

Proposal No. CC-PR-4-46

Assigned to Committee on General Provisions

### A PROPOSAL TO AMEND THE FSM CONSTITUTION

To amend Article XIV, Section 1 of the Constitution of the Federated States of Micronesia to lower the percentage of votes cast required in each State to adopt amendments to the Constitution from the current three fourths of the votes in three fourths of the States to two thirds of the voters in three fourths of the States.


Article XIV, Section 1 of the Constitution of the Federated States of Micronesia is proposed to be amended to read as follows:


“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 a part of the Constitution when approved by  $\frac{3}{4}$   $\frac{2}{3}$  of the votes cast on that amendment in each of  $\frac{3}{4}$  of the states. If conflicting constitutional amendments submitted to the voters at the same election are approved, the amendment receiving the highest number affirmative votes shall prevail to the extent of such conflict.”

**Intent and purpose:**

The impetus of this proposal is to lower the threshold from three-fourth ( $\frac{3}{4}$ ) to two-third ( $\frac{2}{3}$ ). Past attempts to amend the FSM Constitution demonstrate that the current threshold creates very difficult, if not impossible, condition for any changes. Only four (4) out of thirty-nine (39) number of proposed amendments to the FSM Constitution have passed in the past 40 years since its inception. Although, there are good reasons to create such strenuous process such as to ensure the stability of the ideals of a country, the need for change now is crucial and long overdue. FSM has changed tremendously the past 40 years. Transformations/changes have occurred in culture, customs, traditions, institutions, politics, environment, economy, domestic and international relations, composition and identities of citizens. The FSM Constitution as is falls short of addressing the fundamental changes to the livelihood of our people. Law is pervasive. It must be amendable to the changes in our society.

Introduce by:

  
Kosrae Delegation Chairman  
Canney L. Palsis

  
Johnson A. Asher  
Delegate

Date:

1.20.20