

NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS

37<sup>TH</sup> CONSTITUTIONAL REGULAR SESSION, 2016

BILL NO: 11

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**A BILL  
FOR 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, from donor grants and donor project support, a total sum of **\$4,530,000** to meet certain special appropriations and capital expenditures of the Government as set out in Schedule 1, 2 and 3 of this Act.

(b) for delegation of approved expenditure under Section 5 of Article VIII 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:**

**Section 1. Short title.**

This Act may be cited as the Fiscal Year 2016 Supplemental Appropriation Act, 2016.

**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 supplemental appropriation, to authorize certain special appropriations and capital expenditures over and above that which was authorized by P.L.2015-44, in the manner set out in Schedules attached as **Appendix A** to this Act.

**Section 3. Interpretation.**

In this Act, unless the context otherwise requires:

(a) "program area" means the program areas set out in Schedule 1 below.

1

2 Section 4.     **Appropriation and re-appropriation from the Marshall Islands General**  
3 **Fund.**

4

5           A total sum of **\$3,600,000** is hereby appropriated and re-appropriated, and may be  
6 withdrawn from the Marshall Islands General Fund being:

7           (a) the revenue granted through MIMRA, a total sum of **\$2,500,000**; and

8           (b) the revenue re-appropriated from P.L.2015-44 under the unused funds from the Trust  
9           Account (Account A) a sum of **\$1,100,000**,

10 and shall be expended pursuant to Article VIII of the Constitution for program areas as set out in  
11 Schedule 1.

12

13 Section 5.     **Appropriation of Donor Project Support.**

14           A total sum of **\$930,000** is hereby appropriated, being the total sum of donors project  
15 support by the ROC (*For Drought Relief*), India (*For Typhoon Nangka*), ESCAP (*Grant*  
16 *Assistance from Kazakhstan*) and US (*Disaster Assistance Emergency Fund*) shall not be  
17 available for expenditure as reprogrammed expenditure under Article VIII Section 7 of the  
18 Constitution, except as authorized by or under the agreements with the donor nation and/or  
19 institution, and schedule 2.

20

21 **Section 6.     Funding of the Office of the Auditor General.**

22           The Secretary of Finance shall withhold and deposit in the special account in the  
23 Marshalls Islands General Fund, zero point eighth percent (0.8%) of all amounts appropriated in

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1 Schedules 1 and 2, and the sum so withheld and deposited may be withdrawn and expended by  
2 the Auditor-General in accordance with the budget approved for his/her office by the Cabinet,  
3 for the operations and activities of his/her office.

4

5 Section 7.     **Unanticipated Income.**

6           Where, during the Financial Year, an amount of unanticipated income is received by the  
7 Government for a specified program area, that amount is appropriated for the corresponding  
8 program area in Schedules as the case may be, and the amount of the appropriation for that  
9 program area is increased accordingly.

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11 Section 8.     **Notification to the Cabinet by the Minister.**

12           When any money is received under Section 8 herein above, the Minister of Finance shall  
13 notify the Cabinet of the receipt of such money, and such money shall not be expended without  
14 the approval of the Cabinet.

15

16 Section 9.     **Lapsing of Funds**

17           (1) The appropriations made under Schedule 1 of this Act shall lapse at the end of the  
18 Financial year 2016.

19           (2) The appropriation made under Schedules 2 and 3 of this Act shall not lapse at the end  
20 of the Financial year 2016 but shall remain until either:

21                   (a) the purpose of the appropriation are satisfied, or

22                   (b) the funds are expended,

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1           whichever occurs first.

2

3 **Section 10.    Delegation of Authority**

4           (1) For the purpose of Article VIII, Section 5(1) of the Constitution, the authority to  
5 approve expenditure in a program area in accordance with Schedule 1, is hereby delegated to:

6                   (a) The member of the Cabinet primarily responsible for that program area and;

7                   (b) If the responsible member of the Cabinet so directs by instrument in writing,  
8 and subject to any limitations imposed by the instrument and to general control by the member,  
9 an appropriate person, authority, or agency; or subject in either case to any limitations imposed  
10 by the Cabinet.

