A BILL FOR AN ACT

To further amend section 117 of title 52 Code of the Federated States of Micronesia (Annotated), as amended by Public Law No. 20-152, to exempt the Assistant Budget Officer of Congress from the Public Service System Act, 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 by Public Law No. 20-152, is hereby further 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, assistant budget officer, administrator, the clerk and
assistant chief clerk, the Congress Protocol and Information Officer, the Secretary to the Legislative Counsel, the Technology Administrator of the Congress, and the Secretary to the Floor Leader;

(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
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: 5/13/21

Introduced by: /s/ Florencio S. Harper

Florencio S. Harper