

**RULES OF PROCEDURES
FOURTH FSM CONSTITUTIONAL CONVENTION**

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**RULES OF PROCEDURE
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CHAPTER 1. GENERAL PROVISIONS

Rule 1. Convening Day. On the convening day, the President of the Federated States of Micronesia, or his designee, shall take the Chair and call all persons present to order. The convention shall then proceed to organize in the following manner:

- a) Adoption of temporary Rules of Procedures;
- b) The Pre-Convention Committee shall report to the Convention on the qualifications of the Delegates;
- c) Oath of office to Delegates administered by the Chief Justice of the FSM Supreme Court;
- d) Adoption of the Rules of Procedure of the Convention by a majority vote of not less than thirteen Delegates;
- e) Election of the Convention President (hereinafter "President") and other officers provided for in the Rules; and
- f) The President of the Federated States of Micronesia, or his designee, takes his seat.

Rule 2. Quorum. Fourteen (14) Delegates to the Convention shall constitute a quorum for the transaction of business, provided that more than half of the Delegates from each State are present. A smaller number may adjourn from day to day and may compel the attendance by any means adopted by a majority of the Delegates present, and fix penalties for non-attendance. The Convention President may declare a meeting of the Convention adjourned if no quorum is present at the hour of opening. For purposes of ascertaining whether a quorum exists, the Secretary shall count the Delegates present.

During a meeting of the Convention any Delegate may call upon the President to determine whether a quorum exists or not, and the President shall so determine and announce his findings. No Delegate shall be absent from a meeting of the Convention without leave of the President, subject to appeal to the Convention. The name of the Delegate not present to answer a quorum count and not excused shall be noted on the Journal of the Convention as "absent without Leave" and any such Delegate who is absent without leave shall receive no expenses for the day.

Rule 3. Admission to Floor-Defined. No person, other than a Delegate and officer or employee of the Convention shall be admitted on the floor of the Convention unless invited or approved by the President. All persons granted admission to the floor during this period shall be known to the Sergeant-at-Arms to be entitled to admission to the floor, and persons who must be introduced shall be admitted on the floor only upon the personal request of a Delegate each time such courtesy is granted. The words “floor of the Convention” means the space of the main floor of the Convention, excluding the space designated for visitors and for the press.

Rule 4. Bar of the Convention – Defined. Any Delegate, having answered roll call at the opening of any session, or having entered upon the floor of the Convention after roll call, shall thereafter be deemed as present until leave of absence is obtained from the Convention. Any Delegate present at any session shall continue to be present if he shall be within the bar of the Convention. The phrase “within the bar of the Convention” means the space occupied and used by the Convention, or any committee or other room thereof, and used in connection with conducting the business of the Convention. Provided, in no instance shall a Delegate be deemed present at a roll call vote unless he is at or near his seat on the floor of the convention.

Rule 5. Invocation. Unless otherwise directed by the President, and arranged by the Convention Secretary, each session of the Convention shall be opened by a moment of silent prayer.

CHAPTER II. OFFICERS AND EMPLOYEES

Rule 6. Officers of the Convention. The President shall be elected by a majority vote of the Delegates by secret ballot. If no nominee receives a majority, and there are three or more candidates, the name of the one receiving the lowest number of votes cast shall be removed from the consideration before further balloting. In any event thereafter, the polling shall be continued in this manner until a nominee is elected by a majority of the Delegates. The Vice-President, Chairman of the Committee of the Whole, and the Floor Leader shall be elected in the same manner as the President, provided that each of the four elected officials shall be Delegates of differing states.

