TENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIRST REGULAR SESSION, 1997

C.B. NO. 10-25

A BILL FOR AN ACT

To further amend title 2 of the Code of the Federated States of Micronesia, as amended, by amending section 207, as amended by Public Laws Nos. 5-2, 5-50, 7-6, 7-91, and 9-128, for the purpose of requiring a public official whose appointment is subject to the advice and consent of the Congress to submit his or her resignation no later than 90 days after the President of the Federated States of Micronesia takes the oath of office, and for other purposes.

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

1
Section 207 of title 2 of the Code of the

2 Federated States of Micronesia, as amended by Public Laws

3 Nos. 5-2, 5-50, 7-6, 7-91, and 9-128, for the purpose of

4 requiring a public official whose appointment is subject to

5 the advice and consent of the Congress to submit his or her

6 resignation no later than 90 days after the President of the

7 Federated States of Micronesia takes the oath of office, is

8 hereby further amended to read as follows:

9 Section 207. Appointment authority.

10 (1) The President shall nominate and, with

11 the advice and consent of the Congress, as provided

12 in article X, section 2(d), of the Constitution,

13 shall appoint the secretaries of departments and

14 their deputies, if any, and the heads of the

15 offices of the Attorney General, Budget, Planning

16 and Statistics, Administrative Services, and the

17 Public Defender, and their deputies, if any,

18 including the secretaries, deputies, and heads of

19 departments and offices established by subsequent

20 law; and including the chairman and the members of

21 the Board of Advisors for the Investment

22 Development Fund to be appointed by the President;

23 and including the Federated States of Micronesia

24 members of the Board of Regents of the College of

25 Micronesia; and including the Federated States of
Micronesia's deputy ambassadors (assistants to the ambassadors) and consul generals; provided that nothing herein shall be construed to require the appointment of the deputies and deputy ambassadors (assistants to the ambassadors) and consul generals named above.

(2) The President or his or her designee may appoint officers and employees not included in subsection (1) of this section, without advice and consent of the Congress; provided that such appointments are not inconsistent with the provisions of this chapter or other laws of the Federated States of Micronesia.

(3) The President shall not resubmit the nomination of any person to the Congress for its action if the same Congress shall have previously rejected such nomination, unless the Congress shall by resolution authorize such resubmission.

(4) With the exception of the Chief Justice and Associate Justices of the Supreme Court, the Public Auditor, ambassadors, members of boards, commissions, and other entities with fixed terms, a public official whose appointment is subject to the advice and consent of the Congress shall submit his or her resignation no later than
President of the Federated States of Micronesia takes the oath of office, or at the time a new nominee for such position is confirmed by the Congress, whichever is earlier. The President may renominate the same public official for the same position subject to the advice and consent of the Congress."

Section 2. 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: 5/19/97 Introduced by: Joseph J. Urusemal