

SEVENTH KOROR STATE LEGISLATURE

Sixth Regular Session, July -October, 2004

KSPL NO. K7-152-2004

(Introduced as  
Bill No. 7-44)

AN ACT

To declare vacant the Meketii Hamlet seat in the Seventh Koror State Legislature, to establish and set a date for a special election to fill the vacancy, and for related purposes.

THE PEOPLE OF KOROR REPRESENTED IN THE LEGISLATURE OF THE STATE OF KOROR DO ENACT AS FOLLOWS:

SECTION 1. DECLARATION. Legislator Ricardo Ngirkelau resigned as Legislator for Meketii Hamlet effective September 30, 2004. The Seventh Koror State Legislature hereby declare the Meketii Hamlet seat vacant. The legislature finds that an election is necessary to fill the vacancy and that such election shall be held within forty -five (45) days of such vacancy, pursuant to Article VIII, Section 12, of the Koror State Constitution.

SECTION 2. SPECIAL ELECTION DATE; COMMENCEMENT OF TERM. The special election for the vacant seat of Meketii legislator in the Seventh Koror Sate Legislature shall be held on November 11, 2004. The winning candidate shall take office upon the certification of the results by the Election Commission and after taking an oath of office.

SECTION 3. REGISTRATION OF VOTERS AND REQUIREMENTS.

A. No person may vote in the special election unless such person is lawfully registered to vote as a voter of Meketii Hamlet of the state of Koror by 4:30 p.m., November 1, 2004. Any person who will be eighteen years of age on or before the date of the special election, and who is otherwise eligible to vote, may vote in the special election if registered by the above registration deadline date.

B. Any person who is lawfully registered to vote as a voter of Meketii Hamlet in the National Voter Registry maintained by the National Election Commission on the effective date of this Act shall not be required to re-register to vote in this particular election, provided that such person has not voted in any other state's election since the date of the last Koror general election.

SECTION 4. NOMINATING PETITIONS. Candidates shall submit their signed petitions, and the receipt showing payment of the \$25.00 filing fee by 4:00 p.m., November 1, 2004, to the office of the National Election Commission. Any candidate who desires to voluntarily withdraw from this special election shall submit a notice of withdrawal to the

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National Election Commission no later than 4:00 p.m., November 3, 2004.

SECTION 5. RUN-OFF ELECTION. In the event of any tie vote for the Meketii Hamlet vacant seat, a run-off election shall be conducted for the seat on the third Friday of November 2004.

SECTION 6. APPLICABLE LAWS AND REGULATIONS. The provisions of KSPL No. K6-123-2001 shall apply to all other aspects of the foregoing special election to the extent that they are consistent with this Act; in the event of any inconsistency between the provisions of KSPL No. K6-123-2001 and this Act, then the provisions of this Act shall prevail. In the event that any other inconsistency is not covered by this Act or by KSPL No. K6-123-2001, then the rules and regulations promulgated by the National Election Commission, and applicable national law, shall govern any procedure or other matter that is not contained in or expressly provided for by this Act.

SECTION 7. SEVERABILITY. In the event that a court of competent jurisdiction determines that any part or parts of this Act is invalid, then the offending part or parts may be stricken, and the remaining portions shall continue in full force and effect.

SECTION 8. EFFECTIVE DATE. This Act shall become effective upon its becoming law by operation of the Koror State Constitution.

PASSED: October 8, 2004

CERTIFIED BY:

ATTESTED TO BY:

\_\_\_\_\_/s/  
Yositaka Adachi, Speaker  
Seventh Koror State Legislature

\_\_\_\_\_/s/  
Charlyne Uong, Clerk  
Seventh Koror State Legislature

\* \* \* \* \*

APPROVED THIS 8<sup>th</sup> DAY OF October, 2004.

\_\_\_\_\_/s/  
John C. Gibbons  
Governor, Koror State

\* \* \* \* \*

APPROVED THIS 12 DAY OF Oct., 2004.

\_\_\_\_\_/s/  
Ibedul Y. M. Gibbons

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House of Traditional Leaders