

# OFFICIAL RULES OF PROCEDURE

## Congress of the Federated States of Micronesia

### RULE 1. ORGANIZING THE CONGRESS

#### **Section 1. Convening of regular Congress sessions.**

(a) The Congress shall meet in two regular sessions commencing on the eleventh day of May and the second Monday in October, unless the Presiding Officer shall set a different date or dates.

(b) The sessions required by subsection (a) above shall last for 30 calendar days, unless shortened or extended by a resolution adopted by a majority vote of all Members of the Congress.

**Section 2. Convening in special session.** A special session may be convened at the call of the President of the Federated States of Micronesia, or by the Speaker on the written request of two-thirds of the Members. The President of the Federated States, or the Speaker, may call a special session to convene within 30 days after the declaration of a state of emergency by the President; at such special session the Congress may consider the revocation, amendment, or extension of the declaration.

**Section 3. Place of sessions.** The Congress shall meet at a place in the State of Pohnpei, designated by the Speaker, or in such State of the Federated States of Micronesia as the Congress of the Federated States shall by resolution determine, at a place designated by the Speaker.

**Section 4. Days and times of meetings.** The Congress shall meet regularly for the transaction of business on each day during a session at 10 a.m., Monday through Friday, provided that the Congress may meet on such other days and at such other times as may be agreed upon by the Congress.

#### **Section 5. Call to order.**

(a) The Congress shall be called to order in Palikir, Pohnpei, by the youngest returning Member-elect. He shall be called a temporary Speaker and shall have the power to preserve order and decorum and decide all questions of order, subject to appeal to the Congress.

(b) At all regular and special sessions convened subsequent to the first session of each new Congress of the Federated States of Micronesia, the Congress shall be called to order by the Speaker.

(c) At the first session of each new subsequent Congress, the Congress shall be called to order by the youngest returning Member-elect. He shall be called a temporary Speaker.

**Section 6. Temporary rules.** At the first session of each new Congress of the Federated States of Micronesia, the Congress shall thereupon adopt temporary rules.

**Section 7. Temporary officers and Credentials Committee.** At the first session of each new Congress, the temporary Speaker shall appoint a temporary Clerk. He shall also appoint a committee of four members to examine the credentials of the Members-elect.

**Section 8. Examination of credentials.**

(a) At the first session of each new Congress of the Federated States of Micronesia, the Committee on Credentials shall proceed to examine the credentials of the Members-elect. If the credentials of at least eight of the Members-elect appear in order, the committee shall so report to the Congress. If the credentials of any Member-elect do not on first examination appear to be in order, the committee may make such inquiry as it deems necessary and report its findings and recommendations to the Congress at the time of its initial report, or if it so chooses, the committee may defer its inquiry and report on such Member-elect or Members-elect until after submitting its initial report. The adoption of the report or reports of the Credentials Committee by the Congress shall be final.

(b) If a person is elected or appointed to fill a vacancy in the membership, the Committee on Credentials shall proceed to examine the credentials of such person and report its findings and recommendations to the Congress.

**Section 9. Oath.** The person who calls the first session of each new Congress to order shall request any Justice of the Supreme Court of the Federated States of Micronesia, or a presiding judge of the State court, to administer the following oath of office collectively to the Members-elect holding credentials acceptable to the Congress, and addressed to each such Member:

"I, \_\_\_\_\_ solemnly swear (or affirm) that I will faithfully execute the Office of Senator of the Congress of the Federated States of Micronesia and will, to the best of my ability, uphold, promote, and support the laws and the Constitution of the Federated States of Micronesia, so help me God."

**Section 10. Call of the roll.** The Clerk or temporary Clerk shall thereupon proceed to call the roll.

**Section 11. Rules.** At the first session of the Congress of the Federated States of Micronesia, the temporary Speaker shall entertain a motion for the adoption of the Official Rules of Procedure of the Congress. When properly adopted, the Rules shall govern the conduct of business at all sessions of the Congress held prior to convening the next Congress, provided that such Rules may be amended in accordance with rule 15. If any question of procedure arises which is not specified in these Rules, it shall be decided by the Speaker, subject to appeal to the Congress. The Rules in force at the adjournment sine die of the last session of a Congress shall, until amended or changed, govern the organization of a new Congress.

## **Section 12. Election of permanent officers.**

(a) At the first session of each new Congress of the Federated States of Micronesia, the temporary Speaker shall thereupon conduct an election for a Speaker of the Congress. Upon the election of such Speaker, the temporary Speaker shall thereupon relinquish the chair to the person so elected. In all future proceedings, during all sessions of the Congress, the Speaker so elected shall preside.

(b) At the first session of each new Congress of the Federated States of Micronesia, the Speaker shall thereupon proceed to conduct an election for the Vice Speaker and the Floor Leader, who shall be Members of the Congress. Upon their election, the Speaker shall proceed to conduct an election for the Clerk, who shall be a non-Member of the Congress.

**Section 13. Prayer on convening day.** Following the call to order, the temporary Speaker shall thereupon call for the opening prayer provided for in rule 2, section 2(d).

**Section 14. Notification of the President of the Federated States of Micronesia.** Following the election of the President and Vice President during those years when a President and Vice President are elected or after the organization of the Congress during those years when a President and Vice President are not elected, the Speaker shall appoint a committee of three members to advise the President that the Congress is organized. The Congress shall stand in recess until the committee returns to report orally the accomplishment of its mission.

## **Section 15. Election of the President.**

(a) At the first regular session of each new Congress for which Members-at-large have been elected, the Members shall proceed to elect the President of the Federated States of Micronesia. Any Member may nominate a Member elected to a term of four years to become the President. When the nominations close, the secret balloting for President shall be taken. The President shall be elected by a majority vote of all the Members.

(b) If no nominee receives such majority vote on the first ballot, the Speaker shall announce the names of the two nominees receiving the highest number of votes, and a second and any necessary subsequent ballots shall be taken until one of the two nominees receives the necessary majority vote.

(c) In the event of a tie for the highest number of votes, the balloting shall be repeated until candidates are eliminated by receiving fewer votes than the two candidates receiving the highest number of votes on a particular ballot. Balloting shall continue until a candidate receives a majority vote of the membership.

(d) The Member elected as President shall retain his seat in the Congress until a vacancy has been declared after the election of the Vice President pursuant to section 17 of this rule.

## **Section 16. Election of the Vice President.**

**(a)** After the election of the President, the Members shall proceed to elect the Vice President of the Federated States of Micronesia. Any Member may nominate a Member elected to a term of 4 years to become Vice President, except that the Member elected as President may not be nominated for Vice President. When the nominations close, the balloting for Vice President shall be taken. The Vice President shall be elected by a majority vote of all the members.

**(b)** If no nominee receives such majority vote on the first ballot, the procedures set forth in section 15, subsections (b) and (c), shall be followed until a Vice President is elected.

**Section 17. Declaration of vacancies.** After the Vice President has been elected, the Speaker shall declare vacancies in the seats occupied by the Members elected as President and Vice President.

