A BILL FOR AN ACT

To amend section 207 of title 2 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 10-55, 11-40, 13-77, 15-23, 16-61, and 17-02, for the purpose of requiring that appointments of public officials to positions subject to the advice and consent of the Congress terminate upon the President taking the oath of office, providing for the President to retain such public officials as temporary consultants, 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, 13-77, 15-23, 16-61, and 17-02, is hereby further
- 4 amended to read as follows:
- Section 207. Appointing Authority.
- (1) The President shall nominate and, with the 6 advice and consent of the Congress, as provided in 7 article X, section 2(d), of the Constitution, shall 8 9 appoint ambassadors, the secretaries of departments and their deputies, if any, and the head of the office 10 of the Public Defender, including the secretaries, and 11 heads of departments and offices established by 12 13 subsequent law; and including the chairman and the 14 members of the Board of Advisors for the Investment Development Fund to be appointed by the President; and 15 including the Federated States of Micronesia members 16

of the Board of Regents of the College of Micronesia;

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and including the Federated States of Micronesia's consul generals and the deputy chiefs of mission of the various embassies and diplomatic missions.

- (2) The President or his or her designee may appoint officers and employees not included in subsection (1) of this section, without the advice and consent of the Congress; provided that such appointments are not inconsistent with the provisions of this chapter or other laws of the Federated States of Micronesia.
- (3) Any nomination submitted to Congress which is not confirmed within two (2) consecutive sessions of Congress, including the session in which Congress first receives the nomination, or thirty (30) days, whichever occurs later in time, shall be deemed rejected. A nomination submitted when Congress is not in session shall, for the purposes of this section, be deemed to have been received on the first day of the following session. The President shall not resubmit the nomination of any person to the Congress for its action if the same Congress shall have previously rejected such nomination, unless the Congress shall by resolution authorize such resubmission.
- (4) With the exception of the Chief Justice and Associate Justices of the Supreme Court, the Public Auditor, members of boards, commissions, and other

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1	entities with fixed terms, the appointment of a public
2	official whose [appointment] position is subject to
3	the advice and consent of the Congress shall [submit
4	his or her resignation no later than 90 days after]
5	terminate upon the President of the Federated States
6	of Micronesia $taking[es]$ the oath of office[, or at
7	the time a new nominee for such position is confirmed
8	by the Congress, whichever is earlier]. The President
9	may renominate the same public official for the same
10	position subject to the advice and consent of the
11	Congress.
12	(5) The President may retain as a temporary consultant
13	any public official whose appointment is terminated
14	pursuant to subsection (4). Any such consultant
15	position shall terminate 120 days after the President
16	takes the oath of office, or upon the renomination of
17	the public official being confirmed or rejected by
18	Congress, whichever is earlier."
19	Section 2. This act shall become law upon approval by the
20	President of the Federated States of Micronesia or upon its
21	becoming law without such approval.
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23	Date: 11/17/11 Introduced by: /s/ Joseph J. Urusemal
24	Joseph J. Urusemal

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