

TWELFTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIRST REGULAR SESSION, 2001

CONGRESSIONAL BILL NO. 12-8, C.D.1,
C.D.2, C.D.3, C.D.4

PUBLIC LAW NO. 12-1

AN ACT

To further amend Public Law No. 11-54, as amended by Public Laws Nos. 11-56, 11-63, 11-67 and 11-73, by amending sections 3, 6, 8 and 19, and to appropriate \$61,000 from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 2001; to provide supplemental funding for the Legislative Branch and for Grants, subsidies and contributions; to re-allocate funds for the special election and for the operations of the Office of the National Election Director; to make technical corrections; and for other purposes.

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

1 Section 1. Section 3 of Public Law No. 11-54, as amended by

2 Public Law No. 11-73, is hereby further amended to read as follows:

3 "Section 3. Operating expenses of the Legislative Branch.

4 The sum of \$3,334,822, or so much thereof as may be

5 necessary, is hereby appropriated from the General Fund of

6 the Federated States of Micronesia for the fiscal year ending

7 September 30, 2001, for the operations of the Legislative

8 Branch of the National Government during fiscal year 2001 in

9 order to achieve the outputs set forth in pages B-1-12

10 through B-1-14 of the budget book."

11 Section 2. Section 6 of Public Law No. 11-54 is hereby amended to

12 read as follows:

13 "Section 6. Operating expenses of agencies of the National

14 Government. The sum of \$1,827,498, or so much thereof as may

15 be necessary, is hereby appropriated from the General Fund of

16 the Federated States of Micronesia for the fiscal year ending

1 September 30, 2001, for the operations of the following
2 boards, commissions and agencies during fiscal year 2001. The
3 sum appropriated by this section shall be apportioned as
4 follows:

5 (1) Micronesian Fisheries Authority
6 \$441,795 for the outputs set forth in pages E-1-5 through E-1-
7 7 of the budget book.

8 (2) Board of Regents - COM-FSM
9 \$78,960 for the outputs set forth in page E-2-4 of the budget
10 book.

11 (3) FSM Coconut Development Authority
12 \$137,258 for the outputs set forth in page E-3-4 of the budget
13 book.

14 (4) FSM Banking Board
15 \$158,005 for the outputs set forth in page E-4-4 of the budget
16 book.

17 (5) FSM Postal Service
18 \$610,480 for the outputs set forth in pages E-5-5 through E-5-
19 6 of the budget book; PROVIDED that, prior to October 1, 2000,
20 the FSM Postal Service provides to the Committee on Judiciary
21 and Governmental Operations of the Congress of the Federated
22 States of Micronesia, through its chairman, a full allocation
23 of the funds appropriated across such outputs, with related
24 deliverables.

25 (6) FSM National Fisheries Corporation

1 \$275,000 to subsidize the flight operations of the National
2 Fisheries Corporation and repayment of OPIC loan.

3 (7) Office of the National Election Director
4 \$126,000 for operations of the Office of the National Election
5 Director through September 30, 2001, and for payment of
6 outstanding bills from prior elections."

7 Section 3. Section 8 of Public Law No. 11-54, as amended by Public
8 Laws Nos. 11-67 and 11-73, is hereby further amended to read as
9 follows:

10 "Section 8. Grants, subsidies and contributions. The sum of
11 \$3,856,248, or so much thereof as may be necessary, is hereby
12 appropriated from the General Fund of the Federated States of
13 Micronesia for the fiscal year ending September 30, 2001, for
14 the following grants, subsidies and contributions during
15 fiscal year 2001. The sum appropriated by this section shall
16 be apportioned as follows:

- 17 (1) Department of Foreign Affairs
- | | | |
|---|----|--------|
| 18 (a) Forum Secretariat..... | \$ | 35,000 |
| 19 (b) The Pacific Community..... | | 30,000 |
| 20 (c) South Pacific Regional | | |
| 21 Environmental Program (SPREP) | | 7,375 |
| 22 (d) United Nations Economic and | | |
| 23 Social Commission for Asia and the Pacific | | |
| 24 (ESCAP) | \$ | 5,000 |
| 25 (e) UN membership fees..... | | 80,000 |

