CHAPTER 3.

REFERENDUM (FOR A CONSTITUTIONAL CONVENTION) ACT

ARRANGEMENT OF SECTIONS

SCHEDULE "1"

An Act to provide, in accordance with Article XII Section 4 paragraph (6), for the holding of a national Referendum among all qualified voters on the question of calling a Constitutional Convention to consider the proposed amendments to the Constitution, attached herewith in Schedule 1, and for related matters.

Commencement:
Source: P. L. 2006-56

§301. Short Title.

This Act may be cited as the Referendum (calling for a Constitutional Convention) Act, 2006.

§302. Referendum.

(1) There shall be conducted throughout the Republic of the Marshall Islands, pursuant to Article XII Section 4 paragraph (6), a national Referendum among all qualified voters on the question of calling a Constitutional Convention to review the proposed amendments to the Constitution contained in Schedule 1 herein.

(2) The Referendum anticipated under subsection (1) above:

(a) shall be conducted in accordance with the provisions of the Elections and Referenda Act 1980;

(b) shall be conducted on a date to be fixed by the Speaker after consultation with the Chief Electoral Officer.

§303. Question for the Referendum.

The question for the Referendum is hereby stated as follows:

"Should the Nitijela by Act, call for a Constitutional Convention to consider the proposed amendments to the Constitution, contained in Schedule 1 herein?"

§304. Result of the Referendum.

(1) In addition to making the official declaration of the results of the Referendum in accordance with Section 185 of the Elections and Referenda Act, 1980 (2 MIRC Chapter 1), the Chief Electoral Officer shall also transmit the results to the Speaker of the Nitijela as soon as practicable.

(2) Upon receiving the official results of the referendum from the Chief Electoral Officer, the Speaker shall certify to the members of the Nitijela that he has received the results of the Referendum and advise the members of the results accordingly.

§305. Expenses for the Referendum.

The cost of holding the referendum shall not exceed the cost of conducting the last general elections, and shall constitute a charge on the General Fund.

§306. Effective Date.

This Act shall take effect on the date of certification in accordance with the relevant provisions of the Constitution.

SCHEDULE "1"

PROPOSED CONSTITUTIONAL AMENDMENTS

Interpretation and Application of the Constitution*:*

PROPOSAL NO: 1

Section 3 (1)

"**To amend the Constitution in order to provide for the Development of the Underlying Law"**

The present Constitutional provision vests a duty on the Judiciary in its interpreting and applying of the Constitution to look to decisions of courts of foreign jurisdictions having similar constitutions. It also provides that should decide to apply such decisions, it should so do taking into account the circumstances of Republic then prevailing. A further duty vests on the Courts to apply the Constitution in such a manner so as to achieve the aims of fair and democratic Government.

Briefly, the underlying law is that body of law which constitutes the fundamental principles of law of a nation derived from their unique historical, social, economical or political circumstances. The present Constitutional language, while setting down a guideline for the Judiciary in applying commonly accepted principles of law, it still does not suffice if one of our primary goals is to retain our unique cultural inheritance. If the Courts are to adapt widely accepted principles of law, what circumstances must it consider in formulating a rule applicable to our jurisdiction? Are there certain fundamental beliefs and traits which are uniquely ours and from which legal principles should be adapted and formulated? Indeed, there is no prohibition on the Courts from looking to decisions of foreign jurisdictions before examining prevailing circumstances within the Republic. The proposed amendments, then, would set out in detail, the sources to which the Courts should be required to look towards before looking to foreign jurisdictions (these detailed sources to include custom, etc.); and in the instance the Courts do look to decisions of foreign courts, to adapt such decisions in light of these detailed local sources.

SCHEDULE 1.

ENFORCEMENT OF THE CONSTITUTION

PROPOSAL NO: 2

Section 4 (c)

"To amend these provisions in order to declare the inviolability of the State and its organs[including Local Governments.]"

The matter under discussion is one that strikes to the heart of the doctrine of the inherent sovereignty of a nation. The accepted doctrine being that a government or a nation is sovereign in its own right and that it is not answerable to any one or any body for its actions and thus cannot be sued until and unless it would so consent to be sued. Most, if not all, nations retain this doctrine of sovereign immunity while providing for a limited right for its people to sue.

