A BILL FOR AN ACT

To further amend title 52 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 5-21, 6-114, 7-16, 7-90 and 7-121, by further amending section 117, as amended by Public Law No. 5-21, to exempt all staff and employees of the Congress of the Federated States of Micronesia from the National Public Service System, 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, as amended by Public Law No. 5-21, 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 central 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, staff, and employees 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 Public Auditor;

(5) the administrative officer of the National Courts;

(6) the special assistants and secretaries to the President and Vice President;

(7) persons appointed by the President to fill the following positions: Secretary of External Affairs, Secretary of Finance, Secretary of Resources and Development, Secretary of Transportation, Secretary of Human Resources,
Budget Officer, National Planner, Director of Administrative
Services, Attorney General, and Public Defender, and their
deputies, if any;

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

(99) the Representative in Washington and all
ambassadors;

(110) 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 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;

(111) persons presently under contract of employment
not included in subsection (110) 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;

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

(113) positions requiring part-time or intermittent
work which does not exceed sixty hours in any calendar
(§14) positions filled by inmates, patients, and students of institutions of the Federated States of Micronesia;
(§15) members of any board, public corporation, commission, or similar body, in their capacity as such;
(§16) officers, faculty, and employees of the Board of Regents and the College of Micronesia;
(§17) positions specifically exempted by any other law of the Federated States of Micronesia."

Section 2. This act shall take effect on January 1, 1994.

Section 3. 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: 2/23/93

Introduced by: [Signature]

Moses Holdwein