

A BILL FOR AN ACT

To amend title 3 of the Code of the Federated States of Micronesia (Annotated), by creating a new chapter 8 to establish the procedures for a member of Congress' voluntary relinquishment of a congressional seat, declaration of congressional seat vacancy following voluntary relinquishment of congressional seat, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1           Section 1. Title 3 of the Code of the Federated States of  
2 Micronesia (Annotated) is hereby amended by creating a new chapter  
3 8 entitled: "Voluntary Relinquishment of Congressional Seat  
4 Mandate".

5           Section 2. Chapter 8 of title 3 of the Code of the  
6 Federated States of Micronesia (Annotated) is hereby amended by  
7 inserting a new section 801 to read as follows:

8           "Section 801. Voluntary Relinquishment.

9           A member of Congress is considered to have voluntary  
10           relinquished their congressional seat upon failure to  
11           attend two consecutive regular sessions of Congress."

12           Section 3. Chapter 8 of title 3 of the Code of the Federated  
13 States of Micronesia (Annotated) is hereby amended by creating a  
14 new section 802 to read as follows:

15           "Section 802. Eligibility for Congress After Voluntary  
16           Relinquishment.

17           (1) A member of Congress that has voluntarily

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1           relinquished his congressional seat under section 801 is  
2           not qualified to be seated to fill a vacancy during the  
3           same congressional term that they voluntarily  
4           relinquished their congressional seat.”

5           Section 4. Chapter 8 of title 3 of the Code of the  
6 Federated States of Micronesia (Annotated) is hereby amended by  
7 inserting a new section 803(2) to read as follows:

8           “Section 803. Notification.

9           (1) The Speaker shall notify a congress member whom  
10          has failed to attend one regular session of Congress  
11          that failure to attend two consecutive regular sessions  
12          of Congress will result in voluntary relinquishment of  
13          their congressional seat. The notification shall be  
14          done in writing.

15          (2) The Speaker shall notify a congress member whom  
16          has failed to attend two consecutive regular sessions  
17          of Congress they have voluntarily relinquished their  
18          congressional seat. The notification shall be done in  
19          writing.”

20          Section 5. Chapter 8 of title 3 of the Code of the  
21 Federated States of Micronesia (Annotated) is hereby amended by  
22 inserting a new section 804 to read as follows:

23          “Section 804. Declaration of Congressional Seat  
24          Vacancy.

25          (1) The Speaker shall declare a congressional seat

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1           vacant where a member of Congress has voluntary  
2           relinquished their congressional seat under section  
3           801. The Speaker shall declare the congressional seat  
4           vacant within 15 days of notification to the Congress  
5           member under section 803(2).

6           (2) Upon the declaration of a congressional seat  
7           vacancy under this chapter, the Speaker shall transmit  
8           the declaration in compliance with subsection 3(b) of  
9           Section 106 of title 9 of the Code of the Federated  
10          States of Micronesia. Upon receipt of the declaration,  
11          the President shall call for a special election in  
12          compliance with Section 106 of title 9 of the Code of  
13          the Federated States of Micronesia.”

14          Section 6. This act shall become law upon approval by the  
15 President of the Federated States of Micronesia or upon its  
16 becoming law without such approval.

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18 Data: 9/25/23

Introduced by: /s/ Isaac V. Figir  
Isaac V. Figir

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