
A BILL FOR AN ACT

To further amend Public Law No. 12-12, as amended, by further amending sections 2 and 16~~[, as amended,]~~ to reallocate funds appropriated to the Office of the Public Defender for renovation of the Pohnpei Public Defender Office, to provide that such funds appropriated shall not lapse, and for other purposes.

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

1 Section 1. Section 2 of Public Law No. 12-12, as amended by
2 Public ~~[Law]~~ Laws Nos. 12-21 and 12-24, is hereby further amended
3 to read as follows:

4 "Section 2. Operating expenses of the Executive Branch.

5 The sum of \$14,306,725, or so much thereof as may be
6 necessary, is hereby appropriated from the General Fund
7 of the Federated States of Micronesia for the fiscal
8 year ending September 30, 2002, for the operations of
9 the Executive Branch of the National Government during
10 fiscal year 2002. Of the total funds appropriated under
11 this section, \$470,800 shall be deemed to come from the
12 funds available for communications under section
13 215(b) (2) of the Compact of Free Association. The sum
14 appropriated by this section shall be apportioned as
15 follows:

16 (1) Office of the President

17 \$809,876, for the activities set forth in the
18 performance budget pages A1.1 through A1.2 of the budget

1 book.

2 (2) Department of Foreign Affairs

3 (a) \$3,771,123, for the activities set forth in
4 the performance budget pages A2.1 through A2.9 of the
5 budget book.

6 (b) Conditions on use of JCN funds. Funds
7 appropriated under this subsection for Joint Committee
8 on Compact Economic Negotiations (JCN) travel (\$50,000)
9 and representation expenses (\$55,000) shall not be
10 available for obligation or disbursement until:

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

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

19 (iii) JCN has provided to said committee, in
20 writing, signed by the JCN chairman and members, a
21 detailed description of the planned use of the funds it
22 is seeking to obligate or have disbursed.

23 (c) Conditions of use of Washington D.C.
24 Embassy/JCN Representation funds. \$50,000 of the funds
25 appropriated under this subsection for representation

1 shall be for meetings between members and staff of the
2 U.S. Congress and members of the FSM Congress; PROVIDED
3 however that up to \$20,000 of these funds may be
4 reprogrammed for use by JCN for representation if all
5 section 2(2)(b) representation funds have been exhausted
6 and the requirements contained therein have been met.

7 (3) Department of Finance and Administration
8 \$2,234,306, for the activities set forth in the
9 performance budget pages A3.1 through A3.8 of the budget
10 book.

11 (4) Department of Economic Affairs
12 \$1,373,627, for the activities set forth in the
13 performance budget pages A4.1 through A4.18 of the
14 budget book.

15 (5) Department of Transportation, Communication and
16 Infrastructure
17 \$1,500,773, for the activities set forth in the
18 performance budget pages 5.1 through 5.3 of the budget
19 book. Of the total funds appropriated under this
20 subsection, \$25,000 for a consultant in communications
21 policy shall be deemed to come from funds available
22 under section 215(a)(2) of the Compact of Free
23 Association for telecommunications.

24 (6) Department of Health, Education and Social Affairs
25 \$980,543, for the activities set forth in the

1 performance budget pages A6.1 through A6.19 of the
2 budget book.

3 (7) Department of Justice
4 \$3,078,213, for the activities set forth in the
5 performance budget pages A7.1 through A7.6 of the budget
6 book. Of the total funds appropriated, \$519,000 shall
7 be deemed to come from funds available under section
8 216(a) (1) of the Compact of Free Association for marine
9 surveillance.

10 (8) FSM Public Defender
11 [~~\$558,264, for the activities set forth in the~~
12 ~~performance budget pages A8.1 through A8.2 of the budget~~
13 ~~book.] \$558,264, for the activities set forth in the
14 performance budget pages A8.1 through A8.2 of the budget
15 book. The sum appropriated by this [section] subsection
16 shall be apportioned as follows:~~

17 (a) Activities set forth in the performance
18 budget pages A8.1 through A8.2 of the budget book \$
19 518,264

20 (b) Pohnpei Public Defender Office
21 renovation 40,000"

22 Section 2. Section 16 of Public Law No. 12-12, as amended by
23 Public Laws Nos. 12-21 and 12-24, is hereby further amended to
24 read as follows:

25 "Section 16. Allotment and management of funds and

1 lapse date.

