

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 thereof to provide that the secretary to the Vice Speaker of the Congress of the Federated States of Micronesia shall be exempt 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 Laws Nos. 11-
3 81 and 13-8, is hereby further amended to read as follows:

4 "Section 117. Application of chapter; Exemptions.

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

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

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

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

1 (4) the legislative counsel, deputy legislative
2 counsel, budget officer, director of administration
3 and the clerk of the Congress;

4 (5) the Public Auditor;

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

7 (7) the special assistants and secretaries to the
8 President and Vice President and the [~~secretary~~]
9 secretaries to the Speaker and Vice Speaker of the
10 Congress of the Federated States of Micronesia;

11 (8) persons appointed by the President to fill
12 the following positions: Secretary of the
13 Department of Foreign Affairs, Secretary of the
14 Department of Finance, Secretary of the Department
15 of Economic Affairs, Secretary of the Department of
16 Transportation, Communication and Infrastructure,
17 Secretary of the Department of Health, Education
18 and Social Affairs, Secretary of the Department of
19 Justice, and the Chief Public Defender, and their
20 deputies, if any;

21 (9) persons appointed to any other positions by
22 the President with the advice and consent of the
23 Congress;

24 (10) the Representative in Washington and all
25 ambassadors;

1 (11) persons or organizations retained by contract
2 when the Personnel Officer has certified that the
3 service to be performed is special or unique and
4 nonpermanent and is essential to the public
5 interest, and that, because of the degree of
6 expertise or special knowledge required and the
7 nature of the services to be performed, it would
8 not be practical to obtain personnel to perform
9 such services through normal public service
10 recruitment procedures;

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

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

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

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

1 Micronesia;
2 (16) members of any board, public corporation,
3 commission, or similar body, in their capacity as
4 such;
5 (17) officers, faculty, and employees of the Board
6 of Regents and the College of Micronesia;
7 (18) positions specifically exempted by any other
8 law of the Federated States of Micronesia."

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

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13 Date: 5/11/04

Introduced by: /s/ Peter M. Christian
Peter M. Christian

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