

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 hereafter
9 established and to all personnel services performed for
10 that Government except the following, unless this
11 chapter or provisions thereof are specifically made
12 applicable to them:

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

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

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

18 (4) the legislative counsel, deputy legislative
19 counsel, director of administration and budget, budget
20 officer, administrator and 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 secretaries to the
- 5 Speaker and Vice-Speaker of the Congress of the
- 6 Federated States of 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 Finance and
- 10 Administration, Secretary of the Department of Economic
- 11 Affairs, Secretary of the Department of Transportation,
- 12 Communication and Infrastructure, Secretary of the
- 13 Department of Health, Education and Social Affairs,
- 14 Secretary of the Department of Justice, and the Chief
- 15 Public Defender, and their deputies, if any;
- 16 (9) persons appointed to any other positions by the
- 17 President with the advice and consent of the Congress;
- 18 (10) the Representative in Washington and all
- 19 ambassadors;
- 20 (11) persons or organizations retained by contract when
- 21 the Personnel Officer has certified that the service to
- 22 be performed is special or unique and nonpermanent and
- 23 is essential to the public interest, and that, because
- 24 of the degree of expertise or special knowledge required
- 25 and of the nature of the services to be performed, it

1 would not be practical to obtain personnel to perform
2 such services through normal public service recruitment
3 procedures;

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

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

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

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

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

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

21 (18) positions specifically exempted by any other law
22 of the Federated States of Micronesia;

23 (19) all personnel of the National Weather Service,
24 provided that the National Weather Service shall be
25 administered by the Office of the President."

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

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5 Date: 7/10/06

Introduced by: /s/ Dohsis Halbert
Dohsis Halbert

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