

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 the advice and consent of the Congress of the Federated States of Micronesia for the appointment of deputy ambassadors (assistants to the ambassadors), 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 and 13-77, is hereby further amended to read as  
4 follows:

5           "Section 207. Appointment 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 and  
10 their deputies, if any, and the head of the office of  
11 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 of  
17 the Board of Regents of the College of Micronesia; and  
18 including the Federated States of Micronesia's deputy

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1            ambassadors (assistants to the ambassadors) and consuls  
2            general[~~;~~] . [~~provided that nothing herein shall be~~  
3            ~~construed to require the appointment of the deputies~~  
4            ~~and deputy ambassadors (assistant to the ambassadors)~~  
5            ~~and consuls general named above;~~ and further provided  
6            ~~that nothing herein shall be construed to require the~~  
7            ~~advice and consent of Congress for the appointment of~~  
8            ~~deputy ambassadors (assistant to the ambassadors) named~~  
9            ~~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  
17            not 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.

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 the  
6           Congress shall submit his or her resignation no later  
7           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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25          Section 2. This act shall become law upon approval by the

1 President of the Federated States of Micronesia or upon its  
2 becoming law without such approval.

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4 Date: 11/07/06

Introduced by: /s/ Isaac V. Figir

Isaac V. Figir

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