A BILL FOR AN ACT

To further amend title 2 of the Code of the Federated States of Micronesia, as amended, by amending sections 203 and 204 thereof and to further amend title 36 of the Code, as amended, by amending sections 201 and 202 thereof for the purpose of restructuring the departments and offices of the executive branch of the Government of the Federated States of Micronesia, and for other purposes.

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

1. Section 203 of title 2 of the Code of the Federated States of Micronesia, as amended by Public Law No. 10-55, is hereby further amended to read as follows:

"Section 203. Departments.

(1) There shall be the following departments which shall be responsible for major programs or administrative support areas in the Government of the Federated States of Micronesia:

[(a) Department of Economic Affairs, which shall contain among other units, a unit for Sustainable Development;]

[(b) Department of Finance and Administration [which shall contain among other units, a unit for the Budget];]

[(e) Department of Foreign Affairs;]

[(e) Department of Health, Education and Social Affairs;]

[(e) Department of Justice; and]
(f) (e) Department of [Transportation, Communication and Infrastructure] Resources and Development.

(2) The administrative head of each department shall be designated as a 'Secretary'.

(3) Succession

(a) Any reference to a previously existing department, office, or division thereof shall apply to the appropriate successor entity.

(b) Any reference to any official or employee of an entity referred to in subsection (3)(a) of this section shall be construed as applying to the person holding the same or most similar position in the appropriate successor entity."

Section 2. Section 204 of title 2 of the Code of the Federated States of Micronesia, as amended by Public Law No. 10-55, is hereby further amended to read as follows:

"Section 204. Other executive offices. There shall be the following executive offices:

(1) Office of the Public Defender; and

(2) Office of Economic Management and Budget."

Section 3. Section 201 of title 36 of the Code of the Federated States of Micronesia is hereby amended to read as follows:

"Section 201. Registrar of Corporations - Office created; Duties."
There shall be [in the Department of Resources and Development a] established within such executive department or office as the President shall deem appropriate, an Office of the Registrar of Corporations. [appointed by the President of the Federated States of Micronesia, who] The Registrar shall issue, receive, and hold as custodian all certificates, papers, statements, or other records of documents required by the provisions of this chapter, or rules or regulations promulgated hereunder, to be distributed by or filed with the Government of the Federated States of Micronesia, and shall perform such other duties as may from time to time be assigned to him by the President of the Federated States of Micronesia or [the Secretary of Resources and Development] the head of his department or office."

Section 4. Section 202 of title 36 of the Code of the Federated States of Micronesia is hereby amended to read as follows:

"Section 202. Authority to promulgate rules and regulations.
The Registrar of Corporations, with the approval of the [Secretary of the Department of Resources and Development] head of his department or office and the President of the Federated States of Micronesia, shall have the power to prescribe such rules and regulations as are deemed advisable to administer and carry into
Section 5. **Transition.** Until such time as Public Law No. 13-19 is amended to reflect the reorganization effective by this act, the budget authority as provided therein for departments that are abolished or whose responsibilities are modified by this act shall be deemed to be transferred in proportion to the reassignment of personnel, functions and responsibilities effected pursuant to this act.

Section 6. Upon the effective date of this act, the Secretary of the Department of Transportation, Communication and Infrastructure shall become the Secretary of the Department of Resources and Development, and the head of the Office of Economic Management and Budget shall be appointed pursuant to section 207 of title 2 of the Code of the Federated States of Micronesia.

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

Date: **10/28/03**

Introduced by: /s/ Henry C. Asugar

Henry C. Asugar
(by request)