

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 to exempt National Weather Services employees 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, as amended by Public Laws
3 Nos. 5-21, 11-81, 13-8 and 13-78, 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
9 hereafter established and to all personnel services
10 performed for that Government except the following,
11 unless this chapter or provisions thereof are
12 specifically made applicable to them:

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

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

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

19 (4) the legislative counsel, deputy legislative
20 counsel, director of administration and budget, budget

1 officer, administrator and the clerk of the Congress;

2 (5) the Public Auditor;

3 (6) the administrative officer of the National
4 Courts;

5 (7) the special assistants and secretaries to the
6 President and Vice President and the secretaries to the
7 Speaker and Vice-Speaker of the Congress of the
8 Federated States of Micronesia;

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

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

22 (10) the Representative in Washington and
23 all ambassadors;

24 (11) persons or organizations retained by contract
25 when the Personnel Officer has certified that the
26 service to be performed is special or unique and

1 nonpermanent and is essential to the public interest,
2 and that, because of the nature of the services to be
3 performed, it would not be practical to obtain
4 personnel to perform such services through normal
5 public service recruitment procedures;

6 (12) persons presently under contract of
7 employment not included in subsection (11) of this
8 section, during the life of such contract. No contract
9 of employment shall be entered into, renewed, or
10 amended after the effective date of this chapter,
11 except in accordance with the provisions of this
12 chapter;

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

16 (14) positions requiring part-time or intermittent
17 work which does not exceed sixty hours in any calendar
18 month;

19 (15) positions filled by inmates, patients, and
20 students of institutions of the Federated States of
21 Micronesia;

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

24 (17) officers, faculty, and employees of the Board
25 of Regents and the College of Micronesia;

26 (18) positions specifically exempted by any other

1 law of the Federated States of Micronesia
2 (19) all personnel of the National Weather
3 Service, provided that the National Weather Service
4 shall be administered by the Office of the President."

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

8

9 Date: Jan 25, 2006

Introduced by: /s/ Dohsis Halbert

Dohsis Halbert

10

11

12

13

14

15

16

17

18

19

20

21