

OFFICIAL RULES OF THE SENATE

TWENTY-FIRST NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

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OFFICIAL RULES OF PROCEDURE

SENATE

TWENTY-FIRST NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

RULE 1. ORGNIZATION OF THE SENATE

Section 1. Rules.

The Rules of the Senate shall govern the conduct of business at all sessions of the Senate. If any question of procedure arises which is not specified in the Rules, it shall be decided by the President in accordance with Rule 18.

Section 2. Officers of the Senate.

(a) Elected Officers. The elected officers of the Senate shall be the President, Vice President, Floor Leader, and the Legislative Secretary.

(b) The President, Vice President, Floor Leader, and the Legislative Secretary shall be elected by majority vote of the members of the Senate by roll call or by any other legal means as determined by the majority of the members and in all cases, not less than five votes cast.

Section 3. Notification of Governor and House.

At the first meeting of the first session of the Senate, the President shall appoint two members to advise the Governor that the Senate is organized and ready to receive any communication from the Governor. At the same time, a message shall be sent to the House to advise the House that the Senate is organized and ready to transact business. Such communications shall include notification of the elections of the officers of the Senate.

Rule 2. TERMS AND DUTIES OF OFFICERS.

Section 1. Terms of Office. The President, Vice President, Floor Leader, and Senate Legislative Secretary shall hold office until the expiration of the Legislature to which they were elected to such office, or until such tenure is terminated at an earlier date by death, resignation, or removal from office. This rule shall not be suspended without 5 affirmative votes of the total membership of the Senate and shall not be amended without 5 affirmative votes of the total membership of the Senate.

Section 2. President. It shall be the duty of the President:

- (a) To preside over the Senate;
- (b) To assign to each member a seat on the floor of the Senate;

- (c) To have the sole authority to appoint a chairperson of a standing committee and also the authority to remove a chairperson. This authority is not subject to appeal to the Senate;
- (d) To maintain order and proper decorum in debate;
- (e) To conduct the business before the Senate in the order prescribed by the rules;
- (f) To receive and submit all matters properly brought before the Senate by the members, to call for vote upon the same, and announce the results;
- (g) To receive all communications from the House of Representatives and other branches of the Commonwealth Government and present them to the Senate, and to direct the different committees of the Senate to consider subjects in such messages;
- (h) To designate, if the Legislative Secretary is absent from Saipan or otherwise unavailable to perform this duty, a senate member as acting Legislative Secretary for the limited purpose of attesting to bills, resolutions, or other matters;
- (i) To direct and employ such persons as deemed necessary to protect the interests of the Senate and its members in a lawsuit as long as:
 - 1. The Senate is a party; or
 - 2. A Senate member is a party and the lawsuit arises out of the course and scope of the member's capacity as a Senator.
- (j) To administer the oath of office to any member, officer or employee of the Senate, and designate any other person to administer such oath; and
- (k) To perform such other duties as may be required by law or the Senate Rules, or as may be appropriate to the office of the President.

Section 3. Vice President. The Vice President shall exercise all the duties and powers of the President in the absence of the President from the Commonwealth. In the event the President is serving as Acting Governor pursuant to Article III, section 8(a) of the NMI Constitution, the Senate Vice President shall automatically serve as the Acting Senate President.

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

- (a) To serve as Floor Leader during sessions of the Senate, propose routine motions for the orderly and speedy conduct of business, raising points of order calling attention to any violations to the Senate Rules;
- (b) To perform the duties of the President in the absence of the President and the Vice President; and to serve as chair of the Committee of the Whole;

- (c) To refer bills, resolutions and other measures pre-filed or introduced in a session and not acted upon on final reading;
- (d) To call a leadership meeting as he deems necessary or upon the request of the President or three or more other members; and
- (e) To report to the President of the Senate before the beginning of each session and resumption thereof that the Senate is ready to proceed with the transaction of official business.

Section 5. Senate Legislative Secretary. It shall be the duty of the Senate Legislative Secretary:

- (a) To attest by signature all bills, resolutions, orders, proceedings, contracts or other documents issued by order of the Senate;
- (b) To attest and transmit or cause to be transmitted to the Governor all bills, resolutions, or other matters of the Legislature required to be transmitted to the Governor immediately after engrossing by the Senate Clerk; and
- (c) To perform the duties of the President in the absence of the President, Vice President, and Floor Leader.
- (d) The Rules Committee Chair shall perform the duties defined in this section in the absence of the Senate Legislative Secretary.

Section 6. Senate Clerk. It shall be the duty of the Senate Clerk:

- (a) To attend all scheduled Senate Sessions, unless excused by the President, keep records of session attendance of all members, maintain records of the attendance, maintain voting record of each member of the Senate on the passage of all bills and other important matters considered by roll call vote;
- (b) To have charge of all the records of the Senate and be responsible for the same, to never permit original documents to be withdrawn from his or her keeping unless ordered by the President, and to preserve all public records as defined under 1 CMC § 9902(f);
- (c) To make a concise and complete record of all bills, resolutions, and other matters brought before the Senate and their disposition;
- (d) To read all bills, resolutions and other matters to the Senate, if so required by the President or any of the Senate members;
- (e) To immediately forward all letters, messages, communications or other matters to the President, Senator or Committee as the case may be;

- (f) To maintain a record of the current status of all bills, resolutions, initiatives, and official communications;
- (g) To attest, in the absence of the Legislative Secretary from the island of Saipan, commemorative resolutions;
- (h) To transmit bills, resolutions, or other matters to the Governor or any other person so designated by the Senate or the Legislature to receive such bills, resolutions, or other matters; and
- (i) To do and perform all other duties pertaining to the position of the Clerk of the Senate as the Senate shall from time to time direct and as may be required by the Senate rules or law.

Section 7. Senate Journal Clerk. It shall be the duty of the Senate Journal Clerk:

- (a) To attend all scheduled Senate Sessions, unless excused by the President, keep records of session recordings, and transcribe session journals as provided in this section;
- (b) Provide a draft transcription of the session journal to the members within 2 business days after the session for the members to review;
- (c) Provide the final draft of the transcription of the session journal within 4 business days after a session to be placed on the next session agenda for adoption;
- (d) Assist the Senate Clerk in maintaining an up to date status table of legislative documents;
- (e) Assist the Senate Clerk in duplicating and disseminating documents;
- (f) Act in the capacity of the Senate Clerk in the absence of the Senate Clerk; and
- (g) To do and perform all other duties pertaining to the position of the Journal Clerk of the Senate as the Senate shall from time to time direct and as may be required by the Senate rules or law.

Section 8. Sergeant-at-Arms. It shall be the duty of the Sergeant-at-Arms:

- (a) To attend all scheduled Senate Sessions, unless excused by the President;
- (b) To maintain order among those present as spectators;
- (c) To give notice to the presiding officer of the attendance of any person with communications or otherwise;

- (d) To attend upon committees if so requested;
- (e) To serve all orders or process directed by the President;
- (f) To make all required arrests of members or other persons and to restrain the same in custody;
- (g) To have custody of all property of the Senate, except those items provided for in Rule 2, section 7;
- (h) To execute all other requirements of his office;
- (i) To keep anyone from the floor of the Senate except members of the Senate, authorized employees of the Senate and guests of the Senate; and
- (j) To perform such other duties and responsibilities as required by the President pursuant to the Senate Rules or law.

Section 9. Office of the Senate Legal Counsel It shall be the duty of the Office of the Senate Legal Counsel:

- (a) To act as counsel for the Senate and its committees;
- (b) To act as counsel and adviser to the President on all legislative matters and matters of parliamentary procedure;
- (c) To prepare bills or resolutions at the request of the President;
- (d) To undertake such legal research and render legal opinions at the request of the President;
- (e) To advise the Senate of laws and regulations of the Northern Mariana Islands which are archaic, obsolete, or in conflict with other laws, or which do not conform with decisions of the courts;
- (f) To represent the Senate in lawsuits to which the Senate is a party or has an interest as directed by the President or in matters of the Senate and public interest as directed by resolution, and otherwise protect the legal rights and interests of the Senate in exigent circumstances;
- (g) To attend all Senate sessions, local legislative delegation sessions, committee meetings and public hearings, unless excused by the President; and
- (h) To perform such other duties pertaining to his or her position as the President shall prescribe.

Section 10. Senate Minority. Any member who is not an officer or chairperson of a standing committee shall be a member of the Senate Minority.

RULE 3. SESSIONS AND MEETINGS

Section 1. Time of Sessions and Meetings. The Senate shall meet for the transaction of business in accordance with Article II, Section 13 of the Commonwealth Constitution. Except for legal holidays, the Senate may meet on such other days and at such other times as the President may designate at a meeting of the Senate, subject to appeal to the Senate. If a regularly scheduled meeting falls on a legal holiday, it shall be rescheduled for another business day.

Section 2. Place of Sessions. The Senate shall meet at a place on Saipan, Mariana Islands, or in such senatorial district as the President shall determine. The Senate shall meet in special session at the call of the President, at such place and at such time as the President shall determine. In a special session called by the Governor, the Senate shall meet pursuant to Rule 15 (Special Sessions).

