

A BILL FOR AN ACT

To appropriate the sum of \$55,642,646 from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 2006, for the purpose of funding the public infrastructure projects for the National and State Governments of the Federated States of Micronesia, and for other purposes.

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

1 Section 1. Appropriation. There is hereby appropriated from
2 the General Fund of the Federated States of Micronesia the sum of
3 \$55,642,646, or so much thereof as may be necessary, for the
4 purpose of funding the public infrastructure projects of the
5 National and State Governments of the Federated States of
6 Micronesia for the fiscal year ending September 30, 2006. Of the
7 total funds appropriated herein, the total sum shall be deemed to
8 come from funds available under the Amended Compact for Public
9 Infrastructure Sector.

10 Section 2. Project Management, Administration, Design and
11 Engineering. Of the sum appropriated by Section 1, a total of
12 \$3,000,000 is appropriated for the purpose of funding the
13 operations of the Project Management Unit, for \$1,000,000 per
14 year, during fiscal year 2006, 2007, and 2008.

15 Section 3. Infrastructure Maintenance Fund. Of the sum
16 appropriated by Section 1, \$2,935,200 is apportioned to be
17 deposited in the Infrastructure Maintenance Fund pursuant to Title
18 55, Section 313 of the Code of the Federated States of Micronesia.

19 Section 4. Public Infrastructure Projects of Chuuk State.

1 Of the sum appropriated by Section 1, \$29,692,028 is apportioned
2 for the purpose of funding public infrastructure projects for
3 Chuuk State subject to the procedures for submission and approval
4 of such projects through the Project Management Unit, JEMCO and
5 the infrastructure development sector allocations of the Public
6 Infrastructure Sector Grant.

7 Section 5. Public Infrastructure Projects of Kosrae State.

8 Of the sum appropriated by Section 1, \$7,423,097 is apportioned
9 for the purpose of funding public infrastructure projects for
10 Kosrae State subject to the procedures for submission and approval
11 of such projects through the Project Management Unit, JEMCO and
12 the infrastructure development sector allocations of the Public
13 Infrastructure Sector Grant.

14 Section 6. Public Infrastructure Projects of Pohnpei State.

15 Of the sum appropriated by Section 1, \$11,159,453 is apportioned
16 for the purpose of funding public infrastructure projects for
17 Pohnpei State subject to the procedures for submission and
18 approval of such projects through the Project Management Unit,
19 JEMCO and the infrastructure development section allocations of
20 the Public Infrastructure Sector Grant.

21 Section 7. Public Infrastructure of Yap State. Of the sum

22 appropriated by Section 1, \$7,388,059 is apportioned for the
23 purpose of funding public infrastructure projects for Yap State
24 subject to the procedures for submission and approval of such
25 projects through the Project Management Unit, JEMCO and the

1 infrastructure development sector allocations of the Public
2 Infrastructure Sector Grant.

3 Section 8. Distribution of Funds. In any given fiscal year
4 a State or the National Government may be allowed to increase or
5 decrease the apportionment set forth in Sections 4 through 8 upon
6 the agreement of the three remaining States and the National
7 Government, or the four States in the case of the National
8 Government, and the President of the FSM in accordance with Title
9 55, Section 315 of the Code of the Federated States of Micronesia,
10 provided that the total allowed projects for FY 04/05/06 for any
11 individual State of the National Government shall not exceed the
12 total allocations set forth in Sections 4 through 8. In addition,
13 any such reprogramming of funds shall comply with all requirements
14 of Title 55, Section 315 of the Code of the Federated States of
15 Micronesia.

16 Section 9. Allotment and management of funds and lapse date.

17 (1) General Provisions.

18 (a) All funds appropriated by this act shall be
19 allotted, managed, administered and accounted for in accordance
20 with applicable laws, including, but not limited to, PL 13-72,
21 the Financial Management Act of 1979 and the amended Compact of
22 Free Association between the United States Government and the
23 government of the Federated States of Micronesia and its related
24 agreements.

25 (b) The allottee shall be responsible for ensuring

1 that these funds, or so much thereof as may be necessary, are
2 used solely for the purpose specified in this act, and that no
3 obligations are incurred in excess of the sum appropriated.

4 (2) Allottee. The allottee of the funds appropriated by
5 this act shall be the Secretary of Transportation,
6 Communications, and Infrastructure of the National Government, or
7 his designee.

8 (3) Laps Date. The authority of the allottee to obligate
9 funds appropriated by this act shall not lapse.

10 Section 10. This act shall become law upon approval by the
11 President of the Federated States of Micronesia or upon its
12 becoming law without such approval.

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14 Date: 11/07/05

Introduced by: /s/Simiram Sipenuk
Simiram Sipenuk
(by request)

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