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A BILL FOR AN ACT

To amend Kosrae State Code, Title 4, Sections 4.301 and 4.303; Title 5, Sections 5.501 and 5.508; Title 6, Sections 6.1203 and 6.1206; Title 10, Section 10.410; and Title 11, Section 11.609 to conform with the Law instituting a 5% pay reduction for certain State Government employees and to suspend the entitlement to representation funds; and for other purposes.

BE IT ENACTED BY THE KOSRAE STATE LEGISLATURE

1           Section 1. Purpose. The purpose of this amendment is to bring all statutorily dictated  
2 salaries into conformance with the Law, instituting a 5% pay reduction for certain State  
3 Government employees.

4           Section 2. Amendment. Section 4.301 of Title 4, is hereby amended to read as follows:

5           “Section 4.301. Salary and duty of Senators. With the exception of the Speaker and Vice  
6 Speaker, a Senator receives an annual salary of eighteen thousand fifty dollars (\$18,500.00).  
7 The Speaker receives an annual salary of nineteen thousand nine hundred fifty dollars  
8 (\$19,950.00) and the Vice Speaker receives an annual salary of nineteen thousand dollars  
9 (\$19,000). It is the duty of a Senator to devote at least a portion of each day to Legislature-  
10 related matters and to be available daily for the performance of legislative responsibilities. The  
11 Legislature may provide by rule for uniform deductions from the salary for absence or other  
12 cause.”

13           “Section 4.304. Representation funds. Except as herein specified, In addition to  
14 compensation provided by this Chapter, a Senator is entitled to receive reimbursement for actual  
15 expenses incurred in the performance of the duties of the office to the extent funds are  
16 appropriated for that specific purpose.

17           (1) Reimbursement is not available under this Section for personal or political  
18 expenditures. Reimbursement is not available under this Section if the expense is reimbursable  
19 from any other source, including sources other than the State.

20           (2) Funds may be provided to a Senator only after presentation of evidence of  
21 the amount of expenses and documentation that the expenses were incurred in the performance  
22 of official duties. Any permanent physical items for which reimbursement is provided under this

1 section become the property of the State.

2 (3) The Director of Administration and Finance shall provide a monthly report  
3 to the Speaker for all expenses for which reimbursement is provided under this Section. The  
4 Speaker is the final arbiter of any dispute regarding a claim for reimbursement under this  
5 Section.

6 (4) The Kosrae State Legislature shall develop Rules of Procedure for the  
7 reimbursement of expenses and documentation requirements.

8 (5) For the 2008-2009 fiscal year and for every fiscal year thereafter where a  
9 balanced annual budget has not been met, there shall be no appropriation for representation funds  
10 for the Senate.”

11 “Section 5.501. Salary of Governor, Lieutenant Governor and directors. The annual  
12 salary of the Governor is twenty-two thousand eight hundred dollars (\$22,800). The annual  
13 salary of the Lieutenant Governor is nineteen thousand nine hundred fifty dollars (\$19,950.00).  
14 Unless otherwise provided by contract for the employment of a non citizen, the annual salary of  
15 a director of a department is seventeen thousand dollars (\$17,000) and a director has no leave  
16 benefits. A director makes himself available at all times for the performance of his duties.

17 “Section 5.508. Representation funds. Except as herein specified, in addition to  
18 compensation provided by this Chapter, the Governor and Lieutenant Governor are entitled to  
19 receive reimbursement for actual expenses incurred in the performance of the duties of their  
20 offices to the extent funds are appropriated for that purpose.

21 (1) Reimbursement is not available under this Section for personal or political  
22 expenses. Reimbursement is not available under this Section if the expense is reimbursable from  
23 any other source, including sources other than the State.

24 (2) Funds may be provided to the Governor or Lieutenant Governor only after  
25 presentation of evidence of the amount of expenses and documentation that the expenses were

1 incurred in the performance of official duties. Any permanent physical items for which  
2 reimbursement is provided under this Section become the property of the State.

3 (3) The Director of Administration and Finance shall provide a monthly report  
4 to the Governor of expenses for which reimbursement is provided under this Section. The  
5 Governor is the final arbiter of any dispute regarding a claim for reimbursement under this  
6 Section and shall adopt internal rules or regulations regarding the reimbursement procedure.

7 (4) For the 2008-2009 fiscal year and for every fiscal year thereafter where a  
8 balanced annual budget has not been met, there shall be no appropriation for representation funds  
9 for the Executive.”

10 “Section 6.1203. Compensation and benefits of justices. The annual salary of the Chief  
11 Justice is nineteen thousand nine hundred fifty dollars (\$19,950.00). The annual salary of an  
12 Associate Justice is eighteen thousand fifty dollars (\$18,050).

13 “Section 6.1206. Representation funds. In addition to compensation provided by this  
14 Chapter, the Chief Justice and Associate Justices are entitled to receive reimbursement for actual  
15 expenses incurred in the performance of the duties of their offices to the extent funds are  
16 appropriated for that purpose.

17 (1) Reimbursement is not available under this Section for personal or political  
18 expenses. Reimbursement is not available under this Section if the expense is reimbursable from  
19 any other source, including sources other than the State.

20 (2) Funds may be provided to the Chief Justice or an Associate Justice only after  
21 presentation of evidence of the amount of expenses and documentation that the expenses were  
22 incurred in the performance of official duties. Any permanent physical items for which  
23 reimbursement is provided under this Section become the property of the State.

24 (3) The Director of Administration and Finance shall provide a monthly report  
25 to the Chief Justice of expenses for which reimbursement is provided under this Section. The

1 Chief Justice is the final arbiter of any dispute regarding a claim for reimbursement under this  
2 Section and shall adopt internal rules or regulations regarding the reimbursement procedure.

3 (4) For the 2008-2009 fiscal year and for every fiscal year thereafter where a  
4 balanced annual budget has not been met, there shall be no appropriation for representation funds  
5 for the Judiciary.”

6 Section 10.410. Payment of salaries and expenses.

7 (1) The salaries of the State Public Auditor, his staff, and employees shall be  
8 paid in the same manner and through the same procedure used for the payment of salaries of  
9 other State Government employees.

10 (2) The salary of the State Public Auditor shall be seventeen thousand one  
11 hundred dollars (\$17,100), which salary shall not be reduced during his term of office, except by  
12 general law applying to all State Government employees.

13 (3) The State Public Auditor position shall be exempt from the Public Service  
14 System; however, members of his staff who would otherwise qualify for employment in the  
15 Public Service System may be included therein.

16 (4) The State Public Auditor shall submit a proposed budget to the Governor to  
17 be included in the annual budget for presentation to the Legislature at the times required by the  
18 Code.”

19 “Section 11.609. Compensation. The Principal Land Justice shall receive an annual  
20 compensation in the amount of fifteen thousand, two hundred (\$15,200.00) dollars. The  
21 Associate Land Justices shall receive an annual compensation in the amount of thirteen thousand  
22 three hundred (\$13,300.00) dollars. The amount of compensation shall not be increased or  
23 decreased during their terms of office, except by general law applying to all State Government  
24 employees.”

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