

## A PROPOSED AMENDMENT TO CONSTITUTION

To amend Article XIV, Section 1 of the Constitution to require that only 2/3 of the population of ¾ of the states are required to approve a proposed amendment to the Constitution for the amendment to be ratified and become a part of the Constitution.

Article XIV, Section 1 currently reads:

An amendment to this Constitution may be proposed by a constitutional convention, popular initiative, or Congress in a manner provided by law. A proposed amendment shall become a part of the Constitution when approved by ¾ of the votes cast on that amendment in each of ¾ of the states. If conflicting constitutional amendments submitted to the voters at the same election are approved, the amendment receiving the highest number of affirmative votes shall prevail to the extent of such conflict.

Amend Section 1 to read as follows:

An amendment to this Constitution may be proposed by a constitutional convention, popular initiative, or Congress in a manner provided by law. A proposed amendment shall become a part of the Constitution when approved by ~~¾~~ 2/3 of the votes cast on that amendment in each of ¾ of the states. If conflicting constitutional amendments submitted to the voters at the same election are approved, the amendment receiving the highest number of affirmative votes shall prevail to the extent of such conflict. This entire section shall govern the March 2021 referendum and all other referendums that follow.

### PURPOSE AND INTENT OF THE AMENDMENT:

Reasons for lowering the bench mark to 2/3 of the population of ¾ of the states for approval of an amendment:

- The Micronesian people adopted the FSM Constitution by a simple majority vote (50%).
- The provisions in the Constitution are mostly plainly stated, and open to little interpretation. The Founders saw that a Constitutional Convention every decade would best serve the purpose of amending the Constitution to fit the needs of the people with changing times.
- However, the current bench mark of 75% of the populations of ¾ of the states set a near impossible bench mark to amend the current constitution and thus, frustrates that vision.
- The Constitution favors status quo for provisions which may never have had 75% or even 67% support from Micronesians at any point in its history.

- The  $\frac{3}{4}$  benchmark makes it nearly impossible to adapt the Constitution in a country that experiences the forces of globalization and climate change more intensely than ever in the past.
- Lowering the bench mark to  $\frac{2}{3}$  (66.6%), or what is considered a supra-majority, of each state's population, is more than a simple majority vote.
  - o It will reflect the will of the vast majority of the people of the FSM and make necessary changes to the constitution actually possible.
  - o It is still a high enough bench mark that changes to status quo will only occur when a proposed amendment receives a relatively large majority of the population that believes such change is necessary.

The Convention should hold a separate referendum for the ratification on this proposal – well before the March 2021 referendum on the other proposed amendments. If this amendment is ratified, it will then govern the procedure within the March 2021 referendum.

Introducer:   
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Date