

A BILL FOR AN ACT

To further amend chapter 15 of title 55 of the Code of the Federated States of Micronesia, as amended, by amending section 1503 to allow for the removal of Board members, by amending section 1504 to state that the work of the Office of Compact Management will be subject to the ultimate authority of the President, by amending section 1508 to state that the Head and at least one Board member will be JEMCO representatives and representatives of the Trust Fund Committee, by amending section 1509 to state that direction given by the Board is subject to the ultimate authority of the President and by amending section 1511 to state that employees of the Office are subject to the National Public Service Systems Act.

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

1 Section 1. Section 1503 of title 55 of the Code of the
2 Federated States of Micronesia, as enacted by Public Law No. 13-
3 75, is hereby amended to read as follows:

4 "Section 1503. Appointment and removal of Board
5 members.

6 (1) The Board shall consist of seven members, appointed in th

7 (a) The Head of the Office of Compact Management, appoint

8 (b) Two members shall be appointed by the President of th

9 (c) One member shall be appointed by each State in such m

10 (2) members shall be appointed with consideration
11 given to their knowledge of finance, accounting and
12 economic principles and written and verbal communication
13 skills.

14 (3) Each member shall serve at the pleasure of its Appointing

15 (4) A vacancy on the Board may be filled, pending appointment

16 (a) in the case of a member appointed pursuant to subject

1 (b) in the case of a member appointed pursuant to
2 subsection (1)(c) by the Governor of the appointing
3 State or his designee.

4 (5) A member appointed pursuant to subsection 1(b) may
5 be removed from the Board by the President. [~~resolution~~
6 ~~and a two-thirds vote of Congress~~]. A member appointed
7 by a State may be removed as may be provided by the law
8 of that State.

9 (6) Members shall not be entitled to compensation for
10 their position on the Board. All related expenses
11 incurred by a member shall be the responsibility of the
12 Appointing Authority.

13 Section 2. Section 1504 of title 55 of the Code of the
14 Federated States of Micronesia, as enacted by Public Law No. 13-
15 75, is hereby amended to read as follows:

16 "Section 1504. Powers and responsibilities of the
17 Board.

18 The Board shall have the following powers and
19 responsibilities:

20 (1) To formulate guidelines for the JEMCO
21 Representatives to follow in their communications of
22 Compact matters at JEMCO meetings.

23 (2) To support the JEMCO Representatives in matters
24 relating to the Compact.

25 (3) To identify, consider and formulate positions, in

1 the best interests of the Federated States of
2 Micronesia, with regard to issues to be addressed by
3 JEMCO and other issues relating to the management of the
4 Compact, provided that the Board shall not alter the
5 proposals for Compact Sector Grant Awards submitted by
6 the President to JEMCO on behalf of the National
7 Government or the States, the Infrastructure Development
8 Plan or Strategic Plan, as such terms are defined in the
9 Compact, submitted by the Federated States of Micronesia
10 to JEMCO;

11 (4) To coordinate the submission to JEMCO and the
12 United States of such reports, presentations and
13 information as may be needed to support proposals to
14 JEMCO and positions taken on behalf of the Federated
15 States of Micronesia;

16 (5) To ensure that all reports and other documents
17 required by the Compact are submitted on a timely basis;

18 (6) To provide oversight of the implementation of the
19 provisions of the Compact by the National Government and
20 each of the State Governments and their respective
21 agencies, and as the Board deems appropriate, including
22 the conducting of investigations to ensure that the
23 National Government and each of the State Governments is
24 in compliance with all terms of the Compact;

25 (7) To direct the work~~[, in conjunction with the~~

1 ~~President,~~] of the Office of Compact Management with the
2 concurrence, and subject to the ultimate authority, of
3 the President;

4 (8) To establish procedures or rules for conducting
5 the business of the Board; [~~and~~]

6 (9) To report to the President, Congress and each of
7 the States concerning the activities of the Board, the
8 actions of JEMCO and the Trust Fund Committee, and other
9 significant matters relating to the Compact; [~~-~~] and

10 (10) To use its best efforts to ensure that the
11 obligations of the Federated States of Micronesia under
12 the Compact are satisfied and the rights of the
13 Federated States of Micronesia under the Compact are
14 preserved and upheld.

