

A BILL FOR AN ACT

To further amend Public Law No. 12-12, as amended, by amending section 13 to reallocate unused funds previously appropriated for MS Caroline Islands drydocking for use in airport projects in Chuuk State Election Districts Nos. 1 and 3 and by amending section 16 to change, the allottee and lapse date, and for other purposes.

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

1 Section 1. Section 13 of Public Law No. 12-12, as amended by
2 Public Laws Nos. 12-21[~~and 12-24~~], 12-24 and 12-35, is hereby
3 further amended to read as follows:

4 "Section 13. Capital and Human Resource Development.

5 The sum of \$11,415,200, or so much thereof as may be
6 necessary, is hereby appropriated from the General Fund
7 of the Federated States of Micronesia for the fiscal
8 year ending September 30, 2002, for capital improvement,
9 development programs and projects and human resource
10 development. Of the total funds appropriated under this
11 section, \$2,955,926 shall be deemed to come from the
12 capital account funds available under section 211 of the
13 Compact of Free Association, and \$1,387,700 from the
14 funds available under section 216(a)(3) of the Compact
15 of Free Association. The sum appropriated under this
16 section shall be apportioned as follows:

17 (1) College of Micronesia-FSM

18 (a) Operations of the College of

1 Micronesia-FSM, including planning
 2 and construction of new facilities\$ 3,067,000
 3 (b) Student assistance for tuition
 4 and housing to be deemed as deriving from
 5 section 216(a)(3) of the Compact of Free
 6 Association PROVIDED that these funds shall
 7 be used strictly for direct financial
 8 assistance to COM-FSM students, and PROVIDED
 9 FURTHER that the co-payment by the student or
 10 the student's parent must be proportionally
 11 the same for each in relation to their total
 12 obligation, and PROVIDED FURTHER that only
 13 students maintaining a passing grade point
 14 average will be eligible to receive these
 15 funds. The funds appropriated under this
 16 subsection shall be apportioned as follows:
 17 (i) General assistance 295,000
 18 (ii) Assistance for courses on
 19 Micronesian Government and Politics 5,000
 20 (c) COM-FSM Multi-purpose gymnasium
 21 furnishing 60,000
 22 (d) COM-Faculty office furnishing ... 40,000
 23 (e) Chuuk State Congressional
 24 Projects:
 25 (i) E.D. No. 1:

1	a) <u>Ta Airport Project</u> ...\$	250,000
2	b) <u>Other</u> public projects .	180,000
3	(ii) E.D. No. 2:	
4	a) Road improvements	90,000
5	b) Economic assistance grants	40,000
6	c) Social assistance grants	20,000
7	d) Student assistance grants	10,000
8	e) Northern Namoneas Development	
9	Authority operations	20,000
10	(iii) E.D. No. 3:	
11	a) Educational grant	
12	assistance.....	50,000
13	b) Other social and economic	
14	project grants.....	110,000
15	c) Legal fees	20,000
16	(iv) E.D. No. 4:	
17	a) Japan-Micronesia	
18	Friendship Association	40,000
19	b) Project coordinator's	
20	office for Tolensom Development Authority ..	40,000
21	c) Post-secondary student	
22	assistance grants	10,000
23	d) Legal fees	10,000
24	e) Repair of Neuut bridge	20,000
25	f) Other public social and	

1	economic projects	\$ 60,000
2	(v) E.D. No. 5 Houk Airport	
3	Project Grant [180,000]	<u>430,000</u>
4	(vi) State-wide public projects .	100,000
5	(f) FSM Fisheries and Maritime	
6	Institute	663,000
7	(2) Post-secondary educational assistance	
8	to be deemed as deriving from section	
9	216(a) (3) of the Compact of Free Association:	
10	(a) Kosrae State	126,661
11	(b) Pohnpei State	288,003
12	(c) Chuuk State Scholarships,	
13	PROVIDED that the selection committee is	
14	required to provide to the State Scholarship	
15	Coordinator, copies of all documents which	
16	would provide details of the applicants, their	
17	grade point average, the courses studied and	
18	the institution attended, as well as names of	
19	those applicants who are selected to receive a	
20	scholarship and the amount proposed. This	
21	requirement must be satisfied prior to the	
22	release of scholarship funds to the students	
23	selected.	
24	(i) General assistance	271,716
25	(ii) Scholarships for	