Rule 7. The President – Duties and Powers.

a) **General Duties and Powers.** The President shall take the Chair each day at 10:00 a.m., or at the hour to which the Convention shall have designated before adjourned or recessed. He or she shall call the Convention to order and, except in the absence of a quorum, shall proceed to business in the manner prescribed by these rules. He or she shall preserve order and decorum; confine members to the question and prevent personal reflections in debate; speak to points of order and shall decide question of order, subject to an appeal to the Convention. When two or more Delegates seek recognition at the same time, the President shall name the Delegate who is first to speak. The President shall appoint all committee members, after consultation with each state Delegation. All appointments made by the President shall be announced to the

Convention. He or she shall refer proposals and other Convention documents to the appropriate committee for consideration and action and certify with the Secretary of the Convention. The President, or his or her designee in the name of the President, shall certify all vouchers for the payment of the expenses of the Convention. The President shall authorize the admission of non-Delegates into the Convention Hall, subject to appeal to the Convention; declare the vote and announce the results on all questions and decisions; oversee the administration of the business of the Convention; and perform such duties as may be required by law, these Rules, and as may properly appertain to the Office of the President.

b) Administrative Authority. The administrative authority of the Convention, including the authority to make assignments of duties to staff, resides in the President except to the extent otherwise provided for by these Rules.

c) Power to Appoint Officer Replacements. In the absence of the Chairman of the Committee of the Whole or the Floor Leader, the President shall appoint his or her replacement.

d) Voting by the President. The President may vote in all elections, decisions, divisions called for by any Delegate, and on all questions, except on appeals from his or her decision.

Rule 8. Vice President: Duties and Powers. The Vice-President shall exercise the powers and perform the duties of the President, and shall preside over the Convention, in the absence of the President or as President may designate.

Rule 9. Chairman of the Committee of the Whole – Duties and Powers. The Chairman of the Committee of the Whole shall serve as the Presiding Officer to the Committee of the Whole, and perform such other duties as the President may designate.

Rule 10. Floor Leader – Duties and Powers. It shall be the duty of the Floor Leader to propose routine motions which contribute to the orderly and speedy conduct of business, to act as floor manager in aid of the adoption of a proposal or a resolution when another Delegate does not assume this task, and perform such other duties as the President may designate.

Rule 11. Chief Legal Counsel. The Chief Legal Counsel shall act as counsel and legal advisor to the Convention and shall supervise all legal staff of the Convention. The Chief Legal Counsel shall review all legal documents of the Convention and perform other duties as the Convention or the President may designate.

Rule 12. Convention Secretary.

a) General Duties. The Convention Secretary shall attend the Convention each day when the Convention is in session unless excused by the President. He or she

shall have charge of all the records of the Convention and be responsible for the same, and shall not permit original documents to be withdrawn from his or her safekeeping unless ordered by the President. He or she shall authenticate the signature of the President on all official acts, and shall perform such other duties as are required by law, these Rules, and the Convention. The Convention Secretary may delegate the authority to perform any or all of his or her duties, except for certification of official acts and documents.

b) Roll Call. The Convention Secretary shall call the roll at the opening of each session of the Convention and announce whether or not a quorum is present. He or she shall announce the names of the Delegates absent with leave of the Convention, and the names of Delegates absent without leave, and enter the names of all absentees upon the Journal.

c) Publication, Distribution, and Correction of Journal. The Convention Secretary shall keep a Verbatim Journal of the Plenary Session and Committee of the Whole proceedings of the Convention in conformity with the Rules; supervise the daily publication thereof and make such corrections as may be necessary. On each session day, he or she shall furnish each Delegate a duplicated copy of the proceedings of the previous day. The Journal shall be considered the approved Journal of the Convention, unless otherwise ordered.

d) Daily List of Business. The convention Secretary shall daily furnish each Delegate with a list of business on his or her desk and a calendar of the Delegate proposals introduced showing their reference.

e) Printing and Care of Proposals. The convention Secretary shall attend to the printing of all proposals, resolutions and documents ordered printed by the Convention. The Convention Secretary shall give a number to each Delegate proposal and each resolution when introduced, in the order received. When proposals are reported from committees, they shall be called "Committee Proposals", shall be printed, and shall be given a Committee Proposal number in the order received. The Convention Secretary shall cause to be printed at the head of the Committee Proposal the name of the committee which reported the same and the character and number of any report of the committee respecting the proposal. The Convention Secretary shall be responsible to the Convention for the care and preservation of each Delegate Proposal introduced into the Convention and each Committee Proposal. Committee Proposals shall be kept on file in order by their proposal number, unless otherwise ordered by the Convention, and such file shall be called the Committee Proposal File.

f) Safeguarding and Preservation of Convention Records. The Convention Secretary shall be responsible for the care and preservation of all records, documents, and papers of the Convention. After the adjournment of the Convention, he or she shall

deliver such materials to the National Archive within the Congress Library for safekeeping. The materials will be treated in the same manner as records of the Congress.

g) **Responsibility for Convention Hall.** The Convention Secretary shall exercise supervisory care and control of the Hall of the Convention and all Convention rooms and equipment. The Convention Secretary, subject to review by the elected officers, shall oversee the purchase or rent of all necessary equipment, supplies, and postage; arrange for postal, telephone, and telegraph service, and supervise the performance of the administrative staff of the Convention.