## **RULE 2. TERMS AND DUTIES OF OFFICERS.**

**Section 1. Terms of office.** The Speaker, Vice Speaker, Floor Leader, Legislative Counsel and Chief Clerk may hold office until the next Congress of the Federated States of Micronesia is called to order, unless such tenure is terminated at an earlier date by death, resignation, election, or by action of the Congress. The removal of the Speaker, Vice Speaker, or Floor Leader from office shall require a two-thirds affirmative vote of all Members. The Chief Clerk and the Legislative Counsel may be removed by the Speaker, subject to appeal to the Congress. Vacancies shall be filled in accordance with the procedure provided in rule 1, section 12.

**Section 2. Speaker.** It shall be the duty of the Speaker:

- (a)** To announce the business before the Congress in the order prescribed by the Rules;
- (b)** To assign to each Member a seat on the floor of the Congress;
- (c)** To maintain order and proper decorum in debate;
- (d)** To open the sittings of the Congress at the appointed hour by taking the chair and calling for a moment of silent prayer, except for the first day of the session when he shall designate a chaplain to open the session with prayer;
- (e)** To receive all communications from the other branches of the Government and present them to the Congress, and to direct the different committees to consider subjects in such messages;
- (f)** To receive and submit all matters properly brought before the Congress by the Members, to call for votes upon the same, and to announce the results;
- (g)** To authenticate by his signature all official acts and papers of the Congress, and to transmit the same as required;
- (h)** To make known rules of procedure and interpret such rules when so requested, and to decide points of order;
- (i)** To direct the activities of the Clerk, Legislative Counsel, and other administrative officers and employees of the Congress, to oversee the administration of the business of the Congress, and to appoint an Acting Clerk in the absence of the Clerk;
- (j)** To name, if he so desires, a Member to perform the duties of the Chair when the Vice Speaker and Floor Leader are not available to perform such duties, which Member shall be known as Speaker pro tempore while so serving, but such substitution shall not extend beyond an adjournment of any session;
- (k)** To administer the oath to public officials or to direct the Floor Leader

to administer the oath to any Member from time to time; and

(l) To do and perform such other duties as may be required by law, these Rules, and as may properly appertain to the Office of Speaker.

**Section 3. Vice Speaker.** It shall be the duty of the Vice Speaker to exercise all the duties and powers of the Speaker in the latter's absence.

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

(a) To serve as Floor Leader during sessions of the Congress, proposing routine motions which contribute to the orderly and speedy conduct of business, and to act as floor manager in aid of the speedy disposition of a bill or resolution when a Member so responsible does not assume this task;

(b) To administer the oath to any Member as may be directed by the Speaker from time to time;

(c) To perform the duties of the Chair in the absence of the Speaker and Vice Speaker; and

(c) To undertake such legal research as may be requested by the Congress, its committees, or Members;

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

**Section 5. Legislative Counsel.** It shall be the duty of the Legislative Counsel:

(a) To act as counsel and legal adviser to the Congress;

(b) To render legal services to the standing committees, special committees, or any Members of Congress upon request;

(c) To undertake such legal research as may be requested by the Congress, its committees, or Members;

(d) To draft bills and resolutions as needed or requested;

(e) To advise the Congress of needed revisions to laws or bills to bring them into conformity with the Constitution of the Federated States of Micronesia and decisions of courts with jurisdiction in the Federated States of Micronesia;

(f) To supervise the staff attorneys and researcher within the Office of the Legislative Counsel, as well as the operation of the Library through supervision of the librarians; and

(g) To assume such other related or additional duties as the Congress or the Presiding Officer may assign.

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

(a) To attend the Congress every day it meets, unless excused by the Speaker;

(b) To have charge of all the records of the Congress and to be responsible for the same and never permit original documents to be withdrawn from his keeping unless ordered by the Speaker;

(c) To make a concise and complete memorandum of all petitions, motions, bills, resolutions, amendments, and other matters brought before the Congress, and their disposition; such memoranda shall state the nature of the matter, give the name of the introducer, and be dated each day; and such memoranda, the daily session proceedings, together with other matters ordered to be placed therein, shall constitute the journal of the day;

(d) To countersign all acts of the Congress, thus attesting to the authentication of the Speaker's signature;

(e) To prepare all bills, resolutions, and other matters;

(f) To forward promptly all letter, messages, communications, or other matters to the proper parties, either directly or through a committee, as the case may be;

(g) To deliver to the chairman of the appropriate committee all petitions, resolutions, bills, or other matters duly referred to such committee;

(h) To prepare, for the respective committees to which have been referred subjects contained in the messages of the President of the Federated States of Micronesia, a memorandum of the subjects so referred;

(i) To attach a statement to any bill or instrument which, in the absence of the Speaker and Vice Speaker and Floor Leader, has been signed by the Speaker pro tempore, that such Speaker pro tempore was duly serving; and

(j) To do and perform all other duties and responsibilities pertaining to the position of Clerk of the Congress as the Congress shall, from time to time, direct, and as shall by law, CFSM Administrative Manual, these Rules, or Rule hereafter adopted, be assigned to him.

**Section 7. Sergeant at Arms.** During each session of the Congress, the Speaker shall designate a person to serve temporarily as a Sergeant at Arms whose duties shall be:

(a) To attend the daily sessions of the Congress unless excused by the Speaker;

(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;

(d) To attend committee meetings if so requested;

(e) To serve all orders or process as directed by the Speaker;

(f) To make all required arrests of Members or other persons and to restrain the same in custody;

(g) To disallow anyone from entering the floor of the Congress except the Members, authorized employees, and official guests of the Congress; and

(h) To execute all other duties and requirements of his office.

### **RULE 3. QUORUM AND ATTENDANCE.**

A majority of the Members 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. For the opening day of session, at least one Member from each of the four States shall be included in the initial quorum unless sufficient notice was given to permit the attendance of the Members absent and they do not answer to the quorum count. The Speaker may declare the Congress adjourned if no quorum is present at the hour of opening. For purposes of ascertaining whether a quorum exists, the Speaker shall count the Members present. During a meeting of the Congress, any Member may call upon the Speaker to determine whether a quorum exists or not, and the Speaker shall so determine and announce his finding. A Member shall not be absent unless he has leave of the Speaker, subject to appeal to the Congress. The name of a Member not present to answer to a quorum count, and not excused by the Speaker, shall be noted on the Journal as absent.



## **RULE 4. PROCEDURE AND SESSIONS.**

**Section 1. Public sessions.** Sessions of the Congress of the Federated States of Micronesia shall be open to the public.

**Section 2. Language of proceedings.** All legislative proceedings shall be conducted in English, provided that a Member lacking fluency in English may use his own language and the Congress shall provide translation.

**Section 3. Sitting in or entering the Chamber.** No Member shall sit at the desk of the Speaker or of another Member or of the Clerk, except by permission of the Speaker. A person who is not a Member of the Congress, an official interpreter, or an employee of the Congress shall not enter upon the floor during a session except at the invitation or with the permission of the Speaker.

