April 21, 2009

The Honorable Isaac V. Figir
Speaker
15th FSM Congress
Palikir, Pohnpei State, FM 96941

Dear Speaker Figir:

I am pleased to inform you that I have designated the following Congressional Act as Public Law No. 15-77:

CONGRESSIONAL ACT NO. 15-85, "AN ACT TO APPROPRIATE THE SUM OF $48,000 FROM THE GENERAL FUND OF THE FEDERATED STATES OF MICRONESIA FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2009 FOR THE PURPOSE OF FUNDING PUBLIC PROJECTS AND THE SOCIAL PROGRAM IN THE STATE OF CHUUK, AND FOR OTHER PURPOSES."

I take the opportunity to mention a little bit of history of the Act that goes back to P.L. No. 15-25, an appropriation for $366,255 from the 20% restricted funds previously allocated for Health and Education in Chuuk State. The purposes of the appropriation were originally for CPUC ($150,000) and Chuuk State Health Care Plan ($216,255). The lapse date of the appropriation was September 30, 2008.

P.L. No. 15-25 was amended on April 28, 2008 by P.L. No. 15-35, changing the breakdown of the $216,255 in the original appropriation. But the $150,000 for CPUC remained the same. P.L. No. 15-35 expressly stated that the funds would lapse on September 30, 2008.

On December 30, 2008, P.L. No. 15-62 became law further amending P.L. No. 15-25, as amended, and again changing the breakdown in the original appropriation. It is arguable that P.L. No. 15-62 was legally questionable because it amended an appropriation that already lapsed.

At any rate, C.A. No. 15-85, while referring to the same source of money as prior public laws mentioned above, is not an amendment of a lapsed appropriation. Section 1 of the act explains that the source of the funds is the leftover from the $366,255 realized out of the 20% restricted funds allocated for Health and Education is Chuuk State. The leftover is hereby appropriated anew.

I am quite pleased that the error of prior appropriation is not repeated here, therefore, I do not see any obstacle to the appropriation.

Sincerely,

Manny Mori
President

AB
Chief Justice, FSM Supreme Court
Secretary, Department of Justice
Director, Office of SBOC
Library, CFSM
Legislative Counsel, CFSM
PIO, FSM
March 30, 2009

His Excellency Manny Mori
President
Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear President Mori:

I have the honor to transmit herewith Congressional Act No. 15-85, "AN ACT TO APPROPRIATE THE SUM OF $48,000 FROM THE GENERAL FUND OF THE FEDERATED STATES OF MICRONESIA FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2009 FOR THE PURPOSE OF FUNDING PUBLIC PROJECTS AND THE SOCIAL PROGRAM IN THE STATE OF CHUUK, AND FOR OTHER PURPOSES.", which was passed by the Fifteenth Congress of the Federated States of Micronesia, Seventh Special Session, 2009, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

[Signature]

Liwiana K. Ramon
Chief Clerk, Congress of the Federated States of Micronesia

Enclosures
ACT NO. 15-85
(CONGRESSIONAL BILL NO. 15-193, C.D.1)

PRESIDENTIAL COMM. NO. 15-384
FSM CONGRESS
FIFTEENTH CONGRESS OF THE
FEDERATED STATES OF MICRONESIA
SEVENTH SPECIAL SESSION
MARCH 16 - 28, 2009

PUBLIC LAW No. 15 - 77

An Act

TO APPROPRIATE THE SUM OF $48,000 FROM THE GENERAL FUND OF THE FEDERATED STATES OF MICRONESIA FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2009 FOR THE PURPOSE OF FUNDING PUBLIC PROJECTS AND THE SOCIAL PROGRAM IN THE STATE OF CHUUK, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: PETER SITAN
DATE: MARCH 23, 2009

REFERRED TO: WAYS AND MEANS COMMITTEE
WITHDRAWN – MARCH 25, 2009
FIRST READING: MARCH 25, 2009
SECOND READING: MARCH 26, 2009

Liwiana K. Ramon
Chief Clerk, FSM Congress
ACT NO. 15-85

(CONGRESSIONAL BILL NO. 15-193, C.D.1)

We hereby certify that on March 26 the foregoing act passed Second and Final Reading of the Fifteenth Congress of the Federated States of Micronesia, Seventh Special Session, 2009, by a two-thirds vote of all the State delegations as required under article IX, section 20, of the Constitution of the Federated States of Micronesia.

Isaac V. Figir
Speaker
Congress of the Federated States of Micronesia

Liwiana K. Ramon
Chief Clerk
Congress of the Federated States of Micronesia
AN ACT

To appropriate the sum of $48,000 from the General Fund of the Federated States of Micronesia for the Fiscal Year ending September 30, 2009 for the purpose of funding Public Projects and the Social Program in the State of Chuuk, and for other purposes.

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

1. Section 1. Funding. Funding herein was previously appropriated for certain public projects and social programs in Chuuk State, which was reflected in Public Law No. 15-25, as amended. The balance of the original appropriation lapsed on September 30, 2008 and reverted back to the General Fund of the Federated States of Micronesia for fiscal year 2009. Originally, the funding was from the $366,255 realized from the 20% restricted funds previously allocated for Health and Education in Chuuk State.

2. Section 2. The sum of $48,000, or so much thereof as may be necessary, is hereby appropriated from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 2009 for the purpose of funding public projects in the State of Chuuk. The purpose of the funding is as follows:

   (a) Chuuk State leadership travel............. $ 16,000
   (b) At Large Operation.......................... 6,000
   (c) Feeding Program............................. 2,000
(d) Election District No. 2 Operation $8,000
(e) Election District No. 3
   (i) Leadership travel $4,000
   (ii) Land Transportation $4,000
(f) Election District No. 5
   (i) ED #5 Operation $4,000
   (ii) POL and Charter $4,000

Section 3. Allotment and management of funds and
lapse date. All funds appropriated by this act shall be allotted,
managed, administered and accounted for in accordance with
applicable laws, including, but not limited to, the Financial
Management Act of 1979 of the Federated States of Micronesia. The
allottee shall be responsible for ensuring that these funds, or so
much thereof as may be necessary, are used solely for the purpose
specified in this act, and that no obligations are incurred in
excess of the sum appropriated. The allottee of the funds
appropriated under this act shall be the Chuuk State Commission on
Improvement Project (CSCIP). The authority of the allottee to
obligate funds appropriated by this act shall not lapse.
Section 4. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

Manny Mori
President
Federated States of Micronesia

04-21, 2009