

**TITLE 1: GOVERNMENT**  
**DIVISION 1: LEGISLATIVE BRANCH**

**CHAPTER 3.**  
**Legislative Investigations.**

**§ 1301. Subpoenas; Issuance; Form; Contents; Service and Execution.**

(a) The President of the Senate, the Speaker of the House of Representatives or other presiding officer of either house of the legislature may issue subpoenas requiring the attendance of witnesses and subpoenas duces tecum requiring the production of books, documents, or other evidence, in any matter pending before either house or a committee, as the case may be.

(b) Every investigating committee, when authorized by either house or both houses, as the case may be, may issue, by majority vote of all its members, subpoenas requiring the attendance of witnesses and subpoenas duces tecum requiring the production of books, documents, or other evidence, in any matter pending before the committee.

(c) Any subpoena, warrant of arrest or other process issued under the authority of either house or both houses of the Commonwealth Legislature shall run in the name of the Commonwealth and shall be addressed to any or all of the following officers: the sergeant-at-arms of either house of the legislature; the sergeant-at-arms of both houses of the legislature, in the case of a subpoena issued in behalf of a joint committee of both houses; the Director of Public Safety; any police officer of the Commonwealth. The subpoena, warrant or other process shall be signed by the officer authorized to issue it, shall set forth the officer's official title, shall contain a reference to the rule or resolution, or other means by which the taking of testimony or other evidence or the issuance of such warrant or other process was authorized, and shall, in the case of a summons or subpoena, set forth in general terms the matter or question with reference to which the testimony or other evidence is to be taken.

(d) Any officer to whom such process is directed shall forthwith serve or execute the same upon delivery thereof to the officer without charge or compensation.

**Source:** 2 TTC § 268, modified.

**Commission Comment:** Each house of the legislature has constitutional authority to compel the attendance and testimony of witnesses and the production of books and papers before the house or its committees. N.M.I. Const. art. II, § 14(b). This chapter, based on provisions in the Trust Territory Code, sets forth procedures concerning the legislative subpoena power and remedies or penalties applicable in the event of noncompliance.

With respect to the reference to the "Director of Public Safety," see Executive Order 94-3 (effective August 23, 1994), reorganizing the executive branch,

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changing agency names and official titles, and effecting other changes, set forth in the Commission comment to 1 CMC § 2001.