**Section 4. Communications media.** Members of the press and other representatives of the public communications media desiring to report the proceedings of the Congress to the public may be admitted to the Congress by the Speaker. The Speaker may assign such person a place and facilities which will not interfere with the operations of the Congress.

**Section 5. Recognition.** When a Member desires recognition, he shall address the Chair, "Mr. Speaker." When recognized, he shall confine himself to the purpose for which he sought recognition. The Speaker 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, unless he is the mover of a motion, or chairman of the committee reporting out a measure on the floor.

### **Section 6. Holding the floor and manner of address.**

**(a)** A Member shall continue to hold the floor until such time as he ceases to speak to the question or otherwise yields the floor, except that he 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 10 minutes each time on a question before the Congress, unless the Member speaks through an interpreter in which case a maximum of 20 minutes shall be allowed.

**(b)** A Member shall address or refer to his fellow Members either as "Senator \_\_\_\_\_" or "The Senator from \_\_\_\_\_."

**Section 7. Closing debate and voting on the question.** The Speaker may close debate and call for a vote on the question before the Congress at any time he is satisfied that every Member desiring to speak to the question has spoken or has had an opportunity to do so, subject to appeal to the Congress. If the previous question is moved and adopted, debate shall be closed, provided that the mover of the motion before the Congress on which debate is being closed may make a closing statement of 5 minutes or less in support of his motion, or delegate the right to another Member of the Congress.

**Section 8. Rulings of the Chair.** The Speaker shall decide all questions of order whether or not specified in these Rules, subject to appeal to the Congress, which decision shall be considered overruled if two-thirds of the Members present and voting vote not to sustain the ruling of the Speaker.

**Section 9. Dress.** Members, officers, and employees appearing on the floor of the Congress shall be suitably attired. The Speaker may prescribe the required dress, subject to appeal to the Congress, and make such exceptions as he sees fit.

**Section 10. Interruptions.** No Member shall engage in private discourse when the Speaker or a Member is speaking, nor leave the Chamber, nor walk about the floor when the Speaker is speaking, nor walk between a Member who is speaking and the Speaker.

**Section 11. Disorderly manner of Members.** If any Member shall conduct himself in a disorderly manner during any session of the Congress, the Speaker shall order such Member to keep his seat and preserve the peace. If the Member shall persist in his disorderly conduct, the Speaker shall order the Sergeant at Arms to remove the Member from the Chamber. The Member shall not be permitted to take his seat during the remainder of that day's session unless the Speaker shall so permit.

**Section 12. Discipline of Members.** The Congress may discipline its Members by censure for disorderly behavior, neglect of duty, or violation of the oath of office. The Congress may also suspend or expel a Member by two-thirds vote of the total membership of the Congress.

**Section 13. Disturbance.** In the case of disturbance or disorderly conduct, the Speaker may have the Chamber cleared of all persons, except Members and officers, in order to abate the disturbance or disorderly conduct.

## **RULE 5. ORDER OF BUSINESS.**

### **Section 1. Order of business.**

- (a) Call to Order;
- (b) Moment of Silent Prayer;
- (c) Roll Call;
- (d) Reading of the Journal;
- (e) Presidential Communications;
- (f) FSM Supreme Court Communications;
- (g) Member Communications;
- (h) Departmental Communications;
- (i) State Communications;
- (j) State Supreme Court Communications;
- (k) Municipal or Town Communications;
- (l) Foreign Government Communications;
- (m) Standing Committee Reports;
- (n) Special Committee Reports;
- (o) Unfinished Business;
- (p) Bill Calendar;
- (q) Resolution Calendar;
- (r) Introduction of Bills and Resolutions;
- (s) Miscellaneous Communications;
- (t) Miscellaneous Business;
- (u) Announcements;
- (v) Recess.

**Section 2. Change in order of business.** The Congress may by previous motion direct that any matter named shall be made a special order of business and that such special order shall take precedence over all other business after the fifth order, or such lesser position on the order as the motion shall prescribe.

## **RULE 6. COMMITTEES GENERALLY.**

**Section 1. Types of committees.** There shall be standing committees created by the Rules. Special committees shall be established by the Speaker as required to consider and report on such special or temporary matters as are referred to them. Special committees shall be temporary committees which shall remain in existence until discharged by the Speaker, subject to appeal to the Congress. The Congress may resolve itself into the Committee of the Whole, consisting of the entire membership of the Congress, 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 Congress.

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

**Section 3. Powers and authority of committees.** Each committee is hereby authorized to study and analyze all facts relating to the subjects which would fall within its jurisdiction as indicated by rule 6, section 1, or rule 7, sections 1 to 6, including, but not limited to, a needed revision of the laws or needed legislation relating to that subject, and for such purposes shall constitute an investigating committee pursuant to 3 F.S.M.C. 401, et seq., as amended. Witnesses may be summoned and examined, and documents and records may be searched and examined in accordance with 3 F.S.M.C. 401, et seq., as amended, and everything shall be done to bring all facts pertaining to the matter before the Congress.

**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. Structure of committees.**

(a) Subcommittees may be created within standing committees to facilitate the work of the standing committees. The members of the committee shall decide whether or not a subcommittee needs to be created, and which subjects the subcommittee will have jurisdiction over. Each subcommittee shall have at least three members, including a chairman and a vice chairman. The members of the subcommittee shall be chosen by the members of the committee. The chairman and vice chairman of the subcommittee shall be chosen by the members of each subcommittee.

(b) Subcommittees shall submit their reports in writing to the chairman of the standing committee.

(c) Apart from the requirements of subsections (a) and (b) above, the rules applicable to committees apply with equal force to subcommittees of standing committees.

### **Section 6. Meetings.**

(a) **Meetings of the committees, including the Committee of the Whole,** shall be open to the public unless a majority of the members thereof determine otherwise. No committee shall sit at a time when the Congress is in session without permission of the Congress.

(b) The chairman of any standing or special committee may arrange for the joint meeting of his committee with another committee to conduct their business jointly. Final action shall be taken by each committee separately.

#### **Section 7. Appointments of members.**

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

(b) Members of standing committees shall be appointed by the Speaker, after consultation with the Members of the Congress as to the committee or committees on which each prefers to serve, subject to appeal to the Congress.

(c) No Member may serve on more than four standing committees. This subsection shall not apply if there are one or more vacancies in a State's Congressional Delegation and the application of this subsection would deprive that State of fair representation on one or more standing committees.

#### **Section 8. Chairman and vice chairman.**

(a) The chairman of each standing committee or special committee, and the chairman for each continuous session of the Committee of the Whole, shall be appointed by the Speaker, subject to appeal to the Congress. A vice chairman shall be chosen by the members of each standing committee.

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

(c) A Member of Congress who serves as a chairman of a standing committee may not serve as a chairman or vice chairman of another standing committee. The Speaker, Vice Speaker and Floor Leader may not serve as a chairman or vice chairman of any standing committee.

