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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 amending section 142 to further limit outside employment by foreign employees of the National Government, and for other purposes.

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

1 Section 1. Section 142 of title 52 of the Code of the  
2 Federated States of Micronesia is hereby amended to read as  
3 follows:

4 "Section 142. Outside employment.

5 (1) No employee subject to the provisions of this  
6 chapter shall engage in any outside employment or other  
7 outside activity which is not compatible with the full  
8 and proper discharge of the responsibilities of his  
9 position or is otherwise prohibited by law. It shall be  
10 deemed incompatible with such discharge of  
11 responsibilities for any such employee to accept any  
12 fee, compensation, gift, payment of expenses, or any  
13 other thing of monetary value in circumstances such that  
14 acceptance may result in, or create the appearance of  
15 resulting in:

16 (a) use of public office for private gain;

17 (b) an undertaking to give preferential  
18 treatment to any person;

19 (c) impeding Government efficiency or economy;

20 (d) any loss of complete independence or  
21 impartiality;

22 (e) the making of a Government decision  
23 outside official channels; or

24 (f) any adverse effect on the confidence of  
25 the public in the integrity of the Government.

1           (2) No employee subject to the provisions of this  
2 chapter shall receive compensation or anything of  
3 monetary value, other than that to which he is duly  
4 entitled from the Government, for the performance of any  
5 activity during his service as such employee and within  
6 the scope of his official responsibilities.

7           (3) No full-time employee who is neither a citizen  
8 nor a national of the Federated States of Micronesia and  
9 whose primary duty station is within the Federated  
10 States of Micronesia shall hold any other employment or  
11 engage in any business in the Federated States of  
12 Micronesia; PROVIDED, however, that the foregoing shall  
13 not apply in the case of other employment where the  
14 National Government is the employer, in the case of any  
15 business which does not require a permit under chapter 2  
16 of title 32 of the Code of the Federated States of  
17 Micronesia (the Foreign Investment Act), or in the case  
18 of other employment or any business as to which the  
19 Director of Administrative Services has, upon  
20 application of the employee, made a specific  
21 determination that the national interest will be served  
22 thereby. For purposes of this subsection, the  
23 'Federated States of Micronesia' includes its  
24 territorial sea and exclusive economic zone, and  
25 'employee' shall include any employee who is subject to

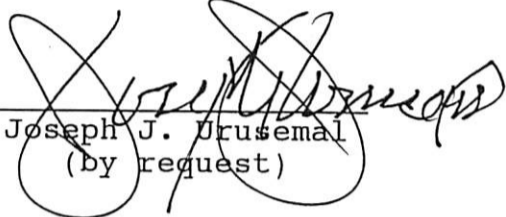
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C. B. NO. 8-185

1            the National Public Service System or would be subject  
2            thereto but for subsections (1) through (13) of section  
3            117 of this chapter."

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

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8            Date: 11/08/93

                 Introduced by:   
                 Joseph J. Trusemal  
                 (by request)

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