

A BILL FOR AN ACT

To further amend title 52 of the Code of the Federated States of Micronesia, as amended, by amending section 117 to exempt Weather Service employees from the National Public Service System, and for other purposes.

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

1           Section 1.   Section 117 of title 52 of the Code of the  
2 Federated States of Micronesia, as amended by Public Law No. 11-  
3 81, is hereby further amended to read as follows:

4           "Section 117.   Application of chapter; Exemptions.

5           The National Public Service System shall apply to all  
6 employees of and positions in the Government of the  
7 Federated States of Micronesia now existing or hereafter  
8 established and to all personnel services performed for that  
9 Government except the following, unless this chapter or  
10 provisions thereof are specifically made applicable to them:

11                   (1) Members of the Congress of the Federated States of  
12 Micronesia;

13                   (2) the President and Vice President of the Federated  
14 States of Micronesia;

15                   (3) Justices and other Judges of the National Courts;

16                   (4) the legislative counsel, deputy legislative  
17 counsel, budget officer, director of administration and the  
18 clerk of the Congress;

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1 (5) the Public Auditor;

2 (6) the administrative officer of the National Courts;

3 (7) the special assistants and secretaries to the  
4 President and Vice President;

5 (8) persons appointed by the President to fill the  
6 following positions: Secretary of the Department of Foreign  
7 Affairs, Secretary of the Department of Finance and  
8 Administration, Secretary of the Department of Economic  
9 Affairs, Secretary of the Department of Transportation,  
10 Communication and Infrastructure, Secretary of the  
11 Department of Health, Education and Social Affairs,  
12 Secretary of the Department of Justice, and Chief Public  
13 Defender, and their deputies, if any;

14 (9) persons appointed to any other positions by the  
15 President with the advice and consent of the Congress;

16 (10) the Representative in Washington and all  
17 ambassadors;

18 (11) persons employed by the Federated States of  
19 Micronesia Weather Service Office whose salary expenses are  
20 reimbursed by the United States Government;

21 (~~11~~)12) persons or organizations retained by contract when  
22 the Personnel Officer has certified that the service to be  
23 performed is special or unique and nonpermanent and is  
24 essential to the public interest, and that, because of the  
25 degree of expertise or special knowledge required and the

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1 nature of the services to be performed, it would not be  
2 practical to obtain personnel to perform such services  
3 through normal public service recruitment procedures;

4 (~~12~~13) persons presently under contract of employment not  
5 included in subsection (11) of this section, during the life  
6 of such contract. No contract of employment shall be  
7 entered into, renewed, or amended after the effective date  
8 of this chapter, except in accordance with the provisions of  
9 this chapter;

10 (~~13~~14) temporary positions, required in the public  
11 interest, for which the need does not exceed six months;

12 (~~14~~15) positions requiring part-time or intermittent work  
13 which does not exceed sixty hours in any calendar month;

14 (~~15~~16) positions filled by inmates, patients, and  
15 students of institutions of the Federated States of  
16 Micronesia;

17 (~~16~~17) members of any board, public corporation,  
18 commission, or similar body, in their capacity as such;

19 (~~17~~18) officers, faculty, and employees of the Board of  
20 Regents and the College of Micronesia;

21 (~~18~~19) positions specifically exempted by any other law  
22 of the Federated States of Micronesia."

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Section 4. 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: 10/30/02

Introduced by: /s/ Henry C. Asugar  
Henry C. Asugar

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