

STANDING COMMITTEE REPORT NO. 16-78

RE: C.B. NO. 16-117

SUBJECT: SUPPLEMENTAL REQUEST FY 2010/J&GO

MAY 27, 2010

The Honorable Isaac V. Figir
Speaker, Sixteenth Congress
Federated States of Micronesia
Fourth Regular Session, 2010

Dear Mr. Speaker:

Your Committee on Judiciary and Governmental Operations, to which was jointly referred C.B. No. 16-117, entitled:

"A BILL FOR AN ACT TO APPROPRIATE FROM THE GENERAL FUND OF THE FEDERATED STATES OF MICRONESIA A SUPPLEMENTAL FUNDING IN THE TOTAL AMOUNT OF \$907,577 FOR FISCAL YEAR ENDING SEPTEMBER 30, 2010, BY AMENDING SECTIONS 1, 2, 8, AND 9 OF PUBLIC LAW NO. 16-7, AS AMENDED BY PUBLIC LAW NOS. 16-20 AND 16-25, AND FOR OTHER PURPOSES.",

begs leave to report as follows:

The bill concerns additional supplemental budget requests of the National Government departments, offices, and agencies. Pursuant to rule 7, section 4(b), of the Official Rules of Procedure of the Sixteenth Congress of the Federated States of Micronesia, your Committee has limited its review to the portion of the FY 2010 supplemental budget requests relating to matters under its jurisdiction. The supplemental budget requests for the Judiciary Branch are in the amount of \$167,312.

Discussion of Supplemental Budget Request

Your Committee on Judiciary and Governmental Operations held a series of public hearings with the appropriate Departments and Offices to discuss the supplemental budget requests. The first hearing was held on May 20, 2010 with the FSM Supreme Court. Chairman Peter Sitan presided over the hearing. Witnesses from the FSM Supreme Court included Associate Justice Dennis Yamase, Administrator of the FSM Supreme Court Capelle Capelle and Kohsak Keller, Chief Clerk of the FSM Supreme Court. Other witnesses included the Assistant to the President for Legislative Affairs Pelsesar Petrus, representatives from SBOC, and representatives from Finance.

Discussion of the Supplemental budget request for the FSM Supreme Court began with Chairman Sitan seeking clarification as to the

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total amount for the medical billings for late Chief Justice Andon Amaraich.

Capelle Capelle, Administrator for the FSM Supreme Court, informed the Committee that the amount of \$140,312 is for medical expenses incurred for professional fees from doctors and costs incurred when the late Chief Justice Amaraich was in the intensive care unit in a hospital in Hawaii. The estimated cost for staying in the intensive care unit is \$25,000 per day. The Administrator indicated that they tried, with some success, to negotiate with some doctors and pharmacies to lower their fees.

The \$27,000 that was requested is for the recruitment of lawyers because three lawyers submitted their letters of resignation and left the court. This abrupt resignation of lawyers at the court affects the capacity of the court to carry out its mandate.

Your Committee recommends approval of the full amount of the \$27,000, and an amount of \$70,156, or one half of the amount requested for the medical billings. The Committee has requested the Administrator to provide the Committee with the actual amount of the medical billings.

Printing of Voter ID Cards

On May 22, 2010, your Committee also conducted a hearing with the representatives from the National Election Office on the fiscal year 2011 budget. Representatives from the National Election Office included Seberiano Barnabas, Acting Election Director, and Emilio Eperiam, Assistant Director. During the discussion, Chairman Sitan inquired on the status of the printing of voter ID cards under the Voter ID Card Project. Mr. Eperiam informed the Committee that with the firing of Jonathan John, the Voter ID Card Project came to a halt. In addition, the Office still has problems with printers to expedite the printing of the voters ID cards. Vice Speaker Primo inquired whether the voter ID cards can be ready before the March 2011 election. Mr. Eperiam said no they cannot.

The Committee understands that an amount of \$82,775 is being requested for the Voter ID Card Project for fiscal year 2011. Mindful of the current status of the Voter ID Card Project, the Committee has recommended \$50,000 out of the \$82,775 to be used for the Voter ID Card Project for this fiscal year 2010. The National Election Office must contract out the project in order to expedite the printing of the

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voters ID cards.

Committee Recommendation

Your Committee on Judiciary and Governmental Operations recommends funding the following supplemental budget requests: \$97,156 for recruitment of lawyers and half payment for the medical expenses relating to the late Chief Justice Amaraich, and \$50,000 for the printing of the voters ID cards. The total recommended by your Committee is \$147,156.

Conclusion

Your Committee on Judiciary and Governmental Operations recommends appropriating \$147,156 as justified herein this report, subject to availability of funds as determined by your Committee on Ways and Means.

Respectfully Submitted,

/s/ Peter S. Sitan
Peter S. Sitan, chairman

/s/ Tiwiter Aritos
Tiwiter Aritos, vice chairman

/s/ Dohsis Halbert
Dohsis Halbert, member

Isaac V. Figir, member

Fredrico O. Primo, member

/s/ Roger S. Mori
Roger S. Mori, member

/s/ Paliknoa K. Welly
Paliknoa K. Welly, Member

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