A BILL FOR AN ACT

Setting forth the procedure for amending the Constitution of the Federated States of Micronesia, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1 Section 1. Short Title. This act shall be known and may be cited as the "Constitutional Amendment Procedure Act."

2 Section 2. Methods of proposing constitutional amendments.

3 (1) There shall be three methods of proposing amendments to the Constitution of the Federated States of Micronesia:

4 (a) Constitutional convention. Upon application of the legislatures of three-fourths of the States, the Congress of the Federated States of Micronesia shall enact a law authorizing a constitutional convention for the purpose of proposing a specific amendment or amendments to the Constitution. Not less than every 10 years, the Congress shall submit to the voters the question: "Shall there be a convention to revise or amend the Constitution?" A referendum on the question shall be held no later than May 10, 1989; or

5 (b) Initiative petition. A constitutional amendment may be proposed by a popular initiative petition signed by no less than 10 percent of the registered voters in not less than three-fourths of the States. An initiative petition with the requisite number of signatures shall be transmitted by the Governor of each respective State without delay to the President of the Federated States of Micronesia; or

6 (c) Congressional act. A constitutional amendment may also be proposed by an act of Congress pursuant to the provisions of sections 20 through 22, article IX, of the Constitution.

7 (2) No proposed constitutional amendment will be placed on the ballot in a general election for Members of the Congress of the
Federated States of Micronesia unless it shall have been received by
the President no later than 30 consecutive calendar days prior to the
date of said general election; PROVIDED, HOWEVER, that nothing in this
subsection shall prevent a proposed constitutional amendment from
being placed on the ballot during a special election called by the
President for that purpose.

Section 3. **Format of constitutional proposals.** The format of
constitutional amendments shall be uniform as prescribed by the
President, according to the following basic guidelines:

1. Proposed constitutional proposals which have been
received by the President pursuant to section 3 of this act shall be
printed on ballots to be voted on simultaneously by all voters of the
Federated States of Micronesia during a general election for the
Members of the Congress of the Federated States of Micronesia or during
a special election called by the President specifically for that
purpose.

2. The proposed constitutional amendment shall cite the
appropriate article of the Constitution to which it shall state at
length the section or its subsection number to be amended, followed
immediately by the question: "Do you favor the proposed amendment
to the Constitution: YES [ ] [ ] [ ]

3. The proposed constitutional amendment shall be printed in
English and shall also be translated into the four languages of the
individual States as appropriate.

4. The Governors of the several States shall, as soon as
practicable after the election, certify and transmit the results of
the votes cast on the amendment to the President and the Congress of the
Federated States of Micronesia.

(5) The President of the Federated States of Micronesia
shall be the judge as to the approval or disapproval of an
amendment to the Constitution, subject to an override by the Congress by
not less than a three-fourths vote of all the State delegations, with each
State delegation casting one vote.

Section 4. Ratification of constitutional amendments.

(1) A proposed constitutional amendment is deemed to have
been ratified if approved by three-fourths of the votes cast on that
amendment in at least three-fourths of the States of the Federated States
of Micronesia.

(2) In the event 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 the conflict.

(3) Once ratified, a constitutional amendment is effective as
against all States of the Federated States of Micronesia.

Section 5. Notice of notification-effectiveness. Upon receipt of
the certified results of votes pursuant to section 3, subsection (4),
and having made the determination that a constitutional amendment has been
ratified in accordance with section 4, subsection (1) above, the
President shall, no later than 15 days thereafter, issue a proclamation
announcing the ratification of the amendment and that its effectiveness
is retroactive to the date of the election.

Section 6. Implementing regulations. The President is hereby
authorized to designate an agency within the executive branch to
administer the provisions of this act with the power to issue
implementing rules and regulations thereupon, upon approval by the
President, shall have the force and effect of law.

Section 7. Effective date. This act shall become law upon
approval by the President of the Federated States of Micronesia or upon
its becoming law without such approval.

Date: 7/17/81