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A BILL FOR AN ACT

To further amend chapter six of title 55 of the Code of the Federated States of Micronesia by amending section 608 by incorporating the definitions of "disaster" and "state of emergency"; by amending section 611 by authorizing the President to expend funds from the Disaster Relief Fund for the purpose of lending disaster relief assistance to victims of disasters occurring outside of the Federated States Micronesia; and for other purposes.

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

1 Section 1. Section 608 of title 55 of the Code of the
2 Federated States of Micronesia is hereby amended to read as
3 follows:

4 "Section 608. Definitions. As used in this
5 subchapter:

6 (1) 'Disaster' means any hurricane, typhoon,
7 cyclone, tornado, storm, flood, high water, wind,
8 driven water, tidal wave, tsunami, earthquake,
9 volcanic eruption, landslide, mudslide, drought,
10 fire, explosion, civil disturbance, or other
11 catastrophe in any part of the Federated States of
12 Micronesia which, in the determination of the
13 President, causes damage of sufficient severity and
14 magnitude to warrant disaster assistance under this
15 subchapter, above and beyond emergency services by
16 the National Government, to supplement the efforts
17 and available resources of States, local governments,
18 and disaster relief organizations in alleviating the
19 damage, loss hardship, or suffering caused thereby;

20 (1) 'Disaster' means the imminent threat or the
21 occurrence of widespread injury or death to persons,
22 or severe widespread injury to, or destruction of,
23 property caused by a natural or man-made catastrophe.

24 (2) 'Emergency' means any hurricane, typhoon,
25 cyclone, tornado, storm, flood, high water, wind,

1 driven/ water/ tidal wave/ tsunami/ earthquake/
2 volcanic eruption/ landslides/ mudslides/ drought/
3 fire/ explosion/ civil disturbance, or other
4 catastrophe in any part of the Federated States of
5 Micronesia which requires nationally emergency
6 assistance to supplement state and local efforts to
7 save lives and property/ provide for public
8 health and safety/ or to avert or lessen the threat
9 of disaster/

10 (2) 'State of emergency' means a formal
11 declaration by the President in a situation where it
12 is required to preserve public peace, health, or
13 safety, at a time of extreme emergency caused by a
14 disaster, and where the States need national and
15 possibly international aid to prevent, prepare for,
16 or recover from the disaster."

17 Section 2. Section 611 of title 55 of the Code of the
18 Federated States of Micronesia is hereby amended to read as
19 follows:

20 "Section 611. Use of Disaster Relief Fund.

21 (1) Upon declaring that a disaster or emergency
22 exists, the President may authorize such expenditure
23 of moneys from the Disaster Relief Fund as in his
24 opinion are necessary to carry out the purpose of
25 this subchapter, providing that they are consistent

1 with the type and extent of aid requested by the
2 Governor of the affected State.


3 (2) Expenditure from the Disaster Relief Fund
4 may be used for necessary food, clothing, shelter,
5 medical supplies, compensation for crop damage,
6 transportation, debris clearance, reconstruction and
7 repair of seawalls and other damaged property,
8 building materials, and such other matters as the
9 President determines to be necessary and occasioned
10 by the emergency or disaster.

11 (3) In the event of a disaster occurring
12 outside of the Federated States of Micronesia,
13 especially in a country or territory where FSM
14 citizens reside and work, the President may authorize
15 the expenditure of moneys from the Disaster Relief
16 Fund to be used as disaster relief assistance to the
17 victims of such a disaster, provided that the
18 assistance money shall be directed to a recognized
19 governmental or nongovernmental point of receipt for
20 such assistance in order that the use of the
21 assistance can be maximized. The section 601
22 requirement of a Presidential declaration of a
23 disaster or emergency shall be deemed to be satisfied
24 upon the issuance of a similar declaration by the
25 competent authority in the foreign country or

1 territory. Prior to such authorization, the
 2 President shall assess the impact of such expenditure
 3 to ensure that the obligations of the National
 4 Government under the Disaster Relief Act of 1989,
 5 Public Law No. 6-38, would not be compromised by the
 6 expenditure."

7 Section 3. This act shall become law upon approval by the
 8 President of the Federated States of Micronesia or upon its
 9 becoming law without such approval.

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 11 Date: 2/16/98

12 Introduced by: 
 13 Joseph J. Urusemal
 14 (by request)

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