A BILL FOR AN ACT

To amend section 117 of title 52 Code of the Federated States of Micronesia (Annotated), as amended by Public Laws Nos. 21-152 and 22-05, to exempt the Assistant Secretaries of the Departments of the Executive Branch from the Public Service System Act, and for other purposes.

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

Section 1. Section 117 of title 52 of the Code of the Federated States of Micronesia (Annotated), as amended by Public Laws Nos. 21-152 and 22-05, is hereby further amended to read as follows:

"Section 117. Application of chapter: Exemptions.

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

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

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

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

(4) the legislative counsel, deputy legislative
counsel, director of administration and budget, budget
counsel, director of administration and budget, budget
officer, assistant budget officer, administrator, the
officer, assistant budget officer, administrator, the
clerk and assistant chief clerk, the Congress Protocol
clerk and assistant chief clerk, the Congress Protocol
and Information Officer, the Secretary to the
and Information Officer, the Secretary to the
Legislative Counsel, the Technology Administrator of the
Legislative Counsel, the Technology Administrator of the
Congress, and the Secretary to the Floor Leader;
Congress, and the Secretary to the Floor Leader;
(5) the Public Auditor;
(5) the Public Auditor;
(6) the administrative officer of the National
(6) the administrative officer of the National
Courts;
Courts;
(7) the special assistants and secretaries to the
(7) the special assistants and secretaries to the
President and Vice President and the secretaries to the
President and Vice President and the secretaries to the
Speaker and Vice-Speaker of the Congress of the
Speaker and Vice-Speaker of the Congress of the
Federated States of Micronesia;
Federated States of Micronesia;
(8) persons appointed by the President to fill the
(8) persons appointed by the President to fill the
following positions: Secretary of the Department of
following positions: Secretary of the Department of
Foreign Affairs, Secretary of the Department of Finance
Foreign Affairs, Secretary of the Department of Finance
and Administration, Secretary of the Department of
and Administration, Secretary of the Department of
Economic Affairs, Secretary of the Department of
Economic Affairs, Secretary of the Department of
Transportation, Communication and Infrastructure,
Transportation, Communication and Infrastructure,
Secretary of the Department of Health, Education and
Secretary of the Department of Health, Education and
Social Affairs, Secretary of the Department of Justice,
Social Affairs, Secretary of the Department of Justice,
and the Chief Public Defender, and their deputies, if
and the Chief Public Defender, and their deputies, if
any;
any;
(9) persons appointed to any other positions by the
(9) persons appointed to any other positions by the
President with the advice and consent of the Congress;
(10) the Representative in Washington and all 
ambassadors;

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

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

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

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

(15) positions filled by inmates, patients, and 
students of institutions of the Federated States of 
Micronesia;
(16) members of any board, public corporation, commission, or similar body, in their capacity as such;
(17) officers, faculty, and employees of the Board of Regents and the College of Micronesia;
(18) positions specifically exempted by any other law of the Federated States of Micronesia;
(19) all personnel of the National Weather Service, provided that the National Weather Service shall be administered by the Office of the President;
(20) the Assistant Secretaries of the Departments of the Executive Branch."

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: 9/14/21
Introduced by: /s/ Wesley W. Simina

Wesley W. Simina