

SEVENTH KOROR STATE LEGISLATURE

Fourth Special Session, November 2003
143 - 2004

KSPL No. K7 -

(Intro. as Bill No. 7-

31, LD1,HD1)

AN ACT

To authorize and appropriate the sum of \$3,826,466.00 for General Operation, Capital Improvement Projects and Contingencies from Koror State Treasuries for an Annual Unified Budget of Koror State for Fiscal Year 2004; to provide and allocate funds for Koror Capitol Loan (PNDB) and Meriang Settlement, to amend Section 2B of Koror State Public Law No. K5-85-97, and for related purposes.

THE PEOPLE OF KOROR REPRESENTED IN THE LEGISLATURE OF THE STATE OF KOROR DO ENACT AS FOLLOWS:

Section 1. Short Title. This Act may be cited as "The Fiscal Year 2004 Unified Koror State Budget Act."

Section 2. Appropriation. The sum of \$3,826,466.00 is hereby authorized and appropriated for expenditures and obligations in Fiscal Year 2004 from Koror State Treasury to the budget activities as set forth below, and more specifically itemized in the attached Schedule A which is incorporated herein by reference.

Section 3. Revenue Sources. Of the sum herein authorized and appropriated for Koror State FY 2004 Unified Budget, the amount of \$1,237,366.00 shall come from National appropriations as appropriated in RPPL No. 6-37, and unexpended balance from previous CIP projects as appropriated in RPPL Nos. 5-34, 5-41 and 5-47. The balance of \$2,589,100.00 shall come from State's local revenues, and Fishing Rights Fees for FY 2004 as identified in the attached Schedule B. If collections exceed projected revenues, all such excess collections shall remain in the Koror State Treasury until authorized and appropriated by law.

Section 4. House of Traditional Leaders. The sum of \$145,500.00 is hereby authorized and appropriated for

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expenditures and obligations for Fiscal Year 2004 to cover operational and contingent expenses of the House of Traditional

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Leaders. The entire sum shall come from State's local revenues. The Chairman of the House of Traditional Leaders is hereby authorized to reprogram funds from one item to another within the House of Traditional Leaders budget, but not to exceed 15% of the total amount apportioned for the item which the funds are moved. Provided, however, that no funds may be reprogrammed to pay any compensation to any member of the House of Traditional Leaders that is not expressly authorized by section "2.A." or "2.B." of Koror State Public Law No. K5-85-97, and no funds may be disbursed for compensation payable to any member

of the House of Traditional Leaders except as expressly authorized by section "2.A." or "2.B." of Koror State Public Law No. K5-85-97.

a. Compensation and Personnel Cost	-----	
-----	\$118,000.00	
b. Representation Fund	-----	
-----	\$ 6,000.00	
c. Operational Cost	-----	
		----- \$
		7,500.00
d. Travel Expense	-----	
		----- \$
		5,000.00
e. Contingency and Miscellaneous Expense	-----	
	--	\$ 4,000.00
f. Contractual Services	-----	
		----- \$
		5,000.00
Sub-total	-----	

Section 5. Legislative Branch. The sum of \$175,000.00 is hereby authorized and appropriated for expenditure or obligation for FY 2004 for the purpose of covering the operational and contingent expenses of Koror State Legislature. The total amount appropriated shall be apportioned and allotted at the direction of the Speaker of the Koror State Legislature and shall be allocated according to the following schedule. The total sum shall derive from state local revenues. The Speaker is hereby authorize to reprogram funds from one item to another within the legislative budget, but not to exceed 15% of the total amount apportioned for the item which the funds are moved.

a. Legislative Compensation and Personnel Cost -----
----- \$126,000.00

Of this amount, the sum of \$6,500.00 shall be used to pay the annual salary for the hiring of a Legislative Page.

b. Speaker/Vice Expense -----
----- \$
5,000.00

c. Committee Expense -----
----- \$
4,000.00

d. Contractual Service -----
----- \$
10,000.00

e. Representation Fund -----
----- \$
5,000.00

f. Travel Expense -----
----- \$
15,000.00

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g. Operational Expense	-----	
		\$
		5,000.00
h. Miscellaneous & Contingency	-----	
		\$
		5,000.00
Sub-total	-----	
		\$175,000.00

