

A BILL FOR AN ACT

To amend Public Law No. 15-55, by amending its title, sections 1, 5, 7, 8, 9 and 12 thereof, in order to appropriate an additional amount of \$69,648,310 from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 2009, appropriate \$33,321,789 from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 2009, and for other purposes.

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

1 Section 1. The title of Public Law No. 15-55 is hereby
2 amended to read as follows:

3 “To appropriate the sum of [~~\$33,321,789~~] \$103,006,099
4 from the General Fund of the Federated States of
5 Micronesia for the fiscal year ending September 30,
6 2009, to provide funding for operations of all branches
7 of the National Government of the Federated States of
8 Micronesia, its agencies, various programs, grants,
9 subsidies and contributions; to extend the lapse date
10 for funds appropriated in fiscal year ending September
11 30, 2008 from supplementary education grant (SEG) and
12 for other purposes.”

13 Section 2. Section 1 of Public Law No. 15-55 is hereby
14 amended to read as follows:

15 “Section 1. Shall read as follows: To appropriate the
16 sum of [~~\$33,321,789~~] \$10,006,099 from the General Fund
17 of the Federated States of Micronesia for the fiscal
18 year ending September 30, 2009, for the purpose of

1 funding the operations of all branches of the National
2 Government of the Federated States of Micronesia, its
3 agencies, various programs, grants, subsidies and
4 contributions; and for the purpose. Of the total amount
5 of funds available under the amended Compact from the
6 health sector; \$4,149,567 shall be deemed to come from
7 funds available under the amended Compact from the
8 education sector (leaving \$253,673 unappropriated);
9 \$100,000 shall be deemed to come from funds available
10 under the amended Compact from the capacity building
11 sector; \$[-0-] 67,000,000 shall be deemed to come from
12 funds available under the amended Compact from the
13 infrastructure sector; and \$-0- shall be deemed to come
14 from funds available under supplemental education grant
15 (SEG). The sum appropriated herein shall be apportioned
16 as follows:"

17 Section 3. Section 2 of Public Law No. 15-55 is hereby
18 amended to read as follows:

19 Section 2. Operating expenses of the Executive Branch.
20 The sum of [~~\$14,752,877~~] \$14,788,877 or so much thereof
21 as may be necessary, is hereby appropriated from the
22 General Fund of the Federated States of Micronesia for
23 the fiscal year ending September 30, 2009, for the
24 purpose of funding the operations of the Executive
25 Branch of the National Government during the fiscal year

2009. Of the total amount of funds appropriated herein,
 \$789,832 shall be deemed to come from funds available
 under the amended Compact from the health sector;
 \$349,567 shall be deemed to come from funds available
 under the amended Compact from the education sector; and
 \$0 shall be deemed to come from funds available under
 the supplemental education grant (SEG). The sum
 appropriated by this section shall be apportioned as
 follows:

(1) Office of the President.

\$585,866 or so much thereof as may be necessary, for the
 operations of the Office of the President during the
 fiscal year 2009. The sum appropriated herein shall be
 apportioned as follows:

Personnel	\$	260,016
Travel		115,250
Contractual Services		137,000
OCE		68,100
Fixed Assets		5,500

(2) Department of Foreign Affairs.

\$3,515,314 or so much thereof as may be necessary, for
 the operations of the Department of Foreign Affairs
 during the fiscal year 2009. The sum appropriated
 herein shall be apportioned as follows:

Personnel	\$	1,315,059
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1	Travel	175,268
2	Contractual Services	1,674,587
3	OCE	327,400
4	Fixed Assets	23,000

(3) Department of Finance and Administration.

\$1,686,615 or so much thereof as may be necessary, for the operations of the Department of Finance and Administration during the fiscal year 2009. The sum appropriated herein shall be apportioned as follows:

10	Personnel.....	\$ 1,162,860
11	Travel	154,669
12	Contractual Services	140,748
13	OCE	216,557
14	Fixed Assets	11,781

(4) Department of Resources and Development.

\$633,970 or so much thereof as may be necessary, for the operations of the Department of Resources and Development during the fiscal year 2009. The sum appropriated herein shall be apportioned as follows:

20	Personnel	\$ 459,360
21	Travel	66,252
22	Contractual Services	275
23	OCE	101,083
24	Fixed Assets	7,000

(5) Department of Transportation, Communication and

1 Infrastructure.

2 \$1,771,347 or so much thereof as may be necessary, for
 3 the operations of the Department of Transportation,
 4 Communications and Infrastructure during the fiscal year
 5 2009. The sum appropriated herein shall be apportioned
 6 as follows:

7	Personnel	\$	446,963
8	Travel		108,097
9	Contractual Services		1,087,287
10	OCE		104,000
11	Fixed Assets		25,000

12 (6) Department of Health and Social Affairs.

