

AN ACT

To appropriate the sum of \$42,941,703 from the General Fund of the State of Chuuk for the fiscal year ending September 30, 2017, for the purpose of funding the internal operations of the Executive, Legislative, and Judiciary Branches of the Chuuk State Government, State Public Auditor Office, Independent Prosecutor Office, Boards, Commissions, Authorities, Agencies, and Other Programs, and to set the employment ceiling of each Branch, Board, Commissions, Authorities and Agencies, and for reporting on the status of funds and for other purposes.

Be it enacted by the Chuuk State Legislature:

1 Section 1. Budget for the State. There is hereby enacted Chuuk State  
2 Budget for the internal operation of the Executive, Legislative, and Judiciary Branches,  
3 the Chuuk State Government, State Public Auditor Office, Independent Prosecutor  
4 Office, State Boards, Commissions, Authorities, Agencies, and Other Programs,  
5 pursuant to the authority vested in the Legislature under Article 11, Section 1, Article 10,  
6 and Article 13 of the Constitution.

7 (a) Anticipated Revenues: The state anticipates the following revenues as  
8 projected and available for appropriation for the fiscal year ending September 30,  
9 2017:

10	(1) Compact Sectorial Grant:	
11	a) Education:	\$ 2,000,000.00
12	b) Health:	\$ 1,500,000.00
13	c) Health Sector:	\$ 1,500,000.00
14	d) Public Infrastructure:	\$ 3,497,824.00
15	e) Capacity Building:	\$ 933,000.00
16	f) Private Sector:	\$ 986,847.00
17	g) Environment:	\$ 1,000,000.00
18	h) Special Sectorial Grant:	\$ 1,000,000.00
19	2) Local Revenue:	\$ 17,500,000.00
20	3) Other Revenues:	\$ 4,200,000.00

21 (b) Definition. When used in this act, the phrases

1 (1) "Agency" mean any agency, commission, authority, board,  
2 bureaus or the organization of Chuuk State Government as established by law  
3 and not specifically part of one of the three branches of the Chuuk State  
4 Government.

5 (2) "Appropriation" refers to a law enacted by Chuuk State  
6 Legislature which authorizes Chuuk State Government to incur obligations and  
7 to make payment out of the Chuuk State Treasury in accordance with the  
8 Constitution of the State of Chuuk.

9 (3) "Compact" refers to the Compact of Free Association, as  
10 amended, and its related agreements entered into between the Government of the  
11 Federated States of Micronesia and the Government of the United States and as  
12 Enacted as United States Public Law No. 108-188.

13 (4) "Departments" refers to any departments and offices as prescribed  
14 in the Organization Act of 2004, as amended.

15 (5) "Fiscal Procedure Agreement" means the Agreement concerning  
16 procedures for the implementation of the United States Economic Assistance  
17 Provided in the Compact of Free Association, as amended between the  
18 Government of the Federated States of Micronesia and the Government of the  
19 United States of America.

20 (6) "Fiscal Year" refers to each one-year period beginning October 1,  
21 and ending on the next following September 30. Each Fiscal Year shall be  
22 designated by number of the calendar year in which such Fiscal Year ends.

23 (7) "Governor" means the Governor of the State of Chuuk.

24 (8) "Internal Operations" means the internal operations of the  
25 Executive, Legislative and Judiciary Branches of the Chuuk State Government,  
26 State Boards, Commissions, Authorities and other programs.

27 **Section 2. Appropriation.** The Legislature hereby authorized for  
28 appropriations of the sum of \$ 42,941,703, or so much thereof, to fund the  
29 internal operations of the Chuuk State Government for fiscal year ending  
30 September 30, 2011 provided, however that the amount authorized and appropriated may

1 be adjusted by a later duly enacted statutes, if warranted by the state's economic and  
 2 financial condition. The funds deriving from the Compact Sectorial Grants are herein  
 3 authorized and appropriated subject to the conditions and requirements imposed on the  
 4 uses and allocations of such fund or funds as prescribed by Fiscal Procedure Agreement  
 5 and such relevant Grant Awards.

