

NINTH KOSRAE STATE LEGISLATURE  
FIRST SPECIAL SESSION

L. B. No. \_\_\_\_\_

A BILL FOR AN ACT

To amend Title 7, Chapter 1, Section 7.103 by inserting a new subsection (1) to require that Kosrae State government elected officials and department heads not be appointed to the board of any Kosrae State Government Boards, Agencies, Authorities or Government Financed Organizations unless such appointment is authorized by the law creating the Board, Agency, Authority or Government Financed Organization; and for other purposes.

BE IT ENACTED BY THE KOSRAE STATE LEGISLATURE:

1           Section 1.     Purpose.       In order to ensure the impartiality and freedom from  
2 potential conflicts of interest of Board members of State Government Boards, Agencies,  
3 Authorities or Government Financed Organizations, elected officials and department  
4 heads are disqualified from appointment to such boards unless the appointment is  
5 authorized by the law creating the Board, Agency, Authority or Government Financed  
6 Organization.

7           Section 2.     Amendment   Title 7, Chapter 1, Section 7.103 is amended by  
8 inserting anew subsection (1) to read as follows:

9           “Section 7.103. Appointment process. Unless otherwise provided by law, a  
10 member of an agency governing body takes office upon appointment by the Governor  
11 following the Legislature's consent by resolution to his nomination by the Governor.  
12 Upon nominating a member to a governing body the Governor states the vacancy which  
13 is the subject of the nomination. If the Legislature by resolution declines to consent to a  
14 nomination or if the Legislature on a vote fails to adopt a resolution confirming a  
15 nominee, the Governor submits a replacement nominee to the Legislature within 30 days.  
16 The Governor does not resubmit the name of a nominee who has failed to be confirmed  
17 for the same position during the term of that Legislature.

18           (1)     No person shall be appointed to any Kosrae State Government Board,  
19                   Agency, Authority or Government Financed Organization who is an  
20                   elected official of the State of Kosrae; unless:

1                   (a)    Such appointment is authorized by the law creating the Board,  
2                                   Agency, Authority or Government Financed Organization.”

3           Section 3.   Effective Date.           This Act takes effect upon approval by the  
4 Governor or upon its becoming law without such approval.

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8 Date: \_\_\_\_\_

Introduced by: \_\_\_\_\_  
Senator Lyndon H. Jackson