This right, however, is granted normally, through legislative 'enactment rather than a total Constitutional waiver of sovereign immunity. In the past, this Government has been sued in foreign courts and has been able to argue on the principle of sovereign immunity. But, this was done without any argument made as to our constitutional waiver of sovereign immunity. In essence, it appears that that the constitutional waiver may have a more profound effect than originally anticipated. It has been argued that the fact that the property and assets of Government cannot be attached or seized to satisfy any judgment serves to render this waiver meaningless, but this is not true in that our Government would have to go through the embarrassment of being sued in our Courts by aliens as well as in foreign courts. Finally, it is noted that notwithstanding absence of a constitutional mandate, nothing prevents a government from setting out by Act its consent to be sued and the circumstances under which that consent shall apply. Indeed, this Government has provided under the Government Liability Act, its consent to be sued and the circumstances it may be sued. Thus there really is no need for a constitutional waiver of sovereign immunity.

ARTICLE II - BILL OF RIGHTS

PROPOSAL NO: 3

Section 3: Unreasonable search and Seizure**:**

"To repeal subsections (2) through to subsection (5) ".

Every person shall not be subject to unreasonable searches and seizures. If any warrant is to issue, it shall be on probable cause and supported by sworn statement and specifically setting out the place to be searched or things or persons to be seized. A search or seizure is deemed

unreasonable if there was sufficient time to obtain a warrant but none was sought. An arrest is deemed unreasonable if the person arrested is not immediately notified as to the nature of his arrest and promptly given an opportunity to contest the arrest before a judge. The search of premises not belonging to a person suspected of a crime shall be deemed unreasonable unless the owner has consented to the search or has the opportunity to challenge such search or there is reason to believe that prior notice would result in the removal of the things or person sought. Evidence obtained by means of an unreasonable search and seizure is not admissible for securing a conviction.

Our Bill of Rights is of such liberality that its practical application by our Courts would serve to defeat the purposes of criminal justice system taking into account the circumstances now prevailing in the Republic. Indeed, it is Popularly said that our Bill of Rights is but a mirror of that of the US Bill of Rights. This saying is not true to the extent that our Bill of Rights is more stringent than that of the US. Our Constitutional protection against unreasonable search and seizure goes further so as to define what constitutes unreasonable search and seizure and the inadmissibility of evidence taken pursuant to an Unreasonable search and seizure, while the US unreasonable search and seizure provision contains but the language of Subsection 1 of our Unreasonable Search and Seizure clause. The point being that we have enshrined into our

Constitution judicial pronouncements of the United States judiciary as a part of our Constitutional framework. The result, is the United States, with all its economic might and resources, has the benefit of a broadly stated unreasonable search and seizure clause with its Courts enjoying greater interpretation and application freedom than our Courts with its meagre resources. It is true that the purpose for the Bill of Rights is to ensure to the people protection against Unreasonable intrusion into their private life from excesses of Government; but, this rationale is not be taken face value but must be accounted as against the historical perspective of a nation. The United States has a history of severe human rights violations. Our islands have survived on the principle of consensus. The historical background which gave rise for a need for a Bill of Rights in the US is lacking in our nation. Indeed, today in most western nations, the whole criminal justice system is being re-evaluated on the question of whether or not it is serving its purpose or whether its application benefits the aims of the criminal elements within those societies. We must closely scrutinize our criminal justice system and decide whether we desire that it work to the benefit of the criminal elements or whether it is our intention to see that justice is done. It is on the basis of the discussion above that deletion of Subsections 2 through 5 would still guarantee to the individual his right against unreasonable search and seizure while according to our judiciary the necessary flexibility to determine the extent of the application of this right while accounting for the unique circumstances of our nation.

PROPOSAL NO: 4

Section 4: Due Process and Fair Trial:

"**To amend this Section in the following manner:**

SCHEDULE 1.

(i) by Deletion of Subsections 3 and 4;

(ii) By Amending Subsection 5, on the Right to Jury to apply only in Offenses where Minimum imprisonment Term is 10 years or More;

(iii) to Amend Subsection 6 by making Presentment, Indictment or Criminal Information Apply Only in Respect to Felonies;

(iv) by Deleting Subsection 8; and

(v) by Amending Subsection 9 by Deleting the Whole of the subsection except that Language Preserving the Right Against Double Jeopardy.

