

AN ACT

To further amend Public Law No. 11-23, as amended by Public Law No. 11-28, by amending sections 2, 3 and 17, and by further amending sections 5, 8, 13 and 19, as amended by Public Law No. 11-28, to appropriate the sum of \$1,261,882 from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 2000, as supplemental funding for the Executive Branch, the Legislative Branch, the Public Auditor, Grants, subsidies and contributions, and the College of Micronesia-FSM; to increase the employment ceiling for the Executive Branch; to add certain conditions on the disbursement of funds for post-secondary assistance for Pohnpei State; and for other purposes.

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

Section 1. Section 2 of Public Law No. 11-23 is hereby amended to read as follows:

"Section 2. Operating expenses of the Executive Branch.

The sum of \$15,426,562, or so much thereof as may be necessary, is hereby appropriated from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 2000, for the operations of the Executive Branch of the National Government during fiscal year 2000. The sum appropriated by this section shall be apportioned as follows:

(1) Office of the President

\$811,389 for the outputs set forth on page A-1-3 of the budget book.

(2) Department of Foreign Affairs

(a) \$3,685,008 for the outputs set forth in pages A-2-3 through A-2-4 of the budget book and for the following additional outputs:

(i) providing efficient and responsive consular services to FSM citizens and non-citizens; and

(ii) providing administrative and other support to the Joint Committee on Compact Economic Negotiations (JCN).

(b) Conditions on use of funds: Funds appropriated under this subsection for JCN travel and representation expenses shall not be available for obligation or disbursement until:

(i) funds appropriated for such purposes under the JCN budget have been exhausted;

(ii) JCN has provided a report to the Committee on External Affairs of the Congress of the Federated States of Micronesia, through its Chairman, on the use of funds already obligated or disbursed, including a description of such use and an allocation among the outputs for which it was used; and

(iii) JCN has consulted with said committee concerning the planned use of the funds it is seeking to obligate or have disbursed.

(3) Department of Finance and Administration
\$2,411,204 for the outputs set forth in pages A-3-3 through A-3-7 of the budget book.

(4) Department of Economic Affairs
\$1,938,013 for the outputs set forth in pages A-4-4 through A-4-14 of the budget book.

(5) Department of Transportation, Communication and Infrastructure
\$1,745,970 for the outputs set forth in pages A-5-3 through A-5-6 of the budget book, noting that by adoption of S.C.R. No. 11-44, the output for operation of the F.S.S. Constitution has been deleted and an output for operation of

the M.S. Caroline Islands has been added and PROVIDED THAT the amount appropriated for the M.S. Caroline Islands is not to exceed \$308,300 and the amount appropriated for the M.S. Caroline Voyager is not to exceed \$386,965, both amounts are included in the Department's total above.

(6) Department of Health, Education and Social Affairs \$990,548 for the outputs set forth in pages A-6-4 through A-6-21 of the budget book. Of the total funds appropriated under this subsection, \$37,132 shall be deemed to come from funds available under section 216(a)(2) of the Compact of Free Association.

(7) Department of Justice \$3,328,786 for the outputs set forth in pages A-7-3 through A-7-5 of the budget book. Of the total funds appropriated, \$991,669 shall be deemed to come from funds available under section 216(a)(1) of the Compact of Free Association for marine surveillance.

(8) FSM Public Defender \$515,644 for the outputs set forth in page A-8-6 of the budget book."

Section 2. Section 3 of Public Law No. 11-23 is hereby amended to read as follows:

"Section 3. Operating expenses of the Legislative Branch. The sum of \$3,430,283, or so much thereof as may be necessary, is hereby appropriated from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 2000, for the operations of the Legislative

Branch of the National Government during fiscal year 2000 in order to achieve the outputs set forth in pages B-1-5 and B-1-10 through B-1-11 of the budget book."

Section 3. Section 5 of Public Law No. 11-23, as amended by Public Law No. 11-28, is hereby further amended to read as follows:

"Section 5. Operating expenses of the Public Auditor. The sum of \$473,542, or so much thereof as may be necessary, is hereby appropriated from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 2000, for the operations of the Public Auditor of the National Government during fiscal year 2000 in order to conduct performance, operational and financial audits, reviews and investigations as required by law."

