

## CHAPTER 2 PLANNING

### Section

- 2-101 Findings
- 2-102 Plan development: contents
- 2-103 Plan development: format
- 2-104 Plan presentation
- 2-105 Plan review: hearings
- 2-106 Plan review: revision
- 2-107 Plan enactment
- 2-108 Budget calls, requests, and submission
- 2-109 Technical assistance
- 2-110 Financial assistance for plan development
- 2-111 Local government development plans: adoption
- 2-112 Local government development plans: construction
- 2-113 Local government development plans: authority to transmit
- 2-114 Local government development plans: amendments

6 PC 2-101. Findings. It is the sense of the Pohnpei Legislature that if Pohnpei is to gain true self-reliance in the foreseeable future, the valuable participation and efforts of all its inhabitants must be recognized and fostered. In the drive toward self-reliance, the participation of local governments, closest to the heart and pulse of the people in their homes and communities, is of crucial importance. It is therefore at this level where developmental planning can have the most dramatic and beneficial influence on the future progress of our people, and it is for this level of planning and development that this statute has been enacted. Source: S.L. No. 1L-16-85 §1, 4/23/85

6 PC 2-102. Plan development: contents. Each local government, pursuant to its own constitution, ordinances, and rules, shall develop a comprehensive plan for the development of its jurisdiction and for the overall operations of its governing bodies for the next ensuing fiscal year. Such plans shall not be inconsistent with the overall Pohnpei Development Plan and shall include, but need not be limited to, the following considerations:

- (1) Development of the human and physical resources of the local jurisdiction and its inhabitants;
- (2) Protection and enhancement of the health, safety, and social well-being of the inhabitants;
- (3) Identification and preservation of the history and culture of the local jurisdiction and its inhabitants;
- (4) Conservation of the natural resources and protection of the environment of the local jurisdiction; and
- (5) Administration of government and its services to the inhabitants of the local jurisdiction.

Source: S.L. No. 1L-16-85 §2, 4/23/85

6 PC 2-103. Plan development: format. Each plan so developed by the local government shall be organized pursuant to the format to be developed by the planning official designated by the Governor for this purpose.

Source: S.L. No. 1L-16-85 §3, 4/23/85

Note: Reference to "planning advisor" has been omitted as it is not a statutory office.

6 PC 2-104. Plan presentation. Each local government, upon completion of its plan and approval thereof in the manner prescribed by the constitution, ordinances, and rules of that government, shall submit a copy thereof to the Governor under covering letter of the chief executive of the local government and a copy of the ordinance adopting such plan. Following his receipt thereof, the Governor shall inform the Legislature, in writing, of his receipt of the plan, and shall within 30 days thereafter transmit the plan to the Legislature along with his comments as to its sufficiency in respect to the requirements of 6 PC 2-101 through 6 PC 2-110 of this chapter; PROVIDED, HOWEVER that if he shall determine that the plan is materially deficient in any respect to the legal requirements of 6 PC 2-101 through 6 PC 2-110 of this chapter, he may return the plan to the local government for further work, stating his reasons therefor.

Source: S.L. No. 1L-16-85 §4, 4/23/85

6 PC 2-105. Plan review: hearings. Upon its receipt of a plan, the Legislature shall commence extensive public hearings in the jurisdiction of origin, and to the extent practical, the Governor shall provide technical assistance from his departments, offices, and agencies to the Legislature in its review of the plan. The Speaker of the Legislature and the Governor may, by agreement, further form a joint task force to assist in the review and conduct of hearings on the plan. Public officials of the local government shall be invited to all public hearings relative to their respective plan and shall be accorded an active place in the plan review process. For purposes of coordination and efficiency, the public hearings may be scheduled in a manner that hearings on the plans of each of the local governments in a geographical area will be held in a consecutive and logical sequence.

Source: S.L. No. 1L-16-85 §5, 4/23/85

6 PC 2-106. Plan review: revision. Should the plan review and public hearings reveal the need to modify the plan, it shall be returned by the Legislature to the local government with written comments as to suggested revisions therein, and thereafter the plan shall be resubmitted in the manner heretofore prescribed; PROVIDED that should the subject matter of revision have already been a matter of discussion in the previous public hearings, no additional public hearings shall be required.

