

A BILL FOR AN ACT

To further amend title 2 of the Code of the Federated States of Micronesia, as amended, by amending sections 203 and 204 thereof and to further amend title 36 of the Code, as amended, by amending sections 201 and 202 thereof for the purpose of restructuring the departments and offices of the executive branch of the Government of the Federated States of Micronesia, and for other purposes.

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

1 Section 1. Section 203 of title 2 of the Code of the
2 Federated States of Micronesia, as amended by Public Law No.
3 10-55, is hereby further amended to read as follows:

4 "Section 203. Departments.

5 (1)There shall be the following departments which shall
6 be responsible for major programs or administrative
7 support areas in the Government of the Federated States
8 of Micronesia:

9 ~~[(a) Department of Economic Affairs, which shall~~
10 ~~contain among other units, a unit for Sustainable~~
11 ~~Development;]~~

12 ~~[(b)](a) Department of Finance and Administration~~
13 ~~[which shall contain among other units, a unit for the~~
14 ~~Budget];~~

15 ~~[(e)](b) Department of Foreign Affairs;~~

16 ~~[(d)](c) Department of Health, Education and~~
17 ~~Social Affairs;~~

18 ~~[(e)](d) Department of Justice; and~~

1 [(f)](e) Department of [~~Transportation,~~
2 ~~Communication and Infrastructure~~] Resources and
3 Development.

4 (2) The administrative head of each department shall
5 be designated as a 'Secretary'.

6 (3) Succession

7 (a) Any reference to a previously existing
8 department, office, or division thereof shall apply to
9 the appropriate successor entity.

10 (b) Any reference to any official or employee of
11 an entity referred to in subsection (3)(a) of this
12 section shall be construed as applying to the person
13 holding the same or most similar position in the
14 appropriate successor entity."

15 Section 2. Section 204 of title 2 of the Code of the
16 Federated States of Micronesia, as amended by Public Law No.
17 10-55, is hereby further amended to read as follows:

18 "Section 204. Other executive offices.

19 There shall be the following executive offices:

20 (1) Office of the Public Defender; and

21 (2) Office of Economic Management and Budget."

22 Section 3. Section 201 of title 36 of the Code of the
23 Federated States of Micronesia is hereby amended to read as
24 follows:

25 "Section 201. Registrar of Corporations - Office
26 created; Duties.

1 There shall be [~~in the Department of Resources and~~
2 ~~Development~~] established within such executive
3 department or office as the President shall deem
4 appropriate, an Office of the Registrar of Corporations.
5 [~~appointed by the President of the Federated States of~~
6 ~~Micronesia, who~~] The Registrar shall issue, receive, and
7 hold as custodian all certificates, papers, statements,
8 or other records of documents required by the provisions
9 of this chapter, or rules or regulations promulgated
10 hereunder, to be distributed by or filed with the
11 Government of the Federated States of Micronesia, and
12 shall perform such other duties as may from time to time
13 be assigned to him by the President of the Federated
14 States of Micronesia or [~~the Secretary of Resources and~~
15 ~~Development~~] the head of his department or office."

16 Section 4. Section 202 of title 36 of the Code of the
17 Federated States of Micronesia is hereby amended to read as
18 follows:

19 "Section 202. Authority to promulgate rules and
20 regulations.

21 The Registrar of Corporations, with the approval of the
22 [~~Secretary of the Department of Resources and~~
23 ~~Development~~] head of his department or office and the
24 President of the Federated States of Micronesia, shall
25 have the power to prescribe such rules and regulations
26 as are deemed advisable to administer and carry into

1 effect the provisions of this chapter."

2 Section 5. Transition. Until such time as Public Law No.
3 13-19 is amended to reflect the reorganization effective by this
4 act, the budget authority as provided therein for departments that
5 are abolished or whose responsibilities are modified by this act
6 shall be deemed to be transferred in proportion to the
7 reassignment of personnel, functions and responsibilities effected
8 pursuant to this act.

9 Section 6. Upon the effective date of this act, the
10 Secretary of the Department of Transportation, Communication and
11 Infrastructure shall become the Secretary of the Department of
12 Resources and Development, and the head of the Office of Economic
13 Management and Budget shall be appointed pursuant to section 207
14 of title 2 of the Code of the Federated States of Micronesia.

15 Section 7. This act shall become law upon approval by the
16 President of the Federated States of Micronesia or upon its
17 becoming law without such approval.

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19 Date: 10/28/03

Introduced by: /s/ Henry C. Asugar
Henry C. Asugar
(by request)

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