6 Section 3. Operating Expenses of the Executive Branch. The sum of  
 7 \$21,084,972, or so much thereof as may be necessary, is hereby appropriated from the  
 8 General Fund of the State for the fiscal year ending September 30, 2011, for the purpose  
 9 of funding the internal operations of the Executive Branch of the Chuuk State  
 10 Government. The Governor shall be the allottee of these funds. These funds shall be  
 11 apportioned as follows:

12 Department	Compact	Local	Total
13 A. HEALTH SERVICES			
14 1. Personnel	4,046,699	-0-	4,046,699
15 2. Travel	140,819	-0-	140,819
16 3. All Others			
17 i. Contr Serv.	1,029,720	-0-	1,029,720
18 ii. OCE	3,625,223	-0-	3,625,223
19 iii. Fixed Asst.	32,643	-0-	32,643
20 <b>Sub-Total</b>	<b>8,875,104</b>		<b>8,875,104</b>
21 B. EDUCATION			
22 1. Personnel	6,609,197	-0-	6,609,197
23 2. Travel	39,936	-0-	39,936
24 3. All Others			
25 i. Contr Serv.	710,232	-0-	710,232
26 ii. OCE	1,375,157	-0-	1,375,157
27 iii. Fixed Assets	128,799	-0-	128,799
28 <b>Sub-Total</b>	<b>8,863,321</b>	<b>-0-</b>	<b>8,863,321</b>
29 C. DEPARTMENT OF ADMINISTRATIVE SERVICES			
30 1. Personnel	62,605	581,608	644,213

1	2. Travel	9,500	-0-	9,500
2	3. All Others			
3	i. Contr Serv.	44,210	-0-	44,210
4	ii. OCE	10,000	20,800	30,800
5	iii. Fixed Asset	29,600	-0-	29,600
6	<b>Sub-Total</b>	<b>155,915</b>	<b>602,408</b>	<b>758,323</b>
7	<b>D. MARINE RESOURCES</b>			
8	1. Personnel	128,696	34,788	163,484
9	2. Travel	14,000	-0-	14,000
10	3. All Others			
11	i. Contr Serv.	19,000	-0-	19,000
12	ii. OCE	26,000	-0-	26,000
13	iii. Fixed Assets	54,000	-0-	54,000
14	<b>Sub-Total</b>	<b>241,696</b>	<b>34,788</b>	<b>276,484</b>
15	<b>E. AGRICULTURE</b>			
16	1. Personnel	211,480	39,913	251,393
17	2. Travel	55,000	-0-	55,000
18	3. All Others			
19	i. Contr Serv.	75,500	-0-	75,500
20	ii. OCE	85,000	-0-	85,000
21	iii. Fixed Assets	17,976	-0-	17,976
22	<b>Sub-Total</b>	<b>444,956</b>	<b>39,913</b>	<b>484,869</b>
23	<b>F. PUBLIC SAFETY</b>			
24	1. Personnel	-0-	601,186	601,186
25	2. Travel	-0-	-0-	-0-
26	3. All Others			
27	i. Contr Serv.	-0-	5,600	5,600
28	ii. OCE	-0-	28,000	28,000
29	iii. Fixed Assets	-0-	-0-	-0-
30	<b>Sub-Total</b>	<b>-0-</b>	<b>635,586</b>	<b>635,586</b>