Section 4. Section 8 of Public Law No. 11-23, as amended by Public Law No. 11-28, is hereby further amended to read as follows:

"Section 8. Grants, subsidies and contributions. The sum of \$4,432,048, or so much thereof as may be necessary, is hereby appropriated from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 2000, for the following grants, subsidies and contributions during fiscal year 2000. The sum appropriated by this section shall be apportioned as follows:

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| (1) Department of Foreign Affairs | | |
| (a) Forum Secretariat..... | \$ | 35,000 |
| (b) The Pacific Community..... | | 30,000 |
| (c) South Pacific Regional | | |
| Environmental Program (SPREP)..... | | 7,375 |

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| (d) United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) | 5,000 |
| (e) UN membership fees..... | 180,000 |
| (f) Georgetown Initiative of CMCE... | 10,000 |
| (g) International Red Cross..... | 10,000 |
| (h) Micronesia Red Cross Society.... | 67,000 |
| (2) Department of Economic Affairs | |
| (a) Pacific Island Development Program..... | 15,000 |
| (b) Forum Fisheries Agency (FFA).... | 21,000 |
| (c) UN Development Program, including FSM share 1998 operations costs..... | 29,800 |
| (d) Coord. Commission for Offshore Mineral Prospecting (CCOMP)..... | 8,000 |
| (e) Plant Protection Program..... \$ | 60,000 |
| (f) Pacific Asian Travel Association..... | 5,000 |
| (g) International Pepper Assoc. dues for 1997-1999 | 15,000 |
| (3) Department of Health, Education and Social Affairs | |
| (a) UN Fund for Population Activity (UNFPA) | 3,000 |
| (b) Aid to non-public schools..... | 400,000 |
| (c) Financial assistance for students at CMI or PCC..... | 50,000 |

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|--------------------------------------|---------|
| (d) Continental Airlines | |
| Scholarship..... | 35,000 |
| (e) World Health Organization | |
| (WHO)..... | 41,385 |
| (f) National Board of Nursing..... | 38,000 |
| (g) Pacific Islands Health Officers | |
| Association..... | 50,000 |
| (h) National Close-Up Local | |
| Program..... | 61,000 |
| (i) East-West Center..... | 10,000 |
| (4) Department of Justice | |
| (a) Kosrae Joint Law Enforcement.... | 70,000 |
| (b) Pohnpei Joint Law Enforcement... | 140,000 |
| (c) Chuuk Joint Law | |
| Enforcement \$..... | -0- |
| (d) Yap Joint Law Enforcement..... | 90,000 |
| (5) Department of Transportation, | |
| Communication and Infrastructure | |
| (a) Asia Pacific Telecommunity..... | 9,000 |
| (b) International Telecommunications | |
| Union..... | 57,639 |
| (c) International Civil Aviation | |
| Organization..... | 28,050 |
| (d) Micronesia Shipping Commission. | 10,000 |
| (e) National government building | |
| in Chuuk, supplemental funding..... | 100,000 |
| (f) Chuuk State Commission on | |

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| Improvement Projects, administrative expenses, including expenses associated with project inspection..... | 60,000 |
| (6) Coconut Development Authority | |
| (a) Copra Subsidy..... | 200,000 |
| (b) Asia Pacific Coconut Community.. | 20,500 |
| (7) Other subsidies and contributions | |
| (a) Kosrae Judiciary | |
| (i) Unrestricted..... | 35,000 |
| (ii) Law School Scholarships.... | 30,000 |
| (b) Pohnpei Judiciary | |
| (i) Unrestricted, said funds to be used by the State Supreme Court, and by local municipal courts after application to, and approval by, the Chief Justice of the Pohnpei State Supreme Court, for library materials, library and office furnishings, office equipment only..... | \$ 83,000 |
| (ii) Law School Scholarships.... | 7,000 |
| (c) Chuuk Judiciary | |
| (i) Unrestricted..... | 60,000 |
| (ii) Law School Scholarships.... | 10,000 |
| (iii) Probation Office needs..... | -0- |
| (iv) Municipal Judges upgrading and training..... | 20,000 |
| (d) Yap Judiciary | |

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| (i) Unrestricted..... | 55,000 |
| (ii) Law School Scholarships.... | 15,000 |
| (e) COM Treaty Obligation..... | 25,000 |
| (f) Micronesian Legal Services Corporation..... | 150,000 |
| (g) National Postal Services (All funding to cease at the end of third quarter, FY2000)..... | 498,790 |
| (h) National Fisheries Corporation.. | 1,294,509 |
| (i) Ponape Agricultural and Trade School..... | \$ 177,000" |

Section 5. Section 13 of Public Law No. 11-23, as amended by Public Law No. 11-28, is hereby further amended to read as follows:

"Section 13. College of Micronesia-FSM.

