

Proposal No.: CC-PR-4-32

Assigned to: Committee on General Provisions

### PROPOSAL TO AMEND CONSTITUTION

To amend Article XIV, Section 1 of the Constitution of the Federated States of Micronesia to reduce the number of votes needed to amend the Constitution.

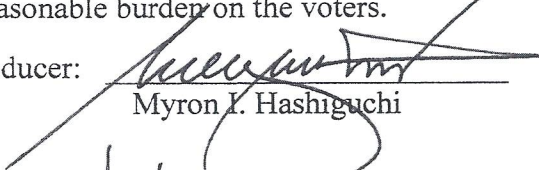
**Section 1.** An amendment to this Constitution may be proposed by a constitutional convention, popular initiative, or Congress in a manner provided by law. A proposed amendment shall become part of the Constitution when approved by  $\frac{3}{4}$   $\frac{2}{3}$  of the votes cast on the amendment in each of  $\frac{3}{4}$   $\frac{2}{3}$  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.

#### PURPOSE AND INTENT OF AMENDMENT:

This amendment lowers the approval requirement to 66.67% from 75%, which may make the constitution more accessible to being amended. Many amendments have been proposed in the past, but it is extremely difficult to pass needed and necessary amendments.

The above provision lowers the requirement slightly. The standard is still set such that a super majority of voters must approve any amendment. In order to be consistent the number of states that must approve an amendment would be changed to 66.67% but the practical effect would still be to require approval in three of the four states.

The current requirement is simply too high, and does not reflect the will of the voters who wish to affect changes. The FSM must be able to adapt to changes in the world. The original constitution was an appropriate document for its time but times do change. The historical record shows that it is extremely difficult to amend the constitution under the current provision, and that needed changes simply are not approved, even if a large majority of citizens approve and seek such change. Only one amendment has been passed during the time the Constitution has been in effect. The current 75% majority does not meet any worldwide standard for such votes that can be located. A standard of 66.67% requires serious consideration by the voters but is not an unreasonable burden on the voters.

Introducer:   
Myron I. Hashiguchi

Date: 1/14/2020