

P.L. 2000-2

An Act

To provide -

(a) in accordance with Article VIII of the Constitution, for the issue from the Marshall Islands General Fund, including funds provided under the Compact of Free Association and other funds, of a total sum of \$101,411,672 to meet the expenditures of the Government for the Financial Year 2000, and to appropriate sums to program areas; and

(b) for a Contingencies Fund in accordance with Section 9 of Article VIII of the Constitution; and

(c) for contingent appropriation of amounts that may be received in the future; and

(d) for delegation of expenditure approval under Section 5 of Article VIII of the Constitution; and

(e) for controls on reprogramming and transfer of funds within appropriation areas; and

(f) for control on specific expenditures.

BE IT ENACTED BY THE NITIJELA OF THE MARSHALL

ISLANDS:

1 Section 1. Short Title.

2 This Act may be cited as the Appropriations
3 (Financial Year 2000) Act, 2000, and shall be deemed to
4 have come into effect on 1 October, 1999.

Section 2. Statement of National Objective.

It is the intention of the Government of the Republic of the Marshall Islands to hereby enact and implement a national budget for the whole of the Financial Year 2000. This national budget incorporates, and is intended to supersede, substantially all the provisions of the Interim Appropriation (Financial Year 2000) Act, 2000.

Section 3. Interpretation.

In this Act -

(1) "program area" means program areas set out in Schedules 1-11 as indicated by numbering in the first column of those schedules;

(2) "unanticipated income" means any money, not being loan money, that -

(a) becomes available for expenditure from a source at a time when the Nitijela is not meeting; and

(b) has not been specifically included in the budget estimates for the Financial Year, which the Cabinet is satisfied should, in the interests of the

1 Republic of the Marshall Islands, be expended, in whole
2 or in part, before the expenditure could reasonably be
3 authorized by an Appropriation Act or a Supplementary
4 Appropriation Act.

5 Section 4. Appropriations from the Marshall
6 Islands General Fund.

7 (1) Total Appropriation. The sum of \$62,216,632
8 is hereby appropriated, and may be withdrawn from the
9 Marshall Islands General Fund and expended pursuant to
10 Article VIII of the Constitution for program areas in
11 accordance with Schedule 1, Recurrent Cost, during the
12 Financial Year as provided for in this Section.

13 (2) Nonrecurrent/Development. All Capital
14 Account Funds provided under the Compact of Free
15 Association shall be credited to the General Fund.
16 Where the use of such Capital Account Funds represents
17 a direct charge on the General Fund such funds shall be
18 deemed to be appropriated to the Ministry of Finance or
19 to Debt Service Fund, as appropriate.

20 (3) Restrictions on Reprogramming of Compact
Funds. Funds received and appropriated pursuant to

1 Sections 111, 177, 211, 213, 214, 215, 216, 217, and
2 221 of the Compact of Free Association shall not,
3 during the Financial Year, be transferred to any other
4 activity, or reprogrammed or expended for any purpose
5 other than the permissible uses of those funds as
6 provided for in the Compact of Free Association and its
7 Subsidiary Agreements.

8 (4) Compact Communications Operation. All
9 moneys received under Section 215(a)(1) of the Compact
10 of Free Association and appropriated shall not lapse at
11 the end of the Financial Year, but shall continue until
12 either the purpose of the appropriation is completed or
13 funds are expended, whichever occurs first.

14 (5) Section 216 Compact Funds.

15 (a) The appropriation of \$797,400 referred to
16 in Schedule 1 shall be credited to the Scholarship Fund
17 established by the Scholarship Board. The Fund shall
18 be utilized for post secondary programs as authorized
19 by the Cabinet.

(b) All monies received under paragraphs 216(a)(1), (2), and (3) of the Compact and appropriated shall not lapse at the end of the Financial Year, but shall continue until either the purpose of the appropriation is completed or funds are expended, whichever occurs first.

Section 5. Appropriation of U.S. Agency and Other Foreign Grants.

(1) Subject to Sections (4) and (6), the sum of \$8,650,923 (being the total amount of special U.S. Agency and other foreign grants) is appropriated and may be withdrawn from the Marshall Islands General Fund pursuant to Article VIII of the Constitution, for program areas in accordance with Schedule 4, during the Financial Year.

