

HESHA

A BILL FOR AN ACT

To amend Public Law No. 7-79 by amending sections 6, 7, 8, 13 and 18 to change the number of member on the Board of Regents of the College of Micronesia-FSM from seven to five members, and for other purposes.

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

1 Section 1. Section 6 of Public Law No. 7-79 is hereby
2 amended to read as follows:

3 "Section 6. Board of Regents established; Membership.

4 (1) A ~~seven~~ five member Board of Regents which
5 shall be the governing body for the general management
6 and control of the College is hereby established and
7 shall consist of the following members:

8 (a) ~~Three~~ One members shall be appointed by
9 the President with the advice and consent of the
10 Congress. ~~One of these~~ This members shall be designated
11 as the representative from the National Government.

12 (b) Four members, one from each State, shall
13 be appointed by the President with the advice and
14 consent of the Congress. These members shall be
15 designated as representatives from their respective
16 States.

17 (c) The President of the College shall be an
18 ex officio member of the Board with no voting rights.

19 (2) Employees of the College shall not be eligible
20 for appointment by the President pursuant to subsections
21 (1)(a) and (1)(b) of this section. Members appointed by
22 the President pursuant to subsections (1)(a) and (1)(b)
23 of this section shall represent diverse elements of the
24 population of the States and the Nation, including, but
25 not limited to, business and industry, education, and

1 community service organizations.

2 (3) All members, except the President of the
3 College, shall be voting members."

4 Section 2. Section 7 of Public Law No. 7-79 is hereby
5 amended to read as follows:

6 "Section 7. Board of Regents; Initial terms of office.

7 At the initial Board meeting, the four members of the
8 Board representing their respective States shall draw
9 lots in order to ascertain their terms of office. Two
10 States shall have an initial two-year term and two
11 States shall have an initial three-year term. After the
12 initial terms, the terms of the respective State members
13 shall be as provided in section 8 of this act. The
14 initial terms of office of the remaining Board members
15 shall be as provided in section 8 of this act. Members
16 of the Board may serve beyond the expiration date of
17 their initial terms until their successors have been
18 appointed."

19 Section 3. Section 8 of Public Law No. 7-79 is hereby
20 amended to read as follows:

21 "Section 8. Board of Regents; Terms of office. The
22 terms of office for the members of the Board shall be as
23 follows:

24 (1) The members ~~solely appointed by the President~~
25 representing the National Government shall serve for a

1 term of 3 years and shall not serve more than two
2 consecutive terms.

3 (2) The members representing their respective
4 States shall serve for a term of 3 years and shall not
5 serve for more than two consecutive terms.

6 (3) Members of the Board may serve beyond the
7 expiration date of their terms until their successors
8 have been appointed. The initial terms of members of
9 the Board shall be counted towards the aforementioned
10 limitation of terms."

11 Section 4. Section 13 of Public Law No. 7-79 is hereby
12 amended to read as follows:

13 "Section 13. Board of Regents; Meetings.

14 (1) The Board shall meet and organize by the
15 election of its officers in its regular annual
16 organizational meeting which shall be called on a
17 specified date each year. In addition to the regular
18 organizational meeting, the Board shall meet in one
19 other regular meeting during the year, as specified in
20 the bylaws of the Board.

21 (2) The Board may also meet in special meetings at
22 such other times of the year as the Board shall so
23 determine. The chairperson shall call a special meeting
24 of the Board upon the petition of ~~three~~ two of its
25 members.

(3) In the case of any regular meeting of the Board, written notice shall be provided to Board members at least 10 calendar days in advance of the meeting day.

(4) Meetings of the Board shall be open to the public provided that the Board is not discussing personnel matters, litigation or impending litigation with its attorney.

(5) In the case of any regular meeting of the Board, notice shall be provided to the public in advance of the meeting day.

(6) The Board shall publish and disseminate the minutes of all of its meetings within 20 calendar days of the conclusion of a meeting.

(7) The Board shall schedule and hold a meeting with representatives of the Student Body Association and/or the Staff Senate, during the current or next upcoming Board meeting, whichever is sooner, when a written request for such a meeting is made by the Student Body Association or the Staff Senate of the College."

Section 5. Section 18 of Public Law No. 7-79 is hereby amended to read as follows:

"Section 18. Board of Regents; Removal of members.

Board members may be removed before the expiration of their terms by a ~~four~~ three member majority vote of all

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1 the other voting members of the Board for incompetence,
2 neglect of duty, unethical conduct, or malfeasance in
3 office. Notification of intent to call for removal
4 pursuant to this section shall be made at least 20
5 calendar days in advance, by means which shall be
6 described in the bylaws, and shall include a summary of
7 the basis of the charges against the member and
8 identification of the witnesses to be called and
9 evidence to be used. Original jurisdiction over any
10 claim of wrongful removal by action of the Board shall
11 be in the Trial Division of the Supreme Court of the
12 Federated States of Micronesia."

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

16
17 Date: 10/26/94

Introduced by: Joseph J. Urusemal
(by request)