

A BILL FOR AN ACT

To further amend Public Law No. 11-53, as amended by Public Law No. 11-66, by amending section 6 to change the definition of quorum; by further amending section 8, as amended by Public Law No. 11-66, to allow the Convention to decide the date for a special referendum; by amending section 9 to change the provision for the expenses of delegates and staff; and by adding a new section 10 to establish a Post-Convention Committee and define its duties; and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1 Section 1. Section 6 of Public Law No. 11-53 is hereby amended to
2 read as follows:

3 "Section 6. Procedures.

4 (1) Once convened, the Constitutional Convention shall
5 continue in session for no longer than thirty calendar days,
6 PROVIDED, however, that the Convention may:

7 (a) call recesses; and

8 (b) extend the session, if necessary, for up to a
9 total of forty-five calendar days.

10 (2) The President of the Federated States of Micronesia, or
11 his designee, shall act as President of the Convention until
12 the Convention selects a President from among its membership.

13 (3) The Convention shall select, from among its membership,
14 a President and such additional officers as it may deem
15 necessary and appropriate.

16 (4) The Convention shall adopt its own rules and procedures
17 not inconsistent with this act. All sessions of the

1 Convention shall be open to the public.

2 (5) A quorum of the Convention shall consist of a majority
3 of all the delegates to the Convention, PROVIDED all [~~of the~~]
4 four state delegations are present. For the purpose of
5 determining a quorum, a state delegation is [~~not~~] present
6 [~~unless more than~~] when at least one-half of the delegates
7 from that state are present."

8 Section 2. Section 8 of Public Law No. 11-53, as amended by
9 Public Law No. 11-66, is hereby further amended to read as follows:

10 "Section 8. Duties of the Convention.

11 (1) The Convention shall propose amendments to the
12 Constitution. Unless the Convention, by resolution, selects
13 an earlier date, proposed amendments will [~~to~~] be placed on a
14 ballot for a referendum to be held in March 2003[~~7~~] or,
15 [~~during a special election called for that purpose or an~~
16 ~~earlier date; PROVIDED, however, that~~] in the event that an
17 amendment would affect the general election, [~~the amendment~~
18 ~~or amendments shall be voted on~~] in a special referendum
19 called by the President of the Federated States of Micronesia
20 for December of 2002.

21 (2) Proposed amendments to the Constitution shall be in the
22 format set forth in the Constitutional Amendment Procedure
23 Act title 1, section 703 of the Code of the Federated States
24 of Micronesia, as amended, and any regulations issued
25 pursuant thereto.

1 (3) When said amendments have been proposed by the
2 Convention, the Convention shall notify the President of the
3 Federated States of Micronesia, who shall transmit a copy of
4 the amendments to the Congress of the Federated States of
5 Micronesia, and shall call a referendum as provided by title
6 1, chapter 7 of the Code of the Federated States of
7 Micronesia, as amended."

8 Section 3. Section 9 of Public Law No. 11-53 is hereby amended to
9 read as follows:

10 "Section 9. Expenses of delegates and staff.

11 (1) All delegates and staff of the Convention shall be
12 entitled to per diem and travel expenses at standard rates,
13 as provided by the Financial Management Regulations of the
14 National Government of the Federated States of Micronesia,
15 while on the business of the Convention.

16 (2) Any delegate who is an official or employee of the
17 National Government of the Federated States of Micronesia
18 shall be placed on administrative leave with pay and shall be
19 entitled to receive his or her regular salary during their
20 service as delegate.

21 ~~(3) [Delegates who are not employed by a government and are~~
22 ~~not entitled to necessary travel expenses and per diem~~
23 ~~pursuant to subsection (1) of this section, shall be given a~~
24 ~~\$50.00 per day stipend while on the business of the~~
25 ~~Convention.] Delegates not receiving administrative leave~~

1 with pay from their usual employment, if any, shall be
2 entitled to a stipend while on the business of the
3 Convention. The daily stipend shall be the greater of three-
4 fourths (3/4) of the Delegate's daily salary or \$50.00 per
5 day.

6 (4) Upon the request of the Pre-Convention Committee, staff
7 assistance for the Constitutional Convention shall be
8 provided as needed through the National Government of the
9 Federated States of Micronesia."

10 Section 4. Public Law No. 11-53, as amended by Public Law No. 11-
11 66, is hereby further amended by enacting a new section 10 to read as
12 follows:

13 "Section 10. Post-Convention Committee.

14 (1) There shall be a Post-Convention Committee, which
15 shall consist of not less than one (1) member from each
16 State's Convention Delegation, selected by a majority
17 vote of the Convention Delegates. Such selection shall
18 be made no later than the closing day of the Convention.

19 (2) The duties of the Post-Convention Committee shall
20 be as follows:

21 (a) to insure the timely and accurate publication
22 of a bound journal of the convention and its
23 proceedings;

24 (b) to insure timely submission and payment of
25 all Convention expenses;

1 (c) to develop a plan of action to educate the
2 public about the content and purpose of each amendment
3 proposed by the Convention;

4 (d) to develop written materials that shall be
5 used for public education on each amendment proposed by
6 the Convention;

7 (e) to prepare a budget for public education on
8 the amendments proposed by the Convention to be
9 submitted to Congress in the next following regular or
10 special session; and

11 (f) to perform such other duties as may be
12 assigned by the Convention.

13 (3) The Post-Convention Committee shall convene not
14 later than thirty (30) days after the closing day of the
15 Convention.

16 (4) Members of the Post-Convention Committee shall be
17 entitled to per diem and travel expenses to the same
18 extent as Pre-Convention Committee members.

19 (5) Staff assistance for the Post-Convention Committee
20 shall be provided as needed through the Executive Branch
21 of the National Government of the Federated States of
22 Micronesia.

23 (6) The Post-Convention Committee shall complete its
24 work in no more than fifteen (15) calendar days."

25 Section 5. This act shall become law upon approval by the

1 President of the Federated States of Micronesia or upon its becoming
2 law without such approval.

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5 Date: _____ Introduced by: _____

Joseph J. Urusemal
(by request)

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