

WJM

SIXTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

THIRD REGULAR SESSION, 1990

C. B. No. 6-219

A BILL FOR AN ACT

To appropriate the sum of \$29,833,968 from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 1991, for the operations of the executive branch, legislative branch, judicial branch, Public Auditor, agencies of the National Government, and for special programs, grants, subsidies, contributions, and refunds of the National Government during fiscal year 1991; to establish a budget for Compact sections 214(b), 215(a)(2), 216(a)(1), 216(a)(2), 216(3), and 221(b) and to appropriate special funds available therefore under the Compact; to establish a development budget and to appropriate special funds available therefore under the Compact; to establish employment ceilings; and for other purposes.

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

1 Section 1. Operating expenses of the executive branch. The
2 sum of \$9,257,687, or so much thereof as may be necessary, is hereby
3 appropriated from the General Fund of the Federated States of
4 Micronesia for the fiscal year ending September 30, 1991, for the
5 operations of the executive branch of the National Government of the
6 Federated States of Micronesia during fiscal year 1991. Pursuant to
7 Public Law No. 5-119, the Congress of the Federated States of
8 Micronesia hereby declares that the funding appropriated by this
9 section is deemed to be essential. The sum appropriated by this
10 section shall be apportioned as follows:

11	(1) Office of the President	
12	(a) Personnel expenses.....	\$ 269,000
13	(b) Others.....	333,800
14	(2) Department of External Affairs	
15	(a) Personnel expenses.....	986,100
16	(b) Others.....	1,132,570
17	(3) Department of Finance	
18	(a) Personnel expenses.....	952,500
19	(b) Others.....	334,250
20	(4) Department of Human Resources	
21	(a) Personnel expenses.....	456,200
22	(b) Others.....	125,138
23	(5) Department of Resources and Development	
24	(a) Personnel expenses.....	359,800
25	(b) Others.....	146,057

1	(6) Department of Transportation	
2	(a) Personnel expenses.....	\$ 213,000
3	(b) Others.....	345,800
4	(7) Office of Administrative Services	
5	(a) Personnel expenses.....	418,100
6	(b) Others.....	152,950
7	(c) Housing.....	547,522
8	(8) Office of the Attorney General	
9	(a) Personnel expenses.....	765,700
10	(b) Others.....	341,350
11	(9) Office of the Budget	
12	(a) Personnel expenses.....	264,800
13	(b) Others.....	82,600
14	(10) Office of Planning and Statistics	
15	(a) Personnel expenses.....	401,700
16	(b) Others.....	122,950
17	(11) Office of the Public Defender	
18	(a) Personnel expenses.....	397,300
19	(b) Others.....	108,500

20 Section 2. Operating expenses of the legislative branch. The
21 sum of \$2,230,800, or so much thereof as may be necessary, is hereby
22 appropriated from the General Fund of the Federated States of
23 Micronesia for the fiscal year ending September 30, 1991, for the
24 operations of the legislative branch of the National Government of
25 the Federated States of Micronesia during fiscal year 1991. The sum

1 appropriated by this section shall be apportioned as follows:

2	(1) Office of the Speaker and Members	
3	(a) Personnel expenses.....	\$ 400,100
4	(b) Others.....	521,800
5	(2) Staff Offices	
6	(a) Personnel expenses.....	747,700
7	(b) Others.....	485,200
8	(3) Kosrae Delegation Office	
9	(a) Others.....	5,500
10	(4) Pohnpei Delegation Office	
11	(a) Others.....	6,500
12	(5) Chuuk Delegation Office	
13	(a) Others.....	7,500
14	(6) Yap Delegation Office	
15	(a) Others.....	4,500
16	(7) Legislative Conference.....	52,000

17 Section 3. Operating expenses of the National judiciary. The
 18 sum of \$655,550, or so much thereof as may be necessary, is hereby
 19 appropriated from the General Fund of the Federated States of
 20 Micronesia for the fiscal year ending September 30, 1991, for the
 21 operations of the National judiciary of the Federated States of
 22 Micronesia during fiscal year 1991. The sum appropriated by this
 23 section shall be apportioned as follows:

24	(1) Personnel expenses.....	\$ 376,700
25	(2) Others.....	278,850

1 Section 4. Operating expenses of the Public Auditor. The sum
2 of \$300,800, or so much thereof as may be necessary, is hereby
3 appropriated from the General Fund of the Federated States of
4 Micronesia for the fiscal year ending September 30, 1991, for the
5 operations of the Public Auditor's Office during fiscal year 1991.