1	<b>G. PUBLIC WORKS AND TRANSPORTATION</b>			
2	1. Personnel	-0-	568,150	568,150
3	2. Travel	-0-	8,000	8,000
4	3. All Others			
5	i. Conts Serv.	-0-	-0-	-0-
6	ii. OCE	-0-	66,448	66,448
7	iii. Fixed Assets	-0-	-0-	-0-
8	<b>Sub-Total</b>		<b>642,598</b>	<b>642,598</b>
9	<b>H. GOVERNOR'S OFFICE</b>			
10	1. Personnel	-0-	173,409	173,409
11	2. Travel	-0-	10,400	10,400
12	3. All Others			
13	i. Contr Serv.	-0-	92,147	92,147
14	ii. OCE	-0-	34,400	34,400
15	iii. Fixed Assets	-0-	-0-	-0-
16	<b>Sub-Total</b>	-0-	<b>310,356</b>	<b>310,356</b>
17	<b>I. ATTORNEY GENERAL</b>			
18	1. Personnel	-0-	201,080	201,080
19	2. Travel	-0-	6,091	6,091
20	3. All Others			
21	i. Contr Serv.	-0-	12,800	12,800
22	ii. OCE	-0-	12,000	12,000
23	iii. Fixed Assets	-0-	-0-	-0-
24	<b>Sub-Total</b>	-0-	<b>231,971</b>	<b>231,971</b>
25	<b>Total Executive Br</b>	<b>18,580,992</b>	<b>2,497,620</b>	<b>21,078,612</b>

26 Section 4. Operating Expenses of the Legislative Branch. The sum of  
 27 \$1,969,637, or so much thereof as may be necessary, is hereby appropriated from the  
 28 General Fund of the State for the Fiscal year ending September 30, 2011, for the purpose  
 29 of funding the operation of the Legislative Branch of the Chuuk State Government. The

1 President and the Speaker shall be the allottee of the funds. The funds shall be  
 2 apportioned as follows:

3	LEGISLATIVE	COMPACT	LOCAL	TOTAL
4	1. Personnel	-0-	1,600,277	1,600,277
5	2. Travel	-0-	72,400	72,400
6	3. All Others			
7	i. Contr Serv.	-0-	225,200	225,200
8	ii. OCE	-0-	65,720	65,720
9	iii. Fixed Assets	-0-	6,040	6,040
10	<b>Sub-Total</b>	<b>-0-</b>	<b>1,969,637</b>	<b>1,969,637</b>

11 Section 5. Operating Expenses of the Judiciary Branch. The sum of  
 12 \$424,804, or so much thereof as may be necessary, is hereby appropriated from the  
 13 General Fund of the State for the fiscal year ending September 30, 2011, for the purpose  
 14 of funding the operation of the Judiciary Branch of the Chuuk State Government. The  
 15 Chief Justice shall be the allottee of the funds. The funds shall be apportioned as follows:

16	JUDICIARY	COMPACT	LOCAL	TOTAL
17	1. Personnel	-0-	390,125	390,125
18	2. Travel	-0-	2,079	2,079
19	3. All Others			
20	i. Contr Serv.	-0-	12,600	12,600
21	ii. OCE	-0-	20,000	20,000
22	iii. Fixed Assets	-0-	-0-	-0-
23	<b>Sub-Total</b>	<b>-0-</b>	<b>424,804</b>	<b>424,804</b>

24 Section 6. Operation of the Commissions, Boards, Agencies, and Authorities.  
 25 The sum of \$ 2,247,372, or so much thereof as may be necessary, is hereby appropriated  
 26 from the General Fund of the State for the period ending September 30, 2011, for the  
 27 purpose of funding the operational expenses of the Commissions, Boards, Agencies, and  
 28 Authorities of the Chuuk State Government. The Governor shall be the allottee of these  
 29 funds. These funds shall be apportioned as follows:

