A BILL FOR AN ACT

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

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

Section 1. Section 117 of title 52 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 11-81 and 13-8, is hereby further amended to read as follows:

"Section 117. Application of chapter: Exemptions.

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

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

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

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

(4) the legislative counsel, deputy legislative counsel, budget officer, director of administration, and the clerk of the Congress;
(5) the Public Auditor;  
(6) the administrative officer of the National Courts;  
(7) the special assistants and secretaries to the  
President and Vice President and the Secretary to the  
Speaker of the Congress of the Federated States of  
Micronesia;  
(8) persons appointed by the President to fill the  
following positions: Secretary of the Department of  
Foreign Affairs, Secretary of the Department of Economic  
Affairs, Secretary of the Department of Transportation,  
Communication and Infrastructure, Secretary of the  
Department of Health, Education and Social Affairs,  
Secretary of the Department of Justice, and the Chief  
Public Defender, and their deputies, if any;  
(9) persons appointed to any other positions by the  
President with the advice and consent of the Congress;  
(10) the Representative in Washington and all  
ambassadors;  
(11) persons or organizations retained by contract when  
the Personnel Officer has certified that the service to  
be performed is special or unique and nonpermanent and  
is essential to the public interest, and that, because  
of the degree of expertise or special knowledge required  
and the nature of the services to be performed, it would  
not be practical to obtain personnel to perform such
services through normal public service recruitment procedures;

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

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

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

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

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

(17) officers, faculty, and employees of the Board of Regents and the College of Micronesia;

(18) employees of the National Weather or Meteorological Services;

(19) positions specifically exempted by any other law of the Federated States of Micronesia."
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: 8/25/03

Introduced by: /s/ Henry C. Asugar

Henry C. Asugar
(by request)