1	(f) East West Center.....	10,000
2	(2) Department of Economic Affairs	
3	(a) Pacific Island Development	
4	Program	15,000
5	(b) Forum Fisheries Agency (FFA)....	21,000
6	(c) UN Development Program.....	3,000
7	(d) Coord. Commission for Offshore	
8	Mineral Prospecting (CCOMP)	8,000
9	(e) Plant Protection Program.....	60,000
10	(f) Pacific Asian Travel	
11	Association	5,000
12	(g) FSM Giant Clam Culture.....	11,440
13	(h) FSM Coastal Fisheries Consortium	11,702
14	(i) National Plant Protection and	
15	Quarantine Communication	29,700
16	(j) International Pepper Association	15,000
17	(k) EMPAT Phase II - reappropriate	
18	lapsed funds	113,245
19	(l) NFC-OPIC loan payment, PROVIDED	
20	THAT the Department of Finance and	
21	Administration shall release these funds	
22	issued to the holder of the loan only	\$ 143,212
23	(3) Department of Health, Education and	
24	Social Affairs	
25	(a) UN Fund for Population Activity	

1	(UNFPA)	3,000
2	(b) Aid to non-public schools.....	400,000
3	(c) Financial assistance for students	
4	studying at CMI and PCC, PROVIDED that the	
5	program of study is not available at COM	
6	National or State campuses	50,000
7	(d) Continental Airlines Scholarship	35,000
8	(e) World Health Organization (WHO).	41,385
9	(f) National Board of Nursing.....	38,000
10	(g) Pacific Islands Health Officers	
11	Association (PIHOA)	20,000
12	(h) National Close-Up Local Program.	5,000
13	(i) FSM Amateur Sports Association..	35,000
14	(j) Third FSM Games in Yap.....	550,000
15	(k) Pohnpei Agriculture and Trade	
16	School (PATS)	40,000
17	(4) Department of Justice; PROVIDED that,	
18	no funds appropriated for Joint Law	
19	Enforcement purposes may be used for travel	
20	or to purchase vehicles:	
21	(a) Kosrae Joint Law Enforcement....	70,000
22	(b) Pohnpei Joint Law Enforcement.. \$	140,000
23	(c) Chuuk Joint Law Enforcement.....	160,000
24	(d) Yap Joint Law Enforcement.....	90,000
25	(5) Department of Transportation,	

1	Communication and Infrastructure	
2	(a) Asia Pacific Telecommunity.....	9,000
3	(b) International Telecommunication	
4	Union	57,639
5	(c) International Civil Aviation	
6	Organization	28,050
7	(d) Micronesian Shipping Commission.	10,000
8	(e) Infrastructure Development	
9	Plan	270,000
10	(6) Coconut Development Authority	
11	(a) Copra Subsidy.....	200,000
12	(b) Asia Pacific Coconut Community..	20,500
13	(7) Other grants, subsidies and	
14	contributions	
15	(a) Kosrae Judiciary	
16	(i) unrestricted.....	30,000
17	(ii) law school scholarships....	35,000
18	(b) Pohnpei Judiciary.....	90,000
19	(c) Chuuk Judiciary.....	90,000
20	(d) Yap Judiciary	
21	(i) unrestricted.....	55,000
22	(ii) law school scholarships... \$	15,000
23	(e) COM Treaty Obligation.....	25,000
24	(f) Micronesian Legal Services	
25	Corporation	150,000

1	(g) National Elections for Congress	
2	and Constitutional Convention Delegates,	
3	PROVIDED THAT none of these funds shall be	
4	obligated for any expense, including	
5	personnel expenses, incurred after	
6	May 15, 2001	259,000
7	(h) Pre-Constitutional Convention...	30,000
8	(i) Constitutional Convention.....	100,000
9	(j) Micronesian Red Cross Society...	67,000
10	(k) Special election to be held	
11	June 30, 2001, for Pohnpei State Election	
12	District No. 2 representative to Congress;	
13	PROVIDED THAT none of these funds shall be	
14	obligated for any expense, including	
15	personnel expenses, incurred after	
16	August 15, 2001	15,000
17	(l) Mobil Games 2001.....	19,000"

18 Section 4. Section 19 of Public Law No. 11-54, as amended by
19 Public Laws Nos. 11-56, 11-67 and 11-73, is hereby further amended to
20 read as follows:

21 "Section 19. Allotment and management of funds and lapse
22 date.

