
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 further amending section 203, as amended by Public Law No. 5-21, by further amending title 52 of the Code of the Federated States of Micronesia, as amended by Public Law No. 5-21, by further amending section 117, as amended by Public Law No. 5-21, all for the purpose of reorganizing the Government of the Federated States of Micronesia, and for other purposes.

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

1 Section 1. Section 203 of title 2 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 203. Departments.

5 (1) There shall be the following departments which
6 shall be responsible for major programs or administrative
7 support areas in the Government of the Federated States:

8 (a) Department of Finance;

9 (b) Department of ~~External Affairs~~ Foreign
10 Affairs and Trade;

11 (c) Department of Transportation and
12 Communication;

13 (d) Department of Resources and Development; and

14 (e) Department of Human ~~Resources~~ Services.

15 (2) The administrative head of each department shall
16 be designated as a 'Secretary.'

17 (3) Succession.

18 (a) Any reference to the Office of Information,
19 the Office of Personnel, the Office of Education, ~~or~~ the
20 Office of Health Services, the Department of External
21 Affairs, the Department of Transportation, or the
22 Department of Human Resources shall apply to the
23 appropriate successor entity.

24 (b) Any reference to any official or employee of
25 an entity referred to in subsection (3)(a) of this section

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1 shall be construed as applying to the person holding the
2 same or most similar position in the appropriate successor
3 entity."

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

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

- 14 (1) members of the Congress of the Federated States
15 of Micronesia;
- 16 (2) the President and Vice President of the Federated
17 States of Micronesia;
- 18 (3) Justices and other Judges of the National Courts;
- 19 (4) the legislative counsel, deputy legislative
20 counsel, budget officer, and the Clerk of the Congress;
- 21 (5) the Public Auditor;
- 22 (6) the administrative officer of the National Courts;
- 23 (7) the special assistants and secretaries to the
24 President and Vice President;
- 25 (8) persons appointed by the President to fill the

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1 following positions: Secretary of External Affairs Foreign
2 Affairs and Trade, Secretary of Finance, Secretary of
3 Resources and Development, Secretary of Transportation and
4 Communication, Secretary of Human Resources Services,
5 Director of the Budget Officer, National Planner, Director
6 of Administrative Services, Attorney General, and Public
7 Defender, and their deputies, if any;

8 (9) persons appointed to any other positions by the
9 President with the advice and consent of the Congress,
10 including all ambassadors;

11 *(10) the Representative in Washington and all*
12 *ambassadors;*

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

22 *(12) persons presently under contract of employment*
23 *not included in subsection (11) of this section, during the*
24 *life of such contract. No contract of employment shall be*
25 *entered into, renewed, or amended after the effective date*

1 *of this chapter, except in accordance with the provisions*
2 *of this chapter;*

3 (I~~3~~11) temporary positions, required in the public
4 interest, for which the need does not exceed six months;

5 (I~~4~~12) positions requiring part-time or intermittent
6 work which does not exceed sixty hours in any calendar
7 month;

8 (I~~3~~13) positions filled by inmates, patients, and
9 students of institutions of the Federated States of
10 Micronesia;

11 (I~~6~~14) members of any board, public corporation,
12 commission, or similar body, in their capacity as such;

13 (I~~7~~15) officers, faculty, and employees of the Board
14 of Regents and the College of Micronesia;

15 (I~~8~~16) positions specifically exempted by any other
16 law of the Federated States of Micronesia."

17 Section 3. Notwithstanding subsection (1) or (2) of section 14
18 of Public Law No. 6-10, the President may reassign to the Department
19 of Foreign Affairs and Trade any person who is employed in the
20 executive branch on December 31, 1989 whose duties involve
21 international trade.

22 Section 4. This act shall become effective on January 1, 1990.

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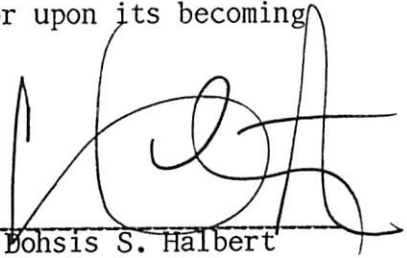
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1 Section 5. This act shall become law upon approval by the
2 President of the Federated States of Micronesia or upon its becoming
3 law without such approval.

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5 Date: 11-29-89

Introduced by:


Bohsis S. Halbert
(by request)

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