(2) The amounts set out in Schedule 4 are not available for expenditure as reprogrammed expenditure under Article VIII Section 7 of the Constitution, except as authorized by or under the agreements with the grantor nation.

(3)The appropriation made by Subsection (1) shall not lapse at the end of the Financial Year, but shall continue until either the grant expires or the funds are expended, whichever occurs first.

Section 6. Funding of the Office of the Auditor-General.

The Secretary of Finance shall withhold and deposit in a special account in the Marshall Islands General Fund, one half of one percent (0.5%) of all amounts appropriated in Schedule 1 and the sum so withheld and deposited may be withdrawn and expended by the Auditor-General in accordance with the budget approved for his/her office by the Cabinet, for the operations and activities of his office.

Section 7. Contingencies Fund.

(1) In accordance with Article VIII, Section 9 of the Constitution, there is hereby established a Contingencies Fund.

(2) The amount of the Contingencies Fund prescribed, for the duration of the Financial Year, for

1 the purposes of Article VIII, Section 9(1) of the
2 Constitution is 200,000.

3 (3) Where, during the Financial Year, an amount
4 of unanticipated income is received by the Government
5 for the purpose of an urgent and unforeseen need, the
6 amount prescribed in Subsection (2) for the
7 Contingencies Fund is increased by the amount of that
8 unanticipated income, to meet such need.

9 Section 8. Unanticipated income.

10 Where, during the Financial Year, an amount of
11 unanticipated income is received by the Government for
12 a specified program area, otherwise than as set out in
13 Section 7(3), that amount is appropriated for the
14 corresponding program area in Schedules 4, 5 or 6, as
15 the case may be, and the amount of the appropriation
16 for that program area is increased accordingly.

17 Section 9. Notification to the Cabinet by the
18 Minister.

19 When any money to which Section 7(3) or Section
20 9 applies is received, the Minister of Finance shall
notify the Cabinet of the receipt of such money, and

1 such money shall not be expended without the approval
2 of the Cabinet.

3 Section 10. Lapsing of Certain Appropriations.

4 Any increase in the amount prescribed for the
5 Contingencies Fund provided for by Section 7(3) ceases
6 and any increase in the amount of an appropriation
7 affected by Section 9 lapses -

8 (a) on the effective date of the next
9 Appropriation Act or Supplementary Appropriation Act
10 enacted after the date referred to in Subsection (1);
11 or

12 (b) on the adoption of a Resolution to that
13 effect by the Nitijela, whichever occurs first.

14 Section 11. Delegation of Authority to Approve.

15 (1) For the purposes of Article VIII, Section
16 5(1) of the Constitution, the authority to approve
17 expenditure in a program area in accordance with
18 Schedules 1-6 is hereby delegated to -

19 (a) the member of the Cabinet primarily
20 responsible for that program area; and

1 (b) if the responsible member of the
2 Cabinet so directs by instrument in writing, and
3 subject to any limitations imposed by the instrument
4 and to general control by the member, an appropriate
5 person, authority, or agency.

6 (2) Any expenditure otherwise than in
7 accordance with Schedules 1-6 shall require the approval
8 of the Cabinet in accordance with Article VIII, Section
9 5(1) of the Constitution.

10 Section 12. Reprogramming and Transfers Between
11 and Within Program Areas.

12 Before any reprogramming of expenditure between
13 program areas is approved under Article VIII, Section
14 7(1)(b) of the Constitution, the Cabinet shall approve
15 such reprogramming.

16 Section 13. General.

17 In the event the actual receipts into the
18 Marshall Islands General Fund fall short of the total
19 amount appropriated in Schedule 7, 8, 10 and 11, the
20 Cabinet may reduce the amounts appropriated in Schedule
21 1, 4, 5 and 6.

1 Section 14. Special Revenue Fund.

2 Any moneys in excess of an appropriation made
3 in Schedule 8 (Special Revenue Funds) may be expended
4 during the Financial Year only in accordance with terms
5 of the Act establishing such Special Revenue Fund.

6 Section 15. Effect on Interim Appropriation

7 (Financial Year 2000) Act, 2000

8 (1) This Act supersedes the Interim
9 Appropriation (Financial Year 2000) Act, 2000 (P.L. 2000
10 - 1) .

