

**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
 38TH CONSTITUTION REGULAR SESSION, 2017**



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

**FISCAL YEAR 2017 SUPPLEMENTAL APPROPRIATION
 ACT 2017**

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FISCAL YEAR 2017 SUPPLEMENTAL APPROPRIATION
ACT 2017

AN ACT to provide:

- (a) in accordance with Article VIII, Section 8, of the Constitution for a Supplemental Appropriation, from the Marshall Islands General Fund, a total sum of **\$6,113,530.00** to meet certain special appropriations and capital expenditures of the Government as set out in Schedule 1 and 2 of this Act;
- (b) for delegation of approved expenditure under Article VIII, Section 5, of the Constitution; and
- (c) for control on reprogramming and transfer of funds within program areas.

BE IT ENACTED BY THE NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS

§101. Short title.

This Act may be cited as the Fiscal Year 2017 Supplemental Appropriation Act, 2017.

§102. Statement of National Objective.

It is the intention of the Government of the Republic of the Marshall Islands to hereby enact and implement a supplemental appropriation, to authorize certain special appropriations and capital expenditures over and above that

which was authorized by P.L.2016-15, in the manner set out in Schedules attached as Appendix A to this Act.

§103. Interpretation.

In this Act, unless the context otherwise requires:

- (a) “program area” means the program areas set out in Schedule 1 below.

§104. Appropriation and re-appropriation from the Marshall Islands General Fund.

A total sum of \$6,113,530.00 is hereby appropriated and re-appropriated, and may be withdrawn from the Marshall Islands General Fund being:

- (a) revenue re-appropriated from P.L. 2015-44, a total amount of \$2,109,530.00;
- (b) revenue granted through MIMRA, a total sum of \$500,000.00;
- (c) revenue grant through Trust Company of the Marshall Islands (Ship Registry), a total sum of \$300,000; and
- (d) revenue from the Trust Account (Account D) a sum of \$3,204,000.00, and shall be expended pursuant to Article VIII of the Constitution for program areas as set out in Schedule 1.

§105. Funding of the Office of the Auditor General.

The Secretary of Finance shall withhold and deposit in the special account in the Marshalls Islands General Fund, zero point eighth percent (0.8%) of all amounts appropriated in Schedules 1 and 2, and the sum so withheld and deposited may be withdrawn and expended by the Auditor-General in accordance with the budget approved for his/her office by the Cabinet, for the operations and activities of his/her office.

§106. Unanticipated Income.

Where, during the Financial Year, an amount of unanticipated income is received by the Government for a specified program area, that amount is appropriated for the corresponding program area in Schedules as the case

may be, and the amount of the appropriation for that program area is increased accordingly.

§107. Notification to the Cabinet by the Minister.

When any money is received under Section 7 herein above, the Minister of Finance shall notify the Cabinet of the receipt of such money, and such money shall not be expended without the approval of the Cabinet.

§108. Lapsing of Funds

- (1) The appropriations made under Schedule 1 of this Act shall lapse at the end of the Financial Year 2017.

§109. Delegation of Authority.

- (1) For the purpose of Article VIII, Section 5(1), of the Constitution, the authority to approve expenditure in a program area in accordance with Schedule 1, is hereby delegated to:
 - (a) The member of the Cabinet primarily responsible for that program area and;
 - (b) If the responsible member of the Cabinet so directs by instrument in writing, and subject to any limitations imposed by the instrument and to general control by the member, an appropriate person, authority, or agency; or subject in either case to any limitations imposed by the Cabinet.
- (2) Any expenditure otherwise than in accordance with Schedules 1 and 2 shall require the approval of the Cabinet in accordance with Article VIII, Section 5(1), of the Constitution.
- (3) Any expenditure for prior year liabilities made under Schedule 1 shall not be available for expenditure as reprogrammed expenditure but shall be withheld and paid directly by the Secretary of Finance to the vendor or service provider.

§110. Budget Estimates and Statement.

- (1) The Budget Estimates for expenditures for the relevant program areas are set out in Schedules 1 and 2 of this Act.

- (2) The Budget Statement from the Minister of Finance is attached as Appendix B to this Act.

§111. Reprogramming and Transfers.

No funds may be reprogrammed or transferred to any other program areas or disbursed in any other manner except as set out in Schedule 1 of this Act.

§112. Effective Date.

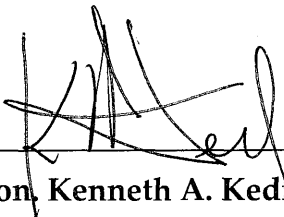
This Act shall come into effect on the date of certification in accordance with Article IV, Section 21, of the Constitution and Rules of Procedures of the Nitijela.

CERTIFICATE

I hereby certify:

1. That Nitijela Bill No: 77 was passed by the Nitijela of the Republic of the Marshall Islands on the 30th day of March 2017; and
2. That I am satisfied that Nitijela Bill No: 77 was passed in accordance with the relevant provisions of the Constitution of the Republic of the Marshall Islands and the Rules of Procedures of the Nitijela.

I hereby place my signature before the Clerk this 11th day of April 2017.



Hon. Kenneth A. Kedi
Speaker
Nitijela of the Marshall Islands

Attest:



Morean Watak
Clerk
Nitijela of the Marshall Islands

**REPUBLIC OF THE MARSHALL ISLANDS
FISCAL YEAR 2017 SUPPLEMENTAL BUDGET**

Annex A

SUPPLEMENTAL GENERAL FUND APPROPRIATIONS	FY17 Supplemental
LINE MINISTRIES	SCHEDULE 1
SPECIAL APPROPRIATIONS	\$ 1,243,925.00
MISSA	\$ 1,000,000.00
ICAO Membership	\$ 243,925.00
NITIJELA	\$ 187,000.00
PA System	\$ 187,000.00
INTERNAL AFFAIRS	\$ 302,682.00
Outer Islands Economic Development Fund	\$ 302,682.00
FINANCE	\$ 2,493,075.00
Prior Year Liabilities	\$ 493,075.00
Trust Fund A	\$ 2,000,000.00
PUBLIC WORKS	\$ 106,848.00
PII (Road Maintenance)	\$ 106,848.00
TRANSPORTATION & COMMUNICATION	\$ 1,700,000.00
MISC (New Ship)	\$ 1,700,000.00
RESOURCES & DEVELOPMENT	\$ 80,000.00
Sawmill Project	\$ 80,000.00
TOTAL GENERAL FUND EXPENDITURES	\$ 6,113,530.00
REVENUE APPROPRIATION	SCHEDULE 2
Trust Fund D	\$ 3,204,000.00
General Fund	\$ 2,109,530.00
Ship Registry	\$ 300,000.00
MIMRA	\$ 500,000.00
TOTAL REVENUES	\$ 6,113,530.00

Variance \$ -