

AN ACT

To further amend title 2 of the Code of the Federated States of Micronesia, as amended, by amending section 207 thereof, to require that the President of the Federated States of Micronesia shall appoint Consul Generals and the deputy chiefs of mission of the various embassies and diplomatic missions with the advice and consent of the Congress of the Federated States of Micronesia, 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
2 Federated States of Micronesia, as amended by Public Laws Nos. 10-
3 55, 11-40 and 13-77, hereby further amended to read as follows:

4 "Section 207. Appointing 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,
9 and the head of the office of the Public Defender,
10 including the secretaries, and heads of departments and
11 offices established by subsequent law; and including the
12 chairman and the members of the Board of Advisors for
13 the Investment Development Fund to be appointed by the
14 President; and including the Federated States of
15 Micronesia members of the Board of Regents of the
16 College of Micronesia; and including the Federated
17 States of Micronesia's consul generals and the deputy

1 chiefs of mission of the various embassies and
2 diplomatic missions.

3 (2) The President or his or her designee may appoint
4 officers and employees not included in subsection (1) of
5 this section, without the advice and consent of the
6 Congress; provided that such appointments are not
7 inconsistent with the provisions of this chapter or
8 other laws of the Federated States of Micronesia.

9 (3) Any nomination submitted to Congress which is not
10 acted upon within two (2) consecutive sessions of
11 Congress, not including the session in which Congress
12 first receives the nomination, or ninety (90) days,
13 whichever occurs later in time, shall be deemed
14 rejected. The President shall not resubmit the
15 nomination of any person to the Congress for its action
16 if the same Congress shall have previously rejected such
17 nomination, unless the Congress shall by resolution
18 authorize such resubmission.

19 (4) With the exception of the Chief Justice and
20 Associate Justices of the Supreme Court, the Public
21 Auditor, ambassadors, members of boards, commissions,
22 and other entities with fixed terms, a public official
23 whose appointment is subject to the advice and consent
24 of the congress shall submit his or her resignation no
25 later than 90 days after the President of the Federated
26 States of Micronesia takes the oath of office, or at the

1 time a new nominee for such position is confirmed by the
2 Congress, whichever is earlier. The President may
3 renominate the same public official for the same
4 position subject to the advice and consent of the
5 Congress.

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

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LAW W/OUT SIGNATURE 3/8/08

Manny Mori
President
Federated States of Micronesia