A BILL FOR AN ACT

To alter the composition of the Micronesian Maritime Authority by further amending 52 TTC 101, as set forth in Public Law No. 7-71, as amended by Public Laws Nos. 1C-3 and 1-34; to further amend 52 TTC 206, as set forth in Public Law No. 7-71, as amended by Public Laws Nos. 1C-3, 1-34, and 1-92; and for other purposes.

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

1. Section 101 of 52 TTC (P.L. No. 7-71), as amended by Public Law No. 1C-3 and Public Law No. 1-34, is hereby further amended to read as follows:

"Section 101. Micronesian Maritime Authority.

(1) There is hereby established a Micronesian Maritime Authority composed of four members from the Congress of the Federated States of Micronesia appointed by the Speaker of the Congress of the Federated States of Micronesia, and one member appointed by the President of the Federated States of Micronesia after consultation with the Governor of each State, and a ninth member to be appointed by agreement between the Speaker and the President upon the resignation of or the expiration of the term of the current joint appointee in March 1982. All appointments shall be for a term of two years. The term of office of each original member shall commence effective the date of the
first meeting of the Authority. Vacancies shall be filled in the same manner as the original appointment for the remainder of the term of office of the vacancy. The Chairman shall be chosen by majority vote of the members of the Authority. The Authority shall meet at such times and places as may be designated by the Chairman or by the Authority. The Authority shall adopt its own rules of procedure and regulations by majority vote. Regulations adopted by the Authority shall have the full force and effect of law. The process for the adoption of regulations by the Authority is expressly exempt from the requirements of the Administrative Procedure Act set forth in Title 17 of the Trust Territory Code, but the Authority nevertheless shall publish its proposed regulations and afford the public a reasonable opportunity to present its views prior to the adoption of any regulation. The Chairman may promulgate interim regulations on his own authority which shall be effective for a period no longer than six months unless the Authority by majority vote revokes the interim regulations.

(2) The Authority shall have the following duties, functions and authority:

(a) To adopt regulations for the conservation, management, and exploitation of all living resources in the Extended Fishery Zone of the Federated States of Micronesia pursuant to Sections 52, 53, and 54 of this Title;

(b) To provide technical assistance in the delimitation of the Extended Fishery Zone in accordance with Section 57 of this
Title;

(c) To operate and conduct operations in accordance with Section 154 (7) of this Title from a joint fishing venture duly organized by law, the rebate will promote fishery development;

(d) The Authority shall submit its annual report or any other report regarding the expenditure of its funds to the Congress each regular session for approval and

(f) To perform such other duties and functions as may be necessary to carry out the purposes of this Title.

(3) The Authority shall employ a full-time Executive Director possessing such qualifications as may be established by the Authority. The Authority may employ such other staff as it may deem necessary.

(4) Members of the Authority other than the Secretary appointed jointly by the President and the Senate.
Title;

(c) To negotiate a foreign fishing agreements in accordance with Section 5 of this Title;

(d) To issue fishing permits in accordance with procedures established by regulations promulgated pursuant to Subsection 2(a) of this section;

(e) To require all fishing vessels to possess a permit issued by a State being in the Territorial Sea or Exclusive Fishery Zone of a

(f) To rebate according to regulation approved by the Authority all or a portion of the proceeds pursuant to Section 154 (7) of this Title from fishing venture duly organized by law, if the rebate promote fishery development;

(g) The Authority shall submit its budget and a report regarding the expenditure of its funds to the Congress each regular session for approval; and

(h) To perform such duties and functions as may be necessary to carry out the purposes of this Title.

(3) The Authority shall employ full-time Executive Director possessing such qualifications as may be established by the Authority. The Authority may employ such other staff as it may deem necessary.

(4) Members of the Authority other than the Federal officials of the Federal Government shall not receive compensation for service as members of the Authority.
of Micronesia and the High Commissioner of the Federated States of Micronesia by
the Speaker of the Congress of the Federated States of Micronesia and the High Commissioner shall be compensated at the rate of
thirty-five dollars per day when actually on the business of the Authority. The state appointee All appointees who are not members
of the Congress of the Federated States of Micronesia or the State
government which they represent shall be compensated at a rate
established by the Authority, but shall not participate in the
decision of the Authority determining their compensation. Members of
the Authority who are employees of the State governments or the
Governments of the Federated States of Micronesia of the Trust
Territory of the Pacific Islands shall not be entitled to receive
any compensation. All members of the Authority shall receive per
diem and travel expenses at established Trust Territory Government
Federated States of Micronesia Government rates while on the
business of the Authority.

(5) The Chairman of the Authority shall report on its
activities to the High Commissioner and to the Presiding Officer
of the Congress of the Federated States of Micronesia and to each
State Governor on an annual basis, which report shall contain
a detailed accounting of the expenditure of funds of the Authority."

Section 2. Section 206 of 52 TFC (P.L. No. 7-71), as amended by Public
Law No. IC-3, Public Law No. 1-34, and Public Law No. 1-92, is hereby
further amended to read as follows:

"Section 206. Fees. Fees collected by the Authority pursuant to
Section 154 (7) shall be deposited in the General Fund of the Congress of the Federated States of Micronesia, or its successor, if the rebate request is denied; and provided further, that in the case of fees paid in goods or services rather than money, such goods and services shall be distributed, sold or otherwise disposed of by the Congress of the Federated States of Micronesia by Resolution while in session, and by the appropriate Committee of the Congress between sessions."

Section 3. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

Date: May 29, 1981

Introduced by: Jack Fritz

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