

**TITLE 3**  
**EXECUTIVE**



## TITLE 3 EXECUTIVE

### CHAPTER

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### CHAPTER 1 GENERAL ORGANIZATION

#### Section

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**§1-101. Short title.** — This chapter is known and may be cited as the “Executive Reorganization Act of 2000.”

Source: S.L. No. 5L-14-00 §0-1, 10/1/00

**§1-102. Office of the Governor.** — The Office of the Governor shall be composed of the Governor, such office divisions and functions as required by law, and such support staff as the annual Comprehensive Budget Act shall allow and who shall be employed pursuant to the Public Service System Act, Title 9 Chapter 2.

Source: S.L. No. 5L-14-00 §1-1, 10/1/00

**§1-103. Office of the Lieutenant Governor.** — The Office of the Lieutenant Governor shall be composed of the Lieutenant Governor and such support staff as the annual Comprehensive Budget Act shall allow and who shall be employed pursuant to the Public Service System Act, Title 9 Chapter 2.

Source: S.L. No. 5L-14-00 §1-2, 10/1/00

**§1-104. Executive departments.** — There is hereby provided within the executive branch of the Pohnpei Government the following executive departments. Each department shall consist of an office of the director and such divisions as are listed thereunder. Each department shall be under the administrative direction of a department director. No department shall have a deputy director or

assistant to the director. Each division, except in instances where the director maintains direct management of the division, shall have a division chief. In addition, each department shall be composed of such support staff as the annual Comprehensive Budget Act shall allow. Policy, review, and advisory boards and councils created for oversight of the department activities shall be attached to the respective department for administrative purposes.

- (1) The Department of Treasury and Administration shall include the following divisions:
  - (a) The Division of Finance and Property Accountability;
  - (b) The Division of Revenue and Taxation; and
  - (c) The Division of Personnel, Labor and Manpower Development.
- (2) The Department of Education shall include the following divisions:
  - (a) The Division of Curriculum, Instructional Development, and Specialized Education;
  - (b) The Division of Early Childhood Education;
  - (c) The Division of Primary Education; and
  - (d) The Division of Secondary Education.
- (3) The Department of Health Services shall include the following divisions:
  - (a) The Division of Administration and Health Planning;
  - (b) The Division of Medical Services;
  - (c) The Division of Primary Health Care; and
  - (d) The Division of Dental Services.
- (4) The Department of Public Safety shall include the following functions and divisions:
  - (a) The Office of the Director shall include emergency services;
  - (b) The Division of Police and Security;
  - (c) The Division of Corrections and Rehabilitation; and
  - (d) The Division of Fish and Wildlife.
- (5) The Department of Land and Natural Resources shall include the following divisions:
  - (a) The Division of Public Land;
  - (b) The Division of Surveying and Mapping;
  - (c) The Division of Forestry; and
  - (d) The Division of Historic Preservation.

Source: S.L. No. 5L-14-00 §§1-3 – 1-8, 10/1/00; S.L. No. 6L-20-04 §1, 10/26/04; S.L. No. 7L-80-11 §1, 1/14/11

**§1-105. Executive offices.** — There is hereby provided within the executive branch of the Pohnpei Government the following executive offices. Each office shall be under the administrative direction of an administrator. No office may have a deputy administrator or assistant to the administrator. Each office shall be composed of such support staff as the annual Comprehensive Budget Act shall allow. Policy, review, and advisory boards and councils created for oversight of office activities shall be attached to the respective offices for administrative purposes.

- (1) The Office of the Attorney General shall include the following functions:
  - (a) Law; and
  - (b) Litigation.
- (2) The Office of Economic Affairs shall include the following functions:
  - (a) Agriculture;
  - (b) Business Development, other than Fisheries and Aquaculture; and
  - (c) Project Planning and Implementation.
- (3) The Office of Social Affairs shall include the following functions:
  - (a) Senior Citizens;
  - (b) Women; and
  - (c) Youth.
- (4) The Office of Transportation and Infrastructure shall include the following functions:

- (a) Public transportation;
- (b) Field trip ship operations; and
- (c) Public works.

