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A BILL FOR AN ACT

To further amend title 55 of the Code of the Federated States of Micronesia, as amended, by enacting 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:

1           Section 1. Title 55 of the Code of the Federated States of  
2 Micronesia, as amended, is hereby further amended by enacting a  
3 new chapter 16 entitle: "Chapter 16. Pohnpei State Commission on  
4 Improvement Projects."

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

8           "Section 1601. Commission created.  
9           There is hereby created a Pohnpei State Commission on  
10           Improvement Projects ('PSCIP'). The commission shall be  
11           composed of the following: a representative from each of the  
12           election districts within the State of Pohnpei, or his  
13           designee, and the Budget Officer of the Pohnpei State  
14           Government. A majority of the mayors of the election  
15           district shall select a person from within the district to  
16           represent the district on the PSCIP."

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

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1           "Section 1602. Commission - Organization; Quorum; Interim  
2           Manager.

3           (1) The commission shall meet to organize itself and to  
4           select a chairman and a vice chairman. The presence of a  
5           majority of the representatives from the election districts  
6           shall be necessary to constitute a quorum. Meetings shall  
7           be conducted according to bylaws adopted by the members.  
8           The chairman will have authority to vote at a meeting only  
9           in order to break a tie.

10           (2) Until such time as sufficient representatives have  
11           been selected to constitute a quorum to organize, the  
12           Governor of the State of Pohnpei is authorized to appoint  
13           an interim manager to carry out duties and responsibilities  
14           authorized under subsections (1) through (5) of section  
15           803."

16           Section 4. Title 55 of the Code of the Federated States of  
17 Micronesia, as amended, is hereby further amended by inserting a new  
18 section 1603 of chapter 16 to read as follows:

19           "Section 1603. Commission - Authority.

20           The commission shall have the authority to:

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

23           (2) Award and enter into contracts for projects, giving  
24           priority to bids by Micronesian citizens or corporations

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1           qualified and capable of performing fully and without delay  
2           such projects;

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

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

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

14          (6) Appoint an executive director, who may carry out  
15          such duties of the commission as the commission deems  
16          advisable; the commission may authorize the executive  
17          director to hire staff."

18          Section 5. Title 55 of the Code of the Federated States of  
19          Micronesia, as amended, is hereby further amended by inserting a new  
20          section 1604 of chapter 16 to read as follows:

21          "Section 1604. Development Authorities created by Pohnpei  
22          State.

23          Where an appropriation designates a "Development Authority"  
24          as an allottee in Pohnpei State, the designation shall  
25          refer to an entity created by Pohnpei State law. In the

1           event that such an entity has not been created by Pohnpei  
2           State law or has been abolished, the executive director of  
3           the Pohnpei State Commission on Improvement Projects or his  
4           designee shall serve as allottee."

5           Section 6. This act shall become law upon approval by the  
6           President of the Federated States of Micronesia or upon its becoming  
7           law without such approval.

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9   Date: 5/28/14

          Introduced by: /s/ Dohsis Halbert  
  Dohsis Halbert

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