

AN ACT

To amend sections 201 and 202 of title 24 of the Code of the Federated States of Micronesia, as amended by Public Law No. 19-21, to modify the term limit of members of the National Oceanic Resource Management Authority of the Federated States of Micronesia, and for other purposes.

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

1 Section 1. Section 201 of title 24 of the Code of the
2 Federated States of Micronesia, is hereby amended to read as
3 follows:

4 "Section 201. National Oceanic Resource Management
5 Authority – established.

6 (1) There is hereby established a National Oceanic
7 Resource Management Authority ('Authority') composed of
8 five members, each discharging a national duty and
9 charged with responsibility for overseeing the FSM
10 exclusive economic zone, and appointed as follows:

11 (a) one member from each FSM State appointed by
12 the President of the Federated States of Micronesia, in
13 consultation with the Governor and with the advice and
14 consent of the Congress; and

15 (b) one at-large member appointed by the
16 President of the Federated States of Micronesia with the
17 advice and consent of the Congress.

18 (2) No member shall also serve as a member of the

1 Board of Directors of the National Fisheries Corporation
2 of the Federated States of Micronesia or any subsidiary
3 or affiliate thereof or serve as executive director or a
4 member of any board or authority of any entity operating
5 in the states dealing with fishing in the Federated
6 States of Micronesia under an agreement or permit issued
7 pursuant to this subtitle during the term of his
8 membership on the Authority.

9 (3) The Authority shall choose a chairman by a
10 majority vote of the members of the Authority.

11 (4) The Authority shall meet at such time and place
12 as may be designated by the Chairman or by vote of the
13 members pursuant to any method set out in the Authority
14 bylaws.

15 (5) The Authority shall adopt its own bylaws
16 governing the conduct of its business and performance of
17 the powers and duties granted to or imposed upon it by
18 law.

19 (6) A quorum of the Authority shall consist of a
20 majority of all voting members. All official business
21 of the Authority shall be conducted by a majority of
22 those members present and voting at a meeting of the
23 Authority for which a quorum exists, unless otherwise
24 provided by law or the bylaws of the Authority."

25 Section 2. Section 202 of title 24 of the Code of the

1 Federated States of Micronesia, is hereby amended to read as
2 follows:

3 "Section 202. Authority – term of office of members;
4 vacancies.

5 (1) All appointments of Authority members shall be
6 for four years, with possible reappointment. The term
7 of office for each member shall commence either upon the
8 granting of advice and consent to a member's appointment
9 by the Congress of the FSM under this act's predecessor
10 legislation, or, for any vacancies existing upon the
11 effective date of this act or thereafter, upon the
12 granting of advice and consent of the Congress to the
13 appointment of a member to fill a vacancy. The rights
14 and powers of a member, other than a member whose
15 appointment is terminated or vacated pursuant to
16 subsection (3) below, shall remain in effect until the
17 date of the first meeting of the Authority following the
18 effective date of the terms of office of that member's
19 successor or for a period of six months, whichever is
20 less.

21 (2) The Executive Director shall notify the President
22 of the Federated States of Micronesia in writing of an
23 impending vacancy on the Authority not less than ninety
24 (90) days prior to the expiration of the term of a
25 member and immediately upon receipt of a member's notice

1 of intent to resign or resignation.

2 (3) Notwithstanding any other provision of this
3 subtitle, an appointment to the Authority shall be
4 declared vacant or terminated by the President of the
5 Federated States of Micronesia in the event of any of
6 the following:

7 (a) submission of a written resignation, signed
8 by the member and delivered to the President of the
9 Federated States of Micronesia;

10 (b) the death or other incapacity of a member;

11 (c) absence of a member, except with the written
12 consent of the President of the Federated States of
13 Micronesia or of the Chairman, from three consecutive
14 meetings of the members;

15 (d) failure of a member to comply with the
16 provisions in sections 208 or 209 of this subtitle;

17 (e) bankruptcy of a member, application by a
18 member to take advantage of benefits available by law to
19 bankrupt or insolvent debtors, assignment by a member of
20 his remuneration for the benefit of his creditors, or a
21 member's entry into an agreement with creditors not to
22 take legal action against him; or

23 (f) conviction of a member of an offense under
24 this subtitle or of an offense under any other law
25 punishable by a term of imprisonment for one year or

1 longer.

2 (4) Vacancies occurring pursuant to subsection (3)
3 above, or for any reason prior to the expiration of a
4 member's term, shall be filled in the same manner as
5 vacancies arising from the expiration of a member's
6 term, provided that such appointments shall only be
7 effective for the remainder of the unexpired terms of
8 the departing member."

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

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April 17, 2017

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/s/ Peter M. Christian
Peter M. Christian
President
Federated States of Micronesia

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