

A BILL FOR AN ACT

To further amend title 2 of the Code of the Federated States of Micronesia, 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, to no longer require advice and consent of the Congress for deputy ambassadors, to limit 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. Section 207 of title 2 of the Code of the  
2 Federated States of Micronesia, as amended by Public Laws Nos.  
3 10-55 and 11-40, is hereby further amended to read as 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

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1 Federated States of Micronesia's deputy ambassadors  
2 (assistants to the ambassadors) and consuls general;  
3 provided that nothing herein shall be construed to  
4 require the appointment of the deputies and deputy  
5 ambassadors (assistant to the ambassadors) and consuls  
6 general named above; and further provided that nothing  
7 herein shall be construed to require the advice and  
8 consent of Congress for the appointment of deputy  
9 ambassadors (assistant to the ambassadors) named above.

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

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

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1           (4) With the exception of the Chief Justice and  
2           Associate Justices of the Supreme Court, the Public  
3           Auditor, [~~ambassadors~~] members of boards, commissions,  
4           and other entities with fixed terms, a public official  
5           whose appointment is subject to the advice and consent  
6           of the Congress shall submit his or her resignation no  
7           later than (90) ninety 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          provided that no ambassador shall be required by this  
12          subsection to submit a resignation earlier than July  
13          31, 2007. The President may re-nominate the same  
14          public official for the same position subject to the  
15          advice and consent of the Congress. In the case of  
16          ambassadors only, the President may elect not to accept  
17          a resignation submitted under this subsection. An  
18          ambassador whose resignation is not accepted shall  
19          continue to serve in his position under the same terms  
20          as if re-appointed with the advice and consent of  
21          Congress."

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24          Section 2. This act shall become law upon approval by the  
25          President of the Federated States of Micronesia or upon its

1 becoming law without such approval.

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3 Date: 1/24/05

Introduced by: /s/ Dion G. Neth

Dion G. Neth  
(by request)

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