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A BILL FOR AN ACT

To amend title 22 of the Code of the Federated States of Micronesia to create a new section 218 and to amend sections 302, 303, and 304 for the purpose of creating a copra stabilization revolving fund, to transfer the authority of issuing copra trading licenses to the Coconut Development Authority, and for other purposes.

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

1 Section 1. A new section 218 is hereby added to title 22 of the
2 Code of the Federated States of Micronesia to read as follows:

3 "Section 218. Copra Stabilization Revolving Fund. There
4 is hereby established a Copra Stabilization Revolving Fund
5 (hereinafter called the "fund"), separate from the General
6 Fund and other funds.

7 (1) The following assets shall be deposited in the fund:

8 (a) All assets, including monies, held by the Authority
9 on the effective date of this act which were received from the
10 Trust Territory Copra Stabilization Board and the Federated
11 States Copra Stabilization Board;

12 (b) All assets, including monies, received from the
13 Trust Territory Copra Stabilization Board and the Federated
14 States Copra Stabilization Board after the effective date of
15 this act;

16 (c) All monies appropriated for the purpose of
17 subsidizing and stabilizing the price paid for copra within
18 the Federated States of Micronesia, including those monies
19 which were appropriated before the effective date of this
20 act, but not yet obligated;

21 (d) All assets, including monies, received by the
22 Authority from the sale, marketing, and export of copra;

23 (e) All assets, including monies, derived from the
24 investment and use of monies in the fund including interest; and

25 (f) Any other assets, including monies, received by

1 the Authority for the purpose of stabilizing or subsidizing
2 the prices paid for copra within the Federated States of
3 Micronesia.

4 (2) The Authority shall administer the fund for the
5 purpose of stabilizing prices paid for copra in the Federated
6 States of Micronesia and the Authority shall be authorized to
7 do the following to accomplish this purpose:

8 (a) Pay costs and expenses incident to the
9 purchasing, storing, marketing, and selling of copra;

10 (b) Subsidize the prices paid for copra in the
11 Federated States of Micronesia to the extent of the assets
12 in the fund;

13 (c) Invest and reinvest the assets of the fund
14 using methods of investing which ensure the greatest return
15 commensurate with sound financing adequately safeguarded,
16 which authority may include holding, purchasing, selling,
17 assigning, transferring, and disposing of any investment
18 or investments, and upon such sale, the proceeds thereof
19 shall be redeposited in the fund, subject to reinvestment or
20 other authorized use; and

21 (d) Promulgate regulations, pursuant to title
22 17 of the Code of the Federated States of Micronesia.

23 (3) Any unexpended money in this fund shall not revert
24 to the General Fund or lapse at the end of the fiscal year.

25 (4) The manager of the Authority shall prepare and

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1 submit an annual report on the status of the fund prior to
2 the opening of the regular May session of the Congress of the
3 Federated States of Micronesia. This report shall include the
4 total amount of assets, including monies, currently in the fund,
5 the total accounts payable, and other financial obligations of
6 the fund, the accounts receivable owing to the fund, and any
7 other information as may be appropriate. "

8 Section 2. Section 302 of title 22 of the Code of the Federated States
9 of Micronesia is hereby amended to read as follows:

10 "Section 302. Terms and conditions. ~~The Secretary of Resources~~
11 ~~and Development of the Federated States of Micronesia~~ The
12 manager of the Authority shall administer the licensing process,
13 including issuance, modification, restriction, suspension, and
14 revocation of licenses, and supervision of licenses, for all
15 persons, partnerships, associations, cooperatives, or corpora-
16 tions purchasing copra for export either directly or through
17 such agency as the ~~Secretary of Resources and Development~~
18 manager of the Authority may approve. "

19 Section 3. Section 303 of title 22 of the Code of the Federated
20 States of Micronesia is hereby amended to read as follows:

21 "Section 303. Licensure - Regulations and procedures. The
22 ~~Secretary of Resources and Development~~ manager of the Authority
23 shall promulgate regulations and procedures controlling the
24 issuance, modification, restriction, suspension, or revocation
25 of licenses, and the supervision of licenses under this chapter. "

1 Section 4. Section 304 of title 22 of the Code of the Federated
2 States of Micronesia is hereby amended to read as follows:

3 "Section 304. Licensure - Appeals. In the event of the
4 denial, modification, restriction, suspension, or revocation
5 of a license under this chapter, the party adversely affected
6 may, within a thirty-day period following receipt of notice
7 by certified mail, appeal the decision of the ~~Secretary of~~
8 ~~Resources and Development~~ manager of the Authority to the
9 Board ~~of Directors of the Copra Stabilization Board~~ or its
10 successor in the Federated States of Micronesia, which shall
11 act as an appeals board on licensing decisions made pursuant
12 to this chapter, and which shall have the power to affirm
13 or reverse the decisions of the ~~Secretary of Resources and~~
14 ~~Development~~ manager of the Authority with regard to licensing
15 under this chapter. "

16 Section 5. This act shall become law upon approval by the President
17 of the Federated States of Micronesia or upon its becoming law without
18 such approval.

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20 Date: 11/1/82

Introduced by :

Sasao Gouland
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