A BILL FOR AN ACT

To amend section 207 of title 2 of the Code of the Federated States of Micronesia, as amended, for the purpose of requiring congressional action on Presidential nominations within two consecutive sessions of Congress or 30 days of nomination, whichever occurs later, or the nominee is deemed rejected, and for other purposes.

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

Section 1. 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, and 16-61, is hereby further amended to read as follows:

"Section 207. Appointing Authority.

(1) The President shall nominate and, with the advice and consent of the Congress, as provided in article X, section 2(d), of the Constitution, shall appoint ambassadors, the secretaries of departments and their deputies, if any, and the head of the office of the Public Defender, including the secretaries, and heads of departments and offices established by subsequent law; and including the chairman and the members of the Board of Advisors for the Investment Development Fund to be appointed by the President; and including the Federated States of Micronesia members of the Board of Regents of the College of Micronesia; 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 acted upon within two (2) consecutive sessions of
Congress, not including the session in which Congress
first receives the nomination, or ninety (90) thirty
(30) days, whichever occurs later in time, shall be
deemed rejected. 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
entities with fixed terms, a public official whose
appointment is subject to the advice and consent of
the Congress shall submit his or her resignation no
later than 90 days after the President of the
Federated States of Micronesia takes the oath of office, or at the time a new nominee for such position is confirmed by the Congress, whichever is earlier. The President may renominate the same public official for the same position subject to the advice and consent of the Congress.”

Section 2. 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: 5/12/11                              Introduced by: /s/ Joseph J. Urusemal
Joseph J. Urusemal