(5) The Office of Fisheries and Aquaculture shall be responsible for all oversight and development of fisheries and aquaculture.

Source: S.L. No. 5L-14-00 §§1-9 – 1-13, 10/1/00; S.L. No. 7L-20-08 §1, 11/26/08; S.L. No. 7L-54-09 §1, 12/23/09

**§1-106. Executive authorities, commissions, and agencies.** — There is also provided within the executive branch of the Pohnpei Government such executive authorities, commissions, and agencies which have been or may be created by statute and placed in, or performing functions of, the executive branch.

Source: S.L. No. 5L-14-00 §1-14, 10/1/00

**§1-107. Administrative heads; supervision.** — The administrative head of each executive department, executive office, and authority, commission, and agency reports to and shall be under the direct supervision of the Governor.

Source: S.L. No. 5L-14-00 §2-1, 10/1/00

**§1-108. Duties, responsibilities, and functions.** — Duties, responsibilities, and functions of each governmental agency and subagency listed in this chapter shall be as determined by the Pohnpei Constitution and laws of Pohnpei. The Governor may, in addition, provide for specific prescriptions of such duties, responsibilities, and functions therefor by issuance of administrative directives that are not inconsistent with the Pohnpei Constitution or the laws of Pohnpei.

Source: S.L. No. 5L-14-00 §2-2, 10/1/00

**§1-109. Appointments.** — Pursuant to Article 9 §10 of the Pohnpei Constitution, the Governor shall appoint the administrative heads of all executive departments, executive offices, and authorities, commissions, and agencies listed in this chapter pursuant to the Uniform Appointments and Tenure Act, Title 9 Chapter 1, or its successor. Tenure and filling of vacancies of said positions shall be as prescribed in said statute or other applicable statutes.

Source: S.L. No. 5L-14-00 §2-3, 10/1/00

**§1-110. Supersession.** — All memoranda, directions, charts, and other documents relating to the organization of the executive branch of the Pohnpei Government which were in effect prior to the effective date of this chapter [*October 1, 2000*] are hereby superseded.

Source: S.L. No. 5L-14-00 §4-1, 10/1/00

**§1-111. Transition and succession.** —

(1) The Governor shall, by executive order(s), provide for a smooth and orderly transition to complete the reorganization in accordance with this chapter, including the establishment, elimination, transfer or disposal of such functions, liabilities, budgets, personnel, and assets as are appropriate.

(2) The following officers, departments or offices created by this chapter with similar or identical divisions or functions are deemed successors to the former departments, bureaus, and commissions created by statute for the purpose of organizing or reorganizing the executive branch of the Pohnpei Government.

(a) The Department of Public Safety and the Office of the Attorney General shall be the successors to the Department of Justice.

(b) The Department of Land and Natural Resources, the Office of Transportation and Infrastructure, and the Office of Economic Affairs shall be the successors to the Department of Resource Management and Development.

(c) The Office of the Governor shall be the successor to the Bureau of Public and Governmental Relations, other than field trip ship operations.

(d) The Office of the Governor shall include the Division of Budget; PROVIDED, HOWEVER, that the Program and Budget Officer shall be separate from the person of the Governor.

(e) The Office of Transportation and Infrastructure shall be the successor to the Division of Construction Management and Property Maintenance, and to the field trip ship operations function of the Bureau of Public and Governmental Relations.

Source: S.L. No. 5L-14-00 §4-2, 10/1/00

**§1-112. Rights and obligations of employment contracts.** — Nothing in this chapter shall impair the rights and obligations of employment contracts in existence on the effective date of this chapter [*October 1, 2000*].

Source: S.L. No. 5L-14-00 §4-3, 10/1/00

Note: S.L. No. 5L-14-00 §3-1, repealing provision has been omitted.

