

# OFFICIAL RULES OF THE HOUSE OF REPRESENTATIVES

## Table of Contents

RULE I. ORGANIZATION OF THE HOUSE.....	1
Section 1. Rules .....	1
Section 2. Officers of the House .....	1
Section 3. Notification of Governor and Senate.....	1
Section 4. No Suspension of Rule I.....	1
RULE II. TERMS AND DUTIES OF OFFICERS.....	1
Section 1. Terms of Office .....	1
Section 2. Speaker .....	1
Section 3. Vice Speaker.....	2
Section 4. Floor Leader.....	3
Section 5. Clerk .....	3
Section 6. Sergeant-At-Arms.....	3
RULE III. SESSIONS AND MEETINGS.....	4
Section 1. Schedule of Sessions.....	4
Section 2. Schedule of Meetings.....	4
Section 3. Place of Meetings .....	4
Section 4. Public Sessions.....	4
Section 5. Joint Sessions.....	4
RULE IV. ATTENDANCE AND QUORUM.....	4
Section 1. Attendance .....	4
Section 2. Quorum.....	4
Section 3. Calls of the Roll .....	5
Section 4. No Suspension of Rule IV.....	5
RULE V. DECORUM AND DEBATE.....	5
Section 1. Language of Proceedings.....	5
Section 2. Sitting in or Entering the Chamber.....	5
Section 3. Communications Media .....	5
Section 4. Recognition.....	6
Section 5. Holding the Floor and Manner of Address.....	6
Section 6. Closing Debate and Voting on the Question.....	6
Section 7. Point of Order.....	6
Section 8. Dress Code .....	6
Section 9. Interruptions.....	6
Section 10. Disorderly Manner of Members.....	6
Section 11. Discipline of Members .....	6
Section 12. Disturbance.....	7
RULE VI. ORDER OF BUSINESS.....	7
Section 1. Order of Business.....	7
Section 2. Same .....	7
Section 3. Interruptions of Order of Business.....	8
RULE VII. COMMITTEES GENERALLY.....	8
Section 1. Types of House Committees.....	8
Section 2. Orders of the House.....	9
Section 3. Powers and Authority of Committees.....	9
Section 4. Duties of Committees.....	9
Section 5. Meetings .....	9
Section 6. Attendance .....	9

Section 7. Appointment and Removal of Members .....	9
Section 8. Chairman and Vice Chairman .....	9
Section 9. Committee Reports .....	10
Section 10. Rights of Members .....	10
<b>RULE VIII. STANDING COMMITTEES.....</b>	<b>10</b>
Section 1. Ways and Means .....	10
Section 2. Natural Resources.....	10
Section 3. Health, Education and Welfare .....	11
Section 4. Judiciary and Governmental Operations.....	11
Section 5. Committee on Federal and Foreign Relations.....	11
Section 6. Commerce and Tourism.....	11
Section 7. Committee on Public Utilities, Transportation and Communications .....	11
<b>RULE IX. BILLS, RESOLUTIONS AND AMENDMENTS.....</b>	<b>11</b>
Section 1. Property of the House .....	11
Section 2. Types of Bills and Resolutions .....	11
Section 3. Local Bill.....	12
Section 4. Format of Bills and Resolutions .....	12
Section 5. Numbering of Bills and Resolutions .....	13
Section 6. Form of Bill.....	13
Section 7. Duplication and Distribution of Bills and Resolutions.....	13
Section 8. Referral of Bills and Resolutions.....	13
Section 9. First Reading of Bills and Resolutions .....	13
Section 10. Second Reading of Bills .....	13
Section 11. Amendments.....	14
Section 12. Amendments Between the Houses .....	14
Section 13. Disposal of Adopted Measures .....	14
Section 14. Override following Veto by the Governor .....	15
<b>RULE X. MOTIONS .....</b>	<b>15</b>
Section 1. Seconding .....	15
Section 2. Property of the House.....	15
Section 3. Main and Subsidiary Motions.....	15
Section 4. Privileged Motions and Questions of Privilege .....	16
Section 5. Incidental Matters.....	16
Section 6. Motion to Reconsider.....	17
Section 7. Motion to Recall .....	17
Section 8. Previous Question.....	18
<b>RULE XI. VOTING .....</b>	<b>18</b>
Section 1. Methods of Voting .....	18
Section 2. Voice Vote .....	18
Section 3. Standing Vote or Raising of Hands .....	18
Section 4. Call of the Roll.....	18
Section 5. Mandatory Call of the Roll.....	18
Section 6. Non-Voting.....	18
Section 7. Conflict of Interest.....	18
Section 8. Change of Vote .....	19
Section 9. Action of the House .....	19
<b>RULE XII. WARRANTS, SUBPOENAS, OATHS, AND CONTEMPT.....</b>	<b>19</b>
Section 1. Warrant, Subpoenas, and Oaths .....	19
Section 2. Contempt.....	19
<b>RULE XIII. ADMINISTRATION.....</b>	<b>19</b>
Section 1. Management .....	19
Section 2. Attendance and Travel .....	19

Section 3. Budget Plan, Financial Report and Inventory.....	19
Section 4. Employees of the House.....	20
Section 5. Accounts of the House.....	20
Section 6. Purchases and Payments.....	20
Section 7. Property of the House.....	20
Section 8. Use of Property of the House.....	20
<b>RULE XIV. THE JOURNAL .....</b>	<b>20</b>
Section 1. The Journal .....	20
Section 2. Contents.....	20
Section 3. Reading of the Journal .....	21
Section 4. Appendices.....	21
<b>RULE XV. CODE OF OFFICIAL CONDUCT .....</b>	<b>21</b>
Section 1. Code of Official Conduct .....	21
Section 2. Special Standing Committee on Official Conduct and Ethics .....	22
<b>RULE XVI. AMENDMENT OR REPEAL OF THE RULES.....</b>	<b>25</b>
Section 1. Amending the Rules .....	25
Section 2. Construction and Interpretation.....	25

# OFFICIAL RULES OF THE HOUSE OF REPRESENTATIVES

## **RULE I. ORGANIZATION OF THE HOUSE.**

**Section 1. Rules.** The Rules of the House shall govern the conduct of business at all sessions of the House. If any question of procedure arises which is not specified in the Rules, it shall be decided by the Speaker, in accordance with Rule XVI, §2. Whenever the masculine gender is used it shall refer to masculine and feminine.

### **Section 2. Officers of the House.**

(a) **Elected Officers.** The elected officers of the House shall be the Speaker, the Vice Speaker, and the Floor Leader. The Speaker, the Vice Speaker, and the Floor Leader shall be members of the House.

(b) Except as provided in Rule II, §1, the Speaker, Vice Speaker, and the Floor Leader, shall be elected by majority vote of the members of the house and by call of the roll or by any other legal means.

(c) **Minority Leader.** The minority members of the House may select one of their members to serve as Minority Leader, and such selection shall be reported to the House in a statement signed by all of the members of the minority. The Minority Leader shall serve in such capacity at the pleasure of the minority members of the House and shall perform such duties as such members may assign.

**Section 3. Notification of Governor and Senate.** At the first meeting of the first session of the House, the Speaker shall appoint a committee of two members to advise the Governor or his representative that the House of Representatives is organized and ready to receive any communication that he may be pleased to make. At the same time, a message shall be sent to the Senate to advise that body that the House is organized and ready to transact business. Such communications shall include notifications of the elections of the officers of the House.

**Section 4. No Suspension of Rule I.** The Speaker shall not entertain a request for suspension of Rule I by unanimous consent or otherwise.

## **RULE II. TERMS AND DUTIES OF OFFICERS.**

**Section 1. Terms of Office.** The Speaker, Vice Speaker, and the Floor Leader shall hold office until the expiration of the Legislature to which they were elected to such office, or until such tenure be terminated at an earlier date by death or resignation or extended because no candidate can achieve a majority of the votes cast by the members for one of these offices. In that event the officer of the previous Legislature, if he has been reelected shall continue in that office until his successor is elected. If any officer has not been reelected to public office and his successor cannot be chosen at the First Organizational Session, the next ranking incumbent officer will fill that position, until his successor is chosen.

**Section 2. Speaker.** The Speaker shall have the following powers and duties:

(a) To preside over the House of Representatives;

(b) To preside over the meetings of the House, taking the Chair at appointed hours and immediately calling the House to order;

(c) To preserve order and decorum in debate, in the gallery, and elsewhere in the House;

## Official Rules of the House of Representatives

Adopted: March 10, 1994 (amended 5/6/94 & 12/1/94)

(d) To have general control, except as may be provided by law or the Constitution, of all buildings, grounds, and capital equipment of the House;

(e) To assign each member a seat on the Floor of the House, and to change such assignment when he deems it appropriate;

(f) To sign all acts, resolutions, writs, warrants, subpoenas, and other papers of, or issued by order of the House;

(g) To decide all points of order and interpret the House Rules, subject to an appeal by any member to the House;

(h) To put all questions before the House, pursuant to Rule XI, vote upon such questions, and announce the results thereof;

(i) To officially receive all communications, lay such communications before the House, and dispose of such communications pursuant to Rule VI, Section 1;

(j) To have general direction over all of the officers and employees of the House;

(k) To designate any member as Speaker pro tempore to perform the duties of the Speaker; the absence of the Speaker, Vice Speaker, and Floor Leader, or upon their stepping down in order to join in Floor debate, and may withdraw such designation; Provided, that in the absence of the Speaker, Vice Speaker, Floor Leader, and any Speaker pro tempore, the House shall proceed to elect by motion an acting Speaker pro tempore;

(l) To designate any member, or employee of the House to travel on the business of the House, within or without the Commonwealth;

(m) To direct and employ such persons as he may deem necessary to protect the interests of the House and its members and employees in a lawsuit as long as:

1. The House of Representatives is a party; or
2. A member is a party and the lawsuit arises out of the course and scope of the member's capacity as an elected representative; or
3. An employee is a party and the law suit arises out of the course and scope of the employee's employment with the House of Representatives.

