
A BILL FOR AN ACT

To amend section 117 of title 52 Code of the Federated States of Micronesia (Annotated), as amended, to exempt the Assistant Chief Clerk of Congress, the Technology Administrator and the secretaries to the Floor Leader and to the Legislative Counsel of Congress from the Public Service System Act, to make a technical amendment to the title of the position of the Chief Clerk of Congress, 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 (Annotated), as amended, is
3 hereby amended to read as follows:

4 "Section 117. Application of chapter: Exemptions.

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

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

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

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

17 (4) the legislative counsel, deputy legislative

1 counsel, director of administration and budget, budget
2 officer, administrator [~~and~~], the chief clerk and
3 assistant chief clerk and the technology administrator
4 of the 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 the
10 Speaker [~~and~~], Vice-Speaker, Floor Leader and
11 Legislative Counsel of the Congress of the Federated
12 States of Micronesia;

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

23 (9) persons appointed to any other positions by the
24 President with the advice and consent of the 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 special
7 knowledge required and of the nature of the services to
8 be performed, it would not be practical to obtain
9 personnel to perform such services through normal public
10 service recruitment procedures;

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

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

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

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

25 (16) members of any board, public corporation,

1 commission, or similar body, in their capacity as such;
2 (17) officers, faculty, and employees of the Board of
3 Regents and the College of Micronesia;
4 (18) positions specifically exempted by any other law
5 of the Federated States of Micronesia;
6 (19) all personnel of the National Weather Service,
7 provided that the National Weather Service shall be
8 administered by the Office of the President."

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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Date: 12/4/17

Introduced by: /s/ Wesley W. Simina
 Wesley W. Simina