6 The sum appropriated by this section shall be apportioned as follows:

7	(1) Personnel expenses.....	\$ 207,300
8	(2) Others.....	93,500

9 Section 5. Operating expenses of agencies of the National
10 Government. The sum of \$1,264,434, or so much thereof as may be
11 necessary, is hereby appropriated from the General Fund of the
12 Federated States of Micronesia for the fiscal year ending September
13 30, 1991, for the operations of independent agencies, commissions,
14 authorities, boards, bureaus, and other organizations of the National
15 Government of the Federated States of Micronesia during fiscal year
16 1991. The sum appropriated by this section shall be apportioned as
17 follows:

18	(1) Federated States of Micronesia Banking Board	
19	(a) Personnel expenses.....	\$ 67,300
20	(b) Others.....	48,610
21	(2) Board of Regents of the College of Micronesia	
22	(a) Personnel expenses.....	73,890
23	(b) Others.....	45,000
24	(3) Federated States of Micronesia	
25	Coconut Development Authority	

1	(a) Personnel expenses.....	\$ 60,500
2	(b) Others.....	57,000
3	(4) Micronesian Maritime Authority	
4	(a) Personnel expenses.....	143,300
5	(b) Others.....	194,800
6	(5) National Postal Service	
7	(a) Personnel expenses.....	363,290
8	(b) Others.....	210,744

9 Section 6. Operating expenses of the Telecommunications
10 Corporation. The sum of \$786,000, or so much thereof as may be
11 necessary, is hereby appropriated from the General Fund of the
12 Federated States of Micronesia for the fiscal year ending September
13 30, 1991, for the operations of the Telecommunications Corporation of
14 the Federated States of Micronesia during fiscal year 1991. The
15 funds appropriated under this section shall be deemed to come from
16 the funds available under section 215(a)(2) of the Compact of Free
17 Association.

18 Section 7. Operating expenses of the marine surveillance
19 program. The sum of \$909,500, or so much thereof as may be
20 necessary, is hereby appropriated from the General Fund of the
21 Federated States of Micronesia for the fiscal year ending September
22 30, 1991, for the purpose of funding a program of marine surveillance
23 during fiscal year 1991. Pursuant to Public Law No. 5-119, the
24 Congress of the Federated States of Micronesia hereby declares that
25 the funding appropriated by this section is deemed to be essential.

W+M

C. B. No. 6-219

1 The funds appropriated under this section shall be deemed to come
2 from the funds available under section 216(a)(1) of the Compact of
3 Free Association. The sum appropriated by this section shall be
4 apportioned as follows:

5 (1) Personnel expenses.....\$ 492,600
6 (2) Others..... 416,900

7 Section 8. Compact section 216(a)(2) programs. The sum of
8 \$125,980, or so much thereof as may be necessary, is hereby
9 appropriated from the General Fund of the Federated States of
10 Micronesia for the fiscal year ending September 30, 1991, for Compact
11 section 216(a)(2) programs and projects of the National Government of
12 the Federated States of Micronesia during fiscal year 1991. The
13 funds appropriated under this section shall be deemed to come from
14 the funds available under section 216(a)(2) of the Compact of Free
15 Association. The sum appropriated by this section shall be
16 apportioned as follows:

17 (1) Development of local capabilities
18 to render specialty care in selected hospitals
19 in the Federated States of Micronesia (Centers of
20 Excellence).....\$ 55,000
21 (2) Teams of health specialists visiting
22 the Federated States of Micronesia..... 70,980

23 Section 9. College of Micronesia. The sum of \$800,000, or so
24 much thereof as may be necessary, is hereby appropriated from the
25 General Fund of the Federated States of Micronesia for the fiscal

1 year ending September 30, 1991, to the College of Micronesia to
2 defray costs associated with the instruction of students and the
3 operations and maintenance of the College. The funds appropriated
4 under this section shall be deemed to come from the capital account
5 of the Compact of Free Association. Such funds shall be deemed to
6 come from funds available under section 216(a)(3) of the Compact of
7 Free Association.

8 Section 10. Post-secondary educational assistance. The sum of
9 \$1,189,699, or so much thereof as may be necessary, is hereby
10 appropriated from the General Fund of the Federated States of
11 Micronesia for the fiscal year ending September 30, 1991, for the
12 purpose of providing post-secondary educational assistance. The
13 funds appropriated under this section shall be deemed to come from
14 the capital account of the Compact of Free Association. Such funds
15 shall be deemed to have come from the funds available under section
16 216(a)(3) of the Compact of Free Association. The sum appropriated
17 shall be apportioned as negotiated and appropriated in the past.
18 The funds appropriated under this section must be used in accordance
19 with section 216(a)(3) of the Compact of Free Association. Before
20 any funds may be transferred from the General Fund to any State, the
21 Governor of that State must promulgate such regulations and implement
22 such accounting procedures as may be necessary to ensure that all
23 funds appropriated by this section are administered in a manner
24 consistent with section 216(a)(3) of the Compact of Free Association,
25 the provisions of the Agreement Concerning Procedures for the

1 Implementation of United States Economic Assistance, Programs and
 2 Services Provided in the Compact of Free Association between the
 3 Government of the United States and the Government of the Federated
 4 States of Micronesia, and Public Law No. 4-77.