No person shall be deprived of life, liberty or property without first being given an opportunity to be heard before a competent tribunal. In all criminal prosecution, every person shall be presumed innocent until proven guilty beyond a reasonable doubt; shall be entitled to bail in an amount no greater than that necessary to ensure his appearance for trial; may not be detained if other means are available and which will assure that he will not flee nor be a grave public threat; shall be promptly informed of the charges against him and shall be accorded prompt judicial determination as to cause to hold him over for trial; shall be entitled to an impartial and speedy and public trial before an impartial tribunal; to have adequate time and facilities to prepare his own defense; to have legal counsel of his own choice or, if indigent, free legal counsel; to be able to confront witnesses against him and have compulsory process for calling witnesses in his favor; to be heard by a jury in all offenses where the minimum sentence is in excess of 3 years imprisonment. No person shall be answerable to any crime except on presentment, indictment or criminal information, nor shall any person be compelled to be witness against himself, his spouse, child, parent or sibling; no person shall be subject to coercive questioning, involuntary confession or guilty plea and any involuntary Confession shall not be admissible against him; no person shall be subject to double Jeopardy, Preventively or involuntarily detained or committed outside the criminal process except in accordance with law.

Essentially, the same arguments relating to the economic realities and stringent application put forth in relation to the need to amend our Unreasonable Searches and Seizure clause apply very much here and we would incorporate the same discussion here. The issues that are presented here are retain that necessary safeguard to ensure protection of the individual against excesses of the State while according to our judiciary the necessary flexibility to ensure a meaningful criminal justice system molded to the needs and circumstances of our country. In fact, and for purposes of comparison, the United States Bill of Rights on the issue of due process and just compensation reads:

"No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury. .. . nor shall any person be subject for the same offense to be twice put in jeopardy of 1ife or limb; nor shall be compelled in any criminal case to be a witness against himself; nor shall he be deprived of life, liberty or property, without due process of law; nor shall private property be taken for public use, without just compensation." (emphasis added).

Specifically, the proposal that Subsections 3 and 4 be deleted is that it basically constitutes judicial pronouncements of the U.S. Courts. Already there is sufficient case law that would protect a persons right to bail and other enumerated rights. But the concern here is that we provide the Courts the necessary discretion to develop certain rules of law conforming to our circumstances from time to time. On the proposal for the limiting the right of jury trial to offenses carrying a minimum imprisonment term of 10 years, experience has shown that the conduct of jury trial is both an expensive and time consuming effort. The selection of jurors is made the more difficult taking into account our myriad familial ties. This proposal would then economize the criminal justice system by guaranteeing this right to very serious Crimes rather than crimes such as assault and battery with a dangerous weapon, aggravated assault, etc. The proposal that Subsection 6 be amended by making presentment, indictment or criminal information apply only in respect of felonies is again for the sake of economizing the criminal justice system. Presently, the issuance of a traffic citation is not sufficient to render a person answerable before the courts. If a person is ticketed for the simple traffic offense of a faulty headlamp, the Government has to go through the whole process of filing a criminal information. In the past, issuance of a citation was sufficient to bind a person before the courts. This holds true in respect of misdemeanor crimes such as assault, disturbing the peace, etc. Finally, the proposal that Subsections 8 and 9 be deleted is on the same grounds that these inclusions are but the restatement of US judicial pronouncements in our Constitution. (With respect of Section 9, the first part of the sentence should be left intact but the rest of subsection should be deleted).

ARTICLE IV - LEGISLATURE

PROPOSAL NO: 5

(b).Section 14: Clerk of the Nitijela:

"To amend these provisions in order to provide for PSC to consult with the Office of the Speaker, prior to appointing the Clerk of Nitijela

The Clerk of the Nitijela is an officer of the Public Service Commission vested with such responsibilities as may be conferred by the Constitution, Act, Resolution or the Rules of Nitijela. Presently, the Clerk of the Nitijela is appointed to office by the Public Service Commission without any requirement of prior consultation with the Speaker, to whom the Clerk reports directly and is responsible to for the proper administration and management of the clerical duties for the Nitijela. As such it is necessary that the person appointed to the Office be not only qualified but enjoy the confidence of the Speaker. As was mentioned previously, the present provisions do not provide for input from the Speaker on such appointment. The proposed recommendation would require consultation by the Public Service Commission with the Speaker prior to appointment. It is noted that as with other key constitutional offices, consultation with that body to which such constitutional officer shall be responsible is required.

