

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 on the removal of Board members, by amending sections 1504 and 1509 to state that the work of the Office of Compact Management and the direction given by the Board are subject to the ultimate authority of the President and by amending section 1508 to state that the Head of the Office of Compact Management and at least one Board member will also be a representative of the Federated States of Micronesia on the Trust Fund Committee, and for other purposes.

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

17 (b) in the case of a member appointed pursuant to

1 subsection (1)(c) by the Governor of the appointing
2 State or his designee.

3 (5) A member appointed pursuant to subsection 1(b) may
4 be removed from the Board by the President. A member
5 appointed by a State may be removed as may be provided
6 by the law of that State.

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

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

14 "Section 1504. Powers and responsibilities of the
15 Board.

16 The Board shall have the following powers and
17 responsibilities:

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

21 (2) To support the JEMCO Representatives in matters
22 relating to the Compact.

23 (3) To identify, consider and formulate positions, in
24 the best interests of the Federated States of
25 Micronesia, with regard to issues to be addressed by

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

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

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

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

23 (7) To direct the work of the Office of Compact
24 Management with the concurrence, and subject to the
25 ultimate authority, of the President;

1 (8) To establish procedures or rules for conducting
2 the business of the Board;

3 (9) To report to the President, Congress and each of
4 the States concerning the activities of the Board, the
5 actions of JEMCO and the Trust Fund Committee, and other
6 significant matters relating to the Compact; and

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

12 Section 3. Section 1508 of title 55 of the Code of the
13 Federated States of Micronesia, as enacted by Public Law No. 13-
14 75, is hereby amended to read as follows:

15 "Section 1508. Appointment of JEMCO and Trust Fund
16 Committee Representatives.

17 (1) The member appointed pursuant to subsection
18 1503(1)(a) of this chapter shall serve as a JEMCO
19 Representative and a representative of the Federated
20 States of Micronesia on the Trust Fund Committee.

21 (2) The President shall appoint one of the members
22 appointed pursuant to subsection 1503(1)(b) to serve as
23 a JEMCO Representative. The President shall appoint the
24 same or the other member appointed pursuant to
25 subsection 1503(1)(b) to serve as a representative of

1 the Federated States of Micronesia on the Trust Fund
2 Committee.

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

7 (4) JEMCO Representatives and representatives of the
8 Federated States of Micronesia on the Trust Fund
9 Committee may be re-appointed.

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

18 Section 4. Section 1509 of title 55 of the Code of the
19 Federated States of Micronesia, as enacted by Public Law No. 13-
20 75, is hereby amended to read as follows:

21 "Section 1509. Office of Compact Management.

22 The Office of Compact Management shall assist and advise
23 the President on Compact matters. In addition, pursuant
24 to the directives of the President, the Office of
25 Compact Management shall provide assistance to the

1 Board. The Board may also give direction to the Office
2 of Compact Management on Compact matters with the
3 concurrence, and subject to the ultimate authority, of
4 the President. The duties that may be asked of the
5 Office of Compact Management by the Board shall include
6 the following:

7 (1) To be principally responsible, on behalf of the
8 Federated States of Micronesia, for day-to-day
9 communications with JEMCO and the United States with
10 regard to JEMCO and Compact matters;

11 (2) To gather, develop and submit to JEMCO and the
12 United States information, data and reports relating to
13 Compact matters, including such reports as may be
14 required by the Compact;

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

17 (4) To gather information relating to compliance by the Nation

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

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

20 Section 5. Section 1511 of title 55 of the Code of the
21 Federated States of Micronesia, as enacted by Public Law No. 13-
22 75, is hereby amended to read as follows:

23 "Section 1511. Employees of the Office of Compact
24 Management. Employees of the Office of Compact
25 Management shall be subject to the provisions of title

1 52 of the Code of the Federated States of Micronesia:
2 the National Public Service System Act.

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12 Section 6. This act shall become law upon approval by the
13 President of the Federated States of Micronesia or upon its
14 becoming law without such approval.

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February 22, 2006

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/s/ Joseph J. Urusemal
Joseph J. Urusemal
President
Federated States of Micronesia

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