Section 3. Notice of Sessions and Meetings. Not less than 72 hours prior to convening a session or meeting, the presiding officer of the Senate or respective committee shall file a written public notice of the date, time, and place of a session or meeting with the Clerk and post the same at the executive branch administration building and the Legislature's web site. Notices shall contain an agenda of items to be considered at the session or meeting. Once filed as part of this notice, an agenda may only be changed by adding items thereto by the recorded vote of the majority of the members of the Senate or committee. Except for resolutions, a change in the senate session agenda to add a bill or legislative initiative shall not be acted on until the next session. Once a session or meeting is properly noticed and convened, it may continue from day to day as necessary to address the agenda, provided that rules concerning agenda items are followed.

Section 4. Special Sessions. In addition to Rule 15, a special session may be called at any time between regular session periods by the presiding officer of the Senate or by a majority of the members of the Senate by delivering personally, by fax, by mail or by electronic means a written notice to each member of the Senate, and to each local radio or television station or cable television station which has on file with the governing body a written request to be notified of such special session. Notice shall be delivered at least 24 hours before the time of such meeting. The call and notice shall specify the time and place of the special session and the business to be transacted. Final disposition shall not be taken on any other matter at such session. Written notice may be dispensed with as to any member who at or prior to the time the session convenes files with the Clerk a written waiver of notice. Written notice may also be dispensed with as to any member who is actually present at the session at the time it convenes. The notices provided in this section may be dispensed with in the event a special session is called to deal with an emergency involving injury or damage to persons or property, or the likelihood of such injury or damage or other bona fide legislative emergency, when time requirements of such notice would make impractical and increase the likelihood of such injury or damage.

Section 5. Emergency Sessions. If, by reason of typhoon, flood, or fire, or law enforcement or other bona fide legislative emergency, there is a need for expedited action by the Senate or a committee to meet the emergency, the presiding officer of the Senate or committee may provide for a session site other than the regular session site and notice requirements of this chapter shall be suspended during such emergency. In the event of an emergency session the Senate shall:

- (a) State in writing the reasons for its finding that an emergency exists;
- (b) Take a vote whereby two-thirds of all members of the Senate or committee agree that an emergency exists;
- (c) File an emergency agenda and the findings on the emergency with the Clerk.

RULE 4. QUORUM AND ATTENDANCE

Section 1. Quorum and Attendance. A majority of the members of the Senate shall constitute a quorum for the transaction of business. A majority of less than a quorum shall have the power to compel the attendance of absent members and to adjourn from day to day. The President may declare the Senate adjourned if no quorum is present at the hour of opening. For purposes of ascertaining whether a quorum exists, the President shall count the members present. Vacancy due to death of a member, excused or unexcused absence, resignation, suspension, censure, or expulsion will not change the term “members of the Senate”. The term “members of the Senate” means all nine members and five (5) members of the Senate shall constitute a quorum. During a meeting of the Senate, any member may call upon the President to determine whether a quorum exists or not, and the President shall so determine and announce his findings.

RULE 5. PROCEDURE FOR SESSIONS

Section 1. Public Sessions. Regular and special sessions of the Senate, and joint sessions of the Senate and House of Representatives, shall be open and public. Senate sessions, hearings and other proceedings shall be recorded on audiotape, videotape, or on other recording media, or televised as ordered by the President, and subsequently transcribed in accordance with Rule 14. A member of the public shall not be required, as a condition of attendance at a session or meeting of the Senate or of a committee of the Senate, to register his or her name or other information, to complete a questionnaire, or otherwise fulfill any condition precedent to attendance other than compliance with necessary security requirements. Voluntary sign-in sheets may be distributed.

Section 2. Joint Sessions. The President and the Speaker shall together call a joint session when they 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/her.

Section 3. Executive Sessions. Executive sessions shall be conducted in accordance with the Constitution of the Northern Mariana Islands and 1 CMC § 9912.

Section 4. *Language of Proceedings.* All legislative proceedings shall be conducted in English. However, if a member wishes to speak in Chamorro or Carolinian, such statement shall be recorded in that language for the Journal, unless the member requests that it be translated into the English language.

Section 5. *Sitting in or Entering the Chambers.* No member may sit at the desk of the President or of another member or of the Senate Clerk, except by permission of the President. A person who is not a member of the Senate or an employee of the Senate authorized by these Rules may not enter upon the floor of the Senate where members are seated during a session except at the invitation or with the permission of the President, or during a public hearing or meeting without the invitation or permission of the presiding Senate officer or committee chair. The Senate Clerk, Journal Clerk, Legislative Assistants, Sergeant-at-Arms, and Senate Legal Counsel may enter upon the floor of the Senate during a session to assist in the conduct of the business of the Senate.

Section 6. *Prohibited Activities.* Smoking, eating, chewing of any sort and the use of electronic communication devices such as pagers or cellular phones is prohibited at all times in the Senate Chamber or at other locations during sessions, committee meetings, or public hearings. Furthermore, smoking is prohibited in the Senate President's office and conference room, and offices of the members at all times. Signs announcing this prohibition shall be conspicuously posted by the Legislative Bureau.

Section 7. *Communications Media.* Members of the press and other representatives of the public communications media desiring to report the proceedings of the Senate to the public may be admitted to the Senate by the President. The President may assign such persons a place and facilities which will not interfere with the operation of the Senate.

Section 8. *Recognition.* When a member desires recognition, the member shall address the Chair, "Mr. [or Madame] President". When recognized, he/she shall confine himself/herself to the purpose for which he/she sought recognition. The President shall not recognize a member for the purpose of speaking in support of or opposition to a motion for a second time until every member wishing to speak to the question has had an opportunity to be heard, and no member may speak more than two times to the same question unless recognized by the President.

Section 9. *Holding the Floor and Manner of Address.*

- (a) A member shall continue to hold the floor until such time as he/she ceases to speak to the question or otherwise yields the floor, except that he/she may yield for the raising of a point of information or order by another member and still retain the floor and except that no member may speak for more than three (3) minutes each time he/she is recognized, unless the President grants the member more time to speak.
- (b) A member shall address or refer to his/her fellow members either as "Senator _____" or the "The Senior (or Junior) Senator from _____."

Section 10. Closing Debate and Voting on the Question. The President may close debate and call for a vote on the question before the Senate at any time the President is satisfied that every member desiring to speak to the question has spoken or has had an opportunity to do so, subject to the appeal to the Senate. If the previous question is moved and adopted, debate shall be closed, provided that the mover of the motion before the Senate on which debate is being closed may make a closing statement of five minutes or less in support of his motion, or delegate the right to close to another member of the Senate.

Section 11. Ruling of the Chair. The President shall decide all questions of order whether or not specified in these rules.

Section 12. Dress. Members, officers and employees appearing on the floor of the Senate shall be suitably attired. Unless otherwise specifically directed by the President, all gentlemen Senators shall have the option to wear a business shirt and tie while attending a Senate session or public hearing.

Section 13. Interruptions. No member may engage in private discourse when the President or another member is speaking, nor leave the chamber nor walk about the floor when the President is speaking, nor walk between a member who is speaking and the President. Persons who are neither members of the Senate nor employees specifically authorized under Section 4 of this Rule shall not engage a member of the Senate in private discourse or interrupt the business of the Senate in any other manner or enter upon the floor of the Senate during a session except as provided by Section 5 of this Rule or upon invitation when the Senate has resolved into a Committee of the Whole. The Floor Leader shall chair the Committee of the Whole.

Section 14. Disorderly Manner of Members. If any member shall conduct himself/herself in a disorderly manner during any session of the Senate, the President shall order the Sergeant-at-Arms to remove the member from the Senate. The member shall not be permitted to take his/her seat during the remainder of that day's session unless the President shall so permit.

Section 15. Discipline of Members. An affirmative vote of no less than five (5) members may discipline a member by censure and/or suspension for disorderly behavior, neglect of duty, or violation of the oath of office. The Senate also may expel a member by the affirmative vote of three-fourths of its members (seven out of a total membership of nine), in accordance with Article II, Section 14 of the Commonwealth Constitution. If a member is suspended, the member's salary shall be automatically withheld during the period that the member is suspended. The suspended member's normal office operation such as employees and other administrative matters shall continue under the President's supervision. The suspended member shall not enter upon any new or additional contracts or commitments which uses public funds from the suspended member's account(s). The President has the authority to determine additional disciplinary action as may fit the severity of the member's action or inaction.

Section 16. Disturbance/Demonstration. In case of disturbance or disorderly conduct that renders the orderly conduct of a session or meeting unfeasible and order cannot be restored by the removal of the individuals who are interrupting the meeting, the presiding officer of the

Senate or committee may have the session or meeting cleared of all persons, except members and officers, in order to abate the disturbance or disorderly conduct. In the alternative, the Senate or committee may adjourn the meeting and reconvene at another location selected by majority vote of the members. In such session, final disposition may be taken only on matters appearing on the agenda. Representatives of the press and other news media, except those participating in the disturbance, shall be allowed to attend any session or meeting held pursuant to this section. The Senate or committee may readmit an individual or individuals not responsible for disturbing the orderly conduct of a meeting. Demonstrations of any type shall take place in an orderly fashion outside the Legislative building. Under no circumstances shall demonstrators, signs or placard carriers be allowed in the Senate Chamber, offices, hallways or any parts of the Legislative buildings.

