



*The President*  
*Palikir, Pohnpei*  
*Federated States of Micronesia*

December 23, 2019

PRESIDENTIAL COMM. NO. 21-105  
FSM CONGRESS

The Honorable Wesley W. Simina  
Speaker  
Twenty-First Congress  
Federated States of Micronesia  
Palikir, Pohnpei, FM 96941

Dear Speaker Simina:

I am pleased to transmit the following Act, which I have signed into Public Law No. 21-58:

Congressional Act No. 21-61, entitled: "AN ACT TO FURTHER AMEND SECTION 208 OF TITLE 2 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED BY PUBLIC LAWS NOS. 18-53 AND 20-99, TO CLARIFY THAT ALL WHO SERVE IN AN ACTING CAPACITY FOR A CERTAIN PERIOD OF TIME MUST BE COMPENSATED, AND FOR OTHER PURPOSES."

I take this opportunity to express my personal appreciation to the 21<sup>st</sup> Congress for the passage of this act. Thank you.

Sincerely,

David W. Panuelo  
President

xc: Chief Justice, FSM Supreme Court





Office of the Chief Clerk

CONGRESS OF THE FEDERATED STATES OF MICRONESIA

P.O. Box PS 3  
Palikir, Sokehs Pohnpei State, FM 96941  
Tel: (691) 320-2324 / 2338 Fax: (691) 320-5122

PRESIDENTIAL COMM. NO. 21165  
FSM CONGRESS

December 2, 2019

His Excellency David W. Panuelo  
President  
Federated States of Micronesia  
Palikir, Pohnpei FM 96941



Dear President Panuelo:

I have the honor to transmit herewith Congressional Act No. 21-61, "AN ACT TO FURTHER AMEND SECTION 208 OF TITLE 2 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED BY PUBLIC LAWS NOS. 18-53 AND 20-99, TO CLARIFY THAT ALL WHO SERVE IN AN ACTING CAPACITY FOR A CERTAIN PERIOD OF TIME MUST BE COMPENSATED, AND FOR OTHER PURPOSES.", which was passed by the Twenty-First Congress of the Federated States of Micronesia, Third Special Session, 2019, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Liwiana Ramon Ioanis".

Liwiana Ramon Ioanis  
Chief Clerk, Congress of the  
Federated States of Micronesia

Enclosures



PRESIDENTIAL COMM. NO. 21-105  
FSM CONGRESS

TWENTY-FIRST CONGRESS OF THE  
FEDERATED STATES OF MICRONESIA  
THIRD SPECIAL SESSION  
NOVEMBER 25 – DECEMBER 4, 2019

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## An Act

TO FURTHER AMEND SECTION 208 OF TITLE 2 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED BY PUBLIC LAWS NOS. 18-53 AND 20-99, TO CLARIFY THAT ALL WHO SERVE IN AN ACTING CAPACITY FOR A CERTAIN PERIOD OF TIME MUST BE COMPENSATED, AND FOR OTHER PURPOSES.

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INTRODUCED BY SENATOR: WESLEY W. SIMINA

DATE: NOVEMBER 26, 2019

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REFERRED TO: COMMITTEE ON JUDICIARY & GOVERNMENTAL OPERATIONS

WITHDRAWN – NOVEMBER 28, 2019

FIRST READING: – NOVEMBER 28, 2019

SECOND READING: – NOVEMBER 29, 2019

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A handwritten signature in blue ink, reading "Liwiana Ramon Ioanis".

Liwiana Ramon Ioanis  
Chief Clerk, FSM Congress



Office of the Speaker

CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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PRESIDENTIAL COMM. NO. 21-105  
FSM CONGRESS

ACT NO. 21-61

(CONGRESSIONAL BILL NO. 21-97)

We hereby certify that on November 29 the foregoing act passed Second and Final Reading of the Twenty-First Congress of the Federated States of Micronesia, Third Special Session, 2019, by a two-thirds vote of all the State delegations as required under article IX, section 20, of the Constitution of the Federated States of Micronesia.

A handwritten signature in blue ink, appearing to read "Wesley W. Simina".

Wesley W. Simina  
Speaker  
Congress of the  
Federated States of Micronesia

A handwritten signature in blue ink, appearing to read "Liwiana Ramon Ioanis".

Liwiana Ramon Ioanis  
Chief Clerk  
Congress of the  
Federated States of Micronesia

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AN ACT

To further amend section 208 of title 2 of the Code of the Federated States of Micronesia (Annotated), as amended by Public Laws Nos. 18-53 and 20-99, to clarify that all who serve in an acting capacity for a certain period of time must be compensated, and for other purposes.

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

1           Section 1. Section 208 of title 2 of the Code of the  
2 Federated States of Micronesia (Annotated), as amended by Public  
3 Laws Nos. 18-53 and 20-99, is hereby further amended to read as  
4 follows:

5           "Section 208. Positions vacant pending appointment. (1)  
6 Whenever a vacancy exists in a position exempted from  
7 the National Public Service System under subsections  
8 (8), (9), or (10) of section 117 of title 52, the  
9 administrative duties and ministerial functions of that  
10 position may be performed by a qualified regular  
11 employee designated to serve in that position in  
12 "acting" capacity. Any person holding a position that  
13 is either subject to the National Public Service System  
14 or exempt from the National Public Service System who  
15 serves in an "acting" capacity in a position vacated  
16 pending appointment for more than ninety days shall be  
17 entitled to that position's compensation. The  
18 entitlement shall be retroactive to the day actingship

1           began; PROVIDED HOWEVER, that no additional compensation  
2           shall be given for any time served prior to January 1,  
3           2001."

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

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Dec 23, \_\_\_\_\_, 2019

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David W. Panuelo  
President  
Federated States of Micronesia

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