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A BILL FOR AN ACT

To propose an amendment to article IV of the Constitution of the Federated States of Micronesia by repealing section 9 to permit capital punishment, and for other purposes.

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

1 Section 1. Proposed amendment. It is hereby proposed that
2 article IV of the Constitution of the Federated States of Micronesia
3 be amended to read as follows:

4 "ARTICLE IV

5 DECLARATION OF RIGHTS

6 SECTION 1. No law may deny or impair freedom of expression,
7 peaceable assembly, association, or petition.

8 SECTION 2. No law may be passed respecting an establishment
9 of religion or impairing the free exercise of religion, except
10 that assistance may be provided to parochial schools for
11 non-religious purposes.

12 SECTION 3. A person may not be deprived of life, liberty,
13 or property without due process of law, or be denied the equal
14 protection of the laws.

15 SECTION 4. Equal protection of the laws may not be denied
16 or impaired on account of sex, race, ancestry, national origin,
17 language, or social status.

18 SECTION 5. The right of the people to be secure in their
19 persons, houses, papers, and other possessions against unreason-
20 able search, seizure, or invasion of privacy may not be violated.
21 A warrant may not issue except on probable cause, supported by
22 affidavit particularly describing the place to be searched and
23 the persons or things to be seized.

24 SECTION 6. The defendant in a criminal case has a right
25 to a speedy public trial, to be informed of the nature of the

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1 accusation, to have counsel for his defense, to be confronted
2 with the witnesses against him, and to compel attendance of
3 witnesses in his behalf.

4 SECTION 7. A person may not be compelled to give evidence
5 that may be used against him in a criminal case, or be twice
6 put in jeopardy for the same offense.

7 SECTION 8. Excessive bail may not be required, excessive
8 fines imposed, or cruel and unusual punishments inflicted. The
9 writ of habeas corpus may not be suspended unless required for
10 public safety in cases of rebellion or invasion.

11 SECTION 9/ *Capital punishment is prohibited.*

12 SECTION 10/ 9. Slavery and involuntary servitude are
13 prohibited except to punish crime.

14 SECTION 11/ 10. A bill of attainder or ex post facto law
15 may not be passed.

16 SECTION 12/ 11. A citizen of the Federated States of
17 Micronesia may travel and migrate within the Federated States.

18 SECTION 13/ 12. Imprisonment for debt is prohibited."

19 Section 2. Procedure and ratification. Upon this act becoming
20 law, the proposed constitutional amendment set out in section 1 will
21 become part of the Constitution after completion of procedures and
22 ratification as required by Public Law No. 2-51.

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C.B. NO. 2271

1 Section 3. Effective date. This act shall become law upon
2 approval by the President of the Federated States of Micronesia or
3 upon its becoming law without such approval.

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5 Date: 10/19/82

Introduced by: 
John Hagelgan

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