Section 17. Who May Address the Senate. Only members may address the Senate while in session. The Senate may, by motion, receive public comment on bills, resolutions, and other agenda items during a scheduled session. When public comment is taken or legal advice is requested, the Senate shall resolve into the Committee of the Whole.

RULE 6. ORDER OF BUSINESS

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

- (a) Roll Call;
- (b) Public comment; (limited to five minutes to comment on Agenda items only)
- (c) Adoption of the Journal of the Day unless the Senate by motion suspends such adoption;
- (d) Messages from the Governor;
- (e) Communications from the Judiciary;
- (f) Communications from the heads of executive departments;
- (g) Communications from the House;
- (h) Communications from the Senate;
- (i) Communications from the Washington Delegate;
- (j) Unfinished Business;
- (k) Pre-filed Bills, Initiatives and Resolutions;
- (l) Introduction of Bills, Initiatives, Local Bills and Resolutions, as provided by these rules;
- (m) Reports of standing committees;
- (n) Reports of special and conference committees;
- (o) Resolution Calendar;
- (p) Bill Calendar;
- (q) Petitions, memorials and miscellaneous communications;

- (r) Announcements; and
- (s) Adjournment.

Section 2. Placement of Bills, Initiatives and Resolutions on the Order of Business.

The Leadership shall meet to determine what bills, initiatives resolutions, and other items shall be placed on the Order of Business. The Order of Business shall be published in an agenda in accordance with Rule 3. The Floor Leader may add additional items to the Order of Business, provided that these items are noticed, or, in the case of items added less than 72 hours prior to a session, are approved by motion and recorded vote of a majority of the members as a change to the agenda. However, except for resolutions, a change in the Senate session agenda to add a bill or legislative initiative shall not be acted on until the next session.

RULE 7. COMMITTEES GENERALLY

Section 1. Types of Senate Committees. There shall be standing committees created by these rules. Special committees shall be established by the President as required to consider and report on such special or temporary matters as are referred to them. The President or President Pro Tem shall appoint three members, which may include returning incumbent members, to a Credentials Committee on the First Day, First Regular Session for the purpose of verifying the credentials of the in-coming Senators-elect. The Credentials Committee shall report to the Senate before such time that the Senators-elect are sworn into office. Conference committees shall be established by the President to consider differences between the Senate and the House of Representatives on any matter requiring agreement between the houses. Special and conference committees shall be temporary committees which shall remain in existence until discharged by the President, subject to appeal to the Senate. The Senate may resolve itself into the Committee of the Whole, consisting of the entire membership of the Senate, 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 Senate. The Floor Leader shall chair the Committee of the Whole.

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

Section 3. Powers and Authority of Committees. Each committee of the Senate is hereby authorized to study and analyze all facts relating to the subjects that fall within its jurisdiction as indicated by this rule and Rule 8 including, but not limited to, a needed revision of the laws or needed legislation relating to that subject, and for such purpose shall constitute an investigation committee. Witnesses may be summoned and examined, documents and records searched and examined in accordance with Article II, Section 14 (b) of the Commonwealth Constitution, and everything shall be done to bring all facts pertaining to the matter before the Senate.

- (a) The Committee Chair or designee may administer oaths to witnesses in any case under their examination. An oath may be administered as follows: The person who swears holds up his or her hand, while the Chair or designee administering the oath thus addresses him or her: “You do solemnly swear, under the penalty of perjury, that

the testimony you shall give in the matter at hand, shall be the truth, the whole truth, and nothing but the truth.”

Section 4. Duties of Committees. It shall be the duty of a committee to make diligent and careful inquiry and investigation into all of the facts and circumstances connected with any bill, resolution or matter referred to it, or any needed revision of the laws or needed legislation relating to a subject within its jurisdiction.

Section 5. Meetings.

- (a) Meetings of the committees, including the Committee of the Whole, shall be open and public, except that the Senate or its committees may meet in executive session if authorized by the affirmative vote of two-thirds of the members of the Senate in accordance with Article II, section 14(c) of the NMI Constitution. Executive sessions shall be conducted in accordance with the Constitution and 1 CMC §9912. No committee shall sit at a time when the Senate is in session without the permission of the Senate President.
- (b) The Chair of any standing or special committee may arrange for the joint meeting of his committee with another committee of the Senate or the House, and to conduct their business jointly. Final action shall be taken by each committee separately.
- (c) Notice of committee meetings shall be provided in accordance with Rule 3. The public may be given opportunity to comment at a committee meeting or as provided under Rule 9, section 8.
- (d) Three members of a committee shall constitute a quorum to hold a public hearing or meeting.

Section 6. Chair and Vice Chair.

- (a) The chair of each standing, special or conference committee shall be appointed by the President. The Chair of each standing, special or conference committee shall appoint a vice chair. The chair of a standing committee shall appoint an acting chair when the chair is absent. Chairperson and Vice Chairperson of the standing committees shall hold office until the second Monday of January following the next general election unless such tenure is terminated at an earlier date by death, resignation, or removal from office by the President. The President shall not be chair or vice chair of a standing, special, or conference committee. The President however, shall have the option to sit on any of the committees. This subsection shall not be suspended or amended without the majority vote of the total members of the Senate.
- (b) The chair of each committee shall call meetings, preside at committee meetings, prepare and post necessary agenda, invite witnesses to appear before the committee, issue subpoenas requiring the attendance of witnesses or production of documents upon a majority vote of the members of the committee, prepare committee reports subject to the requirements of the Rules, and keep and maintain permanent files of all

testimony, correspondence, legal opinions and other supporting documents concerning all bills and resolutions considered by the committee. Such files shall be property of the Senate and committee chairs shall be accountable to the Senate Clerk for such property pursuant to Rule 9, § 1. The vice chair shall perform the duties of the chair in his absence.

Section 7. Appointment of Members.

- (a) Members of standing committees shall be appointed by the committee chair, after consultation with the leadership members of the Senate as to the committee or committees on which each prefers to serve, with notification to the President.
- (b) Members of special and conference committees shall be appointed by the President and may be removed by the President pursuant to the President's authority to appoint such members.

Section 8. Committee Reports.

- (a) Standing, Special, or Conference committees shall meet, in accordance with Rule 3, and report within the time allowed by these rules, to the President or by vote of the Senate. Upon the direction of the Chair the standing, special, and conference committees shall submit their reports in writing to the President who shall cause such reports to be reproduced and a copy of each furnished to each member. A Committee report, based on the committee meeting, shall be prepared by the Legislative Assistant assigned to the committee and reviewed by a Counsel. The 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 passed and shall clearly state the purpose of the bill and intent of the Legislature. A report upon a bill proposed to be amended by the committee shall have the amended attached thereto. All written testimony in support or in opposition of a bill, resolution, or other matter referred to a committee shall be attached to and made part of the report.
- (b) A member or members not concurring in the report of the majority may so indicate by signing the report "I do not concur" or by submitting a separate minority report.
- (c) A Committee shall report to the Senate all actions taken on any matter referred to it. The report is due within 60 days from the referral date for bills and within 90 days from the referral date for legislative initiatives and referenda.
- (d) The President shall cause submitted committee reports to be placed on the order of business pursuant to Rule 6. Upon consideration of a committee report the Senate shall adopt the report, or return the report to the Committee. The action on a committee report shall be by a majority vote of members present. If the Senate votes to return a report to committee, the bill, resolution or other subject matter of the report shall be stricken from the order of business and shall not be considered.

- (e) Unless otherwise required by these rules, all reports of Senate committees shall be formatted in accordance with Appendix "B" herein.

Section 9. Rights of Members. A majority of the members of a committee may require the chairperson to place any bill, resolution or other matter referred to the committee on the agenda for committee consideration, to submit such bill, resolution, or other matter to the committee for its decision, to promptly report any matter referred to the committee, and to call up such matter for prompt consideration by the Senate and to request that the Senate discharge the committee from further consideration of such matter.

Section 10. Withdrawal of Bills, Resolutions and other matters from Committee. Any bill, resolution, or other matter referred to a committee may be withdrawn from such committee by affirmative vote of a majority of the members of the Senate present, a quorum being present, provided that the bill, resolution, or other matter shall have been referred to the committee 30 or more calendar days prior to recall. Any bill, resolution, or other matter referred to a committee at a special session called for a stated number of consecutive days also may be withdrawn by affirmative vote of a majority of the members of the Senate present, a quorum being present, after half of the period for which the session was called has elapsed.

Section 11. Joint Committees. Joint committees may be created by joint resolution or statute, and shall have such members, powers, and procedures as provided therein. Any Joint Committee created by Joint Resolution or statute, shall have at least one member each from Rota and Tinian.

