coming from a meeting of the legislature or a committee.

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 procedures and may be convened at other times by its presiding officer or by the governor. When meeting pursuant to the governor's call, 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 determination of contested elections of members. Each house may compel the attendance of absent members, discipline its members and, with the concurrence 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.

b) Each house of the legislature shall choose its presiding officer from among its members, establish such committees as it deems necessary for the conduct of its business, and determine its rules of procedures. Each house shall have the power to compel the attendance and testimony of witnesses and the production of books and papers before such house or its committees. The legislature shall keep a journal of its proceedings which 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 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 and shall not vote thereon. The legislature shall enact a comprehensive code of conduct for its members that prohibits certain actions by members with conflicts of interest, defines the proper scope of debate in the legislature, and deals with other germane subjects.