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 and the Technology Administrator 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:

Section 1. Section 117 of title 52 of the Code of the Federated States of Micronesia (Annotated), as amended, is hereby amended to read as follows:

"Section 117. Application of chapter: Exemptions.

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

(1) Members of the Congress of the Federated States of Micronesia;
(2) the President and Vice President of the Federated States of Micronesia;
(3) Justices and other Judges of the National Courts;
(4) the legislative counsel, deputy legislative counsel, director of administration and budget, budget
officer, administrator [and], the chief clerk and assistant chief clerk and the technology administrator of the Congress;

(5) the Public Auditor;

(6) the administrative officer of the National Courts;

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

(8) persons appointed by the President to fill the following positions: Secretary of the Department of Foreign Affairs, Secretary of the Department of Finance and Administration, Secretary of the Department of Economic Affairs, Secretary of the Department of Transportation, Communication and Infrastructure, Secretary of the Department of Health, Education and Social Affairs, Secretary of the Department of Justice, and the Chief Public Defender, and their deputies, if any;

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

(10) the Representative in Washington and all ambassadors;

(11) persons or organizations retained by contract
when the Personnel Officer has certified that the
service to be performed is special or unique and
nonpermanent and is essential to the public interest,
and that, because of the degree of expertise or special
knowledge required and of the nature of the services to
be performed, it would not be practical to obtain
personnel to perform such services through normal public
service recruitment procedures;
(12) persons presently under contract of employment
not included in subsection (11) of this section, during
the life of such contract. No contract of employment
shall be entered into, renewed, or amended after the
effective date of this chapter, except in accordance
with the provisions of this chapter;
(13) temporary positions, required in the public
interest, for which the need does not exceed six months;
(14) positions requiring part-time or intermittent
work which does not exceed sixty hours in any calendar
month;
(15) positions filled by inmates, patients, and
students of institutions of the Federated States of
Micronesia;
(16) members of any board, public corporation,
commission, or similar body, in their capacity as such;
(17) officers, faculty, and employees of the Board of
Regents and the College of Micronesia;

(18) positions specifically exempted by any other law of the Federated States of Micronesia;

(19) all personnel of the National Weather Service, provided that the National Weather Service shall be administered by the Office of the President."

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: 11/12/18

Introduced by: /s/ Wesley W. Simina

Wesley W. Simina