Rule 13. Assistant Convention Secretary. The Assistant Convention Secretary shall be deputized to assist the Convention Secretary. Assistant Convention Secretary may perform the duties of the Convention Secretary if the Convention Secretary, due to sickness or other cause, is unable to perform the duties of his or her office. The President shall authorize the Assistant Convention Secretary to certify official acts and documents until the Convention Secretary is able to resume his or her duties.

Rule 14. Sergeant-at-Arms. The Sergeant-at-Arms shall be the chief police officer of the Convention. He or she shall have charge of such assistants as the Convention authorizes. He or she shall attend to the adequacy of the seating arrangements, lighting, and ventilation of the Convention Hall, committee rooms and connecting passageways. He or she shall have authority to serve subpoenas and warrants issued by the Convention or any duly authorized officer or committee of the Convention, or cause the same to be done by his or her assistants, or by police officers as may be provided by law. He or she shall see that all visitors are seated and that they are at no time standing on the floor of the Convention while in session. He or she shall attend the Convention every meeting day, unless excused by the President; maintain order among those present as spectators; give notice to the presiding officer of the attendance of any person with communications or otherwise; attend any committee meeting if so requested; and generally execute all other requirements of his or her office. Where the Sergeant –at-Arms cannot perform his or her duties, due to illness or other cause, the President shall designate a replacement.

Rule 15. Other Employees. The Pre-Convention Committee shall designate employee positions and job description, provide salary scales, appoint employees to be under the supervision of the Convention Secretary, and report their actions to the Convention on Convening day.

(a) Chief Clerk. The Chief Clerk shall perform all duties and responsibilities as assigned by the President of the Convention and/or the Convention Secretary. Where the Chief Clerk cannot perform his or her duties, due to illness or other cause, the President shall designate a replacement.

CHAPTER III. MEMBERS

Rule 16. Conduct in Debate. When any Delegate is about to speak in debate or present any matter to the Convention, he or she shall seek recognition in an appropriate manner, and respectfully address himself or herself to “Mr. President”. After being recognized, the Delegate shall confine himself or herself to the question under debate, and avoid personalities.

Rule 17. Member Called to Order. If any Delegate in speaking transgresses the Rules of the Convention, the President shall, or any Delegate may call him to order; in which case the Delegate so called to order shall immediately stop speaking and shall not begin to speak again unless to explain or proceed in order.

Rule 18. Conduct on the Floor. While the President is putting any question, or while the roll is being called or taken by the Convention Secretary, no Delegate shall walk out of, or cross the Convention Hall nor when a Delegate is speaking, shall any Delegate entertain private conversation or pass between the speaker and the Chair.

CHAPTER IV. COMMITTEES

Rule 19. Types of Committees. There shall be standing committees of the Convention whose functions, duties, and memberships shall be as provided by these Rules. Special committees may be established by the President or by the Convention, as required, to consider and report on such special or temporary assignments æ shall be referred to them. The President may fill vacancies in committees from time to time as may be required.

