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A BILL FOR AN ACT

To further amend title 24 of the Code of the Federated States of Micronesia, as amended, by amending sections 1109 and 1111 thereof relating to the appointment and composition of the Board of Directors of the National Fisheries Corporation of the Federated States of Micronesia, to establish terms and term limits for appointive Board members and for other purposes.

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

1           Section 1.   Section 1109 of title 24 of the Code of the  
2 Federated States of Micronesia is hereby amended to read as  
3 follows:

4           "Section 1109.   Composition of the Board - Term  
5           Limits.

6           The Board shall be composed of ~~the following:~~ five  
7           (5) voting members. One member of the Board shall  
8           be a representative of the National Government, and  
9           there shall be one member representing each of the  
10           four States. The President of the Federated States  
11           of Micronesia with the advice and consent of  
12           Congress shall make all appointments to the Board,  
13           on or after the effective date of this Act. The  
14           appointment of any State representative on the  
15           Board shall be upon the recommendation to the  
16           President by the Governor of the pertinent State.

17           ~~(1) one member appointed by the President of~~

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1 ~~the Federated States of Micronesia;~~

2 ~~(2) one member appointed by each of the~~  
3 ~~Governors of the States of the Federated States of~~  
4 ~~Micronesia;~~

5 ~~(4) [†]The Secretary of the Department of~~  
6 ~~Resources and Development, who shall serve as an ex~~  
7 ~~officio member and who shall have no power to vote~~  
8 ~~except in the event of a tie." No voting member of~~  
9 ~~the Board shall be appointed for more than two full~~  
10 ~~consecutive terms following his or her initial~~  
11 ~~appointment after the effective date of this act.~~

12 Section 2. Section 1111 of title 24 of the Code of the  
13 Federated States of Micronesia is hereby deleted and a new  
14 section 1111 of title 24 enacted to read as follows:

15 "Section 1111. Terms of office of Board members.

16 (1) All appointments of Board members pursuant  
17 to Section 1109 shall be for a term of three years,  
18 provided, however, that board members serving on  
19 the effective date of this act shall continue  
20 until such time as their replacements have been  
21 duly appointed by the President and approved by  
22 Congress. Thereafter, the term of office of each  
23 member shall commence upon the granting of advice  
24 and consent by the Congress of the FSM.

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1           (2) The rights and powers of a member, other  
2           than a member whose appointment is terminated as  
3           provided herein, shall remain in effect until the  
4           date of the first meeting of the Board following  
5           the effective date of the effective date of the  
6           term of office of that member's successor.

7           (3) Any appointment to fill a vacancy or any  
8           initial appointment as provided herein for less  
9           than a full term as shall not be counted for  
10          purposes of the term limit set forth in Section  
11          1109.

12          (4) The President shall, during the first  
13          regular session of Congress following the effective  
14          date of this Act, submit for approval two  
15          appointments for a one year period, two  
16          appointments for a two year period and one  
17          appointment for a full three year term.  
18          Thereafter, all appointments except those made to  
19          fill a vacancy shall be for a full term.

20          (5) A Board member may be removed for cause by  
21          a two-thirds majority vote of the members for  
22          failure to attend three consecutive meetings of the  
23          Board, for neglect of duty or malfeasance in  
24          office.

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1 (6) The Executive Director shall notify in  
2 writing the President of the FSM and the Governor  
3 of the state represented, if applicable, of an  
4 impending vacancy on the Board not less than ninety  
5 (90) days prior to the expiration of the term of a  
6 member or immediately upon removal, resignation or  
7 death.

8 Section 3. This act shall become law upon approval by the  
9 President of the Federated States of Micronesia or upon its  
10 becoming law without such approval.

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12 Date: 5/11/07

Introduced by: /s/ Dion G. Neth  
Dion G. Neth

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