

A BILL FOR AN ACT

To further amend of title 52 of the Code of the Federated States of Micronesia, as amended, by amending section 117 to exempt employees of the National Weather or Meteorological Services from the National Public Service System, 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 Nos. 11-  
3 81 and 13-8, is hereby further amended to read as follows:

4           "Section 117.   Application of chapter: Exemptions.

5           The National Public Service System shall apply to all  
6 employees of and positions in the Government of the  
7 Federated States of Micronesia now existing or hereafter  
8 established and to all personnel services for that  
9 Government except the following, unless this chapter or  
10 provisions thereof are specifically made applicable to  
11 them:

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

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

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

17           (4) the legislative counsel, deputy legislative  
18 counsel, budget officer, director of administration, and  
19 the clerk of the Congress;

- 1           (5) the Public Auditor;
- 2           (6) the administrative officer of the National Courts;
- 3           (7) the special assistants and secretaries to the
- 4 President and Vice President and the Secretary to the
- 5 Speaker of the Congress of the Federated States of
- 6 Micronesia;
- 7           (8) persons appointed by the President to fill the
- 8 following positions: Secretary of the Department of
- 9 Foreign Affairs, Secretary of the Department of Economic
- 10 Affairs, Secretary of the Department of Transportation,
- 11 Communication and Infrastructure, Secretary of the
- 12 Department of Health, Education and Social Affairs,
- 13 Secretary of the Department of Justice, and the Chief
- 14 Public Defender, and their deputies, if any;
- 15           (9) persons appointed to any other positions by the
- 16 President with the advice and consent of the Congress;
- 17           (10) the Representative in Washington and all
- 18 ambassadors;
- 19           (11) persons or organizations retained by contract when
- 20 the Personnel Officer has certified that the service to
- 21 be performed is special or unique and nonpermanent and
- 22 is essential to the public interest, and that, because
- 23 of the degree of expertise or special knowledge required
- 24 and the nature of the services to be performed, it would
- 25 not be practical to obtain personnel to perform such

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1 services through normal public service recruitment  
2 procedures;

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

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

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

13 (15) positions filled by inmates, patients, and  
14 students of institutions of the Federated States of  
15 Micronesia;

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

18 (17) officers, faculty, and employees of the Board of  
19 Regents and the College of Micronesia;

20 (18) employees of the National Weather or  
21 Meteorological Services;

22 (19) positions specifically exempted by any other law  
23 of the Federated States of Micronesia."  
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Section 2. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

Date: 8/25/03

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

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