
A BILL FOR AN ACT

To amend section 207 of title 2 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 10-55, 11-40, 13-77, 15-23, 16-61 and 17-02, for the purpose of requiring the advice and consent of the Congress for the appointment of the National Authorizing Officer for European Union programs for 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 207 of title 2 of the Code of the
2 Federated States of Micronesia, as amended by Public Laws Nos.
3 10-55, 11-40, 13-77, 15-23, 16-61 and 17-02, is hereby further
4 amended to read as follows:

5 "Section 207. Appointing Authority.

6 (1) The President shall nominate and, with the
7 advice and consent of the Congress, as provided in
8 article X, section 2(d), of the Constitution, shall
9 appoint ambassadors, the secretaries of departments
10 and their deputies, if any, and the head of the office
11 of the Public Defender, including the secretaries, and
12 heads of departments and offices established by
13 subsequent law; and including the chairman and the
14 members of the Board of Advisors for the Investment
15 Development Fund to be appointed by the President; and
16 including the Federated States of Micronesia members
17 of the Board of Regents of the College of Micronesia;
18 and including the Federated States of Micronesia's

1 consul generals and the deputy chiefs of mission of
2 the various embassies and diplomatic missions; and
3 including the National Authorizing Officer for
4 European Union programs for the Federated States of
5 Micronesia.

6 (2) The President or his or her designee may
7 appoint officers and employees not included in
8 subsection (1) of this section, without the advice and
9 consent of the Congress; provided that such
10 appointments are not inconsistent with the provisions
11 of this chapter or other laws of the Federated States
12 of Micronesia.

13 (3) Any nomination submitted to Congress which is
14 not acted upon within two (2) consecutive sessions of
15 Congress, including the session in which Congress
16 first receives the nomination, or thirty (30) days,
17 whichever occurs later in time, shall be deemed
18 rejected. A nomination submitted when Congress is not
19 in session shall, for the purposes of this section, be
20 deemed to have been received on the first day of the
21 following session. The President shall not resubmit
22 the nomination of any person to the Congress for its
23 action if the same Congress shall have previously
24 rejected such nomination, unless the Congress shall by
25 resolution authorize such resubmission.

1 (4) With the exception of the Chief Justice and
2 Associate Justices of the Supreme Court, the Public
3 Auditor, members of boards, commissions, and other
4 entities with fixed terms, a public official whose
5 appointment is subject to the advice and consent of
6 the Congress shall submit his or her resignation no
7 later than 90 days after the President of the
8 Federated States of Micronesia takes the oath of
9 office, or at the time a new nominee for such position
10 is confirmed by the Congress, whichever is earlier.
11 The President may renominate the same public official
12 for the same position subject to the advice and
13 consent of the Congress."

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

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18 Date: 9/12/11

Introduced by: /s/ Dohsis Halbert

Dohsis Halbert

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