The sum of \$3,757,000, or so much thereof as may be necessary, is hereby appropriated from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 2000, for operations and maintenance costs of the College and for student assistance. Of the total funds appropriated under this section, \$400,000 shall be deemed to come from funds available under section 216(a)(3) of the Compact of Free Association. The sum appropriated by this section shall be apportioned as follows:

- (1) Operations and maintenance of
the College of Micronesia-FSM..... \$ 3,200,000
- (2) Student assistance, PROVIDED that
these funds shall be used strictly for direct

financial assistance to COM-FSM students, for the purpose of helping them meet their tuition and housing obligations, and PROVIDED FURTHER that these funds may be used only to supplement some payment that must be made by the students and their parents, and PROVIDED FURTHER that the co-payment by the student or the student's parent must be proportionally the same for each in relation to their total obligation, and PROVIDED FURTHER that only students with a passing grade point average will be eligible to receive these funds..... \$ 300,000

(3) Architectural drawings and associated costs for construction of infrastructure facilities..... 257,000"

Section 6. Section 17 of Public Law No. 11-23 is hereby amended to read as follows:

"Section 17. Employment ceilings. The maximum number of positions for each agency, office, or branch of the National Government shall be as follows:

- (1) Executive Branch..... 422
- (2) Legislative Branch..... 56
- (3) Judiciary Branch..... 26
- (4) Public Auditor..... 16
- (5) Agencies
 - (a) Micronesia Maritime Authority.. 10
 - (b) Coconut Development Authority... 4

| | |
|----------------------------------|----|
| (c) National Postal Service..... | 26 |
| (d) FSM Banking Board..... | 4" |

Section 7. Section 19 of Public Law No. 11-23, as amended by Public Law No. 11-28, is hereby further amended to read as follows:

"Section 19. Allotment and management of funds and lapse date.

(1) All funds appropriated by this act shall be allotted, managed, administered, and accounted for in accordance with applicable law, including, but not limited to, the Financial Management Act of 1979; PROVIDED, however, that the funds appropriated to Pohnpei State under subsection (2) of section 15 of this act and to Chuuk State under subsection (3) of section 15 of this act shall be retained in the General Fund of the Federated States of Micronesia until a scholarship recipient is identified to the President or the President's designee, at which time scholarship funds in the amount of the scholarship award shall be disbursed directly to the educational institution in the form of a two-party check payable to both the scholarship recipient and the educational institution he or she is attending. The allottee of the funds appropriated under section 2 of this act shall be the President of the Federated States of Micronesia. The allottee of the funds appropriated under section 3 of this act shall be the Speaker of the Congress of the Federated States of Micronesia. The allottee of the funds appropriated under section 4 of this act shall be the Chief Justice of the Supreme Court of the Federated States of Micronesia. The

allottee of the funds appropriated under section 5 of this act shall be the Public Auditor. The allottee of the funds appropriated under sections 6 through 16 of this act shall be the President of the Federated States of Micronesia, or his designee, EXCEPT that the allottee of the funds appropriated under subsection (4)(a) of section 8 of this act shall be the Governor of the State of Kosrae; the allottee of the funds appropriated under subsection (4)(b) of section 8 of this act shall be the Governor of the State of Pohnpei; the allottee of the funds appropriated under subsection (4)(d) of section 8 of this act shall be the Governor of the State of Yap; the allottee of the funds appropriated under subsection (7)(a) of section 8 of this act shall be the Chief Justice of Kosrae State; the allottee of the funds appropriated under subsection (7)(b) of section 8 of this act shall be the Chief Justice of Pohnpei State; the allottee of the funds appropriated under subsection (7)(c) of section 8 of this act shall be the Chief Justice of Chuuk State; the allottee of the funds appropriated under subsection (7)(d) of section 8 of this act shall be the Chief Justice of Yap State; the allottee of the funds appropriated under subsection (3) of section 10 of this act shall be the Speaker of the Congress of the Federated States of Micronesia; the allottee of the funds appropriated under subsection (4) of section 10 of this act shall be the Secretary of the Department of Transportation, Communication, and Infrastructure; the allottee of the funds appropriated under subsection (2) of

section 13 of this act shall be the President of the College of Micronesia-FSM; and the allottee of the funds appropriated under subsection (4) of section 15 of this act shall be the Governor of the State of Yap. The allottees shall be responsible for ensuring that these funds, or so much thereof as may be necessary, are used solely for the purpose specified in this act, and that no obligations are incurred in excess of the sum appropriated.

(2) The authority of the allottees to obligate funds appropriated by this act shall lapse as of September 30, 2000."

Section 8. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

February 28, _____, 2000

/s/

Leo A. Falcam
President
Federated States of Micronesia