

AN ACT

To authorize and appropriate the sum of \$6,597,682.00 for General Operation, Capital Improvement Projects and Contingencies from Koror State Treasuries for an Annual Unified Budget of Koror State for Fiscal Year 2009; to amend section "10.1.15" of KSPL No. K7-157-2005 to authorize and appropriate funding for the initial phase of the Ngerbeched Tennis Court project; to amend KSPL No. K8-190-2007, Section 10(I), relating to non-lapsing of CIP funds; to amend KSPL No. K5-85-97, as amended by Section 2.B."A." KSPL No. K7-166-05 to increase the monthly compensation for members of the Legislature, and for related purposes.

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

1           **Section 1.    Short Title.** This Act may be cited as "The Fiscal Year 2009 Unified  
2 Koror State Budget Act."

3           **Section 2.    Appropriation.** The sum of \$6,597,682.00 is hereby authorized and  
4 appropriated for expenditures and obligations in fiscal Year 2009 from Koror State Treasury  
5 to the budget activities as set forth below, and more specifically itemized in the attached  
6 Schedule A which is incorporated herein by reference.

7           **Section 3.    Revenue Sources.** Of the sum herein authorized and appropriated for  
8 Koror State FY 2009 Unified Budget, the amount of \$1,218,807.00 shall come from  
9 National appropriations as appropriated in RPPL No. 7-37, and unexpended balance from  
10 previous CIP projects appropriated in RPPL No. 5-34 and, RPPL 5-41. The balance of  
11 \$5,378,875.00 shall come from State's local revenues and Fishing Rights Fees for FY 2009 as  
12 identified in the attached Schedule B. If collections exceed projected revenues, all such excess  
13 collections shall remain in the Koror State Treasury until authorized and appropriated by law.

14           **Section 4.    House of Traditional Leaders.** The sum of \$154,300.00 is hereby  
15 authorized and appropriated for expenditures and obligations for Fiscal Year 2009 to cover  
16 operational and contingent expenses of the House of Traditional Leaders. The entire sum shall  
17 come from State's local revenues. The Chairman of the House of Traditional Leaders is hereby  
18 authorized to reprogram funds from one item to another within the House of Traditional Leaders

19 budget, but not to exceed 151% of the total amount apportioned for the item which the funds are  
20 moved; provided however, that the budget category for "Compensation" and for "Personnel Cost"

1     may not be reduced by reprogramming, and the funds fox these two budget items may not be  
2     reprogrammed.

|   |  |               |
|---|--|---------------|
| 1 | a. Compensation -----                          | \$ 104,400.00 |
| 2 | b. Personnel Cost -----                        | \$ 36,000.00  |
| 3 | c. Representation Fund -----                   | \$ 1,500.00   |
| 4 | d. Operational Cost -----                      | \$ 7,000.00   |
| 5 | e. Travel Expense -----                        | \$ 2,000.00   |
| 6 | f. Contingency and Miscellaneous Expense ----- | \$ 3,400.00   |
| 7 | Sub-total -----                                | \$ 154,300.00 |

8           **Section 5.    Legislative Branch.** The sum of \$311,800.00 is hereby authorized to be  
9 appropriated and is appropriated for expenditure or obligation for FY 2009 for the purpose of  
10 covering the operational and contingent expenses of Koror State Legislature. The total amount  
11 appropriated shall be apportioned and allotted at the direction of the Speaker of the Koror State  
12 Legislature and shall be allocated according to the following schedule. The total sum shall derive  
13 from state local revenues. The Speaker is hereby authorized to reprogram funds from one item to  
14 another within the legislative budget, but not to exceed 15% of the total amount apportioned for  
15 the item which the funds are moved.

|    |                                       |               |
|----|---------------------------------------|---------------|
| 16 | a. Legislative Compensation -----     | \$ 110,800.00 |
| 17 | b. Personnel Cost-----                | \$ 95,000.00  |
| 18 | c. Speaker/Vice Speaker Expense ----- | \$ 8,000.00   |
| 19 | d. Committee Expense-----             | \$ 7,000.00   |
| 20 | e. Contractual Service -----          | \$ 25,000.00  |
| 21 | f. Representation Fund-----           | \$ 6,000.00   |
| 22 | g. Travel Expense -----               | \$ 40,000.00  |
| 23 | h. Operational Expense -----          | \$ 16,000.00  |
| 24 | I. Miscellaneous & Contingency -----  | \$ 4,000.00   |
| 25 | Sub-total -----                       | \$ 311,800.00 |

