



COMMONWEALTH LAW REVISION COMMISSION

NORTHERN MARIANA ISLANDS JUDICIARY

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BYLAWS

(Amended through July 8, 2019)

Section 1 - The Commission

1-1. Name. The official name of the Commission is the Commonwealth Law Revision Commission.

1-2. Membership; Chair. Pursuant to 1 CMC § 3802, the Commission is composed of the following members:

- (a) The Chief Justice of the Commonwealth Supreme Court, or either an Associate Justice or Superior Court Judge designated by the Chief Justice, who shall preside as chair of the Commission;
- (b) The chair of the Commonwealth Legislature Senate Committee on Judiciary, Government and Law, or a member of the committee designated by the chair of that committee;
- (c) The chair of the Commonwealth Legislature House of Representatives Committee on Judiciary and Governmental Operations, or a member of the committee designated by the chair of that committee;
- (d) The Attorney General of the Commonwealth or an assistant attorney general designated by the Attorney General; and
- (e) One member of the Northern Mariana Islands Bar Association elected by the membership thereof.
- (f) Commission members are expected to regularly attend meetings. The executive director will make every effort to schedule meetings at the convenience of all members. To ensure adequate representation during meetings, a member may select a designee to temporarily participate on the Commission, including attendance and voting during a single meeting.

1-3. Reserved.

1-4. Duties of the Chair. The chair of the Commission shall:

- (a) Preside at all Commission meetings;
- (b) Appoint committees of the Commission as may be required;
- (c) Rule on all questions or points of order; and
- (d) Sign all resolutions adopted by the Commission.

1-5. Duties of the Commission.

- (a) General. In accordance with 1 CMC § 3803, the Commission:
 - (1) May formulate and submit proposed legislation to the legislature;
 - (2) Shall, subject to budget appropriation, be responsible for codifying Commonwealth laws of a permanent nature and publishing, in a reporter system, decisions of the Commonwealth judiciary;
 - (3) May, subject to budget appropriation, produce, publish and periodically revise a Commonwealth Administrative Code consisting of Commonwealth administrative rules; and
 - (4) May consult with and review communications from public and private individuals and organizations and perform other lawful and proper acts that may be necessary to carry out its work.
- (b) Proposed Legislation. In accordance with 1 CMC § 3804, when formulating proposed legislation the Commission shall, to the extent feasible, examine:
 - (1) Local customary law;
 - (2) The common law of other American jurisdictions; and
 - (3) Recommendations of the American Law Institute, the National Conference of Commissioners on Uniform State Laws, and other sources of information on statutory systems.

1-6. Voting. Each member of the Commission shall be entitled to one vote.

- (a) Designees may vote on behalf of a member but in no event may one person represent

more than one member's vote.

- (b) Proposed Legislation. In accordance with 1 CMC § 3804(c), any legislation recommended for enactment by the Commission must be approved by at least three Commission members. A member or members who do not join in recommending legislation may require that recommended legislation be accompanied by a minority report.
- (c) Other Matters. Other actions taken by the Commission must be approved by at least three Commission members.

Section 2 - Budget; Expenses

2-1. General; Expenditure Authority. In accordance with 1 CMC § 3808, the Commission's budget shall be considered part of the Commonwealth Judiciary's budget, with expenditure authority vested in the chair. In accordance with 1 CMC § 3809, expenditure authority over the Law Revision Commission Revolving Fund is vested in the chair.

2-2. Reimbursement of Members for Expenses. In accordance with 1 CMC § 3804(d), Commission members shall serve without pay, but shall be reimbursed for reasonable and necessary expenses incurred in connection with performance of official duties and functions. Commission members shall submit an itemized list of such expenses to the chair for reimbursement.

Section 3 - Meetings

3-1. Quorum. Three members of the Commission shall constitute a quorum. In case less than a quorum is present at a meeting, the chair may adjourn the meeting from time to time until a quorum is present.

3-2. Regular Meetings. Regular meetings of the Commission shall be held at least twice every year at the Guma Hustisia, Susupe, Saipan, or at such other convenient location within the Commonwealth as the chair may determine.

3-3. Special Meetings. Special meetings of the Commission may be called by the chair at his

or her discretion. The chair shall call a special meeting when requested in writing to do so by at least two members of the Commission. The chair shall transmit written notice of a special meeting to each member of the Commission at least seven days in advance of the meeting, except that if the chair deems it appropriate or necessary, he or she may provide less than seven days' written notice of a special meeting.

