

AN ACT

To further amend Public Law No. 12-50, as amended, by amending section 13 thereof to change the use of certain funds previously appropriated for post-secondary educational assistance, by amending section 15 thereof to allow reprogramming of funds by the President, by amending section 16 thereof to change the allottee for certain funds, and for other purposes.

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

1 Section 1. Section 13 of Public Law No. 12-50, as amended
2 and restated by Public Law No. 12-53 and amended by Public Law No.
3 12-74, is hereby further amended to read as follows:

4 "Section 13. Capital and Human Resource Development.

5 The sum of \$12,382,572, 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, 2003, for capital improvement,
9 development programs and projects and human resource
10 development. The sum appropriated under this section
11 shall be apportioned as follows:

12 (1) College of Micronesia - FSM

13 (a) Operations of the College of
14 Micronesia-FSM, including planning, construction
15 of new facilities and maintenance of the
16 newly completed multi-purpose gymnasium ...\$ 3,220,000

17 (b) Student assistance for tuition

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1 and housing to be deemed to come from section
2 216(a) (3) of the Compact of Free Association
3 PROVIDED that only students maintaining
4 a passing grade point average will be eligible
5 to receive these grants\$ 475,000
6 (c) COM-FSM National Campus Standby
7 Generator -0-
8 (d) COM-FSM National Campus Well
9 Drilling to be deemed to come from the
10 capital account funds available under
11 section 211 of the Compact of Free
12 Association 30,000
13 (e) FSM Fisheries and Maritime
14 Institute 700,000
15 (2) Post-Secondary Educational Assistance to
16 be deemed to come from section 216(a) (3) of the
17 Compact of Free Association
18 (a) Kosrae State 283,411
19 (b) Pohnpei State 639,693
20 (c) Chuuk State
21 (i) GPA-based Scholarships,
22 PROVIDED THAT the Department of Finance and
23 Administration of the Federated States of
24 Micronesia office in Chuuk shall issue any
25 funds directly to the respective

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1	scholarship recipient	\$ 140,000
2	(ii) Grants, PROVIDED THAT the	
3	Department of Finance and Administration	
4	of the Federated States of Micronesia	
5	office in Chuuk shall issue any funds	
6	directly to the respective grant recipient .	773,886
7	(d) Yap State	
8	(i) Post-Secondary Educational	
9	assistance	262,210
10	(ii) Scholarships grants for	
11	Yapese students, with the following conditions:	
12	(1) only students maintaining a grade point	
13	average of 3.0 or higher shall be eligible to	
14	receive these grants; (2) taking into	
15	consideration all sources of assistance to	
16	the recipient, no grant funds in excess of	
17	the cost of tuition, room and board shall	
18	be provided to any student; and (3) no more	
19	than \$7,000 of these funds shall be given	
20	to any individual student	95,000
21	(e) Graduate Scholarship - All States	100
22	(3) National Staff Upgrading to be deemed	
23	to come from the capital account funds	
24	available under section 211 of the Compact of	
25	Free Association	50,000

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1	(4) President's Office Expansion and	
2	Security	\$ -0-
3	(5) FSM Visitors Bureau to be deemed to	
4	come from the capital account funds available	
5	under section 211 of the Compact of Free	
6	Association	378,000
7	(6) FSM Development Bank - Business	
8	Development Loan Program to be deemed to come	
9	from the capital account funds available	
10	under section 211 of the Compact of	
11	Free Association	1,000,000
12	(7) FSM Trust Fund - Account 'S', of which	
13	\$709,640 shall be deemed to come from capital	
14	account funds available under section 211,	
15	\$130,506 shall be deemed to come from funds	
16	available under section 214(b), \$1,094,573	
17	shall be deemed to come from funds available	
18	under section 215(a)(2), \$8,000 shall be	
19	deemed to come from funds available under	
20	section 215(b)(2) and \$346,462 shall be	
21	deemed to come from funds available under	
22	section 221(b) of the Compact of Free	
23	Association	3,000,000
24	(8) FSM Household Income and Expenditure	
25	Survey	-0-

