

STANDING COMMITTEE REPORT NO. CC-SCR-4-16

DATE: June 20, 2022

RE: Proposal No. 04-71

The Honorable Redley Killion
President
Fourth Constitutional Convention of the
Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear Mr. President:

Your Committee on Government Structure and Function, to which was referred Delegate Proposal No. 04-71, entitled;

TO AMEND ARTICLE IX, SECTION 8, OF THE CONSTITUTION OF THE FEDERATED STATES OF MICRONESIA TO INCREASE THE NUMBER OF AT-LARGE MEMBERS OF CONGRESS.

begs leave to report as follows:

The intent and purpose of the proposal is to increase the pool of Senators from which Congress may choose a President and Vice-President.

The current language of Article IX, Section 8 is:

“The Congress consists of one member elected at large from each state on the basis of state equality, and additional members elected from congressional districts in each state apportioned by population. Members elected on the basis of state equality serve for a 4-year term, and all other members for 2 years. Each member has one vote, except on the final reading of bills. Congressional elections are held biennially as provided by statute.”

The positions of President and Vice President are the highest in the land and must be filled by qualified and competent individuals who have knowledge of how the Executive Branch of our national government operates, knowledge of how the three branches of government interact with one another, and knowledge of the issues facing the nation. In addition, as the face of the FSM to the world, the President must have knowledge of foreign affairs and of the FSM’s international obligations.

Article X, Sections 4 and 5, of the FSM Constitution require that the President and Vice President be “a member of Congress for a 4-year term.” Currently, Article IX, Section 8, of the Constitution limits the number of 4-year term members of Congress to four (4), one from each state. Thus, there is a limited pool of individuals from which Congress may choose the President and Vice President. Your Committee’s Proposal seeks to increase the number of 4-year term

members of Congress to eight (8), increasing the number of individuals from which Congress can make its selection of President and Vice President.

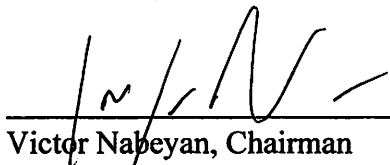
Your Committee discussed whether direct election of the President and Vice President by the citizens of the FSM would be a better method to increase the number of candidates for these offices, but determined that maintaining the current system of selection of the President by Congress, but increasing the number of individuals eligible to be President, better suits the needs of the country. The current system provides an equal number of candidates from each of the four states and allows the citizens of each state to elect to the 4-year seat in Congress, the person they believe best to lead the nation. Our current system of government and system of choosing a President and Vice President reflects that each state joined the FSM as an equal partner and that each state should participate equally in leading the country. Your Committee believes that the current system which reflects this equality and provides for unity should be maintained.

Because the election of the new 4-year members of Congress will be held at the same time as the current members of Congress, the only election cost is the addition of a name to the ballot. Your Committee believes that any increase in the cost of Congress's operations resulting from adding 4 at-large members to Congress, is more than offset by the benefit of having more members to choose from to be President and Vice President.


Your Committee also discussed whether members of Congress should be subject to term limits. Your Committee concluded that imposing term limits on members of Congress would reduce the number of experienced individuals who would be eligible for the position of President and Vice President and thus, defeat the purpose of this amendment.

For the reasons stated herein, your Committee on Government Structure and Function is in accord with the intent and purpose of the committee proposal attached hereto and recommends its passage on First Reading, and that it be placed on the Calendar for Second Reading for review by your Committee of the Whole, then placed on the Calendar for Final Reading after review by your Committee on Style and Arrangement.

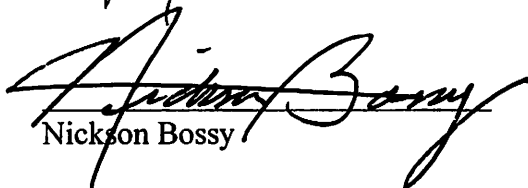
Respectfully submitted,



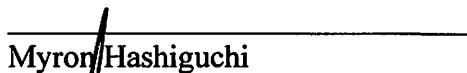
Victor Nabeyan, Chairman



Akillino Susaia, Vice Chairman




Nickson Bossy



Myron Hashiguchi

James Naich

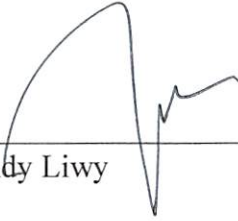


Marcus Samo

Roger Arnold




Yoslyn Sigrah



Tendy Liwy

Andrew Yatilman



Canney Palsis



Ricky Cantero



Berney Martin

Committee Proposal No. 04-12
Committee on Government Structure and Functions
Standing Committee Report No. CC-SCR-04-16

ARTICLE IX

Section 8. The Congress consists of ~~one~~ two members elected at large from each state on the basis of state equality, and additional members elected from congressional districts in each state apportioned by population. Members elected on the basis of state equality serve for a 4-year term, and all other members for 2 years. Each member has one vote, except on the final reading of bills. Congressional elections are held biennially as provided by statute.

Date: June 20, 2022

Offered by: Committee on Government Structure and
Functions