3-4. Recessed Meetings. A recessed meeting shall be considered a continuation of the preceding meeting.

3-5. Open Meetings. Meetings of the Commission are generally open to the public. The Commission shall give written public notice of any regular or special meeting at least 72 hours before the meeting by posting the notice and agenda in its office and on its website. Where possible, such notice shall appear in at least one newspaper of general circulation in the Commonwealth. Meetings may be conducted partially or fully via video or teleconference in a format convenient to the Commission members; provided that the Commission office, or another location determined by the chair, shall serve as the central location for Commission members and members of the public wishing to attend the meeting in person.

Section 4 - Commission Office

The Commission's office shall be in Susupe, Saipan. The office shall be the repository for the Commission's records.

Section 5 - Agenda

An agenda for each Commission meeting shall be prepared by the executive director in consultation with the chair. Copies of the agenda for each meeting shall be distributed to the members at least one week before the meeting, unless shorter notice of a special meeting is provided under section 3-3.

Section 6 - Order of Business

6-1. Regular Meetings. The order of business at regular meetings of the Commission shall be

as follows:

- (a) Call to order and roll call;
- (b) Proof of notice of meeting;
- (c) Review and approval of minutes of previous meeting;
- (d) Reports of the executive director and committees;
- (e) Consideration of staff recommendations;
- (f) Unfinished business;
- (g) New business;
- (h) Public comment;
- (i) Place and date of next meeting; and
- (j) Other matters.

6-2. Special Meetings. The order of business at special meetings of the Commission shall be as follows:

- (a) Call to order and roll call;
- (b) Proof of notice of meeting;
- (c) Special reports of the executive director and committees (if any);
- (d) Special business; and
- (e) Public comment.

Section 7 - Rules of Procedure

7-1. Participation by Presiding Officer. The presiding officer at any meeting may move, second, and debate from the chair and shall not be deprived of any right to vote or of any other right, power or duty of a member by virtue of occupying the chair.

7-2. Motions to Reconsider. A motion to reconsider may be made by any member. Such motion may be made only at the same meeting at which the action is taken or at the next succeeding

meeting of the Commission.

7-3. Robert's Rules to Govern. Except as otherwise specifically provided by the Commission or these bylaws, Commission proceedings shall be governed by the most recent edition of *Robert's Rules of Order*. Each meeting shall follow the modified procedures for small boards, unless the chair invokes the regular rules to ensure the proper conduct of business.

Section 8 - Minutes

The executive director shall prepare and distribute minutes of each meeting to the members. The approved minutes of each meeting and any corrections thereof duly adopted shall be signed by the executive director.

Section 9 - Committees

The Commission may establish standing or special committees it deems appropriate or necessary.

Section 10 - Commission Staff

- (a) In accordance with 1 CMC § 3805, the chair shall, with Commission approval, appoint an executive director who shall be an attorney and qualified by training and experience to perform the duties concerning Commission publications set forth in section 11. The executive director shall also:
- (1) Provide the Commission with research, analysis and drafting services to assist it in formulating proposed legislation;
 - (2) Manage office activities and supervise Commission staff;
 - (3) Contract for the printing of codes, reporters and digests or for compiling of such publications in electronic media;
 - (4) Set the price of and sell Commission publications or compilations of such publications in electronic media; and
 - (5) Formulate the Commission's operating budget, which shall be submitted to the Commission for review and approval.
- (b) In accordance with 1 CMC § 3805(c), the executive director may, with Commission approval, hire such professional, clerical and other staff as may be deemed necessary to

assist the Commission in performing its duties and functions.

Section 11 - Publications

In accordance with 1 CMC § 3805(b), the executive director shall, in consultation with the Commission:

- (a) Periodically revise and publish the Commonwealth Code, codifying new laws of a permanent nature and incorporating revisions of existing statutes;
- (b) Periodically publish decisions rendered by Commonwealth courts that have value as precedent, and maintain the Commonwealth case reporter system of headnoting within specified topics;
- (c) Periodically revise and publish a Commonwealth Digest of headnotes from published decisions rendered by Commonwealth courts; and
- (d) Perform further duties as the Commission may direct.

Section 12 - Amendments

These bylaws may be amended, repealed, or altered, in whole or in part, by an affirmative vote of three members of the Commission at any regular or special meeting of the Commission.