A BILL FOR AN ACT

To further amend Public Law 21-19, as amended by Public Laws Nos. 21-39 and 21-74, by amending sections 5, 6, and 9 thereof, in order to provide allowances to eligible delegates to the Constitutional Convention who were members of the Pre-Convention Committee for their attendance at meetings of that Committee, to increase the number of days the Convention can be extended, and for other purposes.

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

Section 1. Section 5 of Public Law 21-19, as amended, is hereby amended to read as follows:

"Section 5. Pre-Convention Committee.

(1) There shall be a Pre-Convention Committee which shall consist of two members from each state’s convention delegation who are selected by a majority vote of that state’s convention delegation. Such selection shall be made no later than November 19, 2019, in writing by the state’s delegation to the President of the Federated States of Micronesia.

(2) The Pre-Convention Committee shall be convened on the first Tuesday after the first Monday in December, 2019, at the call of the Speaker of the Congress of the Federated States of Micronesia, and shall choose its own officers and organize according to its own rules and procedures.
(3) The duties of the Pre-Convention Committee shall be as follows:
   (a) to make arrangements for accommodations, equipment and facilities; PROVIDED, HOWEVER, that the Pre-Convention Committee shall, whenever possible, arrange to utilize National Government equipment and facilities;
   (b) to make arrangements for staff;
   (c) to prepare a budget for the Constitutional Convention to be submitted to Congress in the regular or special session of Congress next following;
   (d) to confer with the various state delegations to identify those issues that each delegation wishes to raise at the Convention;
   (e) to commission any research that it feels should be performed on issues identified by the state delegations prior to the convening of the Convention;
   (f) to prepare proposed rules and procedures; and
   (g) to perform other functions not otherwise reserved to the Convention which will assure a successful and orderly Convention.

(4) Members of the Pre-Convention Committee shall be entitled to per diem and travel expenses at standard rates, as provided by the Financial Management Regulations of the National Government of the Federated
States of Micronesia, while on the business of the Committee.

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

(6) The Pre-Convention Committee shall complete its work in no more than fifteen calendar days.

(7) Members of the Pre-Convention Committee who were not getting paid by the national government or a state government on the days the Pre-Convention Committee held its meetings shall be entitled to a daily allowance for their attendance at the Pre-Convention Committee meetings at a rate of $200 per day. This subsection shall be applied retroactively.”

Section 2. Section 6 of Public Law No. 21-19, as amended by Public Law No. 21-74, is hereby further amended to read as follows:

“Section 6. Procedures

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

(a) call recesses, including one extended recess
of between 3 and 30 consecutive calendar days, which
shall not be included in the calculation of the calendar
days the Constitutional Convention is in session and for
[which] a recess in excess of eight consecutive calendar
days, no daily allowance under section 9 shall be paid;
and
(b) extend the session, if necessary, for up to a
total of [forty-five] fifty-two calendar days.

(2) The President of the Federated States of
Micronesia, or their designee, shall act as President of
the Convention until the Convention selects a President
from among its membership. (3) The Convention shall
select, from among its membership, a President and such
additional officers as it may deem necessary and
appropriate.

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

(5) A quorum of the Convention shall consist of all of
the four state delegations. For the purpose of
determining a quorum, a state delegation is not present
unless more than one-half of the delegates from that
state are present.”

Section 3. Section 9 of Public Law No. 21-19, as amended, is
hereby amended to read as follows:
“Section 9. Expenses of delegates and staff.

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

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

(3) Delegates who are not getting paid by the national government or a state government during the session for the Constitutional Convention or during a committee work day of the Convention shall be entitled to a daily allowance for their attendance during the session or at a meeting of a Standing Committee of the Constitutional Convention at a rate of $200 per day. A delegate who is an official or employee of the national government or a state government who is on administrative leave with pay shall be entitled to a daily allowance for their attendance of a session of the Convention or of a meeting of a Standing Committee that is held on a Saturday, Sunday, or national holiday at a
rate of $200 per day. The amendment to this subsection shall be applied retroactively.

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

Date: 3/5/20                 Introduced by: /s/ Wesley W. Simina
Wesley W. Simina