The President
Palikir, Pohnpei
Federated States of Micronesia

March 14, 2016

The Honorable Wesley W. Simina
Speaker
Nineteenth Congress of the Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear Speaker Simina:

I am transmitting the following Congressional Act, which I have signed to become Public Law No. 19-69:

Congressional Act No. 19-70, entitled: “AN ACT TO AMEND SECTION 115 OF TITLE 52 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), TO RAISE THE MANDATORY RETIREMENT AGE FOR NATIONAL GOVERNMENT EMPLOYEES FROM SIXTY TO SIXTY-FIVE, AND FOR OTHER PURPOSES.”

I welcome the efforts of Congress in addressing the mandatory retirement age, which has immediate impacts on many of our citizens and their families. Nevertheless, it is with reservation that I signed the act into law knowing that it can be improved further. I will transmit a bill for consideration by Congress soon reflecting the changes necessary in the law.

I am mindful that Congress passed the act without committee report that explained its passage, which created vagueness as far as legislative intent. I wish to take the opportunity to incorporate improvements in the act, and I invite Congress for its support to deliberate and consider the amendments in due time.

Finally, I wish to thank Congress for taking the initial steps of amending the retirement law and further invite the Members to be receptive of future refinements of the law to better serve the needs of our people.

Sincerely,

Peter M. Christian
President

Enclosures:

Xc: Chief Justice, FSM Supreme Court
    Secretary, Department of Justice
    Secretary, Department of Finance and Administration
    Legislative Council, CFSM
    Library, CFSM
    FSM PIO
February 17, 2016

His Excellency Peter M. Christian
President
Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear President Christian:

I have the honor to transmit herewith Congressional Act No. 19-70, "AN ACT TO AMEND SECTION 115 OF TITLE 52 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), TO RAISE THE MANDATORY RETIREMENT AGE FOR NATIONAL GOVERNMENT EMPLOYEES FROM SIXTY TO SIXTY-FIVE, AND FOR OTHER PURPOSES. ", which was passed by the Nineteenth Congress of the Federated States of Micronesia, Third Regular Session, 2016, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

Liwiana Ramon Ioanis
Chief Clerk, Congress of the
Federated States of Micronesia

Enclosures
ACT NO. 19-70
(CONGRESSIONAL BILL NO. 19-117)

Presidential Comm. No. 19-292
FSM Congress
Nineteenth Congress of the Federated States of Micronesia
Third Regular Session
January 26 – February 14, 2016

Public Law No. 19-69

An Act

To amend Section 115 of Title 52 of the Code of the Federated States of Micronesia (Annotated), to raise the mandatory retirement age for national government employees from sixty to sixty-five, and for other purposes.

Introduced by Senator: Ferny S. Perman

Date: February 01, 2016

Referred to: Committee on Judiciary and Governmental Operations

Withdrawn – February 11, 2016

First Reading: February 11, 2016

Second Reading: February 12, 2016

Liwiana Ramon Ioannis
Chief Clerk, FSM Congress
ACT NO. 19-70

(CONGRESSIONAL BILL NO. 19-117)

We hereby certify that on February 12 the foregoing act passed Second and Final Reading of the Nineteenth Congress of the Federated States of Micronesia, Third Regular Session, 2016, by a two-thirds vote of all the State delegations as required under article IX, section 20, of the Constitution of the Federated States of Micronesia.

Wesley W. Simina
Speaker
Congress of the Federated States of Micronesia

Liviana Ramon Ioanis
Chief Clerk
Congress of the Federated States of Micronesia
AN ACT

To amend section 115 of title 52 of the Code of the Federated States of Micronesia (Annotated), to raise the mandatory retirement age for National Government employees from sixty to sixty-five, and for other purposes.

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

1. Section 1. Purpose. The purpose of this act is to raise the mandatory retirement age for employees of the National Government from sixty to sixty-five.

2. Section 2. Section 115 of title 52 of the Code of the Federated States of Micronesia (Annotated), is hereby amended to read as follows:

"Section 115. Tenure.

(a) Every regular employee shall be entitled to hold his position during good behavior, subject to the provisions of subsection (b) of this section, and to suspension, demotion, layoff, dismissal, or termination of employment through the Early Retirement Program, only as provided in this chapter or in chapter 5 of this title and in the regulations adopted in pursuance thereof; provided, however, that the tenure of a contract employee is the term of his contract; and provided further that an employee who must submit his resignation pursuant to section 207 of title 2 of the Code of the Federated States of
Micronesia is not entitled to continued employment with the National Government if he is not renominated by the President or if he is not reconfirmed by the Congress through advice and consent proceedings.

(b) Notwithstanding any other provision of this title, no person may be an employee of the National Government after the sixty-fifth anniversary of his birth, except for those employees who are made exempt from the National Public Service System by section 117 of this title."

Section 3. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

3/14, 2016

Peter M. Christian
President
Federated States of Micronesia