11 (2) Notwithstanding subsection (1), all
12 expenditures or other measures or actions duly made or
13 taken under said Interim Appropriation (Financial Year
14 2000) Act, 2000 are, or remain, valid as if made or
15 taken under the corresponding provisions of this Act.

16 Section 16. Effective Date.

17 This Act shall take effect on the date of
18 certification in accordance with Article IV, Section 21
19 of the Constitution.

Certificate

I hereby certify-

(1) that the above Nitijela Bill No. 18^{N.D-1} has been passed by the Nitijela of the Marshall Islands on the 7TH day of MARCH, 2000, and

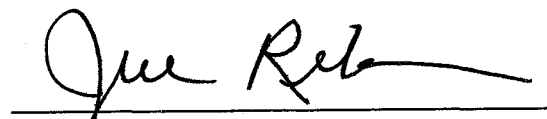
(2) that I am satisfied that Nitijela Bill No. 18^{N.D-1} has been passed in accordance with the Constitution of the Marshall Islands and the Rules of the Nitijela.

I hereby place my signature before the Clerk of the Nitijela this 9TH day of MARCH, 2000.

Attest:



Litokwa Tomeing, Speaker
Nitijela of the Marshall Islands



Joe Riklon, Clerk
Nitijela of the Marshall Islands

SCHEDULES

REPUBLIC OF THE MARSHALL ISLANDS
FY 2000 Expenditure Budget -
For the twelve month period ending 30 September, 2000

RECURRENT GENERAL APPROPRIATIONS

SCHEDULE 1

PRESIDENT & CABINET	
Presidents & Ministers	589,261.67
Cabinet Operations	569,442.78
Office of the President	159,347.55
Total PRESIDENT & CABINET	1,318,052.00
CHIEF SECRETARY	
Administration	\$146,245.35
Planning & Statistics	183,430.65
Disaster Office	26114.00
Total CHIEF SECRETARY	\$355,790.00
SPECIAL APPROPRIATION	
Government Electricity Bills	\$1,000,000.00
Kajur Subsidy-Ebeye	325,000.00
Marshall Islands Visitors Authority	275,000.00
Marshall Islands Legal Service Corps.	10,000.00
ADB Counterpart Funding	250,000.00
Marshall Islands Resort Inc.	100,000.00
Land Leases	910,000.00
MWSCO Subsidy/Water Bills	100,000.00
Range System Engineering	100,000.00
USDA (Farmer's Home) Subsidy	50,000.00
Constitution Day Donation	00.0
R & D Capitol Building Repairs	00.0
Library Subsidy Alele	00.0
Contingencies Fund	200,000.00
Trust Fund/Sinking Fund	75,000.00
International Subscriptions/Membership Fees	425,000.00
FEMA/Disaster Matching	200,000.00
Prior Year Liabilities	500,000.00
KALGOV Grant	400,000.00
Copra Price Stabilization Subsidy	800,000.00
Government Electric Bills-Ebeye	150,000.00
Health Care Revenue Fund Subsidy	00.0
Total SPECIAL APPROPRIATION	5,870,000.00
COUNCIL OF IROIJ	
Council of Iroij - Administration	71,218.87
Council of Iroij Members	297,997.13
Total COUNCIL OF IROIJ	369,216.00
AUDITOR GENERAL	
Auditor General	0.00
Total AUDITOR GENERAL	00.0

PUBLIC SERVICE COMMISSION

Public Service Commission	\$85,715.00
PSC Administration	717,740.00
Total PUBLIC SERVICE COMMISSION	803,455.00

JUDICIARY

Judicial Service Commission	\$703.00
General Courts	261,020.42
Community Court	5,485.00
Traditional Rights Court	78,376.58
Total JUDICIARY	\$345,585.00

ATTORNEY GENERAL

Attorney General Office	\$343,636.00
Total ATTORNEY GENERAL	\$343,636.00

HEALTH & ENVIRONMENT

Health & Environment Administration	604,882.88
Health Planning & Statistics	16,034.48
Majuro Hospital Operation	2,099,488.45
Ebeye Hospital Operations	383,184.94
Ebeye Health Administration	41,023.63
ADB Counter Fund	85,000.00
Dental Services – Majuro	141,735.86
Dental Services – Ebeye	81,887.00
Human Services	35,355.96
Human Development & Training	13,454.00
Youth Adolescent Health	13,985.24
Preventive Services - Administration	38,881.20
Population Activities & Family Planning	38,978.50
Vocational Rehabilitation	20,557.25
Preventive Services – Ebeye	49,039.61
EPA	138,600.00
Total HEALTH & ENVIRONMENT	3,802,089.00