(n) To administer the oath of office to any member, officer or employee of the House and designate any other person to administer such oath;

(o) To call a recess at any time during a session which is not subject to approval by or appeal to the House; and

(p) To perform such other duties as required by law or the Rules of the House, or as may properly appertain to the office of the Speaker.

**Section 3. Vice Speaker.** The Vice Speaker shall exercise all the duties and powers of the Speaker in the absence of the Speaker from the Commonwealth or in the Speaker's incapacity due to illness, and any other duty which he may be assigned by the Speaker of the House.

**Section 4. Floor Leader.** It shall be the duty of the Floor Leader:

(a) To serve as Floor Leader during sessions of the House, proposing routine motions which otherwise contribute to the orderly and speedy conduct of business, raising points of order calling attention to violations of Rule V. Section 5, and acting as Floor manager in aid of the adoption of the bill or resolution when another member does not assume that task;

(b) To administer the oath to any member in the absence of the Speaker and Vice Speaker from time to time;

(c) To perform the duties of the Presiding Officer in the absence of the Speaker and Vice Speaker from the Commonwealth or their incapacity due to illness; and

(d) To perform such other duties as the Speaker of the House may designate.

**Section 5. Clerk.** The Clerk shall have the following duties:

(a) To receive certificates of election from the Board of Elections following each general election, prepare the roll of the members-elect to the House of Representatives of the next Legislature. Proceed to call the roll of the members-elect by Election District;

(b) To prepare the Journal of the House pursuant to Rule XIV;

(c) To engross all House Bills and House amendments to Senate bills, enroll all House bills agreed to by the Senate, certify or attest to the passage of all bills and resolutions, and attest to all writs, warrants, subpoenas, and other papers issued by order of the House;

(d) To have charge of all the records of the House and never permit any paper thereof to be withdrawn from his keeping, unless ordered by the House;

(e) To assist the House in the conduct of its business by transmitting messages and papers, reading bills, resolutions, amendments, motions, and other questions, calling the roll, preparing the Calendar, receiving messages on behalf of the Speaker; and

(f) To perform such other duties as required by law, the Rules, the Speaker, the House, or the Director of the Legislative Bureau.

**Section 6. Sergeant-At-Arms.** The Sergeant-At-Arms shall have the following duties:

(a) To attend the House on every day of meeting;

(b) To maintain order under the direction of the Presiding Officer;

(c) To notify the Speaker on the attendance of any person with communication or otherwise;

(d) To attend upon committees if requested by the Chairman;

(e) To execute the commands of the House and serve any order or process issued by authority thereof, as directed by the Speaker;

(f) To make all required arrests of members or other persons and to restrain the same in custody, as directed by the Speaker;

(g) To prevent anyone from entering the Floor of the House Chamber during a meeting of the House, except members, officers, authorized employees of the House, and guests of the House; and

**Official Rules of the House of Representatives**

Adopted: March 10, 1994 (amended 5/6/94 & 12/1/94)

(h) To perform such other duties and responsibilities as required by the law, the Rules of the House, the Speaker of the House, or the Director of the Legislative Bureau.

**RULE III. SESSIONS AND MEETINGS.**

**Section 1. Schedule of Sessions.**

(a) The House shall meet in four Regular Sessions, which be as follows:

(1) First Regular Session, Second Monday of January of the first year; through April 1 of the first year.

(2) Second Regular Session, July 31 through October 31 of the first year;

(3) Third Regular Session, Second Monday of January through April first of the second year;

(4) Fourth Regular Session, July 31, through October 31 of the Second year;

(b) The House may be called with not less than one day's notice into Special Session by the Speaker at any time or by the Governor between Regular Sessions. If a Special Session is called by the Speaker, he may state in the call whether the business of the session shall be limited to specific subjects or if the House may proceed to consider all regular business. Pursuant to the Constitution, a Special Session called by the Governor is limited to only those subjects described in the call. A Special Session called by the Governor shall continue until it has completed consideration of the subjects described in the call, but in no event for more than ten consecutive days.

**Section 2. Schedule of Meetings.** The House shall meet regularly not more than three times per week for the transaction of business during sessions; at times designated by the Speaker.

**Section 3. Place of Meetings.** The House shall meet at the House Chamber at Capitol Hill, Saipan, Northern Mariana Islands, or as designated by the Speaker.

**Section 4. Public Sessions.** Sessions of the House and joint sessions of the House and Senate shall be open to the public, except that the House may meet in executive sessions if authorized by the affirmative vote of two-thirds of the members and otherwise in accordance with Public Law 8-41. Final action on any legislative matter may not be taken in executive sessions.

**Section 5. Joint Sessions.** A joint session of the House and Senate may be called when the President and the Speaker deem it necessary. Joint sessions shall be held at the time and place designated by the joint call of the two presiding officers. The Speaker shall preside at joint sessions but the President shall sit beside him. The joint call shall state the rules of procedure for the joint session and shall be adopted at the joint session.

**RULE IV. ATTENDANCE AND QUORUM.**

**Section 1. Attendance.** Every member shall be present in the House chamber during its meetings unless he has given prior written or verbal notice to the Speaker and has the approval of the Speaker to be absent, subject to appeal to the House if the Speaker declines to grant such approval.

**Section 2. Quorum.**

(a) A majority of the members of the House shall constitute a quorum. Except as provided in clause (d) of this Section, any member, or the Speaker on his own initiative, may make a point of order to suggest the absence of a quorum. The Presiding Officer shall thereupon immediately

## Official Rules of the House of Representatives

Adopted: March 10, 1994 (amended 5/6/94 & 12/1/94)

count the members present in the House Chamber and announce the result. A majority of less than a quorum, but not fewer than five members including the Speaker, may order a call of the House to compel the attendance of absent members. Otherwise, the House shall adjourn to the next regular meeting date.

(b) Under a call of the House, the Clerk shall call the roll, and absent members for whom no sufficient excuse is made shall be sent for and arrested, wherever they may be found, by the Sergeant-At-Arms or officers appointed by the Speaker, and the attendance of such members secured and retained, and the House shall determine upon what conditions they shall be discharged. members who voluntarily appear shall not be subject to arrest and shall report to the Clerk who shall enter their names upon the Journal as present. On demand of any member or at the suggestion of the Speaker, the presence of members sufficient to make a quorum who do not answer to roll shall be recorded by the clerk and counted in determining the presence of a quorum.

(c) Whenever a quorum fails to vote on a question and the vote is objected to for that cause and a point of order that a quorum is not present is sustained, there shall be a Call of the House, unless the House adjourns, and members responding to the call shall record their presence by voting "Yes" or "No" on the question: Provided, that any member arrested shall be brought before the House, noted as present, discharged from arrest, and given an opportunity to record his vote. If those voting and those present who decline to vote together make a majority of the House, the Speaker shall declare a quorum present, and vote shall be decided by the majority of those voting, and further proceedings under the call shall be considered as dispensed with.

(d) It shall not be in order to make or entertain a point of order suggesting the absence of a quorum before or during the prayer, during the administration of the oath, during the reading of the Journal, during a Call of the House, or during the consideration of miscellaneous business, announcements, or adjournment. Once the presence of a quorum is established, no such point of order may be made or entertained until additional business intervenes.

### **Section 3. Calls of the Roll.**

(a) Upon every Call of the Roll (other than the Clerk's Roll at the opening of the First Regular Session of a Legislature), the names of the members shall be called alphabetically by surname, except that if two members have the same surname the whole name shall be called. After calling the names of all the members, the Clerk shall call again the names of members not responding to the first call. members appearing after the second call, but before the result is announced may vote or announce their presence as appropriate to the call. The Clerk shall enter the names of absent members upon the journal.

**Section 4. No Suspension of Rule IV.** The Speaker shall not entertain a request for the suspension of Rule IV by unanimous consent or otherwise.

## **RULE V. DECORUM AND DEBATE.**

**Section 1. Language of Proceedings.** Legislative proceedings may be conducted in English, Chamorro or Carolinian, as deemed appropriate by the House.

**Section 2. Sitting in or Entering the Chamber.** No member may sit at the desk of the Speaker, or of another member, or of the Clerk, except by permission of the Speaker. Only members, officers, and authorized employees of the House may enter upon the Floor of the House during a session. At the invitation or with the permission of the Speaker, other persons may enter upon the Floor of the House during a session.