26           **Section 6.    Executive Branch.** The sum of \$3,048,100.00 is hereby authorized and  
27 appropriated for expenditures and obligations for Fiscal Year 2009 to cover operational and

1 contingent expenses of the Executive Branch. The entire sum of \$3,048,100.00 shall derive from  
2 state local revenues.

|    |   |                 |
|----|---|-----------------|
| 3  | a. Administration -----                   | \$ 166,000.00   |
| 4  | b. Dept. of Legal Counsel-----            | \$ 112,000.00   |
| 5  | c. Dept. of Treasury -----                | \$ 243,000.00   |
| 6  | d. Dept. of S & C Affairs -----           | \$ 579,000.00   |
| 7  | e. Dept. of Public Works -----            | \$ 1,127,600.00 |
| 8  | f. Dept. of Law Enforcement -----         | \$ 820,500.00   |
| 9  | g. Dept. of Resources & Development.----- | \$ - 0 -        |
| 10 | Sub-total -----                           | \$ 3,048,100.00 |

11 **Section 7. Authorities, Board and Commissions.** The sum of \$480,300.00 is  
12 hereby authorized and appropriated for the expenses and obligations for Fiscal Year 2009 to  
13 cover operation and contingent expenses of the Authorities, Boards and Commissions. The  
14 entire sum shall derive from state local revenues.

|    |                              |               |
|----|------------------------------|---------------|
| 15 | a. KSPLA Board-----          | \$ 318,800.00 |
| 16 | b. Planning Commission ----- | \$ 161,500.00 |
| 17 | Sub-total -----              | \$ 480,300.00 |

18 **Section 8. Insura**

19 Pension Plan contribution, Social Security Taxes and Medical Insurance. Of the  
20 \$530,000.00, the sum of \$100,625.00 shall come from the National Appropriation for Fiscal  
21 Year 2009. The balance of \$429,375.00 shall derive from state local revenue. a. Workman's

|    |                            |               |
|----|----------------------------|---------------|
| 22 | Compensation -----         | \$ 20,000.00  |
| 23 | b. Social Security-----    | \$ 170,000.00 |
| 24 | c. Pension Plan -----      | \$ 150,000.00 |
| 25 | d. Medical Insurance ----- | \$ 190,000.00 |

26 Sub-total -----

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\$ 530,000.00

**Section 9. Communication, Utilities, Travel, Prior Year Obligation, Hamlet**

**Streetlights and Contingencies.** The sum of \$760,000.00 is hereby authorized and appropriated for Fiscal Year 2009 to cover necessary additional operational expenses for communications, utilities, travel, prior year obligation, hamlet streetlights and contingencies. Of the \$760,000.00, the sum of \$62,000.00 shall come from the National Appropriation for Fiscal Year 2009. The balance of \$698,000.00 shall come from state local revenues.

|                                |               |
|--------------------------------|---------------|
| a. Communications-----         | \$ 70,000.00  |
| b. Travel -----                | \$ 90,000.00  |
| c. Contingencies-----          | \$ 50,000.00  |
| d. Utility Expense -----       | \$ 200,000.00 |
| e. Prior Year Obligation ----- | \$ 40,000.00  |
| f. Hamlet Streetlights -----   | \$ 310,000.00 |
| Sub-total -----                | \$ 760,000.00 |

**Section 10. State's Programs & Special Projects.** The sum of \$962,000.00 is hereby

authorized and appropriated for expenditure and obligations for Fiscal Year 2009 to continue special programs and projects. Of the sum authorized and appropriated hereunder, \$705,000.00 shall come from the National Appropriations, \$257,000.00 shall come from state local revenues.