13 \$990,750 or so much thereof as may be necessary, for the
 14 operations of the Department of Health and Social
 15 Affairs during the fiscal year 2009. Of the total funds
 16 appropriated herein, \$789,832 shall be deemed to come
 17 from funds available under the amended Compact from the
 18 health sector. The sum appropriated herein shall be
 19 apportioned as follows:

20	Personnel	\$	426,496
21	Travel		127,749
22	Contractual Services		294,085
23	OCE		142,420
24	Fixed Assets		-0-

25 (7) Department of Education.

1 \$441,511 or so much thereof as may be necessary, for the
 2 operations of the Department of Education during the
 3 fiscal year 2009. Of the total funds appropriated
 4 herein, \$349,567 shall be deemed to come from the funds
 5 available under the amended Compact from the education
 6 sector, and \$-0- from supplemental education grant
 7 (SEG). The sum appropriated herein shall be apportioned
 8 as follows:

9	Personnel.....	\$	179,954
10	Travel		50,404
11	Contractual Services		165,201
12	OCE		45,952
13	Fixed Assets		-0-

14 (8) Department of Justice.

15 \$3,094,001 or so much thereof as may be necessary, for
 16 the operations of the Department of Justice during the
 17 fiscal year 2009. The sum appropriated herein shall be
 18 apportioned as follows:

19	Personnel.....	\$	1,897,832
20	Travel		102,285
21	Contractual Services		166,664
22	OCE		907,720
23	Fixed Assets		19,500

24 (9) Office of the Public Defender.

25 \$718,787 or so much thereof as may be necessary, for the

1 operations of the Office of the Public Defender during
 2 the fiscal year 2009. The sum appropriated herein shall
 3 be apportioned as follows:

4	Personnel	\$ 490,737
5	Travel	98,000
6	Contractual Services	83,150
7	OCE	46,900
8	Fixed Assets	-0-

9 (10) Office of Statistics, Budget, Overseas Development
 10 Assistance and Compact Management.

11 \$1,013,730 or so much thereof as may be necessary, for
 12 the operations of the Office of Statistics, Budget,
 13 Official Development Assistance and Compact Management
 14 during the fiscal year 2009. The sum appropriated
 15 herein shall be apportioned as follows:

16	Personnel	\$ 568,912
17	Travel	105,259
18	Contractual Services	202,000
19	OCE	124,059
20	Fixed Assets	13,500

21 (11) Office of Environment and Emergency Management.

22 \$167,301 or so much thereof as may be necessary, for the
 23 operations of the Office of Environment and Emergency
 24 Management during the fiscal year 2009. The sum
 25 appropriated herein shall be apportioned as follows:

1	Personnel	\$ 117,225
2	Travel	30,000
3	Contractual Services	-0-
4	OCE	17,076
5	Fixed Assets	3,000

6 (12) Office of National Archives, Culture and Historic
 7 Preservation
 8 \$133,685 or so much thereof as may be necessary, for the
 9 operations of the Office of National Archives, Culture
 10 and Historic Preservation during the fiscal year 2009.

11 The sum appropriated herein shall be apportioned as
 12 follows:

13	Personnel	\$ 100,190
14	Travel	15,000
15	Contractual Services	5,000
16	OCE	12,000
17	Fixed Assets	1,495

18 Section 4. Operating Expenses of the National Public
 19 Auditor. The sum of [~~\$845,315~~] \$911,315 or so much thereof as may
 20 be necessary, is hereby appropriated from the General Fund of the
 21 Federated States of Micronesia for the fiscal year ending
 22 September 30, 2009, for the operations of the National Office of
 23 the Public Auditor during the fiscal year 2009 and for the [~~first~~
 24 ~~quarter of the year for~~] National Public Auditor's Chuuk Office.
 25 The sum appropriated by this section shall be apportioned as

1 follows:

2	Personnel	\$ 448,543	<u>489,090</u>
3	Travel	167,027	<u>174,599</u>
4	Contractual Services	162,350	<u>171,964</u>
5	OCE	59,720	<u>67,722</u>
6	Fixed Assets	7,675	<u>7,940"</u>

7 Section 5. Section 7 of Public Law No. 15-55 is hereby
 8 amended to read as follows:

9 Section 7. Special Programs. The sum of \$ ~~387,629~~
 10 2,929,939 or so much thereof as may be necessary, is hereby
 11 appropriated from the General Fund of the Federated States of
 12 Micronesia for the fiscal year ending September 30, 2009, for the
 13 following special programs during fiscal year 2009. The sum
 14 appropriated by this section shall be apportioned as follows:

15 (1) FSM Aquaculture Center.

