

**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
42ND CONSTITUTION REGULAR SESSION, 2021**



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

**FISCAL YEAR (SUPPLEMENTAL APPROPRIATION) ACT
2021.**

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**FISCAL YEAR (SUPPLEMENTAL APPROPRIATION) ACT
2021.**

AN ACT to provide the followings:

- (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 **\$16,362,480** 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 (Supplemental Appropriation) Act 2021.

§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.2020-14*, in the manner set out in Schedules attached 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 from the Marshall Islands General Fund.

A total sum of \$16,362,480 is hereby appropriated, and may be withdrawn from the Marshall Islands General Fund being:

- (a) revenue from Tax & Trade in the total sum of \$5,000,000
- (b) revenue from Asian Development Bank (ADB Reimbursement for Hot Lunch Program) in a total sum of \$3,500,000
- (c) revenue from the Trust Account (Account D) a sum of \$2,500,000, and shall be expended pursuant to Article VIII of the Constitution for program areas as set out in Schedule 1.
- (d) GF Unassigned Fund in the sum of \$4,000,000.
- (e) European Union Budget Support the total sum of \$862,480.
- (f) ROC \$500,000

§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point eighth percent (0.8%) of all amounts appropriated in Schedules 1 and the sum so withheld and deposited may be withdrawn and expended by the Auditor-General in accordance with the budget approved for his/her office by the Cabinet, for the operations and activities of his office.

§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 Schedule 1 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 106 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 2021.

§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 Schedule 1 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.

- (1) The Budget Estimates for expenditures for the relevant program areas are set out in Schedule 1 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. Contribution to the Marshall Islands Trust Fund.

The total sum of \$5,000,000 is hereby remitted to the Trust Fund (Trust Fund Account A) as contribution under this Chapter and as further prescribed under Schedule 1.

§113. 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: 43ND1 was passed by the Nitijela of the Republic of the Marshall Islands on the 26th day of April 2021; and
2. That I am satisfied that Nitijela Bill No: 43ND1 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 3rd day of May 2021.

Attest:



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



Morean S. Watak
Clerk
Nitijela of the Marshall Islands

SCHEDULE

Fiscal Year 2021 Supplemental Budget

SCHEDULE 1 & 2

SUPPLEMENTAL GENERAL FUND APPROPRIATIONS	FY21
LINE MINISTRIES	Supplemental
	SCHEDULE 1
Ministry of Works, Infrastructure and Utility	\$ 6,550,000
Track and Field	\$ 1,800,000
Lib Island (Pass Project)	\$ 800,000
Heavy Equipment	\$ 2,500,000
Office (MOCIA)	\$ 50,000
Majuro Water Catchment Project (Community)	\$ 100,000
Majuro Road Reflector Project	\$ 100,000
Nitijela Renovation & Maintenance	\$ 100,000
Ebeye Courthouse	\$ 800,000
Gym (Olympic)	\$ 300,000
Ministry of Health and Human Services	\$ 180,000
Renovation and Improvement Project (Majuro Hospital)	\$ 180,000
Ministry of Finance, Banking, and Postal Services	\$ 434,482
MOF Ebeye	\$ 30,000
Budget Division	\$ 6,000
Supply and Procurement	\$ 247,000
Administration - FMIS 4govt system	\$ 120,000
Office of Secretary Operations Support	\$ 31,482
Special Appropriation	\$ 6,957,998
Special Election	\$ 190,000
Trust Fund Contribution	\$ 5,000,000
Con-Con Referendum/Public Education	\$ 300,000
Prior Year Liabilities	\$ 85,018
Census	\$ 500,000
Contingency	\$ 182,980

Compact Negotiation	\$ 100,000
Majuro Land Lease	\$ 600,000
State-Owned Enterprises Monitoring Unit	\$ 1,159,000
Copra Price Stabilization Fund	\$ 683,000
VCO Project	\$ 120,000
MAWC	\$ 356,000
Ministry of Justice, Immigration, and Labor	\$ 100,000
Micronesia Legal Services Corporation	\$ 100,000
Ministry of Education, Sports, and Training	\$ 431,000
PSS Admin and Human Resources	\$ 277,520
Vehicles (2 Flatbeds)	\$ 49,480
USP Dues	\$ 50,000
Outer Islands School Communications	\$ 21,000
Vocational School Strategic Plan	\$ 33,000
Ministry of Foreign Affairs and Trade	\$ 400,000
Office of the Secretary	\$ 400,000
Ministry of Culture and Internal Affairs	\$ 150,000
HPO "Bwin in Aelon Kein" Project	\$ 150,000
	\$
TOTAL GENERAL FUND EXPENDITURES	16,362,480
REVENUE	SCHEDULE 2
Tax & Trade	\$ 5,000,000
ADB(Reimbursement for Hot Lunch Program)	3,500,000
Trust Fund - Account D	2,500,000
GF Unassigned Fund	4,000,000
EU Budget Support	862,480
ROC	500,000
TOTAL REVENUES	\$ 16,362,480
VARIANCE	\$ -