30	ACTIVITIES	COMPACT	LOCAL	TOTAL
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1	A. LAND COMMISSION			
2	1. Personnel	-0-	85,781	85,781
3	2. Travel	-0-	-0-	-0-
4	3. All Others			
5	i. Contr. Serv.	-0-	-0-	-0-
6	ii. OCE	-0-	4,800	4,800
7	iii. Fixed Assets	-0-	-0-	-0-
8	<b>Sub-Total</b>		<b>90,581</b>	<b>90,581</b>
9	B. ELECTION COMMISSION			
10	1. Personnel	-0-	65,320	65,320
11	2. Travel	-0-	- 0 -	- 0 -
12	3. All Others			
13	i. Contr. Serv.	-0-	- 0 -	- 0 -
14	ii. OCE	-0-	110,000	110,000
15	iii. Fixed Assets	-0-	-0-	-0-
16	<b>Sub-Total</b>	-0-	<b>175,320</b>	<b>175,320</b>
17	C. RECREATION			
18	1. Personnel	-0-	16,056	16,056
19	2. Travel	-0-	- 0 -	- 0 -
20	3. All Others			
21	i. Contr. Serv.	-0-	- 0 -	- 0 -
22	ii. OCE	-0-	- 0 -	- 0 -
23	iii. Fixed Assets	-0-	- 0 -	- 0 -
24	<b>Sub-Total</b>	-0-	<b>16,056</b>	<b>16,056</b>
25	D. SCHOLARSHIP BOARD			
26	1. Personnel	25,906	-0-	25,906
27	2. Travel	3,894	-0-	3,894
28	3. All Others			
29	i. Contr Serv.	817,300	-0-	817,300
30	ii. OCE	11,171	-0-	11,171

1	iii. Fixed Assets	-0-	-0-	-0-
2	<b>Sub-Total</b>	<b>858,271</b>	<b>-0-</b>	<b>858,271</b>
3	<b>E. HOUSING AUTHORITY</b>			
4	1. Personnel	-0-	41,922	41,922
5	2. Travel	-0-	-0-	-0-
6	3. All Others			
7	i. Contr Serv.	-0-	-0-	-0-
8	ii. OCE	-0-	800	800
9	iii. Fixed Assets	-0-	-0-	-0-
10	<b>Sub-Total</b>	<b>-0-</b>	<b>42,722</b>	<b>42,722</b>
11	<b>F. CEPA</b>			
12	1. Personnel	162,428	-0-	162,428
13	2. Travel	9,600	-0-	9,600
14	3. All Others			
15	i. Contr. Serv.	90,045	-0-	90,045
16	ii. OCE	80,200	-0-	80,200
17	iii. Fixed Assets	7,000	-0-	7,000
18	<b>Sub-Total</b>	<b>349,273</b>	<b>-0-</b>	<b>349,273</b>
19	<b>G. BOARD OF EDUCATION</b>			
20	1. Personnel	-0-	-0-	-0-
21	2. Travel	1,000	-0-	1,000
22	3. All Others			
23	i. Contr. Serv.	-0-	-0-	-0-
24	ii. OCE	11,700	-0-	11,700
25	iii. Fixed Assets	-0-	-0-	-0-
26	<b>Sub-Total</b>	<b>12,700</b>	<b>-0-</b>	<b>12,700</b>
27	<b>H. PUBLIC SERVICE COMMISSION</b>			
28	1. Personnel	-0-	91,706	91,706
29	2. Travel	-0-	-0-	-0-
30	3. All Others			



1	i. Contr. Serv.	-0-	4,000	4,000
2	ii. OCE	-0-	-0-	-0-
3	iii. Fixed Assets	-0-	-0-	-0-
4	<b>Sub-Total</b>	-0-	<b>95,706</b>	<b>95,706</b>
5	<b>I. CHUUK VISITORS BUREAU</b>			
6	1. Personnel	56,913	-0-	56,913
7	2. Travel	24,000	-0-	24,000
8	3. All Others			
9	i. Contr Serv.	77,330	-0-	77,330
10	ii. OCE	28,000	-0-	28,000
11	iii. Fixed Assets	500	-0-	500
12	<b>Sub-Total</b>	<b>186,743</b>	-0-	<b>186,743</b>
13	<b>J. COMPACT FUNDS CONTROL COMMISSION</b>			
14	1. Personnel	11,200	-0-	11,200
15	2. Travel	18,560	-0-	18,560
16	3. All Others			
17	i. Contr Serv.	357,940	-0-	357,940
18	ii. OCE	25,300	-0-	25,300
19	iii. Fixed Assets	7,000	-0-	7,000
20	<b>Sub-Total</b>	<b>420,000</b>	-0-	<b>420,000</b>
21	<b>TOTAL</b>	<b>1,826,987</b>	<b>420,385</b>	<b>2,247,372</b>