16 \$83,136 or so much thereof as may be necessary, for the
 17 operations of the FSM Aquaculture Center during the
 18 fiscal year 2009. The sum appropriated herein shall be
 19 apportioned as follows:

20	Personnel	\$	38,617
21	Travel		12,656
22	Contractual Services		9,474
23	OCE		22,389
24	Fixed Assets		-0-

25 (2) National Election Commissioner.

1 \$304,493 or so much thereof as may be necessary, for the
 2 operations of the National Election Commissioner's
 3 Office during the fiscal year 2009. The sum
 4 appropriated herein shall be apportioned as follows:

5	Personnel	\$	179,850
6	Travel		11,993
7	Contractual Services		28,000
8	OCE		84,650
9	Fixed Assets		-0-

10 (3) T-3 Program

11 \$170,310 or so much thereof as may be necessary for the
 12 operation of the T-3 Program during the fiscal year
 13 2009. The sum appropriated shall be apportioned as
 14 follows:

15	<u>Personnel</u>	<u>\$</u>	<u>136,092</u>
16	<u>Travel</u>		<u>11,643</u>
17	<u>Contractual Services</u>		<u>-0-</u>
18	<u>OCE</u>		<u>22,575</u>
19	<u>Fixed Assets</u>		<u>-0-</u>

20 (4) Disaster Relief Fund 2,372,000"

21 Section 6. Grants, Subsidies and Contributions. The sum of
 22 \$~~[4,723,947]~~ 4,763,947 or so much thereof as may be necessary, is
 23 hereby appropriated from the General Fund of the Federated States
 24 of Micronesia for the fiscal year ending September 30, 2009, for
 25 the following grants, subsidies and contributions during fiscal

1 year 2009. Of the total amount of funds appropriated herein,
 2 \$100,000 shall be deemed to come from funds available under the
 3 amended Compact from the capacity building sector. The sum
 4 appropriated by this section shall be apportioned as follows:

5 (1) Office of the President.

6 (a) Asia-Pacific Broadcasting Dev.

7 (AIBD)\$ 4,500

8 (b) Asia-Pacific Broadcasting Union

9 (ABU) 800

10 (c) Pacific Island News Assn.

11 (PINA) 350

12 (2) Department of Foreign Affairs.

13 (a) Pacific Islands Forum Secretariat 46,000

14 (b) Secretariat of the Pacific

15 Community (SPC) 56,000

16 (c) UN Membership fees (UN) 60,000

17 (d) UN Economic and Social Commission

18 for Asia and the Pacific (ESCAP) 5,000

19 (e) East-West Center 5,000

20 (f) Cotonou Membership 10,000

21 (3) Department of Finance and Administration.

22 (a) CTAOCO Membership Fee 4,000

23 (b) Maintenance fee for Financial

24 Management Information System 30,000

25 (c) FSM Group Life Insurance\$ 43,000

1	(4) <u>Department of Resources and Development.</u>	
2	(a) Pacific Islands Development	
3	Program	15,000
4	(b) Forum Fisheries	
5	Agency (FFA)	33,227
6	(c) UN Development Program	3,000
7	(d) Coordinating Committee for Offshore	
8	Minerals Prospecting (SOPAC)	15,000
9	(e) Pacific Asia Travel Association .	5,000
10	(f) Western Forestry Leadership	
11	Coalition	500
12	(g) Food Agriculture Organization	
13	(FAO)	4,700
14	(h) National Association of State	
15	Foresters	500
16	(i) FAO/TCP Matching	34,508
17	(j) Matching for SPC Projects	60,000
18	(k) Quarantine Services Improvement	
19	Project	50,000
20	(5) <u>Department of Health and Social Affairs.</u>	
21	(a) UN Fund for Population	
22	Activity (UNFPA)	3,000
23	(b) World Health Organization (WHO) .	4,000
24	(c) National Board of Nursing	10,000
25	(d) Pacific Islands Health	

