AN ACT

To further amend title 55 of the Code of the Federated States of Micronesia, as amended, by creating a new chapter 16 thereof, for the purpose of establishing the Pohnpei State Commission on Improvement Projects, and for other purposes.

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

Section 1. Title 55 of the Code of the Federated States of Micronesia, as amended, is hereby further amended by creating a new chapter 16 entitled: "Pohnpei State Commission on Improvement Projects."

Section 2. Title 55 of the Code of the Federated States of Micronesia is hereby further amended by adding a new section 1601 to chapter 16 to read as follows:

"Section 1601. Commission created. There is hereby created a Pohnpei State Commission on Improvement Projects ('PSCIP'). The commission shall be composed of the following: a representative from each of the election districts within the State of Pohnpei, or his designee, and the Budget Officer of the Pohnpei State Government. A majority of the chief municipal executives of the election district shall select a person from within the district to represent the district on the PSCIP."

Section 3. Title 55 of the Code of the Federated States of Micronesia is hereby further amended by adding a new section 1602 to chapter 16 to read as follows:

"Section 1602. Commission – Organization; Quorum; Interim
Manager.

(1) The commission shall meet to organize itself and to select a chairman and a vice chairman. The presence of a majority of the representatives from the election districts shall be necessary to constitute a quorum. Meetings shall be conducted according to bylaws adopted by the members. The Pohnpei State Budget Officer will be a non-voting member.

(2) Until such time as sufficient representatives have been selected to constitute a quorum to organize, the Governor of the State of Pohnpei is authorized to appoint an interim manager to carry out duties and responsibilities authorized under subsections (1) through (5) of section 803.

(3) Members of the commission shall serve terms of four (4) years.

(4) To stagger the replacement of commission members, of the first commission to organize and the first only, one election district member shall serve a two year term, one a three year term, and one a four year term. The commission members shall determine this by a fair, random method of selection.

(5) Members may be removed by a majority vote of the chief municipal executives in their election district. Removal shall be based on misconduct. Replacement members shall be elected from the same election district."
Section 4. Title 55 of the Code of the Federated States of Micronesia is hereby further amended by adding a new section 1603 to chapter 16 to read as follows:

"Section 1603. Commission - Authority.

The commission shall have the authority to:

(1) Obligate funds appropriated and allotted to the commission by the Congress for projects in Pohnpei;

(2) Award and enter into contracts for projects, giving priority to bids by Micronesian citizens or corporations qualified and capable of performing fully and without delay such projects;

(3) Assess damage to private property caused by projects and negotiate written settlements on amounts of compensation, such written settlements to be treated as obligations for the purposes of the Financial Management Act of 1979;

(4) Establish priorities for the performance of projects, ensuring that each district is treated as equally as possible;

(5) Submit all reports required by applicable law, including, but not limited to, the Financial Management Act of 1979; and

(6) Appoint an executive director, who may carry out such duties of the commission as the commission deems advisable; the commission may authorize the executive
Section 5. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

__________________________, 2014

OVERRIDE

Manny Mori
President
Federated States of Micronesia