11           (2) Any expenditure otherwise than in accordance with Schedules 1, 2 and 3 shall require  
12 the approval of the Cabinet in accordance with Article VIII, Section 5(1) of the Constitution.

13           (3) Any expenditure for prior year liabilities made under schedule 1 shall not be available  
14 for expenditure as reprogrammed expenditure but shall be withheld and paid directly by the  
15 Secretary of Finance to the vendor or service provider.

16

17 **Section 11.    Budget Estimates and Statement.**

18           (1) The Budget Estimates for expenditures for the relevant program areas are set out in  
19 Schedules 1, 2 and 3 of this Act.

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

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23 **Section 12.    Reprogramming and Transfers**

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

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4 Section 13. **Effective Date.**

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

7

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9 Date: 3-9-16 Introduced by:

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BRENSON S. WASE

PRINT NAME

[Signature]

Signature

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Alfred Alfred, Jr.

PRINT NAME

[Signature]

Signature

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**REPUBLIC OF THE MARSHALL ISLANDS**  
**FISCAL YEAR 2016 SUPPLEMENTAL BUDGET**

**SUPPLEMENTAL GENERAL FUND APPROPRIATION**

**SCHEDULE 1**

**AMENDED APPENDIX "A"**

**LINE MINISTRIES**

**\$ 1,447,040.00**

President & Cabinet

\$ 186,000.00

Nitijela

\$ 193,560.00

Ministry of Foreign Affairs

\$ 163,000.00

Office of the Attorney General

\$ 15,000.00

Ministry of Internal Affairs

\$ 160,000.00

Postal Services

\$ 106,100.00

Ministry of Finance

\$ 170,000.00

Banking Commission

\$ 106,000.00

Ministry of Public Works

\$ 180,000.00

Ministry of Justice

\$ 63,380.00

Ministry of Education

\$ 14,000.00

Office of the Chief Secretary

\$ 52,000.00

Ministry of Transportation and Communication

\$ 28,000.00

Marshall Islands Visitors Authority

\$ 10,000.00

**SPECIAL APPROPRIATIONS**

**\$ 2,152,960.00**

Copra Price Stabilization Subsidy (Tobolar)

\$ 650,000.00

Constitutional Convention (CONCON)

\$ 572,960.00

NTA

\$ 450,000.00

Court Judgement

\$ 200,000.00

Solar project (Honda)

\$ 280,000.00

**TOTAL GENERAL FUND EXPENDITURES**

**\$ 3,600,000.00**

**PROJECT SUPPORT EXPENDITURES**

**SCHEDULE 2**

**ROC**

**\$ 30,000.00**

Drought Relief

\$ 30,000.00

**India**

**\$ 100,000.00**

Typhoon Nangka

\$ 100,000.00

<b>REPUBLIC OF THE MARSHALL ISLANDS</b>	
<b>FISCAL YEAR 2016 SUPPLEMENTAL BUDGET</b>	
<b>ESCAP (Grant Assistance from Kazakhstan)</b>	<b>\$ 50,000.00</b>
Support Participation in International and Regional Meetings in Climate Change and Renewable Energy as well as preparation for Resource Mobilization.	\$ 50,000.00
<b>US</b>	<b>\$ 750,000.00</b>
Disaster Assistance Emergency Fund	\$ 750,000.00
<b>TOTAL PROJECT SUPPORT EXPENDITURES</b>	<b>\$ 930,000.00</b>
<b>TOTAL ALL EXPENDITURES</b>	<b>\$ 4,530,000.00</b>
<b>SOURCE OF FUNDS</b>	
<b>GENERAL FUND REVENUES</b>	<b>\$ 2,500,000.00</b>
MIMRA	\$ 2,500,000.00
<b>OTHER REVENUES</b>	<b>\$ 1,100,000.00</b>
Trust Fund	\$ 1,100,000.00
<b>DONORS PROJECT SUPPORT</b>	<b>\$ 930,000.00</b>
ROC	\$ 30,000.00
India	\$ 100,000.00
ESCAP (Grant from Kazakhstan)	\$ 50,000.00
US Disaster Assistance Emergency Fund	\$ 750,000.00
<b>TOTAL ALL REVENUES</b>	<b>\$ 4,530,000.00</b>
Variance	\$ -