AN ACT

To amend Section 4 of Chuuk State Law No. 2-94-01, to provide a mechanism for deciding the length of the staggered terms of the members of the Board of Directors of the Environmental Protection Agency, and for other purposes.

BE IT ENACTED BY THE CHUUK STATE LEGISLATURE:

Section 1. Amendment. Section 4 of Chuuk State Law No. 2-94-01, is hereby amended, to read as follows:

"Section 4. Chuuk State Environmental Protection Agency-Board-Created: Membership; Vacancies, Chairman, Records; Qualifications.

1) Establishment of Agency/Board-Membership.

There is hereby established an independent agency to be known as the Chuuk State Environmental Protection Agency. The administration and management of the Agency shall be controlled and its powers exercised by a Board of Directors, to be composed of five members one from each of the five senatorial regions of the State of Chuuk. All five members shall be appointed by the Governor with the advice and consent of the Senate. The Governor in his appointment shall select persons who are citizens of the Federated States of Micronesia and residents of Chuuk, to carry out the policies and purposes of this Act. Members shall serve for four years. The initial terms of the first appointments under this Section shall be made for staggered terms, as follows:

a) One member for a period of 4 years;
b) Two members for a period of 3 years; and
c) Two members for a period of 2 years."
The first members shall draw lots to decide which members are to serve the specified initial terms. Members appointed thereafter shall serve for four years. Vacancies shall be filled in the same manner as the original appointment was made, for the unexpired terms only. Any member of the Board of Directors may be removed by the majority of all members of the Board of Directors for inefficiency, neglect of duty, or misconduct in office.

2) Officers. The Board of Directors shall select from among its members a Chairman and a Vice-Chairman. The oldest member shall serve as Acting Chairman until such time the Board shall select a Chairman.

3) Compensation. Any member of the Board of Directors who is an employee of the State Government shall be granted administrative leave with pay while engaging in the performance of the duties of the Agency. Non-State Government members of the Board of Directors shall receive compensation of not more than $25.00 per day when engaged in the performance of the duties of the Board. Any member of the Board who is an employee of the State whose daily base salary or wages is an employee of the State whose daily base salary or wages is less than $25.00 shall be entitled to the difference of his daily base salary or wages and the maximum daily board allowance of $25.00. Members shall also be entitled to receive reasonable travel costs and per diem at standard Chuuk State rates when engaged in the performance of the duties of the Board.

4) Meeting. The Board shall meet once during the
first part of the calendar year. Special meetings may
be held at any time and at such places as determined by
the Board, or upon the call of the chairman, or upon
written request of any three members. All meetings
shall be opened to the public, and public notice of
time and place of such meetings shall be posted in
public places and shall be announced on the radio to
the general public throughout Chuuk State.

a) Three members of the Board shall constitute a
quorum for the transaction of business.

b) The agency may seek independent counsel.

c) The agency shall submit to the Governor and the
State Legislature, not later than January 30 of each
year a report on its activities for the preceding
calendar year.

5) Record. The Agency shall provide for the
keeping of all of its records and actions. These
records shall be open to the public for inspection.

6) Staff. The Board shall designate a full time
executive director who shall be administrator of the
functions of the Agency and shall have duties and
responsibilities as may be delegated to him by the
Board. The Executive Director shall not be a member of
the Board of Directors and shall not have the right to
dvote. The Executive Director shall be assisted in the
performance of his duties by supporting staff as the
Agency deems necessary to implement the functions of
the Agency. Employees thereof shall be governed under
the Public Service System, or may join a merit system
created by the Board therefor.
7) Technical Assistance. The Board may request for the Agency with the necessary technical assistance from the department, offices, and agencies of the State Government."

Section 2. Effective Date. This Act shall take effect upon approval by the Governor of Chuuk State, or upon its becoming law without such approval.

Signed by: 
Roger S. Mori, President 
Senate 
Chuuk State Legislature

Pwinin maram: 8/4/94

Attested: 
Datasi Albert, Chief Clerk 
Senate 
Chuuk State Legislature

Pwinin maram: 8/4/94

Signed by: 
Kosare K. Sos, Speaker 
House of Representatives 
Chuuk State Legislature

Pwinin maram: 9/1/94

Approved by: 
Sasso H. Goulard 
Governor 
Chuuk State Government

Pwinin maram: 9/1/94

History: 
S.B.No: 2-135 
S.S.C.R.NO: 2-2R-07 
H.S.C.R.NO: 2-12 
Adopted: August 31, 1994