Source: S.L. No. 1L-16-85 §6, 4/23/85

6 PC 2-107. Plan enactment. Following review and public hearings on each of the plans submitted by the local governments, and having approved of the technical aspects and contents thereof, the Legislature shall, by a single statute, adopt said plans as a part of the official overall development policy of Pohnpei; PROVIDED that if a local government plan has not been submitted, or if the hearing and approval process relative thereto has yet to be completed by January 30, for the plan for the next fiscal year the Legislature may enact a statute relative to such plans that have been so approved, and by later amendment to said statute provide for the adoption of subsequently approved plans.

Source: S.L. No. 1L-16-85 §7, 4/23/85

6 PC 2-108. Budget calls, requests, and submission. Following the enactment of the approval statute as prescribed above, the Governor shall, in his annual budget call, provide the local governments having approved plans with a budget figure for requesting appropriations for projects and programs identified in their respective plans. The figures so provided to the local governments shall be apportioned among the local governments on a formula established by the Governor and approved by the Legislature which shall provide for a division of at least

thirty percent (30%) of local tax revenues of Pohnpei by population on the basis of local citizenship as prescribed by Article 11 §3 of the Pohnpei Constitution. Upon receipt of the call, each local government shall prepare, in accordance with its own constitution, ordinances and rules, a budget request for appropriation for projects and operations identified in its plan for the next ensuing fiscal year, which shall be transmitted by the chief executive of the local government to the Governor for inclusion in his annual budget presentation to the Legislature. Upon finding that the projects and operations for which funding is requested fall within the respective approved plans and the funding requested falls within the levels so prescribed in the budget call, the Governor shall forward the same to the Legislature along with his comments thereon in his annual budget message to the Legislature. Requests for supplemental appropriations for projects and operations identified in the plans may be requested by the local governments at any time through submission thereof to the office of the Governor.  
Source: S.L. No. 1L-16-85 §8, 4/23/85

6 PC 2-109. Technical assistance. The Governor shall, to the extent practicable, provide technical assistance to the local governments in the development and implementation of their plans and the preparation and submission of requests for funding of projects and operations identified therein.  
Source: S.L. No. 1L-16-85 §9, 4/23/85

6 PC 2-110. Financial assistance for plan development. There is hereby authorized for appropriation from the general fund of Pohnpei an annual sum or sums to be determined and as may be allocated in the Comprehensive Budget Act for assistance to the local governments in the development of their local plans as provided in 6 PC 2-101 through 6 PC 2-110 of this chapter. All sums appropriated under the authorization of 6 PC 2-101 through 6 PC 2-110 of this chapter shall be administered and expended by the Governor solely for the purpose stated in this section. The Governor shall report to the Legislature on or before October 15 each year on all matters relative to the administration and expenditure of the sums appropriated under the authorization of 6 PC 2-101 through 6 PC 2-110 of this chapter for the previous fiscal year. Any balance of the sums so appropriated not expended or obligated for expenditure on September 30 each fiscal year for which they were appropriated shall revert to the general fund of Pohnpei.  
Source: S.L. No. 1L-16-85 §10, 4/23/85

6 PC 2-111. Local government development plans: adoption. Pursuant to Article 11 §3 of the Pohnpei Constitution and 6 PC 2-101 through 6 PC 2-110 of this chapter, the development plans of the local governments of Pohnpei for the years 1987 through 1991 are hereby adopted by the Pohnpei Legislature and declared to be part of the first Pohnpei Development Plan and herein integrated into the overall official development policy of the government of Pohnpei.  
Source: P.L. No. 1L-188-87 §1, 11/2/87

6 PC 2-112. Local government development plans: construction. The local development plans adopted by 6 PC 2-111 shall be deemed as planning documents for the purpose of guiding Pohnpei and local government officials and private sector developers in the major development goals and strategies of each respective local jurisdiction and Pohnpei. Project identifications, costs, and implementation schedules are incorporated in each of the respective plans for illustrative purposes only. Specific project descriptions, funding levels, and initiation dates or fiscal year implementation schedules shall be as provided in the various authorization

laws and the annual Comprehensive Budget Acts of the Pohnpei Government and/or annual budget acts of each respective local jurisdiction.

Source: P.L. No. 1L-188-87 §2, 11/2/87

6 PC 2-113. Local government development plans: authority to transmit. The Governor is hereby authorized to transmit the local development plans adopted by 6 PC 2-111 to all necessary and relevant persons, associations, and organizations as the components of the first overall development plan for Pohnpei.

Source: P.L. No. 1L-188-87 §3, 11/2/87

6 PC 2-114. Local government development plans: amendments. Amendments to these local development plans shall be effectuated in the manner provided by 6 PC 2-101 through 6 PC 2-110, or their successors.

Source: P.L. No. 1L-188-87 §4, 11/2/87