#### **Section 9. Committee reports.**

(a) Special committees shall report within the time allowed by the Speaker. Standing and special committees shall submit their reports in writing to the Clerk who shall number the reports consecutively in the order received, cause such reports to be reproduced, and furnish a copy to each Member of the Congress. A committee report shall state findings of fact and conclusions based thereon together with a specific recommendation as to the manner in which the bill, resolution, or other matter referred to the committee should be disposed of by the Congress. A report recommending a bill for passage shall clearly state the purpose of the bill and the intent of the legislation. A report upon a bill shall state clearly any proposed amendments thereto, and a copy of the bill as proposed to be amended by the committee shall be attached thereto.

(b) A report shall be considered adopted by a committee when a majority of the members of the committee has signed the report concurring therein. 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 Congress all actions taken on any matter referred to it.

**Section 10. Rights of members.** A majority of the members of a committee may require the chairman to place any bill, resolution, or other matter referred to the committee on the agenda for committee consideration and to submit such a bill, resolution, or other matter to the committee for its decision.

**Section 11. Withdrawal of bills, resolutions, and other matters from committee.** Any bill, resolution, or other matter referred to a committee at a regular session may be withdrawn from such committee on or after the fifteenth day of the session by an affirmative vote of a majority of the Members of the Congress present, a quorum being present, provided that the bill, resolution, or other matter shall have been referred to committee six or more days prior to recall. Any bill, resolution, or other matter referred to a committee at a special session may be withdrawn by affirmative vote of a majority of the Members of the Congress present, a quorum being present, after half of the period for which the session was called has elapsed.

RULES OF PROCEDURE  
**RULE 7. STANDING COMMITTEES.**

The standing committees of the Congress of the Federated States of Micronesia shall be as specified herein as follows:

**Section 1. Ways and Means.**

**(a)** The Committee on Ways and Means shall consist of not more than seven members with at least one member from each of the four States. It shall be the duty of this committee to consider and report on all bills, resolutions, and other matters referred to it pertaining to the finances and financial administration of the Government of the Federated States of Micronesia or any of the four constituent States or a municipality thereof, such subjects to include but not be limited to taxes, export duties, and tariffs; non-tax revenues; budgets; expenditures; appropriation measures; loans, borrowing, or indebtedness on public credit; monetary claims, funding arrangements, or requirements; accounting and audits, past, present or proposed; the issuance and regulation of currency; and other related subjects, including Presidential nominations submitted to the Speaker which require the advice and consent of Congress. Bills and resolutions or other matters pertaining to internal organization or management of the Congress of the Federated States of Micronesia shall also fall within the scope of the duties of the Congress. It shall be the duty of this committee to consider, investigate, and recommend to the Congress any needed revisions of existing laws or new legislation relating to any subject matter within its jurisdiction.

**(b)** This committee shall be responsible for reviewing specific subjects in the budget of the President, and all supplementals thereto, which make a request for an appropriation which relates to a subject matter within its jurisdiction. Pursuant to its review the committee shall recommend whether the matters referred to it, or portions thereof, will be authorized, and if so, in what amount. Following its review the committee shall promptly report its recommendation to the Congress. Those subjects which fall within the jurisdiction of this committee include, but are not limited to, the following:

**(i)** Department of Finance and Administration;

**(ii)** Office of the President; and

**(iii)** Public Auditor.

**(c)** This committee shall be responsible for reviewing all reports referred to it by the Congress from other standing committees as pertain to the budget of the President and all supplementals thereto. Pursuant to said review this committee shall determine to what extent funds are available to meet the recommendations of the committee which authored the referred report. After this determination has been made, this committee shall promptly report its recommendation to the Congress. In no instance may this committee recommend an appropriation in an amount higher than that recommended by the Committee which authored the referred report. However, this committee may recommend an appropriation in a lower amount if funds are determined to be insufficient to meet the recommendations contained in the referred report.

**Section 2. Resources and Development.**

**(a)** The Committee on Resources and Development shall consist of not more than seven members with at least one member from each of the four States. It shall be the duty of this committee to consider and report on all bills, resolutions, and other matters referred to it pertaining to the economy of the Federated States of Micronesia and the resources thereof, including economic planning, priorities, and policies; public or private investments; development loans; private savings and indebtedness; usury and banking; labor and manpower development; agriculture, forestry, and internal fisheries development; exploitation of land-based mineral resources; land management, industries, and public utilities; interstate trade and commerce; regulation and management of ownership, exploitation, and exploration of mineral or natural resources within marine space of the Federated States of Micronesia beyond 12 nautical miles from baselines; and other related subjects, including Presidential nominations submitted to the Speaker which require the advice and consent of Congress. It shall be the duty of this committee to consider, investigate, and recommend to the Congress any needed revisions of existing laws or new legislation relating to any subject matter within its jurisdiction.

**(b)** This committee shall be responsible for reviewing specific subjects in the budget of the President, and all supplementals thereto, which make a request for an appropriation which relates to a subject matter within its jurisdiction. Pursuant to its review the committee shall recommend whether the matters referred to it, or portions thereof, will be authorized, and if so, in what amount. Following its review the committee shall promptly report its recommendation to the Congress. Those subjects which fall within the jurisdiction of this committee include, but are not limited to, the following:

**(i)** Department of Economic Affairs;

**(ii)** Pacific Asian Travel Association;

**(iii)** Micronesian Maritime Authority; and

**(iv)** Pacific Island Development Program.

### **Section 3. Health, Education and Social Affairs.**

**(a)** The Committee on Health, Education and Social Affairs shall consist of not more than seven members with at least one member from each of the four States. It shall be the duty of this committee to consider and report on all bills, resolutions, and other matters referred to it pertaining to physical and natural environment; physical and mental health of the general public; public education; public welfare; social security and general well-being of the people of the Federated States of Micronesia; and other related subjects, including Presidential nominations submitted to the Speaker which require the advice and consent of Congress. It shall be the duty of this committee to consider, investigate, and recommend to the Congress any needed revisions of existing laws or new legislation relating to any subject matter within its jurisdiction.

**(b)** This committee shall be responsible for reviewing specific subjects in the budget of the President, and all supplementals thereto, which make a request for an appropriation which relates to a subject matter within its jurisdiction. Pursuant to its review

the committee shall recommend whether the matters referred to it, or portions thereof, will be authorized, and if so, in what amount. Following its review the committee shall promptly report its recommendation to the Congress. Those subjects which fall within the jurisdiction of this committee include, but are not limited to, the following:

**(i)** Department of Health, Education and Social Affairs;

**(ii)** Board of Regents of the College of Micronesia;



- (iii) College of Micronesia operations;
- (iv) Compact Section 221(b) programs;
- (v) Vocational agricultural programs; and
- (vi) East-West Center.

