

AN ACT

To further amend Public Law No. 11-53, as amended by Public Law No. 11-66, by amending section 5 to clarify the duties and activities of the Pre-Convention Committee; 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 5 of Public Law No. 11-53 is hereby
2 amended to read as follows:

3 "Section 5. Pre-Convention Committee.

4 (1) There shall be a Pre-Convention Committee which
5 shall consist of two members from each state's
6 convention delegation who are selected by a majority
7 vote of that state's convention delegation. Such
8 selection shall be made no later than May 19, 2001, in
9 writing by the state's delegation to the President of
10 the Federated States of Micronesia.

11 (2) The Pre-Convention Committee shall be convened at
12 the call of the Speaker of the Congress of the Federated
13 States of Micronesia, and shall choose its own officers
14 and organize according to its own rules and procedures.

15 (3) The duties of the Pre-Convention Committee shall
16 be as follows:

1 (a) to make arrangements for accommodations,
2 equipment and facilities; PROVIDED, however, that the
3 Pre-Convention Committee shall, whenever possible,
4 arrange to utilize National Government equipment and
5 facilities;

6 (b) to make arrangements for staff;

7 (c) to prepare a budget for the Constitutional
8 Convention to be submitted to Congress in the regular or
9 special session of Congress next following;

10 (d) to confer with the various state Convention
11 delegations to identify those issues that each
12 delegation wishes to raise at the Convention;

13 (e) to commission any research that it feels
14 should be performed on issues identified by the state
15 delegations prior to the convening of the Convention;

16 (f) to specify a date for convening the
17 Convention;

18 (g) to prepare proposed rules and procedures; and

19 (h) to perform other functions not otherwise
20 reserved to the Convention which will assure a
21 successful and orderly Convention.

22 (4) Members of the Pre-Convention Committee shall be
23 entitled to per diem and travel expenses at standard
24 rates, as provided by the Financial Management
25 Regulations of the National Government of the Federated

1 States of Micronesia, while on the business of the
2 Committee.

3 (5) Staff assistance for the Pre-Convention Committee
4 shall be provided as needed through the National
5 Government of the Federated States of Micronesia.

6 (6) The Pre-Convention Committee shall complete its
7 work in no more than fifteen calendar days, except that
8 the officers of the Pre-Convention Committee shall be
9 authorized to take action thereafter, as necessary, to
10 complete preparations for the convening of the actual
11 Convention itself."

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

14 "Section 6. Procedures.

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

18 (a) call recesses, PROVIDED, however, that all
19 recess days shall count as calendar days; and

20 (b) extend the session, if necessary, for up to
21 not more than fifteen additional calendar days, for a
22 total of forty-five calendar days.

23 (2) The President of the Federated States of
24 Micronesia, or his designee, shall act as President of
25 the Convention until the Convention selects a President

1 from among its membership.

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

5 (4) The Convention shall adopt its own rules and
6 procedures not inconsistent with this act. All sessions
7 of the Convention shall be open to the public.

8 (5) Unless otherwise provided by Convention rule, a
9 quorum of the Convention shall consist of a majority of
10 all the delegates to the Convention, PROVIDED all four
11 state delegations are present. For the purpose of
12 determining a quorum, a state delegation is present when
13 at least one-half of the delegates from that state are
14 present."

15 Section 3. Section 8 of Public Law No. 11-53, as amended by
16 Public Law No. 11-66, is hereby further amended to read as
17 follows:

18 "Section 8. Duties of the Convention.

19 (1) The Convention shall propose amendments to the
20 Constitution. Unless the Convention, by resolution,
21 selects an earlier date, proposed amendments will be
22 placed on a ballot for a referendum to be held in March
23 2003 or, in the event that an amendment would affect the
24 general election, in a special referendum called by the
25 President of the Federated States of Micronesia for

1 December of 2002.

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

7 (3) When said amendments have been proposed by the
8 Convention, the Convention shall notify the President of
9 the Federated States of Micronesia, who shall transmit a
10 copy of the amendments to the Congress of the Federated
11 States of Micronesia, and shall call a referendum as
12 provided by title 1, chapter 7 of the Code of the
13 Federated States of Micronesia, as amended."

14 Section 4. Section 9 of Public Law No. 11-53 is hereby
15 amended to read as follows:

16 "Section 9. Expenses of delegates and staff.

17 (1) While on the business of the Convention, all
18 delegates and staff of the Convention, including non-
19 government employees, shall be entitled to per diem and
20 travel expenses at the standard rates provided by the
21 Financial Management Regulations of the National
22 Government of the Federated States of Micronesia, if
23 eligible therefore pursuant to the guidelines set forth
24 in such regulations; PROVIDED, however, that all
25 delegates shall be eligible to receive the standard car

1 rental allowance, upon request, if supported by proper
2 documentation.

3 (2) Any delegate who is an official or employee of the
4 National Government of the Federated States of
5 Micronesia shall be placed on administrative leave with
6 pay and shall be entitled to receive his or her regular
7 salary during their service as delegate.

8 (3) Delegates not receiving administrative leave with
9 pay from their usual employment, if any, shall be
10 entitled to a stipend while on the business of the
11 Convention. The daily stipend shall be the greater of
12 three-fourths (3/4) of the Delegate's daily salary or
13 \$50.00 per day.

14 (4) Upon the request of the Pre-Convention Committee,
15 staff assistance for the Constitutional Convention shall
16 be provided as needed through the National Government of
17 the Federated States of Micronesia."

18 Section 5. Public Law No. 11-53, as amended by Public Law
19 No. 11-66, is hereby further amended by enacting a new section 10
20 to read as follows:

21 "Section 10. Post-Convention Duties.

22 (1) All Post-Convention duties shall be completed
23 under the supervision and direction of the Convention
24 President.

25 (2) To the greatest extent possible, assistance in

1 completing Post-Convention duties shall be provided
2 through the Executive Branch of the National Government
3 of the Federated States of Micronesia.

4 (3) To the extent otherwise necessary, and at the
5 direction of the Convention President, Post-
6 Convention duties shall be completed by Convention
7 Staff.

8 (4) Post-Convention duties include the following:

9 (a) to insure the timely and accurate
10 publication of a bound journal of the convention
11 and its proceedings;

12 (b) to insure timely submission and payment
13 of all Convention expenses;

14 (c) to develop factual written materials
15 that set forth the content and purpose of each
16 proposed amendment and shall be used for public
17 education on each amendment proposed by the
18 Convention; and

19 (d) to perform such other duties as may be
20 assigned by the Convention."

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1 Section 6. This act shall become law upon approval by
2 the President of the Federated States of Micronesia or upon
3 its becoming law without such approval.

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August 16 _____, 2001

/s/ Redley Killion for
Leo A. Falcam
President
Federated States of Micronesia