15 Section 3. Section 1508 of title 55 of the Code of the
16 Federated States of Micronesia, as enacted by Public Law No. 13-
17 75, is hereby amended to read as follows:

18 "Section 1508. Appointment of JEMCO and Trust Fund
19 Committee Representatives.

20 (1) The member appointed pursuant to subsection
21 1503(1) (a) of this chapter shall serve both as a JEMCO
22 Representative and a representative of the Federated
23 States of Micronesia on the Trust Fund Committee.

24 (2) The President shall appoint one of the members
25 appointed pursuant to subsection 1503(1) (b) to serve as

1 a JEMCO Representative. The President shall appoint the
2 same or the other member appointed pursuant to
3 subsection 1503(1)(b) to serve as a representative of
4 the Federated States of Micronesia on the Trust Fund
5 Committee.

6 (3) JEMCO Representatives and representatives of the
7 Federated States of Micronesia on the Trust Fund
8 Committee shall serve a two-year term, or such other
9 term as may be provided in the Compact.

10 (4) JEMCO Representatives and representatives of the
11 Federated States of Micronesia on the Trust Fund
12 Committee may be re-appointed.

13 (5) In the event of a vacancy or absence of a JEMCO
14 Representative or representative of the Federated States
15 of Micronesia on the Trust Fund Committee, the member
16 appointed pursuant to subsection 1503(1)(b) who is not a
17 JEMCO Representative or, as the case may be, a Trust
18 Fund Committee representative shall become the JEMCO
19 Representative or Trust Fund Committee representative
20 until such vacancy is filled or during such absence.

21 [~~(6) JEMCO Representatives shall also serve as the~~
22 ~~representatives of the Federated States of Micronesia on~~
23 ~~the Trust Fund Committee."~~]

24 Section 4. Section 1509 of title 55 of the Code of the
25 Federated States of Micronesia, as enacted by Public Law No. 13-

1 75, is hereby amended to read as follows:

2 "Section 1509. Office of Compact Management.

3 [~~In addition to~~] The Office of Compact Management shall
4 assist and advise~~[ing]~~ the President on Compact
5 matters.~~[7]~~ In addition, pursuant to the directives of
6 the President the Office of Compact Management shall
7 provide assistance to [~~and take direction from~~] the
8 Board. The Board may also give direction to the Office
9 of Compact Management on Compact matters with the
10 concurrence, and subject to the ultimate authority, of
11 the President. The duties that may be asked of the
12 Office of Compact Management by the Board shall include
13 the following:

14 (1) To be principally responsible, on behalf of the
15 Federated States of Micronesia, for day-to-day
16 communications with JEMCO and the United States with
17 regard to JEMCO and Compact matters;

18 (2) [~~Under the direction of the Board,~~] to gather, develop and
19 Compact;

20 (3) To submit to the President, Congress and the States report
21 the Trust Fund Committee;

22 (4) To gather information [~~for the Board~~] relating to complian

23 (5) To assist representatives of the National Government and t

24 (6) To do such further and additional things as may be directe

25 Section 5. Section 1511 of title 55 of the Code of the

1 Federated States of Micronesia, as enacted by Public Law No. 13-
2 75, is hereby amended to read as follows:

3 "Section 1511. Employees of the Office of Compact
4 Management. [~~Every~~e]Employees of the Office of Compact
5 Management shall be subject to the provisions of title
6 52 of the Code of the Federated States of Micronesia:
7 the National Public Service System Act.

8 Section 6. 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: _____ Introduced by: _____

13 Simiram Sipenuk
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