#### **Section 4. Judiciary and Governmental Operations.**

- (a) The Committee on Judiciary and Governmental Operations shall consist of not more than seven members with at least one member from each of the four States. It shall be the duty of this committee to consider and report on all bills, resolutions, and other matters referred to it pertaining to civil and criminal laws; immigration; judicial administration and organization; land laws and traditional rights; suffrage and National elections; proposed revisions of statutes; governmental organization, structure, or functions; civil service; patents and copyright; insurance, securities, and insolvencies; bankruptcy; postal service and functions; National Capital administration and management; constitutional amendments; judicial appointments; Presidential impeachment or judicial removal; suspension or expulsion of Members of the Congress; and other related subjects, including Presidential nominations submitted to the Speaker which require the advice and consent of Congress. It shall be the duty of this committee to consider, investigate, and recommend to the Congress any needed revisions of existing laws or new legislation relating to any subject matter within its jurisdiction.
- (b) This committee shall be responsible for reviewing specific subjects in the budget of the President, and all supplementals thereto, which make a request for an appropriation which relates to a subject matter within its jurisdiction. Pursuant to its review the committee shall recommend whether the matters referred to it, or portions thereof, will be authorized, and if so, in what amount. Following its review the committee shall promptly report its recommendation to the Congress. Those subjects which fall within the jurisdiction of this committee include, but are not limited to, the following:
  - (i) Department of Justice;
  - (ii) Office of the Public Defender;
  - (iii) National Judiciary; and
  - (iv) National Postal Service.

## **Section 5. External Affairs.**

**(a)** The Committee on External Affairs shall consist of not more than seven members with at least one member from each of the four States. It shall be the duty of this committee to consider and report on all bills, resolutions, and other matters referred to it pertaining to the National defense and security; foreign affairs; international trade and commerce, including matters relating to establishment of embassies, consulates, or liaison offices in foreign countries; any treaty-related matters, including diplomatic relations and maritime matters; acquisition, admission, or governance of new territory; relations between the National Government and the people of the Federated States of Micronesia, other sovereign nations, the United Nations and any of its organs, and other international organizations; and other related subjects, including Presidential nominations submitted to the Speaker which require the advice and consent of Congress. It shall be the duty of this committee to consider, investigate, and recommend to the Congress any needed revisions of existing laws or new legislation relating to any subject matter within its jurisdiction.

**(b)** This committee shall be responsible for reviewing specific subjects in the budget of the President, and all supplementals thereto, which make a request for an appropriation which relates to a subject matter within its jurisdiction. Pursuant to its review the committee shall recommend whether the matters referred to it, or portions thereof, will be authorized, and if so, in what amount. Following its review the committee shall promptly report its recommendation to the Congress. Those subjects which fall within the jurisdiction of this committee include, but are not limited to, the following:

**(i)** Department of Foreign Affairs;

**(ii)** United Nations Economic & Social Commission for Asia and the Pacific;

**(iii)** South Pacific Commission; and

**(iv)** International Civil Aviation Organization.

## **Section 6. Transportation and Communications.**

**(a)** The Committee on Transportation and Communications shall consist of not more than seven members with at least one member from each of the four States. It shall be the duty of this committee to consider and report on all bills, resolutions, and other matters referred to it pertaining to all forms of communications, including, but not limited to, telephone, telegraph, radio, television, and shortwave; regulation of broadcasting and broadcast facilities; land, sea, and air transportation, including regulation and management of navigation and shipping; aeronautics and air navigational facilities; and other related subjects, including Presidential nominations submitted to the Speaker which require the advice and consent of Congress. It shall be the duty of this committee to consider, investigate, and recommend to the Congress any needed revisions of existing laws or new legislation relating to any subject matter within its jurisdiction.

**(b)** This committee shall be responsible for reviewing specific subjects in the budget of the President, and all supplementals thereto, which make a request for an appropriation which relates to a subject matter within its jurisdiction. Pursuant to its review the committee shall recommend whether the matters referred to it, or portions thereof, will be authorized, and if so, in what amount. Following its review the committee shall promptly report its recommendation to the Congress. Those subjects which fall within the jurisdiction of this committee include, but are not limited to, the following:

**(i)** Department of Transportation, Communication and Infrastructure; and

**(ii)** Telecommunications Corporation.

## **RULE 8. BILLS, RESOLUTIONS, AND AMENDMENTS.**

**Section 1. Property of the Congress.** All bills or resolutions introduced in the Congress and committee reports thereon shall be deemed the property of the Congress and under its control.

**Section 2. Types of measures.** The following are measures to be considered in the Congress:

- (a) Congressional Bill (C.B.), which shall identify bills introduced in the Congress; and
- (b) Congressional Resolution (C.R.), which shall identify resolutions introduced in the Congress.

### **Section 3. Format of bills and resolutions.**

(a) All bills and resolutions shall be typewritten with black ribbon, double-spaced leaving a left margin of one and one-half inches and with the number of the line appearing on each line at the left margin.

(b) Bills and resolutions for introduction shall be submitted in an original and four copies. Each original copy of a bill or resolution shall be dated and signed by the Member introducing the measure at the bottom of the last page thereof. The introducer thereof may permit other Members to affix their signatures to the measure. When a Member wishes to indicate he is introducing a measure by specific request without necessarily sponsoring it, he may affix the words "by request" after his signature.

**Section 4. Numbering of bills and resolutions.** Bills and resolutions shall be numbered by the type of measure with the numerical designation of the Congress followed by numerals in consecutive order corresponding with their respective order of introduction. The first time a bill or resolution is amended, the designation "C.D.1" shall be appended after the numerical designation of the bill or resolution to indicate "Congressional Draft 1." Each time the bill or resolution is subsequently amended, the numerical designation shall be increased by one.

### **Section 5. Form of bills.** To pass First or Second Reading, each bill shall:

(a) Contain an enacting clause reading: "BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:";

(b) Embrace but one subject which subject shall be expressed in the title; and

(c) Not amend or revise an existing law by reference to its title only, but the law as revised, or section as amended, shall be set forth at full length in the bill. copies of bills and resolutions, when introduced, and committee reports, when submitted to him by a committee.

(b) The Clerk shall provide each Member with a copy of each bill and each resolution and each amended copy thereof, at the time of introduction, in amended form following submission of a report with amendments by a committee, or after amendment on the floor if required by rule 8, section 9. The 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 reports have been duplicated and distributed to each Member on the previous day of the session.

### **Section 7. Referral and reading of bills.**

(a) Following duplication, the Speaker, after consultation with the Vice Speaker and Floor Leader,

shall refer bills to an appropriate committee or committees. The Speaker shall announce to the Congress each bill's referral at the time it is made. The Speaker may place a bill on the Bill Calendar for First Reading without referral to a committee, but such action shall not be adopted unless a majority of all Members vote in favor of it.

**(b)** Committee reports shall first be delivered to the Clerk, who shall place a number on them in consecutive order and cause the same to be printed and distributed to Members.