1	Officers Association	\$ 20,000
2	(e) FSM Amateur Sports Association ..	20,000
3	(f) Association of Territorial	
4	Health Organization	2,000
5	(g) FSM Red Cross	70,000
6	(6) <u>Department of Education.</u>	
7	(a) Aid to Non-Public Schools	450,000
8	(b) Financial Assistance to FSM	
9	Students attending College of Marshalls	
10	and Palau Community College	50,000
11	(c) National Scholarship	350,000
12	(d) National Close-Up local	64,000
13	(e) College of Micronesia Board	
14	(COM) Annual Meeting	5,000
15	(7) <u>Department of Transportation,</u>	
16	<u>Communications and Infrastructure.</u>	
17	(a) Asia-Pacific Telecommunity	
18	(APT)	7,640
19	(b) International Telecommunications	
20	Union (ITU)	55,000
21	(c) International Civil Aviation	
22	Organization	28,050
23	(d) FSM Capital Energy/Utilities	400,000
24	(8) <u>Office of S.B.O.C</u>	
25	(a) Economic Reporting & Statistics	

1	(Compact Public Sector Capacity Building ..\$	100,000
2	(9) <u>Office of E.E.M</u>	
3	(a) 2 nd National Environmental	
4	Conference	13,558
5	(b) UNEP	600
6	(c) 6 th National Environmental	
7	Speech Contest	15,000
8	(d) SPREP Convention (Annual	
9	Membership)	671
10	(e) Waigani Convention (Annual Fee) .	55
11	(f) UN Con. to Combat Desertific. ...	120
12	(g) UN Framework Convention (UNFCCC) .	250
13	(h) SPREP (Annual Membership fee) ...	10,184
14	(10) <u>Office of National Archives,</u>	
15	<u>Culture & Historic Preservation.</u>	
16	(a) UNESCO	4,000
17	(b) NCSHPO	2,760
18	(c) PARBICA	100
19	(d) PIALA	100
20	(e) WHC Membership fee	54
21	(11) <u>Coconut Development Authority (CDA).</u>	
22	(a) Copra Subsidy	100,000
23	(b) Asia Pacific Coconut	
24	Community (APCC)	15,500
25	(12) <u>Department of Justice.</u>	

1	(a) Kosrae State Joint Law Enforcement	\$ 25,000
2	(b) Pohnpei State Joint Law Enforcement	50,000
3	(c) Chuuk State Joint Law Enforcement,	
4	PROVIDED THAT of the funds appropriated	
5	herein, \$35,000 shall be for the use of the	
6	Chuuk State Police and \$15,000 shall be for	
7	the use of the Chuuk State Attorney General's	
8	Office	50,000
9	(d) Yap State Joint Law Enforcement .	25,000
10	<u>(e) Policy Academy</u>	<u>40,000</u>
11	(13) Other Grants, Subsidies and Contributions.	
12	(a) Kosrae Judiciary subsidy	30,000
13	(b) Pohnpei Judiciary subsidy	45,000
14	(c) Chuuk Judiciary subsidy	45,000
15	(d) Yap Judiciary subsidy	30,000
16	(e) COM Treaty Obligations	25,000
17	(f) Micronesian Legal Services	
18	Corporation	100,000
19	(g) Former Presidents' Allowance	50,000
20	(h) Tuna Commission Membership	49,629
21	(i) Disaster Assistance Emergency	
22	Fund (DAEF) Matching	200,000
23	(j) National Maritime boundary	
24	Delineation	160,804
25	(k) MiCare (10% Premium Increase and to	

1	pay debt to providers and seek reimbursement	
2	by patients)	\$ 100,000
3	(l) MLFC Loan Payment	-0-
4	(m) FY 08 Single Audit	329,250
5	(n) Compact Review Committee	75,000
6	(o) Funding for salary increase	
7	pursuant to law, PROVIDED THAT notwithstanding	
8	the prohibition on reprogramming contained in	
9	section 11, this amount may be reprogrammed by	
10	the allottee to the personnel budget line item	
11	of each branch, department, office, board,	
12	commission, authority or program where the 551	
13	eligible employees may be, and PROVIDED	
14	FURTHER THAT the allottee shall report to	
15	Congress, not later than 30 November 2008 the	
16	breakdown of how these funds have been	
17	reprogrammed	546,537
18	(p) FSM Social Security	500,000"

19 Section 7. Section 9 of Public Law No. 15-55 is hereby
 20 amended to read as follows:

21 "Section 9. Capital and Human Resources Development.

