
A HOUSE BILL FOR AN ACT

Amending Section 3, 6 and 115 of the Chuuk State Election Law of 1996, Chuuk State Law No 3-95-26, as amended by CSL No 11-12-18, by providing for the holdover of the Commissioners after expiration of their terms of office until their replacements have been appointed and confirmed, by providing the Commission the duty to hire its legal counsel, by setting the time for the certification of elections, and for other purposes.

Be it enacted by the Chuuk State Legislature:

1 Section 1. Finding and Purpose. The Legislature finds that the lack of clarity in the
2 transition between office holders for the members of the Chuuk State Election Commission
3 could cause serious confusion for the State Government and therefore enacted this Act to
4 remedy and clarify that loophole. The Legislature further finds that it is imperative for the
5 Chuuk State Election Commission to have its own legal counsel who shall have the
6 authority to issue legal opinions and provide legal services when appropriate of the Election
7 Commission.

8 Section 2. Amendment. Section 3 of Chuuk State Law 3-95-26 as previously
9 amended by CSL 11-12-18 is hereby further amended to read as follows:

10 “Section 3. Election Commission: Composition; Removal of Members; Chairman;
11 Quorum.”

12 (a) There is within the government of Chuuk State the Independent Election
13 Commission. The Commission shall consist of five (5) members, all of whom shall be
14 eligible voters on the date of their appointment. The Governor shall appoint the five (5)
15 members, one from each of the Senatorial Regions, with the advice and consent of the
16 Senate. The members shall serve for a term of 4 years—provided, however, that members
17 may hold over and continue to serve after expiration of their four- (4)-year term until their
18 respective replacement is nominated and confirmed. If a vacancy should occur on the
19 Commission, said vacancy shall be filled for the remainder of the term only, and by method
20 originally prescribed for its appointment. Every member of the Commission who is not an
21 employee or not in the full-time service of the State Government shall be paid a sum of
22 \$25.00 each day, for attendance at the meeting when performing his duties as member of the
23 Commission.

24 (b) Any member may be removed for misconduct in the office by a resolution duly

1 adopted by a majority vote of the members present of the House of Representatives.

2 (c) The Commission shall every 2 years elect one of its members as Chairman. The
3 Chairman shall rotate among the 5 senatorial regions. The Chairman shall preside at
4 all meetings of the Commission. Other officers may be elected as the Commission
5 deems necessary.

6 (d) A majority of the members of the Commission shall constitute a quorum. The vote
7 of a majority of the Commission shall be required to make any action of the
8 Commission effective, except as provided herein.

9 (e) Upon confirmation by the Senate of the quorum member of the Commission, the first
10 confirmed member shall call the first meeting of the Commission to organize by
11 electing a Chairman. Thereafter, the Commission shall organize every two years by
12 rotating the Chairmanship.”

13 Section 3. Amendment. Section 6 of Chuuk State Law No. 3-95-26 as amended is
14 hereby amended to read as follows:

15 “Section 6. Duties and Responsibilities. The Commission shall have direct and
16 immediate supervision over the municipal and state officials designated in accordance with
17 this Act and laws of the State of Chuuk to perform duties relative to the conduct of elections.
18 The Commission shall suspend from the performance of said duties any of said officials who
19 shall fail to comply with its instructions, orders, decisions or rulings or regulations, and
20 appoint temporary substitutes or may remove any and all such officials who shall be found
21 guilty of nonfeasance, or misfeasance in connection with the performance of their duties
22 relative to the conduct of elections. The Commission shall designate such subordinate
23 officers and employees as may be necessary for the efficient performance of its functions
24 and duties. The Commission shall hire a legal counsel who shall have the authority and
25 responsibility to render legal opinions and provide legal services including but not limited to
26 advice, contract preparations, and revision and drafting of regulations when appropriate of
27 the Election Commission or the Election Office.

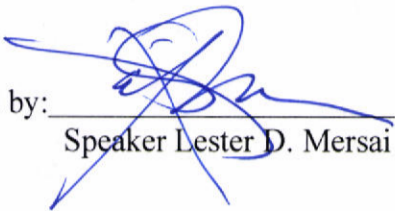
28 Section 4. Amendment. Section 115 of Chuuk State Law 3-95-26 as previously
29 amended by CSL 11-12-18 is hereby further amended to read as follows:

30 “Section 115. Certification of Election. As soon as all the votes for such precinct are
31 counted and the ballots sealed, the Election Commission shall certify the results of

1 the election in that precinct within ten (10) days after the election. The final
2 certification shall be signed by a majority of the commission.”

3 Section 5. Effective Date. This Act shall become law upon approval by the
4 Governor, or upon its becoming law without such approval.

Date: 4.28.25

Introduced by: 
Speaker Lester D. Mersai