
A BILL FOR AN ACT

To further amend section 117 of title 52 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 11-81, 13-8 and 14-81, to exempt all employees of the Congress of the Federated States of Micronesia 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 Nos.
3 11-81, 13-8, 13-78 and 14-81, is hereby further amended to read
4 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~~

1 ~~officer, administrator and the clerk of the Congress]~~

2 all employees of the Congress;

3 (5) the Public Auditor;

4 (6) the administrative officer of the National Courts;

5 (7) the special assistants and secretaries to the
6 President and Vice President [~~and the secretaries to the~~
7 ~~Speaker and Vice Speaker of the Congress]~~ of the
8 Federated States of Micronesia;

9 (8) persons appointed by the President to fill the
10 following positions: Secretary of the Department of
11 Foreign Affairs, Secretary of the Department of Finance
12 and Administration, Secretary of the Department of
13 Economic Affairs, Secretary of the Department of
14 Transportation, Communication and Infrastructure,
15 Secretary of the Department of Health, Education and
16 Social Affairs, Secretary of the Department of Justice,
17 and the Chief Public Defender, and their deputies, if
18 any;

19 (9) persons appointed to any other positions by the
20 President with the advice and consent of the Congress;

21 (10) the Representative in Washington and all
22 ambassadors;

23 (11) persons or organizations retained by contract when
24 the Personnel Officer has certified that the service to
25 be performed is special or unique and nonpermanent and

1 is essential to the public interest, and that, because
2 of the degree of expertise or special knowledge required
3 and of the nature of the services to be performed, it
4 would not be practical to obtain personnel to perform
5 such services through normal public service recruitment
6 procedures;

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

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

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

17 (15) positions filled by inmates, patients, and
18 students of institutions of the Federated States of
19 Micronesia;

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

22 (17) officers, faculty, and employees of the Board of
23 Regents and the College of Micronesia;

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

1 (19) all personnel of the National Weather Service,
2 provided that the National Weather Service shall be
3 administered by the Office of the President."

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

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8 Date: 5/11/11

Introduced by: /s/ Isaac V. Figir
Isaac V. Figir

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