October 6, 2023

The Honorable Esmond B. Moses
Speaker
Twenty-third Congress
Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear Speaker Moses,

I am pleased to transmit the following act, which I have signed to become Public Law No. 23-33:

Congressional Act No. 23-39, entitled: "AN ACT TO APPROPRIATE THE SUM OF $2,000,000 FROM THE GENERAL FUND OF THE FEDERATED STATES OF MICRONESIA FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023, FOR THE PURPOSE OF FUNDING SHORT-TERM LOANS TO STATES TO PROVIDE FUNDING FOR CONTINUED AND UNINTERRUPTED OPERATIONS OF STATE GOVERNMENTS, TO BE REPAID FROM SAID STATE’S SHARE OF FISHING ACCESS FEES, AND FOR OTHER PURPOSES."

I wish to thank you, Speaker Moses, and your esteemed Members of the 23rd FSM Congress for the passage of this act.

Sincerely,

Wesley W. Simina
President

xc: Chief Justice, FSM Supreme Court
September 28, 2023

His Excellency Wesley W. Simina
President
Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear President Simina:

I have the honor to transmit herewith Congressional Act No. 23-39, "AN ACT TO APPROPRIATE THE SUM OF $2,000,000 FROM THE GENERAL FUND OF THE FEDERATED STATES OF MICRONESIA FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023, FOR THE PURPOSE OF FUNDING SHORT-TERM LOANS TO STATES TO PROVIDE FUNDING FOR CONTINUED AND UNINTERRUPTED OPERATIONS OF STATE GOVERNMENTS, TO BE REPAID FROM SAID STATE’S SHARE OF FISHING ACCESS FEES, AND FOR OTHER PURPOSES", which was passed by the Twenty-Third Congress of the Federated States of Micronesia, Second Regular Session, 2023, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

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

Enclosures
An Act

TO APPROPRIATE THE SUM OF $2,000,000 FROM THE GENERAL FUND OF THE FEDERATED STATES OF MICRONESIA FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023, FOR THE PURPOSE OF FUNDING SHORT-TERM LOANS TO STATES TO PROVIDE FUNDING FOR CONTINUED AND UNINTERRUPTED OPERATIONS OF STATE GOVERNMENTS, TO BE REPAID FROM SAID STATE’S SHARE OF FISHING ACCESS FEES, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: ISAAC V. FIGIR
DATE: SEPTEMBER 18, 2023

REFERRED TO: WAYS AND MEANS COMMITTEE
WITHDRAWN – SEPTEMBER 26, 2023

FIRST READING: SEPTEMBER 26, 2023
SECOND READING: SEPTEMBER 27, 2023

Jessicaalynn Reyes
Chief Clerk, FSM Congress
ACT NO. 23-39

(CONGRESSIONAL BILL NO. 23-54, C.D.1, C.D.2)

We hereby certify that on September 27 the foregoing act passed Second and Final Reading of the Twenty-Third Congress of the Federated States of Micronesia, Second Regular Session, 2023, 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.

Esmond B. Moses
Speaker
Congress of the Federated States of Micronesia

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

To appropriate the sum of $2,000,000 from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 2023, for the purpose of funding short-term loans to States to provide funding for continued and uninterrupted operations of State Governments, to be repaid from said State's share of fishing access fees, and for other purposes.

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

1. Section 1. Purpose. The purpose of this Act is to provide funding for short-term loans to States that need temporary financial assistance for continued and uninterrupted operations while awaiting receipt of 2023 Compact Funds.

2. Section 2. Appropriation. The sum of $2,000,000 is hereby appropriated from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 2023, for the purpose of funding short-term loans to the States, subject to the conditions below. The funds appropriated under this section shall be apportioned as follows:

3. Section 3. A State facing a budgetary shortfall for fiscal year 2024 may apply for a short-term loan from the National Government; PROVIDED THAT, said loan shall be repaid by deducting the loan amount from that State's share of fishing access fees prior to any other fishing access fee revenue being distributed to the State. Prior to the execution of a loan...
1 agreement with the State's(1) the Secretary of Finance shall
2 conduct a review of the State's fiscal position and find the
3 loan is necessary for the continued operations of the State; and
4 (2) the applicable State Legislature must approve the guarantee
5 of payment.
6 Section 4. The Secretary of Finance and Administration is
7 authorized to enter into loan agreements with a State to
8 effectuate the provisions of this Act.
9 Section 5. Allotment and management of funds and lapse
10 date. All funds appropriated by this act shall be allotted,
11 managed, administered and accounted for in accordance with
12 applicable laws, including, but not limited to, the Financial
13 Management Act of 1979. The allottee shall be responsible for
14 ensuring that these funds, or so much thereof as may be
15 necessary, are used solely for the purpose specified in this
16 act, and that no obligations are incurred in excess of the sum
17 appropriated. The allottee of the funds appropriated under this
18 act shall be the President. The authority of the allottee under
19 this act may be sub-allotted to a cabinet secretary or
20 secretaries in accordance with the Financial Management Act and
21 shall lapse on September 30, 2024.
Section 6. This Act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

October 06, 2023

Wesley W. Simina
President
Federated States of Micronesia