Section 12. Individual Statements and Actions. No member of the Senate, or group of members shall in any way represent itself as speaking for or being a part of the Senate by holding hearings, or releasing public statements or in any other way unless constituted as a special or standing committee pursuant to these rules. The word "Senate" shall not be used by individual members or groups thereof without official sanction.

RULE 8. STANDING COMMITTEES

The Standing Committees of the Senate shall be as specified herein.

Section 1. Committee on Rules and Procedures.

- (a) The Committee on Rules and Procedures shall consist of the President, Vice President, Floor Leader, and the Senate Legislative Secretary. This committee shall be the policy-making body of the Senate and shall have the following duties:
- (1) To consider and report on all proposed amendments to these rules; and
 - (2) To consider all matters concerning the properties, inventory and use of physical space and premises of the Senate and recommend appropriate action to the President.

- (b) The Rules Committee shall continue in existence during any recess of the Senate, and after final adjournment until the convening of the next Legislature.
- (c) In performing its duties under subsection (a) of this section, action by the Rules Committee shall require a majority vote of the entire membership of the Committee.
- (d) The Rules Committee Chair shall perform the duties as defined in Rule 2, section 5 in the absence of the Senate Legislative Secretary.

Section 2. Committee on Fiscal Affairs. The Committee on Fiscal Affairs shall strictly consist of only the chairpersons of each respective Senate standing committee. It shall be the duty of this committee to consider and report on all bills, resolutions, or other matters referred to it by the Senate pertaining to the finances and financial administration of the Northern Marianas or any of the municipalities thereof, such subjects to include but not be limited to tax and non-tax revenues, budgets, expenditures, appropriations, loans, debts, claims funding arrangements, accounting and audits, proposed, present or past, and related subjects. Bills, resolutions or other matters referred to the Committee on Fiscal Affairs pertaining to the subject matter of another standing committee and to financial matters may be referred by the Committee on Fiscal Affairs to such other committee for preliminary examination and report to the Committee on Fiscal Affairs. It shall be the duty of this committee to consider and investigate any needed revision of the laws or needed legislation relating to any subject within its jurisdiction.

Section 3. Committee on Resources, Economic Development and Programs.

The Committee on Resources, Economic Development and Programs shall consist of not more than Six (6) members. It shall be the duty of this committee to consider and report on all bills, resolutions, and other matters referred to it by the Senate pertaining to the economy of the Commonwealth and the resources thereof, development loans, private savings and indebtedness, commerce and trade, agriculture, fisheries, forestry, mineral resources, land management, industries, electric power, communications, land, sea, air transportation, and related subjects. The Committee shall consider and report on all federal programs of the United States Government related to any subject within its jurisdiction for which the Commonwealth is eligible. It shall be the duty of this committee to consider and investigate any needed revision of the laws or needed legislation relating to any subject within its jurisdiction.

Section 4. Committee on Judiciary, Government, Law, and Federal Relations. The Committee on Judiciary, Government, Law, and Federal Relations shall consist of not more than Six (6) members. It shall be the duty of this committee to consider and report on all bills, resolutions and other matters referred to it by the Senate pertaining to civil and criminal law, judicial administration and organization, land law, traditional rights, suffrage and elections, revision of statutes, local and governmental organization and functions, civil service, senatorial district-municipal relations and related subjects. It shall be of this committee to consider matters referred to it pertaining to relations between the federal government, including the United Nations and the Commonwealth government. It shall be the duty of this committee to consider and investigate any needed revision of the laws or needed legislation relating to any subject within its jurisdiction.

Section 5. Committee on Executive Appointments and Government Investigations. The Committee on Executive Appointments and Government Investigations shall consist of not more than Six (6) members. It shall be the duty of this Committee to consider and report on all bills, resolutions and other matters referred to it by the Senate pertaining to the advice and consent of the Senate on executive appointments; legislative appointments; investigations on alleged criminal acts of government corruption and related subjects. It shall be the duty of this committee to consider and investigate any needed revision of the laws or needed legislation relating to any subject within its jurisdiction.

(a) Executive Appointments.

- (1) General. No person appointed to a position requiring the advice and consent of the Senate shall be considered by the Senate if that person has been convicted of a crime carrying a maximum sentence of imprisonment of more than six months unless a full pardon has been granted or unless a period of three years has elapsed since the time of the conviction or from completion of any sentence, whichever is later.
- (2) Failure to report Statement of Financial Interest. A person appointed to a position requiring the advice and consent of the Senate who refuses or fails to timely submit to the Senate a statement of financial interest shall not be considered by the Senate.
- (3) Drug test result. A person appointed to a position requiring the advice and consent of the Senate shall submit an official drug test result not more than 30 days old under seal to the Senate Clerk before being considered by the Senate. Results of the drug test shall be maintained by the Clerk under seal and made available to members of the Senate and legal counsels only. Any person failing to submit a drug test result shall not be considered by the Senate unless authorized by the chair to be submitted at a later date.
- (4) Judicial appointees. Any person nominated as a judge or justice to the Commonwealth Courts shall complete an Investigation Questionnaire in the form of appendix "C" to these rules.

(b) Appointments: Failure to confirm. If an appointment is not confirmed by the Senate within 90 consecutive calendar days from the date the person was appointed, the Senate shall not act on the appointment.

(c) Failure to Fulfill Oath. Except for Judicial appointees, any board or commission member confirmed by the Senate as recommended by this committee who fails, as determined by this committee, to fulfill the oath shall be recommended for removal by resolution to the appointing authority.

Section 6. Committee on Health, Education, and Welfare. The Committee on Health, Education, and Welfare shall consist of not more than Six (6) members. It shall be the duty of

this committee to consider any report on all bills, resolutions and other matters referred to it by the Senate pertaining to health, education, and the general welfare of the people of the Commonwealth of the Northern Mariana Islands. It shall be the duty of this committee to consider and investigate any needed revision of the laws or needed legislation relating to any subject within its jurisdiction

Section 7. Committee on Public Utilities, Transportation, and Communications. The Committee on Public Utilities, Transportation, and Communications shall consist of not more than Six (6) members. It shall be the duty of this Committee to consider and report on all bills, resolutions and other matters referred to it by the Senate pertaining to public utilities; public works; communications; roads; ports; transportation; and related matters. It shall be the duty of this committee to consider and investigate any needed revision of the laws or needed legislation relating to any subject within its jurisdiction.

Section 8. Committee on Cannabis and Gaming. The Committee on Cannabis and Gaming shall consist of not less than six (6) members. It shall be the duty of this Committee to consider and report on all bills, resolutions and other matters referred to it by the Senate pertaining to all matters related to cannabis in the CNMI, the impact of the cannabis industry, gaming in the CNMI, including hotel casino, poker machines, electronic gaming, internet gaming and all other gaming activities and the effects, and the impact of the cannabis and gaming industry on families and communities, implications for regulatory mechanisms, revenue collection, community welfare and consumer protection.

RULE 9. BILLS, RESOLUTIONS, AND AMENDMENTS

Section 1. Property of the Senate. All bills or resolutions prefiled or introduced in the Senate and committee reports thereon shall be deemed the property of the Senate, and under its control. Bills or resolutions may be prefiled with the Clerk of the Senate and numbered by the Clerk pursuant to Section 4 of this Rule. Prefiled measures may be referred to one or more committees. Every member shall provide an electronic copy of every bill or resolution introduced or prefiled to the Senate Clerk upon introduction or prefiling, in a word processing or other file format acceptable to the Clerk. This requirement shall be deemed satisfied when the Office of Senate Legal Counsel has a suitable electronic version of the bill or resolution exactly as introduced or prefiled, in which case it shall be the responsibility of Senate Legal Counsel to provide the electronic copy to the Senate Clerk.

Section 2. Types of Bills and Resolutions. The following types of bills and resolutions may be considered in the Senate:

- (a) Senate bill (S.B.) which shall be a bill introduced in the Senate;
- (b) House bill (H.B.) which shall be a bill introduced in the House unless the House determines to designate such bill by a different title;
- (c) Concurrent Resolution of the House (H.C.R.) or Senate (S.C.R.);
- (d) Senate Joint Resolution (S.J.R.) which shall be a joint resolution introduced in the Senate;

- (e) House Joint Resolution (H.J.R.) which shall be a joint resolution introduced in the House, unless the House designates such a resolution by a different title; and
- (f) Senate Resolution (S.R.) which shall be a resolution introduced in the Senate.
- (g) Commemorative Resolution which shall be a type of Senate Resolution (S.R.) commemorating events of public interest, and which may be enacted temporarily in advance of Senate action in session pursuant to Section 15 herein.

Section 3. Format of Bills and Resolutions.

