
A BILL FOR AN ACT

To further amend title 4 of the Code of the Federated States of Micronesia (Annotated), as amended, by enacting a new section 108A, to establish a Former Supreme Court Justice Benefit Trust Fund, to provide for a retirement allowance for former Justices, and for other purposes.

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

1 Section 1. Title 4 of the Code of the Federated States of
2 Micronesia (Annotated), as amended, is hereby further amended by
3 enacting a new section 108A to read as follows:

4 **“Section 108A. Establishment of Former Supreme Court**
5 **Justice Benefit Trust Fund and Allowance for Former**
6 **Justices.**

7 (1) There shall be established in the Treasury of the
8 Federated States of Micronesia a trust fund that shall
9 be known as the “Former Supreme Court Justice Benefit
10 Trust Fund.” The fund shall be administered by the
11 Secretary of Finance and Administration, and shall
12 consist of such amounts as may be advanced by the
13 Congress of the Federated States of Micronesia by budget
14 appropriation, and such gifts, bequests, donations,
15 contributions, or grants, as may be received by the
16 Federated States of Micronesia which are specifically
17 designated for the benefit of former Supreme Court
18 Justices.

1 (2) Beginning on October 1, 2021, each eligible
2 former Supreme Court Justice shall be entitled for the
3 remainder of his or her life to receive from the Trust
4 fund a monetary allowance equal to 100 percent of the
5 salary the Justice received at the time his or her
6 service to the Supreme Court terminated, prorated and
7 due and payable monthly.

8 (3) For clarity, the monetary allowance is paid to a
9 beneficiary of a trust, and is not subject to social
10 security contributions.

11 (4) As used in this section, the term "eligible former
12 Supreme Court Justice" means a person

13 (i) who held the position of Associate Justice or
14 Chief Justice of the Supreme Court for a cumulative
15 minimum of 10 years;

16 (ii) who no longer serves in such position; and

17 (iii) whose service terminated other than by
18 removal pursuant to the Constitution and statutes of the
19 Federated States of Micronesia.

20 (5) Prior to the beginning of each fiscal year, the
21 Secretary of Finance and Administration shall report to
22 Congress on all activity relating to the Trust Fund,
23 including prior year disbursements, current balance, and
24 anticipated funding needs for the upcoming fiscal year."

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1 Section 2. This act shall become law upon approval by the
2 President of the Federated States of Micronesia or upon becoming
3 law without such approval.
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5 Date: 9/6/21

Introduced by: /s/ Wesley W. Simina
 Wesley W. Simina

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