



WESLEY W. SIMINA  
GOVERNOR  
JOHNSON ELIMO  
LIEUTENANT GOVERNOR

OFFICE OF THE GOVERNOR  
STATE OF CHUUK

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Received 10/22/09  
OFFICE OF THE SPEAKER  
4:30 pm

Date Rec'd  
10/26/09  
10:05 a.m.

FILE COPY

October 21, 2009

**THE HONORABLE MARK MAILO**  
President  
Senate  
10<sup>th</sup> Chuuk State Legislature  
Weno, Chuuk, FM 96942

**THE HONORABLE SINGKORO HARPER**  
Speaker  
House of Representatives  
10<sup>th</sup> Chuuk State Legislature  
Weno, Chuuk, FM 96942

**RE: CSL NO. 10 - 09 - 10**

Dear President Mailo and Speaker Harper:

I am respectfully transmitting the attached Act 10 - 02 which I signed into a law and assigned the corresponding number as Chuuk State Law No. 10 - 09 - 10. This is the first Act amending TSL No. 5 - 44 otherwise known as the Chuuk State Financial Management Act. In my review, I found the following typographical errors which should be corrected to wit:

- a) Section 5 (2) the last word of this provision was change from "made" to "make" which is grammatically incorrect.
- b) Section 6 (2)(a) - the second sentence of this provision changed the word "fund" to "end" which does not make sense at all.
- c) Section 6 (2)(a) - the last sentence of this provision deleted the phrase "shall show the amount of the loan and the terms of repayment" was deleted making the sentence incomplete and full of other interpretations.
- d) Section 6 (2)(c) - the word "or" after the term appropriation was change to "of".

Lastly, the substantial amendment refers to the power of Legislature, through a designee of the President or Speaker as the case may be, to have access to all information for any and all Chuuk State's accounts within and without the State of Chuuk and to this end, all financial institutions, including all banks, shall provide such information to such designee upon request as soon as possible. While this may sound noble, the issue here is how could such information be contained within the halls of the Chuuk Legislature?

If information is obtained from these financial institutions, those information shall be confidential and limited only to specific issues on bills or hearings by either houses of the Legislature otherwise individuals with vested interest will capitalize on these financial records to the possible detriment of Chuuk State.

It is worthy to note that the amendment also authorize the promulgation of the regulations to implement the provisions of this Act, as amended.

I will be including the proposed amendment in the next special session that I will call.

Once again, your capable leadership enabled the passage reform-based measures.

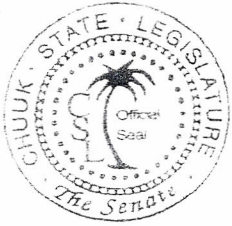
Thank you and I remain.

Sincerely,



WESLEY W. SIMINA  
Governor

Enclosure : CSL No. 10 - 09 - 10



# TENTH CHUUK STATE LEGISLATURE

Office of the Senate Chief Clerk

P.O. Box 1050

Weno Island, Chuuk State

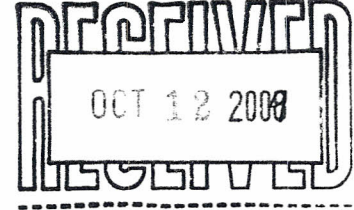
Federated States of Micronesia 96942

Phone: 330-4280

330-4284

Fax: 330-2669

October 12, 2009



The Honorable Wesley W. Simina  
Governor  
Chuuk State Government  
Weno Island, Chuuk State  
Federated States of Micronesia - #96942

Dear Governor Simina:

I have the honor to transmit herewith, ACT NO. 10-09, entitled, "To amend Sections 1,3,4,5, and 6 of Truk State Law No. 5-44, to make technical and corrective amendments thereto, and to authorize a designee of the presiding officers of the Legislature to have access to information on any and all accouts of the Government of the State of Chuuk, to add a new section 12, to renumber other section therein, and for other purposes.", which was passed by the Tenth Chuuk State Legislature, First Regular Session, April, 2009.

Thank you.

