

AN ACT

Establishing the Faichuk Transportation Authority, and for other purposes.
Be it enacted by the Legislature of Truk State.

Section 1. Short Title. This Act is and should be known as the
Faichuk Transportation Authority.

Section 2. Establishment. There is hereby established the Faichuk
Transportation Authority, which shall be governed by the Faichuk Transportation
Board and operated through the office of the Commissioner of Transportation
who shall be selected by the Transportation Board.

Section 3. Purposes. The purposes of the Faichuk Transportation
Authority, hereinafter called the Authority, shall be to promote the develop-
ment and improvement of the transportation facilities and services within the
Faichuk Area, which shall include roads, bridges, docks and piers, channels,
harbors, public and private transportation systems, supporting services and
related functions and such other construction projects as may from time to
time be approved by the Faichuk Transportation Board.

Section 4. Faichuk Transportation Board.

a. The functions of the Faichuk Transportation Board, hereinafter
called the Board, shall be as follows:

- (1) To hire the Commissioner of Transportation;
- (2) To approve the employment and termination of other
Authority staff;
- (3) To approve plans and programs of the Authority;
- (4) To approve or disapprove Authority's annual budget and
to transmit it, after approval, to the Truk State Legislature for
final approval and funding;
- (5) To approve policies and procedures for the operation of
the Authority;
- (6) To approve all contracts and claim settlements in excess
of five hundred dollars;

(7) To approve all purchases on sale of Authority property in excess of five hundred dollars; and

(8) To exercise, through the office of the Chairman of the Board, through committees of the Board, and through the regular and special meetings of the Board, supervision over the Commissioner of Transportation and functioning of the Authority.

(b) Membership. The Board will be composed of nine members, as follows:

(1) One member from each of the eight municipalities in the Faichuk Area shall be appointed by the Magistrate of the respective municipality with the concurrence of the Chairman of the respective Municipal Council. These eight members shall be residents of their respective municipalities and be eligible to vote in respective municipal elections. These members shall be appointed for a term of four years. No member may be simultaneously an employee of the Authority. The Magistrate and members of the Truk State Legislature and the Congress of the Federated States of Micronesia maybe appointed as members of the Board.

(2) One member shall be appointed by the Governor of the State of Truk.

(c) Officers. The Board shall select from among its members, except the Governor's appointee, the following officers as its first order of business at the first meeting in each calendar year:

(1) Chairman, who shall preside at the meetings and exercise other normal functions of that office;

(2) Vice-Chairman, who shall act in the absence of the Chairman and otherwise assist him in carrying out his duties;

(3) Secretary, who shall record all proceedings of Board meetings; and

(4) Treasurer, who shall be responsible for the overall funding of the Authority. The Treasurer shall be assisted by staff of the Authority.

(d) Meeting of the Board. The Board shall hold a regular monthly meeting in the first week of each month, unless otherwise agreed by majority of the members to hold the meeting on a different date. The Chairman shall give notice of each meeting at least one week in advance.

(e) Special Meetings. Special Meetings of the Board may be held at any time and at the call of the Chairman, provided each member is given at least three days notice of the meeting.

(f) Quorum. A quorum of any meeting shall be six members of the Board.

(g) Any member may be removed from the Board by _____ for inefficiency, neglect of duty, or misconduct in office.

(h) In event of any vacancy on the membership of the Board, such vacancy shall be filled in the same manner as the original appointment.

(i) Members shall receive no compensation for their services, but shall be entitled to per diem at standard rates and reimbursement for travel costs when engaged in the business of the Authority.

Section 5. Faichuk Transportation Authority, Duties and Powers. The duties and powers of the Authority, governed by the Board and under the direction of the Commissioner of Transportation, and in furtherance of the purposes of the Authority, shall include, but not limited to the following:

(1) To carry out the programs approved by the Board, in accordance with Board-approved policies and procedures.

(2) To acquire personal property of all descriptions (in accordance with an approved budget) and to hold, use, maintain, operate, sell or otherwise dispose of the same in accordance with procedures approved by the Board.

(3) To enter into and perform such contracts, leases, cooperative agreements or other transactions with an agency of the Trust Territory Government, the Federated States of Micronesia, or with the Truk State Government and the municipalities in Truk State, or with any political subdivision thereof, or any firm, person, association, as may be deemed necessary or appropriate to the conduct of the activities authorized under this Act.

(4) To prepare plans and programs for the development, improvement, extension, use and maintenance of roads, bridges, docks and piers, channels and harbors in the entire area of Faichuk.

(5) To prepare an annual budget of anticipated revenues and expenditures for the consideration and approval by the Board.

(6) To sue and be sued in its own name.

Section 6. Duties of the Commissioner of Transportation. The duties of the Commissioner shall include, but not be limited to the following:

(1) To direct the implementation of the programs, policies, projects and procedures of the Authority as determined by the Board.

(2) To supervise the staff and the operation of the Authority.

(3) To report to the Board at each regular meeting and when requested by the officers.

(4) To employ and terminate staff personnel with approval of the Board, and to carry out all other appropriate functions regarding Authority personnel.

(5) To authorize all expenditures of funds under Authority control, make contracts, acceptances, purchases, and sales, with Board approval for such transaction in excess of five hundred dollars.

(6) To sign contracts in the amounts of five hundred dollars or less, and sign jointly with the Chairman of the Board contracts in excess of five hundred dollars.

(7) To recommend to the Board programs and plans, budget, policies and procedures.

Section 7. Appropriation. There is hereby appropriated from the General Fund of the Truk State Legislature, the sum of \$10,000 for purposes of funding the Faichuk Transportation Authority. All sums herein appropriated shall be administered by the Board solely for the purposes specified in this section.

Section 8. Effective Date. This Act shall become law upon approval by the Governor, or upon its becoming law without such approval.

Signed by: _____
Tadashi C. Wainit, Speaker
Truk Legislature

Attested to: *Datasi Albert* Date: _____
for Datasi Albert
Legislative Clerk/Secretary
Truk Legislature

Approved by: *Erhart Aten*
Erhart Aten, Governor
Truk State Government

Date: *April 15, 1981*