

AN ACT

To add a new Subsection 2 of Section 6 of Public Law No. 1-6, requiring certain public officials whose appointments are subject to advice and consent of the Congress to submit their resignation to a new President 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 6 of Public Law No. 1-6 is hereby amended to
2 read as follows:

3 "Section 6. Appointment and Advice and Consent.

4 (1) The President shall nominate and, with the advice
5 and consent of the Congress, as provided in Article X,
6 Section 2 (d) of the Constitution, shall appoint the directors
7 of departments and their deputies, if any, and the heads of
8 the Offices of the Attorney General, Budget, Planning and
9 Statistics, and the Public Defender, and their deputies, if
10 any; including the directors, deputies and heads of departments
11 and offices established by subsequent law; PROVIDED, that
12 nothing herein shall be construed to require the appointment
13 of the deputies named above.

14 (2) With the exception of the Chief Justice and Associate
15 Justices of the Supreme Court, the Public Auditor and members
16 of boards, commissions and other entities with fixed term, a
17 public official whose appointment is subject to the advice and
18 consent of the Congress shall submit his resignation no later
19 than 90 days after a new President of the Federated States of
20 Micronesia has taken office. The new President may renominate
21 the same public official for the same position subject to the
22 advice and consent of the Congress.

1 (3) The president or his designee may appoint officers
2 and employees not included in Subsection (1) of this section,
3 without advice and consent of the Congress; PROVIDED, that such
4 appointments are not inconsistent with the provisions of this
5 chapter or other laws of the Federated States.

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

10 Section 2. This act shall become law upon approval by the President,
11 or upon its becoming law without such approval.

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Tosiwo Nakayama
President
Federated States of Micronesia

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