Respectfully,

  
Songkinita S. Bossy  
Chief Clerk, Senate  
Tenth Chuuk State Legislature

## TENTH LEGISLATURE OF THE STATE OF CHUUK

FIRST REGULAR SESSION, APRIL, 2009

ACT NO: 10-02

## AN ACT

To amend Sections 1, 3, 4, 5, and 6 of Truk State Law No. 5-44, to make technical and corrective amendments thereto, and to authorize a designee of the presiding officers of the Legislature to have access to information on any and all accounts of the Government of the State of Chuuk, to add a new section 12, to renumber other section therein, and for other purposes.

Be it enacted by the Chuuk State Legislature:

1 Section 1. Amendment. Section 1 of Truk State Law No. 5-44 is hereby  
2 amended to read as follows:

3 “Section 1. Short Title. This Act shall be known as the Chuuk State  
4 Financial Management Act.”

5 Section 2. Amendment. Section 3 of Truk State Law No. 5-55 is hereby  
6 amended to read as follows:

7 “Section 3. The Treasury. The Treasury is all places and facilities,  
8 including banks, bank accounts and other bank issued instruments of deposit, for  
9 receiving, storing, and disbursing state funds which are under the control of the  
10 Director of the Department of Administrative Services.”

11 Section 3. Amendment. Section 4 of Truk State Law No. 5-44 is hereby  
12 amended to read as follows:

13 “Section 4. The General Fund of the State.

14 (1) The general fund of the state shall be an account or accounts in  
15 the State Treasury maintained and controlled under the  
16 authority of the State Director of the Department of  
17 Administrative Services. Notwithstanding the provisions of  
18 this Act, or of any law to the contrary, the Legislature shall  
19 have the power, through a designee of the President or Speaker  
20 as the case may be, to have access to all information for any  
21 and all Chuuk State’s accounts within and without the State of  
22 Chuuk and to this end, all financial institutions, including all

1 banks, shall provide such information to such designee upon  
 2 request as soon as practicable;

3 (2) All Public money raised or received by the State, from  
 4 whatever source derived, including but not limited to, all  
 5 grants and assistance from foreign aid, the United States of  
 6 America, all state tax and revenue laws, receipts from revenue  
 7 sharing with the national government, fines, fees, interest loans  
 8 to the state, gifts or rents, unless otherwise provided by law,  
 9 shall be deposited in the general fund of the State. The  
 10 Director shall generate forms for the transmission of revenue  
 11 from state agencies forms for the transmission of revenue from  
 12 state agencies to ensure that internal revenue is deposited in  
 13 the timely manner, and to provide checks on agencies which  
 14 may be delinquent in transmittal.”

15 Section 4. Amendment. Section 5 of Truk State Law No. 5-44 is hereby  
 16 amended to read as follows:

17 “Section 5. Obligation.

18 (1) An obligation for the expenditure of state funds exists  
 19 when there is a duty to withdraw money at some time  
 20 in the future, from any account of the general fund of  
 21 the State. Every right of expenditure from the general  
 22 fund shall be by obligation of appropriated sums.

23 (2) The Director shall record all state obligations for the  
 24 payment of money and shall establish accounts and  
 25 preserve sufficient funds for the payment of every  
 26 obligation lawfully make.”

27 Section 5. Amendment. Section 6 of Truk State Law No. 5-44 is hereby  
 28 amended to read as follows:

29 “Section 6. Documentary Evidence Required to Record an Obligation.

30 (1) The Director shall not record or assent to any claim that  
 31 an obligation exists unless it is supported by

1 documentary evidence, and if for the purpose specified  
 2 by an appropriation. Only an allottee or his designee  
 3 any offer evidence of an obligation.

4 (2) Evidence of an obligation is:

5 (a) an agreement writing, between the allottee of the  
 6 appropriation, and another party, for a purpose  
 7 authorized by the law which appropriated the funds to  
 8 be obligated. The agreement must have been executed  
 9 during the period of availability of the end. It may be  
 10 for the purpose and delivery of specific goods or the  
 11 lease of purchase of real property, or work or services  
 12 to be performed, or to lend money, in which case the  
 13 agreement;

14 (b) a grant or subsidy payable from an appropriation which  
 15 requires direct payment to a recipient upon submission  
 16 of a plan or according to a formula prescribed by law;  
 17 or

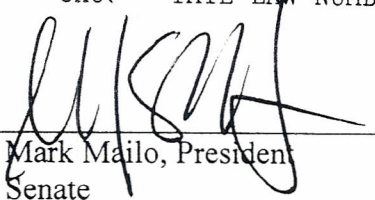
18 (c) any other legal liability of the state against an  
 19 appropriation of funds legally available therefore.