Extended legislative history: 1. S.L. No. 1L-6-79, 10/4/79, was original legislation; S.L. No. 1L-6-79 §1(1)(d) was amended by S.L. No. 2L-99-81 §2, 11/24/81; S.L. No. 1L-6-79 §1(1)(e) was amended by S.L. No. 2L-107-82 §1, 1/28/82; S.L. No. 1L-6-79 §1(3)(a) was amended by S.L. No. 2L-99-81 §1, 11/24/81; S.L. No. 1L-6-79 §3 was amended by S.L. No. 2L-173-83 §7(1), 4/22/83 and S.L. No. 2L-177-83 §7, 5/5/83; S.L. No. 1L-6-79 §4 was amended by S.L. No. 2L-173-83 §7(2), 4/22/83 and S.L. No. 2L-177-83 §8, 5/5/83; S.L. No. 1L-6-79 was repealed by S.L. No. 1L-62-86 §6-6, 4/1/86. 2. S.L. No. 1L-62-86, 4/1/86, provided for reorganization of the executive branch; S.L. No. 1L-62-86 §2-2 was amended by S.L. No. 3L-1-92 §1, 3/12/92; S.L. No. 1L-62-86 §2-3 was amended by S.L. No. 3L-1-92 §2, 3/12/92; S.L. No. 1L-62-86 §3-1 was amended by S.L. No. 3L-1-92 §3, 3/12/92; S.L. No. 1L-62-86 §3-3 was amended by S.L. No. 3L-1-92 §4, 3/12/92 and S.L. No. 3L-32-93 §1, 3/15/93; S.L. No. 1L-62-86 §3-4 was amended by S.L. No. 3L-1-92 §5, 3/12/92; S.L. No. 1L-62-86 §3-5 was amended by S.L. No. 3L-1-92 §6, 3/12/92 and S.L. No. 3L-26-92 §19(1), 11/19/92; S.L. No. 1L-62-86 §3-6 was amended by S.L. No. 3L-6-92 §10, 5/29/92; S.L. No. 1L-62-86 §3-7 was repealed by S.L. No. 3L-1-92 §13, 3/12/92; S.L. No. 1L-62-86 §3-8 (renumbered §3-7) was amended by S.L. No. 3L-1-92 §7, 3/12/92; S.L. No. 1L-62-86 §3-8 was added by S.L. No. 3L-1-92 §8, 3/12/92; S.L. No. 1L-62-86 §4-9 was renumbered as §4-10 by S.L. No. 3L-26-92 §19(2), 11/19/92 and a new §4-9 was added by S.L. No. 3L-26-92 §19(2), 11/19/92; S.L. No. 1L-62-86 §5-3 was repealed and a new §5-3 was added by S.L. No. 3L-1-92 §9, 3/12/92; S.L. No. 1L-62-86 §5-4 was repealed by S.L. No. 3L-1-92 §14, 3/12/92; S.L. No. 1L-62-86 §5-6 (renumbered §5-4) was amended by S.L. No. 3L-1-92 §10, 3/12/92; S.L. No. 1L-62-86 §5-5 was repealed and a new §5-5 was added by S.L. No. 3L-1-92 §11, 3/12/92; S.L. No. 1L-62-86 §5-7 was repealed by S.L. No. 3L-1-92 §14, 3/12/92; S.L. No. 1L-62-86 §5-6 was added by S.L. No. 3L-1-92 §12, 3/12/92; S.L. No. 1L-62-86 §6-8 was repealed by S.L. No. 3L-1-92 §15, 3/12/92; S.L. No. 3L-1-92 §18 was amended by S.L. No. 3L-7-92 §1, 5/25/92. 3. S.L. No. 4L-01-96 §6-4(1), 1/22/96, repealed S.L. No. 1L-62-86, as amended, in its entirety; S.L. No. 4L-01-96 §2-2 was amended by S.L. No. 4L-05-96 §6(1), 3/14/96; S.L. No. 4L-01-96 §4-6 was amended by S.L. No. 4L-05-96 §6(2), 3/14/96; S.L. No. 4L-01-96 §6-6 was amended by S.L. No. 4L-05-96 §6(3), 3/14/96; S.L. No. 4L-01-96 §6-4(2), 1/22/96, repealed S.L. No. 2L-219-71, created the Pohnpei Tourist Commission; S.L. No. 4L-01-96 §6-4(3), 1/22/96, repealed D.L. No. 2L-215-83, created the Pohnpei Sports Council. 4. S.L. No. 5L-14-00 §3-1, 10/1/00, repealed S.L. No. 4L-01-96, the Executive Reorganization Act of 1996, as amended, in its entirety. Following codification on January 1, 2006, (1 PC 1-103, S.L. No. 6L-79-06 §1-101, 11/1/06) the Chapter has since been amended by S.L. No. 6L-20-04 §1, 10/26/04; S.L. No. 7L-20-08 §1, 11/26/08; S.L. No. 7L-54-09 §1, 12/23/09 and S.L. No. 7L-80-11 §1, 1/14/11.

