
A BILL FOR AN ACT

To further amend title 24 of the Code of the Federated States of Micronesia, as amended, by amending section 202 with respect to the term of members of the National Oceanic Resource Management Authority, and for other purposes.

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

1 Section 1. Section 202 of title 24 of the Code of the
2 Federated States of Micronesia is amended to read as follows:

3 "Section 202. Authority - term of office of members;
4 vacancies.

5 (1) All appointments of Authority members shall be for
6 a term of two years. The term of office of each member
7 shall commence either upon the granting of advice and
8 consent to a member's appointment by the Congress of the
9 FSM under this act's predecessor legislation, or, for
10 any vacancies existing upon the effective date of this
11 act or thereafter, upon the granting of advice and
12 consent of the Congress to the appointment of a member
13 to fill a vacancy. The rights and powers of a member,
14 other than a member whose appointment is terminated or
15 vacated pursuant to subsection (3) below, shall remain
16 in effect until the date of the first meeting of the
17 Authority following the effective date of the term of
18 office of that member's successor[-] ; except that no

1 member shall remain in office in this manner for longer
2 than one year after the end of his term.

3 (2) The Executive Director shall notify the President
4 of the Federated States of Micronesia in writing of an
5 impending vacancy on the Authority not less than ninety
6 (90) days prior to the expiration of the term of a
7 member and immediately upon receipt of a member's notice
8 of intent to resign or resignation.

9 (3) Notwithstanding any other provision of this
10 subtitle, an appointment to the Authority shall be
11 declared vacant or terminated by the President of the
12 Federated States of Micronesia in the event of any of
13 the following:

14 (a) submission of a written resignation, signed
15 by the member and delivered to the President of the
16 Federated States of Micronesia;

17 (b) the death or other incapacity of a member;

18 (c) absence of a member, except with the written
19 consent of the President of the Federated States of
20 Micronesia or of the chairman, from three consecutive
21 meetings of the members;

22 (d) failure of a member to comply with the
23 provisions in sections 208 or 209 of this subtitle;

24 (e) bankruptcy of a member, application by a
25 member to take advantage of benefits available by law to

1 bankrupt or insolvent debtors, assignment by a member of
2 his remuneration for the benefit of his creditors, or a
3 member's entry into an agreement with creditors not to
4 take legal action against him; or

5 f) conviction of a member of an offense under
6 this subtitle or of an offense under any other law
7 punishable by a term of imprisonment for one year or
8 longer.

9 (4) Vacancies occurring pursuant to subsection (3)
10 above, or for any other reason prior to the expiration
11 of a member's term, shall be filled in the same manner
12 as vacancies arising from the expiration of a member's
13 term, provided that such appointments shall only be
14 effective for the remainder of the unexpired term of the
15 departing member."

16 Section 2. This act shall become law upon approval by the
17 President of the Federated States of Micronesia or upon its
18 becoming law without such approval.

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20 Date: 5/9/06

Introduced by: /s/ Simiram Sipenuk

21 Simiram Sipenuk
22 (by request)
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