22 Section 7. Operating Expenses of Other Programs/Grants. The sum of  
 23 \$12,821,443, or so much thereof as may be necessary, is hereby appropriated from the  
 24 General Fund of the State for the fiscal year ending September 30, 2011, for the purpose  
 25 of funding the operational expenses of Other State Programs. The Governor shall be the  
 26 allottee of these funds. The funds shall be apportioned as follows:

27	ACTIVITIES	COMPACT	LOCAL	TOTAL
28	A. Municipal Operation	-0-	180,000	180,000
29	B. Non Public School	300,000	-0-	300,000
30	C. Rural Development	-0-	24,000	24,000

1	D. COM Land Grant	91,500	-0-	91,500
2	E. Debt Relief Fund	-0-	-0-	-0-
3	F. Peace Corps Office	-0-	3,000	3,000
4	G. Red Cross	34,000	-0-	34,000
5	H. CSBDC (Small Business)	178,887	-0-	178,887
6	I. AG office Training Prog	158,200	-0-	158,200
7	J. IMF	-0-	463,136	463,136
8	K. Public Infra Grant	9,497,824	-0-	9,497,824
9	L. PSC Training Prog	138,000	-0-	138,000
10	M. DPS Training Prog	50,000	-0-	50,000
11	N. Planning & Statistics	166,800	-0-	166,800
12	O. DAS-FSM Oversight	536,096	-0-	536,096
13	P. Land Acquisition	1,000,000		1,000,000
14	<b>Sub-Total</b>	<b>12,151,307</b>	<b>670,136</b>	<b>12,821,443</b>

15 O. Supplemental Education Grant

16 a) Authorization and Appropriation for Supplemental Education Grant. The

17 sum of \$4,399,835, or so much thereof as may be necessary is hereby authorized

18 and appropriated from the General Fund of the State for the grant year ending

19 September 30, 2011 that will be determined upon the receipt of the Grant Award

20 for the purpose of funding the operations of the Supplemental Education Grant

21 (SEG). The Governor shall be the allottee of these funds. These funds shall be

22 apportioned as follows:

23	SEG	COMPACT	LOCAL	TOTAL
24	1. Personnel	1,895,221	-0-	1,895,221
25	2. Travel	130,149	-0-	130,149
26	3. All Others:			
27	i. Contr. Serv.	1,324,696	-0-	1,324,696
28	ii. OCE	907,907	-0-	907,907
29	iii Fixed Assets	141,862	-0-	141,862
30	<b>Subtotal</b>	<b>4,399,835</b>	<b>-0-</b>	<b>4,399,835</b>

1           **GRAND TOTAL        36,959,121            5,982,582            42,941,703**

2            Section 8.    Employment Ceiling: The employment ceiling under this Act sets  
3 the maximum number of positions of the Chuuk State Government as authorized as  
4 follows;

5            A. EXECUTIVE BRANCH

- 6                    1. Health Services                    428
- 7                    2. Education                                976
- 8                    3. SEG                                        240
- 9                    4. Administrative Services                74
- 10                   5. Marine Resources                        18
- 11                   6. Agriculture                               34
- 12                   7. Public Works & Transportation        100
- 13                   8. Public Safety                            111
- 14                   9. Governor's Office                       12
- 15                   10. Attorney General                       10

