

STANDING COMMITTEE REPORT NO. 13-129

RE: C.R. NO. 13-98/HESA

SUBJECT: NOMINATION OF JOHN SOUND TO THE BOARD OF REGENTS OF THE
COLLEGE OF MICRONESIA-FSM

MAY 31, 2004

The Honorable Peter M. Christian
Speaker, Thirteenth Congress
Federated States of Micronesia
Third Regular Session, 2004

Dear Mr. Speaker:

Your Committee on Health, Education and Social Affairs, to which was referred C.R. No. 13-98, entitled:

"A RESOLUTION CONFIRMING THE NOMINATION OF MR. JOHN SOUND TO BE THE MEMBER REPRESENTING CHUUK STATE ON THE BOARD OF REGENTS OF THE COLLEGE OF MICRONESIA - FSM.",

begs leave to report as follows:

The intent and purpose of the resolution are expressed in its title.

This nomination was transmitted to Congress by Presidential Communication No. 13-149, to which the nominee's resume was attached. According to the Presidential Communication, Mr. Sound is educated at the Master's degree level and has held various positions of increasing responsibility both with the National Government and in the State of Chuuk. He has received the blessing of his state and the President for this position on the Board of Regents.

Your Committee held a public hearing with representatives from the College of Micronesia on Wednesday, May 19, 2004, at which we received favorable comments in support of Mr. Sound's nomination. Your Committee also understands that Mr. Sound is willing and able to take on this important role.

We note that this is a nomination to fill a vacancy on the Board. The current Chuuk State Representative position was vacated prior to the expiry of the term. Pursuant to 40 FSMC 708(2) and 40 FSMC 710, terms of office for State representative members of this Board are ordinarily three years unless there is a vacancy, in which case, the vacancy shall be filled only for the remaining unexpired portion of the term. The previously-appointed Chuuk State representative was confirmed by Congressional Resolution No. 13-13 on September 4, 2003. The term of the now-vacant position is a 3-year term with an expiry

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date of September 3, 2007. In accordance with the requirements of 40 FSMC 710, your Committee believes that the correct term of office for Mr. Sound should be the remaining unexpired portion of the term of the now-vacant position. Therefore, it shall expire on September 3, 2007. As such, your Committee recommends the following amendments to C.R. 13-98:

1. In the title, after the words "College of Micronesia - FSM" insert the following words:

"until September 3, 2007".
2. Between lines 2 and 3, insert the following words:

"WHEREAS, the term of this vacant position expires on September 3, 2007; and".
3. On line 3, between the words "COM-FSM" and "serve terms", insert the word:

"ordinarily".
4. On line 4, between the words "serve terms of three years" and "; and" insert the following words:

"unless a member is appointed to fill a vacancy on the Board, in which case, the member serves for the remaining unexpired portion of the vacant position's term".
5. On line 12, between the words "Mr. John Sound" and the words "is hereby confirmed", insert the following words:

"to serve as the Chuuk State representative until September 3, 2007".

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Your Committee on Health, Education and Social Affairs is in accord with the intent and purpose of C.R. No. 13-98 and recommends its adoption in the form attached hereto as C.R. No. 13-98, C.D.1.

Respectfully submitted,

/s/ Resio S. Moses
Resio S. Moses, chairman

/s/ Tiwiter Aritos
Tiwiter Aritos, vice chairman

/s/ Claude H. Phillip
Claude H. Phillip, member

/s/ Dohsis Halbert
Dohsis Halbert, member

/s/ Roosevelt D. Kansou
Roosevelt D. Kansou, member

/s/ Ramon Peyal
Ramon Peyal, member

/s/ Moses A. Nelson
Moses A. Nelson, member