**Section 3. Communications Media.** The Speaker may assign a portion of the gallery or other area for use of members of the press and other representatives of the public communications media desiring to report the proceedings of the House to the public: Provided, that such use shall not be permitted to interfere with such proceedings.



**Section 4. Recognition.** When a member desires recognition, he shall raise his hand and address the Speaker. When recognized, he shall confine himself to the question under debate and the purpose for which he sought recognition. The Speaker shall not recognize a member for the purpose of speaking to a motion for a second time until every member wishing to speak on the question has had an opportunity to be heard. Only members may address the House while it sits in session except when the House sits as a Committee of the Whole.

**Section 5. Holding the Floor and Manner of Address.**

(a) A member shall continue to hold the Floor until such time as he ceases to speak on the question or otherwise yields the Floor, except that no member may speak more than five minutes each time he is recognized: Provided, that no member shall be recognized to speak more than twice upon consideration of a Bill or Resolution.

(b) A member shall refer to his fellow members as "Representative \_\_\_\_\_", and all personal references shall be avoided.

(c) No member shall hold the Floor nor speak for more than five minutes during Miscellaneous Business and Announcements. No member shall debate another member during Miscellaneous Business and Announcements.

**Section 6. Closing Debate and Voting on the Question.** The Speaker may close debate and call for a vote on the question before the House, at any time that he is satisfied that every member desiring to speak on the question has spoken or has had an opportunity to do so, subject to the objection of any member which shall be decided upon appeal to the House. Alternatively, he may entertain at any time a motion for the previous question, pursuant to Rule X, Section 8.

**Section 7. Point of Order.** When a member believes the Rules are being violated, he may interrupt the proceedings to make a point of order. When recognized, he shall specify the rule being violated. The point of order is not debatable; however, the Speaker, before ruling under Rule II, Section 2(g), may permit the member additional time to be heard on such point of order and may permit such other member to speak to such point, as he deems appropriate. If the ruling of the Speaker is appealed to the House, the member raising the point of order and the Speaker shall each have five minutes to explain their positions on the ruling to the House.

**Section 8. Dress Code.** All members, and officers appearing on the Floor of the House shall be suitably attired. Males shall wear shirt, tie, slacks and shoes.

**Section 9. Interruptions.** No member may engage in private conversations when the Speaker or another member is speaking. When the Speaker is putting a question or addressing the House, no member may leave the Chamber nor walk between a member who is speaking and the Speaker.

**Section 10. Disorderly Manner of Members.** No member shall conduct himself in a disorderly manner during any session of the House. Disorderly conduct includes the use of profane language during House proceedings. If the member shall persist in his disorderly conduct, the Speaker may order the Sergeant-At-Arms to take such action as the Speaker deems necessary to restore and maintain order.

**Section 11. Discipline of Members.** The House may discipline its members by censure, or by such other punishment as the House may deem proper, for disorderly conduct, neglect of duty, or violation of the oath of office. The House may also suspend or expel a member by a three-fourths vote of the total membership of the House, for commission of treason, a felony, breach of the peace, or violation of the Rules.

**Section 12. Disturbance.** In case of disturbances or disorderly conduct, the Speaker may direct the Sergeant-at-Arms to clear the House of all persons, except members, officers and authorized employees in order to abate the disturbance or disorderly conduct.

**RULE VI. ORDER OF BUSINESS**

**Section 1. Order of Business.** After prayer or a moment of silence, the daily order of business in the House shall be as follows:

- (1) Roll Call;
- (2) Reading and Approval of the Journal of the Day unless the House, by motion, dispenses with such reading;
- (3) Prefiled and Introduction of Bills;
- (4) Prefiled and Introduction of Resolutions;
- (5) Messages from the Governor;
- (6) Bills, resolutions, and other matters from the Senate, which shall be reported to the House and referred to committees, placed on the appropriate calendar or otherwise disposed of;
- (7) House communications;
- (8) Reports and communications from the Judiciary Branch;
- (9) Reports and communications from the NMI Resident Representative to the United States;
- (10) Reports and communications from heads of departments and agencies;
- (11) Other Communications;
- (12) Reports of Standing Committees;
- (13) Reports of Special and Conference Committees;
- (14) Unfinished business, upon which the House was engaged at the time of its last adjournment;
- (15) Resolution Calendar;
- (16) Bill Calendar including First and Second Reading of House Bills and Senate Bills;
- (17) Miscellaneous Business;
- (18) Announcements.

**Section 2. Same: First Day of First Regular Session.** Notwithstanding the provisions of Section 1 of this Rule, the order of business on the first day of the First Regular Session shall be as follows:

- (1) Call to Order;
- (2) Opening Prayer;

**Official Rules of the House of Representatives**

Adopted: March 10, 1994 (amended 5/6/94 & 12/1/94)

- (3) Call of the Roll by Election Districts;
- (4) Swearing-In of members;
- (5) Adoption of House Rules;
- (6) Election of Speaker;
- (7) Election of Vice Speaker/Floor Leader;
- (8) Notification of Senate and Governor;
- (9) Communications;
- (10) Statement by members;
- (11) Announcements;
- (12) Adjournment.

**Section 3. Interruptions of Order of Business.**

(a) Except as provided in subsection (b), privileged matters which may interrupt the order of business, upon recognition by the Speaker, are as follows:

- (1) Motions to adjourn, or to adjourn to a day and time certain;
- (2) Motions to recess for or to a set time or to the Call of the Presiding Officer;
- (3) Reception of messages;
- (4) Disposal of veto messages;
- (5) Consideration of conference reports or amendments between the Houses;
- (6) Motions to request or agree to a conference;
- (7) Questions of privilege.

(b) Matters set forth in subsection (a) shall not interrupt a member who has the Floor unless the member yields, nor shall they interrupt any vote of Call of the Roll, nor be in order in the Committee of the Whole, except questions of privilege arising from the proceedings therein.

**RULE VII. COMMITTEES GENERALLY**

**Section 1. Types of House Committees.** There shall be standing committees created by the Rules. Special committees may be established by the Speaker as required to consider and report on such special or temporary matters as are referred to them. Conference committees shall be established by the Speaker, if the House requests or agrees to a conference to consider differences between the House and the Senate on any matter requiring agreement between the two Houses. Special and conference committees shall be temporary committees which shall remain in existence until discharged by the Speaker, subject to appeal to the House. The House may, by a majority vote of the members present and voting, resolve itself into the Committee of the Whole, consisting of the entire membership of the House, whenever, it decides to consider a matter as a committee. The Committee of the Whole shall remain in being until such time as it dissolves itself and reports back to the House. A quorum in the Committee of the Whole shall be the same as in the House.

## Official Rules of the House of Representatives

Adopted: March 10, 1994 (amended 5/6/94 & 12/1/94)

**Section 2. Orders of the House.** All committees of the House shall be subject to the orders of the House and shall faithfully carry out such orders.

**Section 3. Powers and Authority of Committees.** Each committee of the House is hereby authorized to study and analyze all facts relating to the subject which would fall within its jurisdiction as indicated by the Rules, including necessary revision of existing laws, other legislation relating to such subjects, investigate the need for legislation in a particular area, and to oversee activities carried out pursuant to laws regarding such subjects, and for such purposes shall constitute an investigating committee. Witnesses may be summoned and examined, documents and records searched and examined in accordance with Section 14(b), Article II of the Constitution, and everything shall be done to bring all facts pertaining to the matter before the House.

**Section 4. Duties of Committees.** It shall be the duty of the a committee to make a diligent and careful inquiry and investigation into all of the facts and circumstances connected with bills, resolutions or other matters referred to it, and to report its recommendations on any matter it deems worthy of consideration by the House.

### **Section 5. Meetings.**

(a) Meetings of the committees shall be open to the public in accordance with Public Law 8-41 "Open Government Act". No committee may sit at a time when the House is meeting.

(b) Three members of a committee shall constitute a quorum to hold a public hearing or meeting and to report any measure to the House. Proxy voting shall not be permitted. The rules of the House shall govern the meetings of committees, insofar as they are applicable. Committees may adopt additional rules to govern their procedures.

(c) The Chairman of a standing or special committee may arrange for a public hearing or a joint meeting of his committee with another committee of the House or the Senate.

**Section 6. Attendance** Every committee member shall be present at committee meetings called by the Chairman, unless the committee member has given prior verbal or written notice to the Chairman and has the approval of the Chairman to be absent.

### **Section 7. Appointment and Removal of Members.**

(a) Members of special and conference committees shall be appointed by the Speaker, subject to appeal of the House.

(b) Members of standing committees shall be appointed by the Speaker. The Speaker shall not serve on any standing committee.

(c) The Speaker shall have the right to remove a Chairman, Vice-Chairman, or member from a committee subject to appeal of the House.

### **Section 8. Chairman and Vice Chairman.**

(a) The Chairman and Vice Chairman of each standing, special or conference committee, and the Chairman of the committee of the Whole for each individual matter referred to it, shall be appointed by the Speaker.