PROPOSAL NO: 6

Section 17: Compensation of Members of Nitijela:

"To amend these provisions to provide that any Act prescribing an increase in the compensation of Members of Nitijela will come into effect in the Nitijela term following the term in which such Act was passed."

This recommendation is one which has been referred to the Committee from numerous sources. The rationale for the recommendation being that by the limiting the ability of the Nitijela to raise its own salary, the possibility of abuse is removed. Additionally, it is common for such restrictions to be imposed, not only as they relate to legislatures, but to other public bodies. This restrictions stems from the principle that public officials should not be vested with the power to set their own salaries. Thus it is with public service employees, where their salaries are determined by the Public Service Commission; the judiciary, members of the Council of Iroij, the Auditor General and such other officers whose salaries which are determined by the Nitijela. The above recommendation, then, does not prevent the Nitijela from prescribing greater salaries for its members, but prohibits those who approved the higher compensation from benefiting immediately. This would serve to remove any question of conflict or impropriety from those members.

ARTICLE V- EXECUTIVE

PROPOSAL NO: 7

Sections 1 and 2: **Cabinet**

"To amend these provisions in order to reconstitute Cabinet, by providing for the appointment of Department Secretaries [rather than Ministers]; and to provide for the necessary qualifications."

This proposal was raised to coincide with the proposal below, proposing that the President of the Republic be elected by universal suffrage rather than by the Nitijela, from amongst the membership of the Nitijela. That if the Republic is intent on a transformation to the Presidential system of Government, that Cabinet likewise, should be appointed in a manner consistent with Presidential form of governments.

It is therefore proposed that members of Cabinet will be appointed by the President from outside of the Nitijela membership, and that any member of the Nitijela who accepts appointment as Department Secretary must resign his or her seat in the Nitijela.

SCHEDULE 1.

PROPOSAL NO: 8

Section 3: **The President**

"To amend Section 3 and other relevant provisions of this Article and the Constitution, in order to provide that the President be elected by universal suffrage, rather than by the Nitijela, from within the membership of the Nitijela; and for matters connected therewith.

The Committee recognizes that our system of government is a hybrid one, composing of aspects of both, Westminster style and Presidential style of governments. *Presidential*, in the sense that the President is the Head of State, and *Westminster,* in the sense that the President is elected not by universal suffrage but by the Parliament from amongst its members. This form of government is unique to the Marshall Islands.

The prevailing view however, is for the transformation of our system into the Presidential system *proper*. This will highlight the importance we as a young nation attached to the principals of transparency and accountability, and of the best practices of good governance generally. This transformation will also enhance the separation of powers doctrine, especially between the Executive and the Legislature.

PROPOSAL NO: 9

Section 7: **Votes of No Confidence in cabinet**

"To amend these provisions in order to do away with "Votes of No confidence" and to provide instead for "Impeachment Proceedings" in the Nitijela; and to provide for a procedure to govern such impeachment process.

The proposal to abolish the system of "Votes of No Confidence" as a mechanism to hold government accountable is contingent on the passage of the Proposal No:13 above. The mechanism of Votes of No Confidence are more relevant in the Westminster system of governments where the Prime Minister and his Cabinet are members of the Legislature. In the proposed transformation to the President system *proper* the President and his/her Cabinet, though accountable to the Legislature, will not be members of the Legislature. Notwithstanding, the Nitijela retains oversight of the Executive through its legislative processes.

The Committee proposes that the insertion of language to provide for impeachment proceedings, as part of the exercise of the Nitijela's oversight powers will better serve the Republic under a Presidential system of government.

SCHEDULE 1.

PROPOSAL NO: 10

Section 12: The Clerk of the Cabinet:

"To amend these provisions in order to require that the Public Service Commission consult with Cabinet prior to appointing the Clerk of Cabinet."

The Clerk of Cabinet is an officer of the Public Service and is responsible for the functions conferred to it under the Constitution. Again, the Committee would put forth the same rationale as was used when recommending that the Clerk of the Nitijela be appointed only after consultation with the Speaker. As in the instance of the Clerk of the Nitijela, the Clerk of the Cabinet must be qualified and have the confidence of the members of Cabinet those whom he shall be responsible to for the proper administration and management of his functions. Thus, it would appear proper that prior to the appointment of any person as Clerk, the Public Service Commission should consult with the Cabinet.

ARTICLE VII – PUBLIC SERVICE

PROPOSAL NO: 11

Section 5: The Public Service Commission.