Rule 20. Standing Committees. There shall be five standing committees whose duties, functions and memberships shall be as specified herein. The first four of these committees may consider and investigate legislation relating to any subject within its jurisdiction.

a) **Committee on Civil Liberties and Traditions.** The Committee on Civil Liberties and Traditions shall be comprised of not more than thirteen (13) Delegates. It shall be the duty of this committee to consider all proposals and other matters referred to it by the President or by the Convention relating to traditional and customary rights; citizenship and naturalization; civil and criminal law protections; civil rights and duties, due process of law, equal protection of law, privileges and immunities; suffrage and elections; and other related matters.

b) **Committee on Public Finance and Revenue.** The Committee on Finance and Revenue shall be comprised of not more than thirteen (13) Delegates. It shall be the duty of this committee to consider all proposals and other matters referred to it by the President and by the Convention relating to taxation and finance, indebtedness, levy of duties or tariffs on imports and exports, control of interstate commerce, control of banks, national treasury, budget, audits, fiscal control, revenue laws and other related matters.

c) Committee on Government Structure and Functions. The Committee on Government Structure and Functions shall be comprised of not more than thirteen (13) Delegates. It shall be the duty of this committee to consider all proposals and other matters referred to it by the President or by the Convention relating to the structure, functions and powers of the national government, including the size, nature and composition of the legislative, executive and judicial branches; separation of powers; the division and sharing of powers between national, state and local government; relations of the FSM with other nations and international bodies; relations between that national and state governments; and related matters.

d) Committee on General Provisions. The Committee on General Provisions shall be comprised of not more than thirteen (13) Delegates. It shall be the duty of this committee to consider all proposals and other matters referred to it by the President or by the Convention relating to social and economic development; natural resources, environment, including land; procedures for revision and amendment of the Constitution; matters not within the jurisdiction of other committees; and other related matters.

e) Committee on Style and Arrangement. The Committee on Style and Arrangement shall be comprised of not more than thirteen (13) Delegates. It shall be the duty of this committee to examine, consider and edit all proposals referred to it for inclusion in the Constitution for the purpose of avoiding inaccuracies, repetition, inconsistencies or poor drafting. The committee shall consider and make recommendations on any differences, conflicts or unresolved matters of substance. The committee shall have the authority to rephrase language and to regroup sections proposed for inclusion in the Constitution. But shall have no authority to change the sense or purpose of any proposal referred to it. The committee shall also have the power to recommend that any Committee proposals submitted be re-referred to the originating committee. The committee shall undertake to resolve any inconsistency or conflict in conference with the originating committee. If the committee shall fail to resolve any such inconsistency or conflict, it shall notify the Convention and await instructions.

Rule 21. Members Entitled to Serve on Committee. No Delegate may serve as a member of more than three (3) standing committees. Each State Delegation Chairman, or his or her designee, shall consult with the President on the appointment of members of his or her delegation to Standing Committees. Nothing in these rules shall preclude a Presiding Officer to serve as a member of a Standing Committee, provided however that a Presiding Officer shall serve only as a member, but not an officer of a Standing Committee.

Rule 22. Standing Committee Chairmen.

The Chairmen of the Standing Committees shall be appointed by the elected officers and shall be announced to the Convention.

Rule 23. Committee Vice-Chairman and Conduct of Committees. A committee at its first duly called meeting shall, by a majority of its members, elect a vice-chairman of its choice. When a committee shall elect a vice-chairman, it shall make a report of such election to the Convention. Each committee shall meet at the call of its chairman or upon the written request of a majority of its members. A record roll call vote on any matter before committee shall be taken on demand by any Delegate member of the committee. Each committee shall maintain a summary journal of its proceedings and a business schedule, both of which shall be available to the Delegates, news media and interested members of the public. In case of a vacancy or the prolonged absence of the chairman and vice-chairman, the President of the Convention may appoint an acting-chairman to serve in such capacity. The chairman of the committee may place under oath, or affirmation, any person who appears before the committee to testify on any matter pending before the committee.

Rule 24. Powers of Committees. Committees shall have the right to hold public hearings and to take testimony under oath or affirmation. Before a committee shall hold any hearing or meeting at a location other than where the convention is meeting, the consent of the President shall first be obtained. A committee shall have the power to subpoena documents and witnesses. A committee may grant the powers here authorized to any subcommittee.

a) **Subpoena.** The President or the Chairman of any duly established committee thereof, shall have the power and authority to issue subpoenas requiring the attendance of witnesses or the production of books, documents or other evidence, in any matter related to the purpose of the Constitutional Convention. Any subpoena or other process issued under the authority of the Convention shall be issued in the name of the Federated States of Micronesia and shall be addressed to any police officer of the Federated States of Micronesia or of any state. Such subpoena or other process shall be signed by the President of the Convention, shall contain a reference to this Rule and Section 7 of Public Law No.21-19, and shall set forth in general terms the matter or questions with reference to which such testimony or other evidence is to be taken. Any officer to whom the process described in this subsection is directed, if within their jurisdiction, shall forthwith serve or execute the same, without charge or compensation; PROVIDED, HOWEVER, that any officer serving or executing such subpoena or process shall be compensated for their actual expenses, if any, in connection therewith.