20 Section 6. Amendment. Truk State Law No. 5-44 is hereby amended to add a  
 21 new section 12 to read as follows:

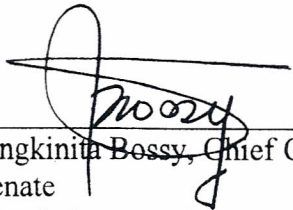
22 “Section 12. Regulations. The Director of Administrative Services, with  
 23 the approval of the Governor, shall promulgate regulations consistent with this  
 24 Act, and in accordance with other applicable laws to implement the provisions of  
 25 this Act. Such regulations once lawfully promulgated shall have the force and  
 26 effect of law and any violations thereof shall be punishable under this Act.”

27 Section 7. Amendment. Section 12 of Truk State Law No. 5-44 is hereby  
 28 renumbered as Section 13.

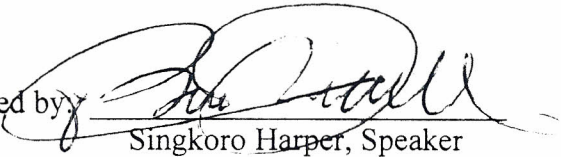
29 Section. Effective Date. This Act shall take effect upon approval by the  
 30 Governor, or upon its becoming law without such approval.

Signed by:   
Mark Mailo, President  
Senate  
Chuuk State Legislature


Attested:

  
Singkinita Bossy, Chief Clerk  
Senate  
Chuuk State Legislature

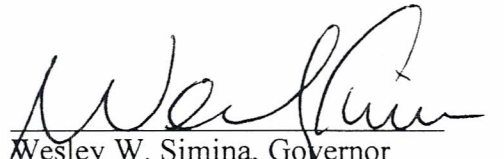
Date: Oct. 12, 2009

Signed by:   
Singkoro Harper, Speaker  
House of Representatives  
Chuuk State Legislature

Attested:

  
Herter Sorim, Chief Clerk  
House of Representatives  
Chuuk State Legislature

Date: Oct. 12, 2009

Approved by:   
Wesley W. Simina, Governor  
Chuuk State Government

Date: Oct. 21, 2009

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History : S.B.NO: 10-06  
S.S.C.R.NO: 10-1R-03  
H.S.C.R.NO: None

AENGONUN ANEPWUNGUN MUN CHUUK

AEWIN REGULAR SESSION, APRIL, 2009

NOMOPWUNG NO: 10-02

## EW NOMOPWUNG

A akasiwinin Tetten 1, 3, 4, 5 me 6 non Annukun Truk State No. 5-44, an epwe apwungupwung sefan masowan, mutata an ewe epwe kefinita meren ekkewe meinapen Anepwungun Mun Chuuk an epwe tongeni angei auchean porous fan iten ekkewe pukken mwonian ewe Mun Chuuk State, apachata ew minefon tetten 12, nampan-sefani meinisin ekkewe tetten a tapweto murin, me pwan ren ekkoch popun.

Epwe pung meren ewe Anepwunun Mun Chuuk:

1 Tetten 1. Akasiwin. Tetten 1 me non Annukun Mun Chuuk, Truk State Law No.  
2 5-44 iei a akasiwin an epwene iei usun:

3 "Tetten 1. Mochun Itenap. Ei Annuk epwe iteni "Chuuk State Financial  
4 Management Act."

5 Tetten 2. Akasiwin. Tetten 3 me non Truk State Law No. 5-44 iei a akasiwin an  
6 epwene iei usun:

7 "Tetten 3. Ewe Treasury. Ewe Treasury wewen meinisin neni, pachenong  
8 bank, bank accounts me taropwe mei katou seni kewe banks ren mwoni mei  
9 deposit, fan itan mwoni tonong, an epwe isoisen me mwoni epwe katou mine ra nom  
10 fan tumunen ewe Director non ewe Putain Administrative Services."

