

FIFTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIRST REGULAR SESSION, 1987

CONGRESSIONAL BILL NO. 5-21, C.D.1, C.D.2

AN ACT

To further amend title 2 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 3-24, 4-63, 4-65 and 4-75, by amending further section 207, as amended by Public Laws Nos. 3-24 and 4-63, to extend the time in which certain public officials must submit their resignations, 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. 3-24 and
3 4-63, 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, Personnel, Education, Health Services,
11 and the Public Defender, and their deputies, if any, including
12 the secretaries, deputies, and heads of departments and offices
13 established by subsequent law; and including the chairman and
14 the members of the Board of Advisors for the Investment
15 Development Fund to be appointed by the President; provided
16 that nothing herein shall be construed to require the
17 appointment of the deputies named above.

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


1 Federated States.

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

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

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

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June 9, 1987

John R. Haglelgam
President
Federated States of Micronesia