

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 Laws Nos. 20-152 and 22-05, to exempt the General Counsel for the FSM Supreme Court and the Secretary of the Chief Justice of the FSM Supreme Court 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 Laws Nos. 20-152 and 22-05, is hereby further amended to read as
4 follows:

5 "Section 117. Application of chapter: Exemptions.

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

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

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

17 (3) Justices and other Judges of the National Courts[+]l

1 the General Counsel to the Supreme Court, and the Secretary
2 of the Chief Justice;

3 (4) the legislative counsel, deputy legislative
4 counsel, director of administration and budget, budget
5 officer, assistant budget officer, administrator, the
6 clerk and assistant chief clerk, the Congress Protocol
7 and Information Officer, the Secretary to the
8 Legislative Counsel, the Technology Administrator of the
9 Congress, and the Secretary to the Floor Leader;

10 (5) the Public Auditor;

11 (6) the administrative officer of the National Courts;

12 (7) the special assistants and secretaries to the
13 President and Vice President and the secretaries to the
14 Speaker and Vice-Speaker of the Congress of the
15 Federated States of Micronesia;

16 (8) persons appointed by the President to fill the
17 following positions: Secretary of the Department of
18 Foreign Affairs, Secretary of the Department of Finance
19 and Administration, Secretary of the Department of
20 Economic Affairs, Secretary of the Department of
21 Transportation, Communication and Infrastructure,
22 Secretary of the Department of Health, Education and
23 Social Affairs, Secretary of the Department of Justice,
24 and the Chief Public Defender, and their deputies, if
25 any;

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

3 (10) the Representative in Washington and all
4 ambassadors;

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

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

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

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

24 (15) positions filled by inmates, patients, and
25 students of institutions of the Federated States of

