

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 Nos. 12-21 and 12-24, is hereby further amended to read  
3 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

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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

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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.] The sum appropriated by this section shall be  
14 apportioned as follows:~~

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

17 (b) Pohnpei Public Defender Office  
18 renovation ..... 40,000"

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

22 "Section 16. Allotment and management of funds and  
23 lapse date.

24 (1) *General Provisions.*

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

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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;

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

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

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

13                   (b) section 3 - the allottee of these funds shall  
14          be the Speaker of the Congress of the Federated States  
15          of Micronesia;

16                   (c) section 4 - the allottee of these funds shall  
17          be the Chief Justice of the Supreme Court of the  
18          Federated States of Micronesia;

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

21                   (e) section 6 through 13 - the allottee of these  
22          funds shall be the President of the Federated States of  
23          Micronesia or his designee; EXCEPT THAT for the  
24          following subsections of section 6 through 13 of this  
25          act, the allottees shall be:

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

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

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

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

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

21 (vi) section 10, subsection (2) (c) - the  
22 allottee of these funds shall be the Chief Justice of  
23 the Supreme Court of the Federated States of Micronesia;

24 (vii) section 13, subsection (1) (a) through  
25 (1) (f) - the allottee of these funds shall be the

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

5 (viii) section 13, subsections (2) (a) through  
6 (2) (d) - the allottee of these funds shall be the  
7 Governor of the respective State.

8 (ix) section 13, subsection (13) - the  
9 allottee of these funds shall be the Governor of Chuuk  
10 State.

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

19 Section 3. This act shall become law upon approval by the  
20 President of the Federated States of Micronesia or upon its  
21 becoming law without such approval.

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23  
24 Date: 6/30/02

Introduced by: /s/ Dohsis Halbert  
Dohsis Halbert

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