**(c)** The reports of committees reporting on a bill shall be separated from the bill and acted on separately. Congress may not consider committee reports for adoption until the next session day following the day on which the committee reports have been distributed to the Congress. Such reports may recommend that the bill, in its original or in amended form:

**(i)** Pass First and Second Readings;

**(ii)** Be favorably considered but first be referred to another committee or be passed to the next committee to which it was initially referred; or

**(iii)** Be filed.

If a bill has been referred to more than one committee, the Congress shall receive and consider the reports of the second and subsequent committees prior to the First Reading of the bill. The First Reading of a bill shall be by its title, provided that the Clerk shall read the bill at length if requested to do so by six Members present.

**(d)** A copy of each bill which has passed First Reading shall be submitted to the Legislative Counsel for review as to the form prior to being placed on the Bill Calendar for Second Reading. The Counsel shall, if necessary, make a report on the bill to the Speaker without delay.

**(e)** The Clerk shall place bills on the Bill Calendar in the order received from the several committees, or from the Speaker if the bill has not been so referred.

**(f)** Upon Second Reading, a bill shall be read by title, provided that the Clerk shall read the bill at length if requested to do so by six Members present.

**(g)** No appropriation bills, except those recommended by the President for immediate passage or to cover the operating expenses of Congress, may be passed on Final Reading until the bill appropriating money for the budget of the National Government has been enacted.

### **Section 8. Consideration of resolutions.**

**(a)** Following duplication and distribution of a copy to each Member of the Congress, the Speaker may order that a resolution be placed on the Resolution Calendar or be referred to one or more committees, subject to the action of the Congress. The Speaker shall announce to the Congress each resolution's referral at the time it is made.

**(b)** The reports of the committees reporting on a resolution shall be separated from the resolution and acted on separately. The report may recommend that the resolution:

**(i)** Be placed on the Resolution Calendar for adoption;

**(ii)** Be favorably considered but first be referred to another committee or be passed to the next committee to which it was initially referred, or

**(iii)** Be filed.

**(c)** If a resolution has been referred to more than one committee, the Congress shall receive and consider the reports of the second and subsequent committees and shall take appropriate action thereon.

**(d)** The Clerk shall place the resolutions on the Resolution Calendar for adoption in the order

received from the Speaker, provided that if they were referred to a committee, they shall be placed on the Resolution Calendar in the order they were received from the final committee considering them.

(e) A resolution upon the Resolution Calendar shall be read by title. A majority of the Members present may request a reading of a resolution at length.

**Section 9. Amendments.** Amendments to bills or resolutions may be offered on the floor of the Congress by any Member, provided that the proposed amendment is in writing. Such amendment shall be read by the Clerk. Unless the amendment is a corrective or technical amendment, making no substantive change, the entire bill or the page or pages affected, as the Speaker shall direct, shall be reduplicated and distributed to the Members prior to the next reading of the bill. Amendments to bills offered on the floor which are substantive and not merely corrective or technical, shall only be offered before first reading of a bill. Amendments to bills offered on the floor which are corrective or technical, making no substantive change to the bill, may be offered before first or second reading of a bill. Any Member may object to an amendment as not being corrective or technical but being substantive in character, and the Speaker shall rule thereon.

#### **Section 10. Certifying and transmitting of bills and resolutions.**

(a) When a bill passes or a resolution is adopted, it shall be certified by the Speaker and by the Chief Clerk, noting the day of its passage or adoption.

(b) The Chief Clerk shall cause each bill which has passed First and Second Readings to be prepared in final form and shall transmit the original to the President within 30 days. The Speaker will authenticate it by his signature, thus certifying to the accuracy of the bill so transmitted, and the same thereof shall be attested to by the Chief Clerk. The final form is prepared by the Chief Clerk for the President's signature and public printing.

(c) The Chief Clerk shall cause each resolution which has been adopted to be prepared in final form and shall transmit the originals to the addressees within 30 days. The Speaker will authenticate them by his signature, thus certifying to their accuracy; the same shall be attested to by the Chief Clerk.

**Section 11. Overriding a Presidential veto.** Whenever a bill passed by the Congress is disapproved by the President, the Speaker shall refer the bill and the President's reasons for disapproving to the committee to which the measure was originally referred. The committee shall then report on the measure and recommend that the measure either be overridden or not overridden. The bill may be withdrawn from the committee by majority vote of the Members of Congress present, a quorum being present, at any time subsequent to such referral to the committee notwithstanding the time periods established in rule 6, section 11. Overriding requires an affirmative vote by at least three State delegations, such vote to be conducted according to rule 10, section 12. If a bill that was disapproved by the President is overridden by the Congress, the Clerk shall transmit the bill to the President under the certification of the Speaker.

## **RULE 9. MOTIONS.**

**Section 1. Seconding.** No motion shall be considered by the Congress until it has been seconded. This requirement shall not apply to points of privilege, information, or order, nor to requests to withdraw a motion.

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

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

- (a) Lay on the table;
- (b) The previous question;
- (c) Defer to the end of the day's calendar;
- (d) Defer to the end of the calendar;
- (e) Postpone definitely, or to a certain time;
- (f) Commit or Refer, or Recommit;
- (g) Amend; and
- (h) Postpone indefinitely,

which motions shall have precedence in the order named. The first, second, third and fourth motions shall be decided without debate and shall be put to vote as soon as made and seconded. All the rest of the 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 a specific matter is defeated, it shall not be revived on the same 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 Congress may be the mover of a privileged motion at any time such a motion is appropriate to the order of business. A privileged motion shall take precedence over main and subsidiary motions and shall be disposed of before the Congress proceeds with other business.
- (b) A Member may raise a *point of privilege* concerning a matter which relates to him as a Member of the Congress or which relates to the privileges or welfare of the Congress. When a Member raises a point of privilege, the Speaker shall interrupt the proceedings of the Congress 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 Speaker may recess the Congress for or to a specific time or at the call of the Chair, subject to appeal to the Congress.

(d) A Member may move to *adjourn*, 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 to a specified time or sine die shall be subject to debate and amendment. If the motion to adjourn is adopted, action on the question before the Congress shall be discontinued and shall be considered on the next meeting day 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 Congress. The Speaker may adjourn the Congress for or to a specific time or to the time provided in rule 1, section 4, subject to appeal to the Congress.

#### **Section 5. Incidental motions.**

(a) A Member of Congress 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 Congress. When a Member raises a point of information, the Speaker shall ask the Member to state his point. The point shall not be debatable. The Speaker shall respond to the point of information as soon as raised or request another Member to respond. The Speaker 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 point shall be whether the Rules and applicable laws governing the conduct of business in the Congress are being observed. When a Member raises a point of order, the Speaker 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 Speaker as soon as raised, subject to appeal to the Congress. If the ruling of the Speaker is appealed, the Member raising the point of order and the Speaker shall each be allowed five minutes to explain his position or ruling.

(d) A Member may move to *withdraw his motion*. When a Member moves to withdraw his motion, the Speaker shall interrupt the proceedings and permit the motion to be withdrawn if there has been no decision on or amendment to the motion as of the time the Member requests withdrawal of his motion.

