
A BILL FOR AN ACT

To amend section 117 of title 52 Code of the Federated States of Micronesia (Annotated), as amended by Public Laws Nos. 21-152 and 22-05, to exempt the Assistant Secretaries of the Departments of the Executive Branch from the Public Service System Act, 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
3 Public Laws Nos. 21-152 and 22-05, is hereby further amended
4 to read as 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
8 Federated States of Micronesia now existing or hereafter
9 established and to all personnel services performed for
10 that Government except the following, unless this
11 chapter or provisions thereof are specifically made
12 applicable to them:

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

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

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

18 (4) the legislative counsel, deputy legislative

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

7 (5) the Public Auditor;

8 (6) the administrative officer of the National
9 Courts;

10 (7) the special assistants and secretaries to the
11 President and Vice President and the secretaries to the
12 Speaker and Vice-Speaker of the Congress of the
13 Federated States of Micronesia;

14 (8) persons appointed by the President to fill the
15 following positions: Secretary of the Department of
16 Foreign Affairs, Secretary of the Department of Finance
17 and Administration, Secretary of the Department of
18 Economic Affairs, Secretary of the Department of
19 Transportation, Communication and Infrastructure,
20 Secretary of the Department of Health, Education and
21 Social Affairs, Secretary of the Department of Justice,
22 and the Chief Public Defender, and their deputies, if
23 any;

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

1 (10) the Representative in Washington and all
2 ambassadors;

3 (11) persons or organizations retained by contract
4 when the Personnel Officer has certified that the
5 service to be performed is special or unique and
6 nonpermanent and is essential to the public interest,
7 and that, because of the degree of expertise or special
8 knowledge required and of the nature of the services to
9 be performed, it would not be practical to obtain
10 personnel to perform such services through normal public
11 service recruitment procedures;

12 (12) persons presently under contract of employment
13 not included in subsection (11) of this section, during
14 the life of such contract. No contract of employment
15 shall be entered into, renewed, or amended after the
16 effective date of this chapter, except in accordance
17 with the provisions of this chapter;

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

20 (14) positions requiring part-time or intermittent
21 work which does not exceed sixty hours in any calendar
22 month;

23 (15) positions filled by inmates, patients, and
24 students of institutions of the Federated States of
25 Micronesia;

- 1 (16) members of any board, public corporation,
2 commission, or similar body, in their capacity as such;
3 (17) officers, faculty, and employees of the Board of
4 Regents and the College of Micronesia;
5 (18) positions specifically exempted by any other law
6 of the Federated States of Micronesia;
7 (19) all personnel of the National Weather Service,
8 provided that the National Weather Service shall be
9 administered by the Office of the President;
10 (20) the Assistant Secretaries of the Departments of the
11 Executive Branch."

12 Section 2. This act shall become law upon approval by the
13 President of the Federated States of Micronesia or upon its
14 becoming law without such approval.

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16 Date: 9/14/21

Introduced by: /s/ Wesley W. Simina

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Wesley W. Simina

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