Section 6. Executive Branch. The sum of \$1,593,125.00 is hereby authorized and appropriated for expenditures and obligations for Fiscal Year 2004 to cover operational and contingent expenses of the Executive Branch. Of the \$1,593,125.00 the sum of \$65,625.00 shall derive from National appropriation for Fiscal Year 2004. The balance of \$1,527,500.00 shall come from state's local revenues.

a. Administration	-----	
		\$91,500.00

Of the foregoing appropriation, \$2,000 shall be used to increase the Governor's salary from \$30,000.00 to \$32,000.00 annually beginning January 1, 2004 and shall continue thereafter.

b. Dept. of Legal Counsel	-----	
		\$131,000.00

Of the foregoing appropriation, \$3,000.00 shall be earmarked to purchase a computer to be used by Laetitia Alonz.

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c. Dept. of Treasury -----

\$140,000.00

Of the foregoing appropriation, the sum of \$20,000.00 shall be earmarked to defray the cost of a fund audit of Koror State Government for fiscal year 1996 to 2000 and additional funds may be appropriated later when needed.

d. Dept. of S & C Affairs -----

\$237,000.00

Of the forgoing appropriation of \$35,000.00 to Division of Sanitation as appear in Schedule A, \$20,000.00 shall be used for the implementation of the dog control act and the remaining \$15,000.00 shall be used for sanitation expenses; and Koror State Youth Council shall coordinate with the chief of Youth Affairs Division to implement the KSYC appropriations.

e. Dept. of Public Works -----

\$616,625.00

Of the foregoing appropriation the sum of \$3,000.00 shall be earmarked to purchase a computer for the Solid Waste Management Project; the sum of \$2,000.00 for Garbage Collectors uniforms; the sum of \$15,000.00 shall be paid as the annual salary for Isaias Oiterong as the Project Coordinator for the Department of Public Works, beginning as of January 1, 2004 and continuing thereafter.

f. Dept. of Law Enforcement -----

\$377,000.00

Of the foregoing appropriation, \$295,000.00 to personnel cost includes \$15,600.00 to be used to pay the salary increase of \$.75 per hour to all the Beach Boys effective January 1, 2004 and shall continue thereafter.

Sub-total -----
\$1,591,125.00

Section 7. Authorities, Board and Commissions. The sum of \$235,600.00 is hereby authorized and appropriated for the expenses and obligations for Fiscal Year 2004 to cover operation and contingent expenses of the Authorities, Boards and Commissions. The entire sum shall derive from local revenues.

a. KSPLA Board -----

\$160,000.00

Of the foregoing appropriation, the sum of \$30,000.00 shall be expended for Land Appraisal, and the procedures set forth in 40 PNCA 626 and 629 shall be followed to procure such land appraisal services.

b. Planning Commission -----

\$75,600.00

Of the foregoing appropriation the \$50,000 personnel cost shall also cover the salary increase of \$50.00 bi-weekly to all Koror Planning Commission staff effective January 1, 2004 and shall continue thereafter.

Sub-total -----
\$235,600.00

Section 8. Insurance, Pension Plan, Social Security Tax.

The sum of \$298,000.00 is hereby authorized and appropriated

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for Fiscal Year 2004 to cover the state's cost for Workman's Compensation, Social Security Taxes and Pension Plan contributions. Of the sum authorized and appropriated hereunder, \$273,000.00 shall come from national appropriation and \$25,000.00 shall come from state local revenues.

a. Workman's Compensation -----	-----	\$
		25,000.00
b. Social Security -----	-----	\$
		68,000.00
c. Pension Plan -----	-----	
		\$205,000.00

This amount shall not lapse at the end of the fiscal year. The sum of \$75,000.00 is hereby earmarked to the payment of prior years amounts owed by Koror State Government as a mandatory contributions, and such full amount of \$75,000.00 in arrears shall be paid to the Civil Service Pension fund by December 31, 2004.

Sub-total -----	-----
	\$298,000.00

Section 9. Communication, Utilities, Travel, Settlements, Loans, Prior Year Obligation and Contingencies. The sum of \$515,000.00 is hereby authorized and appropriated for Fiscal Year 2004 to cover the following necessary additional operational expenses. Of the above authorized and appropriated sum, \$200,000.00 shall derive from national appropriation and

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a. Communications	-----	-----	\$
		25,000.00	
b. Travel	-----	-----	\$
		30,000.00	
c. Contingencies	-----	-----	\$
		25,000.00	
d. Utility Expense	-----	-----	\$
		75,000.00	
e Koror Capitol Loan (PNDB)	-----	-----	
-----		\$200,000.00	
f. Accounts Payable	-----	-----	\$
		50,000.00	
g. Meriang Settlement	-----	-----	
-----		-\$100,000.00	
h. Pacific Festival of the Arts	-----	\$10,000.00	

This amount shall be used to pay the expenses of Koror State as the host of three countries participating in the Pacific Festival of Arts.