" To repeal these provisions in order to abolish the Public Service Commission; and to provide instead for the establishment of a Personnel Management Division under the Office of the Chief Secretary, to carry out the duties under Article VII."

This proposal is based primarily on the concerns by the various Ministries that the current level of coordination between the Commission and the Ministries continues to present an unjustified hindrance to the efforts of the Ministries to provide effective public services. That the system (PSC) has proven over the years to be counter-productive, in the sense that Ministries are unable to implement services in a timely manner, where a decision is pending with the PSC.

ARTICLE IX – LOCAL GOVERNMENTS

PROPOSAL NO: 12

Section 2: **Political/Legal Jurisdiction of Local Governments**

"To amend these provisions in order to provide with clarity, the extent of the political and legal jurisdiction of Local Government."

SCHEDULE 1.

There is need to clarify both the territorial and political/legal jurisdiction of Local governments. Currently, there is so much ambiguity in the exercise of responsibility between the Local Governments and the National government, the various agencies of government and the landowners, preventing the effective dissemination of public services.

ARTICLE X: TRADITIONAL RIGHTS

PROPOSAL NO: 13

Section 1: **Traditional Rights of Land Tenure Preserved**

"To amend this Section in order to:

(i) Prohibit the Sale of customarily owned land except in instances where the bwij has expired or under similar circumstances;
(ii) Restrict the Sale of Land to Citizens of the Republic only; and
(iii) Clarify the preservation of the respective rights and obligations of each interest in relation to each other.

The issue of the sale of land is one which has been the subject matter of debate in numerous forums. It should therefore be of no surprise that the issue is again presented to the Committee for reference to the Constitutional Convention. It is the belief of the Committee that the arguments for and against the sale of land are ones which the Nitijela is well aware. Nonetheless, and for purposes of this report, it is felt that a summary of the concerns be made. Initially, the argument is made that customary land is not land which is tied in fee simple, or where all proprietary interests vest in one person but that title and ownership of land vests in the Iroijlaplap with all other persons holding but the right of usufruct or the right to use and live on and off the land.. But these rights do not vest absolutely in the iroij edik, alab or senior dri-jerbal, but only during the course of their lifetime to be passed to their successors in accordance to customary inheritance patterns. If an absolute right of use does exist, then it does only at the instance of the bwij and then only insofar as the bwij fulfills their obligations under custom. Thus for any one person to sell land would be contrary to the very principle and tenets of ownership of customary land. But in instances where that person is the last member of his bwij, or where the land interest is or has been granted directly to that person, then certain leeway should be allowed for that person to dispose of his interests should he so desire with, of course, the necessary approval of the superior interest holders. Again, where the sale is approved, then the sale should be limited to citizens. Additionally, it should be noted that the language of Section 2 speaking to the need to obtain the approval of the Iroij laplap, iroij edik, alab and dri-jerbal to give validity to any transaction on land has been the source of numerous disputes especially when one prefers to adopt the interpretation that Subsection 2 of the present Article

was intended to render all the landholding interests equal in all respect. But if such was the intent, then, constitutional recognition of the respective rights and obligations of each of the landholding interests would be meaningless (see Subsection 1 and read in conjunction with Subsection 2 which begins as follows: *"Without prejudice to the continued application of customary law pursuant to Section 1 of Article XIII, and subject to the customary law or to any traditional practice* " emphasis added).

Indeed, a reading of the referenced constitutional provision would indicate that the respective roles and authorities of the landholding interests vis-à-vis, the other, is preserved. Because this issue has been the source of uncertainty, there is a need to better clarify the intent.

ARTICLE XI: CITIZENSHIP

PROPOSAL NO: 14

Section 1: **Persons becoming citizens**

"To amend this Article in order to provide for more stringent conditions of eligibility for a Marshallese citizenship.

The criteria provided under the Constitution and our laws, to satisfy in order to be eligible for a Marshallese citizenship must be reviewed. The intention of this proposal is for the Convention to look at providing for a more stringent set of conditions or a criteria in order to be eligible for a Marshallese citizenship. The current regime has loop-holes that would allow disingenuous persons with ulterior motives to obtain citizenship. Such a review is also in the interest of the security of the nation and our citizens.