|                                      |              |
|--------------------------------------|--------------|
| a. Coastal Management Program-----   | \$ 30,000.00 |
| b. State Housing Maintenance -----   | \$ 20,000.00 |
| c. Traditional Functions -----       | \$ 8,000.00  |
| d. Other Hamlets Projects -----      | \$ 80,000.00 |
| e. Community Services -----          | \$ 8,000.00  |
| f. Charitable Contribution -----     | \$ 15,000.00 |
| g. Picnic Huts and Bio Toilets ----- | \$ 20,000.00 |
| h. Koror State Parks -----           | \$ 20,000.00 |

|   |               |
|---|---------------|
| I. Solid Waste Management Program ----- | \$ 195,000.00 |
| j. CIP Programs/Infrastructures -----   | \$ 500,000.00 |

1 None of these funds shall lapse at the end of the fiscal year, and shall remain available for  
 2 expenditure after December 31, 2009:

- 3 (1) Meketii - Talambulung Road repair ----- \$75,000.00
- 4 (2) Iyebukel - Irorw Drainage improvement (dredging) ----- \$75,000.00
- 5 (3) Ngermid - Shiprit Road/Dorin Road ----- \$45,000.00
- 6 (4) Meyuns - Meyuns Softball Field road ----- \$45,000.00
- 7 (5) Ngerkesoal - Road/recreational facilities/dock ----- \$25,000.00
- 8 renovations, repairs, and improvements
- 9 (6) Ngerbeched - Ngetkedam Tennis Court (phase II) ----- \$110,000.00
- 10 (7) Dngeronger - Ibedul Kereel Lane ----- \$10,000.00
- 11 (8) Ngerkebesang - Marina/boat basin dredging (initial) ----- \$60,000.00
- 12 (9) Medalaii - MEDA Basketball Court ----- \$15,000.00
- 13 (10) Ngerchemai - Dolmers Lane ----- \$15,000.00
- 14 (11) Idid - Itacherengel/Hingang-Kyonori Access road ----- \$25,000.00

15 k. Inscription of RI Southern Lagoon into the World Heritage ----- \$ 30,000.00

16 l. Ngermeyaus Beach Improvement Project ----- \$ 36,000.00

17 Sub-total ----- \$ 962,000.00

18 **Section 11.**

**Special**

19 appropriations as specified in RPPL 5-34 and RPPL 5-41. a. Ngara Amayong Abai (RPPL 5-41)

20 ----- \$ 294,539.00

21 b. Special Earmarked Projects (RPPL No. 5-34)----- \$ 49,004.00

22 c. Ngerkebesang Road Project (RPPL No. 5-41) ----- \$ 7,639.00

23 Sub-total ----- \$ 351,182.00

24 Any unexpended or unobligated balance of the appropriations in this section shall not lapse at the  
 25 end of Fiscal Year and shall carry over to new Fiscal Year.

26 **Section 12. Amendment of Section "10.1.15" of KSPL No. K7-157-2005.**

27 Section "10.1.15" of KSPL No. K7-157-2005 is hereby amended to read as follows:

1 "15. Ngetkedam tennis Court (initial phase) ----- \$100,000.00"

2 **Section 13. Amendment to KSPL No. K8-190-2007.** Section "10(I)" of Koror State  
3 Public Law No. K8-190-2007 is hereby amended to add the following language to read as  
4 follows:

5 "I. CIP Programs/Infrastructures----- \$500,000.00

6 None of these funds shall lapse at the end of the fiscal year, and shall remain available for  
7 expenditure after December 31, 2008.

8 1. Ngermid Hamlet ----- \$84,000.00

9 . . . ."

10 **Section 14. Amendment of Section "3.A." of KPSL N. K5-85-97, as amended by**  
11 **KSPL No. K7-166-05 to increase monthly compensation payable to members of the**  
12 **Legislature.**

13 Section "3.A." of KSPL No. K5-85-97, as amended by KSPL No.[sic] KSPL No. K7-166-05, is  
14 hereby amended to read as follows:

15 "A. The monthly compensation payable to members of the Legislature shall be \$750.00  
16 payable in equal installments on the fifteenth (15th) and the thirtieth (30<sup>th</sup>) day of each month,  
17 beginning on January 15, 2010."

