

A BILL FOR AN ACT

To amend the unified annual budget for fiscal year 2006 by providing supplemental authorizations and appropriations for two CIP projects (Kalistus Lane and Koichi Wong Lane), by providing an additional \$10,000.00 for the Department of State and Cultural Affairs, to provide for the non-lapsing of CIP funds in the fiscal year 2006 budget for CIP, and to amend the annual budget for fiscal year 2005 to transfer funding from Itungelbai Road to Kamichiri Road, and for related purposes.

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

SECTION 1. FINDINGS.

The Eighth Koror State Legislature hereby finds that funding was provided in fiscal year 2004 (KSPL No. K7-143-2004) for the Kalistus Lane cement road project, and for the Koichi Wong cement road project. This funding was supplemented in the fiscal year 2006 budget as well, and the project designs and specifications were made based upon the total amount of funds from 2004 and 2006. After the State conducted public bidding for these projects, it was learned that the funding in fiscal year 2004 actually “lapsed” because the funds were not used, and the funds reverted to the State treasury. As a result, there is a slight shortage in the amounts authorized and appropriated for these two projects, and the bids for the scope of work as determined by Public Works have exceeded the amounts available after lawful authorization and appropriation.

The Legislature is also aware of other matters that should be addressed in the fiscal year 2006 budget. First, the Department of State and Cultural Affairs is seeking an additional \$10,000.00 because of increased costs and expenses for Youth Day (Belau Games) activities. With respect to CIP funding, because projects may not be implemented during the fiscal year (due to delays in permitting, etc.), it is appropriate to add language so that CIP funding does not lapse at the end of the fiscal year. Finally,

funding authorized and appropriated in fiscal year 2005 for Itungelbai Road cannot be used because of a lack of consent over proposed road widening and a lack of permission

1 for easements, and it is in the best interests to transfer these funds to another CIP road
2 project (Kamatsiri Road). This will not involve any new or supplemental funding, and will
3 only transfer funds from one item to a newly designated item.

4 The Legislature further finds that the proposed revenue sources were
5 conservatively stated in the adoption of the budget for fiscal year 2006, and that the State
6 should easily be able to collect the additional \$18,580.00 in local revenues to cover the
7 supplemental authorizations and appropriations.

8 The Eighth Koror State Legislature hereby finds that it is in the best interests of
9 the people of Koror to supplement the funding that these two CIP projects had in the
10 past so that they may be completed this year according to designs made by Koror State
11 Government. It is also in the best interests of the people of the State of Koror to
12 supplement funding for the Department of State and Cultural Affairs and for Youth
13 Programs, and to transfer funding to allow for the completion of Kamatsiri Lane.

14 **SECTION 2. AMENDMENT OF SECTIONS 10, 2, AND 3 OF KSPL NO. K8-**
15 **174-06 BY INCREASING THE AUTHORIZATION AND APPROPRIATION FOR**
16 **KALISTUS LANE AND KOICHI WONG LANE, AND TO PROVIDE FOR NON-**
17 **LAPSING OF CIP FUNDING.**

18 A. Section 10 of KSPL No. K8-174-06 is hereby amended to read as follows:

19 “Section 10. State’s Programs & Special Projects. The sum of
20 \$1,072,580.00 is hereby authorized and appropriated for expenditure and
21 obligations for Fiscal Year 2006 to continue special programs and projects.

22 Of the above authorized and appropriated sum, \$250,625.00 shall derive from
23 national appropriation and the balance of \$821,955.00 from local revenues.

