

SECOND CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FOURTH REGULAR SESSION, 1982

CONGRESSIONAL BILL NO. 2-310

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AN ACT

To create a Disaster Relief Fund, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1       Section 1. Creation of Disaster Relief Fund.

2               (1) There is hereby created a Disaster Relief Fund to be  
3 used for natural disaster and emergency relief throughout the  
4 Federated States of Micronesia.

5               (2) Monies for the Disaster Relief Fund shall be derived  
6 from appropriations by the Congress of the Federated States of  
7 Micronesia and the State legislatures, United States grants, funds  
8 designated for such purposes from international organizations, and  
9 from any and all other appropriate sources.

10              (3) The Disaster Relief Fund shall be administered in  
11 accordance with the provisions of this act.

12       Section 2. Definitions.

13              (1) "Disaster" means any hurricane, typhoon, cyclone,  
14 tornado, storm, flood, high water, wind-driven water, tidal wave,  
15 tsunami, earthquake, volcanic eruption, landslide, mudslide, drought,  
16 fire, explosion, civil disturbance, or other catastrophe in any part  
17 of the Federated States of Micronesia which, in the determination of  
18 the President, causes damage of sufficient severity and magnitude to  
19 warrant disaster assistance under this act, above and beyond emergency  
20 services by the National Government, to supplement the efforts and  
21 available resources of States, local governments, and disaster relief  
22 organizations in alleviating the damage, loss, hardship, or suffering

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1 caused thereby.

2           (2) "Emergency" means any hurricane, typhoon, cyclone,  
3 tornado, storm, flood, high water, wind-driven water, tidal wave,  
4 tsunami, earthquake, volcanic eruption, landslide, mudslide,  
5 drought, fire, explosion, civil disturbance, or other catastrophe  
6 in any part of the Federated States of Micronesia which requires  
7 National emergency assistance to supplement State and local efforts  
8 to save lives and protect property, provide for public health and  
9 safety, or to avert or lessen the threat of disaster.

10       Section 3. Procedures. All requests for a determination by  
11 the President that an emergency or disaster exists shall be made by  
12 the Governor of the affected State. Such request shall be based upon  
13 the Governor's finding that the situation is of such severity and  
14 magnitude that effective response is beyond the capabilities of the  
15 State and the affected local governments and that National assistance  
16 is necessary. The Governor's request will furnish information  
17 describing State and local efforts and resources which have been or  
18 will be used to alleviate the emergency or disaster, and will define  
19 the type and extend of National aid required. As a prerequisite to  
20 emergency or disaster assistance under this act, the Governor shall  
21 take appropriate action under State law and direct execution of any  
22 State emergency or disaster plan. Based upon such Governor's request,  
23 the President may find and declare that a disaster or an emergency  
24 exists.

25       Section 4. Use of Disaster Relief Fund.

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1           (1) Upon declaring that a disaster or emergency exists,  
2 the President may authorize such expenditure of monies from the  
3 Disaster Relief Fund as in his opinion are necessary to carry out  
4 the purposes of this act, providing that they are consistent with  
5 the type and extent of aid requested by the Governor of the affected  
6 State.

7           (2) Expenditures from the Disaster Relief Fund may be used  
8 for necessary food, clothing, shelter, medical supplies, compensation  
9 for crop damage, transportation, debris clearance, reconstruction and  
10 repair of seawalls and other damaged property, building materials,  
11 and such other matters as the President determines to be necessary  
12 and occasioned by the emergency or disaster.

13       Section 5. Use of local firms and individuals. In the  
14 expenditure of National funds for debris clearance, distribution of  
15 supplies, reconstruction, and other emergency or disaster assistance  
16 activities which may be carried out by contract or agreement with  
17 private organizations, firms, or individuals, preference shall be  
18 given, to the extent feasible and practicable, to those organizations,  
19 firms, and individuals residing or doing business primarily in the  
20 area affected by such emergency or disaster.


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1       Section 6. Effective date. This act shall become law upon  
2 approval by the President of the Federated States of Micronesia  
3 or upon its becoming law without such approval.

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January 6, 1982

  
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Tosiwo Nakayama  
President  
Federated States of Micronesia