THIRD CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIRST SPECIAL SESSION, 1983

CONGRESSIONAL BILL NO. 3-117, C.D.1

AN ACT

To further amend title 55 of the Code of the Federated States of Micronesia, as amended by Public Law No. 2-68, by adding a new section 212 establishing the Enhanced Maintenance and Operations Fund, 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 by Public Law No. 2-68, is hereby further amended by adding a new section 212 to read as follows:

"Section 212. Enhanced Operations and Maintenance Fund.

(1) There is hereby created within the National Treasury of the Federated States of Micronesia an Enhanced Operations and Maintenance Fund.

(2) All United States grant funds allotted to the President of the Federated States of Micronesia by the Trust Territory Government or United States Government specifically for enhanced operations and maintenance activities in the States shall be deposited in the Enhanced Operations and Maintenance Fund.

(3) United States grant funds for enhanced operations and maintenance include funding for:

(a) The purchase of necessary spare parts, equipment, and various utility maintenance supplies;

(b) The employment of skilled personnel;

(c) The initiation or enhancement of training programs to upgrade technical skills in the public works area; and

(d) Such other activities as may be authorized
by appropriation laws of the United States and agreed to
by the Federated States of Micronesia Government and the
Trust Territory Government for enhanced operations and
maintenance.

(4) The President or his designee shall notify
Congress of all grant awards and deposits to the Enhanced
Operations and Maintenance Fund.

(5) Any portion of enhanced operations and maintenance
funding made available to and accepted by the National
Government for the administration of the enhanced operations
and maintenance program shall be deposited in the United
States Grant Special Fund and may be withdrawn by appro-
priation laws enacted by the Congress of the Federated
States of Micronesia in accordance with section 210 of
this act.

(6) Deposits in the Enhanced Operations and Maintenance
Fund shall be administered, withdrawn, distributed, and
accounted for by the President or his designee in accordance
with the provision of this act, requirements of the United
States Government, and a written plan prepared by the National
and four State Governments and approved by the High Commissioner
of the Trust Territory Government. Prior to submission of the
written plan required by this subsection to the High Commissioner
of the Trust Territory of the Pacific Islands for his approval,
the President shall submit such plan to the Congress of the
Federated States of Micronesia for approval by resolution.
If Congress is not in session, the appropriate committee
shall review and approve the plan. The scope of such
review shall be complete, with the ability to approve any
aspect of the plan. The approval of any plan by the
appropriate committee shall not obligate funds from the
National Treasury where they were not otherwise appro-
priated pursuant to law. The Congress or the committee
shall complete its review within 30 days of submission.
Any plan submitted under this subsection shall be deemed
approved if the Congress or the appropriate committee
fails to act within 30 days of submission. The President
shall be the allotee of the funds and shall have the
authority to make suballocations to the Governors."

Section 2. Sections 212, 213, 214, 215, 216, 217, 218, 219,
220, 221, 222, 223, 224, 225, and 226 of title 55 of the Code of the
Federated States of Micronesia, as amended by Public Law No. 2-68, are
hereby renumbered 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223,
224, 225, 226, and 227, respectively.
1 Section 3. This act shall become law upon approval by the
2 President of the Federated States of Micronesia or upon its becoming
3 law without such approval.

September 27, 1983

Tosiwo Nakayama
President
Federated States of Micronesia