(b) The Chairman of each committee shall call meetings, preside at committee meetings, prepare and post the agenda, invite witnesses to appear before the committee, and prepare committee reports subject to the requirements of the Rules. The Vice Chairman shall perform the duties of the Chairman in his absence.

**Official Rules of the House of Representatives**

Adopted: March 10, 1994 (amended 5/6/94 & 12/1/94)

**Section 9. Committee Reports.**

(a) Special committees shall report within the time allowed by the Speaker. Standing, special and conference committees shall submit their reports in writing to the Clerk who shall number the reports consecutively in the order received, cause such reports to be reviewed for legal sufficiency, reproduced, and furnished each member of the House at least three calendar days prior to the session at which it is to be considered. A committee report shall state findings of facts and conclusions based thereon together with a specific recommendation as to the manner in which the bill, resolution, or other matter referred to the committee should be disposed of by the House. A report recommending a bill or resolution for passage shall clearly state the purpose of the bill. A report on a bill or resolution shall show clearly any proposed amendments and the Clerk shall place such a bill or resolution on the appropriate calendar.

(b) A report shall be considered adopted by a committee when the chairman and a quorum of the members of the committee have signed the report concurring therein. A member or members not concurring in the report of the majority may so indicate by submitting a minority report which shall be attached to the committee report or by signing with "I do not concur".

(c) When a committee recommends that a bill or resolution be formally filed (indefinitely postponed), the recommendation is reported to the House floor as a committee report to be confirmed by majority vote. Adoption of the committee report by the members has the effect of officially filing the bill.

(d) When, by majority vote, the House adopts a committee report recommending favorable action on a bill or resolution, the bill or resolution as reported by the committee shall be placed on the appropriate calendar for House floor action."

**Section 10. Rights of Members.** A majority of the members of a committee may require the Chairman to place any bill, resolution or other matter referred to the committee on the agenda for the committee consideration, to submit any bill, resolution or other matter to the committee for its decision, to report promptly any bill referred to the committee, and to call up such bill for prompt consideration by the House and to request that the House discharge the Committee from further consideration of any matter which has been referred to it.

**RULE VIII. STANDING COMMITTEES.**

The Standing Committees of the House of Representatives shall be as specified herein.

**Section 1. Ways and Means.** The Committee on Ways and Means shall consist of not more than eleven members, including at least one member representing Rota and one member representing Tinian and Aguiguan. It shall be the duty of this Committee to consider all bills, resolutions and other matters referred to it by the House relating to taxes and other revenues; proposed expenditures; government contracts; government bonds; federal grants; the financial administration of the Commonwealth of the Northern Mariana Islands; and related matters. Bills, and resolutions or other matters referred to the Committee on Ways and Means pertaining to the subject matter of another standing committee may be referred by the Committee on Ways and Means to such committee for preliminary examination and report.

**Section 2. Natural Resources.** The Committee on Natural Resources shall consist of not more than ten members including at least one member representing Rota and one member representing Tinian and Aguiguan. It shall be the duty of this committee to consider and report on all bills, resolutions and other matters referred to it by the House pertaining to the state of the natural resources of the Commonwealth, including long range planning and policies; fisheries and ocean resources; public lands and land taking; housing; building and zoning codes; land management; parks and recreation; water and soil conservation; energy and related matters.

**Official Rules of the House of Representatives**

Adopted: March 10, 1994 (amended 5/6/94 & 12/1/94)

**Section 3. Health, Education and Welfare.** The Committee on Health, Education and Welfare shall consist of not more than ten members, including at least one member representing Rota and one member representing Tinian and Aguiguan. It shall be the duty of this committee to consider and report on all bills, resolutions and other matters referred to it by the House pertaining to health care and planning, including mental and environmental health; education, including student financial assistance and vocational education programs; consumer protection; environmental protection; the social well being of the people, including youth and senior programs; food stamp and welfare programs; and related matters.

**Section 4. Judiciary and Governmental Operations.** The Committee on Judiciary and Governmental Operations shall consist of not more than ten members, including at least one member representing Rota and one member representing Tinian and Aguiguan. It shall be the duty of this Committee to consider and report on all bills, resolutions and other matters referred to it by the House pertaining to civil and criminal law; traditional rights; judicial administration and organization; governmental organization; judicial and executive appointments; suffrage and elections, citizenship, statute revision; civil service, inter-island relations; and related matters.

**Section 5. Committee on Federal and Foreign Relations.** The Committee on Federal and Foreign Relations shall consist of not more than ten members, including at least one member representing Rota and one member representing Tinian and Aguiguan. It shall be the duty of the this Committee to consider and report on all bills, resolutions and other matters referred to it by the House pertaining to the relationship of the people of the Commonwealth to the United States, United Nations, and foreign countries; programs partially or totally funded by the United States Government; Pacific Islands government relations and assistance; the compensation of all claimants who suffered damages and injuries as a result of World War II; claims arising out of the use, lease, or taking of Commonwealth land by the federal government; and related matters.

**Section 6. Commerce and Tourism.** The Committee on Commerce and Tourism shall consist of not more than ten members, including at least one member representing Rota and one member representing Tinian and Aguiguan. It shall be the duty of this Committee to consider and report on all bills, resolutions and other matters referred to it by the House pertaining to business and commerce; banking and insurance; labor, including wages and conditions; immigration; tourism; and related matters.

**Section 7. Committee on Public Utilities, Transportation and Communications.** The Committee on Public Utilities, Transportation and Communication shall consist of not more than ten members, including at least one member representing Rota and one member representing Tinian and Aguiguan. It shall be the duty of this Committee to consider and report on all bills, resolutions and other matters referred to it by the House pertaining to public utilities; public works; communications; roads; ports; transportation; and related matters.

**RULE IX. BILLS, RESOLUTIONS AND AMENDMENTS.**

**Section 1. Property of the House.** All bills and resolutions prefiled or introduced in the House, and committee reports thereon, shall be deemed the property of the House, under its control, and shall constitute a public record.

**Section 2. Types of Bills and Resolutions.** The following types of bills and resolutions may be considered in the House subject to the right of the Senate to designate measures originating in that body by titles different from those indicated:

(a) A House Bill (H.B.) or Senate Bill (S.B.), which shall propose new law, changes in or repeal of existing law, or appropriation.

(b) A House-Concurrent Resolution (H. Con. Res.), which are resolutions of one house in which the concurrence of the other House is desired, such as budget resolutions, and correction of enrolled bills.

## Official Rules of the House of Representatives

Adopted: March 10, 1994 (amended 5/6/94 & 12/1/94)

(c) A House Joint Resolution (H.J.R.) or Senate Joint Resolution (S.J.R.), which expresses the sentiments of the entire Legislature on a given subject, or provides for action to be taken jointly by the two Houses, such as convening of a joint session; and

(d) A House Resolution (H. Res.), which expresses the sentiments or will of the House alone and requires action only by the House.

(e) Commemorative Resolution (C.Res.).

(1) Defined. Commemorative resolutions are hereby defined as resolutions expressing praise, approval, congratulations or condolences of the House upon incidents or occasions of particular public interest, including but not limited to state funerals, outstanding individual achievement by Commonwealth athletes, scholars, or artists, days of national celebration or mourning, etc..

(2) Enactment. Commemorative resolutions may be temporarily enacted upon the request of any member and by signature of the Speaker and one other officer. Such a temporary enactment shall be valid and in force until the next House meeting. If the commemorative resolution is duly approved by a majority of a quorum, then it shall be permanently enacted and shall be entered into the House record. If the commemorative resolution is not approved in session, the resolution will be canceled and will lose all validity and effect.

### **Section 3. Local Bill.**

(a) A local bill may be introduced by one or more members from the senatorial district to which the bill is intended to apply and shall be in the form prescribed in these rules for all other bills but subject to 1 CMC Sections 1406 and 1407.

(b) A local bill shall lie on the desks of the members for three legislative days during which time any member may move that the bill is not a local matter that may be the subject of laws enacted by members from the respective senatorial district.

(c) The objecting member shall state the reasons for the motion. In the event that the motion is adopted, the bill shall be treated and considered as though it had been introduced in the form prescribed in these rules for bills other than local bills. In the event that the motion is not adopted or no motion is made within the prescribed time, the bill shall be referred to the appropriate senatorial district delegation.

(d) The Mayor of each respective Senatorial District shall have 30 days in which to review and comment on all local bills in accordance with Public Law 3-77, Section 5 (1 CMC Section 1405).

### **Section 4. Format of Bills and Resolutions.**

(a) All bills and resolutions shall be printed out one and a half space upon paper which is traditional letter size, leaving a left margin of one-and-one-half inches and with the number appearing on each line at the left margin.

(b) Bills and resolutions for introduction shall be submitted in an original, which shall be signed by the member introducing the measure at the last page thereof, and the name of such member shall be typed or printed legibly under the signature. The introducer thereof may permit other members to affix their signatures to the measure. When a member wishes to indicate he is introducing a measure by specific request without necessarily agreeing with it, he may affix the words "(By Request)" after his signature.

