

EIGHTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FOURTH REGULAR SESSION, 1994

CONGRESSIONAL BILL NO. 8-333, C.D.1

Public Law No. 8 - 1 4 4

AN ACT

To amend Public Law No. 7-79 by amending sections 6, 7, 8, 13 and 18 to change the number of members 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 amended to read
2 as follows:

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

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

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

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

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

18 (2) Employees of the College shall not be eligible for
19 appointment by the President pursuant to subsections (1)(a) and
20 (1)(b) of this section. Members appointed by the President
21 pursuant to subsections (1)(a) and (1)(b) of this section shall
22 represent diverse elements of the population of the States and



1 the Nation, including, but not limited to, business and industry,
2 education, and community service organizations.

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

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

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

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

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

21 (1) The member representing the National Government
22 shall serve for a term of 3 years and shall not serve more than
23 two consecutive terms.

24 (2) The members representing their respective States
25 shall serve for a term of 3 years and shall not serve for more

1 than two consecutive terms.

2 (3) Members of the Board may serve beyond the
3 expiration date of their terms until their successors have been
4 appointed. The initial terms of members of the Board shall be
5 counted towards the aforementioned limitation of terms."

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

8 "Section 13. Board of Regents; Meetings.

9 (1) The Board shall meet and organize by the election of
10 its officers in its regular annual organizational meeting which shall
11 be called on a specified date each year. In addition to the regular
12 organizational meeting, the Board shall meet in one other regular
13 meeting during the year, as specified in the bylaws of the Board.

14 (2) The Board may also meet in special meetings at such
15 other times of the year as the Board shall so determine. The
16 chairperson shall call a special meeting of the Board upon the
17 petition of two of its members.

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

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

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

1 day.

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

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

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

13 "Section 18. Board of Regents; Removal of members. Board
14 members may be removed before the expiration of their terms by
15 a three member majority vote of all the other voting members of
16 the Board for incompetence, neglect of duty, unethical conduct, or
17 malfeasance in office. Notification of intent to call for removal
18 pursuant to this section shall be made at least 20 calendar days
19 in advance, by means which shall be described in the bylaws, and
20 shall include a summary of the basis of the charges against the
21 member and identification of the witnesses to be called and
22 evidence to be used. Original jurisdiction over any claim of
23 wrongful removal by action of the Board shall be in the Trial
24 Division of the Supreme Court of the Federated States of
25 Micronesia."

PRESIDENTIAL COMM. NO. 8-479
FSM CONGRESS

Public Law No. 8-144

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

4-19, 1995

[Signature]

Bailey Olter
President
Federated States of Micronesia