- (a) All bills and resolutions shall be typeset (e.g. typewritten or produced through word-processing, electronic publishing or image setting) to produce a clear, black image in one and one-half space upon white paper which is traditional letter size, leaving a left margin of 1-1/2 inches and with the number of the line appearing on each line at the left margin. This subsection may be interpreted and further standards prescribed in accordance with any style guides or manuals provided by legal counsel.
- (b) Bills and resolutions for introduction or prefilng shall be submitted in an original. Each original copy of a bill or resolution shall be dated and signed by the member introducing the measure, at the last page thereof. The introducer may permit other members to affix their signatures to the measure. When a member wishes to indicate that he or she is introducing a measure by specific request without necessarily sponsoring it, he may affix the words "By request" after her or his signature.
- (c) All bills must be reviewed by the Legal Counsel for legal sufficiency prior to prefilng or introduction on the floor.

Section 4. Numbering of Bills and Resolutions. Senate bills and resolutions and measures introduced or prefiled with the Senate Clerk pursuant to Section 1 of this Rule shall be numbered by type of measure with the numerical designation of the Legislature followed by consecutive numerical order, corresponding with the respective order of prefilng or introduction. The first time a Senate bill, House bill, or resolution is amended in the Senate, the designation "SD1" shall be appended after the number designation of the bill or resolution to indicate "Senate Draft 1". Each time the bill or resolution is subsequently amended in the Senate, the number designation shall be increased by one. The first time a Senate bill, House bill or resolution is substituted in its entirety by the Senate or one of its committees, the designation of "SS1" shall be appended after the number designation of the bill or resolution to indicate "Senate Substitute 1". Each time the bill or resolution is subsequently amended in the Senate committee or the Senate, the designation "SD1" (or higher number as appropriate) shall be appended after the "SS1" (or higher) designation to indicate "Senate Substitute 1, Senate Draft 1" (or higher numbers as the case may be). The numerical designations for substitutes and drafts shall be increased by one each time a substitution or amendment is made and shall appear on the bill in the order of the most recent action. Ordinarily, a bill will have no more than one designation of a substitute number and one designation of a draft number for each house that has acted on a bill, and similar designations from a conference committee, but a bill which has received action by both houses and is then further revised by the originating house shall have a further designation(s) appended

to reflect the additional action. Designations on a bill when it is transmitted to the other house shall not be changed, but further designations shall be added as necessary to reflect action in the receiving house.

Section 5. Forms of Bills. To pass each bill shall:

- (a) Contain an enacting clause reading "Be it Enacted by the Northern Marianas Commonwealth Legislature"; and
- (b) Not amend or revise an existing law by reference to its title only, but the law as revised, or section or subsection as amended, shall be set forth at length in the bill. This requirement may be waived when the substance of the change in existing law is clearly set out in the text of the bill so that recitation at length would serve no particular purpose and convey no additional information to the members of the Senate on the effect of the bill.

Section 6. Duplication and Distribution of Bills, Resolutions, and Committee Reports.

- (a) The Senate Clerk shall duplicate twelve copies of bills and resolutions when introduced and/or prefiled; at such time as the appropriate committee takes action on the bill or resolution. Committee reports shall be duplicated in such quantities as shall be determined by the Clerk, but sufficient to assure distribution to all members of the Senate.
- (b) The Senate Clerk shall provide each member with a copy of each bill and each resolution and each amended copy thereof, at the time of introduction and prefiling, transmittal from the House or amendment on the floor, as required by Section 10 of this Rule. The Senate Clerk shall provide each member with a copy of each report of each committee at the time that the report is placed on the Order of the Day.
- (c) A bill or resolution shall not be placed on the Bill or Resolution Calendar unless a copy thereof and the pertinent records have been duplicated and distributed to each member.

Section 7. Referral and Reading of Bills.

- (a) A bill shall be considered introduced once it is prefiled with the Senate Clerk by a member or at the member's direction. A bill is not required to be introduced again during a session unless the member wishes do so.
- (b) A bill prefiled with the Clerk shall appear on the agenda for the next session provided that it is prefiled not less than 72 hours before a regular session or 24 hours before a special session and appears on the session agenda as required under Rule 3.
- (c) Bills may be referred to one or more committees of the Senate by the Floor Leader unless the President orders the bill placed on the Bill Calendar for Final Reading in a subsequent session without referral to committee, such referrals or orders subject to

the action of the Senate. Bills which have been prefiled may be referred to one or more committees of the Senate for consideration.

- (d) Committee reports shall first be delivered to the Senate Clerk who shall place a number on them in consecutive order and cause the same to be printed and distributed to members of the Senate.
- (e) Except for conference committee reports or committee reports recommending to file a bill or resolution, the reports of the committee of the Senate reporting on any other bill or resolution shall be separated from the bill and acted on separately. Such committee reports may recommend that the bill, in its original or in amended form (i) be favorably considered and passed to the next committee to which it was initially referred for further consideration, or (ii) pass on Final Reading, or (iii) be filed.
- (f) The Senate Clerk shall place the bills on the Bill Calendar in compliance with Rule 6, Section 2 of these Rules.
- (g) Upon Final Reading a bill shall be read by title, provided that the Senate Clerk shall read the bill at length if requested to do so by the President. If the bill contains a Short Title, the Short Title may be read in lieu of the title; provided that, any member may request reading of the title, in which case the formal, full title shall be read.

Section 8. Public Comment on Bills and Resolutions. Prior to enacting a bill or resolution introduced in the Senate, the Senate or a committee thereof shall in the case of bills or resolutions introduced in the Senate and may in the case of other bills or resolutions, afford interested persons the opportunity to submit data, views, or arguments, in writing. In addition, the Senate or a committee thereof shall in the case of bills and resolutions introduced in the Senate and may in the case of other bills and resolutions afford interested persons an opportunity to present oral testimony on any bill or resolution. The Senate or a committee thereof may convene a Rule 5, section 17 proceeding, a committee meeting, a public hearing, or other open and public meeting to receive testimony. Agendas of such open and public forums shall comply with notice requirements of Rule 3 and may consider a single or multiple bills or resolutions. The public comment requirement shall not apply to emergency legislation enacted in a session called pursuant to Rule 3, section 5.

Section 9. Consideration of House Bill, a Senate Bill Modified by the House of Representatives, and Conference Committee.

- (a) If a bill passed in the Senate is returned by the House in a form other than in which it was passed on Final Reading by the Senate, then the Senate shall consider whether to agree or disagree to the changes proposed by the House. If the Senate disagrees, the President may appoint a conference committee as provided in Rule 7, Sections 1 and 7, which committee shall be required to report to the Senate at a time specified by the President. In the event the conference committee reports that they are unable to reach agreement on the changes proposed by the House, the President of the Senate may appoint new conferees who shall be required to report to the Senate at a time specified by the President of the Senate.

The Senate shall accept the changes proposed by the House or by the conference committee only by call of the roll and a recording of the "Ayes' and Noes" in the Journal.

(b) A House bill transmitted to the Senate for consideration shall be signed for legal sufficiency and not "For Introduction Only". If the House bill is not signed for legal sufficiency, it shall be filed unless the House recalls the bill from the Senate.

Section 10. Consideration of Resolutions.

(a) The President shall refer each resolution to one or more committees of the Senate or direct that it be placed on the Resolution Calendar without referral, subject to the action of the Senate. The President shall announce each referral and each such order not to refer at the time it is made.

(b) The reports of the committees of the Senate reporting on a resolution shall be separated from the resolution and acted on separately. Such report may recommend that the resolution, in its original or in an amended form, be adopted or be filed.

(c) A resolution shall be read by title, provided that the Senate Clerk shall read the resolution at length if requested to do so by the President.

(d) If a Senate Joint Resolution is returned by the House in a form other than that in which it was adopted in the Senate, then the Senate shall consider whether to agree or disagree to the changes proposed by the House. If the Senate disagrees, the President may appoint a conference committee as provided in Rule 7, Sections 1 and 7. If the Senate accepts the changes proposed by a conference committee, the resolution shall be considered for adoption.

(e) When a request to adopt a resolution as "Committee of the Whole", only the names of the members present shall be included.

Section 11. Amendments. Amendments to bills or resolutions may be offered on the floor of the Senate by any member, provided that the proposed amendment is in writing, unless not one member objects to an oral amendment. Such amendment shall be read by the Senate Clerk. If the amendment is adopted and changes ten or more lines of the bill or resolution, any member may request that the entire bill or resolution, or the page or pages affected, as the member shall request or the President shall direct, be reduplicated and distributed to the members prior to final passage of the bill or adoption of the resolution.

Section 12. Adoption. Final action of the Senate shall occur at a meeting open to the public for which notice has been given in accordance with Rule 3.

Section 13. Certification and Transmittal of Bills and Resolutions.