## Official Rules of the House of Representatives

Adopted: March 10, 1994 (amended 5/6/94 & 12/1/94)

(c) Bills and resolutions for introduction may be prefiled with the House Clerk for formal introduction at the next session.

(d) All bills shall be reviewed by the Legislative Counsel for legal sufficiency.

**Section 5. Numbering of Bills and Resolutions.** House bills and resolutions shall be dated by the Clerk on the day introduced, and shall be numbered by the type of measure followed by numerals in consecutive order, corresponding with their respective order of introduction. The first time a House Bill, Senate Bill, or resolution is reprinted after being amended in the House, the designation "H.D.1" shall be appended after the number designation of the bill or resolution to indicate "House Draft 1". Each time the bill or resolution is subsequently amended in the House, the number designation shall be increased by one, and only the latest such designation shall appear.

**Section 6. Form of Bill.** To pass First and Second Reading, each bill shall:

(a) Contain an enacting clause reading: "Be it enacted by the Northern Marianas Commonwealth Legislature";

(b) Embrace but one subject and matter properly connected with it, which subject shall be expressed in the title, all in accordance with Article II, Section 5 (b) of the Constitution.

**Section 7. Duplication and Distribution of Bills and Resolutions.** The Clerk shall provide each member with a copy of each bill and each resolution and each amended copy thereof, prior to First Reading following the report with amendments by a committee, at the time of transmittal from the Senate, or after amendment of the floor if otherwise required by this Rule.

**Section 8. Referral of Bills and Resolutions.**

(a) Bills and resolutions shall be read by title upon introduction and (except as provided in subsection (b), the Speaker shall refer such measures to an appropriate committee or to more than one committee, jointly or sequentially. All bills or resolutions referred to committee shall be reported to the House within 60 days of referral. The Clerk shall endorse such reference on the measure before duplication and shall enter such reference upon the Journal. In the case of error of reference, correction may be made by the House, with debate, immediately after the reading and approval of the Journal, by unanimous consent, or upon motion of either committee claiming jurisdiction or the committee to which the measure has been erroneously referred.

(b) The Speaker may place a resolution directly on the Resolution Calendar, rather than refer it to a committee, subject to appeal to the House.

**Section 9. First Reading of Bills and Resolutions.**

(a) When a bill or resolution is read in the House the first time, the Clerk shall report the bill by title, unless a majority orders it read in full, or by such subdivisions as the motion to read may indicate. The House shall then proceed to debate the measure, and no other amendment shall be in order until all committee amendments shown in the Committee Report are disposed of, except that such committee amendments shall themselves be subject to amendment. At the conclusion of debate the House shall vote on passing the measure on First Reading after affording an opportunity for one motion to recommit with or without instructions. If the Measure passes with amendments, the Clerk shall engross such amendments and cause the measure, or any page thereof, to be reprinted as provided in Sections 4 and 6 of this Rule.

(b) If a bill passes First Reading, the Clerk shall place it on the Bill Calendar for Second Reading the next legislative day.

(c) First Reading of a resolution shall be the only and final reading, and upon its passage, the Clerk shall dispose of it pursuant to Section 13 of this Rule.



## Official Rules of the House of Representatives

Adopted: March 10, 1994 (amended 5/6/94 & 12/1/94)

### Section 10. Second Reading of Bills.

(a) When a bill is read in the House a second time, it shall be considered in the same manner as for First Reading, except that further amendments shall be in order without regard to whether or not they are proposed by the committee reporting the bill.

(b) Second Reading of a bill shall be the final reading, and upon its passage, which shall be by Call of the Roll, the Clerk shall dispose of it pursuant to Section 13 of this Rule.

**Section 11. Amendments.** Amendments to bills or resolutions may be offered on the Floor by any member; Provided, that the proposed amendment is in writing and is germane to the measure. Such amendment shall be read by the Clerk. If the Speaker, subject to appeal, deems it necessary, the Clerk shall reprint any portion of the measure affected by passage of any amendment, prior to a vote on passing the measure. No amendment proposing legislation shall be in order on an appropriations bill. Only two degrees of amendment are in order, except that a member may offer a substitute amendment embracing the same subject to one additional degree of amendment. If an amendment is defeated it shall not be in order again during the same reading of a measure.

### Section 12. Amendments Between the Houses: Conference Reports.

(a) If the Senate returns a bill or resolution to the House with any amendment, the House may concur in the amendment, disagree to the amendment, defer consideration indefinitely or to a date certain, or refer the amendment to the Committee of original jurisdiction. If the House disagrees to the amendment, it may request or agree to a conference with the Senate.

(b) If the Senate disagrees to a House amendment, the House may recede from its amendment. The House may otherwise insist on its amendment, and may request or agree to a conference with the Senate.

(c) The House may recede at any time from its disagreement with a Senate amendment and may concur in the Senate amendment.

(d) In a conference committee, the House conferees shall vote among themselves on any issue and shall not combine their votes with those of the conferees on the part of the Senate. A quorum of the House conferees shall be sufficient to transact any business on behalf of the House.

(e) A conference report shall be printed as a report on the House and shall contain a signature of the majority of the conferees on the part of each House. Such report shall recommend what action each House should take, including any amendment which should be adopted, and may report amendments remaining in disagreement. The House shall not consider a conference report until it has been available to the members for at least one calendar day. A conference report may not be amended, and if both Houses pass the conference report (and dispose of any amendments in disagreement) the measure shall be considered adopted. The House may vote to recommit a report to the conference committee. If the House defeats a motion to agree to a conference report, it shall be in order to consider a motion to request a further conference, with or without instruction to the House conferees. The Speaker may appoint new conferees if the conference is unable to reach agreement or upon the order of the House.

(f) The Clerk shall inform the Senate regarding any action taken pursuant to this section, and if any matter remains in disagreement he shall return the measure to the Senate without further order by the House.

### Section 13. Disposal of Adopted Measures.

(a) The Clerk shall attest to the passage of any bill, resolution or amendment requiring action by the Senate, and transmit such matter to the Senate as promptly as possible, noting the

## Official Rules of the House of Representatives

Adopted: March 10, 1904 (amended 5/6/94 & 12/1/94)

date of such passage. The Clerk may without further action by the House correct all clerical errors of form and content prior to any transmittal.

(b) The Clerk shall enroll any House bill which passed both the House and the Senate in identical form, obtain a signature of the Speaker, and shall transmit a single original copy to the Governor without delay, authenticating it by his signature thus certifying and attesting to the accuracy of the bill so transmitted.

(c) The Clerk shall prepare in final form and obtain the signature of the Speaker on any adopted House Resolution, or the signature of the presiding officers of both Houses on any House Joint or Concurrent Resolution, which has passed both Houses in identical form, and shall transmit signed originals or copies to the addressees, if any without delay, authenticating them by his signature (and that of the Senate Clerk if appropriate), thus certifying to their accuracy.

(d) The Clerk shall compare any Senate bill or resolution, which has passed both Houses in identical form and which has been prepared by the Senate in final form and received by the House for his signature, with the Journal or other papers of the House. If the measure has been properly prepared, the Clerk shall obtain the signature of the Speaker, attest to the fact and date of House passage and return the measure to the Senate without delay.

(e) If the Clerk notes any error in any Senate bill or resolution received by the House for signature, he shall return such measure to the Senate for correction. Similarly, he shall correct any error in a House bill or resolution returned for such reason by the Senate. However, if investigation reveals that the two Houses did not, in fact, pass the measure in identical form, correction shall only be made pursuant to a concurrent resolution which may be initiated in either House, provided that the clerical errors may be corrected solely by action of the Clerk.

(f) All signatures shall be placed on the last page of a measure after the last line of text.

### **Section 14. Override following Veto by the Governor.**

(a) Whenever a bill passed by the Legislature or a Senatorial District Delegation is disapproved by the Governor, the Speaker shall immediately lay the message before the House for its consideration and disposal. The House may decide to act immediately, postpone until a day certain, lay on the table, or refer to the committee of original jurisdiction. Repassage shall be by Call of the Roll, and the affirmative vote of two-thirds of the entire membership of the House shall be required upon consideration to pass the bill. Only one reading is required to override a veto by the Governor.

(b) The Clerk shall immediately notify the Senate if a bill vetoed by the Governor is defeated by the House upon reconsideration.

(c) If both Houses repass a House bill vetoed by the Governor, the Clerk shall transmit the signed original thereof to the Attorney General as proof of its enactment, and shall inform the Governor of such enactment.

(d) If the House repasses a Senate bill, the Clerk shall return it to the Senate for further action or transmittal to the Attorney General.

### **RULE X. MOTIONS**

**Section 1. Seconding.** No motion may be considered by the House until it has been seconded. This requirement shall not apply to points of privilege, information, or order, or to request to withdraw a motion.

**Section 2. Property of the House.** After a motion is stated by the Speaker or read by the Clerk, it shall be the property of the House and shall be disposed of by the House unless withdrawn as provided in this Rule.

