

AN ACT

To further amend title 55 of the Code of the Federated States of Micronesia, as amended, by further amending section 219, as amended by Public Law No. 6-52, and as renumbered by Public Law No. 9-074, and by further amending section 224A, as amended by Public Law No. 6-52, and as renumbered by Public Law No. 9-074, for the purpose of allowing documentary evidence supporting the obligation of representation funds to be submitted up to one month after the end of the fiscal year and to provide for when funds not expended must be returned, and for other purposes.

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

Section 1. Section 219 of title 55 of the Code of the Federated States of Micronesia, as amended by Public Law No. 6-52, and as renumbered by Public Law No. 9-074, is hereby further amended to read as follows:

"Section 219. Documentary evidence required to support obligations. No amount shall be recorded as an obligation of the Government of the Federated States of Micronesia unless it is supported by documentary evidence of:

(1) a binding agreement in writing, between the parties thereto, including Government agencies, in a manner and form and for a purpose authorized by United States or Federated States of Micronesia law, executed before the expiration of the period of availability for obligation of the appropriation or fund concerned for specific goods to be delivered, real property to be

purchased or leased, or work or services to be performed; or

(2) a valid loan agreement, showing the amount of the loan to be made and the terms or schedule of repayment thereof; or

(3) an order required by United States or Federated States of Micronesia law to be placed with an agency; or

(4) an order issued pursuant to United States or Federated States of Micronesia law authorizing purchases without advertising when necessitated by public exigency or for perishable subsistence supplies or within specific monetary limitations; or

(5) a grant or subsidy payable:

(a) from appropriations made for payment of or contributions toward sums required to be paid in specific amounts fixed by United States or Federated States of Micronesia law, or in accordance with formulae prescribed by United States or Federated States of Micronesia law, or

(b) pursuant to an agreement authorized by, or plans approved in accordance with and authorized by United States or Federated States of Micronesia law; or

(6) a liability which may result from pending litigation brought under authority of United States or Federated States of Micronesia law; or

(7) employment or services of persons or expenses of travel in accordance with United States or Federated States of Micronesia law, or services performed by public utilities; or

(8) any other legal liability of the Federated States of Micronesia against an appropriation or funds legally available therefor; or

(9) in the case of representation expenses and official expense allowance expenses, an affidavit of the allottee or sub-allottee describing the amount and nature of the expenditure, or a written contract or written receipt, submitted in a timely manner in accordance with the provisions of section 224A of this title, shall be deemed to be sufficient documentary evidence to support a legal obligation."

Section 2. Section 224A of title 55 of the Code of the Federated States of Micronesia, as amended by Public Law No. 6-52, and as renumbered by Public Law No. 9-074, is hereby further amended to read as follows:

"Section 224A. Representation expenses and official expense allowances - Advances. Representation expenses and official expense allowance expenses shall be accounted for by affidavit, written contract or written receipt. The Secretary of Finance, upon specific written request containing specific justification satisfactory to the Secretary of Finance, shall make advance payments of representation expenses and advance

payments of official expense allowances if the recipient of such advance payment agrees to submit affidavits or receipts for actual expenditures and return to the Secretary of Finance all amounts advanced but not accounted for by affidavit, contract or receipt no later than one month after the end of the fiscal year and, upon leaving office, to return to the Secretary of Finance all amounts advanced but not expended."

Section 3. The amendments in this act which pertain to the timely submission of affidavits or receipts and the use of affidavits as documentary evidence to support a legal obligation shall be deemed effective as of March 12, 1990.

Section 4. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

October 22, 1997

/s/ Jacob Nena
Jacob Nena
President
Federated States of Micronesia