October 14, 2022

The Honorable Wesley W. Simina
Speaker
Twenty-Second Congress
Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear Speaker Simina:

I am pleased to transmit the following congressional act, which I have vetoed for the reason stated in this transmittal:


I have been advised that this act involves in part the designation of two allottees for “Access road paving (Kaun and Whei, Kitt).” The designated allottees are the Luken en Moanlap of Kitt and the Pohnpei Transportation Authority. This is an invalid designation of allottees because they are separate entities—one is not under the authority of another. Given this conflicting designation of allottees, the appropriation cannot be implemented. Since I could not item-veto a designation of allottee, I have no other choice but veto the entire act and allow the FSM Congress to designate a single allottee at the next session.

Thank you.

Sincerely,

David W. Panuelo
President
September 20, 2022

His Excellency David W. Panuelo
President
Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear President Panuelo:

I have the honor to transmit herewith Congressional Act No. 22-147, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 19-124, AS AMENDED BY PUBLIC LAWS NOS. 19-133, 19-140, 19-150, 20-05, 20-15, 20-33, 20-48, 20-63, 20-71, 20-156, 20-175, 21-22, 21-52, 21-146, 21-195, 21-213, 21-244, 22-62 AND 22-111, BY AMENDING SECTION 6 THEREOF, TO CHANGE THE ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, TO FUND PRIORITY INFRASTRUCTURE PROJECTS AND OTHER PROGRAMS IN THE STATE OF POHNPEI, AND FOR OTHER PURPOSES", which was passed by the Twenty-Second Congress of the Federated States of Micronesia, Fifth Regular Session, 2022, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

Jessica Lyn Reyes
Chief Clerk, Congress of the Federated States of Micronesia

Enclosures
An Act


INTRODUCED BY SENATOR: PETER M. CHRISTIAN
DATE: SEPTEMBER 05, 2022

REFERRED TO: WAYS AND MEANS COMMITTEE
WITHDRAWN – SEPTEMBER 08, 2022

FIRST READING: SEPTEMBER 08, 2022
SECOND READING: SEPTEMBER 12, 2022

Jessicalyn Reyes
Chief Clerk, FSM Congress
ACT NO. 22-147

(CONGRESSIONAL BILL NO. 22-233)

We hereby certify that on September 12 the foregoing act passed Second and Final Reading of the Twenty-Second Congress of the Federated States of Micronesia, Fifth Regular Session, 2022, 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.

Wesley W. Simina
Speaker
Congress of the Federated States of Micronesia

Jessicalynn Reyes
Chief Clerk
Congress of the Federated States of Micronesia
AN ACT


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


"Section 6. 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. 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 section 2 of this act shall be the Governor of the State of Yap or his designee. The allottee of the funds appropriated under sections 3 and 4 of this act..."
shall be the President of the Federated States of Micronesia or his designee; PROVIDED THAT, the allottee of funds appropriated under subsections 3(1)(a) and 3(1)(b) of this act shall be the Governor of Kosrae State or his designee, the allottee of funds appropriated under subsections 4(1)(c), 4(1)(d), 4(1)(e), 4(1)(g), 4(1)(h), 4(1)(i), 4(1)(j) 4(1)(k), 4(1)(l), 4(1)(m), 4(1)(n) 4(1)(o), 4(2)(f), 4(3)(k), 4(3)(q), 4(3)(s), 4(3)(af), 4(4)(b), 4(4)(d) and 4(4)(f), shall be the Pohnpei Transportation Authority (PTA); the allottee of funds appropriated under subsections 4(1)(a), 4(1)(b), 4(1)(f), 4(2)(c), 4(2)(d), 4(2)(e), 4(2)(g), 4(2)(h), 4(2)(i), 4(2)(j), 4(3)(x), and 4(3)(o) shall be the Secretary of the Department of Transportation, Communications and Infrastructure or his designee; the allottee of funds appropriated under subsections 4(3)(f), 4(3)(i), 4(3)(q) 4(3)(w) and 4(3)(aa) of this act shall be the Luhk en Moanalp of Kitt, the allottee of funds appropriated under subsection 4(3)(ad) of this act shall be the Chief Justice of Madolenihmw or his designee, the allottee of funds appropriated under subsection 4(3)(ae) of this act shall be the Chief Justice of Kitt or his designee. The allottee of the funds appropriated under subsections 4(3)(ak) and
4(3)(ao) of this act shall be the Vice President of the Federated States of Micronesia or his designee; the allottee of funds appropriated under subsection 4(3)(al) of this act shall be the Meninkede Lapalap of Madolenihmw Municipal Government or his designee.

The allottee of funds appropriated under subsections 5(1)(2) and 5(1)(7) of this act shall be the Governor of Chuuk State or his designee; the allottee of funds appropriated under subsection 5(1)(3) of this act shall be the Mortlock Islands Development Authority (MIDA); the allottee of funds appropriated under subsections 5(1)(1) and 5(1)(4) of this act shall be the Mayor of Weno Municipal Government or his designee; EXCEPT THAT the allottee of funds appropriated under subsection 5(1)(m) of this act shall be the FSM Telecommunication Corporation; the allottee of funds appropriated under subsection 5(1)(5) of this act shall be the Southern Namoneas Development Authority (SNDA); the allottee of funds appropriated under subsection 5(1)(6) of this act shall be the Faichuk Development Authority. The authority of the allottee to obligate funds appropriated by this act shall lapse on September 30, 2024."
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.

_________________________, 2022

David W. Panuelo
President
Federated States of Micronesia