

AN ACT

To further amend Public Law 21-19, as amended by Public Laws Nos. 21-39, 21-74, and 21-109, by amending sections 6 and 8 thereof, in order to clarify when the Constitutional Convention shall reconvene after the coronavirus emergency, to clarify that Delegates will not be paid during the extended recess, to clarify the timeframe to vote on proposed amendments, 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. 21-19, as amended  
2 by Public Law Nos. 21-74 and 21-109, is hereby further amended  
3 to read as follows:

4           "Section 6. Procedures.

5                   (1) The Constitutional Convention shall be convened  
6 on the first Tuesday after the first Monday in January,  
7 2020, and the Constitutional Convention shall continue in  
8 session for no longer than thirty calendar days; PROVIDED,  
9 HOWEVER, that the Convention may:

10                   (a) call recesses, including one extended recess  
11 of between 3 and 30 consecutive calendar days, which shall  
12 not be included in the calculation of the calendar days  
13 the Constitutional Convention is session and for which no  
14 daily allowance under section 9 shall be paid;

15                   (b) extend the session, if necessary, for up to a  
16 total of forty-five calendar days; and

17                   (c) The Constitutional Convention may call an

1 additional recess of up to three months, which shall not  
2 be included in the calculation of the calendar days the  
3 Constitutional Convention is in session and for which no  
4 daily allowance under section 9 shall be paid, due to the  
5 coronavirus emergency. The extended recess of three  
6 months due to the coronavirus emergency will be resumed at  
7 the call of the President of the Constitutional  
8 Convention, no later than 3 months after the coronavirus  
9 emergency declaration is revoked. After such recess, the  
10 Convention shall continue the remaining session days of  
11 the Convention in consecutive calendar days. Delegates  
12 shall not be entitled to any allowance, as prescribed  
13 under section 9, during the coronavirus emergency recess.

14 (2) The President of the Federated States  
15 of Micronesia, or their designee, shall act as President  
16 of the Convention until the Convention selects  
17 a President from among its membership.

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

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

24 (5) A quorum of the Convention shall consist of all of  
25 the four state delegations. For the purpose of

1           determining a quorum, a state delegation is not present  
2           unless more than one-half of the delegates from that  
3           state are present.”

4           Section 2. Section 8 of Public Law No. 21-19, as amended, is  
5 hereby amended to read as follows:

6           “Section 8. Duties of the Convention.

7                   (1) The Convention shall propose amendments to the  
8           Constitution to be placed on a ballot to be held at the  
9           next National Election after the Constitutional  
10          Convention adjourns sine die; PROVIDED, HOWEVER, that in  
11          the event that an amendment would affect the general  
12          election, the amendment or amendments shall be voted on  
13          in a special referendum called by the President of the  
14          Federated States of Micronesia no later than three  
15          months preceding a general National Election.

16                   (2) Proposed amendments to the Constitution shall be  
17          in the format set forth in the Constitutional Amendment  
18          Procedure Act, title 1, section 703 of the Code of the  
19          Federated States of Micronesia (Annotated), as amended,  
20          and any regulations issued pursuant thereto.

21                   (3) When said amendments have been proposed by the  
22          Convention, the Convention shall notify the President of  
23          the Federated States of Micronesia, who shall transmit a  
24          copy of the amendments to the Congress of the Federated  
25          States of Micronesia, and shall call a referendum as

1           provided by title 1, chapter 7 of the Code of the  
2           Federated States of Micronesia (Annotated), as amended.”

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

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\_\_\_\_\_ July 24, 2020

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/s/ David W. Panuelo  
David W. Panuelo  
President  
Federated States of Micronesia

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