**Section 3. Main and Subsidiary Motions.** A member of the House may be the mover of a main motion at the time provided for in the order of business, which main motion shall have its purpose of carrying out of business of the House. Whenever any main motion shall be under discussion, the only subsidiary motions relative thereto which shall be entertained are:

- First: For the previous question;
- Second: To lay on the table;
- Third: To defer to a date certain or indefinitely;
- Fourth: To commit or recommit to a committee with or without instruction from the House;
- Fifth: To amend.

which motion shall have precedence in the order named. The first, second, and third motions shall be decided without debate and shall be put to vote as soon as made and seconded. The fourth and fifth motions and the main motion shall be subject to debate and shall be put to vote in accordance with the provisions of this Rule. When the fifth motion has been adopted, its relevant language shall automatically become a part of the main motion.

**Section 4. Privileged Motions and Questions of Privilege.**

(a) A member, when recognized, may be the mover of a privileged motion at any time such a motion is appropriate to the order of business. A privileged motion shall take precedence over main and subsidiary motions and shall be disposed of before the House proceeds with the order of business.

(b) A member, when recognized, may raise a question of privilege concerning a matter which relates to him as a member of the House or which relates to the privileges or welfare of the House. When a member raises a question of privilege, the Speaker shall interrupt the proceedings of the House and ask the member to briefly state his question. The question shall not be debatable, except that the Speaker may allow the right of reply. If the Speaker rules that the member raises a valid question of privilege, and such member proposes a motion or resolution incident thereto, such motion or resolution shall become the pending business of the House and be subject to debate or subsidiary motion as provided in Section 3 of this Rule.

(c) A member, when recognized, may move to recess for or to a specific time, or subject to the call of the Presiding Officer. The motion to recess shall be decided without debate and shall be put to vote as soon as possible. The Speaker may recess the House for or to a specific time or subject to the call of the Presiding Officer.

(d) Only the Floor Leader shall, when recognized, move to adjourn, and such a motion shall take precedence over all other such motions. The motion shall be decided without debate and shall be put to vote as soon as made: Provided, that the motion to adjourn to a day and time certain or sine die shall be subject to debate and amendment. If the motion to adjourn is adopted, action on the question before the House shall be discontinued and shall be considered on the next meeting day as unfinished business. If the motion to adjourn is defeated, such a motion shall not again be in order until additional business intervenes.

**Section 5. Incidental Matters.**

(a) A member may raise a point of information regarding the procedure governing the disposal of a matter or motion before the House. When a member rises to a point of information, the Speaker shall ask the member to state his procedural point. The point shall not be debatable. The Speaker shall respond to the point of information as soon as raised or request another

## Official Rules of the House of Representatives

Adopted: March 10, 1994 (amended 5/6/94 & 12/1/94)

member of the House to respond. The Speaker may consider the question improper and choose not to consider the point if it does not address the procedures for disposal of a matter or motion before the House. A point of information may not be used to make a statement or engage in debate.

(b) A member may raise a point of order at any time the point is relevant to the order of business, pursuant to Rule V, Section 7 or when another member is speaking on a matter irrelevant to the matter under discussion.

(c) A member may ask unanimous consent to accomplish any reasonable purpose not forbidden by the Constitution, except no member may ask unanimous consent for the suspension of Rules I (Organization of the House) or IV (Attendance and Quorum). If no member present objects, the request is considered to be agreed to. A member may reserve the right to object in order to briefly question the requesting member as to the purpose or effect of the request.

(d) A member may ask to withdraw his motion. When a member asks to withdraw his motion, the Speaker shall interrupt the proceedings and permit the motion to be withdrawn if there has been no decision on or amendment to the motion as of the time the member requests withdrawal of this motion. Otherwise the motion may be withdrawn by unanimous consent.

(e) A member may move for division of a question when he finds two or more specific subjects within the same general subject of a bill, resolution, or other question before the House and desires that each such specific subject be considered and voted on separately. When a member moves for division of the question, the Speaker shall interrupt the proceedings and permit the member to make his motion, which shall specify the specific subjects to be considered and voted on separately. The motion shall be decided without debate and shall be put to vote as soon as made. If the motion for division of the question is adopted, final passage of a bill or resolution shall be considered and voted on as a single entity as provided in these Rules.

(f) A member may move to suspend one or more sections or paragraphs of these Rules. Such a motion shall state the specific purpose to be accomplished by suspension of the Rules and the specific sections or paragraphs of the Rules which shall be suspended. The Speaker may decline to recognize a member for the purpose of moving to suspend the Rules. When recognized for such purpose, the member shall have ten minutes to explain his reasons for the desired suspension, and one member in opposition shall have ten minutes for reply. Either member may waive his time. The motion shall require two-thirds vote of the members present for adoption; Provided, that Rule VII, Section 9 and Rule IX, Sections 9 and 10 may be suspended by a majority vote of the members present for adoption. Any suspension of the Rules shall terminate when the specific purpose to be accomplished by suspension of the Rules has been disposed of by the House. The Rules shall not be suspended regarding consideration of the current question before the House, except by unanimous consent.

**Section 6. Motion to Reconsider.** When a main motion has been made once and carried in the affirmative or negative, it shall be in order for any member of the House to move to reconsider it on the same or succeeding day of the session during the appropriate order of business. The motion to reconsider is debatable. A simple majority shall be required for passage. When a motion for reconsideration has been defeated, a second motion for reconsideration of the same question shall not be in order.

### **Section 7. Motion to Recall.**

(a) When a bill, resolution, or other matter upon which a vote has been taken has passed out of the possession of the House, and has been transmitted to the Senate or the Governor, it shall be in order for any member of the House to move for recall of the bill, resolution, or other matter by requesting the Senate or the Governor to return the bill, resolution, or other matter to the House, and such motion shall take precedence over all motions except a motion to adjourn or to recess. The motion to recall is debatable. When a motion for recall has been decided, and

## Official Rules of the House of Representatives

Adopted: March 10, 1994 (amended 5/6/94 & 12/1/94)

defeated, a second motion for recall of the same matter shall not be in order. If the motion for recall is adopted and the bill, resolution, or other matter is returned as requested, it shall then be before the House for reconsideration in the regular order of business.

(b) If a motion to recall shall be passed by the Senate and such request made to the House, the bill, resolution, or other matter shall be returned to the Senate, by resolution, or unanimous consent.

**Section 8. Previous Question.** A member may move for the previous question which shall be decided without debate and shall be put to vote as soon as made and seconded. The adoption of the motion for the previous question shall close debate and require the Speaker to put the previous question before the House for a vote.

### **RULE XI. VOTING.**

**Section 1. Methods of Voting.** There shall be three methods of voting:

First: By voice;

Second: By standing or raising hands; and

Third: By Call of the Roll of the members and a recording of the vote of each member by the Clerk.

**Section 2. Voice Vote.** Voice vote shall be the usual and ordinary method of voting in the House. Whenever the House shall be ready to vote on any question, the Speaker shall state the question. He shall then request all those in favor of the motion to vote "Yes" in a clear, loud voice. Following this, he shall request all those against the motion to vote "No" in a clear, loud voice. The Speaker shall then announce the results of the vote to the House.

**Section 3. Standing Vote or Raising of Hands.** If any member doubts the results as announced by the Speaker, he may request a standing vote or raising hands. The Speaker shall again state the question. He shall then call upon those in favor of the motion to stand or raise their hands and be counted by the Clerk who shall report the number standing or the hands raised to the Speaker. The Speaker shall then call upon those against the motion to stand or raise their hands and be counted by the Clerk who shall report the number standing or the hands raised to the Speaker. Any member failing to stand or raise his hand in favor or against the motion shall not be counted. The Speaker shall announce the result to the House.

**Section 4. Call of the Roll.** Subject to Section 5 of this Rule, if at least five members present shall request a Call of the Roll, then the Speaker shall announce a Call of the Roll. The Speaker shall state the question calling upon those in favor of the motion or nomination to respond "Yes" and those opposed to the motion to respond "No" when their names are called. The Clerk shall call the roll, recording the vote of each member in the Journal. He shall inform the Speaker of the results of the Call of the Roll, who shall in turn announce the results of the vote to the House. The Speaker may require a Call of the Roll at his discretion. Call of the Roll is automatic in the absence of a quorum if a vote is objected to for such reason.

**Section 5. Mandatory Call of the Roll.** All bills and those resolutions having the force and effect of law shall be voted upon by a Call of the Roll and be subject to a separate vote.

**Section 6. Non-Voting.** If any member in the House fails to respond to the call of his name upon a roll call, his name shall be called again and if he fails to respond to the call of his name upon the second Call of the Roll, he may vote present, otherwise the Clerk shall record him as absent, except as provided in Rule IV, Section 2.

**Section 7. Conflict of Interest.** Pursuant to Article II, Section 15 of the Commonwealth Constitution, and to the applicable provisions of Public Law 8-11, no member shall vote or participate in

## Official Rules of the House of Representatives

Adopted: March 10, 1994 (amended 5/6/94 & 12/1/94)

debate upon any matter in which he has a financial or personal interest, or upon any matter which will affect his right to a seat in the House or in which his individual conduct is involved. Disclosure shall be made, in writing, to the Speaker, prior to discussion on the floor.

