

TdGD

A RESOLUTION

Amending Section 5 of Article IV of the Kosrae State Constitution, by repealing, in part, the six-month provision regarding a State Senator's vacancy declaration due to incapacitation and absence from duty station, which was amended by the 2020 Constitutional Convention and later ratified in 2021.

1 **WHEREAS**, the primary constitutional function of the Legislature is to make laws
2 efficiently for the State's benefit; and

3 **WHEREAS**, the Kosrae State Constitution is the supreme law of the State and an Act in
4 government in conflict with the Kosrae State Constitution is invalid to the extent of conflict; and

5 **WHEREAS**, pursuant to Section 1 of Article XV of the Kosrae State Constitution, the
6 Legislature may propose an amendment to the Constitution, by resolution, with an adoption
7 requirement of three-fourths of the Senators, in order for the amendment to be proposed; and

8 **WHEREAS**, Section 5 of Article IV of the Kosrae State Constitution is referring to the
9 vacancy of the Legislature by absence or incapacitation ; and

10 **WHEREAS**, the 13th Kosrae State Legislature wishes to amend Title IV of the Kosrae
11 State Constitution, under Section 5, as allowed under Section 1 of Article XV, by repealing in
12 part the six-months equivalency regarding a State Senator's vacancy declaration due to
13 incapacitation and absence from duty station, which was recently amended by the 2020
14 Constitutional Convention and later ratified in 2021; **NOW & THEREFORE**

15 **BE IT RESOLVED**, that Section 5 of Title IV of the Kosrae State Constitution is hereby
16 amended to read as follows:

