



The President
Palikir, Pohnpei
Federated States of Micronesia

PRESIDENTIAL COMM. NO. 16-26
FSM CONGRESS

June 29, 2009

The Honorable Isaac V. Figir
Speaker
16th FSM Congress
Palikir, Pohnpei State, FM 96941

Dear Speaker Figir:

Transmitted herewith is the following Congressional Act, which has become Public Law No. 16-2 without my signature.

CONGRESSIONAL ACT NO. 16-3, "AN ACT TO AMEND PUBLIC LAW NO. 15-31, AS AMENDED, BY AMENDING SECTIONS 1 AND 2 THEREOF, TO CHANGE THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN FOR THE STATE OF POHNPEI, AND FOR OTHER PURPOSES."

I wish to reiterate and elaborate the concern I had with similar legislation of this nature – Public Law No. 15-83, where the incessant changes in public project appropriations could be interpreted as indecision, or weakness, on our part as government planners and decision-makers. I should likewise reiterate that while I do not oppose public projects, this routine and repetitive practice should be exercised with extreme caution to avoid public misinterpretation.

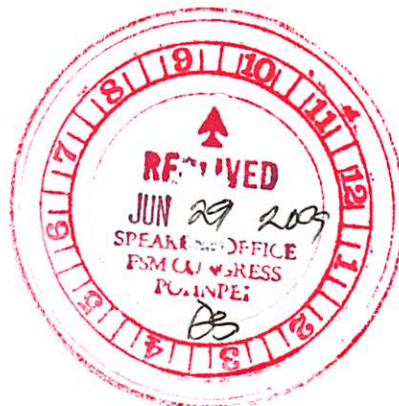
Moreover, I commend Congress and its staff for preparing a standing committee report documenting the detailed changes in the act which no doubt facilitated presidential review. However, I should like to point out that the report categorically mentions that there are only two changes introduced by the act, and yet another change consisting of an entirely new line item was not mentioned at all. I do not see serious legal or constitutional issue with the situation; however, it keeps me wondering whether or not the omission was plain oversight.

Sincerely,

Manny Mori
President

Enclosure:

xc: Chief Justice, FSM Supreme Court
Secretary, Department of Justice
Director, Office of SBOC
Library, CFSM
Legislative Counsel, CFSM
PIO, FSM





Office of the Chief Clerk

CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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PRESIDENTIAL COMM. NO. 16-26
FSM CONGRESS



May 28, 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. 16-3, "AN ACT TO AMEND PUBLIC LAW NO. 15-31, AS AMENDED, BY AMENDING SECTIONS 1 AND 2 THEREOF, TO CHANGE THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN FOR THE STATE OF POHNPEI, AND FOR OTHER PURPOSES.", which was passed by the Sixteenth Congress of the Federated States of Micronesia, First Regular Session, 2009, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Liwiana".

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

Enclosures

PUBLIC LAW No. 16-2



SIXTEENTH CONGRESS OF THE
FEDERATED STATES OF MICRONESIA
FIRST REGULAR SESSION
MAY 11-30, 2009

PRESIDENTIAL COMM. NO. 16-24
FSM CONGRESS

An Act

TO AMEND PUBLIC LAW NO. 15-31, AS AMENDED, BY AMENDING SECTIONS 1 AND 2 THEREOF, TO CHANGE THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN FOR THE STATE OF POHNPEI, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: DOHSIS HALBERT

DATE: MAY 11, 2009

REFERRED TO: WAYS AND MEANS COMMITTEE
S.C.R. NO. 16-3 – MAY 25, 2009

FIRST READING: MAY 25, 2009

SECOND READING: MAY 26, 2009

Liwiana K. Ramon
Chief Clerk, FSM Congress



Office of the Speaker

*Congress of the
Federated States of Micronesia*

*Palikir, Pohnpei
Federated States of Micronesia*

PRESIDENTIAL COMM. NO. 16-26
FSM CONGRESS

ACT NO. 16-3

(CONGRESSIONAL BILL NO. 16-04, C.D.1)

We hereby certify that on May 26 the foregoing act passed
Second and Final Reading of the Sixteenth Congress of the
Federated States of Micronesia, First Regular 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.

A handwritten signature in black ink, appearing to read "Isaac V. Figir".

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

A handwritten signature in blue ink, appearing to read "Liwiana K. Ramon".

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

SIXTEENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIRST REGULAR SESSION, 2009

CONGRESSIONAL BILL NO. 16-04, C.D.1

PUBLIC LAW No. 16-2

AN ACT

To amend Public Law No. 15-31, as amended, by amending Sections 1 and 2 thereof, to change the use and allottee of certain funds previously appropriated therein for the State of Pohnpei, and for other purposes.

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

1 Section 1. Section 1 of Public Law No. 15-31, as amended by
2 Public Laws Nos. 15-54 and 15-79, is hereby further amended to
3 read as follows:

4 "Section 1. The sum of \$342,000 is hereby appropriated
5 from the General Fund of the Federated States of
6 Micronesia for the fiscal year ending September 30, 2008
7 for the purpose of funding public projects in the State
8 of Pohnpei, and is apportioned as follows:

9	(1) Kapingamarangi Airport.....	\$ 113,470
10	(2) Kolonia Town Court House.....	42,000
11	(3) Upper Ipwal to Upper Roie	
12	Road construction.....	96,080
13	(4) Tomara Road concrete completion.....	10,000
14	(5) Nanmadap Road concrete completion....	5,000
15	(6) Students' financial assistance (COM-FSM)	4,000
16	(7) Project management.....	43,920
17	(8) Kapingamarangi Bridge repair.....	24,530
18	(9) Construction related equipment	
19	(wheelbarrow and push-cart).....	3,000"

1 Section 2. Section 2 of Public Law No. 15-31 is hereby
2 further amended to read as follows:

3 "Section 2. Allotment and management of funds and lapse
4 date. All funds appropriated by this act shall be
5 allotted, managed, administered and accounted for in
6 accordance with applicable laws, including, but not
7 limited to, the Financial Management Act of 1979. The
8 allottee shall be responsible for ensuring that these
9 funds, or so much thereof as may be necessary, are used
10 solely for the purpose specified in this act, and that
11 no obligations are incurred in excess of the sum
12 appropriated. The allottee of the funds appropriated
13 under subsections 1(1) and 1(8) of this act shall be the
14 Chief Magistrate of Kapingamarangi. The allottee of the
15 funds appropriated under subsections 1(2), 1(3), 1(4),
16 1(5), 1(6), 1(7) and 1(9) of this act shall be the
17 President of the Federated States of Micronesia. The
18 authority of the allottee to obligate funds appropriated
19 by this act shall not lapse."

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

_____, 2009

Law w/put signature

06-29-09

Manny Mori
President
Federated States of Micronesia