23 (1) *General Provisions.*

24 (a) All funds appropriated by this act shall be
25 allotted, managed, administered, and accounted for in

1 accordance with applicable law, including, but not limited
2 to, the Financial Management Act of 1979.

3 (b) The allottees shall be responsible for ensuring
4 that these funds, or so much thereof as may be necessary, are
5 used solely for the purpose specified in this act, and that
6 no obligations are incurred in excess of the sum
7 appropriated.

8 (c) No purchase order or contract for the purchase of
9 a fixed asset with a value of \$1,000 or more shall be
10 approved until the property inventory records of the
11 requesting entity are updated, current, and on file with the
12 Department of Finance and Administration, in accordance with
13 law.

14 (d) No purchase order or contract for the purchase of
15 photocopying equipment, computers, or vehicles shall be
16 approved until the requesting department or branch of
17 government has on file, with the Department of Finance and
18 Administration, a plan for the centralized maintenance of
19 such equipment, computers and vehicles.

20 (2) *Specific provisions.* Within section 15, the funds
21 appropriated to Pohnpei State under subsection (2) of this
22 act and the funds appropriated to Chuuk State under
23 subsection (3) of this act shall be retained in the General
24 Fund of the Federated States of Micronesia until a
25 scholarship recipient is identified to the President or the

1 President's designee, at which time scholarship funds in the
2 amount of the scholarship award shall be disbursed directly
3 to the educational institution in the form of a two-party
4 check payable to both the scholarship recipient and the
5 educational institution he or she is attending.

6 (3) *Allottees*. The allottees of the funds appropriated by
7 this act are as follows:

8 (a) section 2 - the allottee of these funds shall be
9 the President of the Federated States of Micronesia;

10 (b) section 3 - the allottee of these funds shall be
11 the Speaker of the Congress of the Federated States of
12 Micronesia;

13 (c) section 4 - the allottee of these funds shall be
14 the Chief Justice of the Supreme Court of the Federated
15 States of Micronesia;

16 (d) section 5 - the allottee of these funds shall be
17 the Public Auditor;

18 (e) sections 6 through 16 - the allottee of these
19 funds shall be the President of the Federated States of
20 Micronesia or his designee; EXCEPT THAT for the following
21 subsections of sections 6 through 16 of this act, the
22 allottees shall be:

23 (i) section 8, subsection (4) - the allottee of
24 these funds shall be the Governor of the respective State, or
25 his designee;

1 (ii) section 8, subsection (5)(f) - the allottee
2 of these funds shall be the Secretary of the Department of
3 Transportation, Communication and Infrastructure;

4 (iii) section 8, subsection (7)(a), (b), (c) and
5 (d) - the allottee of these funds shall be the Chief Justice
6 of the respective State;

7 (iv) section 13, subsection (2) - the allottee of
8 these funds shall be the President of the College of
9 Micronesia-FSM;

10 (v) section 15, subsections (1), (2), (3) and (4)
11 - the allottee of these funds shall be the Governor of the
12 respective State.

13 (vi) section 16, subsection (8)(a) - the allottee
14 of these funds shall be the Governor of Yap State.

15 (vii) section 16, subsection (8)(b) - the allottee
16 of these funds shall be the Chuuk State Commission on
17 Improvement Projects.

18 (4) *Lapse date.* The authority of the allottees to obligate
19 funds appropriated by this act shall lapse as of September
20 30, 2001; EXCEPT THAT the authority of the allottee to
21 obligate funds appropriated under subsection (5)(f) of
22 section 8 for Yap Outer Islands shall lapse as of September
23 30, 2002, and the authority of the allottee to obligate funds
24 appropriated by section 15(4) for post secondary assistance
25 for the State of Yap shall not lapse."

