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A BILL FOR AN ACT

To further amend section 117 of title 52 Code of the Federated States of Micronesia (Annotated), as amended by Public Law No. 20-152, to exempt the Assistant Budget Officer of Congress 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 (Annotated), as amended by Public  
3 Law No. 20-152, is hereby further amended to read as follows:

4                   "Section 117. Application of chapter: Exemptions.

5           The National Public Service System shall apply to all  
6 employees of and positions in the Government of the Federated  
7 States of Micronesia now existing or hereafter established  
8 and to all personnel services performed for that Government  
9 except the following, unless this chapter or provisions  
10 thereof are specifically made applicable to them:

11                   (1) Members of the Congress of the Federated States of  
12 Micronesia;

13                   (2) the President and Vice President of the Federated  
14 States of Micronesia;

15                   (3) Justices and other Judges of the National Courts;

16                   (4) the legislative counsel, deputy legislative counsel,  
17 director of administration and budget, budget officer,  
18 assistant budget officer, administrator, the clerk and

1           assistant chief clerk, the Congress Protocol and Information  
2           Officer, the Secretary to the Legislative Counsel, the  
3           Technology Administrator of the Congress, and the Secretary  
4           to the Floor Leader;

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 of the Congress of the Federated  
10          States of Micronesia;

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

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

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

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

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

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

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

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

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

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

20 (17) officers, faculty, and employees of the Board of  
21 Regents and the College of Micronesia;

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

24 (19) all personnel of the National Weather Service,  
25 provided that the National Weather Service shall be

1           administered by the Office of the President."

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

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6 Date: 5/13/21

Introduced by: /s/ Florencio S. Harper  
Florencio S. Harper

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