

---

A BILL FOR AN ACT

To further amend section 117 of title 52 Code of the Federated States of Micronesia (Annotated), as amended by Public Laws Nos. 20-152 and 22-05, for the purpose of exempting certain FSM Supreme Court personnel from the coverage of the 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  
2 Federated States of Micronesia (Annotated), as amended by Public  
3 Law Nos. 20-152 and 22-05, is hereby further amended to read as  
4 follows:

5           "Section 117. Application of chapter: Exemptions.

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

12           (1) Members of the Congress of the Federated States of  
13 Micronesia;

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

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

17           (4) the legislative counsel, deputy legislative  
18 counsel, director of administration and budget, budget

---

1 officer, assistant budget officer, administrator, the  
2 clerk and assistant chief clerk, the Congress Protocol  
3 and Information Officer, the Secretary to the  
4 Legislative Counsel, the Technology Administrator of the  
5 Congress, and the Secretary to the Floor Leader;

6 (5) the Public Auditor;

7 (6) the [~~administrative officer~~] Director of  
8 Administration of the National Courts, the Secretary to  
9 the Chief Justice of the National Courts, the General  
10 Counsel of the National Courts, the Chief Clerk of Court  
11 for the National Courts, the National Justice Ombudsman  
12 of the National Courts, the Chief Law  
13 Librarian/Publications Manage of the National Courts and  
14 the Information Technology Manager of the National  
15 Courts;

16 (7) the special assistants and secretaries to the  
17 President and Vice President and the secretaries to the  
18 Speaker and Vice-Speaker of the Congress of the  
19 Federated States of Micronesia;

20 (8) persons appointed by the President to fill the  
21 following positions: Secretary of the Department of  
22 Foreign Affairs, Secretary of the Department of Finance  
23 and Administration, Secretary of the Department of  
24 Economic Affairs, Secretary of the Department of  
25 Transportation, Communication and Infrastructure,

---

1 Secretary of the Department of Health, Education and  
2 Social Affairs, Secretary of the Department of Justice,  
3 and the Chief Public Defender, and their deputies, if  
4 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  
11 service to be performed is special or unique and  
12 nonpermanent and is essential to the public interest,  
13 and that, because of the degree of expertise or special  
14 knowledge required and of the nature of the services to  
15 be performed, it would not be practical to obtain  
16 personnel to perform such services through normal public  
17 service recruitment procedures;

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

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