EDUCATION

College of the Marshall Islands	551,757.00
Administration – Education	384,409.50
Colse-Up	60,000.00
ADB Counter Fund	298,061.78
Elementary Education – Majuro	650,000.00
Elementary Education – Ebeye General Fund	450,000.00
School Improvements/Non-CBGS	1,844,053.95
Vocational Education	59,913.54
Northern Islands High School	38,783.95
National Standards	67,507.63
Support Services	22,889.41
USP/Secondary Education	200,000.00
Aid to Private Schools	331,335.00
Scholarship Third Country	100,450.24
Total EDUCATION	5,059,162.00

TRANSPORTATION & COMMUNICATION

Office of the Secretary Transportation & Communication	\$502,000.00
Total TRANSPORTATION & COMMUNICATION	\$502,000.00

RESOURCES & DEVELOPMENT

R & D Administration	\$156,202.58
Agro – Forestry	130,236.05
Energy Office	14,935.00
MIDA	67,477.00
Commerce & Industry	35,531.37
Jeljelatai Ship	181,000.00

Total RESOURCES & DEVELOPMENT	585,382.00
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INTERNAL AFFAIRS

Administration (1A)	\$223,847.45
Social Welfare	10,349.10
Community Development	67,365.33
Youth Bureau	27,888.49
Women in Development	60,716.51
Sports & Recreation	158,960.07
Administration (Electoral)	69,541.94
Elections (Electoral)	38,667.98
Local Government Affairs	36,064.87
Grant in Aid	476,133.60
Lib/Historic Preservation	37,322.00
Registrar Office	26,003.88
Language Commission	22,893.80
ID Cards	21,423.85
Peace Corps (Japan)	10,600.00
National Archives	30,200.00
Historic Preservation Act	42,857.61
Historic	55,361.06

Total INTERNAL AFFAIRS	1,416,197.00
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JUSTICE

Public Defender – Majuro	\$163,679.08
Public Safety – Majuro	1,105,660.24
Public Safety - Ebeye	209,235.78
Legal Aid	99,486.90

Total JUSTICE	1,578,062.00
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FINANCE

Banking Commissioner	\$40,000.00
Finance Office – Majuro	411,540.55
Finance Office - Ebeye	61,168.02
EDP Division	86,150.03
Revenue Office – Majuro	253,354.87
Revenue Office – Ebeye	54,243.68
Drug Enforcement Office	34,114.35
Procurement & Supply	92,049.22
Aid Monitoring/Development Unit	75,861.28

Total FINANCE	1,108,482.00
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FOREIGN AFFAIRS

Foreign Affairs	390,338.46
Immigration – Ebeye	46,672.31
Usaka Lno	91,759.20
Majuro Immigration	82,545.81
Washington Office	379,645.38
RMI UN Office – New York	257,860.95
Fiji Office	149,542.00
Tokyo Embassy	206,927.55
Taipei Embassy	147,599.75
Compact Review	247,779.59
Total FOREIGN AFFAIRS	2,000,671.00

PUBLIC WORKS

OMIP Matching Fund	00.0
Outer Islands Projects – LCU	333,462.00
Operation & Maintenance – Majuro	950,832.99
CGMA	75,966.91
Total PUBLIC WORKS	1,360,262.00

NITIJELA

Nitijela Operation	323,362.60
General Membership – Nitijela	886,809.70
Speaker's Contingency	50,126.85
Committee Expense – Nitijela	100,279.89
Legislative Counselor's	51,828.96
Total NITIJELA	1,412,408.00

Total General Fund Recurrent Cost

\$28,230,449.00

COMPACT DESIGNATED

EDUCATION	\$1,797,000.00
HEALTH & ENVIRONMENT	1,734,600.00
SEA PATROL – 216A1	371,400.00
SECTION 216 – EDUCATION SCHOLARSHIP FUND	797,400.00
TRANSFER IN SEC 211 CURRENT	1,344,083.00
TRANSPORTATION & COMMUNICATION and V7AB	
Office of the Sec T & C	150,000.00
V7AB	150,000.00
Total TRANSPORTATION & COMMUNICATION and V7AB	\$300,000.00
TRUST/TRIBUNAL & HEALTH FUND	19,223,900.00
Total COMPACT DESIGNATED	

