

SECOND LEGISLATURE OF THE STATE OF TRUK

THIRD REGULAR SESSION, FIRST SPECIAL SESSION, NOV/84 ACT NO. 2-119

AN ACT

To amend Truk State Law No. 5-25, the Northern Namoneas Economic Development Authority, to increase the membership of its Board of Directors, and for other purposes.

Be it enacted by the Legislature of Truk State.

Section 1. Amendment. Section 4 of Truk State Law No. 5-25, on the composition of the Board of Directors, is hereby amended to read as follows:

"Section 4. Board of Directors.

1) Establishment. There shall be a Board of Directors of the Northern Namoneas Economic Development Authority which shall have general management and control over the Authority.

2) Composition.

a) The Board shall be composed of fourteen members as follows:

i) five members to be appointed by the Sectional leaders in each of the following political divisions of Moen Municipality, subject to the advice and consent of the Moen Municipal Council:

1. Ichkumi(Iras, Mechitiw, Tunnuk, Pis-Moen);
2. Nikumi(Nepukos, Sefin);
3. Sangkumi(Neauo, Wichap, Epinup);
4. Yongkumi(Penia, Peniesene); and
5. Kokumi(Nemwan, Eor, Winipis, Nukanap);

ii) all the state senators from the area served by the Authority as provided in the Charter of the Truk State Government, to serve as non-voting members;

iii) two members shall be appointed by the Fono Magistrate, with the advice and consent of the Fono Municipal Council;

iv) one member to be appointed by the Moen Municipal Council from among its members; and

v) the Mayor of Moen Municipality.

3) Compensation. There shall be no compensation for members of the Board during its first initial year of operation from the effective date of this Act. Compensation for members of the Board during subsequent years shall be determined by the Board by two-thirds votes of its members.

4) Terms of Office. Terms of office of municipal representatives shall be for a period of two years, except that the initial terms of office and filling of vacancies shall be as provided in this act. The term of office shall commence on the day of the first meeting of the Board.

5) Organizational Meeting. Not later than 60 days after the effective date of this act, the Board shall meet to select its officers and conduct other business. The first meeting of the Board shall be called by the Senator who shall preside at such meeting.

6) Vacancies. Each vacancy on the Board shall be filled for the unexpired portion of the term in the same manner as originally filled. Upon a determination that a vacancy exists, the chairman or, in his absence, the presiding officer of the Board shall issue a notice of vacancy to all members of the Board and to the municipal government responsible for filling the vacancy.

7) Removal.

a) members of the Board may be removed from the Board, for failure to attend three consecutive meetings of the Board, or for incompetence, neglect of duty, or malfeasance in office;

b) removal of a member shall be by a three-fourths vote of all other members of the Board. Notification of intent to call for removal pursuant to this section shall be made at least thirty days in advance, by means which shall be described in the by-laws of the Authority, and shall include a summary of the basis of the charges against the member and identification of the witnesses to be called and evidence to be used;

c) the appropriate court in the State of Truk shall have jurisdiction to hear claims of wrongful removal. Upon establishment of the State Court of Truk State it shall assume jurisdiction to hear such claims.

8) Officers. The Board shall elect among its members a chairman, vice-chairman and a secretary-treasurer. The chairman shall ordinarily preside at Board meetings. In his absence the vice-chairman shall preside. In his absence the secretary-treasurer shall preside. The by-laws shall designate the presiding officers in the absence of these officers.

9) Regular Meetings. Regular meetings shall be held not less than once per calendar quarter, at a time and place as shall be determined by the chairman upon notice as shall be provided by the by-laws.

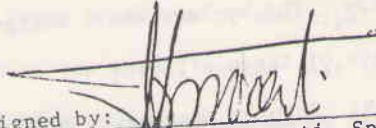
10) Special Meetings. Special meetings shall be called by the chairman on his own initiative, or by petition by one-third of the members, pursuant to notice as shall be provided in the by-laws.


11) Quorum. A quorum of all regular and special meetings and business of the Board shall be eight members.

12) Executive Committee. The Board may, pursuant to its by-laws, establish an Executive Committee, determine the membership thereof, and assign its responsibilities.

13) Records of Meetings. All meetings of the Board and the Executive Committee shall be public except when confidential matters relating to personnel are discussed. The Secretary-Treasurer or, in his absence, another member designated by the by-laws shall keep full, accurate minutes of all meetings which, except for confidential matters relating to personnel, shall be available for public inspection at a reasonable time and place, as provided by law."

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

Signed by: 
Simbon Innocenti, Speaker
Truk State Legislature

Attested to: 
Datasi Albert
Legislative Chief Clerk
Truk State Legislature

Date: Jan 25, 1985

Approved by: _____
Erhart Aten, Governor
Truk State Government

Date: _____