Sub-total -----
- \$515,000.00

Section 10. State's Programs & Special Projects. The sum of \$497,500.00 is hereby authorized and appropriated for expenditure and obligations for Fiscal Year 2004 to continue special programs and projects. Of the above authorized and

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appropriated sum, \$332,000.00 shall derive from national

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appropriation and the balance of \$165,500.00 from local revenues.

a. Rock Island Rat Eradication /Feasibility Study -----
----- \$3,000.00

This project shall be coordinated by the Division of Sanitation and the Department of Law Enforcement of Koror State Government.

b. Coastal Management Program -----
----- \$
25,000.00

c. State Housing Maintenance/ Furniture / Appliances -----
--- \$12,000.00

d. Traditional Functions -----
----- \$
5,000.00

e. Other Hamlet Projects -----
----- \$
60,000.00

Of this amount, \$10,000 shall be allocated for fuel and supplies to be used by hamlets road & ground employees.

f. Community Services -----
----- \$
10,000.00

g. Charitable Contribution -----
----- \$
10,000.00

h. Picnic Huts and Bio Toilets -----
----- \$

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- i. Long Island Park -----

----- \$
50,000.00
- j. CIP Programs / Infrastructures -----

----- \$
236,500.00

The foregoing appropriation shall be allotted as follows:

- 1. Ngermid Basketball
Fence&Lighting.....\$25,000.00
- 2. Ngerkesouaol Nandeng
Road.....\$25,000.00
- 3. Ngerchemai Kodellii
Ramp.....\$ 7,500.00
- 4. Iyebukel
.....
.....\$27,500.00
 - a. Kual/Emaus Ditch.....\$10,000.00
 - b. Widens Meyas Entrance.....\$ 4,500.00
 - c. Mindszenty Drainage.....\$13,000.00
- 5. Idid Tnger
Drainage.....
...\$15,000.00
- 6. Meketii Basketball Court &
Lighting.....\$24,000.00
- 7. Ikelau Basketball Half-
court.....\$ 7,800.00
- 8. Dngeronger Ikesiil Storm
Drainage.....\$10,000.00

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9.

Ngerbeched.....
.....\$35,000.00

a. Ngetkedam Dock

Improv.....\$6,000.00

b. Ngetkedam Sports Facility Improv....\$6,000.00

c. Koichi Wong

Lane.....\$9,000.00

d. Albert Shiro

Lane.....\$14,000.00

10.

Meyuns.....
..... \$25,500.00

a. Basketball

Improvement.....\$11,500.00

b. Uchularael

Lane.....\$14,000.00

11.

Madalarii.....
..... \$34,200.00

a. Kalistus

Lane.....\$7,700.00

b. Track &

Field.....\$21,000.00

c. Ikesiil

Road.....\$ 3,000.00

d. Education Bldg. Backroad.....\$

2,500.00

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k. Ngermid Abai -----	-----
	\$60,000.00

l. Janitorial Services -----	
-----\$ 6,000.00	

The amount appropriated herein for janitorial services may only be obligated, expended, or disbursed after complying with the procurement procedures set forth in 40 PNCA 613-624 (competitive sealed bidding) to obtain such janitorial services.

m. Security Services -----	
----- \$10,000.00	

The amounts appropriated herein for security services may only be obligated, expended, or disbursed after complying with the procurement procedures set forth in 40 PNCA 613-624 (competitive sealed bidding) to obtain such security services.

Sub-total -----	-----
	\$497,500.00

Any unexpended or unobligated funds in this section shall lapse at the end of fiscal year and reverted to the Treasury for re-appropriation.

Section 11. Special Continuing CIP Project. The sum of \$366,741.00 is hereby authorized and appropriated for specially earmarked projects for Fiscal Year 2004. The entire sum of \$366,741.00 shall come from National appropriations as specified in RPPL 4-41, 5-34 and 5-47.

a. Ngara Amayong Abai (RPPL 5-41) -----	-----
	\$294,538.00

b. Special Earmarked Projects (RPPL 5-34) -----	
---	--

c. Ngerkebesang Road Project (RPPL 5-47)	-----
-----	\$ 7,639.00
	Sub-total -----
	\$366,741.00

Any unexpended or unobligated balance of the appropriations in this section shall not lapse at the end of fiscal year and shall carry over to new fiscal year.

