A BILL FOR AN ACT

To amend title 22 of the Code of the Federated States of Micronesia to create a new section 218 and to amend sections 302, 303, and 304 for the purpose of creating a copra stabilization revolving fund, to transfer the authority of issuing copra trading licenses to the Coconut Development Authority, and for other purposes.

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

Section 1. A new section 218 is hereby added to title 22 of the Code of the Federated States of Micronesia to read as follows:

"Section 218. Copra Stabilization Revolving Fund. There is hereby established a Copra Stabilization Revolving Fund (hereinafter called the "fund"), separate from the General Fund and other funds.

(1) The following assets shall be deposited in the fund:

(a) All assets, including monies, held by the Authority on the effective date of this act which were received from the Trust Territory Copra Stabilization Board and the Federated States Copra Stabilization Board;

(b) All assets, including monies, received from the Trust Territory Copra Stabilization Board and the Federated States Copra Stabilization Board after the effective date of this act;

(c) All monies appropriated for the purpose of subsidizing and stabilizing the price paid for copra within the Federated States of Micronesia, including those monies which were appropriated before the effective date of this act, but not yet obligated;

(d) All assets, including monies, received by the Authority from the sale, marketing, and export of copra;

(e) All assets, including monies, derived from the investment and use of monies in the fund including interest; and

(f) Any other assets, including monies, received by
the Authority for the purpose of stabilizing or subsidizing
the prices paid for copra within the Federated States of
Micronesia.

(2) The Authority shall administer the fund for the
purpose of stabilizing prices paid for copra in the Federated
States of Micronesia and the Authority shall be authorized to
do the following to accomplish this purpose:

(a) Pay costs and expenses incident to the
purchasing, storing, marketing, and selling of copra;

(b) Subsidize the prices paid for copra in the
Federated States of Micronesia to the extent of the assets
in the fund;

(c) Invest and reinvest the assets of the fund
using methods of investing which ensure the greatest return
commensurate with sound financing adequately safeguarded,
which authority may include holding, purchasing, selling,
assigning, transferring, and disposing of any investment
or investments, and upon such sale, the proceeds thereof
shall be redeposited in the fund, subject to reinvestment or
other authorized use; and

(d) Promulgate regulations, pursuant to title
17 of the Code of the Federated States of Micronesia.

(3) Any unexpended money in this fund shall not revert
to the General Fund or lapse at the end of the fiscal year.

(4) The manager of the Authority shall prepare and
submit an annual report on the status of the fund prior to
the opening of the regular May session of the Congress of the
Federated States of Micronesia. This report shall include the
total amount of assets, including monies, currently in the fund,
the total accounts payable, and other financial obligations of
the fund, the accounts receivable owing to the fund, and any
other information as may be appropriate."

Section 2. Section 302 of title 22 of the Code of the Federated States
of Micronesia is hereby amended to read as follows:

"Section 302. Terms and conditions. The Secretary of Resources
and Development of the Federated States of Micronesia The
manager of the Authority shall administer the licensing process,
including issuance, modification, restriction, suspension, and
revocation of licenses, and supervision of licenses, for all
persons, partnerships, associations, cooperatives, or corpora-
tions purchasing copra for export either directly or through
such agency as the Secretary of Resources and Development
manager of the Authority may approve."

Section 3. Section 303 of title 22 of the Code of the Federated
States of Micronesia is hereby amended to read as follows:

"Section 303. Licensure - Regulations and procedures. The
Secretary of Resources and Development manager of the Authority
shall promulgate regulations and procedures controlling the
issuance, modification, restriction, suspension, or revocation
of licenses, and the supervision of licenses under this chapter."
Section 4. Section 304 of title 22 of the Code of the Federated States of Micronesia is hereby amended to read as follows:

"Section 304. Licensure – Appeals. In the event of the denial, modification, restriction, suspension, or revocation of a license under this chapter, the party adversely affected may, within a thirty-day period following receipt of notice by certified mail, appeal the decision of the Secretary of Recreation and Development manager of the Authority to the Board of Directors of the Public Reclamation Board or its successor in the Federated States of Micronesia, which shall act as an appeals board on licensing decisions made pursuant to this chapter, and which shall have the power to affirm or reverse the decisions of the Secretary of Recreation and Development manager of the Authority with regard to licensing under this chapter."

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.

Date: 11/1/82

Introduced by: Sasao Goulard