

AN ACT

Establishing selection procedures and additional qualifications for the independent prosecutor, to establish the office therefor, to appropriate funds for its operation, and for other purposes.

BE IT ENACTED BY THE CHUK STATE LEGISLATURE:

Section 1. Selection. The independent prosecutor shall be selected at an annual or special session of the Conference of Mayors not later than one hundred-twenty (120) days before the end of the term of the current independent prosecutor, or as soon as practical in the case of the selection of the first independent prosecutor, or at any time whenever the position becomes vacant.

Section 2. Procedures.

(a) Each time the selection becomes necessary and after consultation with the Mayors of each representative district pursuant to Section 3(b) of Article V of the Chuk State Constitution, the Chairman of the Conference of Mayors shall appoint one Mayor from each of the thirteen (13) representative districts as members of the Special Selection Committee whose authority and responsibility shall be:

- (1) Immediately following appointment, to organize itself at the call of the oldest member as acting committee chairman, by selecting a chairman and vice chairman;
- (2) to advertise through the media and appropriate correspondence the position of independent prosecutor;
- (3) to have and exercise the powers

1 and attributes of any standing committee of
 2 the Senate or House of Representatives with
 3 respect to investigation, subpoena, oath,
 4 and the like, in the pursuance of its
 5 selection responsibility;
 6 (4) to review and screen by majority
 7 vote all applications which shall be in
 8 writing from the applicants;
 9 (5) to present a report to the Con-
 10 ference with its findings and its re-
 11 commendation of not more than 3 candidates
 12 for the independent prosecutor's position;
 13 (6) to continue its work in case none
 14 of its recommendations is approved by the
 15 Conference; and
 16 (7) to perform other duties and tasks
 17 in relation to its selection responsibility,
 18 as the Conference may direct.
 19 (b) Every application for the independent
 20 prosecutor's position shall contain at least the
 21 following information regarding the applicant:
 22 (1) full name;
 23 (2) date of birth;
 24 (3) place of birth;
 25 (4) nationality and citizenship;
 26 (5) educational background, including name
 27 and location of law school;
 28 (6) work and law practice experience;
 29 (7) affidavit stating applicant has never
 30 been convicted of a felony;
 31 (8) current police clearance from present res-
 32 idency;
 33 (9) reasons for wanting to be the

to the independent prosecutor by the Governor until

(a) A temporary office space shall be provided

Section 6. Office of the Independent Prosecutor.

years of court experience as a trial or defense lawyer.

of a felony, even if pardoned; and has had at least three

secutor of Chuk State unless such person has been convicted

A person shall be eligible to serve as the independent pro-

Section 5. Additional Qualifications of Prosecutor.

successful selection of the independent prosecutor.

bility has been fully carried out, which shall include the

of the Conference after the Committee's selection responsi-

Committee shall be dissolved by its own action or action

Section 4. Dissolution. The Special Selection

Presiding Officers of the Legislature, or the Chief Justice.

staffing, clerical, and other assistance by the Governor,

Conference of Mayors, shall be, as requested, provided with

Committee in the absence of regular staff provided by the

Section 3. Assistance. The Special Selection

finally attained by one of the candidates.

majority of all the mayors in Chuk State is

by secret ballot and shall be conducted until a

shall be the independent prosecutor. The voting shall be

vote of all the mayors in the State of Chuk

Committee. The candidate receiving the majority

from among those recommended by the Special

proceed to vote for the independent prosecutor

Special Selection Committee, the Conference shall

(c) After acting on the report from the

by the Committee or the Conference.

(10) any other information deemed necessary

and

independent prosecutor of Chuk State;

1 the prosecutor is able to provide for an office
2 space of his/her own.

3 (b) The annual salary of the independent pro-
4 secutor shall not exceed \$35,000.

5 Section 7. The amount of \$35,500 is hereby

6 appropriated out of the General Fund of the state for the

7 operation costs of the independent prosecutor's office for

8 the remainder of the fiscal year ending September 30, 1991,

9 and is allotted to the Independent Prosecutor, as follows:

10 1. \$20,500 salary and benefits for the

11 prosecutor and one secretary;

12 2. \$3,000 housing for prosecutor;

13 3. \$2,000 travel and fuel; and

14 4. \$10,000 supplies and equipment.

15 Any part of this appropriation not obligated as of September

16 30, 1991, shall revert to the General Fund of the state.

17 Section 8. Effective Date. This Act shall take

18 effect upon approval by the Governor, or upon its becoming law

19 without such approval.

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21
22 Signed by: Ira E. Akapito
23 Senate President
24 Chuck State Legislature

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27 Datasi Albert, Chief Clerk
28 Senate
29 Chuck State Legislature

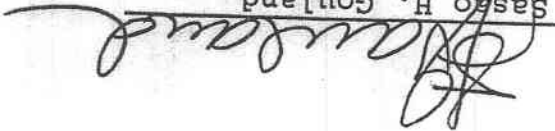
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31 Date: March 7, 1991

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History: S.B.No.: 1-67; S.D.2
S.S.C.R.No.: 1-2-04

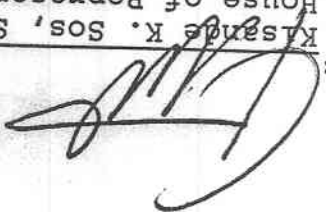
Date: 4/4/91

Sasao H. Gouland
Governor
Chuuk State Government

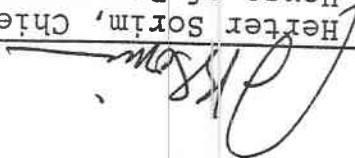
Approved by: 

Date: March 7, 1991

Ksange K. Sos, Speaker
House of Representatives
Chuuk State Legislature

Signed by: 

Heter Sorim, Chief Clerk
House of Representatives
Chuuk State Legislature



Attested: