

Proposal No.: CC-PR-4-60

Assigned to: Committee on Government Structure & Functions

PROPOSAL TO AMEND CONSTITUTION

To amend Sections 1, 4, and 5 of Article X of the Constitution to require direct election of the President and Vice-President by the people through an electoral college style system.

Section 1.

- (a) The executive power of the national government is vested in the President of the Federated States of Micronesia.
- (b) No more than one candidate from each state shall run for the office of President. Each state shall determine their candidate for President through a primary process. The primary shall be held two months prior to the General Election.
- (c) The winner of the primary in each state shall be the candidate who wins the most votes cast. The winner of the primary in each state shall select the person who will run with them as Vice President. The President and Vice President shall run on one ticket and shall be citizens of different states.
- (d) In the General Election, the citizens of each state shall vote for the President and Vice President at the same time that they vote for their members of Congress.
- (e) The President and Vice President are ~~is~~ elected by Congress for a term of four years by a majority vote of all the members.
- (f) ~~He~~ The President and Vice President may not serve for more than 2 consecutive terms. If the incumbent President does not win the primary, then another citizen of that state may not serve as President for what would have been the incumbent President's second term.

Section 4. A person is ineligible to become President or Vice President unless ~~he is a member of Congress for a 4 year term,~~ he or she is a citizen of Micronesia by birth, at least 30 years of age on the day of the election, and a resident of the Federated States of Micronesia for at least 15 years. A person who has been convicted of a felony by a court of competent jurisdiction is ineligible to be President or Vice President.

Section 5. After the election of the President, the Vice President is elected in the same manner as the President, has the same qualifications, and serves for the same term of office. He may not be a resident of the same state. After the election of President and the Vice President, vacancies in Congress shall be declared.

- (a) The President and Vice President shall be the candidates receiving a majority of votes in the Electoral College. If no candidate receives a majority of votes, then the candidate from the state that has not had the most recent President shall be declared the winner.
- (b) The votes of the Electoral College shall be calculated automatically as follows:
 - (i) For a state's at large district, one vote shall be cast for the candidate that received the highest number of votes in that state.
 - (ii) For each election district in the state, one vote shall be cast for the candidate who received the highest number of votes cast in the election district.

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(c) The National Election Commissioner, upon receipt of all of the Electoral College votes from all of the states, shall declare the winner.

PURPOSE AND INTENT OF AMENDMENT:

Under this proposal, the President and Vice-President will be elected by the voters, through a college electoral delegate style system. The candidates for President and Vice-President should be from different states and shall run on one ticket. There will be no more than one candidate from each state for the President and Vice-President. No President from the same state may serve more than two consecutive terms.

The concept of a college electoral system should mirror or be somewhat similar to the election of President and Vice-President by the Congress. Currently, there are five (5) election districts in Chuuk, three (3) in Pohnpei and Yap and Kosrae each has one (1). Each state has one at-large member. Each elector would have one (1) vote. Meaning the total votes under the current system is 14. Thus, electorate delegates would be the same as current system. Chuuk will have 6, Pohnpei 4, and Yap and Kosrae each has 2. With this proposal, a ticket may win electoral votes from different districts in different states, but each ticket can only win the one State electorate delegate's vote if that ticket carries the majority state-wide votes cast. In the smaller states, whichever ticket wins that state gets 2 electoral college votes. The smaller states, however, now have a better opportunity to get one or more electoral vote from the larger states or vice-versa, by attracting people from the larger states to be part of their team. A run-off election will be required if no ticket garners a majority of electorate votes.

This proposal will also promote unity in the Nation, as it is expected that a ticket will try to get supporters from all the states, which will hopefully impact the composition of the Cabinet resulting in an increase in the number of Cabinet members from states other than that of the President.

This proposal contains no different concept than current allocation of congressional votes. It puts the decision however, to the majority of voters cast in a given election district and the state-wide voters. This will allow the voters to exercise their constitutional rights to directly elect the President of their choice. It also maintains the current voting allocations in each district through the people instead of the district representative in Congress.

The Proposal will limit one candidate from each state for both the President and Vice-President. This is to avoid, too many re-run off elections and be consistent with current arrangement. Further, it will not allow two individuals from the same State to be President one after another.

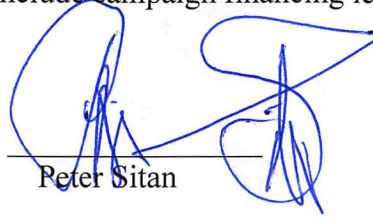
The proposal would take away, the fears on uneven check and balance between the Executive and Legislative branches. Too often, many have said that the President is the Constituent of the Congress, and only natural that the President would act like a constituent of the Congress instead of the people. Accountability of the President will therefore, be to the people, instead of the Congress.

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Finally, there could be a need to put in some kind of measures to avoid only the rich can run for office. This could include campaign financing legislation etc.

Proposed by Delegate:



Peter Sitan

Date:

1/21/20