February 24, 2011

The Honorable Isaac V. Figir
Speaker
17th FSM Congress
Palikir, Pohnpei, FM 96941

Dear Speaker Figir:

I hereby designate the following congressional act which I have signed to become Public Law No. 17-37 as follows:

Congressional Act No. 17-36, "AN ACT TO FURTHER AMEND SECTION 1 OF PUBLIC LAW NO. 16-23, AS AMENDED BY PUBLIC LAW NO. 16-29, TO CHANGE THE USE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN FOR THE STATE OF CHUUK, AND FOR OTHER PURPOSES.

The congressional act amends –for the second time – appropriation for public projects that originally passed on February 10, 2010. Amendment to the appropriation took effect one month later. Both the original appropriation and the subsequent amendment became public laws without signature.

Again, I am faced with a similar or equally difficult dilemma resulting from the constant amendments for public projects. I observe a constitutional defect in the congressional act. The act amends certain funding for Chuuk State and Pohnpei State, and yet the title of the act mentions of amendment only for Chuuk State. This may sound too technical, nevertheless, the constitution requires that: "A bill may embrace but one subject expressed in its title. A provision outside the subject express in the title is void." Art. IX Sec. 21, FSM Constitution.

Furthermore, I have been advised by SBOC and Finance that funding was allotted and expended for the original project and thus, funding is not available at this time for the propose project.

In view of these discrepancies and given equal considerations to other viable projects under this act, I am left with no alternative option but to line item veto line 17 of page 1 of this act which allocates $30,000 for the "National Prayer Day" for Election District No.1, State of Pohnpei.

Given the reasons in support of my decision, I urge Congress to take appropriate measure in its next session to rectify these discrepancies.

Sincerely,

[Signature]

Manny Mori
President

Enclosure:

Chief Justice, FSM Supreme Court
Acting Secretary, Department of Justice
Director, Office of SBOC
Legislative Counsel, CFSM
Library, CFSM
PIO, FSM
February 10, 2012

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. 17–36, "AN ACT TO FURTHER AMEND SECTION 1 OF PUBLIC LAW NO. 16–23, AS AMENDED BY PUBLIC LAW NO. 16–29, TO CHANGE THE USE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN FOR THE STATE OF CHUUK, AND FOR OTHER PURPOSES.", which was passed by the Seventeenth Congress of the Federated States of Micronesia, Third Regular Session, 2012, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

Liwiana Ramon Ioanis
Chief Clerk, Congress of the Federated States of Micronesia

Enclosures
An Act

TO FURTHER AMEND SECTION 1 OF PUBLIC LAW NO. 16-23, AS AMENDED BY PUBLIC LAW NO. 16-29, TO CHANGE THE USE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN FOR THE STATE OF CHUUK, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: FLORENCIO S. HARPER
DATE: FEBRUARY 7, 2012

REFERRED TO: COMMITTEE ON WAYS AND MEANS
WITHDRAWN – FEBRUARY 7, 2012
FIRST READING: FEBRUARY 7, 2012
SECOND READING: FEBRUARY 8, 2012

Liwiana Ramon Ioannis
Chief Clerk, FSM Congress
ACT NO. 17-36

(Congessional Bill No. 17-99)

We hereby certify that on February 8 the foregoing act passed Second and Final Reading of the Seventeenth Congress of the Federated States of Micronesia, Third Regular Session, 2012, 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 Ramon Ioanis
Chief Clerk
Congress of the
Federated States of Micronesia
AN ACT

To further amend section 1 of Public Law No. 16-23, as amended by Public Law No. 16-29, to change the use of certain funds previously appropriated therein for the State of Chuuk, 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. 16-23, as amended by Public Law No. 16-29, is hereby further amended to read as follows:

"Section 1. Appropriation. The sum of $199,000, 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, 2010, for the purpose of funding Economic and Social Projects and Programs in the State of Kosrae, Pohnpei and Chuuk. The funds appropriated under this section shall be apportioned as follows:

(1) State of Kosrae ......................... $5,000

(a) Students' transportation needs... 5,000

(2) State of Pohnpei ....................... 30,000

(a) Election District No. 1

(i) National Prayer Day... 30,000

(3) State of Chuuk ....................... 164,000

(a) At-Large ......................... 49,000"
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Section 2. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

February 24, 2012

Manny Mori
President
Federated States of Micronesia