TENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA
SECOND SPECIAL SESSION, 1997
C.B. NO. 10-178

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 Laws Nos. 5-2, 5-50, 7-6, 7-91, and 9-128, for the purpose of requiring that any nomination submitted to Congress which is not acted upon in two consecutive sessions of the same Congress shall be deemed rejected, 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 Micronesia, as amended by Public Laws Nos. 5-2, 5-50, 7-6, 7-91, and 9-128 is hereby further amended to read as follows:

"Section 207. Appointment authority.

(1) The President shall nominate and, with the advice and consent of the Congress, as provided in article X, section 2(d), of the Constitution, shall appoint the secretaries of departments and their deputies, if any, and the heads of the offices of the Attorney General, Budget, Planning and Statistics, Administrative Services, and the Public Defender, and their deputies, if any, including the secretaries, deputies, and heads of departments and offices established by subsequent law; and including the chairman and the members of the Board of Advisors for the Investment Development Fund to be appointed by the President; and including the Federated States of Micronesia members of the Board of Regents of the College of 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, 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. Any nomination submitted to Congress which
is not acted upon in two consecutive sessions of the same
Congress shall be deemed as rejected.

(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 30 days after a successor Congress of the Federated
States of Micronesia is organized, 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: 11/16/97

Introduced by: Peter M. Christian