

A BILL FOR AN ACT

To further amend title 52 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 5-21, 6-114, 7-16, 7-90 and 7-121, by further amending section 117, as amended by Public Law No. 5-21, to exempt all staff and employees of the Congress of the Federated States of Micronesia from the National Public Service System, and for other purposes.

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

1       Section 1. Section 117 of title 52 of the Code of the Federated  
2 States of Micronesia, as amended by Public Law No. 5-21, is hereby  
3 further amended to read as follows:

4               "Section 117. Application of chapter; Exemptions. The  
5 National Public Service System shall apply to all employees  
6 of and positions in the central Government of the Federated  
7 States of Micronesia now existing or hereafter established  
8 and to all personnel services performed for that Government  
9 except the following, unless this chapter or provisions  
10 thereof are specifically made applicable to them:

11               (1) members and employees of the Congress of the  
12 Federated States of Micronesia;

13               (2) the President and Vice President of the Federated  
14 States of Micronesia;

15               (3) Justices and other Judges of the National Courts;

16               ~~(4) the legislative counsel, deputy legislative~~  
17 ~~counsel, budget officer, and the clerk of the Congress;~~

18               (§4) the Public Auditor;

19               (§5) the administrative officer of the National Courts;

20               (76) the special assistants and secretaries to the  
21 President and Vice President;

22               (§7) persons appointed by the President to fill the  
23 following positions: Secretary of External Affairs,  
24 Secretary of Finance, Secretary of Resources and Development,  
25 Secretary of Transportation, Secretary of ~~Human Resources~~

1           Health Services, Secretary of Education, Budget Officer, National  
2           Planner, Director of Administrative Services, Attorney General,  
3           and Public Defender, and their deputies, if any;

4           (98) persons appointed to any other positions by the  
5           President with the advice and consent of the Congress;

6           (109) the Representative in Washington and all  
7           ambassadors;

8           (110) persons or organizations retained by contract when  
9           the ~~Personnel Officer~~ Director of Administrative Services  
10          has certified that the service to be performed is special  
11          or unique and nonpermanent and is essential to the public  
12          interest, and that, because of the degree of expertise or  
13          special knowledge required and the nature of the services  
14          to be performed, it would not be practical to obtain personnel  
15          to perform such services through normal public service  
16          recruitment procedures;

17          (111) persons presently under contract of employment  
18          not included in subsection (110) of this section, during  
19          the life of such contract. No contract of employment  
20          shall be entered into, renewed, or amended after the  
21          effective date of this chapter, except in accordance with  
22          the provisions of this chapter;

23          (112) temporary positions, required in the public  
24          interest, for which the need does not exceed six months;

25          (113) positions requiring part-time or intermittent

8040


C.B. NO. 8-127

1 work which does not exceed sixty hours in any calendar month;  
2 (~~15~~14) positions filled by inmates, patients, and students  
3 of institutions of the Federated States of Micronesia;  
4 (~~16~~15) members of any board, public corporation, commission,  
5 or similar body, in their capacity as such;  
6 (~~17~~16) officers, faculty, and employees of the Board of  
7 Regents and the College of Micronesia;  
8 (~~18~~17) positions specifically exempted by any other law of  
9 the Federated States of Micronesia."

10 Section 2. This act shall take effect on January 1, 1995.

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

14  
15 Date: 10-20-93

Introduced by:   
Isaac Figir

16  
17  
18  
19  
20  
21  
22  
23  
24  
25