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A BILL FOR AN ACT

To further amend title 55 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 5-16, 5-88, 5-119, 5-121, and 5-136, by adding a new subchapter VI to chapter 6 for the purpose of establishing the National Commercial Fisheries Fund, and for other purposes.

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

1 Section 1. Title 55 of the Code of the Federated States of  
2 Micronesia is hereby further amended by adding a new subchapter VI  
3 of chapter 6 entitled "National Commercial Fisheries Fund."

4 Section 2. Title 55 of the Code of the Federated States of  
5 Micronesia is hereby further amended by adding a new section 650 of  
6 subchapter VI of chapter 6 to read as follows:

7 "Section 650. Establishment. There is hereby created  
8 and established the National Commercial Fisheries Fund  
9 (hereinafter, the 'Fund') which shall be separate from  
10 the General Fund of the Federated States of Micronesia  
11 and all other funds."

12 Section 3. Title 55 of the Code of the Federated States of  
13 Micronesia is hereby further amended by adding a new section 651 of  
14 subchapter VI of chapter 6 to read as follows:

15 "Section 651. Purpose. The purpose of the National  
16 Commercial Fisheries Fund is to provide for the deposit  
17 and disbursement of moneys available for funding the  
18 establishment and operations of a commercial fishing and  
19 fish processing corporation to be owned and operated, in  
20 whole or in partnership, by the National Government of the  
21 Federated States of Micronesia."

22 Section 4. Title 55 of the Code of the Federated States of  
23 Micronesia is hereby further amended by adding a new section 652  
24 of subchapter VI of chapter 6 to read as follows:

25 "Section 652. Deposits and disbursements. All grant funds

1           received by the National Government of the Federated  
2           States of Micronesia on/or after September 1, 1989 from the  
3           United States pursuant to section 111 of United States  
4           Public Law 99-239 shall be deposited into the Fund;  
5           PROVIDED, however, that the aggregate amount of such  
6           deposits of principal shall not exceed the amount of  
7           \$8,000,000. Additionally, all earnings accrued on  
8           the investment of the Fund, and all earnings and  
9           revenues collected in connection with the proposed  
10           commercial fishing and fish processing activities  
11           shall be deposited into the Fund. Moneys available  
12           in the Fund shall be withdrawn by the President  
13           or his designee for the purposes specified in this  
14           subchapter. Any unexpended money in the Fund shall  
15           not revert to the General Fund nor lapse at the end  
16           of a fiscal year."

17           Section 5. Title 55 of the Code of the Federated States of  
18 Micronesia is hereby further amended by adding a new section 653  
19 of subchapter VI of chapter 6 to read as follows:

20           "Section 653. Administration. The Fund shall be  
21           administered, managed, and accounted for by the President  
22           or his designee in accordance with the terms and conditions  
23           of this subchapter, the 'Agreement Between the Government of  
24           the United States and the Government of the Federated  
25           States of Micronesia Regarding the Investment

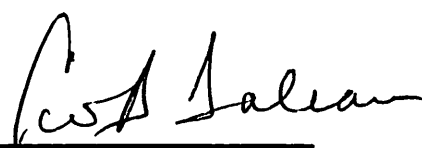
1           Development Fund of the Federated States of Micronesia  
 2           Concluded Pursuant to Section 111(c) of United States  
 3           Public Law 99-239,' and with all other applicable laws.  
 4           The President or his designee may establish such  
 5           regulations and procedures as may be necessary and  
 6           appropriate for the effectuation and implementation of  
 7           the purposes and provisions of this subchapter, pursuant  
 8           to chapter 1 of title 17 of the Code of the Federated  
 9           States of Micronesia."

10           Section 6. Title 55 of the Code of the Federated States of  
 11 Micronesia is hereby further amended by adding a new section 654  
 12 of subchapter VI of chapter 6 to read as follows:

13           "Section 654. Annual Statement. The President or his  
 14           designee shall report to the Congress of the Federated  
 15           States of Micronesia on the status of the Fund at  
 16           the close of each fiscal year. Such report shall  
 17           include an audited income statement, balance sheet,  
 18           and 3 year planning projections."

19           Section 7. This act shall become law upon approval by the  
 20 President of the Federated States of Micronesia or upon its becoming  
 21 law without such approval.

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 23 Date: May 23, 1989

Introduced by:   
 Leo A. Falcam

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