(a) The Senate Clerk shall transmit the following, in the form passed or adopted and noting the date of Senate action, to the House of Representatives without delay:

- (1) A Senate Bill or House Bill which has passed Final Reading in the Senate.
 - (2) A Senate Joint Resolution or House Joint Resolution which has been adopted in the Senate.
- (b) The Senate Clerk shall cause the following to be prepared in final form, the Senate President shall certify, and the Senate Legislative Secretary shall attest to, enactment of the bill, and authenticating by said signatures the accuracy of the bill, and the Senate Clerk shall thereafter transmit the original to the Governor without delay.
- (1) A Senate bill which has passed Final Reading in both the Senate and the House, and in the event of amendments to the bill in the House, the Senate has agreed to the bill as amended by the House.
 - (2) A Senate Bill which has been passed in the Senate and in the House in the form as proposed by a conference committee.
- (c) The Senate Clerk shall cause the following to be prepared in final form, the Senate President shall certify, and the Senate Legislative Secretary, or Senate Clerk as provided in Rule 2, Section 6(g), shall attest to, adoption and authenticating by said signatures the accuracy of the resolution, and the Senate Clerk shall thereafter transmit the originals to the addressed without delay.
- (1) A Senate Joint Resolution which has been adopted in the House in the form in which it was adopted in the Senate.
 - (2) A Senate Joint Resolution which has been amended by the House and the Senate has agreed to the resolution as amended by the House.
 - (3) A Senate Joint Resolution which has been adopted in the Senate and the House in the form as proposed by a conference committee.
 - (4) A Senate Resolution in the form in which it was adopted in the Senate.
- (d) The Senate Clerk shall notify the House in writing of the following actions without delay:
- (1) That the Senate has disagreed to a Senate bill or Senate Joint Resolution as amended by the House and has appointed members to a conference committee.
 - (2) That the Senate agrees to a House Bill or House Joint Resolution as proposed by a conference committee.

Section 14. Repassage following disapproval by the Governor. Whenever a bill passed by the Legislature is disapproved by the Governor, the President will refer the bill and the Governor's reasons for disapproval to the committee to which the measure was originally

referred. The Committee then reports on the measures and recommends that the measures either be repassed or not be repassed. Repassage will require a two-thirds (2/3) majority of the entire membership of the Senate.

The Senate Clerk shall immediately notify the House if a bill disapproved by the Governor is repassed by the Senate. If a bill that was introduced in the Senate and disapproved by the Governor is repassed by the Legislature, the Senate Clerk shall transmit the bill to the Governor as provided in Section 13(b) of this Rule.

Section 15. Commemorative Resolutions.

- (a) Defined. Commemorative resolutions are hereby defined as resolutions expressing the praise, approval, congratulations, or condolences of the Senate upon incidents or occasions of particular public interest, such as state funerals, outstanding individual achievement by Commonwealth athletes, scholars, or artists, days of national celebration or mourning, etcetera.
- (b) Enactment. Commemorative resolutions may be temporarily enacted by the signature of the President and one other officer. Such a temporary enactment shall be valid and in force until the next Senate session. If the commemorative resolution shall be duly approved by a majority of a quorum, then it shall be permanently enacted and shall be entered into the Senate record.
- (c) No legal effect. Commemorative resolutions shall not have legal effect, but rather shall express the sentiments of the Senate.

RULE 10. MOTIONS

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

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

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

- First: To lay on the table;
- Second: To defer to the end of the calendar;

Third: To commit (send the bill or resolution or other matter to one or more committees with or without instructions);

Fourth: To amend;

which motions shall have precedence in the order named. The first and second motions shall be decided without debate and shall be put to vote as soon as made and seconded. The third and fourth motions and the main motion shall be subject to debate and shall be put to vote in accordance with the provisions of the rules. If a motion to amend in a specific manner is defeated, it shall not be revived on the same calendar day. No more than one motion to amend an amendatory motion shall be in order at the same time. If a motion to amend an amendment is defeated, another amendment to the amendatory motion is in order.

Section 4. Privileged Motions.

- (a) A member of the Senate 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.
- (b) A member may raise a point of privilege concerning a matter which relates to him/her as a member of the Senate or which relates to the privileges or welfare of the Senate. When a member raises a point of privilege, the President shall interrupt the proceedings of the Senate and ask the member to state his point. The point shall not be debatable.
- (c) A member may move to recess for or to a specific time, or at the call of the Chair. The motion to recess shall be decided without debate and shall be put to vote as soon as made. The President may recess the Senate for or to a specific time or at the call of the Chair, subject to appeal to the Senate.
- (d) A member may move to adjourn to a specific time only and such a motion shall take precedence over all other motions. The motion shall be decided without debate and shall be put to vote as soon as made, provided that the motion to adjourn sine die shall be subject to debate and amendment. If the motion to adjourn is adopted, action on the question before the Senate shall be discontinued and shall be considered on the next meeting during the regular order of business. If the motion to adjourn is defeated, such a motion shall not again be in order until the disposal of the new question before the Senate. The Presiding Officer may adjourn the Senate to a specific time subject to appeal to the Senate. This subsection shall not be suspended or amended without the approval of six (6) affirmative votes of the members of the Senate.

Section 5. Incidental Motions.

- (a) A member of the Senate may be the mover of an incidental motion at any time such a motion is appropriate to the order of business.

- (b) A member may raise a *point of information* at any time on any subject, including the procedure governing the disposal of a matter or motion before the Senate. When a member raises a point of information, the President shall ask the member to state his/her point. The point shall not be debatable. The President shall respond to the point of information as soon as it is raised or request another member of the Senate to respond. The President may consider the question improper and choose not to consider the point.
- (c) A member may raise a *point of order* at any time such a point is appropriate to the order of business. The subject of such a point shall be whether the rules and applicable laws govern the conduct of business in the Senate are being observed. When a member raises a point of order, the President shall interrupt the proceedings and ask the member to state his point. The point of order shall not be debatable and shall be ruled upon by the President as soon as raised, subject to appeal to the Senate. If the ruling of the President is appealed, the member raising the point of order and the President shall each be allowed five minutes to explain their positions or ruling to the Senate.
- (d) A member may move to *withdraw his motion*. When a member moves to withdraw his motion, the President 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 his motion.
- (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 or resolution before the Senate and desires that each such specific subject be considered and voted on separately. When a member moves for division of the question, the motion 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, for final passage, the bill or resolution, as amended, shall be considered and voted on as a single entity as provided in these rules.
- (f) A member may move for a *call of the Senate* at any time that he desires all present members to remain on the floor and all absent members to be required to attend the session. When a member moved for a call of the Senate, the President shall interrupt the proceedings and permit the mover to make his motion. The motion shall be decided without debate and be put to vote as soon as made. The motion, if adopted, shall remain in effect until adjournment or the call of the Senate is removed by action of the President, subject to appeal to the Senate.
- (g) The chairperson of a committee to which a bill, resolution or other matter was referred may by announcement on the floor to *remove the bill or resolution or other matter from the table* at an appropriate time in the order of business of the Senate and refer the bill, resolution or other matter back to committee, or move for other Senate action with respect thereto. The removal and referral of any bill, resolution or other matter under this subsection shall be at the sole discretion of the chairperson, and shall not

be subject to debate or vote. Any motion effectuated under this subsection shall be decided without debate and shall be put to vote as soon as made.

- (h) A member may move to *suspend one or more sections or paragraphs of the Rules*. Such motion shall state the specific purpose to be accomplished by suspension of the Rules and the specific sections of paragraphs of the Rule which shall be suspended. When a member moves for suspension of the Rules, the President shall permit the mover to make his/her motion. The motion shall be decided without debate, shall be put to vote as soon as made, and shall require five (5) affirmative votes of the total members of the Senate 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 Senate. This subsection shall not be suspended or amended without the approval of five (5) affirmative votes of the total members of the Senate.

Section 6. Motion to Reconsider. When a motion has been made once and carried in the affirmative or negative, it shall be in order for any member of the Senate to move to reconsider it on the same or a succeeding day of the session. Such motion shall take precedence over all other motions except a motion to adjourn or to recess or a motion to recall. The motion shall be decided without debate and shall be put to vote as soon as made. The motion to reconsider shall be deemed to have passed if the number of affirmative votes equals or exceeds the number required for passage of the main motion being reconsidered. When a motion for reconsideration has been decided, 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 Senate, and has been transmitted to the House, it shall be in order for any member of the Senate to move for recall of the bill, resolution, or other matter by requesting the House to return the bill, resolution, or other matter, and such motion shall take precedence over all other motions except a motion to adjourn or to recess. The motion shall be decided without debate and shall be put to vote as soon as made. When a motion for recall has been decided, and 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 returned as requested, it shall then be before the Senate for reconsideration in the regular order of business.
- (b) If a like motion to recall shall be passed by the House and such request be made to the Senate, the bill, resolution, or other matter shall be returned to the House if the total membership of the Senate unanimously consents.

Section 8. Previous Question. A member may move for the previous question, subject to the provisions of Rule 5, Section 10, which motion when adopted shall close debate and require the President to put the question to the Senate for vote. The motion for the previous question shall be decided without debate.

RULE 11. VOTING

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

- First : By voice;
- Second : By raising hand;
- Third: By secret ballot; and
- Fourth: By call of the roll of the members and in a recording of the vote of each member by the Senate Clerk.

Section 2. Choice of Method of Voting. The President may designate the method of voting to be followed by the Senate in determining a question, subject to the provisions of this Rule.

