

STANDING COMMITTEE REPORT NO. 16-120

RE: C.B. NO. 16-151/JGO

SUBJECT: AMENDING TITLE 55 TO ESTABLISH AN IMMIGRATION, CUSTOMS AND QUARANTINE REVOLVING FUND

NOVEMBER 22, 2010

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

Dear Mr. Speaker:

Your Committee on Judiciary and Governmental Operations, to which was referred C.B. No. 16-151, entitled:

"A BILL FOR AN ACT TO FURTHER AMEND TITLE 55 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, BY ADDING A NEW SUBCHAPTER XVII TO CHAPTER 6 TO ESTABLISH AN IMMIGRATION, CUSTOMS AND QUARANTINE REVOLVING FUND.",

begs leave to report as follows:

The intent and purpose of the bill are expressed in its title.

Your Committee held a public hearing on C.B. No. 16-151, along with C.B. 16-152, which enables divisions of the national government responsible for immigration, customs, and quarantine to collect payments from the operators of aircraft and sea vessels to defray the costs of overtime, on November 18, 2010, in Palikir.

The Secretary of Finance and Administration stated that he supports the idea of a revolving fund and believes that these bills are a good approach to address the issue of overtime. However, based on difficulties in collecting overtime payments from operators under the current system, he questioned how realistic the expectation was that collections would completely defray overtime costs even with the new approach provided by these bills.

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The Director of SBOC stated that the bills were good in terms of their stated objectives. He also stressed the need for departments to manage their activities to minimize the need for overtime.

The Chief of Immigration and Labor expressed his strong support for the bills, and in particular that they would create a source of funding for overtime that would obviate the need to keep coming to Congress for supplemental appropriations. He queried whether any provision had been made for seed money for the revolving fund. Chairman Sitan informed him that the FY 2011 budget included appropriations for overtime for each of the relevant divisions at 50% of the EBRC-recommended levels, and that the intent was that the remaining 50% would be provided for from collections, via the revolving fund.

The Assistant Secretary for Accounting recognized that there has been a problem with collections and suggested consideration of means other than billing after the work has been performed. She stated that in FY 2010, only \$104,000 was collected, and overtime payments of over \$700,000 had been incurred.

Your Committee received no comments in opposition to passage of the bill.

Your Committee on Judiciary and Government Operations is in accord with the intent and purpose of C.B. No. 16-151, and recommends its passage on First Reading, and that it be placed on the Calendar for Second and Final Reading in the form attached hereto as C.B. No. 16-151.

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Respectfully Submitted,

/s/ Peter Sitan
Peter Sitan, chairman

/s/ Fredrico O. Primo
Fredrico O. Primo, vice chairman

/s/ Dohsis Halbert
Dohsis Halbert, member

/s/ Isaac V. Figir
Isaac V. Figir, member

Setiro Paul, member

Joe N. Suka, member

Paliknoa K. Welly, member

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