

STANDING COMMITTEE REPORT NO. 14-88

RE: C.B. NO. 14-146/J&GO

SUBJECT: EXEMPTING NATIONAL WEATHER SERVICE EMPLOYEES
FROM THE PUBLIC SERVICE SYSTEM

MARCH 2, 2006

The Honorable Peter M. Christian
Speaker, Fourteenth Congress
Federated States of Micronesia
Second Special Session, 2006

Dear Mr. Speaker:

Your Committee on Judiciary and Governmental Operations ("J&GO"), to which was referred C.B. No. 14-146 entitled:

"A BILL FOR AN ACT TO FURTHER AMEND TITLE 52 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, BY AMENDING SECTION 117 TO EXEMPT NATIONAL WEATHER SERVICES EMPLOYEES FROM THE PUBLIC SERVICE SYSTEM ACT, AND FOR OTHER PURPOSES."

begs leave to report as follows:

The intent and purpose of the bill are expressed in its title.

The subject bill would enable payment of compensation to Food Inspectors and the National Police for time worked beyond regular hours. Compensation would be paid at the straight-time rate, rather than time and a half.

This bill was introduced during the Third Regular Session of the Fourteenth Congress. The said bill is an attempt to exempt the National Weather Services from the public service system, so that they may be able to receive their full annual increments.

In previous contracts between the U.S. National Weather Service (NWS) and the Federated States of Micronesia, the latter pays on a reimbursable basis the cost of operating the FSM National Weather Service Offices in Pohnpei, Chuuk, and Yap. On top of the dollar to dollar reimbursements, the FSM has been receiving from the NWSO 10% of the total operation costs. The use of that 10% is unrestricted.

Your Committee understands that the amount of grant award given to the FSM to operate the NWSO in the three FSM states is about three times more than the amount they actually used because all personnel of the National Weather Service are governed under the Public Service System. Thus, in terms of the 10% overhead fee, the FSM would receive less at

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the end of each fiscal year from the personnel line budget, instead of the maximum reimbursable amount.

The NWS reimburses the entire amount the FSM pays for the operating expenses of the NWSO. The employees of the NWSO are attached to the government only for the purposes of accounting and paying obligations through the Division of Accounting.

Based on the foregoing, your Committee concluded that the benefits that may be realized as a result of this bill would far out weigh its potential adverse consequences. As discussed above, the intention of this bill is to exempt all personnel of the National Weather Service from the Public Service System to enable the NWSO employees to receive the maximum reimbursable amount from the U.S. Weather Services.

Accordingly, your Committee on Judiciary and governmental Operations is in accord with the intent and purpose of C.B. No. 14-146 and recommends its passage on First Reading, and that its be placed on the Calendar for Second and Final Reading.

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Respectfully submitted,

/s/ Dohsis Halbert
Dohsis Halbert, chairman

/s/ Roosevelt D. Kansou
Roosevelt D. Kansou, vice
chairman

Alik L. Alik
Alik L. Alik, member

/s/ Tiwiter Aritos
Tiwiter Aritos, member

/s/ Peter M. Christian
Peter M. Christian, member

/s/ Moses A. Nelson
Moses A. Nelson

/s/ Ramon Peyal
Ramon Peyal, member