5 Section 11. Compact section 221(b) programs. The sum of
 6 \$371,200, or so much thereof as may be necessary, is hereby
 7 appropriated from the General Fund of the Federated States of
 8 Micronesia for the fiscal year ending September 30, 1991, for Compact
 9 section 221(b) programs and projects of the National Government of
 10 the Federated States of Micronesia during fiscal year 1991. The
 11 funds appropriated under this section shall be deemed to come from
 12 the funds available under section 221(b) of the Compact of Free
 13 Association. The sum appropriated by this section shall be
 14 apportioned as follows:

15 (1) Health Services programs:

16	(a) Hansen's disease control.....\$	21,800
17	(b) Family health.....	18,500
18	(c) Mental health services.....	18,000
19	(d) Maternal and child health.....	18,200
20	(e) Health planning agency and	
21	community health center.....	30,800
22	(f) Preventive health and health services..	36,700
23	(g) Immunization.....	37,400
24	(h) Tuberculosis.....	13,200
25	(i) Health statistics.....	14,200

W+M

C. B. No. 6-219

1	(j) Environmental protection.....	\$ 6,000
2	(k) Nutrition and health education.....	11,800
3	(2) Education programs:	
4	(a) National Standardized Testing	
5	Program.....	44,600
6	(b) Vocational education.....	100,000
7	Section 12. <u>Other National Government programs, grants,</u>	
8	<u>subsidies, contributions, and refunds.</u> The sum of \$2,687,318, or so	
9	much thereof as may be necessary, is hereby appropriated from the	
10	General Fund of the Federated States of Micronesia for the fiscal	
11	year ending September 30, 1991, for special programs, grants,	
12	subsidies, contributions, and refunds of the National Government of	
13	the Federated States of Micronesia during fiscal year 1991. The sum	
14	appropriated by this section shall be apportioned as follows:	
15	(1) Special programs:	
16	(a) Trade Training and Testing	
17	Program.....	\$ 218,800
18	(b) Aquaculture Centers.....	55,800
19	(c) Presidential inauguration.....	40,600
20	(d) South Pacific Forum Meeting.....	52,255
21	(e) National election.....	250,000
22	(2) Subsidies and contributions:	
23	(a) The Forum Secretariat.....	30,000
24	(b) East-West Center.....	10,000
25	(c) South Pacific Commission.....	20,000

W+M

C. B. No. 6-219

1	(d) Pacific Asia Travel Association.....\$	5,000
2	(e) Forum Fisheries Agency.....	20,000
3	(f) Economic and Social Commission	
4	for Asia and the Pacific.....	5,000
5	(g) Coordinating Committee for	
6	Offshore Minerals Prospecting.....	4,000
7	(h) South Pacific Regional Environmental	
8	Program.....	3,000
9	(i) Asian Pacific Coconut Community.....	5,500
10	(j) Micronesian Legal Services	
11	Corporation.....	150,000
12	(k) Pacific Island Development	
13	Program.....	15,000
14	(l) International Civil Aviation	
15	Organization.....	19,000
16	(m) State Joint Law Enforcement:	
17	(i) Kosrae.....	46,842
18	(ii) Pohnpei.....	111,637
19	(iii) Yap.....	63,230
20	(iv) Chuuk.....	130,000
21	(n) Aid to nonpublic schools for	
22	secular programs.....	200,000
23	(o) State judiciaries:	
24	(i) Kosrae State Court.....	50,000
25	(ii) Pohnpei State Court.....	70,000

WTH

C. B. No. 6-219

1	(iii) Chuuk State Court.....	\$ 70,000
2	(iv) Yap State Court.....	50,000
3	(p) Contingency funds.....	100,000
4	(q) Disaster fund.....	200,000
5	(r) Pepper Community Membership.....	10,000
6	(s) Continental Airlines Scholarship.....	35,000
7	(t) Copra subsidy.....	200,000
8	(u) National Fisheries Corporation.....	216,260
9	(v) FSM Development Bank.....	230,394

