

AN ACT

To provide for the drafting and adoption of municipal constitutions, and authorizing and appropriating funds therefor, and for other purposes.

BE IT ENACTED BY THE CHUK STATE LEGISLATURE:

1 Section 1. Purpose. The purpose of this Act is to
2 provide for the drafting and adoption of municipal
3 constitutions as mandated by the Chuk State Constitution.
4 Section 2. Constitutional Convention.

5 (1) Each municipality shall enact a legislation
6 creating a constitutional convention to draft a
7 municipal constitution which shall take effect not
8 later than October 1, 1992. The convention shall
9 draft a constitution for its municipality, and may
10 contain provisions for the exercise of legislative,
11 executive and judicial functions, for the guarantee
12 of individual rights, and for the establishment of a
13 government and directly expresses, the wishes of its
14 people. The constitution shall provide for an
15 effective date and require voter approval as
16 specified in this Act. Each convention shall transmit
17 a certified copy of the adopted and signed
18 constitution to the Governor and the appropriate
19 Mayor.

20 (2) The session days of the convention shall be
21 as provided by municipal laws.
22 (3) Each constitutional convention shall have

1 as many members as a municipality deems

2 appropriate by law. These members shall be known as

3 delegates, all of whom shall be residents of the

4 municipality represented. Each municipality shall

5 elect its delegates pursuant to the applicable State

6 election laws governing the election of municipal

7 officers.

8 (4) Each municipality shall provide for the

9 establishment of a pre-convention committee. The

10 chairman of each pre-convention committee shall act

11 as President and conduct the first organizational

12 meeting of the convention. At that time, the

13 election of the President, Vice President, Floor

14 Leader and such additional officers as may be

15 necessary shall take place. The President shall

16 appoint a Chief Clerk after consultation with the

17 delegates.

18 (5) The constitutional convention may have the

19 following committees to carry out the duties of the

20 convention:

21 (a) Governmental Structure and Functions;

22 (b) Civil Liberties;

23 (c) General Provisions;

24 (d) Finance and Taxation; and

25 (e) Style and Arrangement.

26 (6) Each convention shall adopt its own Rules

27 of Procedure not inconsistent with this Act, provided

28 that no constitutional provision may be finally

1 adopted by the Convention except by the affirmative
2 votes of not less than 3/4 of the delegates present,
3 a quorum being present, and that no voting except in
4 person shall be permitted, and that absentions shall
5 not be counted as affirmative votes in determining
6 the result of any vote by the convention to finally
7 adopt a constitutional provision.

8 (7) A quorum shall consist of 2/3 of all the
9 delegates.
10 Section 3. Drafting. The municipal constitution may
11 be drafted in the English, or the Chukese language, or
12 both.

13 Section 4. Ratification. The municipal constitution
14 shall be ratified by a majority of the votes cast on the
15 constitution on or before October 1, 1992. The Election
16 Commissioner shall set a date for the ratification no
17 later than 60 days after receipt by the Governor of a copy
18 of the adopted and signed constitution as transmitted by
19 the Convention. The results of the ratification shall be
20 certified by the Election Commissioner whose certification
21 shall be the solemn declaration of the approval of the
22 constitution by the people of the applicable municipality.
23 Section 5. Authorization for Appropriation. The sum
24 of \$768,000 or so much thereof as may be necessary, is
25 hereby authorized to be appropriated from the General Fund
26 of the State for the purpose of funding municipal
27 constitutional conventions. The amount of \$390,000 shall
28 be allocated and divided equally among the thirty-nine

1 municipalities, each of which shall receive \$10,000
 2 and shall be used as set forth in this Section.
 3 The sum of \$378,000 shall be apportioned as follows:

4 Municipal Category:

5	A. 1. Fot	\$5,000
6	2. Piherrah	\$5,000
7	3. Onanu	\$5,000
8	4. Onou	\$5,000
9	5. Makur	\$5,000
10	6. Tamatam	\$5,000
11	B. 1. Fono	\$8,000
12	2. Sits	\$8,000
13	3. Parem	\$8,000
14	4. Romanum	\$8,000
15	5. Panapenges	\$8,000
16	6. Pits-emwar	\$8,000
17	7. Namoluk	\$8,000
18	8. Ettal	\$8,000
19	9. Kuttu	\$8,000
20	10. Oneop	\$8,000
21	11. Ta	\$8,000
22	12. Onoun	\$8,000
23	13. Murrilo	\$8,000
24	14. Ruo	\$8,000
25	15. Fananu	\$8,000
26		\$8,000

Municipal Category:	Amount:
1	
2	\$8,000
3	\$8,000
4	\$8,000
5	\$8,000
6	\$11,000
7	\$11,000
8	\$11,000
9	\$11,000
10	\$11,000
11	\$11,000
12	\$14,000
13	\$14,000
14	\$14,000
15	\$17,000
16	\$17,000
17	\$17,000
18	\$17,000
19	\$20,000
20	

The fund authorized to be appropriated shall be appropriated by the State Government no later than May 31, 1992. In the event the amount provided to each municipal constitutional convention is insufficient, the municipal government, not the State Government, shall supplement such insufficiency in order for the constitutional

1 convention to complete its works. All debts incurred by
2 the municipal constitutional convention shall be the debts
3 of the municipal government and the municipal government
4 shall be responsible for the debts.
5 Section 6. Appropriation. The sum of \$280,000 is
6 appropriated out of the sum authorized to be appropriated
7 in Section 5 and shall be allotted to and administered by
8 the Governor, who shall be responsible to the Legislature
9 for ensuring that these funds are used only for the
10 purpose specified in this Act, and in accordance with the
11 State Financial Management Act, and that no obligations
12 are incurred in excess of the sum appropriated. The
13 Governor shall not disburse or obligate any of these funds
14 to any municipality unless the municipality can prove to
15 the Governor that a municipal law has been enacted and
16 approved by him establishing a constitutional convention.
17 Section 7. The President of each constitutional
18 convention shall submit a report to the Governor detailing
19 the uses and obligations of the funds disbursed to it
20 under this Act within 45 days after the conclusion of the
21 convention. The Governor shall compile such reports
22 submitted to him as provided in this Section and forward
23 the same to the Legislature as part of his responsibility
24 as allottee of the funds herein appropriated.
25 Section 8. This Act shall take effect upon approval

1 by the Governor, or upon its becoming law without such approval.

CSL NO. 191-19
ACT NO. 1-34

6 Signed by: Ira E. Akapito, President
Senate
Chuuk State Legislature

8 Attested:

10 Datasi Albert, Chief Clerk

11 Date: 5/16/91

12 Chuuk State Legislature
Senate

13 Signed by:

14 Kisande K. Sos, Speaker
House of Representatives
Chuuk State Legislature

15 Attested:

17 Herter Sorim, Chief Clerk

18 Date: May 17, 1991

19 House of Representatives
Chuuk State Legislature

20 Approved by:
Sasao H. Gouland, Governor
Chuuk State Government

21 Date: May 23, 1991

27 S.B.No. 1-57; S.D.3; H.D-1; CD-2

28 S.S.C.R.No. 1-2-02

H.S.C.R.No. 1-2-03

Conference Report Nos. 1-2-03; 2-01