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1	(9) M.S. Caroline Voyager Dry-docking to	
2	be deemed to come from the capital account	
3	funds available under section 211 of the	
4	Compact of Free Association	\$ 510,000
5	(10) FSM Capital Water Well Renovation to	
6	be deemed to come from the capital account	
7	funds available under section 211 of the	
8	Compact of Free Association	225,000
9	(11) EMPAT Phase III, \$64,000 of which	
10	shall be deemed to come from funds available	
11	under section 216(a)(3) of the Compact of Free	
12	Association	117,703
13	(12) 3 rd Convention of the FSM Coastal	
14	Fisheries Consortium	12,239
15	(13) FSM Capitol Complex Infrastructure	
16	Program	-0-
17	(14) FSM Public Defender Office Expansion	
18	(Pohnpei Office) to be deemed to come from the	
19	capital account funds available under section	
20	211 of the Compact of Free Association	45,000
21	(15) FSM Judiciary Branch Office Renovation	
22	(Chuuk and Yap) to be deemed to come from the	
23	capital account funds available under section	
24	211 of the Compact of Free Association	73,430
25	(16) Public Auditor's Office Construction	

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1 to be deemed to come from the capital account
2 funds available under section 211 of the
3 Compact of Free Association\$ 80,000

4 (17) Outer Island Airport Projects to be
5 deemed to come from the capital account
6 funds available under section 211 of the
7 Compact of Free Association:
8 (a) Ta Airport 52,000
9 (b) Houk Airport 120,000"

10 Section 2. Section 15 of Public Law No. 12-50, as amended
11 and restated by Public Law No. 12-53, is hereby further amended to
12 read as follows:

13 "Section 15. Reprogramming.
14 Reprogramming within a department or agency shall be
15 effected by the Head of such department or agency by
16 specifying in writing to the President the activities
17 for which funding is either increased or decreased.
18 Reprogramming to increase employees' salaries shall not
19 be permitted unless authorized by law. The President
20 may reprogram up to ten percent (10%) to and from the
21 funds appropriated to any department or office in
22 section 2 (Operating Expenses of the Executive Branch);
23 PROVIDED THAT, he first provide to the Head of the
24 affected departments and offices and to the Secretary of
25 Finance and Administration a written advisory specifying

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1 the amount to be reprogrammed and the reason."

2 Section 3. Section 16 of Public Law No. 12-50, as amended
3 and restated by Public Law No. 12-53, is hereby further amended to
4 read as follows:

5 "Section 16. Allotment and management of funds and
6 lapse date.

7 (1) *General Provisions.*

8 (a) All funds appropriated by this act shall be
9 allotted, managed, administered, and accounted for in
10 accordance with applicable law, including, but not
11 limited to, the Financial Management Act of 1979;

12 (b) The allottees shall be responsible for
13 ensuring that these funds, or so much thereof as may be
14 necessary, are used solely for the purposes specified in
15 this act, and that no obligations are incurred in excess
16 of the sum appropriated.

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

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

21 (b) section 3 - the allottee of these funds shall
22 be the Speaker of the Congress of the Federated States
23 of Micronesia;

24 (c) section 4 - the allottee of these funds shall
25 be the Chief Justice of the Supreme Court of the

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1 Federated States of Micronesia;

2 (d) section 5 - the allottee of these funds shall
3 be the Public Auditor of the Federated States of
4 Micronesia;

5 (e) section 6 through 13 - the allottee of these
6 funds shall be the President of the Federated States of
7 Micronesia; EXCEPT THAT for the following subsections of
8 section 6 through 13 of this act, the allottees shall
9 be:

10 (i) section 8, subsection (5) - the allottee
11 of these funds shall be the President of the Federated
12 States of Micronesia;

13 (ii) section 8, subsection (8)(a) through
14 (8)(d) - the allottee of these funds shall be Chief
15 Justice of the respective state;

16 (iii) section 13, subsection (1)(a) through
17 (1)(d) - the allottee of these funds shall be the
18 President of the College of Micronesia-FSM;

19 (iv) section 13, subsection (2)(a) through
20 (2)(d) - the allottee of these funds shall be the
21 Governor of the respective state, EXCEPT THAT the
22 allottee for funds allocated to Chuuk State under
23 subsection (2)(c) shall be the Chuuk State Commission on
24 Improvement Projects and the allottee for funds
25 allocated to Yap State under subsection (2)(d)(ii) shall

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1 be the President of the Federated States of Micronesia;
2 and

3 (v) Section 13, subsection (15) - the
4 allottee of these funds shall be the Chief Justice of
5 the Supreme Court of the Federated States of Micronesia.

6 (3) *Lapse Dates*. The authority of the allottees to
7 obligate funds appropriated by this act shall lapse as
8 of September 30, 2003, EXCEPT that funds appropriated
9 under section 13 of this act shall not lapse."

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

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June 13, 2003

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/s/ Redley Killion for
Joseph J. Urusemal
President
Federated States of Micronesia

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