

AN ACT

To declare vacant one of the At-Large seats in the Eighth 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 Paul W. Ueki, an At-Large member of the Legislature, was elected to serve as a member of the Senate, 8th Olbiil Era Kelulau. The Eighth Koror State Legislature hereby declares the At-Large seat of Paul W. Ueki to be vacant effective as of January 15, 2009. 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, or by March 1, 2009 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 one of the At-Large Legislators in the Eighth Koror State Legislature shall be held within forty-five (45) days of January 15, 2009. The candidate who receives the highest number of votes cast in such special election shall be elected to fill the vacant seat, and 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 Koror State by 4:30 p.m., on the twenty-first (21st) day before the special election. 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 Koror State in the

EIGHTH KOROR STATE LEGISLATURE

KSPL NO.: K8-205-2009

Seventh Regular Session, January 26, 2009

(Intro. as Bill No. 08-56, GD1)

1 of this Act shall not be required to re-register to vote in this special election, provided that
2 such person has not voted in any other state's election since the date of the last Koror
3 general election.

4 **SECTION 4. NOMINATING PETITIONS.**

5 Candidates shall submit their signed petitions, and the receipt showing payment to
6 Koror State Government of the \$25.00 filing fee by 4:00 p.m., on or before the twenty-first
7 (21st) day before the special election, to the office of the National Election Commission
8 along with a receipt from Koror State Government. Any candidate who desires to
9 voluntarily withdraw from this special election shall submit a notice of withdrawal to the
10 National Election Commission no later than 4:00 p.m., ten days before the special election.

11 **SECTION 5. RUN-OFF ELECTION.**

12 In the event of any tie vote for the vacant seat, a run-off election shall be conducted
13 for the seat within thirty (30) days of the special election.

14 **SECTION 6. APPLICABLE LAWS AND REGULATIONS.**

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

22 **SECTION 7. SEVERABILITY.**

23 In the event that a court of competent jurisdiction determines that any-part or parts of

24 this Act is invalid, then the offending part or parts may be stricken, and the remaining
25 portions shall continue in full force and effect.

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1 **SECTION 8. EFFECTIVE DATE.**

2 This Act shall become effective upon its becoming law by operation of the Koror
3 State Constitution.

PASSED ON: JANUARY 26, 2009

CERTIFIED BY:

ATTESTED TO BY:

_____/s/
Timothy "Tero" Uehara
Speaker
Eighth Koror State Legislature

_____/s/
Rena Iluches
Clerk
Eighth Koror State Legislature

APPROVED ON THIS DAY 26th DAY OF January , 2009

_____/s/
Yositaka Adachi
Governor
State of Koror