A BILL FOR AN ACT

To further amend sections 10 and 11 of Public Law No. 4-51, as amended by Public Law No. 4-88, to permit the reprogramming of funds and the transfer of positions necessary to reorganize the National Government, and for other purposes.

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

Section 1. Section 10 of Public Law No. 4-51, as amended by Public Law No. 4-88, is hereby further amended to read as follows:

"Section 10. Employment ceilings. Subsection (1) sets forth the maximum number of positions that may be hired by branches and agencies of the National Government.

(1) Positions funded for fiscal year 1987.

Executive Branch

Office of the President 12
External Affairs 29
Resources and Development 20
Finance 70
Transportation 7
Attorney General 45
Public Defender 25
Budget Office 14
Office of Planning and Statistics 19
Personnel 14
Public Information 8
Education 14
Health 15

Legislative Branch

Congress 57

Judicial Branch

National Judiciary 19

Public Auditor 11
Agencies

Commission on Future Political Status and Transition 4
Micronesian Maritime Authority 8
Board of Regents of the College of Micronesia 7
Coconut Development Authority 3
Federated States of Micronesia Banking Board 2
Federated States of Micronesia Board of Education 1
Postal Services 22
Medical Licensing Board 0
T3 Program 13
FSM Telecommunications Corporation 0

(2) The number of positions authorized applies individually to each of the departments and offices of the executive and legislative branches, the National judiciary, the Public Auditor, and to the agencies as provided in subsection (1) of this section, except that the President may transfer up to 12 positions between the departments and offices of the executive branch. This authorization of positions covers all permanent employees, all contract personnel whose employment extends for 1 year or more, and
all positions funded from United States federal programs.
No funds may be expended for unbudgeted positions.

(3) Notwithstanding the limits in subsections (1)
and (2) of this section, the President may transfer any
number of positions between departments in order to
facilitate the reorganization of the executive branch.
To the extent that such reorganization includes the
repeal of the enabling legislation for any autonomous
agency, commission, board or authority, the President may
transfer the positions to any departments."

Section 2. Section 11 of Public Law No. 4-51, as amended by
Public Law No. 4-88, is hereby further amended to read as follows:

"Section 11. Reprogramming.

(1) The President or his designee may reprogram up
to 10 percent to and from the funds appropriated to each
of the subsections in section 1, and may reprogram up
to 15 percent to and from the funds appropriated in each
of the paragraphs within the subsections of section 1.

(2) The Speaker or his designee may reprogram up
to 10 percent to and from the funds appropriated to each
of the subsections in section 2, and may reprogram up to
15 percent to and from the funds appropriated in each
of the paragraphs within the subsections of section 2.

(3) The Chief Justice or his designee may
reprogram up to 15 percent to and from the funds"
appropriated in each of the subsections in section 3.

(4) The Public Auditor may reprogram up to 15 percent to and from the funds appropriated in each of the subsections in section 4.

(5) Allottees of funds may reprogram up to 15 percent to and from the funds appropriated in each of the paragraphs within the subsections of section 5.

(6) Notwithstanding the provisions of subsections (1) through (5) of this section, no funds may be reprogrammed from any personnel account.

(7) Notwithstanding the provisions of subsections (1) through (6) of this section, the President may reprogram as much funds as are necessary to any account in order to reorganize the executive branch. To the extent that such reorganization includes the repeal of the enabling legislation for any autonomous agency, commission, board or authority, the President may reprogram any funds remaining in the account of the agency, commission, board or authority to any departments."

Section 3. 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: 5/28/82

Introduced by: Claude Phillip (by request)