

FIRST TRUK LEGISLATURE OF THE STATE OF TRUK

FOURTH REGULAR SESSION, FIRST SPECIAL SESSION

TRUK STATE LAW NO. 4-35

BEGUN & HELD ON MOEN IS. TRUK STATE F.S.M. ON TUESDAY

THE EIGHTH OF SEPTEMBER NINETEEN HUNDRED EIGHTY ONE

ACT NO. 1-173

AN ACT

To amend the Truk State Constitutional Convention Act, Truk State Law No. 3-42, and for other purposes.

Be It Enacted by the Legislature of Truk State.

Section 1. Section 2 of the Truk State Constitutional Convention Act, Truk State Law No. 3-42, is hereby amended as follows:

"Section 2. Sessions of Convention. The Convention shall be convened at 9:30 a.m. on January 26, 1982, and shall continue to be in session for no longer than sixty meeting days. The Convention shall meet Monday through Friday except legal holidays; PROVIDED that Convention sessions may be held on weekends or holidays or the Convention may recess for a period not to exceed thirty days by a majority vote of the delegates of the Convention."

Section 2. Section 3 of the Truk State Law No. 3-42, is hereby amended as follows:

"Section 3. Delegates. The Convention shall consist of fifty-four delegates, all of whom shall be citizens of the Federated States of Micronesia and residents of the State, selected as follows:

(1) Each of the Thirteen Legislative Election Districts, as designated in the State Charter, shall elect at a special or general election, on December 30, 1981, delegates in the numbers shown in Article XI of the Truk State Charter.

(2) All of the recognized traditional Chiefs in each of the Thirteen Legislative Election Districts shall select from among themselves one delegate.

(3) All State Senators in each of the Thirteen Legislative Election Districts, as designated in the State Charter shall select from among themselves one delegate.

(4) Within 24 hours of the election under subsection (1) the results shall be tabulated and shall be reported by radio to the Election Commissioner by those persons in charge of the election on each island. Selection results under subsection (2) and subsection (3) shall be made known to the State Election Commissioner prior to December 30, 1981."

Section 3. Section 4 of Truk State Law No. 3-42, is hereby amended as follows:

"Section 4. Elections. The delegates to be elected under subsection (1) of Section 3 of this Act shall be elected as follows:

(1) All citizens of the Federated States of Micronesia who are qualified to vote in state elections are qualified to vote for delegates to the Convention. Registration to vote in State elections shall also be registration to vote for delegates to the Convention. For those persons not registered to vote, registration must be completed prior to October 30, 1981.

(2) Any person who is twenty-five years of age or older who is a citizen of the Federated States of Micronesia and is a qualified voter for state elections shall be eligible for election as a delegate from the election district in which he resides.

(3) The name of any candidate for election as a delegate shall be printed on an official ballot to be used at the election for choosing candidates only if prior to 4:30 p.m. October 30, 1981, a nomination paper shall have been filed in the office of the Election Commissioner on his behalf which states his intention to represent a particular district together with the signatures of not less than twenty-five qualified voters of that particular district. There shall be deposited with each nomination paper a non-refundable fee of twenty-five dollars. The Election Commissioner shall pay over all such nomination fees to the State Treasurer to remain available for defraying costs of the election.

(4) The names of candidates for each election district shall be on separate ballots which shall be substantially in the same form as those used for general election of public officers.

(5) The Election Commissioner, or his designee, shall upon receipt of the nomination paper endorse thereon the day, hour and minute that such nomination paper is received."

Section 4. Section 6 of the Truk State Law No. 3-42, is hereby amended as follows:

"Section 6. Pre-Convention Committee.

(1) There shall be a Pre-Convention Committee which shall consist of the thirteen delegates selected as follows:

(a) Those delegates from within each of the thirteen Legislative Election Districts, selected and elected under subsections (1), (2), and (3) of Section 3 of this Act, shall select from among themselves one delegate.

(b) Delegates selected to constitute the Pre-Convention Committee shall be made known to the Governor prior to January 5, 1982. The Committee shall convene January 15, 1982, at the Truk Legislative Chambers. The Governor shall call the Pre-Convention Committee to order. At the meeting the delegates shall:

i) organize into a committee and shall elect a Chairman, vice-chairman, and a secretary;

ii) draft proposed rules of procedure for adoption by the Convention;

iii) facilitate the work of the Convention by ensuring that accommodations and facilities for the Convention are in proper order; and


iv) take such reasonable and appropriate actions to accomplish the above duties and purposes of the Convention."

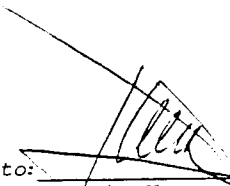
Section 5. Section 12 of Truk State Law No. 3-42, is hereby amended as follows:

"Section 12. Salaries and Expense of Delegates.

(1) Delegates to the Convention who are not employed by the State, National, or Trust Territory Government shall receive a salary as determined by the Pre-Convention Committee, and made available to the Convention."

Section 6. This Act shall become law upon approval by the Governor of the State of Truk, or upon its becoming law without such approval.

Signed by: 
Tadashi C. Wainit, Speaker
Truk Legislature

Attested to: 
Datasi Albert
Legislative Clerk/Secretary
Truk Legislature

Date: October 14, 1981

Approved by: 
Erhart Aten, Governor
Truk State Government

Date: October 27, 1981