11 Tetten 3. Akasiwin. Tetten 4 me non Truk State Law No. 5-44 iei a akasiwin an  
12 epwene iei usun:

13 "Section 4. Ewe Mwonienapen Mun State.

14 (1) Ewe monienapen mun state a nom non ew ika fittu account non  
15 ewe State Treasury a nom fan tumunuen ewe Director non ewe  
16 Putain Administrative Services. Non mwo an a iei usun  
17 porousan ei Annuk, ika menni annuk, ewe Anepwungun Mun  
18 Chuuk a nom ren ewe pochokun, an ewe a kefinita meren ewe  
19 Speaker ika ekkewe meinapen Legislature (presiding officers)  
20 an epwe angei met sakkun porous a aucheani fan itan ew ika  
21 meinisin ekkewe accounts ika noun Chuuk State mwoni mei  
22 nom non nenian non me nukun Chuuk State. Fan itan ei wewe,  
23 meinisin ekkewe nenian isoisen mwoni, pachenong ekkewe



1 banks, repwe tongeni awora met sakkun porous fan itan noun  
 2 Chuuk kewe mwoni fansoun chok a wor tungorun non esap  
 3 akamang;

4 (2) Meinsin mwonien Mun a kawor fan itan ewe Mun State, seni  
 5 ese nifinifin ia a kawor me ia, pachenong nge ese ukutiw me  
 6 on, meinsin mwonien aninis seni foreign aid, seni ewe Mun  
 7 United States of America, meinsin mwoni a kawor seni  
 8 ekkewe annukun takisi, taropwen ewe mwoni a ettiw pwe  
 9 wisan Chuuk seni ewe Munap non FSM ren revenue sharing,  
 10 mwonien pakin, fee, interest on loan seni mwonien state,  
 11 mwonien nifang ika ren, tiwenon chok ika esap mumuta seni  
 12 annuk, repwe katonong ika deposit non ewe mwonienap an  
 13 ewe Mun State. Ewe Director epwe awora ekkoch forms ika  
 14 taropwen angang epwe anetatta fetanin mwoni seni ekkewe  
 15 ekkoch office mine a wor ren annen mwoni tonong an epwe  
 16 tawe me fatafatoch katonongen mwoni seni ekkei offices me  
 17 agencies an epwe mwtir katonong nenian isois, fengen me an  
 18 epwe pwan awora an angangen chekki ekkewe agencies an  
 19 esap wor mangngen touroton ekkewe mwoni.”

20 Tetten 4. Akasiwin. Tetten 5 me non Truk State Law No. 5-44 iei a akasiwin an  
 21 epwene iei usun:

22 “Tetten 5. Obligation.

- 23 (1) Ew anounoun fan itan an epwe katou mwonien Mun a  
 24 fis fansoun a auchea katoun mwoni seni ew account me  
 25 non ewe mwonienap an State. Pochokunan katoun  
 26 mwoni seni ewe mwonienap a chok wor fansoun a fen  
 27 wor annukun nounoun mwoni;
- 28 (2) Ewe Director epwe awora taropwen meinsin anounoun  
 29 mwoni epwe akmou, fengen me an epwe forata ekkoch  
 30 accounts an epwe an epwe annafa ekkewe aukukun

1 mwoni epwe nounouno fitipachei met a affat non  
 2 annuk.”

3 Tetten 5. Akasiwin. Tetten 6 me non Truk State Law No. 5-44 iei a akasiwin an  
 4 epwene iei usun:

5 “Tetten 6. Taropwen Pwarata epwe kawor ew me ew Anounoun Mwoni.

6 (1) Ewe Director epwe awora taropwen ika tipeew ngeni  
 7 an ew klaim pwe mi wor ew anounoun mwoni tiwenon  
 8 chok ika mei wor taropwen pwarata, ika mumutan me  
 9 non annukun kaworen mwonien mun. Ekkewe chok  
 10 allottees a affat me non ekkewe annukun kaworen  
 11 mwoni ika io a kefinita fan itan ra tongeni awora  
 12 pisekin pwarata fan itan anounoun mwonien mun.

