

HESA

A BILL FOR AN ACT

To further amend title 2 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 5-2 and 5-21, by further amending section 207, as amended by Public Law No. 5-2, to require the advice and consent of the Congress for appointments to the Board of Regents of the College of Micronesia, and for other purposes.

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

1 Section 1. Section 207 of title 2 of the Code of the Federated  
2 States of Micronesia, as amended by Public Law No. 5-2, is hereby  
3 further amended to read as follows:

4 "Section 207. Appointment authority.

5 (1) The President shall nominate and, with the advice  
6 and consent of the Congress, as provided in article X,  
7 section 2(d), of the Constitution, shall appoint the  
8 secretaries of departments and their deputies, if any, and  
9 the heads of the offices of the Attorney General, Budget,  
10 Planning and Statistics, Personnel, Education, Health  
11 Services, and the Public Defender, and their deputies, if  
12 any, including the secretaries, deputies, and heads of  
13 departments and offices established by subsequent law; and  
14 including the chairman and the members of the Board of  
15 Advisors for the Investment Development Fund to be  
16 appointed by the President; and including the Federated  
17 States of Micronesia members of the Board of Regents of the  
18 College of Micronesia; provided that nothing herein shall  
19 be construed to require the appointment of the deputies  
20 named above.

21 (2) The President or his designee may appoint  
22 officers and employees not included in subsection (1) of  
23 this section, without advice and consent of the Congress;  
24 provided that such appointments are not inconsistent with  
25 the provisions of this chapter or other laws of the

HESA

C. B. No. J-265

1 Federated States.

2 (3) The President shall not resubmit the nomination  
3 of any person to the Congress for its action if the same  
4 Congress shall have previously rejected such nomination,  
5 unless the Congress shall by resolution authorize such  
6 resubmission.

7 (4) With the exception of the Chief Justice and  
8 Associate Justices of the Supreme Court, the Public  
9 Auditor, and members of boards, commissions, and other  
10 entities with fixed terms, a public official whose  
11 appointment is subject to the advice and consent of the  
12 Congress shall submit his resignation no later than 90 days  
13 after the President of the Federated States of Micronesia  
14 takes the oath of office, or at the time a new nominee for  
15 such position is confirmed by the Congress, whichever is  
16 earlier. The President may renominate the same public  
17 official for the same position subject to the advice and  
18 consent of the Congress."

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

22  
23 Date: May 19/80

Introduced by: Claude H. Phillip  
Claude H. Phillip  
(by request)

25