**Section 8. Change of Vote.** A member shall not vote or change his vote after the announcement of the result of the vote by the Speaker.

**Section 9. Action of the House.** Any action of the House shall require an affirmative vote of a majority of the members present unless otherwise provided by these Rules.

### **RULE XII. WARRANTS, SUBPOENAS, OATHS, AND CONTEMPT.**

**Section 1. Warrant, Subpoenas, and Oaths.** Warrants, subpoenas, and other processes may be issued as provided in Article II, Section 14 of the Constitution and 1 CMC, Division 1, Chapter 3. Any committee chairman or authorized person may issue subpoenas by majority vote of the committee. Any person refusing to attend a session of the House or a committee meeting after being properly subpoenaed may be arrested by the Sergeant-At-Arms or any police officer of the Commonwealth and brought before the House or a committee thereof, as the case may be. The Speaker may issue a warrant to carry into effect the orders of the House or any House committee in the arrest of an offender.

**Section 2. Contempt.** Any person who shall be guilty of disrespect of the House by any disorderly or contemptuous behavior in its presence or before any of its committees, or who shall fail to appear to testify before the House or any of its committees after being subpoenaed, or who shall assault or detain any witness of the House or its committees, or who shall violate 1 CMC, Division 1, Chapter 3, shall be in contempt of the House. The Speaker may issue a warrant of arrest to the Sergeant-At-Arms or any police officer of the Commonwealth for the arrest of a person found to be in contempt of the House.

### **RULE XIII. ADMINISTRATION.**

**Section 1. Management.** The administrative affairs of the House of Representatives shall be jointly managed by the leadership committee, composed of the Speaker, Vice Speaker, Floor Leader, and Chairmen of all the Standing Committees.

#### **Section 2. Attendance and Travel.**

(a) The Speaker shall certify the attendance of members upon official legislative business. Members who are off-island due to official legislative business will be counted as present under Rule IV, Section 1; Provided, that such member may not be counted for purpose of constituting a quorum for voting purposes.

(b) Members who travel on official legislative business shall submit a written trip report to the House within 15 calendar days of their return. The report shall summarize the official business activities undertaken during the trip. If no report is filed, the cost of travel shall be deducted from the member's salary.

#### **Section 3. Budget Plan, Financial Report and Inventory.**

(a) The Speaker shall issue a budget plan for the expenditure of House funds and shall thereafter issue an annual report and full accounting of the finances and property of the House. The report shall be made public.

(b) Each member shall submit a financial status report of his individual allotment account to the Speaker's office quarterly.

(c) Each year the Speaker shall request the Public Auditor or his designee to audit the financial accounts and inventory records of the House. The audit report shall be made public.

**Official Rules of the House of Representatives**

Adopted: March 10, 1994 (amended 5/6/94 & 12/1/94)

**Section 4. Employees of the House.**

(a) All employees of the House other than employees of the Legislative Bureau shall be employed subject to the discretion of individual members, and an Exempted Service Employment Contract.

(b) Employees of the Legislative Bureau shall be employed pursuant to an Exempted Service Contract authorized by the Legislative Bureau Director and pursuant to the Personnel Policy promulgated by the Bureau.

**Section 5. Accounts of the House.**

(a) The Speaker, with the consensus of the Leadership Committee, shall allocate House funds to the individual allocation accounts of individual members. There shall also be established the Speaker's contingency account and the joint leadership account.

(b) A member shall be individually liable to any creditor or to the House of Representatives for any over-spending of his or her individual account of the amount of funds allocated to him or her by the Speaker of the House of Representatives or by the Minority Leader.

**Section 6. Purchases and Payments.** Purchases made by the House and chargeable to funds available to the House shall be made in accordance with CNMI Procurement Policy. Purchases shall be previously approved in writing by the Speaker or his authorized designee. Such person shall direct the proper department of the Commonwealth Government to pay all lawful bills and accounts included within the expenses of the House for which provision is made by law and which have been authorized by the House and previously approved in writing by the Speaker or his authorized designee. For purposes of this Section, "authorized designee" shall include individual members who have expenditure authority over their individual allotment accounts.

**Section 7. Property of the House.** With the exception of such property as is purchased by the members of the House or House employees solely from their salaries, all funds appropriated for the operation and activities of the House shall be obligated and spent solely in furtherance of the official business of the House. The official business of the House shall not include obligations or expenses incurred by members or House employees for the private gain or for the entertainment of any person.

**Section 8. Use of Property of the House.**

(a) The Speaker or his authorized designee through the CNMI Procurement Office shall at all times control, administer, tag, and assign the property of the House to the members or employees of the House.

(b) The Speaker shall authorize the use of House property such as House vehicles.

**RULE XIV. THE JOURNAL.**

**Section 1. The Journal.** The House shall keep a journal of its proceedings and shall compile and publish the Journal for each session of the Legislature. Journals of the Day compiled by the Clerk, and the statements of members appended to the Journals of the Day shall be kept by the House, and may include such other matters as the House or the Speaker may direct. The Clerk shall keep note of all questions of order not specified in these Rules and decided under Rule I, Section 1 and append them for publication in the House Journal.

**Section 2. Contents.** The Journals of the Day shall account for the business and proceedings of the House for each legislative day, including a summary of debate, the messages from the Governor, all other messages and communications, the time of the day the House was called to order, recessed and reconvened (if appropriate), and adjourned, each question before the House and its

## Official Rules of the House of Representatives

Adopted: March 10, 1994 (amended 5/6/94 & 12/1/94)

disposition, all votes and quorum calls, the titles of all bills and resolutions introduced together with their assigned numbers and reference, the full text of such part of any bill or resolution prior to amendment as may be necessary to make clear the effect of the proposed amendment. A tape recording shall be made of the business and proceedings of the House for each legislative day. The House Clerk shall maintain custody of the tape recordings for so long as it is required by the Speaker.

**Section 3. Reading of the Journal.** The Journal of each day shall be distributed the day following its preparation and shall be corrected or approved by vote of the House; Provided, that the Speaker shall correct and approve the Journal of the last days of the legislature. The House, by majority vote of the members present, may dispense with such reading. Prior to the approval of the Journal of the Day, the Speaker may delete debate and statements which are inconsistent with Rule V, Section 10 and Rule XV, 1 (a). Subsequent to the approval of the Journal of the Day, the Clerk, with the permission of the Speaker, may make nonsubstantive corrections therein, including such matters as spelling of words and grammatical construction of sentences.

**Section 4. Appendices.** Each member shall have the right to append to the Journal of the Day a statement explaining his vote on any bill, resolution or other matter being voted upon by the House on that day. Such a statement or statements shall not exceed in total 300 words in a single day and shall be submitted to the Clerk on the day in which the action occurs.

### **RULE XV. CODE OF OFFICIAL CONDUCT.**

**Section 1. Code of Official Conduct.** There is established for the House of Representatives based on the Code of Official Conduct of the United States House of Representatives and which may be cited as the "Code of Official Conduct":

(a) A member, officer, or employee of the House of Representatives shall conduct himself at all times in a manner which shall reflect creditably on the House of Representatives.

(b) A member, officer, or employee of the House of Representatives shall adhere to the spirit and the letter of the Rules of the House of Representatives and to the policies thereof.

(c) A member, officer, or employee of the House of Representatives shall receive no compensation nor shall he permit any compensation to accrue to his beneficial interest from any source, the receipt of which would occur by virtue of influence improperly exerted from his position in the Legislature.

(d) A member, officer, or employee of the House of Representatives shall not accept gifts (other than personal hospitality of an individual or with a fair market value of \$35 or less) in any calendar year aggregating \$100 or more in value, directly or indirectly, from any person (other than from a relative of his) having a direct interest in legislation before the Legislature. The term "relative" means with respect to any member, officer or employee, a person who is: the father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, or who is the grandfather or grandmother of the spouse of the person reporting. The term "gift" shall not include campaign fund contributions.

(e) A member, officer, or employee of the House of Representatives shall accept no honorarium for a speech, writing for publication, or other similar activity, from any person, organization, or corporation in excess of the usual and customary value for such services.

(f) A member of the House of Representatives shall keep his campaign funds separate from his personal funds. He shall convert no campaign funds to personal use in excess of reimbursement for legitimate and verifiable prior campaign expenditures and he shall expend no funds from his campaign account not attributable to bona fide campaign purposes.



## Official Rules of the House of Representatives

Adopted: March 10, 1994 (amended 5/6/94 & 12/1/94)

(g) A member of the House of Representatives shall treat as campaign contributions all proceeds from his testimonial dinners or other fund raising events.

(h) A member of the House of Representatives shall retain no employee who does not perform duties commensurate with the compensation he receives.

(i) A member, officer, or employee of the House of Representatives shall not discharge or refuse to hire any individual or otherwise discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, because of the individual's race, color, religion, sex, or national origins.

(j) A member of the House of Representatives who has been convicted by a court of record for the commission of a crime should refrain from participation in the business of each committee of which he is a member and should refrain from voting on any question at a meeting of the House, or of the Committee of the Whole House, unless or until judicial or executive proceedings result in reinstatement of the presumption of his innocence or until he is reelected to the House after the date of such conviction.