**CHAPTER 2**  
**OFFICE OF THE GOVERNOR AND LIEUTENANT GOVERNOR**

Section

2-101 Prohibition against the Governor and the  
Lieutenant Governor from being temporarily absent  
from the state at the same time

**§2-101. Prohibition against the Governor and the Lieutenant Governor from being temporarily absent from the state at the same time.** — Except where absence is necessitated by medical referral which can be supported by the testimony of a licensed physician, it is prohibited for the Governor and the Lieutenant Governor to be absent from the state of Pohnpei at the same time.

Source: S.L. No. 5L-14-00 §1-2A, 10/1/00

Note: §1-2A was added by S.L. No. 6L-69-06 §1, 5/16/06.

**CHAPTERS 3 & 4**  
**[RESERVED]**

## CHAPTER 5 ECONOMIC PLANNING COMMISSION

## Section

5-101 Purpose	5-104 Commission powers regarding information
5-102 Economic Planning Commission	5-105 Authorization for appropriation;
5-103 Responsibilities of the Commission	administration

**§5-101. Purpose.** — There is a critical need for the state of Pohnpei to establish overall strategic direction and mobilization in its planning and development efforts to restructure the government and economy of the state in this time of diminishing revenues from the Compact of Free Association and the increasing cost of government. It is the priority function of the state government to: provide a suitable level of social, infrastructure, and administrative services to meet the basic needs of the people, consistent with a desirable and affordable standard of living; and, to promote and facilitate a sufficient rate of economic development and growth in order to create employment opportunities, to increase private income and investment and, thereby, the generation of government revenues through appropriate and equitable taxes and fees to meet the funding needs of the government. In order to accomplish this, an appropriate policy analysis and planning instrumentality needs to be established in the executive branch under the leadership of the Governor to provide the entire governmental institution with the appropriate broad-based, analytical background to carry out its strategic planning and development implementation functions. This chapter is therefore intended to create a permanent strategic planning and policy review and consultative forum in which leaders and technical experts in the public and private sectors can regularly convene to conceptualize, with the assistance of the relevant government departments, divisions, agencies, authorities, and commissions, the appropriate steps to be taken in developing Pohnpei's future.

Source: S.L. No. 4L-05-96 §1, 3/14/96

**§5-102. Economic Planning Commission.** —

(1) There is hereby established for Pohnpei State an Economic Planning Commission, hereinafter referred to as the "Commission," which shall be composed of the Governor, the Administrator of the Office of Economic Affairs, and seven members appointed by the Governor representing the development, management, financial, social, and the productive sectors. The Governor shall seek, where feasible, to achieve balanced representation on the Commission from the public and the private sectors.

(2) In addition to the appointed members of the Commission specified in Subsection (1) of this section, the Governor, from time to time and for such purposes, issues, and durations as he deems suitable, may invite other officials and experts from the private and public sectors to serve as temporary members of the Commission. In exercising his authority under this subsection, the Governor is encouraged to consider the merits of inviting officers and experts from relevant agencies, instrumentalities, and branches of the Pohnpei Government, the local governments of the state, the government of the Federated States of Micronesia, the government of the United States of America, other foreign governments and international organizations and funding institutions, academic institutions, and non-governmental organizations concerned with the development and welfare of the Pohnpeian people. Temporary members shall be eligible to participate in all activities of the Commission as invited by the Governor, except in exercising the right to vote; PROVIDED that, unless otherwise authorized by the Commission, temporary members or their sponsoring entities shall be responsible for their own costs for service on the Commission.



