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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
7 expression, peaceable assembly, association, or petition.

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

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

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

18 SECTION 5. The right of the people to be secure in
19 their persons, houses, papers, and other possessions against
20 unreasonable search, seizure, or invasion of privacy may
21 not be violated. A warrant may not issue except on probable
22 cause, supported by affidavit particularly describing the place
23 to be searched and 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
2 confronted with the witnesses against him, and to compel
3 attendance of witnesses in his behalf.

4 SECTION 7. A person may not be compelled to give
5 evidence that may be used against him in a criminal case,
6 or be twice 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.
9 The writ of habeas corpus may not be suspended unless required
10 for 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
15 law 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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1 Section 3. Effective date. This act shall become law upon
2 approval by the President of the Federated States of Micronesia
3 or upon its becoming law without such approval.

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5 Date: 5/11/83

Introduced by: 
John Haglerigan

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