SEVENTEENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

THIRD REGULAR SESSION, 2014

C.B. NO. 18-125

A BILL FOR AN ACT

To further amend section 207 of title 2 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 10-55, 11-40, 13-77, 15-23, 16-61 and 17-02, for the purpose of allowing the Vice President to serve as the Secretary or Director of an Executive Department or Office, with some exceptions, and for other purposes. BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA: 1 Section 1. Section 207 of title 2 of the Code of the 2 Federated States of Micronesia, as amended by Public Laws Nos. 3 10-55, 11-40, 13-77, 15-23, 16-61, and 17-02, is hereby further

4 amended to read as follows:

5 "Section 207. Appointing Authority.

(1) The President shall nominate and, with the 6 7 advice and consent of the Congress, as provided in article X, section 2(d), of the Constitution, shall 8 appoint ambassadors, the secretaries of departments 9 and their deputies, if any, and the head of the office 10 of the Public Defender, including the secretaries, and 11 12 heads of departments and offices established by subsequent law; and including the chairman and the 13 members of the Board of Advisors for the Investment 14 Development Fund to be appointed by the President; and 15 including the Federated States of Micronesia members 16 17 of the Board of Regents of the College of Micronesia; 18 and including the Federated States of Micronesia's

consul generals and the deputy chiefs of mission of the various embassies and diplomatic missions.

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(2) The President or his or her designee may appoint officers and employees not included in subsection (1) of this section, without the advice and consent of the Congress; provided that such appointments are not inconsistent with the provisions of this chapter or other laws of the Federated States of Micronesia.

9 (3) Any nomination submitted to Congress which is not confirmed within two (2) consecutive sessions of 10 Congress, including the session in which Congress 11 first receives the nomination, or thirty (30) days, 12 13 whichever occurs later in time, shall be deemed rejected. A nomination submitted when Congress is not 14 in session shall, for the purposes of this section, be 15 deemed to have been received on the first day of the 16 The President shall not resubmit 17 following session. 18 the nomination of any person to the Congress for its action if the same Congress shall have previously 19 20 rejected such nomination, unless the Congress shall by 21 resolution authorize such resubmission.

(4) With the exception of the Chief Justice and
Associate Justices of the Supreme Court, the Public
Auditor, members of boards, commissions, and other
entities with fixed terms, a public official whose

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1	appointment is subject to the advice and consent of
2	the Congress shall submit his or her resignation no
3	later than 90 days after the President of the
4	Federated States of Micronesia takes the oath of
5	office, or at the time a new nominee for such position
6	is confirmed by the Congress, whichever is earlier.
7	The President may renominate the same public official
8	for the same position subject to the advice and
9	consent of the Congress.
10	(5) Subject to prior approval of the President of the
11	Federated States of Micronesia, the Vice President may
12	serve as Secretary or Director of an executive
13	department or office without the advice and consent of
14	the Congress, with the exception of the Department of
15	Justice and Department of Finance and Administration."
16	Section 2. This act shall become law upon approval by the
17	President of the Federated States of Micronesia or upon its
18	becoming law without such approval.
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20	Date: <u>1/23/14</u> Introduced by: <u>/s/ Wesley W. Simina</u>
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