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A BILL FOR AN ACT

To further amend title 52 of the Code of the Federated States of Micronesia, as amended by Public Law No. 5-21, by adding a new chapter 5 concerning housing, and for other purposes.

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

1 Section 1. Title 52 of the Code of the Federated States of
2 Micronesia, as amended by Public Law No. 5-21, is hereby further
3 amended by adding a new chapter 5 to read as follows:

4 "CHAPTER 5

5 Housing

6 Section 501. Policy. It is the policy of the FSM National
7 Government that Government-owned or leased, furnished
8 quarters, excluding free utilities, will be provided to
9 eligible employees of the Federated States of Micronesia
10 National Government.

11 Section 502. Eligibility for Housing. The following are
12 eligible for Government-owned or leased housing:

13 (1) President, Vice-President, Congress Speaker, and
14 Supreme Court Justices;

15 (2) All Department Secretaries, irrespective of
16 residence at time of recruitment;

17 (3) Employees who are residents at the time of
18 recruitment of States or geographic locations outside the
19 FSM other than the duty station of the position for which
20 they are hired, provided they occupy positions which are at
21 Pay Level 21 or above or hold exempt positions for which
22 the annual salary is equal to or above that offered at
23 step 1 of Pay Level 21; and

24 (4) Such other persons as may be deemed eligible by
25 the President.

1 Section 503. Criteria for making Housing Assignment.
2 Housing will be assigned on the basis of types of housing
3 units available, size of family, nature of positions
4 occupied, location of duty assignment, and other criteria
5 as may be determined by the Director of Administrative
6 Services.

7 Section 504. Housing reassignment. As a general rule,
8 housing reassignment is discouraged. However, for
9 justifiable reasons, as may be determined by the Director
10 of Administrative Services or his designee, requests for
11 housing reassignment may be considered. An eligible
12 employee shall not move himself or his dependents into new
13 quarters until officially approved by the Director of
14 Administrative Services or his designee.

15 Section 505. Housing Allowance.

16 (1) In lieu of providing housing, the National
17 Government may provide a monthly Housing Allowance under
18 the following circumstances:

19 (a) Where Government-owned or leased housing
20 cannot be provided for an eligible employee; or

21 (b) Where an eligible employee chooses to
22 find his own living accommodations; PROVIDED, however,
23 that a lease agreement between the employee and landlord
24 evidencing such alternative housing arrangement must first
25 be submitted to the Director of Administrative Services or

1 his designee; or

2 (c) Where an eligible employee elects to build
3 and occupy their own quarters, in which case the Housing
4 Allowance shall not exceed \$15,000 annually, and may be
5 paid on a monthly or quarterly basis.

6 Section 506. Responsibilities. The Director of Adminis-
7 trative Services or his designee shall be responsible for,
8 among other things, determining housing assignment/
9 reassignment, negotiating lease agreements with landlords,
10 procuring through the Division of Supply, Office of
11 Administrative Services, necessary furniture and appliances,
12 coordinating repairs on quarters, appliances, and furniture,
13 and responding to any other matter relating to Government-
14 owned or leased housing.

15 Section 507. Employee responsibilities.

16 (1) Each employee assigned to Government-furnished or
17 leased housing will assure that such housing is maintained
18 in a manner which does not result in deterioration or
19 damage beyond normal wear and tear to such quarters. An
20 employee with dependents will be responsible for assuring
21 that all members of the household live so as to not disturb
22 neighbors, or to create nuisances or untidy conditions to
23 quarters and grounds.

24 (2) An employee may not remove nor permit the removal
25 of Government-owned or leased furniture or appliances from

1 his assigned housing without the prior approval of the
2 Director of Administrative Services or his designee.

3 (3) Requests of an employee to modify or alter
4 quarters' structures at his own expense must be cleared in
5 advance with the landlord and the Director of Adminis-
6 trative Services or his designee.

7 (4) Government-owned or leased housing shall be
8 occupied by the employee assigned to such accommodations and
9 may not be rented or sub-leased. Each employee occupying
10 Government-owned or leased housing planning to have another
11 party occupy his quarters while he is absent must provide
12 advance notice of such arrangement to the Director of
13 Administrative Services or his designee.

14 Section 508. Check-in and Check-out procedures.

15 (1) During periods of non-assignment of a specific
16 Government-owned or leased house or other living quarter,
17 the Director of Administrative Services or his designee
18 shall, through periodic inspections, assure that such
19 living quarters are maintained, and ready for occupancy.

20 (2) An eligible employee shall not move into
21 Government-owned or leased housing until officially
22 assigned to a house or unit by the Director of
23 Administrative Services or his designee.

24 (3) Upon the assignment of Government-owned or
25 leased housing to an eligible employee, the Director of

1 Administrative Services or his designee and the employee
2 to whom the quarters are assigned will conduct a joint
3 inspection and concurrently document the condition of
4 the house or other living quarters, along with such
5 maintenance and repairs as may be necessary to make the
6 quarters habitable. The Director of Administrative
7 Services or his designee will then make arrangements
8 to have the required maintenance and repair work done.

9 (4) When an employee proposes to finally vacate his
10 assigned housing, the Director of Administrative Services
11 or his designee and the employee will inspect the quarters,
12 after household goods have been packed. Employees are
13 responsible for leaving all housing, appliances and
14 furniture in an acceptable state of order and cleanliness.
15 Where Government-owned or leased housing, appliances or
16 furniture has been damaged by the employee or members of
17 his household, the employee shall be charged an amount of
18 money, as reasonably estimated by the Director of
19 Administrative Services or his designee to be the cost
20 of restoring the housing, appliances and/or furniture to
21 a habitable or usable state.

22 Section 509. Certification of Housing availability. Prior
23 to the recruitment or transfer of any eligible employee, the
24 department or agency seeking to hire shall request a
25 statement of housing availability from the Director of


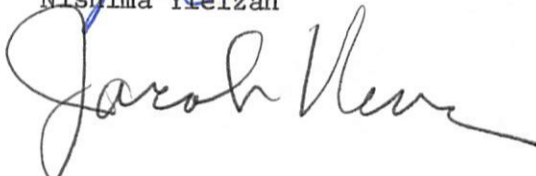
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1 Administrative Services or his designee and shall include
 2 such statement, with the request for personnel action
 3 and other documents relating to the proposed employee, to
 4 the Office of Personnel. No such recruitment or transfer
 5 action will be finalized by the Office of Personnel until
 6 such statement is presented, except those that the
 7 interest of the Government warrants as determined by
 8 the Director of Administrative Services."

9 Section 2. This act shall become law upon approval by the
 10 President of the Federated States of Micronesia or upon its becoming
 11 law without such approval.

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 13 Date: 5/23/89

Introduced by: 
 Nishima Yleizah


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