(k) A member of the House of Representatives shall not authorize or otherwise allow a non-House individual, group or organization to use the words "Northern Marianas Commonwealth Legislature", "House of Representatives", or "Official Business", or any combination of words thereof, in any letterhead or envelope.

(l) In the event that there is a conflict between this Rule and P.L. 8-11, ("Government Code of Ethics"), the provisions of P.L. 8-11 shall prevail.

### **Section 2. Special Standing Committee on Official Conduct and Ethics.**

(a) The Special Standing Committee on Official Conduct and Ethics shall consist of a permanent Chairman appointed by the Speaker and four members, two appointed by the leadership and two appointed by the minority caucus. The chairman and vice chairman of the committee shall not both be members of the leadership. Each member shall within thirty days of his appointment sign, under oath, and file an affidavit with the House Clerk that he will perform his duties as provided in this section, not disclose confidential information acquired by him as a result of his membership. Upon the failure of a member to sign and file the required affidavit as provided by this section, his seat shall be declared vacant and a new member shall be appointed.

(b) It shall be the duty of the Committee to:

(1) Propose rules relating to House ethics and revisions or amendments thereto. The amendments submitted to the legislature for adoption shall be approved in accordance with Rule XVI.

(2) To recommend other legislation relating to legislative ethics.

(3) To develop advisory opinions to systematically establish criteria on which subsequent decisions can be based.

(4) Investigate possible unethical conduct of House members and employees.

(c) The Committee shall issue advisory opinions with regard to standards of ethical conduct for House members and employees in accordance with the following procedures:

(1) Requests for advisory opinions may be made by House members, employees, or members of the public. A request must be stated hypothetically unless the individual requests a specific opinion concerning his own conduct. Requests must be written, signed, and directed to the Chairman of the Committee on Official Conduct and Ethics. Requests shall supply such information as the Committee requires to enable it to issue

**Official Rules of the House of Representatives**

Adopted: March 10, 1994 (amended 5/6/94 & 12/1/94)

the opinion. The identity of the person making the request shall be known only to the Chairman, unless such confidentiality is waived in the request.

(2) Within thirty days of the receipt of a request, unless delay is unavoidable, the Committee shall either:

(A) Issue a written advisory opinion, which shall not contain information which reveals the identity of any individual; or

(B) Notify the person requesting such opinion that the request is beyond its jurisdiction, or that there are insufficient facts upon which an opinion can be based, or that the request is frivolous, or that the request is made for the purpose of harassment.

If delay is unavoidable, the person requesting the opinion shall be notified as to the status of the request within said thirty day period and at thirty day intervals until such time as action is taken.

(3) Upon receipt, requests shall be assigned a reference number. The Committee shall maintain and keep current for public inspection a status sheet that shall contain with respect to each request:

(A) Its reference number;

(B) The date received by the Chairman; and

(C) Its present status.

(4) The House Clerk shall make available to the public copies of the status sheets and advisory opinions issued by the Committee.

(d) The Committee shall have the following powers, duties, and functions:

(1) Issue advisory opinions pursuant to Subsection (c).

(2) To provide a continuing program of education, assistance, and information to House members and employees with regard to P.L. 8-11 as it applies to House ethics and official conduct.

(3) To make such rules for its own functioning and exercise such powers as may be appropriate for the discharge of the responsibilities of the Committee not in conflict with this Section or the Official Rules of the House of Representatives.

(4) Investigate possible unethical conduct by House members or employees. Any such investigation shall be conducted in accordance with the following procedures:

(A) A complaint may be filed by a House member, a House employee, or member of the public. Complaints must be written, signed under oath, and directed to the Chairman of the Committee. The Committee shall determine if the complaint is within its jurisdiction and whether there are sufficient facts alleged which if true may support a finding of unethical conduct.

(B) If the Committee finds that the complaint is not within its jurisdiction, or is frivolous, or is made for the purpose of harassment, or that there are insufficient facts alleged which if true may support a finding of unethical conduct, it shall dismiss the complaint, so notify the complainant, the person charged, and the public with a copy of the complaint and the Committee's reasons for dismissal.

## Official Rules of the House of Representatives

Adopted: March 10, 1994 (amended 5/6/94 & 12/1/94)

(C) If the Committee finds that a complaint is within its jurisdiction and there are sufficient facts alleged which if true may support a finding of unethical conduct, the Committee shall hold an investigative hearing and send a notice to the complainant and the person charged which shall include a copy of the complaint. The person charged shall receive at least thirty days' written notice of such hearing. The notice shall provide that the person charged shall be entitled to request the Committee to set an earlier hearing date, present evidence, cross-examine witnesses, be represented by counsel, and file an affidavit of prejudice within ten days of receipt of the notice as provided in subsection (4)(F) of this section.

(D) Investigative hearings shall be open to the public unless, otherwise authorized by P.L. 8-41.

(E) The Speaker, at the request of the Committee Chairman, may issue subpoenas for the attendance and testimony of witnesses and the production of documentary evidence relating to any matter under examination by the Committee or involved in any hearing, administer oaths or affirmations, examine witnesses, and receive evidence. In case of disobedience to a subpoena, the Committee may invoke the aid of the Sergeant-At-Arms, Department of Public Safety, or the Commonwealth Court. The Court may, in case of refusal to obey a subpoena issued to such person, issue an order requiring such person to appear before the Committee, to produce documentary evidence, and/or to give evidence, and any failure to obey such order may be punished by the Court as contempt. Notwithstanding any other provision of law, every public official, and governmental office, department, or other agency shall furnish to the Committee any documents, records, data, statements, or information that the Committee designates as being necessary for the exercise of its functions, powers or duties.

(F) Members of the Committee shall be disqualified in any case:

(i) Involving persons whom such members cannot judge impartially, in which cases they shall disqualify themselves; or

(ii) Where the person charged files an affidavit of prejudice against a member or members whom he believes is unable to make an impartial judgment, in which case the disqualification shall be automatic. Provided, that only one such affidavit may be filed in a single investigation. Whenever a member is disqualified, the appropriate caucus chairman shall appoint pro temp, a replacement member as appropriate. Such appointment shall be subject to the consent of the caucus wherein the appointment is made.

(G) At the conclusion of the investigative hearings, a statement of findings of fact shall be prepared based upon evidence presented at the hearings. A copy of this statement shall be sent to the person charged who shall have at least ten days to offer a written rebuttal to the Committee. The Committee, on the basis of the findings of fact, any written rebuttal, and applicable standards of ethical conduct shall make a preliminary report which shall be subject to review and the rendering of a decision at the final hearing. Copies of the findings of fact, preliminary report, and notice of the date for a final hearing shall be sent by registered mail to the person charged. Such person may rebut the report not later than one week prior to the final hearing date, but shall in any event have a period of not less than two weeks in which to respond.

(H) The final hearing shall be open to the public. There shall be available at the hearing copies of the Committee's findings of fact, preliminary report, and any written rebuttal received by the Committee from the person charged. The

**Official Rules of the House of Representatives**

Adopted: March 10, 1994 (amended 5/6/94 & 12/1/94)

Committee shall, on the basis of these documents and any final statement made by the person charged, render a final decision as to whether the facts justify a finding of unethical conduct. A final decision must be agreed upon by at least three members of the Committee. The Chairman of the Committee shall notify the Office of the Attorney General directly if the Committee makes a finding that it has reasonable grounds to believe that a criminal violation has occurred.

(I) If the Committee in its final decision determines that the facts support a finding of unethical conduct, it shall include in its decision a specific recommendation for disciplinary action which may include but is not necessarily limited to:

(i) In the case of a House member reprimand, censure, or expulsion, and when applicable, restitution; and

(ii) In the case of a House employee, reprimand, suspension, or dismissal, and when applicable, restitution.

Such decision shall be transmitted to the Speaker for such action as the Speaker deems appropriate.

(J) Upon receipt, complaints shall be assigned a reference number. The Committee shall maintain and keep current for public inspection a status sheet which shall contain with respect to each complaint:

(i) Its reference number;

(ii) The date received by the Committee; and

(iii) Its present status, including the date of any hearings scheduled.

The name of the complainant and the person charged shall be entered on the status sheet following the notification provided for in Subsection (4)(C) of this Section.

(e) The House Clerk shall make available to the public copies of the status sheets, findings of fact, written rebuttals, preliminary reports, and final decisions issued by the Committee.

**RULE XVI. AMENDMENT OR REPEAL OF THE RULES; CONSTRUCTION AND INTERPRETATION.**

**Section 1. Amending the Rules.** The Rules shall only be amended or repealed by resolution which has been on the calendar at least one legislative day, and adopted by 3/4's of the membership of the House, except that minor technical amendments may be made by a majority vote of the members present and voting. "Minor technical amendments" shall mean correction of typographical errors or omissions.

**Section 2. Construction and Interpretation.** These Rules shall be construed according to their plain meaning. In the event that any ambiguity or conflict should arise regarding these Rules, or in the event that these Rules do not address a question or situation which may arise, then such controversy shall be resolved according to the rules and principles set forth in Mason's Manual of Legislative Procedure.