

AN ACT

To further amend title 2 of the Code of the Federated States of Micronesia (Annotated), as amended, by amending section 207 thereof, to correct technical errors in the 2014 F.S.M.C. (Annotated), and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1 Section 1. The purpose of this Act is to correct
2 technical errors in the codification of section 207 of title 2
3 of the Code of the Federated States of Micronesia (Annotated).
4 Public Laws Nos. 10-55, 11-40, 13-77, 15-23, 16-61, and 17-02
5 amended section 207 of title 2; some of the amendments made by
6 Public Law No. 17-02 were unintentionally omitted from the 2014
7 F.S.M.C. (Annotated). This Act amends section 207 of title 2
8 to accurately reflect the provisions of Public Law No. 17-02.

9 Section 2. Section 207 of title 2 of the Code of the
10 Federated States of Micronesia (Annotated) is hereby amended to
11 read as follows:

12 "Section 207. Appointing Authority.

13 (1) The President shall nominate and, with the
14 advice and consent of the Congress, as provided in
15 article X, section 2(d), of the Constitution, shall
16 appoint ambassadors, the secretaries of departments
17 and their deputies, if any, and the head of the office
18 of the Public Defender, including the secretaries, and

1 heads of departments and offices established by
2 subsequent law; and including the chairman and the
3 members of the Board of Advisors for the Investment
4 Development Fund to be appointed by the President; and
5 including the Federated States of Micronesia members
6 of the Board of Regents of the College of Micronesia;
7 and including the Federated States of Micronesia's
8 consul generals and the deputy chiefs of mission of
9 the various embassies and diplomatic missions.

10 (2) The President or his or her designee may appoint
11 officers and employees not included in subsection (1)
12 of this section, without the advice and consent of the
13 Congress; provided that such appointments are not
14 inconsistent with the provisions of this chapter or
15 other laws of the Federated States of Micronesia.

16 (3) Any nomination submitted to Congress which is
17 not confirmed within two consecutive sessions of
18 Congress, including the session in which Congress
19 first receives the nomination, or 30 days, whichever
20 occurs later in time, shall be deemed rejected. A
21 nomination submitted when Congress is not in session
22 shall, for the purposes of this section, be deemed to
23 have been received on the first day of the following
24 session. The President shall not resubmit the
25 nomination of any person to the Congress for its

1 action if the same Congress shall have previously
2 rejected such nomination, unless the Congress shall by
3 resolution authorize such resubmission.

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

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1 Section 3. This act shall become law upon approval by the
2 President of the Federated States of Micronesia or upon its
3 becoming law without such approval.

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March 1 _____, 2021

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/s/ David W. Panuelo _____

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David W. Panuelo
President
Federated States of Micronesia

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