

AN ACT

To further amend section 117 of title 52 Code of the Federated States of Micronesia (Annotated), as amended by Public Law No. 20-152, to exempt the Assistant Budget Officer of Congress 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 Law No. 20-152, is hereby further amended to read as follows:

4                   "Section 117. Application of chapter: Exemptions.

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

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

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

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

16                   (4) the legislative counsel, deputy legislative  
17 counsel, director of administration and budget, budget  
18 officer, assistant budget officer, administrator, the

1 clerk and assistant chief clerk, the Congress Protocol  
2 and Information Officer, the Secretary to the  
3 Legislative Counsel, the Technology Administrator of the  
4 Congress, and the Secretary to the Floor Leader;

5 (5) the Public Auditor;

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

8 (7) the special assistants and secretaries to the  
9 President and Vice President and the secretaries to the  
10 Speaker and Vice-Speaker of the Congress of the  
11 Federated States of Micronesia;

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

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

24 (10) the Representative in Washington and all  
25 ambassadors;

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

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

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

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

21          (15) positions filled by inmates, patients, and  
22          students of institutions of the Federated States of  
23          Micronesia;

24          (16) members of any board, public corporation,  
25          commission, or similar body, in their capacity as such;

