

A BILL FOR AN ACT

To further amend title 9 of the Code of the Federated States of Micronesia, as amended, by amending section 301, to make national election commissioners subject to advice and consent of the Congress, and for other purposes.

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

1           Section 1. Section 301 of title 9 of the Code of the  
2 Federated States of Micronesia, as amended by Public Laws Nos. 11-  
3 62 and 12-52, is hereby further amended to read as follows:

4           "Section 301. Appointment of National Election  
5           Officials.

6           (1) *National Election Director.*

7                   (a) The President shall appoint one National  
8 Election Director with the advice and consent of the  
9 Congress. The National Election Director shall be a  
10 citizen of the Federated States of Micronesia and a  
11 resident of a state of the Federated States of  
12 Micronesia.

13                   (b) The National Election Director shall serve  
14 until resignation, or until removed from office upon a  
15 termination by the President that such removal is deemed  
16 necessary. An appointment of a successor shall then be  
17 made by the President with the advice and consent of the  
18 Congress.

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1           (2) *National election commissioners.*

2                   (a) The [~~National Election Director~~] President  
3 shall [~~, after consultation with the Governor of the~~  
4 ~~State concerned,~~] appoint a national election  
5 commissioner for each of the four States, with the  
6 advice and consent of the Congress.

7                   (b) National election commissioners serve for a  
8 term of 4 years, which term shall commence upon  
9 appointment, subject to removal by the [~~National~~  
10 ~~Election Director~~] President for good cause; provided,  
11 that they shall be employed full-time and compensated  
12 pursuant to employment contracts during their four-year  
13 terms only for such period(s) of time as deemed  
14 necessary by the President of the FSM for purpose of  
15 preparing for and administering an upcoming election.

16                   (c) National election commissioners shall not  
17 concurrently serve as State election commissioners;  
18 provided, however, that if any current national election  
19 commissioner is nominated to serve as a State election  
20 commissioner, he or she may continue to serve as  
21 national election commissioner until such time as a new  
22 appointment by the [~~National Election Director~~]  
23 President becomes effective.

24                   (d) Each national election commissioner shall be  
25 a legal resident of the State for which he is appointed

1           to serve as national election commissioner."

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

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6 Date: 10/13/03

Introduced by: /s/ Jack Fritz  
Jack Fritz

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