24 1. CIP Programs / Infrastructures ----- \$723,580.00

25 This amount shall be earmarked and allotted for the following projects:

26 * * *

1	(3) Ngerbeched Hamlet	
2	(A) Ngetkedam dock improvement -----	\$7,000.00
3	(B) Koichi Wong lane -----	\$13,800.00
4	(C) Albert Shiro Line -----	\$16,000.00

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6	(5) Medalaii Hamlet	
7	(A) Kalistus lane -----	\$17,780.00
8	(B) Track & Field road -----	\$23,000.00
9	(C) Education Bldg. (Back road)-----	\$4,000.00

* * *

All funding provided in this subsection “10.1.” for CIP Programs/Infrastructures shall not lapse at the end of the fiscal year, and shall remain available for obligation and expenditure after fiscal year 2006.”

B. Sections “2.” and “3.” of KSPL No. K8-174-06 are hereby amended to read as follows:

“Section 2. Appropriation. The sum of \$5,389,912.00 is hereby authorized and appropriated for expenditures and obligations in Fiscal Year 2006 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 2006 Unified Budget, the amount of \$1,226,807.00 shall come from National appropriations as appropriated in RPPL No. 6-51, and unexpended balance from previous CIP projects as

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appropriated in RPPL Nos. 5-34 and 5-41. The balance of \$4,132,605.00 shall come from State’s local revenues, Fishing Rights Fees, a grant from

1 Canada for veterinarian services, and the reserved account as identified in the
2 attached Schedule B. If collections exceed projected revenues, all such
3 excess collections shall remain in the Koror State Treasury until authorized
4 and appropriated by law.”

5 C. All Schedules corresponding to the above stated figures are also
6 amended to reflect the adjusted amounts herein.

7 **SECTION 3.SUPPLEMENTAL AUTHORIZATION AND**
8 **APPROPRIATION FOR DEPARTMENT OF STATE AND CULTURAL**
9 **AFFAIRS (SECTION “6.d.” OF KSPL NO. K8-174-06).**

10 A. Section “6.d.” of KSPL No. K8-174-06 is hereby amended to
11 supplement funding for the Department of State and Cultural Affairs as follows:

12 “d. Dept. of S&C Affairs ----- \$366,000.00”

13 B. The opening paragraph of Section “6.” of KSPL No. K8-174-06 is
14 hereby amended to read as follows:

15 “Section 6. Executive Branch. The sum of \$2,622,000.00 is hereby authorized
16 and appropriated for expenditures and obligations for Fiscal year 2006 to cover
17 operational and contingent expenses of the Executive Branch. Of the \$2,622,000.00 the
18 sum of \$590,000.00 shall derive from National appropriation for Fiscal year 2006
19 including a \$30,000.00 grant from Canada for a veterinarian. The balance of
20 \$2,032,000.00 shall come from state’s local revenues.”

21 C. Schedule A to KSPL No. K8-174-06 is hereby amended to add \$10,000.00 to
22 “Dept. Of State & Cultural Affairs” for the following items:

23 “Fuel Expense \$13,000.00”

24 “Youth Programs \$55,000.00”

25 **SECTION 4. AMENDMENT OF SECTION “10.1” OF KSPL NO. K7-157-**
26 **2005 TO TRANSFER FUNDING FROM ITUNGELBA1 ROAD PROJECT TO**

1 **KAMACHIRI ROAD PROJECT.**

2 Section "10.1.9." of KSPL No. K7-157-2005 is hereby amended to read as follows:

3 "9. Kamachiri Road Extension (Meketii) ----- \$5,000.00"

4 **SECTION 5. SEVERABILITY.**

5 In the event that a court of competent jurisdiction determines that any part or
6 portion of this Act are invalid or otherwise unenforceable, then the offending part or
7 portions may be stricken, and the remaining portions shall continue in full force and effect.

8 **SECTION 6. EFFECTIVE DATE.**

9 This Act shall become effective upon its becoming law by operation of the Koror
10 State constitution.

PASSED ON: June 23, 2006

CERTIFIED BY:

ATTESTED TO BY:

/s/ _____
Timothy "Tero" Uehara
Speaker

/s/
Rena Iluches
Clerk

APPROVED ON THIS 3rd DAY OF July, 2006.

/s/
Yositaka Adachi
Governor, Koror State