
A BILL FOR AN ACT

To further amend title 52 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 11-81, 13-8, 13-78, and 14-81, by amending section 117 to exempt employees of the Project Management Unit for the Compact Infrastructure Grants under the Department of Transportation, Communication, and Infrastructure from the Public Service System Act, 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
3 Nos. 11-81, 13-8, 13-78, and 14-81, is hereby further amended
4 to read as follows:

5 "Section 117. Application of chapter: Exemptions.

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

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

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

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

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

5 (5) the Public Auditor;

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

8 (7) the special assistants and secretaries to the
9 President and Vice President and the secretaries to
10 the Speaker and Vice-Speaker of the Congress of the
11 Federated States of Micronesia;

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

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

25 (10) the Representative in Washington and all

1 ambassadors;

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

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

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

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

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

