

JGO/WM

A BILL FOR AN ACT

To further amend title 55 of the Code of the Federated States of Micronesia, as amended, by amending sections 223, 223A and 223C, for the purpose of giving the Budget Officer of the Congress of the Federated States of Micronesia and the Administrator of the Supreme Court of the Federated States of Micronesia the sole authority to disburse funds allotted for the operations of their respective branches of the National Government, other than payroll, from the General Fund, and for other purposes.

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

1 Section 1. Section 223 of title 55 of the Code of the Federated
2 States of Micronesia is hereby amended to read as follows:

3 "Section 223. Disbursement procedures. Unless otherwise
4 specifically provided by law, the following procedures shall
5 control the administration and management of all funds
6 appropriated from the General Fund of the Federated States of
7 Micronesia or made available to the Federated States of
8 Micronesia from other sources:

9 (1) All such funds shall remain in the custody and
10 control of the Secretary of Finance until they are obligated
11 and disbursed by him in accordance with law, excepting only
12 those funds, other than those designated for payroll:

13 (a) Allotted under section 216(2) of this chapter to
14 the Speaker of the Congress of the Federated States of
15 Micronesia, or his designee(s), for the operations and
16 activities of the Congress which shall be obligated and
17 disbursed by the Budget Officer of the Congress in accordance
18 with law, and

19 (b) Allotted under section 216(3) of this chapter to
20 the Chief Justice of the Supreme Court of the Federated States
21 of Micronesia, or his designee(s) for the operations and
22 activities of the judicial branch of the National Government,
23 which shall be obligated and disbursed by the Administrator of
24 the Supreme Court in accordance with law.

25 (2) Such funds shall be deemed to be obligated as of the

1 date the person or entity to whom the funds are allotted enters
2 into a legally binding written agreement supported by the
3 documentary evidence required by section 218 of this chapter or
4 rules and regulations issued pursuant to authority vested by
5 section 227 of this chapter.

6 (3) The Secretary of Finance, and when appropriate, the
7 Budget Officer of the Congress, and the Administrator of the
8 Supreme Court shall disburse such funds as may be required to
9 liquidate valid obligations within thirty days of their
10 becoming payable, as indicated by valid documentary evidence of
11 such obligation and a valid claim for payment, if required by
12 the terms of the document evidencing the obligation."

13 Section 2. Section 223A of title 55 of the Code of the Federated
14 States of Micronesia, as established by Public Law No. 6-52, is hereby
15 amended to read as follows:

16 "Section 223A. Representation expenses and official expense
17 allowances - Advances. Representation expenses and official
18 expense allowance expenses shall be accounted for by affidavit,
19 written contract or written receipt. The Secretary of Finance,
20 and when appropriate, the Budget Officer of the Congress, and
21 the Administrator of the Supreme Court, upon specific written
22 request containing specific justification satisfactory to the
23 ~~Secretary of Finance~~ disbursing officer, may make advance
24 payments of representation expenses and advance payments of
25 official expense allowances if the recipient of such advance

1 payment agrees to submit affidavits or receipts for actual
2 expenditures and return to the ~~Secretary of Finance~~ disbursing
3 officer all amounts advanced but not accounted for by
4 affidavit, contract or receipt no later than 30 days prior to
5 the end of the fiscal year."

6 Section 3. Section 223C of title 55 of the Code of the Federated
7 States of Micronesia, as established by Public Law No. 6-52, is hereby
8 amended to read as follows:

9 "Section 223C. Purchases of supplies and personal property
10 involving less than \$1,000. For any purchase of supplies and
11 personal property involving less than \$1,000, including the
12 cost of shipping, the Secretary of Finance or his designee, and
13 when appropriate, the Budget Officer of the Congress, and the
14 Administrator of the Supreme Court, or their designees, shall
15 approve such purchase upon certification of the availability of
16 funds for such purchase and upon satisfaction of the
17 requirements under section 218 of this chapter pertaining to
18 documentary evidence; PROVIDED, however, that the head officer
19 of each branch of the National Government shall have the
20 authority to prescribe a more restrictive rule which shall be
21 binding upon that branch with the full force and effect of the
22 law. For purposes of this section, the Office of the Public
23 Auditor shall be considered a separate branch of the National
24 Government. For purposes of this section, the agencies,
25 boards, authorities, commissions and corporations of