(3) Appointed members shall serve on the Commission for terms commensurate with the term of the appointing Governor. Unjustified absence for two consecutive meetings shall result in removal from the Commission. Vacancies shall be filled for the unexpired duration of the term in the same manner as original appointments.

(4) The first meeting of the Commission shall be called by the Governor within 15 days following the effective date of this chapter [*effective date is March 14, 1996*]. Meetings thereafter shall be convened at least once each calendar month, or more frequently at the call of the Governor, or upon written request of at least six appointed members who shall specify, in writing, the purpose for convening the meeting.

(5) A majority of the appointed members of the Commission shall constitute a quorum in order to transact business. At its initial organizational meeting, the Commission, by majority vote of the members and the concurrence of the Governor, shall establish its organizational rules and procedures including voting rules.

(6) The Governor shall serve as the Chairman of the Commission and the Commission shall select such other officers as it deems necessary.

(7) The Commission shall adopt its own rules of procedure for its organization and operation.

(8) Members of the Commission shall be compensated at the rates established by the Government Officers' Salary Act, Title 9 Chapter 4 Subchapter I, as amended or superseded by Pohnpei law, for members of Pohnpei Government policy boards and commissions when actually attending meetings of the Commission, except for those members who are employees of the Pohnpei Government whose service on the Commission shall be deemed public service for which additional compensation shall not issue, but shall receive, instead, their regular salaries while performing functions of the Commission.

(9) Members of the Commission shall be entitled to receive travel expenses and per diem at standard Pohnpei Government rates when traveling on the budget of the Commission as authorized by the Commission, in instances when those amounts would be payable to Pohnpei Government employees in the same circumstances.

(10) The Governor shall provide assistance to the Commission in the performance of its duties, which assistance shall include, but need not be limited to, office space, legal assistance, technical assistance, and clerical and administrative support.

(11) The Commission shall continue in existence until otherwise provided by law.

Source: S.L. No. 4L-05-96 §2, 3/14/96; S.L. No. 5L-14-00 §3-19, 10/1/00

**§5-103. Responsibilities of the Commission.** — It shall be the responsibility of the Commission to:

(1) Recommend development priorities of the state government and assist in the preparation of the Integrated State Five-Year Development Plan incorporating these strategic priorities, goals, and programs;

(2) Review the short-term plans and work programs of agencies and departments in the key development sectors and make recommendations to ensure that sectoral implementation is consistent with the overall plan goals and strategies, and to ensure that such implementation is undertaken efficiently with sufficient technical and financial resources and clearly quantified outputs, sectoral goals, and time schedules of implementation; EXCEPT that it is understood that each department and office, and the appointed head thereof, shall be responsible for the formulation and implementation of short-term operational plans and all normal administrative implementation matters within the purview of the department or office, as defined by statute or executive order;

(3) Monitor plan implementation, providing policy guidance, and recommend adjustments as required to policies, organizational arrangements, priorities, and strategies to maximize the attainment of the plan goals;

(4) Provide ongoing analysis of the state's governmental services, organization, and personnel, and make recommendations to improve the same;

(5) Oversee the preparation of the annual operating and capital development budgets of the executive branch and agencies;

(6) Oversee, generally, the current and proposed major development projects within the state, providing particular analysis and recommendations on all such projects and proposals which require government funding, subsidy or policy and regulatory concessions;

(7) Recommend policies and strategies to increase the role and productive output of the private sector in the economy of the state;

(8) Recommend policies and strategies to develop the human resources of Pohnpei, commensurate with the life-style choices of the communities and individuals;

(9) Review government-funded and -operated services and operations with a view toward reducing governmental financial costs while maintaining necessary services in an economically efficient and equitable manner, emphasizing, in this effort, the revision or development of user fees and charges and the commercialization, privatization or divestiture of government services and assets;

