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:

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

"Section 6. Board of Regents established; Membership.

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

(a) Thirty One members shall be appointed by the President with the advice and consent of the Congress. One of these This members shall be designated as the representative from the National Government.

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

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

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

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

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

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

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

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

(1) The members solely appointed by the President
representing the National Government shall serve for a
term of 3 years and shall not serve more than two consecutive terms.

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

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

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

"Section 13. Board of Regents: Meetings.

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

(2) The Board may also meet in special meetings at such other times of the year as the Board shall so determine. The chairperson shall call a special meeting of the Board upon the petition of three of its 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
the other voting members of the Board for incompetence, 
eglect of duty, unethical conduct, or malfeasance in 
office. Notification of intent to call for removal 
pursuant to this section shall be made at least 20 
calendar days in advance, by means which shall be 
described in the bylaws, 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. Original jurisdiction over any 
claim of wrongful removal by action of the Board shall 
be in the Trial Division of the Supreme Court of the 
Federated States of Micronesia."

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.

Date: 12/26/94

Introduced by: Joseph J. Urusemal
(by request)