

JHUO

SIXTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIRST REGULAR SESSION, 1989

C. B. No. 6-56

A BILL FOR AN ACT

To further amend section 117 of title 52 of the Code of the Federated States of Micronesia, as amended by Public Law No. 5-21, for the purpose of modifying the exemptions permitted to the National Public Service System, and for other purposes.

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

1 Section 1. Section 117 of title 52 of the Code of the Federated
2 States of Micronesia, as amended by Public Law No. 5-21, is hereby
3 further amended to read as follows:

4 "Section 117. Application of chapter; Exemptions. The
5 National Public Service System shall apply to all employees
6 of and positions in the central Government of the Federated
7 States of Micronesia now existing or hereafter established
8 and to all personnel services performed for that Government
9 except the following, unless this chapter or provisions
10 thereof are specifically made applicable to them:

11 (1) members of the Congress of the Federated States
12 of Micronesia;

13 (2) the President and Vice President of the Federated
14 States of Micronesia;

15 (3) Justices and other Judges of the National Courts;

16 (4) the legislative counsel, deputy legislative
17 counsel, the staff attorneys, budget officer, and the Clerk
18 of the Congress;

19 (5) the Public Auditor;

20 (6) the administrative officer of the National Courts;

21 (7) the special assistants and secretaries to the
22 President and Vice President;

23 (8) persons appointed by the President to fill the
24 following positions: Secretary of External Affairs,
25 Secretary of Finance, Secretary of Resources and Development,

1 Secretary of Transportation, Secretary of Human Resources,
2 Budget Officer, National Planner, Director of Administrative
3 Services, Attorney General, and Public Defender, and their
4 deputies, if any;

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

7 (10) the Representative in Washington and all
8 ambassadors;

9 (11) persons or organizations retained by contract
10 when the Personnel Officer has certified that the service to
11 be performed is special or unique and nonpermanent and is
12 essential to the public interest, and that, because of the
13 degree of expertise or special knowledge required and the
14 nature of the services to be performed, it would not be
15 practical to obtain personnel to perform such services
16 through normal public service recruitment procedures;

17 (12) persons presently under contract of employment not
18 included in subsection (11) of this section, during the life
19 of such contract. No contract of employment shall be entered
20 into, renewed, or amended after the effective date of this
21 chapter, except in accordance with the provisions of this
22 chapter;

23 (13) temporary positions, required in the public
24 interest, for which the need does not exceed six months;

25 (14) positions requiring part-time or intermittent

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- 1 work which does not exceed sixty hours in any calendar month;
 - 2 (15) positions filled by inmates, patients, and students
 - 3 of institutions of the Federated States of Micronesia;
 - 4 (16) members of any board, public corporation,
 - 5 commission, or similar body, in their capacity as such;
 - 6 (17) officers, faculty, and employees of the Board of
 - 7 Regents and the College of Micronesia; and
 - 8 (18) positions specifically exempted by any other law
 - 9 of the Federated States of Micronesia."

10 Section 2. Persons presently under contract of employment not
 11 authorized by any subsection of section 117 of title 52, as amended by
 12 this act, shall nevertheless be deemed exempted from the provisions of
 13 the National Public Service System Act for the term of their present
 14 contracts, but in no event shall any such contract of employment be
 15 entered into, renewed or amended after the effective date of this act,
 16 except in accordance with the provisions of the Public Service System
 17 Act.

18 Section 3. This act shall become law upon approval by the
 19 President of the Federated States of Micronesia or upon its
 20 becoming law without such approval.

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 22 Date: 6/5/89

Introduced by: Claude H. Phillip
 Claude H. Phillip

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