Rule 25. Sitting on Committees During Session of the Convention. No committee shall sit during the sessions of the Convention.

Rule 26. Power to Incur Expenses. No committee or Delegate shall incur any expenses chargeable to the Convention unless authorized in accordance with the provisions of these Rules or by the Convention. Budgets for consultation/representation for each State Delegation (mid and post) shall only be expended with the concurrence of the Chairman of the State Delegation.

Rule 27. Report of the Committees. The signature of a majority of the members appointed in a committee shall be necessary to report a Proposal out of committee. The report of a minority of any committee shall be received, printed in the same manner as the majority report and shall be treated as an appendix to the report of the committee. All Proposals favorably reported by a committee to the Convention shall go to the First Reading File.

Rule 28. Consideration of Proposals With or Without Committee Recommendation. A majority of all the Delegates may, by motion, require a committee to report any Delegate proposal out with or without a written report. When so required, the Delegate Proposal shall be numbered and treated as a Committee Proposal.

Rule 28.a. Committee Quorum. A simple majority of the members of the Committee shall constitute a quorum for the transaction of Committee business.

CHAPTER V. COMMITTEE OF THE WHOLE

Rule 29. Passage on First Reading. After passing First Reading, all Committee Proposals may only be placed on the Calendar for Second Reading on a day subsequent to the day of passage on First Reading.

Rule 30. Consideration of Proposals. After the Second Reading of Proposals, but prior to a vote on the Second Reading, the Convention shall resolve itself into the Committee of the Whole. No other business shall be in order until all Proposals on the Calendar for Second Reading are considered or passed, or the Committee rises. Unless a particular proposal is ordered to be given priority, the Committee of the Whole shall consider and act upon each Proposal on the Calendar for Second Reading according to its order of reference.

Rule 31. Unfinished Consideration of Committee Proposals. All Proposals on the Calendar for Second Reading not disposed of shall be automatically continued to the next day and shall take their places at the head of the Calendar for Second Reading of Proposals for that day in the order of their precedence on the prior day.

Rule 32. Reading, Debating, Amendment. In the Committee of the Whole, proposals shall first be read in entirety by the Convention Secretary and then debated and acted upon by the Committee. All amendments shall be entered on separate paper and reported to the Convention by the chairman when the entire Proposal is reported.

Rule 33. Motion that Committee Rise. A motion that the Committee of the Whole rise shall always be in order and shall be decided without debate by a majority vote of those present. If consideration of a Proposal has not been completed, when the Committee of the Whole next sits it shall further consider that unfinished proposal.

Rule 34. Reconsideration. A motion to reconsider shall be in order in the Committee of the Whole by a majority vote of those present.

Rule 35. Application of Convention Rules. The Rules of the Convention shall be observed in the Committee of the Whole, so far as they be applicable; provided, however:

- (a) no motion to adjourn the Convention shall be in order,
- (b) no motion for the previous question shall be in order,
- (c) no roll call vote shall be called,
- (d) no referrals shall be made to any other committee, and
- (e) no motion to postpone indefinitely shall be in order.

Rule 36. Summary Journal. In addition to the Verbatim Journal required, a summary journal of proceedings of the Committee of the Whole shall be kept by the Secretary and shall include, among other things, a concise and complete memorandum of motions, amendments and other related matters.