(e) A Member may move for *division of question* when he finds two or more specific subjects within the same general subject of a bill or resolution before the Congress and desires that each such specific subject be considered and voted on separately. When a Member moves for division of the question, the Speaker shall interrupt the proceedings and permit the Member to make his motion, which 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 or adoption, 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 Congress* 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 moves for a call of the Congress, the Speaker 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 Congress is removed by action of the Speaker, subject to appeal to the Congress. The Speaker may order a call of the Congress, subject to appeal to the Congress.

(g) A Member may move to *remove a bill or resolution from the table* at an appropriate time in the order of business of the Congress. The motion 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 a motion shall state the specific purpose to be accomplished by suspension of the Rules and the specific sections or paragraphs of the Rules which shall be suspended. When a Member moves for suspension of the Rules, the Speaker shall permit the mover to make his motion. The motion shall be decided without debate and shall be put to vote as soon as made, and shall require an affirmative vote by two-thirds of the Members present for adoption. Any suspension of the Rules shall terminate when the specific purpose to be accomplished by suspension of the Rules has been disposed of by the Congress.

**Section 6. Motion to reconsider.** When a main motion has been made once and carried in the affirmative or negative, it shall be in order for any Member of the Congress to move to reconsider it on the same or succeeding days 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 a 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.** When a bill, resolution, or other matter upon which a vote has been taken has passed out of the possession of the Congress and has been transmitted to the President of the Federated States of Micronesia, it shall be in order for any Member of the Congress to move for recall of the bill, resolution, or other matter by requesting the President to return the bill, resolution, or other matter to the Congress, and such motion shall take precedence over all motions except a motion to adjourn or to recess. The motion shall be decided without a debate and shall be put to vote as soon as made. An affirmative vote of three State delegations is required to recall a bill. When a motion for recall has been decided and defeated, a second motion for recall of the same bill 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 Congress for reconsideration in the regular order of business.

**Section 8. Previous question.** A Member may move to the previous question, provided that the Speaker first ascertains that an opportunity to speak on the question has been provided to at least one Member in each of the State delegations. The motion for the previous question shall be decided without debate and shall be put to vote as soon as made. The adoption of the motion shall require a majority of the entire membership of the Congress. The adoption of the motion for the previous question shall close debate and require the Speaker to put the previous question before the Congress for a vote.

RULES OF PROCEDURE  
**RULE 10. VOTING.**

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

- (a) By voice vote;
- (b) By the raising of hands;
- (c) By secret ballot; and
- (d) By call of the roll of the Members and recording of the vote of each Member by the Clerk.

**Section 2. Choice of method of voting.** The Speaker may designate the method of voting to be followed by the Congress 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 Congress. Whenever the Congress shall be ready to vote on any question, the Speaker shall state the question. He shall then request all those in favor of the motion to vote "Aye" in a clear, loud voice. The Speaker shall then request all those opposed to the motion to vote "No" in a clear, loud voice. The Speaker shall then announce the results of the vote to the Congress.

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

**Section 5. Secret ballot.** If three Members shall request a vote by secret ballot, the Speaker 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 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 be recorded as if he had written "Yes." The Clerk shall collect and tally the ballots and report the results thereof to the Speaker who shall announce the results of the vote to the Congress. 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 one-fifth of the Members present 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 Speaker shall announce a call of the roll. The Speaker shall state the question calling upon those in favor of the motion to respond "Aye" when their names are called and those opposed to respond "No" when their names are called. The Clerk shall call the roll, recording the vote of each Member in the Journal. He shall inform the Speaker of the results of the call of the roll who shall, in turn, announce the results of the vote to the Congress.

**Section 7. Nonvoting.** No Member present in the Congress shall refrain from voting unless excused in accordance with section 8 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 Speaker to respond "Aye" or "No," and if he still fails to vote, the Speaker shall order the Clerk to record his vote in the affirmative.

**Section 8. Conflict of interest.** No Member shall be permitted to vote upon any matter in which he has a distinct, individual, pecuniary interest or which will affect his right to a seat in the Congress or in a matter in which his individual conduct is involved. When any Member has a distinct, individual, pecuniary interest which he believes might disqualify him from voting on a question, he shall stand and disclose such interest to the Congress. The Speaker shall thereupon rule as to whether the Member shall or shall not be disqualified from voting on the question, subject to appeal to the Congress.

**Section 9. Change of vote.** A Member shall not be allowed to vote or to change his vote after the announcement of the results of the vote by the Speaker, or after the collection of the ballots, if the vote is by secret ballot.

**Section 10. Action of the Congress.** Any action of the Congress shall require a majority of the vote of the Members present, a quorum being present, unless otherwise provided by these Rules.

**Section 11. Call of roll on First Reading.** The roll shall be called on the First Reading of a bill, which shall pass First Reading if two-thirds of all Members of the Congress vote in the affirmative.

**Section 12. Voting by State delegation on Second Reading.**

**(a)** Each State delegation is entitled to cast one vote on the Second Reading of a bill. An affirmative vote of three States is required to pass a bill on Second Reading. The Second Reading of a bill shall not take place on the same calendar day as the First Reading.

**(b)** The Speaker shall announce a call of the roll of each State delegation on the Second Reading of a bill. The chairman of each State delegation, or his designee, shall announce the vote of his delegation. The vote announced by the Chairman or his designee is final, except that any Member of the delegation may request a poll of the delegation. In the event a poll is requested, the Clerk shall then call the name of each Member of the delegation. If a majority of the Members of the delegation present cast votes in favor of the bill or equal numbers vote in favor and against the bill, the vote of the delegation shall be considered affirmative.

**Section 13. Overriding a Presidential veto.** Each State delegation shall cast one vote upon a vote when voting to override a Presidential veto. An affirmative vote of three States is required to override a veto. The procedures for casting delegation votes set forth in rule 10, section 12, shall be followed.

**Section 14. Other votes.**

**(a)** Approval of the following advice and consent nominations require a two-thirds vote of all Congress Members:

- (i)** Approval of Presidential appointment of a Justice of the Supreme Court;
- (ii)** Approval of Presidential appointment of an ambassador;
- (iii)** Approval of Presidential appointment of principal officers in the National Government; and
- (iv)** Approval of Presidential appointment of the Public Auditor.

**(b)** The following actions may be taken by a vote of at least two-thirds of the Members of Congress:

- (i)** Ratification of a treaty;
- (ii)** Removal of the President, Vice President, or a justice of the Supreme Court for treason, bribery, or conduct involving corruption in office; and
- (iii)** Removal of the Public Auditor from office for cause.