18 **Section 15. Outside Grants and Development Assistance.** All funds received from  
19 outside sources, including but not limited to US Federal Program Grants, japan Grant Aid,  
20 Republic of China (Taiwan) grants, other countries, organizations, or individual donors are  
21 hereby authorized to be appropriated and are appropriated for fiscal year 2009 in the amounts  
22 received for those specific programs or projects for which they are granted, donated, or otherwise  
23 contributed. US Federal Grants cost recoveries associated with such program grants may be  
24 retained for use by the Governor for such purposes as are needed to implement such programs or  
25 projects for which they were granted. The Director of Treasury shall report monthly to the Koror

26 State Legislature the receipt of any outside grant or development assistance in the preceding  
27 month. In addition to all other reporting requirements established by law or regulation, the

1 Director of Treasury shall submit quarterly reports to the Governor and the Legislature setting  
2 forth expenditures and obligations of of all funds received from outside sources expended or  
3 obligated pursuant to this section. The funds from such outside grants and development  
4 assistance may be reprogrammed by the Governor.



1           **Section 16.   Food and Beverages.** Funds may be expended by any of the branches of  
2 Koror State Government, including its authorities, boards, commissions, task forces, agencies,  
3 agents etc. for the purchases of food and beverages for the conduct or holding of meetings, sessions,  
4 hearings, conferences, workshops, studies etc. Provided, however, all such expenditures shall be  
5 documented to show the nature or purpose of the gathering, the persons present, and the matters  
6 discussed or transacted when food and/or beverages are purchased.

7           **Section 17.   Bid Security.** Bid Security shall be required for all competitive sealed  
8 bidding construction contracts when the Governor estimates that the price exceeds \$20,000.00.  
9 The bid security shall be in the form of a bid bond, cash, certified check, cashier’s check, or  
10 other form acceptable to the government. Nothing herein prevents the Governor from requiring  
11 bid security for contracts under \$20,000.00 when it would be in the best interest of the government.  
12 Bid security shall be an amount equal to at least 20% of the amount of the bid and shall continue  
13 thereafter.

14           **Section 18.   Fund Transfers.** The Governor is hereby authorized to reprogram funds  
15 from one item to another, except for specifically earmarked funds for special projects as  
16 earmarked in RPPL No. 5-34 and RPPL No. 5-41, provided, however, that the amount moved from  
17 one item to another shall not exceed fifteen percent (15%) of the total amount apportioned for the  
18 item which the funds are moved. Any left over balance after completion of any earmarked CIP  
19 Projects may be used to fund other CIP projects, infrastructures or other state programs that need  
20 supplementing.

21           **Section 19.   Disbursement Certification.** The sum herein appropriated shall be  
22 administered by the Governor for purposes specified herein. No funds shall be committed or  
23 disbursed for any purpose until the Director of the Department of Treasury has certified the  
24 availability of funds in accordance with this Act. The Director of the Department of Treasury  
25 shall submit a written quarterly financial report to the Governor and the Legislature fifteen (15)

26   Page 9 of 10  
26 days after each quarter of all funds expended in accordance with this Act.

27           **Section 20.   Fiscal Year.** The Fiscal Year for the Koror State shall commence on

1 January 1, 2009 and ends December 31, 2009.

2 **Section 21. Severability.** If any part of provision of this Act is determined to be  
3 unlawful or invalid, such invalidity may be stricken and shall not affect the other provisions of  
4 this Act.

1 **Section 22. Effective Date.** This Act shall take effect upon its approval by the  
2 Governor or upon its becoming law by operation of the Koror State Constitution.

PASSED ON: DECEMBER 19, 2008

CERTIFIED BY:

ATTESTED TO BY:

\_\_\_\_\_/s/  
Timothy "Tero" Uehara  
Speaker  
Eighth Koror State Legislature

\_\_\_\_\_/s/  
Pasquana Flowers  
Asst. Clerk  
Eighth Koror State Legislature

APPROVED ON THIS DAY 22<sup>nd</sup> OF December, 2008

\_\_\_\_\_/s/  
Yositaka Adachi  
Governor  
State of Koror

**\* Note: FY 2009 Budget Schedules A & B were not scanned.**