(10) Recommend state policies and strategies with regard to national, regional, and international cooperation, both government and non-government, to increase external assistance and investment in Pohnpei in a coordinated manner and in accordance with overall state priorities, to create more efficient commercial trade and resource utilization mechanisms, and to improve the delivery of externally funded aid and investment in Pohnpei;

(11) Review existing tax and tariff laws and administration in relation to development issues, at the state, national, and local levels, and make recommendations regarding the revision of such laws and administration;

(12) Establish mechanisms for regular communication of the activities, recommendations and analyses of the Commission to the other branches of the state government, other governments, and institutions, to the Pohnpei communities and to the local foreign business communities;

(13) Coordinate the compilation and dissemination of data, statistical summaries, and information on all vital socio-economic indicators necessary for monitoring of social and economic development progress and for financial and commercial appraisal and assessment of the Pohnpei economy;

(14) Recommend appropriate legislation to implement the goals and priorities set by the Commission, and establish mechanisms for close and ongoing communications with and submissions of legislation to the Legislature; and

(15) Undertake such other reviews, functions, and tasks as are referred to the Commission by the Governor or the Pohnpei Legislature.

Source: S.L. No. 4L-05-96 §3, 3/14/96

**§5-104. Commission powers regarding information.** — The Governor may request any information and data that the Commission deems necessary. Requests for information shall be specific and detailed and shall establish a reasonable time frame for the production of the information requested. The Commission shall establish operational rules for the safeguarding of any confidential information or materials received by the Commission, to include disciplinary actions and procedures regarding the negligent or intentional release of such confidential information or materials.

Source: S.L. No. 4L-05-96 §4, 3/14/96

**§5-105. Authorization for appropriation; administration.** —

(1) There is hereby authorized for appropriation such sums from such Treasury funds as may be identified and allocated annually in the Comprehensive Budget Act for the purposes of financing the compensation of members and expenses of the Economic Planning Commission.

(2) In addition to the sums appropriated under the authorization of Subsection (1) of this section, the Commission shall be eligible to receive financial assistance from other grants made available to the Pohnpei Government, including, but not limited to, contributions from intergovernmental

associations, the United States of America Government, the FSM National Government, the local governments of this state, and other sources.

(3) All financing appropriated or otherwise made available to the Commission shall be administered and expended by the Governor solely for the purposes specified in this chapter and subject to the terms and conditions of the granting authority which are not inconsistent with this chapter.

(4) Unless otherwise provided in the Comprehensive Budget Act, the balance of any sums appropriated under the authorization of Subsection (1) of this section that are not expended or obligated for expenditure at the close of the fiscal year for which they were appropriated shall revert to the fund or funds in the Pohnpei Treasury from which the appropriation was made.

(5) Sums provided to the Commission from other sources as prescribed in Subsection (2) of this section shall remain available to the Commission until fully expended on the project or program for which the grant has been received. Upon conclusion of such project or program, such sums made available under the grant shall be returned or disposed of pursuant to the terms of the grant; PROVIDED that, if there be no such terms, said balance shall be deposited in the general fund of the Treasury as the realization of public revenues.

(6) The Governor shall submit an annual report to the Legislature on all financial matters with respect to the administration and expenditure of all monies made available to the Commission for a fiscal year within 15 days following the close of the fiscal year.

Source: S.L. No. 4L-05-96 §5, 3/14/96

EXECUTIVE

## CHAPTER 6 DEVELOPMENT PLAN

### Section

6-101 Procedures for enactment of a state plan	6-104 Authority to transmit
6-102 Adoption of a state plan	6-105 Amendments
6-103 Construction	

**§6-101. Procedures for enactment of a state plan.** — Before the Governor submits the Pohnpei State Plan as this state’s component of the official economic development plan as required by §211(b) of the Compact of Free Association to the government of the United States of America through the government of the Federated States of Micronesia, the plan shall first be enacted into state law. Amendments and revisions to the state plan shall be effectuated by state law in the same manner as the original plan.