16            B. LEGISLATIVE BRANCH                    74

17            C. JUDICIARY BRANCH                      23

18            D. BOARDS & COMMISSIONS:

- 19                   1. Land Commission                        9
- 20                   2. Election Board                            8
- 21                   3. Environmental Protection Agency        14
- 22                   4. Housing Authority                        5
- 23                   5. Public Service Commission             10
- 24                   6. Visitors Bureau                            4
- 25                   7. Recreation Board                         1
- 26                   8. Scholarship Board                        3
- 27                   9. Independent Prosecutor                  0
- 28                   10. Board of Education                      0
- 29                   11. CFCC                                      0

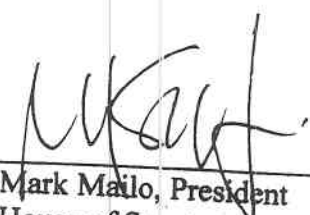
30            **TOTAL    2,154**

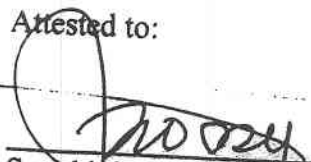
1           Section 9.     Filling of Vacancy Prohibited. Filling of any vacancy  
2     created as a result of the requirement of the State Mandatory Retirement Act which are  
3     sourced from local revenue funds is hereby prohibited. All such vacancies shall remain  
4     unfilled during the term of this budget act. The employment ceiling set forth in this  
5     section shall apply to every department or office in the Executive Branch, Legislative  
6     Branch, Judicial Branch, State Public Auditor, and Boards, and Commissions. The  
7     positions so set forth shall apply to all regular employment contracts with terms of one  
8     year or more. Any additional positions to the above employment ceiling are void and  
9     shall be deleted automatically during subsequent budget consideration. Any person hired  
10    in violation of the employment ceiling shall not be a legal employee of Chuuk State, and  
11    shall not be entitled to any compensation or other employment benefits.

12           Section 10.   Reprogramming and Reallocation. Reprogramming and  
13    reallocation of funds appropriated under this Act from local revenues is prohibited.  
14    Allottees of compact funds appropriated under this Act shall not reprogram or reallocate  
15    funds except as authorized by Article VI, I(d) of the Fiscal Procedure Agreement,  
16    provided that such proposed reprogramming or reallocation is approved by both the  
17    Senate Committee on Finance and the House Committee on Ways and Means when the  
18    Legislature is not in session, or by the Legislature while in session in accordance with the  
19    rules of both Houses of the Legislature. The appropriate committees or the Legislature  
20    may approve the full amount requested or approve a lesser amount as the case may be.

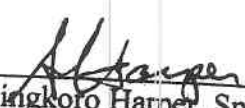
21           Section 11.   Obligation and Reversion of Funds: All funds appropriated under  
22    this act shall be allotted, disbursed and administered pursuant to the State Financial  
23    Management act, the Contract Bidding Law and other applicable laws of the State. Every  
24    allottee of funds under this act shall be responsible to ensure that the funds are used for  
25    the purposes of which they are authorized and appropriated and no obligation of funds  
26    shall exceed the amounts appropriated. Except as specifically provided in this act all  
27    funds not obligated upon the expiration of 2011 fiscal year shall revert to the General  
28    Fund of the State for subsequent appropriation.

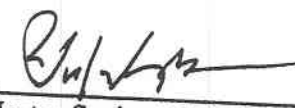
29           Section 12. Effective Date. This Act shall take effect upon approval by the  
30    Governor, or upon its becoming law without such approval.

Signed by:   
Mark Mailo, President  
House of Senate  
Chuuk State Legislature


Attested to:  
  
Songkinita Bossy, Chief Clerk  
House of Senate  
Chuuk State Legislature

Date: June 16, 2010

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

Attested to:  
  
Herter Sorim, Chief Clerk  
House of Representatives  
Chuuk State Legislature

Date: June 16, 2010

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

Date: June 22, 2010

History  
SB No. :  
SCR No.:

SB No. 10-36, SD1, SD2, HD1  
SCR No. 10-2R-04