

A BILL FOR AN ACT

To further amend title 52 of the Code of the Federated States of Micronesia, as amended, by amending section 117 thereof to provide that the secretary to the Speaker of the Congress of the Federated States of Micronesia shall be exempt from the National 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, as amended by Public Law No.  
3 11-81, is hereby further amended to read as follows:

4           "Section 117.   Application of chapter; Exemptions.  
5           The National Public Service System shall apply to  
6           all employees of and positions in the Government of  
7           the Federated States of Micronesia now existing or  
8           hereafter established and to all personnel services  
9           performed for that Government except the following,  
10          unless this chapter or provisions thereof are  
11          specifically made applicable to them:

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

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

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

1           (4) the legislative counsel, deputy legislative  
2           counsel, budget officer, director of administration  
3           and the clerk of the Congress;

4           (5) the Public Auditor;

5           (6) the administrative officer of the National  
6           Courts;

7           (7) the special assistants and secretaries to the  
8           President and Vice President and the secretary to  
9           the Speaker of the Congress of the Federated States  
10          of Micronesia;

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

21          (9) persons appointed to any other positions by  
22          the President with the advice and consent of the  
23          Congress;

24          (10) the Representative in Washington and all  
25          ambassadors;

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

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

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

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

1           (15) positions filled by inmates, patients, and  
2           students of institutions of the Federated States of  
3           Micronesia;

4           (16) members of any board, public corporation,  
5           commission, or similar body, in their capacity as  
6           such;

7           (17) officers, faculty, and employees of the Board  
8           of Regents and the College of Micronesia;

9           (18) positions specifically exempted by any other  
10          law of the Federated States of Micronesia."

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

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15          Date: 6/2/03

Introduced by: /s/ Henry C. Asugar  
Henry C. Asugar