

Jd 670

A BILL FOR AN ACT

To amend section 207 of title 2 of the Code of the Federated States of Micronesia by adding new subsections requiring certain public officials whose appointments are subject to advice and consent of the Congress to submit their resignations to the President of the Federated States of Micronesia, 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 Federated  
2 States of Micronesia is hereby amended to read as follows:

3 "Section 207. Appointment authority.

4 (1) The President shall nominate and, with the advice  
5 and consent of the Congress, as provided in article X, section  
6 2(d), of the Constitution, shall appoint the §secretaries of  
7 departments and their deputies, if any, and the heads of the  
8 offices of the Attorney General, Budget, Planning and Statistics,  
9 and the Public Defender, and their deputies; if any, including  
10 the secretaries, deputies, and heads of departments and offices  
11 established by subsequent law; provided, that nothing herein  
12 shall be construed to require the appointment of the deputies  
13 named above.

14 (2) The President or his designee may appoint officers  
15 and employees not included in subsection (1) of this section,  
16 without advice and consent of the Congress; provided, that such  
17 appointments are not inconsistent with the provisions of this  
18 chapter or other laws of the Federated States.

19 (3) The President shall not resubmit the nomination of  
20 any person to the Congress for its action if the same Congress  
21 shall have previously rejected such nomination, unless the Con-  
22 gress shall by resolution authorize such resubmission.

23 (4) With the exception of the Chief Justice and Associate  
24 Justices of the Supreme Court, the Public Auditor, and members  
25 of boards, commissions, and other entities with fixed terms, a

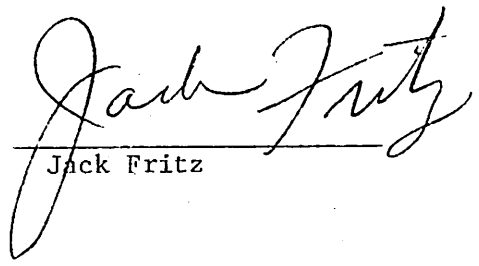
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1           public official whose appointment is subject to the advice  
 2           and consent of the Congress shall submit his resignation no  
 3           later than 90 days after inauguration of the President of the  
 4           Federated States of Micronesia, or at the time a new nominee  
 5           for such position is confirmed by the Congress, whichever is  
 6           earlier. The President may renominate the same public official  
 7           for the same position subject to the advice and consent of the  
 8           Congress.

9                   (5) The provisions of this section shall become effec-  
 10                  tive retroactive to May 1, 1983."

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

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 15 Date: 5/26/83

Introduced by:   
 Jack Fritz

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