TENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FOURTH REGULAR SESSION, 1998

C.B. NO. 10-348, C.D.1

A BILL FOR AN ACT

To amend Public Law No. 10-119, by amending sections 13 and 16, to reprogram the sum of $500,000 from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 1999, for the lease of an airplane for the use of the Federated States of Micronesia, 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. 10-119 is hereby amended to read as follows:

"Section 13. Development budget - Appropriation. The sum of $3,737,000, or so much thereof as may be necessary, is hereby appropriated from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 1999, for capital improvement and development programs and projects of the National Government of the Federated States of Micronesia during fiscal year 1999. Of the funds appropriated under this section, $1,487,000 (for lines (1), (2), (3) and (5)) shall be deemed to come from the capital account of the Compact of Free Association. The sum appropriated by this section shall be apportioned as follows:

(1) National staff upgrading program (Division of Personnel Administration, for training programs of one year or less)

(a) General staff ..................... $ 80,000

(b) Public auditor’s office ......... 20,000

(2) National Visitors Council (Department of Economic Affairs) .................. 200,000

(3) Regional livestock project (Department of Economic Affairs) .............. 187,000

(4) FSM 2000 population and housing census (Department of Economic Affairs) ......... 100,000
(5) Business Development Loan Fund (FSMDB) $1,000,000
(6) FSM Trust Fund ............... 1,500,000
(7) Coconut processing project, Chuuk, for the
purchase of plant machinery and materials for soap
production only; no salaries, travel, or vehicle
purchase or rental ........................................ 150,000
(8) Airplane lease for the use
of the Federated States of Micronesia ............ 500,000*

Section 2. Section 16 of Public Law No. 10-119 is hereby
amended to read as follows:

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

(1) All funds appropriated by this act shall be
allotted, managed, administered, and accounted for in
accordance with applicable law, including, but not
limited to, the Financial Management Act of 1979;
PROVIDED, however, that the funds appropriated to Chuuk
State under subsection (3) of section 10 of this act
shall be retained in the General Fund of the Federated
States of Micronesia until a scholarship recipient is
identified to the President or the President's
designee, at which time scholarship funds in the amount
of the scholarship award shall be disbursed directly to
the educational institution in the form of a two-party
check payable to both the scholarship recipient and the
PROVIDED FURTHER, that the allottee of the funds appropriated under section 6(1), (2), and (3) of this act shall be, respectively, the President of the Federated States of Micronesia, the Speaker of the Congress of the Federated States of Micronesia, and the Chief Justice of the Supreme Court of the Federated States of Micronesia; and PROVIDED FURTHER, that the allottee of the funds appropriated under section 7 of this act shall be the Secretary of the Department of Transportation, Communication and Infrastructure; and PROVIDED FURTHER, that the allottees [for] of the funds appropriated under subsection (2)(o) of section 11 of this act shall be the Governors of the respective States, and no funds appropriated under subsection (2)(o) of section 11 of this act shall be disbursed from the General Fund to the allottees unless the President certifies that the State involved has entered into a joint law enforcement agreement for the period of October 1, 1998, to September 30, 1999, with the National Government pursuant to chapter 12 of title 12 of the Code of the Federated States of Micronesia; and PROVIDED FURTHER, that the allottees of the funds appropriated under subsection (2)(hh)(iiia), (iii) and (iv) of section 11 of this act shall be the [Rural]
Development] Community Development Managers of Rural Development of the respective States. Funds appropriated under subsection (2)(hh)(ii)a), (iii) and (iv) of section 11 of this act shall not be disbursed to a State's [Rural Development] Community Development Manager if he fails to submit to the Speaker of Congress and to the President detailed, quarterly financial statements regarding his office's operations, or if he fails to comply with the Financial Management Act of 1979; and PROVIDED FURTHER, that the allottee of the funds appropriated under subsection (2)(hh)(ii)b) of section 11 of this act shall be the Executive Director of the Chuuk Housing Authority; and PROVIDED FURTHER, that the allottees [fer] of the funds appropriated under subsection (2)(s) of section 11 of this act shall be the Chief Justices of the respective States; and PROVIDED FURTHER, that the allottee of the funds appropriated under subsection (1) of section 13 shall be the Personnel Officer of the Division of Personnel Administration; and PROVIDED FURTHER, that the allottee of the funds appropriated under subsection (8) of section 13 of this act shall be the President of the Federated States of Micronesia, and that no funds appropriated under subsection (8) of section 13 of this act shall be obligated or disbursed from the General
Fund of the Federated States of Micronesia unless and until both the President of the Federated States of Micronesia and the Transportation & Communications Committee of the Congress of the Federated States of Micronesia agree that it is in the best interests of the Federated States of Micronesia to do so. Each allottee shall be responsible for ensuring that these funds, or so much thereof as may be necessary, are used solely for the purpose specified in this act, and that no obligations are incurred in excess of the sum appropriated.

(2) Allotments shall not exceed the following percentages of the funds appropriated under sections 5(3), [5(6)], 7, 9(1), and 13(5) of this act:

(a) thirty percent of the appropriation before January 1, 1999;
(b) fifty percent of the appropriation before April 1, 1999;
(c) eighty percent of the appropriation before July 1, 1999.

(3) The authority of the allottees to obligate funds appropriated by this act shall lapse as of September 30, 1999; PROVIDED, however, that the authority of the allottees to obligate funds
appropriated by sections [3(3)+]3(4), 7, 9, 10, and 13
shall not lapse; and PROVIDED FURTHER, that the
authority of the allottee to obligate funds
appropriated by section 13(4) shall lapse as of
September 30, 2000."

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: 11/27/98    Introduced by: /s/Peter M. Christian
Peter M. Christian