THIRTEENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIRST REGULAR SESSION, 2003

A BILL FOR AN ACT

To further amend Public Law No. 12-12, as amended, by amending section 16 thereof to provide a procedure for distribution of funds appropriated to Election District No. 4 in Chuuk State, and for other purposes.

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

1. Section 1. Section 16 of Public Law No. 12-12, as amended by Public Laws Nos. 12-21, 12-24 and 12-48, is hereby further amended to read as follows:

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

(1) General Provisions.

(a) 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;

(b) The allottees 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) Allottees. The allottees of the funds appropriated by this act are as follows:

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

(b) section 3 – the allottee of these funds shall be the Speaker of the Congress of the Federated States of Micronesia;

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

(d) section 5 – the allottee of these funds shall be the Public Auditor;

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

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

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

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

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

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

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

(vii) section 13, subsection (1)(a) through (1)(f) – the allottee of these funds shall be the President of the College of Micronesia-FSM, EXCEPT THAT the allottee of the funds appropriated under subsection (1)(e) of section 13 shall be the Executive Director of the Chuuk State Commission on Improvement Projects and PROVIDED THAT, for funds appropriated under subsection (1)(e)(iv) of section 13 of this act, the allottee shall follow the procedures set forth in subsection (4) of this section 16;

(viii) section 13, subsections (2)(a) through (2)(d) – the allottee of these funds shall be the Governor of the respective State.
(ix) section 13, subsection (13) - the allottee of these funds shall be the Governor of Chuuk State.

(3) Lapse dates. The authority of the allottees to obligate funds appropriated by this act shall lapse as follows:

(a) the authority of the allottees to obligate the funds appropriated by section 13 of this act shall lapse as of September 30, 2003, EXCEPT THAT the authority of the allottees to obligate the funds appropriated by section 13, subsections (2) and (8) shall not lapse;

(b) the authority of the allottees to obligate the funds appropriated by section 2, subsection (8)(b) shall not lapse; and

(c) the authority of the allottees to obligate all remaining funds appropriated by this act shall lapse as of September 30, 2002; and

(4) Disbursement Procedure. Prior to any obligation or disbursement of funds appropriated under subsection (1)(e)(iv) of section 13 of this act, the allottee shall, by written notice to the mayor of each municipality in Election District No. 4 of Chuuk State, inform each municipality of the amount of funds available for allotment in Election District No. 4 and
invite requests for project funding from each municipality. Not less than thirty (30) days nor more than sixty (60) days after delivering such notice, the allottee shall convene and chair a panel consisting of all the Mayors of Election District No. 4 or their designees, who shall review the requests for project funding and determine, by majority vote, which project(s) shall be recommended to the allottee for funding. The allottee shall not have a vote except in the event of a tie. In the event of a tie, the Executive Director of the allottee, or his designee, shall cast the deciding vote. The allottee's designee shall not be a resident or former resident of Election District No. 4. Subject to relevant law and regulations, the allottee shall follow the recommendations of the panel."

Section 2. 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: 6/2/03 Introduced by: /s/ Tiwiter Aritos

Tiwiter Aritos