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TENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIRST REGULAR SESSION, 1997

C.B. NO. 10-104

A BILL FOR AN ACT

To further amend title 2 of the Code of the Federated States of Micronesia, as amended, by further amending section 207, as amended by Public Law No. 5-2, 5-50, 7-6, 7-91 and 9-128, thereof for the purpose of changing the terms of the President's appointment authority and to require the consent of Congress for the removal of the Attorney General, and for other purposes.

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

1 Section 1. Section 207 of title 2 of the Code of the Federated States of
2 Micronesia, as amended by Public Laws Nos. 5-2, 5-50, 7-6, 7-91 and 9-128, is
3 hereby further amended to read as follows:

4 "Section 207. Appointment authority.

5 (1) The President shall nominate and, with the advice and
6 consent of the Congress, as provided in article X, section 2(d), of
7 the Constitution, shall appoint the Secretaries of departments and
8 their deputies, if any, and the heads of the offices of the Attorney
9 General, Budget, Planning and Statistics, Administrative Services,
10 and the Public Defender, and their deputies, if any, including the
11 secretaries, deputies, and heads of departments and offices
12 established by subsequent law; and including the chairman and the
13 members of the Board of Advisors for the Investment
14 Development Fund to be appointed by the President; and including
15 the Federated States of Micronesia members of the Board of
16 Regents of the College of Micronesia; and including the Federated
17 States of Micronesia's deputy ambassadors (assistants to the
18 ambassadors) and consul generals; provided that nothing herein
19 shall be construed to require the appointment of the deputies and
20 deputy ambassadors (assistants to the ambassadors) and
21 consul generals named above.

22 (2) The President or his or her designee may appoint
23 officers and employees not included in subsection (1) of this
24 section, without advice and consent of the Congress; provided
25 that such appointments are not inconsistent with the provisions of

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1 this chapter or other laws of the Federated States of Micronesia.

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

6 (4) With the exception of the Chief Justice and Associate
7 Justices of the Supreme Court, the Public Auditor, ambassadors,
8 members of boards, commissions, and other entities with fixed
9 terms, a public official whose appointment is subject to the advice
10 and consent of the Congress shall submit his or her resignation no
11 later than ~~30~~ 90 days after ~~a successor Congress of the~~
12 ~~Federated States of Micronesia is organized~~ the President
13 of the Federated States of Micronesia takes the oath of office, or
14 at the time a new nominee for such position is confirmed by the
15 Congress, whichever is earlier. The President may renominate the
16 same public official for the same position subject to the advice
17 and consent of the Congress.

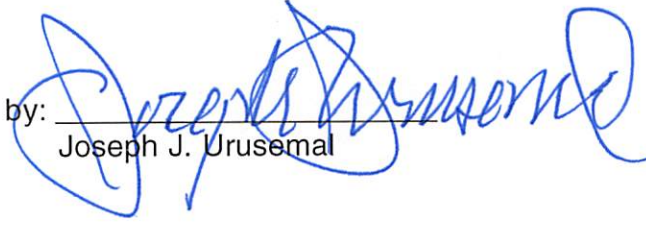
18 (5) Except as provided in subsection (4) of this section,
19 the President may not remove a sitting Attorney General from
20 office, except with the consent by resolution of two-thirds of
21 Congress."

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1 Section 2. This act shall become law upon approval by the President of
2 the Federated States of Micronesia or upon its becoming law without such
3 approval.

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5 Date: 8/04/97

Introduced by: 
Joseph J. Urusemal

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