Total COMPACT DESIGNATED RECURRENT

\$25,568,383.00

KWAJALEIN LAND OWNER TRUST FUND

Current – Section 211	\$4,260,000.00
Current – Section 211	1,900,000.00
Inflation Impact – Section 217	2,257,800.00
Total KWAJALEIN TRUST FUND	\$8,417,800.00

Total RECURRENT COSTS **\$62,216,632.00**

NON-RECURRENT DEVELOPMENT

SCHEDULE 2

KADA

Capital-KADA – Section 211	\$2,840,000.00
Inflation-KADA Section 217	1,505,200.00
Total KADA	\$4,345,200.00

PRIOR YEAR APPROPRIATIONS

SCHEDULE 3

DEBIT SERVICE

Energy – Section 214	\$2,000,000.00
Capital – Section 211	10,655,917.00
Inflation – Section 217	7,579,000.00
Total DEBT SERVICE	\$20,234,917.00

GRANTS

SCHEDULE 4

AUDITOR GENERAL	622,750.00
CHIEF SECRETARY	296,879.00
EDUCATION	4,155,836.00
FINANCE – Y2K GRANT	99,501.00
HEALTH AND ENVIRONMENT	2,088,522.00
INTERNAL AFFAIRS	310,129.00
JUSTICE	43,567.00
PUBLIC WORKS	\$567,037.00
RESOURCES & DEVELOPMENT	466,702.00
Total GRANTS	\$8,650,923.00

SPECIAL REVENUE

SCHEDULE 5

LOCAL GOVERNMENT TRUST FUND	\$339,000.00
JUSTICE	35,000.00
NATIONAL TRAINING COUNCIL	80,000.00
POSTAL SERVICE	260,000.00
Total SPECIAL REVENUE	\$714,000.00

ADB FUND

SCHEDULE 6

EBEYE HEALTH CENTER – LOAN 1694	\$2,500,000.00
HEALTH SERVICE – LOAN 1316	1,250,000.00
EDUCATION – LOAN 1316	1,500,000.00
TOTAL ADB FUND	\$5,250,000.00

Total ALL EXPENDITURES **\$101,411,672.00**

REVENUES

SCHEDULE 7

GENERAL FUND

Compact Funding – Section 211
 Fees and Charges
 Fishing Rights
 Fuel Tax
 Gross Revenue Tax
 Import Tax
 Income Tax
 Interest and Dividends
 Interest Income - MIMRA
 T & C - Receivable
 MIDB - Receivable
 Other Revenue
 Penalties and interest Charges
 Sale of Assets
 Ship Registry
Total Fund 100

\$1,344,084
 300,000
 3,000,000
 250,000
 3,000,000
 5,000,000
 7,500,000
 436,000
 164,000
 30,000
 384,000
 852,365
 20,000
 5,000,000
 950,000
\$28,230,449

SPECIAL REVENUE FUNDS

SCHEDULE 8

Local Government Trust Fund
 Justice
 National Training Council
 Postal Service
Total Special Revenue

\$339,000
 35,000
 80,000
 260,000
\$714,000

U.S. COMPACT FUNDS

SCHEDULE 9

Section 211-Current
 Section 211-Capital
 Section 213
 Section 214(a)
 Section 215
 Section 216
 Section 217
 Section 221(b) Block grant
 Section 211 KADA & Kwajalein
 Trust/Tribunal & Health Fund
Compact Funds

\$1,344,083
 10,655,917
 1,900,000
 2,000,000
 300,000
 1,700,400
 11,342,000
 3,000,000
 7,100,000
 19,223,900
\$58,566,300

OTHER GRANTS

SCHEDULE 10

U.S. Grants
 Special Y2k Grant
Total Grants

\$8,551,422
 99,501
\$8,650,923

ADB FUND

SCHEDULE 11

Ebeye Health Center
 Health & Environment

\$2,500,000
 1,250,000

BILL NO. 18ND-1
P.L. 2000-2

Total ADB Fund

\$5,250,000

Total All Revenue

\$101,411,672