

A HOUSE BILL FOR AN ACT

Amending the Chuuk State Executive Reorganization Act, Chuuk State Law No. 190-07 as amended by Chuuk State Laws Nos. 2-94-10 and 7-03-05 to clarify the relationship between the Chuuk State Office of the Attorney General and the extent of its authority with relations to the independent boards and commissions created by the Chuuk State Constitution, and for other purposes.

Be it enacted by the Chuuk State Legislature:

1 **Section 1. Purpose.** Because the Chuuk State Office of the Attorney General is only
2 an office created by statute, which sometimes encroaches on the authority and independence
3 of some of the branches and independent boards and commissions of the State that are
4 created or which statutory creations are specifically mandated in the Chuuk State
5 Constitution, this Act is therefore enacted to clarify the relationship and the extent of the
6 authority of the Chuuk State Office of the Attorney General and the other branches and
7 independent state boards and commissions outside of the Executive Branch of the State
8 Government.

9 **Section 2. Amendment.** Section 9 of Chuuk State Law No. 7-03-05 which amended
10 CSL 190-07 as previously amended by CSL 2-94-10, is hereby amended to read as follows:

11 **“Section 9. Office of the Attorney General.** The Office of the Attorney
12 General shall be headed by the State Attorney General who shall have the authority
13 and responsibility to render legal opinions, provide legal services and legal
14 representation of any State department, agency, boards or commissions not
15 designated as independent boards or commission by the Chuuk State Constitution,
16 and political subdivision as requested, including but not limited to advice, contract
17 preparations, review legislativeion, drafting and presentation when appropriate of
18 the State Government, its agencies, instrumentalities, and political subdivisions.
19 Any legal research and opinion or advice of the Attorney General does not apply nor
20 is binding on the other branches of the Government or on the State’s independent
21 boards and commissions that are designated in the Chuuk State Constitution to be
22 independent and that have their own independent legal counsels.”

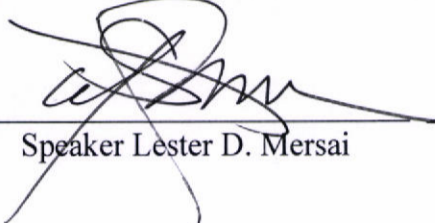
23 **Section 3. Restriction on Work of the Attorney General and staff.** To preserve

1 the professional independence of the Office, neither the Chuuk State Attorney General,
2 Assistant Attorney General nor any member of its legal staff shall be permitted to work in
3 any election for or in the State of Chuuk other than defending the State or any of its political
4 subdivisions in any election litigation.

5 **Section 4. Effective Date.** This Act shall take effect upon approval by the Governor
6 or upon its becoming law without such approval.

Date: 4. 25

Introduced by: _____


Speaker Lester D. Mersai