A BILL FOR AN ACT

To further amend title 55 of the Code of the Federated States of Micronesia, as amended, by further amending section 223, as amended by Public Law No. 6-52, for the purpose of changing from thirty days to ten days the period within which the Secretary of Finance must disburse payments on valid obligations, to renumber sections 223A, 223B and 223C, and other purposes.

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

Section 1. Section 223 of Title 55 of the code of the Federated States of Micronesia, as amended by Public Law No. 6-52, is hereby further amended as follows:

"Section 223. Disbursement Procedures.

Unless otherwise specifically provided by law, the following procedures shall control the administration and management of all funds appropriated from the General Fund of the Federated States of Micronesia or made available to the Federated States of Micronesia from other sources:

(1) All such funds shall remain in the custody and control of the Secretary of Finance until they are obligated and disbursed by him in accordance with law.

(2) Such funds shall be deemed to be obligated as of the date the person or entity to whom the funds are allotted enters into a legally binding written agreement supported by the documentary evidence required by section 218 of this chapter or rules and regulations issued pursuant to authority vested by section 227 of this chapter.

(3) The Secretary of Finance shall disburse such funds as may be required to liquidate obligations within thirty days of their becoming payable, as evidenced by the documentary evidence of payment, if required by the terms of the document evidencing the obligation, pay all invoices when presented."
Section 223A. Representation expenses and official expense allowances. (4) Representation expenses and official expense allowance expenses shall be accounted for by affidavit, written contract or written receipt. The Secretary of Finance, upon specific written request containing specific justification satisfactory to the Secretary of Finance, may make advance payments of representation expenses and advance payments of official expense allowances if the recipient of such advance payment agrees to submit affidavits or receipts for actual expenditures and return to the Secretary of Finance all amounts advanced but not accounted for by affidavit, contract or receipt no later than 30 days prior to the end of the fiscal year."

"Section 223B. Representation and official expense allowance - Definitions. (5) Definitions:

(a) For purposes of this chapter, 'official expense allowance expense' means expenses incurred for goods or services necessary to carry out the official duties of the allottee or sub-allottee.

(b) For purposes of this chapter, 'representation expense' means expenses incurred in the course of official public relations, entertainment activities or constituent services necessary to advance the purposes and goals of the National Government."

"Section 223C. Purchases of supplies and personal property
involving less than $1,000. (6) For any purchase of supplies
and personal property involving less than $1,000, including the
cost of shipping, the Secretary of Finance or his designee shall
approve such purchase upon certification of the availability of
funds for such purchase and upon satisfaction of the
requirements under section 218 of this chapter pertaining to
documentary evidence; PROVIDED, however, that the head
officer of each branch of the National Government shall have
the authority to prescribe a more restrictive rule which shall be
binding upon that branch with the full force and effect of the
law. For purposes of this section, the Office of the Public
Auditor shall be considered a separate branch of the National
Government. For purposes of this section, the agencies,
boards authorities, commissions and corporations of the
National Government shall be considered part of the executive
branch."

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

Date: 11/2/94

Introduced by: Peter M. Christian