CHAPTER VI. TRANSACTION OF BUSINESS

Rule 37. Order of Business. The order of business of the Convention shall be as follows:

1. Call to Order
2. Silent Prayer
3. Roll Call
4. Adoption of Journal
5. Communications
6. Unfinished business
7. Reports of Committees
8. First Reading of Committee Proposals
9. Second Reading of Committee Proposals
10. Final Reading of Proposed Constitutional Amendments
11. Consideration of Resolutions
12. Introduction and Referral of Delegate Proposals and Resolutions
13. Special Orders
14. Miscellaneous Business
15. Announcements
16. Adjournment

If any matter is not considered in its appropriate order, it shall lose its precedence for the day but shall appear in the Order of Business of the following day in its regular order. Any matter may be made a special order of business for any particular day or time by a majority vote of Delegates present.

Rule 38. Petitions-Printing in Journal. No petition, memorial, or other comparable communication shall be read or printed in full in the daily Journal unless ordered read or printed by the President, subject to appeal to the Convention.

Rule 39. Stating Motions. When a motion is made and seconded, it shall be stated by the President; or, if in writing, it shall be handed to and read aloud by the Convention Secretary before being debated.

Rule 40. When a Motion is in Possession: Withdrawal. After a motion has been stated by the President or read by the Convention Secretary, it shall be deemed to be in possession of the Convention, but may be withdrawn by the maker of the motion at any time before being amended or put to a vote.

Rule 41. Precedence of Motions. When a question is under debate, no motion shall be received but:

1. to adjourn - not amendable or debatable,
2. to take recess - not amendable or debatable,
3. to defer - amendable and debatable,
4. for the previous question - not amendable or debatable,
5. to commit or re-commit - amendable and debatable, or
6. to amend - amendable and debatable.

Such motions shall take precedence in the order in which they stand arranged, and shall be decided by a majority vote of those Delegates present. When a recess is taken during the pendency of any question, the consideration of such question shall be resumed upon reassembling unless otherwise determined. No motion to defer to commit, or to re-commit after once being decided, shall be again allowed on the same day and at the same stage of the question.

Rule 42. Motions in Order - Debatable. Except when a vote is being taken, a motion to adjourn shall always be in order. A motion to adjourn, a motion to take recess, a motion for the previous question, and all matters relating to questions of order shall be decided without debate.

Rule 43. Order of Putting Questions. All questions shall be put in the order they were moved, except in the case of privileged questions which have precedence.

Rule 44. Amendments to be Germane. No motion or proposition on a subject different from that under consideration shall be admitted under the guise of an amendment or substitute.

Rule 45. Division of Question. Any Delegate may call for a division of the question, which shall be divided if it contains propositions in substance so distinct that one being taken away, a substantive proposition shall remain for the decision of the Convention. A motion to strike out and insert shall be deemed indivisible.

Rule 46. Motions for the Previous Question-Method of Ordering. The method of ordering the previous question shall be as follows: any Delegate may move the previous question, which motion shall apply to the immediately pending question only. After the seconding of the motion for the previous question, nothing shall be in order prior to ordering the same, except that a Call of the Convention may be moved and ordered. After ordering the previous question, nothing shall be in order prior to the decision of the pending question except demands for a roll call vote, point of order, appeals from the decisions of the Chair, and a motion to adjourn, to take a recess or to defer, all of which shall be decided without debate. The effect of the order of the previous question shall be to put an end to all debate and bring the Convention to a direct vote upon the immediately pending question or questions in their order down to and including the main question. Amendments to the immediately pending question on the Convention Secretary's desk not yet moved shall be deemed disposed of. When a motion to reconsider is taken under the previous question and is decided in the affirmative, the previous question shall have no operation upon the question to be reconsidered. If the Convention shall refuse to order the previous question, the consideration of the subject shall be resumed as though no motion for the previous question has been made.

Rule 47. Motion for Reconsideration. Any Delegate may move for a reconsideration of any question at the same or next succeeding session. A motion to reconsider shall take precedence over all the other questions, except a motion to adjourn and a motion to recess. No motion to reconsider shall be renewed on the same day. A motion to reconsider shall require a majority of all Delegates.

Rule 48. Motion for Calls of the Convention - Ordering Calls of the Convention. Calls of the Convention may be ordered upon motion by a majority of the Delegates present. A motion for a Call of the Convention shall not be entertained after the previous question is ordered.

