

JAGO

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 section 167 concerning housing for National Government employees, 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 is hereby further amended by adding a new section 167 to  
3 read as follows:

4 "Section 167. Housing.

5 (1) The National Government of the Federated States of  
6 Micronesia shall provide Government-owned or leased furnished  
7 quarters, excluding free utilities, to eligible officials and  
8 employees of the National Government, in the following manner:

9 (a) Eligible employees, as described in subsection  
10 (2) of this section, shall receive a housing credit based upon  
11 dependent status and position status and such credit shall  
12 apply to employees stationed in the FSM. Employees working in  
13 overseas posts shall receive a credit based on percentages  
14 added to the credit they would receive if stationed in the FSM.

15 (b) In the case of leased property, if the monthly  
16 lease expense to the National Government exceeds the monthly  
17 credit due the employee occupying the property, the National  
18 Government shall charge the employee the difference.

19 (c) In the case of government-owned property, the  
20 National Government shall assign a fair market rental value to  
21 the property, based upon rents charged by private landlords  
22 for comparable property, and if the monthly fair market rental  
23 value exceeds the monthly credit due the employee occupying the  
24 property, the National Government shall charge the employee the  
25 difference.

1                   (2) The following officials and employees of the National  
2                   Government shall be eligible for housing:

3                   (a) The President, Vice-President, Speaker and Chief  
4                   Justice;

5                   (b) All Department Secretaries;

6                   (c) Other officials and employees who, at the time  
7                   of recruitment, are residents of islands other than the one on  
8                   which their place of employment is located; PROVIDED that this  
9                   subsection shall only apply to employees occupying positions at  
10                   pay level 21 or above; and

11                   (d) Any other official or employee for whom the  
12                   President deems Government quarters are appropriate.

13                   (3) When Government-owned or leased quarters cannot be  
14                   provided for an eligible official or employee or when an  
15                   eligible employee chooses to find his own quarters, that  
16                   official or employee may be granted a housing allowance in  
17                   lieu of Government-owned or leased quarters. Notwithstanding  
18                   any other provision of this section, no person may receive a  
19                   housing allowance if he is recruited from the island which his  
20                   place of employment is located on, or if he is the lessor of  
21                   residential quarters on that island."

22                   Section 2. Any Public Service System regulations concerning housing  
23 which are in effect on the effective date of this act shall remain in  
24 effect to the extent that they are not in conflict with this act.

25                   Section 3. The provisions of this act shall not impair, change,

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1 increase, or decrease the obligations of any existing contract to which  
 2 the National Government of the Federated States of Micronesia became a  
 3 party prior to the effective date of this act. However, if the National  
 4 Government is making payments prohibited by this act and such payments  
 5 are not required by a contractual obligation, such payments shall  
 6 cease on the effective date of this act.

7 Section 4. This act shall become law upon approval by the  
 8 President of the Federated States of Micronesia or upon its becoming  
 9 law without such approval.

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Date: 11/6/89

Introduced by:

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 Joseph Nena

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