A BILL FOR AN ACT

To further amend title 55 of the Code of the Federated States of Micronesia, as amended, by enacting a new chapter 16 thereof, for the purpose of establishing the Pohnpei State Commission on Improvement Projects, and for other purposes.

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

Section 1. Title 55 of the Code of the Federated States of Micronesia, as amended, is hereby further amended by enacting a new chapter 16 entitled: “Chapter 16. Pohnpei State Commission on Improvement Projects.”

Section 2. Title 55 of the Code of the Federated States of Micronesia, as amended, is hereby further amended by inserting a new section 1601 of chapter 16 to read as follows:

“Section 1601. Commission created. There is hereby created a Pohnpei State Commission on Improvement Projects (‘PSCIP’). The commission shall be composed of the following: a representative from each of the election districts within the State of Pohnpei, or his designee, and the Budget Officer of the Pohnpei State Government. A majority of the mayors of the election district shall select a person from within the district to represent the district on the PSCIP.”

Section 3. Title 55 of the Code of the Federated States of Micronesia, as amended, is hereby further amended by inserting a new section 1602 of chapter 16 to read as follows:
“Section 1602. Commission – Organization; Quorum; Interim Manager.

(1) The commission shall meet to organize itself and to select a chairman and a vice chairman. The presence of a majority of the representatives from the election districts shall be necessary to constitute a quorum. Meetings shall be conducted according to bylaws adopted by the members. The chairman will have authority to vote at a meeting only in order to break a tie.

(2) Until such time as sufficient representatives have been selected to constitute a quorum to organize, the Governor of the State of Pohnpei is authorized to appoint an interim manager to carry out duties and responsibilities authorized under subsections (1) through (5) of section 803.”

Section 4. Title 55 of the Code of the Federated States of Micronesia, as amended, is hereby further amended by inserting a new section 1603 of chapter 16 to read as follows:

“Section 1603. Commission – Authority.
The commission shall have the authority to:

(1) Obligate funds appropriated and allotted to the commission by the Congress for projects in Pohnpei;

(2) Award and enter into contracts for projects, giving priority to bids by Micronesian citizens or corporations
qualified and capable of performing fully and without delay such projects;

(3) Assess damage to private property caused by projects and negotiate written settlements on amounts of compensation, such written settlements to be treated as obligations for the purposes of the Financial Management Act of 1979;

(4) Establish priorities for the performance of projects, ensuring that each district is treated as equally as possible;

(5) Submit all reports required by applicable law, including, but not limited to, the Financial Management Act of 1979; and

(6) Appoint an executive director, who may carry out such duties of the commission as the commission deems advisable; the commission may authorize the executive director to hire staff.”

Section 5. Title 55 of the Code of the Federated States of Micronesia, as amended, is hereby further amended by inserting a new section 1604 of chapter 16 to read as follows:

“Section 1604. Development Authorities created by Pohnpei State.

Where an appropriation designates a “Development Authority” as an allottee in Pohnpei State, the designation shall refer to an entity created by Pohnpei State law. In the
event that such an entity has not been created by Pohnpei State law or has been abolished, the executive director of the Pohnpei State Commission on Improvement Projects or his designee shall serve as allottee.”

Section 6. 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: 5/28/14 Introduced by: /s/ Dohsis Halbert

Dohsis Halbert