13 (2) Pisekin pwartat fan itan anounoun mwonien mun a  
 14 wewe ngeni:

15 (a) Ew taropwen atipeew, nefinan ewe allottee me emon,  
 16 fan itan ew popun a mumuta seni ewe annukun  
 17 kaworen ewe mwoni mine epwe kawor anounoun. Ewe  
 18 taropwen atipeew epwe chok wor manamanan ika pwe  
 19 e forr non ewe fansoun kaworen me nounoun ewe  
 20 mwoni. Ei fan itan ekkewe mwoni ka kawor fan itan  
 21 katouran ekkoch pisek me kamon fonu ika eaeon fonu,  
 22 ika fan itan angang epwe fis, ika fan iten chok katoun  
 23 mwoni;

24 (b) Ika katoun och mwoni ngeni emon ika ew mwich a  
 25 mumuta me ran pwungun annukun kaworen mwoni  
 26 fansoun a kawor taropwen seni emonne ewe  
 27 weneiti ewe mwoni; ika

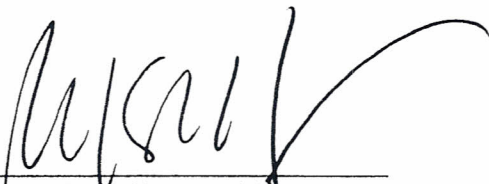
28 (c) Ngeni emon fan itan niwinimang an mun a kawor me  
 29 fan pwungun annukun kaworen mwoni.

30 Tetten 6. Akasiwin. Truk State Law No. 5-44 iei a akasiwin a epwe kapacheta  
 31 ew minefon tetten 12 an epwe iei usun:

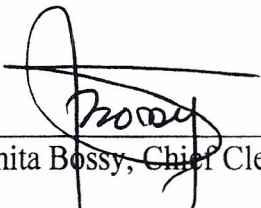
1 "Tetten 12. Regulations. Ewe Director non ewe Putain Administrative  
2 Services, fiti tipeewin ewe Kepina, epwe awora ekkoch annuk ika regulations fan  
3 itan ei annuk, fiti pwungun annuk an epwe tongeni pwonueta pungun me  
4 mochenin ei annuk. Ekkena regulations fansoun ra poputa manamaner, repwe  
5 pochokun usun chok pochokunan annuk fengen me chon attai pwungun ekkei  
6 regulations repwe tongeni tipis."

7 Tetten 7. Akasiwin. Tetten 12 me non Truk State Law No. 5-44 iei a akasiwin an  
8 epwene Tetten 13.

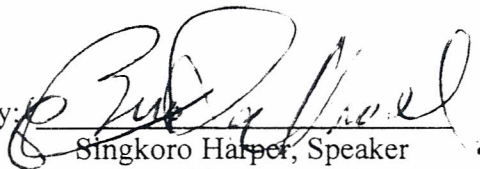
9 Tetten 14. Poputan Pochokunan. Ei Nomopwung epwe poputa pochokunan  
10 fansoun an a kopunguno meren ewe Kepina, ika fansoun chok a winiti annuk won  
11 winikapan.

Sain meren:   
Mark Mailo, President  
Senate  
Chuuk State Legislature


Anetatta:

  
Singkinita Bossy, Chief Clerk  
Senate  
Chuuk State Legislature

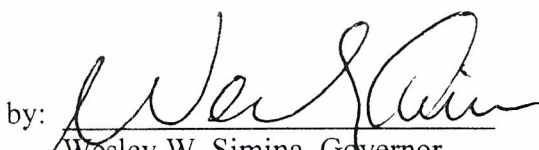
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Herter Sorim, Chief Clerk  
House of Representatives  
Chuuk State Legislature

Date: Oct. 12, 2009

Approved by:   
Wesley W. Simina, Governor  
Chuuk State Government

Date: Oct. 21, 2009

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History : S.B.NO: 10-06  
S.S.C.R.NO: 10-1R-03  
H.S.C.R.NO: None