2 (1) *General Provisions.*

3 (a) All funds appropriated by this act shall be
4 allotted, managed, administered, and accounted for in
5 accordance with applicable law, including, but not
6 limited to, the Financial Management Act of 1979;

7 (b) The allottees shall be responsible for
8 ensuring that these funds, or so much thereof as may be
9 necessary, are used solely for the purpose specified in
10 this act, and that no obligations are incurred in excess
11 of the sum appropriated.

12 (2) *Allottees.* The allottees of the funds
13 appropriated by this act are as follows:

14 (a) section 2 - the allottee of these funds shall
15 be the President of the Federated States of Micronesia;

16 (b) section 3 - the allottee of these funds shall
17 be the Speaker of the Congress of the Federated States
18 of Micronesia;

19 (c) section 4 - the allottee of these funds shall
20 be the Chief Justice of the Supreme Court of the
21 Federated States of Micronesia;

22 (d) section 5 - the allottee of these funds shall
23 be the Public Auditor;

24 (e) section 6 through 13 - the allottee of these
25 funds shall be the President of the Federated States of

1 Micronesia or his designee; EXCEPT THAT for the
2 following subsections of section 6 through 13 of this
3 act, the allottees shall be:

4 (i) section 8, subsection (5) - the allottee
5 of these funds shall be the Governor of the respective
6 State, or his designee;

7 (ii) section 8, subsection (6) (a) through
8 (6) (d) - the allottee of these funds shall be the
9 Secretary of the Department of Transportation,
10 Communication and Infrastructure;

11 (iii) section 8, subsection (8) (a) through
12 (8) (d) - the allottee of these funds shall be the Chief
13 Justice of the respective State;

14 (iv) section 8, subsection (8) (g) - the
15 allottee of these funds shall be the President of the
16 Federated States of Micronesia, or his designee, until
17 such time as the Constitutional Convention convenes and
18 selects a President and then the allottee of these funds
19 shall be the President of the Constitutional Convention.

20 (v) section 10, subsection (2) (b) - the
21 allottee of these funds shall be the Speaker of the
22 Congress of the Federated States of Micronesia, or his
23 designee;

24 (vi) section 10, subsection (2) (c) - the
25 allottee of these funds shall be the Chief Justice of

1 the Supreme Court of the Federated States of Micronesia;

2 (vii) section 13, subsection (1)(a) through
3 (1)(f) - the allottee of these funds shall be the
4 President of the College of Micronesia-FSM, EXCEPT THAT
5 the allottee of the funds appropriated under subsection
6 (1)(e) of section 13 shall be the Executive Director of
7 the Chuuk State Commission on Improvement Projects;

8 (viii) section 13, subsections (2)(a) through
9 (2)(d) - the allottee of these funds shall be the
10 Governor of the respective State.

11 (ix) section 13, subsection (13) - the
12 allottee of these funds shall be the Governor of Chuuk
13 State.

14 (3) *Lapse date.* The authority of the allottees to
15 obligate funds appropriated by this act shall lapse as
16 of September 30, 2002, EXCEPT THAT the authority of the
17 allottees to obligate funds appropriated by section 2,
18 subsection (8)(b), and section 13, subsection (2) for
19 post-secondary educational assistance [~~and the~~
20 ~~authority of the allottee to obligate funds appropriated~~
21 ~~by section 2, subsection (8)(b)] shall not lapse."~~

22 Section 3. This act shall become law upon approval by the
23 President of the Federated States of Micronesia or upon its
24 becoming law without such approval.

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2 Date: 6/30/02

Introduced by: /s/ Dohsis Halbert
Dohsis Halbert

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