
A BILL FOR AN ACT

To further amend title 52, as amended by Public Laws Nos. 11-81, 13-8, 13-78 and 14-81 of the Code of the Federated States of Micronesia, by amending section 117 to exempt the Assistant Chief Clerk of Congress and secretaries to the Floor Leader and to the Legislative Counsel of Congress from the Public Service System Act, to make a technical amendment to the title of the position of the Chief Clerk of Congress, 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. 11-81, 13-8, 13-78 and 14-81, 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;

1 (4) the legislative counsel, deputy legislative
2 counsel, director of administration and budget, budget
3 officer, administrator [~~and~~], the chief clerk and
4 assistant chief clerk of the Congress;

5 (5) the Public Auditor;

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

7 (7) the special assistants and secretaries to the
8 President and Vice President and the secretaries to the
9 Speaker [~~and~~], Vice-Speaker, Floor Leader and
10 Legislative Counsel of the Congress of the Federated
11 States of Micronesia;

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

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

24 (10) the Representative in Washington and all
25 ambassadors;

1 (11) persons or organizations retained by contract when
2 the Personnel Officer has certified that the service to
3 be performed is special or unique and nonpermanent and
4 is essential to the public interest, and that, because
5 of the degree of expertise or special knowledge required
6 and of the nature of the services to be performed, it
7 would not be practical to obtain personnel to perform
8 such services through normal public service recruitment
9 procedures;

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

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

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

20 (15) positions filled by inmates, patients, and
21 students of institutions of the Federated States of
22 Micronesia;

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

25 (17) officers, faculty, and employees of the Board of

1 Regents and the College of Micronesia;
2 (18) positions specifically exempted by any other law
3 of the Federated States of Micronesia;
4 (19) all personnel of the National Weather Service,
5 provided that the National Weather Service shall be
6 administered by the Office of the President."

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

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11 Date: 12/16/11 Introduced by: /s/ Dohsis Halbert
Dohsis Halbert

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