Section 3. Voice Vote. Voice Vote shall be the usual and ordinary method of voting in the Senate. Whenever the Senate shall be read to vote on any question, the President shall state the question. He shall then request all those in favor of the motion to vote "Aye" in a clear, loud voice. The President shall then request all those opposed to the motion to vote "No" in a clear, loud voice. The President shall then announce the results of the vote to the Senate.

Section 4. Raising Hands. If the President so determines, the vote shall be by the raising hands. The President shall state the question. He shall then call upon those in favor of the motion to raise their right hands. The Senate Clerk shall count the number of hands raised and report to the President. The President shall then call upon those oppose to the motion to raise their right hands. The Senate Clerk shall count the number of hands raised and report to the President.

Section 5. Secret Ballot. If at least four members shall request a vote by secret ballot, the President shall conduct such a vote, provided that at the time of such request, a roll call vote is not required or has not been requested. The Senate Clerk shall distribute ballots to the members, restate the question, and instruct those in favor of the motion to write "Yes" on their ballots and those opposed to write "No.". If a member writes "Abstain" or makes any other mark on his ballot other than "Yes" or "No", it shall not be recorded. The Senate Clerk shall collect and tally the ballots and report the results thereof to the President who shall announce the result of the vote to the Senate. The ballots shall be available during the remainder of that day's session for inspection by any member.

Section 6. Call of the Roll. If at least four members shall request a call of the roll or if such a call is required by these Rules or the applicable provisions of law, then the President shall announce a call of the roll. The President shall state the question calling upon those in favor of the motion to respond "Aye" when their name is called and those opposed to respond "No" when their name is called. The Senate Clerk shall call the roll, recording the vote of each member in the journal. He shall inform the President of the results of the call of the roll who shall, in turn, announce the results of the vote to the Senate.

Section 7. Nonvoting. No member present in the Senate may refrain from voting unless excused in accordance with Section 9 of this Rule. A member who is present who fails to respond to the call of his name upon a call of the roll shall be individually instructed by the President to respond "Aye" or "No" and if he still fails to vote, the President shall order the Senate Clerk not to record any vote.

Section 8. Conflict of Interest. No member may be permitted to vote upon any matter in which the member has a distinct, individual, pecuniary interest or which will affect member's right to a seat in the Senate or in matter in which member's individual conduct is involved. When any member has a distinct, individual, pecuniary interest which the member believes might disqualify the member from voting on a question, the member shall state and disclose such interest to the Senate. The President shall thereupon rule as to whether the member shall or shall not be disqualified from voting on the question, subject to appeal to the Senate.

Section 9. Required Calls of the Roll. The roll must be called upon Final Reading of a bill, which bill shall pass Final Reading if a quorum is present and a majority of the members of the Senate vote in favor thereof. If a bill has been returned by a conference committee and the Senate accepts the recommendations of the conference committee or if the Senate accepts changes proposed by the House, the acceptance and passage of the bill constitutes Final Reading, and the roll must be called for such action. The roll must be called upon the question of passing over the veto of the Governor, which bill shall be considered passed if two-thirds of the total members of the Senate vote in favor of passing the bill over the veto.

Section 10. Change of Vote. A member may not be allowed to vote or change his/her vote after the announcement of the result of the vote by the President or after the collection of ballots if the vote is a secret ballot.

Section 11. Action of the Senate. Any action of the Senate shall require a majority vote of the members present, a quorum being present, unless otherwise provided by these Rules.

Section 12. Actions of the Senate Requiring Votes as Specified in these Rules.

<u>No.</u>	<u>Action Required majority or Number Rule</u>		
1.	Removal of an Officer	Five affirmative votes of membership	1 Sec. 2
2.	Quorum	No less than five members of the Senate	4 Sec. 1
3.	Closing committee meeting	Three affirmative votes of membership	7 Sec. 5(a)
4.	Removal of Chair and vice chair of committees	Five affirmative votes of membership	7 Sec. 7(a)
5.	Discipline a member	No less than five affirmative votes by members of the Senate	5 Sec. 15

6.	Expel a member	Seven affirmative votes of membership	5 Sec. 15
7.	Adoption of Committee Report	Majority of committee Members	7 Sec. 8(d)
8.	Requiring committee consideration of matter referred to committee	Majority of committee members	7 Sec. 9
9.	Final Reading of bill	Majority of membership	11 Sec. 10
10.	Passing a bill over Governor's Veto	Six affirmative votes of membership	11 Sec. 10
11.	Voting by secret ballot	Four members	11 Sec. 6
12.	Voting by call of roll	Four members	11 Sec. 7
13.	Reading of bill at length	President	9 Sec. 7(j)
14.	Reading of resolution at length	President	9 Sec. 10(c)
15.	Suspension of Rules	Five affirmative votes of membership	10 Sec. 5(h)
16.	Motion to reconsider a main motion	Same majority as required for passage of main motion being reconsidered	10 Sec. 6
17.	Amending the Rules	Five affirmative votes of membership	Rule 17
18.	Removal of item before Committee for placing on Agenda	Majority of Leadership with Concurrence of Chair	7 Sec. 10
19.	All other actions	Majority of members present, a quorum being present	11 Sec. 12

The table contained in this section is intended to be a convenient summary of the provisions of the rules relating to voting requirements. In the event of any inconsistency between

the entries in this table and substantive provisions of the rule referred to, the provisions of the rule cited shall govern.

RULE 12. WARRANTS, SUBPOENAS, OATHS, AND CONTEMPT

Section 1. Warrants, Subpoenas and Oaths. The President, Committee Chair, may issue warrants, subpoenas, or other processes and administer oaths in accordance with Section 14(b), Article II of the Commonwealth Constitution and 1 CMC, Division 1, Chapter 3. Any witness neglecting or refusing to attend a session of the Senate or a committee meeting after being properly subpoenaed may be arrested by the Sergeant-at-Arms or any police officer of the Commonwealth or any senatorial district and brought before the Senate or a committee thereof, as the case may be. The President may issue a warrant to carry into effect the orders of the Senate, or any committee thereof, in the arrest of an offender.

Section 2. Contempt. Any person who shall be guilty of disrespect of the Senate by any disorderly or contemptuous behavior in its presence or before any of its committees, or who shall assault or detain any witness of the Senate or its committees, or who shall violate 1 CMC, Division 1, Chapter 3, shall be in contempt of the Senate. The President may issue a warrant of arrest to the Sergeant-at-Arms or any police officer of the Commonwealth or any senatorial district for the arrest of a person found to be in contempt of the Senate.

RULE 13. ADMINISTRATION

Section 1. Management. The administrative affairs of the Senate, including fiscal affairs, shall be jointly managed by the Leadership, composed of the President, Vice President, Floor Leader, Legislative Secretary and Chairs of all the Standing Committees. The Leadership shall meet at least quarterly to attend to the administrative affairs of the Senate and to receive a quarterly report on the expenditure of all Senate funds from the President and a quarterly report from the Director of the Legislative Bureau.

Section 2. Finance. Operation accounts shall be established for each of the members of the Senate. Each of the Senate Accounts established pursuant to this section shall be further identified by account numbers to be established by the Secretary of Finance and no other Senate accounts may be established in any manner. The amounts allocated to each Senate account shall be in accordance with the Commonwealth Constitution and in the amount appropriated in the applicable appropriations act, including continuing budget authority considerations, and as provided by law.

- (a) Obligation and expenditure authority. In order to insure accurate accounting procedures, audit availability, and use of appropriate public funds for public purposes related to the lawful responsibilities of the Senate, no Senator, designee, Committee or staff shall obligate, authorize disbursement or in any way encumber funds appropriated to the Senate or its members except pursuant to these Rules.

- (1) Use of Senate funds for customary functions, community needs and expenses, such as support of fiesta activities, and tents, picnic tables, flowers, decorations,

and other expenses for funerals, death anniversaries, and public novenas, as determined by individual Senators is expressly authorized; Provided that, the total amount expended under the expenditure authority of any given member for any particular occasion or event does not exceed one thousand dollars (\$1,000). Use of Senate funds in connection with private novenas or weddings is prohibited.

- (2) Tents and picnic tables procured with public funds shall be marked and identified as CNMI government property and may be marked with the name of the member only if such marking is inconspicuous.
- (3) Members may expend Senate funds for food, beverage, entertainment, and similar expenses, subject to the following conditions:
 - (A) No member may expend more than a total of \$12,000 in any given fiscal year for such expenses. This ceiling applies to the aggregate expenditure from all accounts under the expenditure authority of a given member, except that the President is authorized an additional \$12,000 from the presiding officer's account.
 - (B) Every expenditure for food, beverage, entertainment, or similar expense shall be supported by:
 - (i) a written statement of the purpose of the meeting, gathering, or other event for which the expenditure was made, including the subjects discussed or other governmental goals served; and
 - (ii) a listing, so far as reasonably practicable, of the names of the persons in attendance.
- (4) Expenditures designed to promote the morale of employees or other legislative staff are expressly authorized so long as such expenditures otherwise comply with the provisions of this rule. No expenditure in recognition of the service of a particular individual (e.g. flowers or a fruit basket on Secretaries' Day) shall exceed fifty dollars (\$50), and no member shall expend funds for this purpose relative to a specific individual more than four times in a fiscal year. Expenditures of this type shall be supported by written documentation of the name of the individual or individuals with respect to whom the expenditure was made. Expenditures of Senate funds to meet or assist with the personal obligations of employees or other legislative staff – other than lawful expenditures for wages, salary, or other compensation – are prohibited.
- (5) Use of Senate funds for gifts of nominal value for persons honored, on the days or during the temporal periods established by law, by proclamation of the Governor, by Senate Resolution, or by Senate or House Joint Resolution, is expressly authorized.

