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, 9-128, and 10-55, for the purpose of removing deputy ambassadors from the requirement of appointment by the President with the advice and consent of the Congress, making certain other technical amendments, 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
2 Federated States of Micronesia, as amended by Public Laws
3 Nos. 5-2, 5-50, 7-6, 7-91, 9-128, and 10-55, is hereby
4 further amended to read as follows:
5
6 *Section 207. Appointment authority.
7 (1) The President shall nominate and, with
8 the advice and consent of the Congress, as
9 provided in article X, section 2(d), of the
10 Constitution, shall appoint the secretaries of
11 departments and their deputies, if any, and the
12 head of the office of the Public Defender,
13 including the secretaries[7] and heads of
14 departments and offices established by subsequent
15 law; and including the chairman and the members of
16 the Board of Advisors for the Investment
17 Development Fund to be appointed by the President;
18 and including the Federated States of Micronesia
19 members of the Board of Regents of the College of
20 Micronesia; and including the Federated States of
21 Micronesia’s [deputy ambassadors (assistants to
22 the ambassadors) and] consul general[s]; provided
23 that nothing herein shall be construed to require
24 the appointment of the deputies [and deputy
25 ambassadors (assistant to the ambassador) and
26 consul general[s] named above.

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(2) The President or his or her designee may appoint officers and employees not included in subsection (1) of this section, without the 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, and 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 90 days after the 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: 4/2/89

Introduced by: Isaac V. Figir