1	students with the highest grade point	
2	averages	\$ 140,000
3	(d) Yap State	161,320
4	(e) Graduate and Professional School	
5	Scholarships-all States	100,000
6	(3) National Staff Upgrading	-0-
7	(4) FSM Capitol complex renovation	200,000
8	(5) Micronesian Entrepreneur Development	
9	Center	60,000
10	(6) FSM Development Bank - Development	
11	Loan Program	1,000,000
12	(7) Pohnpei sports facilities improvement	-0-
13	(8) Yap sports facilities completion	620,000
14	(9) FSM Trust Fund, PROVIDED that these	
15	funds shall be placed in the FSM Trust	
16	Fund until such time as an 'S' Account	
17	within the FSM Trust Fund is established	
18	by law, at which time the funds will be	
19	transferred to this account. If no 'S'	
20	Account is established by law, the funds	
21	shall remain in the FSM Trust Fund until	
22	such time as they are appropriated by law ..	2,015,000
23	(10) FSM Consul General Guam residence	
24	construction	190,000
25	(11) [Ms. Caroline Islands dry-docking	500,000

1 ~~(12)~~] National Visitors Bureau\$ 512,500
 2 ~~[(13)]~~ (12) Chuuk State Multi-purpose Gymnasium 100,000"

3 Section 2. Section 16 of Public Law No. 12-12, as amended by
 4 Public Laws Nos. 12-21 and 12-24, is hereby further amended to
 5 read as follows:

6 "Section 16. Allotment and management of funds and
 7 lapse date.

8 (1) *General Provisions.*

9 (a) All funds appropriated by this act shall be
 10 allotted, managed, administered, and accounted for in
 11 accordance with applicable law, including, but not
 12 limited to, the Financial Management Act of 1979;

13 (b) The allottees shall be responsible for
 14 ensuring that these funds, or so much thereof as may be
 15 necessary, are used solely for the purpose specified in
 16 this act, and that no obligations are incurred in excess
 17 of the sum appropriated.

18 (2) *Allottees.* The allottees of the funds
 19 appropriated by this act are as follows:

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

22 (b) section 3 - the allottee of these funds shall
 23 be the Speaker of the Congress of the Federated States
 24 of Micronesia;

25 (c) section 4 - the allottee of these funds shall

1 be the Chief Justice of the Supreme Court of the
2 Federated States of Micronesia;

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

5 (e) section 6 through 13 - the allottee of these
6 funds shall be the President of the Federated States of
7 Micronesia or his designee; EXCEPT THAT for the
8 following subsections of section 6 through 13 of this
9 act, the allottees shall be:

10 (i) section 8, subsection (5) - the allottee
11 of these funds shall be the Governor of the respective
12 State, or his designee;

13 (ii) section 8, subsection (6) (a) through
14 (6) (d) - the allottee of these funds shall be the
15 Secretary of the Department of Transportation,
16 Communication and Infrastructure;

17 (iii) section 8, subsection (8) (a) through
18 (8) (d) - the allottee of these funds shall be the Chief
19 Justice of the respective State;

20 (iv) section 8, subsection (8) (g) - the
21 allottee of these funds shall be the President of the
22 Federated States of Micronesia, or his designee, until
23 such time as the Constitutional Convention convenes and
24 selects a President and then the allottee of these funds
25 shall be the President of the Constitutional Convention.

1 (v) section 10, subsection (2)(b) - the
2 allottee of these funds shall be the Speaker of the
3 Congress of the Federated States of Micronesia, or his
4 designee;

5 (vi) section 10, subsection (2)(c) - the
6 allottee of these funds shall be the Chief Justice of
7 the Supreme Court of the Federated States of Micronesia;

8 (vii) section 13, subsection (1)(a) through
9 (1)(~~f~~d) - the allottee of these funds shall be the
10 President of the College of Micronesia-FSM, EXCEPT THAT
11 the allottee of the funds appropriated under subsection
12 (1)(e) of section 13 shall be the Executive Director of
13 the Chuuk State Commission on Improvement Projects;

14 (viii) section 13, subsections (2)(a) through
15 (2)(d) - the allottee of these funds shall be the
16 Governor of the respective State.

17 (ix) section 13, subsections (1)(e)(i) and
18 (1)(e)(v) - the allottee of these funds shall be the
19 President of the FSM.

20 (3) *Lapse date.* The authority of the allottees to
21 obligate funds appropriated by this act shall lapse as
22 of September 30, 2002, EXCEPT THAT the authority of the
23 allottees to obligate funds appropriated by section 13,
24 subsections (1) and (2) [~~for post-secondary educational~~
25 ~~assistance~~] shall not lapse."