22 The sum of \$[~~6,932,215~~] 73,932,215 or so much thereof
 23 as may be necessary, is hereby appropriated from the
 24 General Fund of the Federated States of Micronesia for
 25 the fiscal year ending September 30, 2009, for the

1 following capital improvements, development programs,
2 and projects and human resources development. Of the
3 total amount of funds appropriated herein, \$3,800,000
4 shall be deemed to come from funds available under the
5 amended Compact from the education sector and \$[-0-]
6 67,000,000 shall be deemed to come from the amended
7 Compact from the infrastructure sector. The sum
8 appropriated by this section shall be apportioned as
9 follows:

10 (1) College of Micronesia-FSM.

11 \$4,455,110 or so much thereof as may be necessary, for
12 the operations, programs and projects of the College
13 during fiscal year 2009. Of the total amount of funds
14 appropriated herein, \$3,800,000 shall be deemed to come
15 from funds available under the amended Compact education
16 sector and \$-0- shall be deemed to come from the amended
17 Compact infrastructure sector. The sum appropriated
18 herein shall be apportioned as follows:

19 (a) COM-FSM operations, PROVIDED THAT all funds
20 appropriated herein shall be deemed to come from funds
21 available under the amended Compact from the
22 Education Sector\$ 3,800,000

23 (b) Fisheries and Maritime Institute 655,110

24 (c) COM-FSM State Campus Facility
25 Improvement, PROVIDED THAT the sum

1 appropriated herein shall be deemed to come
 2 from funds available under the amended Compact
 3 for Infrastructure Development Sector.\$ -0-

4 (2) Department of Finance and Administration.

- 5 (a) National Staff Upgrading \$50,000
- 6 (b) Tax Reform 128,000
- 7 (c) Staff housing 591,000
- 8 (d) Recruitment & Repatriation 86,411

9 (3) Infrastructure Maintenance Fund (IMF).

10 (a) IMF, PROVIDED THAT of the amount appropriated
 11 herein, \$-0- shall be
 12 deemed to come from the amended Compact
 13 infrastructure sector 121,694

14 (4) President's Office.

- 15 (a) FSM Trust Fund 1,500,000

16 (5) Infrastructure projects.

17 Provided that the amount appropriated herein,
 18 shall be deemed to come from the amended
 19 Compact Infrastructure sector 67,000,000"

20 Section 8. Section 12 of Public Law No. 15-55 is hereby
 21 amended to read as follows:

22 "Section 12. Allotment and management of funds and
 23 lapse date.

24 (1) General Provisions.

- 25 (a) All funds appropriated by this act shall be

1 allotted, managed, administered and accounted for in
2 accordance with applicable law, including, but not
3 limited to, the Financial Management Act of 1979 and the
4 amended Compact of Free Association between the United
5 States Government and the Government of the Federated
6 States of Micronesia and its related agreements.

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; Provided that, notwithstanding
12 this section, the resident retains the authority to
13 reprogram funds as authorized under section 109, title
14 55 of the FSM Code.

15 (2) Allottees. The allottee of the funds appropriated
16 by this act are as follows:

17 (a) Section 2 - the allottee of these funds shall
18 be the President of the Federated States of Micronesia;

19 (b) Section 3 - the allottee of these funds shall
20 be the Speaker of the Congress of the Federated States
21 of Micronesia;

22 (c) Section 4 - the allottee of these funds shall
23 be the Chief Justice of the Supreme Court of the
24 Federated States of Micronesia;

25 (d) Section 5 - the allottee of these funds shall

1 be the Public Auditor of the Federated States of
2 Micronesia;

3 (e) Sections 6 through 9 - the allottee of these
4 funds shall be the President of the Federated States of
5 Micronesia, EXCEPT THAT for the following subsections of
6 sections 8 through 9 of this act:

7 (i) Section 8 subsection (13) (a) through (d)
8 - the allottee of these funds shall be the Chief Justice
9 of the respective state,

10 (ii) section 9(1) (a) through (c) - the
11 allottee of these funds shall be the President of the
12 College of Micronesia-FSM.

13 Lapse Date. The authority of the allottee to obligate
14 funds appropriated by this act shall lapse as of
15 September 30, 2009, EXCEPT the funds appropriated under
16 section 9 of this act shall not lapse.

17 Section 9. This act shall become law upon approval by the
18 President of the Federated States of Micronesia or upon its
19 becoming law without such approval.

20

21 Date: 1/03/09

Introduced by: /s/ Resio S. Moses

22

Joe N. Suka
(by request)

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