



The President
Palikir, Pohnpei
Federated States of Micronesia

PRESIDENTIAL COMM. NO. 20-341
FSM CONGRESS

October 11th, 2018

The Honorable Wesley W. Simina
Speaker
Twentieth Congress of the of the Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear Speaker Simina:

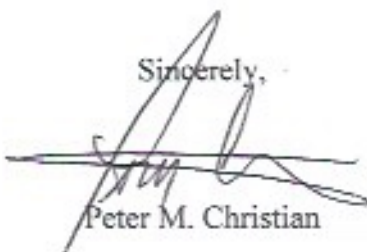
I am pleased to transmit the following congressional act, which I have signed to become Public Law No. 20-134:

Congressional Act No. 20-140, entitled: "AN ACT TO RENUMBER THE SECTIONS CREATED BY PUBLIC LAW NO. 20-130, TO CLARIFY THE SOURCE OF THE FUNDS DEPOSITED INTO THE FSM TRUST FUND PURSUANT TO THE NEW SECTION OF TITLE 54 OF THE CODE OF FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED, TO CHANGE THE EFFECTIVE DATE OF THE TRANSFER OF FISHING ACCESS FEES INTO THE FSM TRUST FUND UNDER SECTION 1223 OF TITLE 55 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED, AND FOR OTHER PURPOSES."

Although I signed this act into law, questions remain in my mind regarding the propriety and the formality of this amendment. I have been informed of the constitutional requirement that a bill must embrace one subject expressed in its title. This act has more than one subject, and the intended amendment to rectify the source of funds to be deposited in the FSM Trust Fund is not clearly expressed on the title. For this reason, there is doubt on whether this amendment gives adequate remedy to the errors found in Public Law No. 20-130.

Thank you.

Sincerely,



Peter M. Christian

xc: Chief Justice, FSM Supreme Court





Office of the Chief Clerk

CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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PRESIDENTIAL COMM. NO. 20-341
FSM CONGRESS

October 03, 2018

His Excellency Peter M. Christian
President
Federated States of Micronesia
Palikir, Pohnpei FM 96941



Dear President Christian:

I have the honor to transmit herewith Congressional Act No. 20-140, "AN ACT TO RENUMBER THE SECTIONS CREATED BY PUBLIC LAW NO. 20-130, TO CLARIFY THE SOURCE OF THE FUNDS DEPOSITED INTO THE FSM TRUST FUND PURSUANT TO THE NEW SECTION OF TITLE 54 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED, TO CHANGE THE EFFECTIVE DATE OF THE TRANSFER OF FISHING ACCESS FEES INTO THE FSM TRUST FUND UNDER SECTION 1223 OF TITLE 55 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED, AND FOR OTHER PURPOSES.", which was passed by the Twentieth Congress of the Federated States of Micronesia, Fifth Regular Session, 2018, 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



Office of the Speaker

CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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PRESIDENTIAL COMM. NO. 20-341
FSM CONGRESS

ACT NO. 20-140

(CONGRESSIONAL BILL NO. 20-254, C.D.1)

We hereby certify that on October 1 the foregoing act passed Second and Final Reading of the Twentieth Congress of the Federated States of Micronesia, Fifth Regular Session, 2018, 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 "Wesley W. Simina".

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

A handwritten signature in black ink, appearing to read "Liwiana Ramon Ioanis".

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

AN ACT

To renumber the sections created by Public Law No. 20-130, to clarify the source of the funds deposited into the FSM Trust Fund pursuant to the new section of title 54 of the Code of the Federated States of Micronesia (Annotated), as amended, to change the effective date of the transfer of fishing access fees into the FSM Trust Fund under section 1223 of title 55 of the Code of the Federated States of Micronesia (Annotated), as amended, 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 correct
2 technical errors in the numbering of the new sections created by
3 Public Law No. 20-130, and to clarify that fifty percent (50%) of
4 the tax collected pursuant to section 321 of title 54 of the Code
5 of the Federated States of Micronesia (Annotated), as amended,
6 shall be deposited into the FSM Trust Fund.

7 Section 2. Section 1 of Public Law No. 20-130 is hereby
8 amended to read as follows:

9 "Section 1. Title 55 of the Code of the Federated
10 States of Micronesia (Annotated), as amended, is hereby
11 further amended by adding a new section 1223, to read as
12 follows:

13 'Section 1223. Transfer of Fishing Access Fees. Twenty
14 percent (20%) of all National Government revenue
15 deriving from fishing access fees collected in a fiscal
16 year shall be deposited into the FSM Trust Fund. The
17 Department of Finance and Administration shall be

1 responsible for transmitting a report to Congress no
2 fewer than ten (10) days prior to any Congressional
3 session, indicating the portion of any new available
4 appropriable revenue derived from fishing access fees
5 that is to be deposited into the FSM Trust Fund. This
6 section shall take effect on October 1, 2019.'"

7 Section 3. Section 2 of Public Law No. 20-130 is hereby
8 amended to read as follows:

9 "Section 2. Title 54 of the Code of the Federated
10 States of Micronesia (Annotated), as amended, is hereby
11 further amended by adding a new section 325 to read as
12 follows:


13 'Section 325. Fifty percent (50%) of the tax generated
14 pursuant to section 321 of this title shall be deposited
15 into the FSM Trust Fund.'"

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1 Section 4. This act shall become law upon approval by the
2 President of the Federated States of Micronesia or upon its
3 becoming law without such approval.

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10/11, 2018


Peter M. Christian
President
Federated States of Micronesia

PUBLIC LAW No. 20-134