PROPOSAL NO: 15

Section 3: Powers of the Nitijela

" To repeal Section 3 in order to remove the powers of the Nitijela with respect to citizenship;

The concern was that our nation was amongst those small nations with meagre resources and that what resources we have are not sufficient to meet the current and futures needs of our population. Additionally, the concern was raised that our is a culture with a built in social security system whereby each component or member of our nation is able to identity to at least a piece of land. In essence, the concern was that if citizenship was to be granted it should be allowed only in instances where the person applying can make a claim to being a member of a bwij by reason of descent and thus to rights to land. Thus, the limitation herein proposed would

consist of the redefinition of "parent" and "child" as defined under Article XIV of the Constitution which defines parent and child as to include adoptive parent as well as adoptive child, respectively, so that the definition of "parent" and "child" would be limited to natural or biological parent or child.

The other concern related to the desire to amend Section 3 of Article XI in respect of the Nitijela's authority to provide for the acquisition of citizenship by naturalization. Again this proposal related directly to the concern that we do not have the necessary resources to cater to the future needs of our population and the fact that what little land resources we have should be reserved to true citizens. The Committee acknowledges the fact that all representations made to it on this issue were for the removal of the authority to provide for citizenship other than by birth or descent. However, this Committee notes that there are instances where circumstances would dictate that citizenship be granted to a person for his contribution to the Republic as the highest gesture of appreciation. For this reason, your Committee is of the opinion that it may not be in the interest of the nation to totally remove the authority to confer citizenship. The Nitijela may, however, wish to address this issue in greater detail.

PROPOSAL 16

Article XI, Section 2(1): Citizenship by Registration.

"**To amend this Article by repealing subsection 2(l)(b) in its entirety."**

This amendment would eliminate eligibility for Marshall Islands citizenship by registration in the High Court based on residency in the Republic of the Marshall Islands or being the parent of a child who has land rights in the Republic of the Marshall Islands.

ARTICLE VIV: GENERAL

PROPOSAL NO: 17

Section 1: Definitions.

" To amend the appropriate provisions under this Article in order to re-define the words "parent(s) and child(ren)."

This matter has been discussed in detail under Item 11 above. In summary, it is felt that the definitions of parent (presently defined so as to include adoptive parents) and child (defined to include adoptive child) is a loophole for gaining citizenship. It has been proposed that parent and child as defined under the Constitution should be redefined and limited to natural parent or

natural child and then, only in respect of citizenship matters.

Article X - TRADITIONAL RIGHTS

PROPOSAL NO: 18

Section 1**: Who may Own Land or hold title to land.**

" **To amend this Article in order to provide that only citizens of the Republic of the Marshall Islands; the Government of the Republic of the Marshall Islands; or corporations wholly owned by citizens of the Republic of the Marshall Islands may own or hold title to land.**

This amendment would prohibit non-citizens of the Republic of the Marshall Islands from owning or holding title to land in the Republic of the Marshall Islands. Presently this provision is part of the statutory law of the RMI in Title 24 MIRC Chapter 1, Section 113, but not part of the Constitution.

PROPOSAL NO: 19

Article V: Term of Presidency.

To amend the Constitution, in order to limit the term of Presidency to two, 4-year terms.

ARTICLE IV – LEGISLATURE.

PROPOSAL NO: 20

Article IV: Compensation of Nitijela Members.

To amend the Constitution to provide that members of the Nitijela continue to hold office [thus continue to receive salaries and other benefits] until a successor takes office.

SCHEDULE 1.

PROPOSAL NO: 21

Autonomy of the Nitijela:

To amend the relevant provisions of the Constitution in order to allow the Nitijela the powers to :

(a) hire its own staff;
(b) administer its own budget

ARTICLE VII – PUBLIC SERVICE

PROPOSAL NO: 22

Section (3) Attorney General

To amend the Constitution to remove the exclusivity granted to the Attorney General to prosecute offenses.

ARTICLE XII – AMENDMENT OF CONSTITUTION

PROPOSAL NO: 23

Constitutional Conventions and Referenda.

To amend the Constitution in order to do away with Constitutional Conventions and Referenda in approving constitutional amendments; and to give the Nitijela the authority to amend the any provision of the Constitution.

ARTICLE II - BILL OF RIGHTS[1]

PROPOSAL NO: 24

Article II Sections 1 and 12:

To Amend these provisions in order to define the word "Religion".

[1] **[Proposal No:24 was inserted by P.L. 2007-89.]**

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