10 Section 13. Development budget. The sum of \$9,027,000, or so
11 much thereof as may be necessary, is hereby appropriated from the
12 General Fund of the Federated States of Micronesia for the fiscal
13 year ending September 30, 1991, for capital improvement and
14 development programs and projects of the National Government of the
15 Federated States of Micronesia during fiscal year 1991. The funds
16 appropriated under this section shall be deemed to come from the
17 capital account of the Compact of Free Association. The sum
18 appropriated by this section shall be apportioned as follows:

19	(1) National staff upgrading.....	\$ 100,000
20	(2) VIP Lounge at Pohnpei International Airport..	75,000
21	(3) Business and Tourist Promotion.....	65,000
22	(4) Fish Poisoning Prevention.....	22,000
23	(5) Water Resources Assessment and	
24	Development.....	390,000
25	(6) Wastewater Treatment for CCM and	

1	FSM Capital.....	\$3,300,000
2	(7) Pohnpei Nahs.....	75,000
3	(8) CCM Palikir Campus Construction.....	3,000,000
4	(9) Business Development Loan Fund.....	2,000,000

5 Section 14. Energy budget. The sum of \$228,000, or so much
6 thereof as may be necessary, is hereby appropriated from the General
7 Fund of the Federated States of Micronesia for the fiscal year ending
8 September 30, 1991, for the operation of the generator at the
9 National Capital. The funds appropriated under this section shall be
10 deemed to come from the funds available under section 214(b) of the
11 Compact of Free Association.

12 Section 15. Employment ceilings. Subsection (1) sets forth the
13 maximum number of positions that may be hired by branches and
14 agencies of the National Government.

15 (1) Positions funded for fiscal year 1991.

16	Executive Branch	
17	Office of the President	18
18	External Affairs	40
19	Finance	78
20	Human Resources	27
21	Resources and Development	22
22	Transportation	14
23	Administrative Services	30
24	Attorney General	64
25	Budget Office	14

1	Office of Planning	
2	and Statistics	26
3	Public Defender	26
4	Legislative Branch	
5	Congress	72
6	Judicial Branch	
7	National Judiciary	22
8	Public Auditor	11
9	Agencies	
10	Federated States of Micronesia	
11	Banking Board	4
12	Board of Regents of the	
13	College of Micronesia	7
14	Federated States of Micronesia	
15	Coconut Development Authority	4
16	Marine Surveillance	22
17	Micronesian Maritime Authority	9
18	National Postal Service	25

19 (2) The number of positions authorized applies
 20 individually to each of the departments and offices of the executive
 21 and legislative branches, the National judiciary, the Public Auditor,
 22 and to the agencies as provided in subsection (1) of this section,
 23 except that the President may transfer up to 12 positions between the
 24 departments and offices of the executive branch. This authorization
 25 of positions covers all permanent employees and all contract

W4M

C. B. No. 6-219

1 personnel whose employment extends for 1 year or more except
2 employees providing janitorial services. No funds may be expended
3 for unbudgeted positions.

4 Section 16. Reprogramming.

5 (1) The President or his designee may reprogram up to 10
6 percent to and from the funds appropriated to each of the subsections
7 in section 1 and section 7, and may reprogram up to 15 percent to and
8 from the funds appropriated in each of the paragraphs within the
9 subsections of section 1.

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

15 (3) The Chief Justice or his designee may reprogram up to
16 15 percent to and from the funds appropriated in each of the
17 subsections in section 3.

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

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

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

WtH1

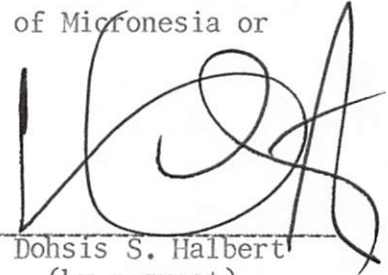
C. B. No. 6-219

1 Section 17. Allotment and management of funds and lapse date.
2 All funds appropriated by this act shall be allotted, managed,
3 administered, and accounted for in accordance with applicable law,
4 including, but not limited to, the Financial Management Act of 1979,
5 as amended. Each allottee shall be responsible for ensuring that
6 these funds, or so much thereof as may be necessary, are used solely
7 for the purposes specified in this act, and that no obligations are
8 incurred in excess of the sum appropriated. The authority of the
9 allottees to obligate funds appropriated by this act shall lapse as
10 of September 30, 1991; PROVIDED, however, that the authority of the
11 allottees to obligate funds appropriated by sections 6, 7, 9, 10, 13
12 and 14 shall not lapse.

13 Section 18. Effective date. This act shall become law upon
14 approval by the President of the Federated States of Micronesia or
15 upon its becoming law without such approval.

16
17 Date: 5-17-90

Introduced by:


Dohsis S. Halbert
(by request)