Section 12. Food and Beverages. No funds shall be expended by any of the three branches of Koror state Government, including its authorities, boards, commissions, task forces, agencies, agents etc. for the purchases of food and beverages for the conduct or holding of meetings, sessions, hearings, conferences, workshops, studies etc. unless it is for the entertainment of official guests and other dignitaries, or unless all such expenditures are documented to show the nature or purpose of the gathering, the persons present, and the matters discussed or transacted when food and/or beverages are purchased.

Section 13. Bid Security. Bid Security shall be required for all competitive sealed bidding construction contracts when the Governor estimates that the price exceeds \$20,000.00. The bid security shall be in the form of a bid bond, cash, certified check, cashier's check, or other form acceptable to the government. Nothing herein prevents the Governor from requiring bid security for contracts under \$20,000.00 when it would be in the best interest of the government. Bid security shall be an amount equal to at least 20% of the amount of the bid and shall

Section 14. Fund Transfers. The Governor is hereby authorized to reprogram funds from one item to another, except for special projects as earmarked in RPPL No.5-34, RPPL No. 5-41, and RPPL No. 5-47, Section 9 (e) Koror Capitol Loan, Section 10 (e) and (j), and provided, however, that the amount moved from one item to another shall not exceed fifteen percent (15%)

of the total amount apportioned for the item which the funds are moved. Provided further, however, that no funds may be reprogrammed to pay any compensation to any member of the House of Traditional Leaders that is not expressly authorized by section "2.A." or "2.B." of Koror State

Public Law No. K5-85-97, and no funds may be disbursed for compensation payable to any member of the House of Traditional Leaders except as expressly authorized by section "2.A." or "2.B." of Koror State Public Law No. K5-85-97. Any left over balance after completion of any earmarked

CIP Projects may be used to fund other CIP projects, infrastructures or other state programs that need supplementing.

Section 15. Disbursement Certification. The sum herein appropriated shall be administered by the Governor for purposes specified herein. No funds shall be committed or

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disbursed for any purpose until the State Treasurer has certified the availability of funds in accordance with this Act. The State Treasury shall submit a written quarterly financial report to the Governor and the Legislature fifteen (15) days after each quarter of all funds expended in accordance with this Act.

Section 16. Amendment of KSPL No. K5-85-97. Section "2.B." of Koror State Public Law No. K5-85-97 is hereby amended to read as follows:

"B. In addition to the honorarium mentioned above, each member of the House of Traditional Leaders shall be paid \$25.00 for each day while attending a meeting of the House of Traditional Leaders, but only for those meetings in which the House of Traditional

Leaders actually exercise and perform the powers and responsibilities set forth in Article VI, section 2(2) of the Koror State constitution, and for no other meetings."

Section 17. Fiscal Year. The Fiscal Year for the Koror State shall commence on January 1, 2004 and ends December 31, 2004.

Section 18. Severability. If any part of provision of this Act is determined to be unlawful or invalid, such invalidity may be stricken and shall not affect the other provisions of this Act.

Section 19. Effective Date. This Act shall take effect upon its approval by the House of Traditional Leaders or upon its becoming law without such approval.

PASSED: January 20, 2004

CERTIFIED BY:

ATTESTED TO BY:

_____/s/
Yositaka Adachi, Speaker

_____/s/
Charlyne Uong, Clerk

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APPROVED THIS _____ DAY OF _____, 2004.

John C. Gibbons
Governor, Koror State

(Item Veto) APPROVED THIS 31 DAY OF January, 2004.

_____/s/_____
Ibedul Y. M. Gibbons
House of Traditional Leaders

OVERRIDE ACTION BY THE SEVENTH KOROR STATE LEGISLATURE ON
FEBRUARY 4, 2004, WAS DULY CARRIED BY SECRET BALLOT VOTE OF 13 to 0.

CERTIFIED BY:

ATTESTED TO BY:

_____/s/_____
Yositaka Adachi, Speaker
7th Koror State Legislature

_____/s/_____
Charlyne Uong, Clerk
7th Koror State Legislature