

AN ACT

To further amend title 52 of the Code of the Federated States of Micronesia, as amended, by amending section 136 to add participation in a State Government Early Retirement Program as a disqualification or bar to employment in the National Public Service System, and for other purposes.

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

Section 1. Section 136 of title 52 of the Code of the Federated States of Micronesia is hereby amended to read as follows:

"Section 136. Disqualification from appointment.

(1) Conviction of a crime of moral turpitude shall not be a bar to employment in the public service unless the nature of the crime renders the candidate clearly unsuitable for the position applied for. The Assistant Secretary for Personnel Administration, Department of Finance and Administration shall maintain a list of positions and disqualifying crimes. A pardon shall operate to remove any bar to employment which would have arisen as a result of the crime for which the pardon was granted.

(2) The Commission of or the attempt to commit any material deception or fraud in connection with any application or examination shall cause removal and permanent disqualification from appointment in the public service, after due notice and hearing by the Assistant Secretary for Personnel Administration, Department of Finance and Administration.

(3) Participation in a State Government's Early Retirement Program, shall be a basis for disqualification from appointment in the public service including appointment to a National Government position that is exempt from the National Public Service System. Such disqualification shall be effective for so long as

the candidate would have been disqualified from such appointment if the candidate had participated in the National Government Early Retirement Program."

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.

July 10, 1998

/s/ Jacob Nena  
Jacob Nena  
President  
Federated States of Micronesia