

3940 / EX AFR

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 requiring ambassadors to submit their resignations within 90 days after the President takes the oath of office, or when a new nominee for the ambassador's position is confirmed by the Congress, whichever occurs first, and 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 Federated  
2 States of Micronesia, as amended by Public Laws Nos. 5-2, 5-50, 7-6,  
3 7-91, 9-128, and 10-55, is hereby further amended to read as  
4 follows:

5 "Section 207. Appointment authority.

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

24 (2) The President or his or her designee may appoint  
25 officers and employees not included in subsection (1) of

1 this section, without the advice and consent of the  
2 Congress; provided that such appointments are not  
3 inconsistent with the provisions of this chapter or other  
4 laws of the Federated States of Micronesia.

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

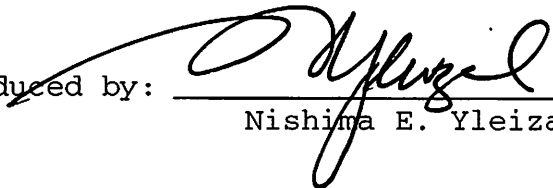
10 (4) With the exception of the Chief Justice and  
11 Associate Justices of the Supreme Court, the Public  
12 Auditor, [~~ambassadors,~~] and members of boards,  
13 commissions, and other entities with fixed terms, a  
14 public official whose appointment is subject to the  
15 advice and consent of the [e]Congress shall submit his or  
16 her resignation no later than 90 days after the President  
17 of the Federated States of Micronesia takes the oath of  
18 office, or at the time a new nominee for such position is  
19 confirmed by the Congress, whichever is earlier. The  
20 President may renominate the same public official for the  
21 same position subject to the advice and consent of the  
22 Congress. "  
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Sq. No/Ex. off.

C.B. NO. 10-373

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

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5 Date: 4/14/99

Introduced by:   
Nishima E. Yleizah

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