## RULES OF PROCEDURE

### Section 15. Actions of Congress requiring votes as specified in these Rules.

No.	Action	Required Majority No.	Rule
1.	Quorum	Eight Members	3
2.	First Reading of bill	Ten Members	10, section 11
3.	Second Reading of bill	Three State delegations	10, section 12
4.	Overriding veto	Three State delegations	10, section 13
5.	Calling special session	Written request of ten Members	1, section 2
6.	Election of President and Vice President	Eight Members	1, section 15; 1, section 16
7.	Removal of Officers	Ten Members	2, section 1
8.	Suspend or expel Member	Ten Members	4, section 12
9.	Consent to appointment of ambassadors, principal executive officers, and the Public Auditor	Ten Members	10, section 14
10.	Approval of appointment of Supreme Court Justices	Ten Members	10, section 14
11.	Removal of President, Vice President, and Supreme Court Justices	Ten Members	10, section 14
12.	Removal of Public Auditor	Ten Members	10, section 14
13.	Ratification of treaty	Ten Members	10, section 14
14.	Adoption of previous question	Eight Members	9, section 8
15.	Move to previous question	Eight Members	9, section 8

**No. Action Required Majority No. Rule**

<b>No.</b>	<b>Action</b>	<b>Required Majority No.</b>	<b>Rule</b>
16.	Amendment of Rules	Eight Members	15
17.	Withdrawal of measure from committee	Majority of Members present	6, section 11
18.	Reading of a bill at length	Six Members	8, section 7
19.	Reading of a resolution	Majority of Members present	8, section 8
20.	Suspension of rules	Ten Members	9, section 5
21.	Sustain appeals from rulings of Speaker	Ten Members	4, section 8
22.	Dispense with reading of Journal	Majority of Members present	13, section 2
23.	Voting by secret ballot	Three Members	10, section 5
24.	Voting by call of the roll	Three Members	10, section 6
25.	Motion to reconsider a main motion	Same majority as required for passage of main motion	9, section 6
26.	Closing committee meeting	Majority of committee members	6, section 6
27.	Adoption of committee report by committee	Majority of committee members	6, section 9
28.	Requiring committee consideration of a matter referred to committee	Majority of committee members	6, section 10
29.	All other actions	Majority of Members present, a quorum being present	10, section 10

**Section 16. Secret ballot required.** Voting shall be by secret ballot on all votes to approve advice and consent nominations, including, but not limited to, votes on Supreme Court justices, ambassadors, principal officers in the National Government, Public Auditor, and members of boards, commissions and authorities.

**RULE 11. WARRANTS, SUBPOENAS, OATHS, AND CONTEMPT.**

**Section 1. Warrants, subpoenas, and oaths.**

**(a)** The Speaker, committee chairman, and other authorized Members may issue warrants, subpoenas, or other processes and administer oaths in accordance with 3 F.S.M.C. 401, et seq. Any witness neglecting or refusing to attend a session of the Congress or a committee meeting after being

properly subpoenaed may be arrested by the Sergeant at Arms or any police officer of the National Government or any State government in the Federated States of Micronesia and brought before the Congress or a committee thereof, as the case may be. The Speaker may issue a warrant to carry into effect the orders of the Congress or any committee thereof, for the arrest of an offender.

**(b)** The Speaker, committee chairmen, and other authorized Members may administer an oath to witnesses appearing before a committee of Congress. The oath should read substantially as follows:

"I do solemnly swear that I will tell the whole truth and nothing but the truth in the deliberations before this committee of the Congress of the Federated States of Micronesia."

**Section 2. Contempt.** Any person who shall be guilty of disrespect of the Congress 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 Congress or its committees, or who shall violate rule 12, section 4, shall be in contempt of the Congress. The Speaker may issue a warrant of arrest to the Sergeant at Arms or any police officer of the National Government or any State government in the Federated States of Micronesia for the arrest of a person found to be in contempt of the Congress.

## **RULE 12. ADMINISTRATION.**

**Section 1. Attendance.** The Speaker shall certify the attendance of Members at a session or upon official legislative business when the Congress is not in session for the purpose of establishing entitlement to per diem or other allowances.

**Section 2. Employees.** Employees of the Congress shall be appointed pursuant to law and the CFSM Administrative Manual.

**Section 3. Papers of the Congress.** At the end of each session all measures, petitions, and other papers referred to committees of the Congress shall be delivered by the chairmen thereof to the Clerk, together with all recorded evidence taken by such committees and documents and other pages submitted to them. The Clerk shall report any failures to comply with this rule to the Speaker.

**Section 4. Confidential documents.** The Speaker may declare any document or other paper which is the property of the Congress to be confidential, subject to an appeal to the Congress. If a document or other paper is declared confidential, the Clerk shall mark such document or other paper confidential and distribute it only to Members of the Congress and persons authorized by the Speaker to view such confidential document or other paper, and to no other persons. No Member or other person shall show or distribute such confidential document or other paper to any person not authorized to view it.



## **RULE 13. THE JOURNAL.**

**Section 1. Maintaining the Journal.** The Congress shall keep a Journal of its proceedings in English and shall compile and publish the Journal for each session of the Congress. The Journal of the session shall include the journals of the day compiled by the Clerk as defined in rule 2, section 5(c), the Official Rules of Procedure of the Congress, and the statements of Members appended to the journals of the day and may include such other matters as the Congress or the Speaker, subject to the action of the Congress, may direct. The Clerk shall keep note of all questions of order not specified in these Rules and decided under rule 1, section 11, or rule 4, section 8, and append them for publication in the Congressional Journal.

**Section 2. Reading and correcting the Journal.** The journal of each day shall be read the following day and shall be corrected and/or approved by vote of the Congress, provided that the Speaker shall correct and/or approve the journal of the last day of a session. The Congress, by majority vote of the Members present, may dispense with such reading. Subsequent to the approval of the journal of the day, the Clerk, with the permission of the Speaker, may make nonsubstantive corrections therein, including such matters as spelling of words and grammatical construction of sentences.

**Section 3. Appending explanations to the Journal.** Each Member shall have the right to append to the journal of the day a statement explaining his vote on any matter being voted upon that day, including his vote on a bill on First Reading or Second Reading. Such a statement or statements shall not exceed in total 300 words in a single day and shall be submitted to the Clerk on the day in which the action occurs. The statement may be in English or in both English and the native language of the Member or of his constituents.

#### **RULE 14. SPECIAL SESSIONS.**

For the purposes of rule 8 of these Rules, special sessions of the Congress of the Federated States of Micronesia shall be treated as regular sessions. Bills and resolutions introduced during a special session shall be numbered consecutively, starting with the number following the last number used in the last preceding session of the Congress for such bills or resolutions. At any session, including a special session, all measures shall retain the status which they had at the close of the last preceding session of a Congress, until acted upon during such session. It shall not be necessary to repeat any step in the legislative procedure already accomplished in any previous session of the same Congress.

## **RULE 15. AMENDMENT OF THE RULES.**

The Official Rules of Procedure of the Congress shall not be amended in any way or manner without a day's notice being given of the motion to amend the Rules by the Member proposing to do so. The giving of notice shall consist of:

- (a)** Submitting a written copy of the proposed amendment to the Speaker;
- and
- (b)** Distributing a copy of the proposed amendment to the Members in session.

An amendment to the Rules shall be deemed adopted when approved by a majority vote of the total membership of the Congress. Suspension of the Rules shall not constitute an amendment of the Rules.