

Public Education on Constitutional Amendment Committee (PECAC)
ON
PROPOSED FSM CONSTITUTIONAL AMENDMENTS
March 8, 2011



On March 8, 2011, two questions will be posted in the ballots for the people of the Federated States of Micronesia to decide on. These proposed amendments came to being from Public Law 15-60 and Public Law 15-61, which propose to amend the existing provisions on Article III, Section 3, Article IX, Section 8 and Article X, Section 4. These questions will appear in the ballots as two amendments, because if Article IX, Section 8 is amended, Article X, Section 4 has to be amended also to set the eligibility criteria for the President. Below, are the existing languages of the sections that are being proposed to be amended in the FSM Constitution:

The existing language in the FSM Constitution on the sections being amended are shown, below:

Existing Language: Article III, Section 3:

- **Section 3.** A citizen of the Federated States of Micronesia who is recognized as a citizen of another nation shall, within 3 years of his 18th birthday, or within 3 years of the effective date of this constitution, whichever is later, register his intent to remain a citizen of the Federated States of Micronesia and renounce his citizenship of another nation. If he fails to comply with this section, he becomes a national of the Federated States of Micronesia.

Existing Language: Article IX, Section 8.

- Congress consists of one member elected at large from each state on the basis of state equality, and additional members elected from congressional districts in each state apportioned by population. Members elected on the basis of state equality serve for a 4-year term and all other members for 2 years. Each member has one vote, except on the final reading of bills. Congressional elections are held biennially as provided by statute.

Existing Language: Article X, Section 4:

- **Section 4.** A person is ineligible to become President unless he is a member of the Congress for a 4-year term, a citizen of the Federated States of Micronesia by birth, a resident of the Federated States of Micronesia for at least 15 years.

Article X, Section 4 (above) is a consequential amendment to clarify the eligibility criteria for the President. Only the four members elected at-large to the Congress are eligible to become President.

Visit the FSM Public Information Website for more information (<http://www.fsmpio.fm>) and click on the **REFERENDUM - MARCH 2011 TAB**

2011 CONSTITUTIONAL AMENDMENTS
PROPOSED AMENDMENTS

SAMPLE BALLOT

A. AMENDMENT – P.L. NO. 15-60, for the purpose of increasing the length of the terms for members of Congress elected from congressional districts in each state based on population to four years.

Public Law No. 15-60 proposes that section 8, article IX, and section 4, article X, of the FSM Constitution be amended to read as follows, respectively:

“Section 8. The congress consists of one member elected at large from each state on the basis of state equality, and additional members elected from congressional districts in each state apportioned by population. Members serve for a four (4) year term. Each member has one vote, except on the final reading of bills. Congressional elections are held as provided by statute.”

“Section 4. A person is ineligible to become President unless he is a member of Congress elected at large from a state on the basis of state equality, a citizen of the Federated States of Micronesia by birth, and a resident of the Federated States of Micronesia for at least 15 years.”

Do you approve of the proposed amendment to the Constitution?

/YES/

/NO/

B. AMENDMENT – P.L. N/O. 15-61, for the purpose of enabling citizens of the Federated States of Micronesia to retain or obtain citizenship of another state without being required to relinquish citizenship of the Federated States of Micronesia.

Public Law No. 15-61 proposes that section 3, article III, of the FSM Constitution which states, to read:

“Section 3. A citizen of the Federated States of Micronesia who is recognized as a citizen of another nation shall, within 3 years of his 18th birthday, or within 3 years of the effective date of this Constitution, whichever is later, register his intent to remain a citizen of the Federated States of Micronesia and renounce his citizenship of another nation. If he fails to comply with this Section, he becomes a national of the Federated States of Micronesia.”

Be **REPEALED** in its entirety.

Do you approve of the proposed amendment to the Constitution?

/YES/

/NO/

These are the two questions that will be posted in the upcoming election on March 8, 2011.

If ratified by 3/4 of the votes cast (NOT registered voters) in each of the four FSM States (Kosrae, Pohnpei, Chuuk and Yap) and three of the four FSM States, then these amendments will be passed. This means, for each amendment, 75% of the votes cast in each of the States have to be "YES" votes in order for the amendment to be passed; and furthermore, three of the four FSM States have to garner 75% "YES" votes in order for each amendment to be passed.

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