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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, 5-21 and 5-50, by amending further section 207, as amended by Public Laws Nos. 5-2 and 5-50, to provide for advice and consent of assistant secretaries, 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 Laws Nos. 5-2 and 5-50, is
3 hereby 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 and assistant
9 secretaries, if any, and the heads of the offices of the
10 Attorney General, Budget, Planning and Statistics,
11 Administrative Services, and the Public Defender, and
12 their deputies, if any, including the secretaries, deputies,
13 assistant secretaries, and heads of departments and offices
14 established by subsequent law; and including the chairman and
15 the members of the Board of Advisors for the Investment
16 Development Fund to be appointed by the President; and
17 including the Federated States of Micronesia members of the
18 Board of Regents of the College of Micronesia; provided that
19 nothing herein shall be construed to require the appointment
20 of the deputies named above.

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

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

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

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

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 20 Date: May 16 1989

 Introduced by: 
 Leo A. Falcam

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