Source: S.L. No. 3L-9-84 §1, 1/31/84

**§6-102. Adoption of a state plan.** — The documents entitled “Proceedings of the First Pohnpei State Economic Summit (May 6-9, 1996),” and “Pohnpei State Public Sector Investment Program”, incorporated herein by reference are hereby adopted as the official Development Plan of Pohnpei and declared to be the official development policy of the Government of Pohnpei.

Source: S.L. No. 4L-28-97 §1, 2/18/97

**§6-103. Construction.** — The Pohnpei Development Plan adopted by §6-102 shall be deemed a planning document for the purpose of guiding Pohnpei Government officials and private sector developers as to the major goals and strategies for the development of Pohnpei. Project descriptions, detailed plans, implementation schedules, and initiation dates that are not already provided in the Pohnpei Development Plan, inclusive of subsequent amendments thereto, and authorized funding levels shall be as provided in future authorization laws of Pohnpei, and the annual Comprehensive Budget Act of this state.

Source: S.L. No. 4L-28-97 §2, 2/18/97

**§6-104. Authority to transmit.** — The Governor is hereby authorized to submit the Pohnpei Development Plan adopted by §6-102 to all necessary and relevant persons, associations, and organizations as the official Pohnpei component of the Overall Development Plan of the Federated States of Micronesia.

Source: S.L. No. 4L-28-97 §3, 2/18/97

**§6-105. Amendments.** — Amendments to the Pohnpei Development Plan shall be effectuated in the manner prescribed therefor in the Federated States of Micronesia Agreement on Internal Budget and Financial Procedures under the Compact of Free Association, as codified at 55 FSMC §§301 – 344.

Source: S.L. No. 4L-28-97 §4, 2/18/97

Note: S.L. No. 4L-28-97 §5, 2/18/97 superseded S.L. No. 1L-123-87, 4/2/87 in its entirety.

## CHAPTERS 7 – 9 [RESERVED]

EXECUTIVE

## CHAPTER 10 GOVERNOR'S OFFICE FINANCES

### Section

10-101 Governor's representation fund: authorization; administration

10-102 Governor's contingency fund: authorization; administration

#### **§10-101. Governor's representation fund: authorization; administration. —**

(1) There is hereby authorized for appropriation from the general fund of Pohnpei a sum to be determined annually in the Comprehensive Budget Act for the purpose of funding a Governor's representation fund.

(2) The sum herein authorized for appropriation shall be administered and expended by the Governor, upon concurrence with the Chief of the Division of Finance and Property Accountability, solely for the purpose stated in Subsection (1) of this section. The Governor shall report to the Legislature on or before October 15 each year on all matters concerning the expenditure of the sum authorized for appropriation by this section. Any balance of the sum appropriated under the authorization of this section not expended or obligated for expenditure on September 30 each year shall revert to the general fund of Pohnpei.

Source: S.L. No. 2L-18-80 §§1 & 2, 9/19/80

Note: S.L. No. 1L-5-79, 10/1/79 also created a Governor's representation fund, which was, in effect, repealed by the enactment of S.L. No. 2L-18-80.

#### **§10-102. Governor's contingency fund: authorization; administration. —**

(1) There is hereby authorized for appropriation from the general fund of Pohnpei such sums as may be determined annually in the Comprehensive Budget Act for the purpose of establishing a Governor's contingency fund, to be administered and expended as follows:

(a) To supplement expenses of an emergency or unforeseen nature arising within the approved budget line items in the respective title of the annual Comprehensive Budget Act; PROVIDED that the sum herein authorized for appropriation shall not be used to fund any items not otherwise approved in the respective title of the Comprehensive Budget Act for the executive branch; and

(b) [*RESERVED*]

(2) All sums herein authorized for appropriation shall be expended and administered under the written direction of the Governor of Pohnpei for the purposes stated in this section. The Governor shall submit an annual written report to the Legislature concerning all expenditures from this fund. Said report shall be submitted on or before October 15 each year. Any balance of the sums appropriated under the authorization of this section not expended or obligated for expenditure on September 30 each year shall revert to the general fund of Pohnpei.

Source: S.L. No. 2L-8-88 §§1 & 2, 4/26/88

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