

A BILL FOR AN ACT

To further amend title 2, as amended, by amending section 207 thereof, to require that the President of the Federated States of Micronesia shall appoint Ambassadors with the advice and consent of the Congress of the Federated States of Micronesia, limiting the term of Ambassadors to the term of the President, and for other purposes.

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

1 Section 1. Title 207 of title 2. As amended by Public Laws
2 Nos. 10-55 and 11-40, is hereby further amended to read as
3 follows:

4 "Section 207. Appointment authority.

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

1 (assistants to the ambassadors) and consuls general;
2 provided that nothing herein shall be construed to
3 require the appointment of the deputies and deputy
4 ambassadors (assistant to the ambassadors) and consuls
5 general named above.

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

12 (3) Any nomination submitted to Congress which is not
13 acted upon within two (2) consecutive sessions of
14 Congress, not including the session in which Congress
15 first receives the nomination, or ninety (90) days,
16 whichever occurs later in time, shall be deemed
17 rejected. The President shall not resubmit the
18 nomination of any person to the Congress for its action
19 if the same Congress shall have previously rejected
20 such nomination, unless the Congress shall by
21 resolution authorize such resubmission.

22 (4) With the exception of the Chief Justice and
23 Associate Justices of the Supreme Court, the Public
24 Auditor, [~~ambassadors,~~] members of boards, commissions,
25 and other entities with fixed terms, a public official

1 whose appointment is subject to the advice and consent
2 of the Congress shall submit his or her resignation no
3 later than (90) ninety days after the President of the
4 Federated States of Micronesia takes the oath of
5 office, or at the time a new nominee for such position
6 is confirmed by the Congress, whichever is earlier.
7 The President may re-nominate the same public official
8 for the same position subject to the advice and consent
9 of the Congress."

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

14 Date: 10/26/04

Introduced by: /s/ Dion G. Neth

Dion G. Neth