(6)(A) A member of the Senate may use a portion of the funds under the member's individual office account as an allowance of \$5,000 per month to defray the costs of food, lodging, and other incidental expenses related to community events and activities and other expenses incurred by reason of attending to legislative business in any Senatorial District and outside the Commonwealth. A senator may charge the member's office account for (a) per diem to cover food and lodging, (b) ground transportation and (c) cost of airline transportation to attend legislative business in any Senatorial District and outside the Commonwealth. Costs of transportation for airfare and car rental shall be charged to the member's office account through regular travel procedures.

(B) Funds expended pursuant to this subsection shall be for expenses incurred during the month in which the allowance was disbursed. Additionally, the funds allocated in accordance with this subsection shall be disbursed each month and none of the said funds provided in this subsection shall be advanced.

(C) Any unexcused absent of a Senate member pronounced by the Senate President in a Senate session shall be penalized a reduction of the monthly allowance provided in this subsection. The reduction of the monthly allowance shall be prorated based on the number days of unexcused absence. The reduction shall be taken out of the current month allowance or the following month.

(b) Obligation and expenditure procedure. All obligations, expenditures, disbursements and uses of funds appropriated to the Senate or its members shall conform to the following procedures:

(1) Obligations, expenditures, authorizations and disbursements shall be initiated by the individual Senator whose account is established pursuant to law and these rules. Whenever appropriate, standard procurement, purchase, travel, per diem and contract format shall be observed. Each document pertinent to this part shall include the relevant account number issued by the Secretary of Finance.

(2) Copies of all financial transactions of the Senate and its members shall be maintained by the Secretary of Finance.

(3) Obligations, expenditures, disbursements and all other uses of funds established by law or by the Senate pursuant to these rules or otherwise for the members including the Senate President, shall carry the signature of that member in addition to such other procedures as may be required under this Rule. A member who overspends his budget shall be personally responsible for such over expenditures. Any unspent funds shall remain available without fiscal year limitation to the greatest extent allowable under applicable law.

(c) Committee Accounts. Operation accounts for standing committees shall be created and funded by the Senate President from the presiding officer's account in accordance with Article II, Section 16(c) of the Commonwealth Constitution.

Section 3. Personnel and Employees.

- (a) Senate Clerk. There shall be a Senate Clerk who shall keep the records of the Senate, transmit official Senate communications, and carry out such other duties and responsibilities as may be assigned by these Rules or the President.
- (b) Sergeant-at-Arms. There shall be a Sergeant-at-Arms of the Senate who shall serve the Senate and may be assisted by police officers assigned by the Commissioner of Public Safety.
- (c) Committee Staff. Special and standing committees shall utilize Legislative Bureau staff. A Legislative Bureau staff shall be assigned to each Standing Committee by the Legislative Bureau Director with the approval of the Leadership. A Legislative Bureau staff person may be assigned to more than one Standing Committee at the discretion of the Director and Leadership. Upon the approval of the President, a Committee chair may obtain professional services as may be necessary.
- (d) Legislative Bureau. Legislative Bureau funds and staffing shall be administered by the Executive Director of the Legislative Bureau (Director), as provided by the Commonwealth Constitution or law. Provided, however, that the Executive Director shall prepare a quarterly operations and personnel budget for adoption by the majority of the Leadership. All employment contracts of Legislative Bureau staff assigned to the Senate or Senate Standing Committees shall be reviewed by the Senate Legal Counsel and the President. At no time shall employment contracts for Senate support staff be entered into by the Director for positions other than those provided for in these Rules or after the review and the written consent of the President. The Director shall attend the quarterly Leadership administrative meetings to deliver a report on the financial and staffing status of the Legislative Bureau.
- (e) Employment contract. A standard employment contract form shall be used in the case of member's staff. The form is attached hereto as Appendix "A" of these rules.
- (f) Time and Attendance. Unless otherwise prescribed by these Rules, normal business hours of the Senate, including the offices of individual members and Legislative Bureau support and professional staff assigned to the Senate, shall be from 8:00 a.m. to 5:00 p.m., Mondays through Fridays, except for legal holidays. The Senate President may approve different hours or days on which to conduct official business. The Legislative Bureau shall keep the time and attendance of Bureau staff assigned to the Senate. If directed by a member, the Bureau shall keep the time and attendance of staff assigned to that member. Timekeeping may be by time clock, time card or other suitable means. Members of the Senate shall be responsible for approving or disapproving the time and attendance submissions of their employees.

Section 4. Offices, public availability. All Senators shall maintain offices at the Senate facilities in the central legislative complex located in Capital Hill, Saipan, Senators shall maintain such office hours, but not inconsistent with Section 3(g), as may be individually determined to provide the public reasonable opportunity to contact their Senator. Members from

Tinian and Rota may maintain such offices and services on their respective senatorial district as they may deem reasonable. Funding for Tinian and Rota offices and services shall be the responsibility of the respective members of the Tinian and Rota Delegations. The President shall assign office space and parking space at the Commonwealth Legislature building.

Section 5. Property of the Senate. Vehicles, equipment, furniture and supplies purchased with funds appropriated to the Senate or its members shall be the property of the Senate and shall not be sold, traded, mortgaged or otherwise encumbered in any way nor in any way be used for the personal or private gain of any member or employee of the Senate. All such property in the custody of a member shall be returned immediately upon such member leaving office. The accounting of fixed assets and capital goods shall be in accordance with 1 CMC § 1107.

Section 6. Public Records. It shall be the responsibility of Legislative Bureau to preserve all public records, as defined in 1 CMC §9902, that are or come to be in their respective possession and control.

RULE 14. THE JOURNAL

Section 1. Recording Proceedings. The Senate shall keep a journal of its proceedings while in session. The proceedings shall be recorded on audiotape and, if feasible, videotape, and the audiotape shall be transcribed. However, for purposes of compliance with Article II, Section 14 of the Commonwealth Constitution, the journal in the form of an audiotape shall suffice; provided that if a recording on audiotape cannot be obtained, other means may be used. All other documents, illustrations, photographs, charts, models, and other tangible property considered by the Senate during or as part of its proceedings shall be deemed a part of the journal, unless a motion to otherwise exclude such information is adopted.

Section 2. Publication and Transcription. The Legislative Bureau shall cause the audio recording of the Senate Journal, or any part thereof, to be transcribed. The Journal Clerk may make non-substantive corrections, including such matters as spelling of words and grammatical construction of sentences. The audiotape recording of the journal shall constitute its publication. The audiotape of the journal shall be made available by the Legislative Bureau for duplication. Any member or person may obtain a duplicate copy of any audiotape of the Senate journal by providing a blank audiotape to the Legislative Bureau.

Section 3. Transmittal to Northern Marianas College. Pursuant to 1 CMC § 9914, the Legislative Bureau shall transmit a copy of each transcribed journal adopted by the Senate to the archives of the Northern Marianas College within thirty days of adoption.

RULE 15. SPECIAL SESSIONS

(a) Pursuant to the Constitution, the Senate may be called into Special Session by the Governor between Regular Sessions. 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.

(b) All special sessions called by the Governor shall be held in the Senate Chamber.

RULE 16. MISCONDUCT; PROCEDURE; PUNISHMENT

An affirmative vote of not less than five (5) members of the Senate may act on a charge or charges of misconduct, disorderly behavior, or neglect of duty on a member or members of the Senate proscribed under these Rules, Commonwealth or Federal Laws.

RULE 17. AMENDMENT OF THE RULES

The Official Rules of Procedure of the Senate may be amended by a member proposing to the Senate that a rule be amended. An amendment may be in the form of a Senate Resolution. An amendment to the Rules shall be deemed adopted when approved by five (5) affirmative votes of the members present and voting. Suspension of the Rules shall not constitute an amendment of the Rules. This section and rule shall not be suspended or amended without five (5) affirmative votes of the total membership of the Senate.

RULE 18. 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 first be resolved according to the rules and principles set forth in Mason's Manual of Legislative Procedure, 2010 Edition (Mason's). In the event that any ambiguity, conflict, question or situation should not be resolved by referencing Mason's, then the second source of authority shall be Robert's Rules of Order Newly Revised, 10th Edition (RNOR).

RULE 19. LOCAL MATTERS

(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 filed and may be re-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.