AN ACT

To amend Public Law No. 11-53, concerning the selection of delegates and procedures for the Constitutional Convention, by amending sections 2, 3, 4 and 8, to clarify the procedure for electing delegates in single district states and make other corrections therein, and for other purposes.

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

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

"Section 2. **Delegates.** The Convention shall consist of four delegations composed of one delegation from each of the four states of the Federated States of Micronesia.

(1) Composition of Delegations. The delegates, all of whom shall be citizens of the Federated States of Micronesia, shall be selected as follows:

(a) There shall be five (5) delegates elected from existing congressional districts and one (1) delegate elected at-large from Chuuk State.

(b) There shall be three (3) delegates elected from existing congressional districts and one (1) delegate elected at-large from Pohnpei State.

(c) There shall be two (2) delegates elected at-large from Yap State.

(d) There shall be two (2) delegates elected at-large from Kosrae State.

(2) Eligibility. Unless otherwise excluded by law, a person shall be eligible for election as a delegate from the representative state if he or she:

(a) is a citizen who is twenty-five (25) years of age or older; and
(b) has fulfilled the residency requirements set forth in title 9 of the Code of the Federated States of Micronesia for registration as a voter in the representative state or in the case of district candidates, in the representative district; and

(c) is not currently under a judgement of mental incompetency or insanity, or under parole, probation, or a sentence for any felony for which he or she has been convicted by any court.

(3) All delegates shall be voting members."

Section 2. Section 3 of Public Law No. 11-53 is hereby amended to read as follows:

"Section 3. Elections.

(1) Except as otherwise provided in this act, election of delegates shall be held in accordance with title 9 of the Code of the Federated States of Micronesia, as amended.

(2) The election of delegates shall be held simultaneously with the regular congressional election in March 2001.

(3) In each State from which both at-large and district delegates are elected, each person voting for delegates shall be permitted to vote for one district delegate and one delegate at-large. The candidate receiving the highest number of votes for a district or at-large seat shall be the delegate to the Convention from the representative district
Section 3. Section 4 of Public Law No. 11-53 is hereby amended to read as follows:

"Section 4. Vacancies. Vacancies in any state's convention delegation shall be filled by the relevant candidate receiving the next highest number of votes in the state's delegate election. In the event of a tie between two or more candidates for the next highest number of votes, the vacancy shall be filled by appointment by the Governor from among the tied candidates. Any vacancy of a delegate who was unopposed in the delegate election shall be filled by appointment by the Governor."
Section 4. Section 8 of Public Law No. 11-53 is hereby amended to read as follows:

"Section 8. Duties of the Convention.

(1) The Convention shall propose amendments to the Constitution to be placed on a ballot for a referendum to be held in March 2003, or during a special election called for that purpose or an earlier date; PROVIDED, however, that in the event that an amendment would affect the general election, the amendment or amendments shall be voted on in a special referendum called by the President of the Federated States of Micronesia for December of 2002.

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

(3) When said amendments have been proposed by the Convention, the Convention shall notify the President of the Federated States of Micronesia, who shall transmit a copy of the amendments to the Congress of the Federated States of Micronesia, and shall call a referendum as provided by title 1, chapter 7 of the Code of the Federated States of Micronesia, as amended."
Section 5. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

1/8/__________, 2001

/s/
Leo A. Falcam
President
Federated States of Micronesia