TWENTY-FIRST CONGRESS OF THE FEDERATED STATES OF MICRONESIA

THIRD SPECIAL SESSION, 2019 C.B. No. 21-97

A BILL FOR AN ACT

To further amend section 208 of title 2 of the Code of the Federated Sates of Micronesia (Annotated), as amended by Public Laws Nos. 18-53 and 20-99, to clarify that all who serve in an acting capacity for a certain period of time must be compensated, and for other purposes.

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

Section 1. Section 208 of title 2 of the Code of the Federated States of Micronesia (Annotated), as amended by Public Laws Nos. 18-53 and 20-99, is hereby further amended to read as follows:

"Section 208. Positions vacant pending appointment. (1) Whenever a vacancy exists in a position exempted from the National Public Service System under subsections (8), (9), or (10) of section 117 of title 52, the administrative duties and ministerial functions of that position may be performed by a qualified regular employee designated to serve in that position in "acting" capacity. [~~An employee~~] Any person holding a position that is either subject to the National Public Service System or exempt from the National Public Service System who serves in an "acting" capacity in a position vacated pending appointment for more than ninety days shall be entitled to that position's compensation. The entitlement shall be retroactive to

the day actingship began; PROVIDED HOWEVER, that no additional compensation shall be given for any time served prior to January 1, 2001."

Section 2. 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: 11/26/19 Introduced by: /s/ Wesley W. Simina
Wesley W. Simina