Rule 49. Procedure. After a Call of the Convention is ordered the Delegates shall not be permitted to leave the floor of the Convention without permission of the Convention. The Sergeant-at-Arms shall notify the Delegates within the bar of the Convention of the Call. The Convention Secretary shall call the roll of the Convention and the absentees noted. The Sergeant-at-Arms may, upon motion, be dispatched after the absentees. The Convention may proceed to business under a Call of the Convention pending the arrival of any absentee.

CHAPTER VII. PROPOSALS

Rule 50. Introduction. Matters intended to become a part of the Constitution may be presented by a Delegate, a group of Delegates, a Delegation, or the Preconvention Committee in the form of a proposal endorsed by the Delegate or Delegates introducing it, or in the case of a Delegation Proposal, by the Chairman of the Delegation indicating that the Proposal is introduced "by request of the Delegation". One original of each new proposal shall be handed to the Convention Secretary at the time in the Order of Business set aside for introduction of proposals. All proposals shall be introduced in accordance with the form prescribed by the Convention Secretary and these Rules. Proposals shall be numbered, printed and distributed

under the direction of the Convention Secretary not later than the session day following introduction.

The President shall assign each Proposal to a committee, consistent with the subject matter jurisdiction. Where a proposal embraces subject matter that falls within the proper jurisdiction of several committees, the President may assign the Proposal jointly to more than one committee.

Rule 51. Order of Consideration of Committee Proposals. The process by which a Committee Proposal is considered shall be as follows:

1. A committee shall provide the Secretary of the Convention with its Committee Report, attaching the Committee Proposal with any recommended amendments. The convention Secretary shall place the Committee Report on the next day's order of business.

2. Committee Reports shall be discussed and acted upon in order.

3. After adoption of a Committee Report, the Committee Proposal reported upon shall be discussed and acted upon for First Reading.

4. After passing First Reading, the Committee Proposal shall be placed on the calendar for the Second Reading.

5. Not sooner than the day following the passage on First Reading, the Second Reading of the Committee Proposal shall occur in Plenary Session. After the Second Reading, but before the vote on the Second Reading, the Convention shall resolve itself into the Committee of the Whole pursuant to Rule 30. The Committee of the Whole shall report to the Plenary Session its recommendation for action. The Convention in Plenary Session shall vote on the Second Reading of the Committee Proposal after receiving the Committee of the Whole's recommendation for action. Each Committee Proposal that passes Second Reading shall be considered a Proposed Constitutional Amendment and shall be referred to the Committee on Style and Arrangement.

6. The Committee on Style and Arrangement shall provide the Secretary of the Convention with its Committee Report, attaching the Proposed Constitutional Amendment with any stylistic amendments recommended. The Convention Secretary shall place the Committee Report on the next day's order of business.

7. The Report of the Committee on Style and Arrangement shall be discussed and acted upon in order. If such Committee Report does not recommend any stylistic amendments to the Proposed Constitutional Amendment, then adoption of the Report shall be deemed passage of the Proposed Constitutional Amendment on Final Reading.

8. After adoption of the Report of the Committee on Style and Arrangement, the Proposed Constitutional Amendment shall be discussed and acted upon for Final Reading. Discussion shall be limited to those matters that were amended upon the recommendation of the Committee on Style and Arrangement.

Rule 52. Voting. Except as provided elsewhere, either in legislation creating the Constitutional Convention or in these Rules, the adoption of any motion or matter (other than Readings to adopt proposals) by the Convention shall require the affirmative votes of a majority of the Delegates present, and such vote shall be taken by voice vote. Nothing in this rule shall abridge the right of a Delegate to record his vote on any question previous to the announcement of the result.

The adoption of Committee proposals to amend the Constitution shall be by voice vote or secret ballot on First Reading, Second Reading and, where required, Final Reading. A proposal shall pass First Reading upon the affirmative votes of not less than two-thirds (2/3) of all Delegates.

A proposal shall pass Second Reading upon the affirmative votes of not less than three-fourths (3/4) of the state Delegations, with each Delegation casting one vote. The chairman of each Delegation, or his proxy, shall cast the vote for his Delegation.

Where passage on Final Reading is required pursuant to Rule 51 (8), a proposal shall pass on Final Reading upon the affirmative votes of not less than three-fourths (3/4) of the state Delegations, with each Delegation casting one vote. The chairman of each Delegation, or his proxy, shall cast the vote for his Delegation.

