A BILL FOR AN ACT

To further amend section 208 of title 2 of the Code of the Federated States of Micronesia (Annotated), as amended by Public Law No. 18-53, for the purpose of clarifying and correcting contradictory language, and for other purposes.

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

Section 1. Section 208 of title 2 of the Code of the Federated States of Micronesia (Annotated), as amended by Public Law No. 18-53, is hereby further amended to read as follows:

"Section 208. Positions vacant pending appointment.

(1) Whenever a vacancy exists in a position exempted from the National Public Service System under subsections (8), (9), or (10) of section 117 of title 52, the administrative duties and ministerial functions of that position may be performed by a qualified regular employee designated [by the President] to serve in that position in "acting" capacity [may serve in that capacity for not more than sixty days]. An employee who serves in an "acting" capacity in a position vacated pending appointment for more than ninety days shall be entitled to that position’s compensation. The entitlement shall
be retroactive to the day actingship began."

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

Date: 1/29/18                   Introduced by: /s/ Wesley W. Simina
                                 Wesley W. Simina