

A BILL FOR AN ACT

To further amend title 2 of the Code of the Federated States of Micronesia, as amended, by further amending section 207, as amended by Public Laws Nos. 5-2, 5-50, 7-6 and 7-91, to require the consent of the Congress for the removal of the Attorney General, 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, as amended by Public Laws Nos. 5-2, 5-50, 7-6  
3 and 7-91, is hereby further amended to read as follows:

4       "Section 207. Appointment authority.

5               (1) The President shall nominate and, with the advice  
6 and consent of the Congress, as provided in article X,  
7 section 2(d), of the Constitution, shall appoint the  
8 secretaries of departments and their deputies, if any, and  
9 the heads of the offices of the Attorney General, Budget,  
10 Planning and Statistics, Administrative Services, and the  
11 Public Defender, and their deputies, if any, including the  
12 secretaries, deputies, and heads of departments and offices  
13 established by subsequent law; and including the chairman  
14 and the members of the Board of Advisors for the Investment  
15 Development Fund to be appointed by the President; and  
16 including the Federated States of Micronesia members of the  
17 Board of Regents of the College of Micronesia; provided  
18 that nothing herein shall be construed to require the  
19 appointment of the deputies named above.

20               (2) The President or his or her designee may appoint  
21 officers and employees not included in subsection (1) of  
22 this section, without advice and consent of the Congress;  
23 provided that such appointments are not inconsistent with  
24 the provisions of this chapter or other laws of the  
25 Federated States.

1                   (3) The President shall not resubmit the nomination  
2                   of any person to the Congress for its action if the same  
3                   Congress shall have previously rejected such nomination,  
4                   unless the Congress shall by resolution authorize such  
5                   resubmission.

6                   (4) With the exception of the Chief Justice and  
7                   Associate Justices of the Supreme Court, the Public  
8                   Auditor, ambassadors, members of boards, commissions, and  
9                   other entities with fixed terms, a public official whose  
10                  appointment is subject to the advice and consent of the  
11                  Congress shall submit his or her resignation no later than  
12                  90 days after the President of the Federated States of  
13                  Micronesia takes the oath of office, or at the time a new  
14                  nominee for such position is confirmed by the Congress,  
15                  whichever is earlier. The President may renominate the  
16                  same public official for the same position subject to the  
17                  advice and consent of the Congress.

18                  (5) Except as provided in subsection (4) of this  
19                  section, the President may not remove a sitting Attorney  
20                  General from office, except with the consent by resolution  
21                  of two-thirds of the Members of Congress."

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

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5 Date: 5/28/93

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Introduced by:

  
Joseph Urusemal