Before the vote on any Reading of Committee Proposals, the President shall announce the affirmative votes necessary for passage.

Rule 53. Amendment to Committee Proposal. An amendment to a Proposal, whether at Plenary Session or in Committee of the Whole, shall be presented in writing to the Secretary before the convening of the session at which the Proposal will be considered. The Secretary shall duplicate the amendment for distribution to Delegates in advance of its being moved. Any amendment to the amendment may be made orally, but may be required to be reduced to writing and duplicated before being voted on.

CHAPTER VIII. MISCELLANEOUS

Rule 54. Limitation on Debate and Control of Dilatory Procedure. The Convention by motion may limit the time of debate on any subject matter before the Convention, designate a method of allocating the period allowed for debate among Delegates, or take appropriate action to control dilatory procedure.

Rule 55. Reading and Endorsement of Papers. When the reading of a paper is called for and an objection is raised to such reading, the Convention by a majority vote of the Delegates present shall determine whether or not the paper shall be read.

Rule 56. Language of Proceedings. All proceedings in Plenary Sessions and the Committee of the Whole shall be conducted in English.

Rule 57. Presentation and Endorsement of Communications. Petitions, memorials and other communications received by any officer of the Convention or by any Delegate shall be endorsed by the recipient, and by him or her handed directly to the Convention Secretary who shall cause them to be placed on the Order of Business of the following day. The President shall assign each such matter to an appropriate committee, subject to an appeal to the Convention. The chairman of the Committee, on behalf of the Convention, shall give appropriate notice of the receipt of the communication.

Rule 58. Calls of Convention. Upon calls of the Convention, and in taking a roll call vote upon any question the names of the members shall be called alphabetically by last names.

Rule 59. Putting the Question. Except as specified elsewhere in these Rules, the President shall put all questions to a voice vote. If the President doubts the result of the vote he may order a division of the proposal.

A roll call vote of the Convention on any question may be had on demand of any Delegate present. On a tie vote the question shall be deemed as lost.

Rules 60. Recognition During Roll Call. After a question has been stated by the President, and the call of the roll had been started by the Convention Secretary, the President shall not recognize a Delegate for any purpose, except upon points of order, until after the announcement of the vote by Convention Secretary. The Convention Secretary shall enter upon the journal the names of those voting "aye" and the names of those voting "no" and the names of those abstaining, if any. Any Delegate is privileged to reserve the right to explain in writing, his or her vote on the roll call, but the Delegate must reserve that right at the time of voting and not otherwise. The written explanation shall be included in the Journal if presented to the Convention Secretary before the next session of the Convention, or in the case of the final day of the Convention, within twenty-four (24) hours of the vote.

Rule 61. Abstentions. An abstention shall be deemed a vote in the affirmative except on Second Reading of Committee Proposals.

Rule 62. Amendment or Suspension of Rules. No rule of the Convention shall be amended unless such amendment is in writing and in the possession of the Convention one day prior to its consideration. A rule may be suspended by a vote of two-thirds of the Delegates present. There may be no suspension of the Rules as to the minimum number of votes or quorum requirements.

Rule 63. Appeals From Decision of the Presiding Officer. All appeals from the decisions of the Presiding Officer shall be decided by an affirmative vote of not less than two-thirds of the Delegates present.

Rule 64. Deferring Appeals. An appeal may be deferred but shall not carry with it the subject matter before the Convention at the time such appeal is taken.

Rule 65. Procedural Issues Not Covered by These Rules. The Rules contained in *Mason's Manual of Legislative Procedure* shall govern the Convention in all cases to which they are applicable and in which they are not inconsistent with the legislation establishing the Constitutional Convention or these Rules of Procedure.

Rule 66. Definition of Calendar Days. This Constitutional Convention shall continue in session for no longer than thirty calendar days; provided, however, that the Convention may recess, and may extend the session, if necessary, up to a total of forty-five calendar days. For the purposes of this Convention calendar days means Convention days. Convention days begin on the day that the Convention is convened and continue until the Convention recesses and begin again when the Convention reconvenes. Recess days are not Convention days.