A BILL FOR AN ACT

To further amend chapter six of title 55 of the Code of the Federated States of Micronesia by amending section 608 by incorporating the definitions of "disaster" and "state of emergency"; by amending section 611 by authorizing the President to expend funds from the Disaster Relief Fund for the purpose of lending disaster relief assistance to victims of disasters occurring outside of the Federated States Micronesia; and for other purposes.

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

1. Section 608 of title 55 of the Code of the Federated States of Micronesia is hereby amended to read as follows:

"Section 608. Definitions. As used in this subchapter:

(1) Disaster means any hurricane, typhoon, earthquake, flood, high water, wind or other catastrophic damage in any part of the Federated States of Micronesia which, in the determination of the President, causes damage of sufficient severity and magnitude to warrant assistance under this subchapter in order to enable the government to supplement its own resources and capabilities to alleviate the damages, losses incurred, or suffering caused thereby;

(2) "Disaster" means the imminent threat or the occurrence of widespread injury or death to persons, or severe widespread injury to, or destruction of, property caused by a natural or man-made catastrophe.

(3) [Amended by AD 1981, CBL 10-243]
(2) "State of emergency" means a formal declaration by the President in a situation where it is required to preserve public peace, health, or safety, at a time of extreme emergency caused by a disaster, and where the States need national and possibly international aid to prevent, prepare for, or recover from the disaster."

Section 2. Section 611 of title 55 of the Code of the Federated States of Micronesia is hereby amended to read as follows:

"Section 611. Use of Disaster Relief Fund.

(1) Upon declaring that a disaster or emergency exists, the President may authorize such expenditure of moneys from the Disaster Relief Fund as in his opinion are necessary to carry out the purpose of this subchapter, providing that they are consistent
with the type and extent of aid requested by the
Governor of the affected State.

(2) Expenditure from the Disaster Relief Fund
may be used for necessary food, clothing, shelter,
medical supplies, compensation for crop damage,
transportation, debris clearance, reconstruction and
repair of seawalls and other damaged property,
building materials, and such other matters as the
President determines to be necessary and occasioned
by the emergency or disaster.

(3) In the event of a disaster occurring
outside of the Federated States of Micronesia,
especially in a country or territory where FSM
citizens reside and work, the President may authorize
the expenditure of moneys from the Disaster Relief
Fund to be used as disaster relief assistance to the
victims of such a disaster, provided that the
assistance money shall be directed to a recognized
governmental or nongovernmental point of receipt for
such assistance in order that the use of the
assistance can be maximized. The section 601
requirement of a Presidential declaration of a
disaster or emergency shall be deemed to be satisfied
upon the issuance of a similar declaration by the
competent authority in the foreign country or
territory. Prior to such authorization, the
President shall assess the impact of such expenditure
to ensure that the obligations of the National
Government under the Disaster Relief Act of 1989,
Public Law No. 6-38, would not be compromised by the
expenditure."

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

Date: 2/16/98

Introduced by: Joseph J. Orssemal
(by request)