

A BILL FOR AN ACT

To further amend section 115 of title 52 of the Code of the Federated States of Micronesia, as amended by Public Laws 10-15 and 14-56, to eliminate the mandatory retirement age for employees subject to the National Public Service System, and for other purposes.

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

1 Section 1. Purpose. The purpose of this bill is to
2 effectively repeal the provisions of Public Law 14-56 establishing
3 a mandatory retirement age. This bill eliminates the requirement
4 for a mandatory retirement age.

5 Section 2. Section 115 of title 52 of the Code of the
6 Federated States of Micronesia, as amended by Public Laws No. 10-
7 15 and 14-56, is hereby further amended to read as follows:

8 "Section 115. Tenure. [~~(a)~~] Every regular
9 employee shall be entitled to hold his position
10 during good behavior, [~~subject to the provisions of~~
11 ~~subsection (b) of this section,~~] and to suspension,
12 demotion, layoff, dismissal, or termination of
13 employment through the Early Retirement Program,
14 only as provided in this chapter or in chapter 5 of
15 this title and in the regulations adopted in
16 pursuance thereof; provided, however, that the
17 tenure of a contract employee is the term of his
18 contract; and provided further that an employee who
19 must submit his resignation pursuant to section 207
20 of title 2 of the Code of the Federated States of

1 Micronesia is not entitled to continued employment
2 with the National Government if he is not
3 renominated by the President or if he is not
4 reconfirmed by the Congress through advice and
5 consent proceedings."

6 ~~[(b) Notwithstanding any other provision of this~~
7 ~~title, no person may be an employee of the National~~
8 ~~Government after the sixtieth anniversary of his~~
9 ~~birth, except for those employees who are made~~
10 ~~exempt from the National Public Service System by~~
11 ~~section 117 of this title.]"~~

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

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16 Date: 6/1/09

Introduced by: /s/ Peter Sitan
Peter Sitan