CONGRESS OF THE FEDERATED STATES OF MICRONESIA
P. O. Box PS 3
Palikir, Sokehs
Pohnpei State. FM 96941
Tel. (691) 320-2324/2325/2326/2327/2337/2338/2707
Telex: 729-6809 Fax: (691) 320-5122

COMMITTEE ON
WAYS AND MEANS

STANDING COMMITTEE REPORT NO. 21-51

RE: C.A. NO. 21-146 (P.C. N0. 21-321)/W&M

SUBJECT: VETO OVERRIDE

JULY 02, 2020

The Honorable Wesley W. Simina
Speaker, Twenty-First Congress
Federated States of Micronesia
Sixth Special Session, 2020

Dear Mr. Speaker:

Your Committee on Ways and Means to which was referred Presidential Communication No. 21-321, regarding the veto of Congressional Act No. 21-146, entitled:

> "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 AND 21-52, BY AMENDING SECTION 6 THEREOF, TO CHANGE THE LAPSE DATE OF FUNDS PREVIOUSLY APPROPRIATED THEREIN, TO FUND PRIORITY INFRASTRUCTURE PROJECTS AND OTHER PROGRAMS IN THE STATE OF CHUUK, AND FOR OTHER PURPOSES.",

begs leave to report as follows:

The intent and purpose of this act are expressed in its title.

Your Committee has reviewed Congressional Act No. 21-146, and the accompanying veto message (P.C. No. 21-321). Your Committee notes that when the President vetoed the first Congressional Act on this same public law he specifically indicated in his veto message the funds that were available. Your Committee followed those figures when drafting and passing this act. Now the

STANDING COMMITTEE REPORT NO. 21-57

RE: C.A. NO. 21-146 (P.C. NO. 21-321)/W&M

SUBJECT: VETO OVERRIDE

JUNE 02, 2020

Executive is stating that those fund balances are already allotted. Your Committee is aware that the balances have been allotted but the entire fund balance has been frozen and no obligation has been processed against the said balances. Simply allotting funds does not mean an obligation has been created. Therefore, your Committee has reviewed the President's comments in P.C. No. 21-321 and your Committee has determined that the veto is purely based on policy.

CONCLUSION

Your Committee has reviewed the veto of Congressional Act No. 21-146 and the veto message (P.C. No. 21-321). Your Committee finds that the decision made by the Executive was made based on policy and not on a legal or constitutional defect of the Act. Your Committee recommends overriding the veto of Congressional Act No. 21-146.

STANDING COMMITTEE REPORT NO. 21-57

RE: C.A. NO. 21-146 (P.C. NO. 21-321)/W&M

SUBJECT: VETO OVERRIDE

JUNE 02, 2020

Respectfully submitted,

Isaac V. Figir, chairman

Dion G. Neth, member

Victor V. Gouland, member

Robson U. Romolow, member

Ferny S. Perman, member

Joseph J. Urusemal, member

Paliknow K. Welly, member

STANDING COMMITTEE REPORT NO. 21-51

RE: C.A. NO. 21-146 (P.C. NO. 21-321)/W&M

SUBJECT: VETO OVERRIDE

JUNE 02, 2020

Respectfully submitted,

Isaac V. Figir, chairman

Dion G. Neth, member

Victor V. Gouland, member

Robson U. Romolow, member

Ferny S. Perman, member

Joseph J. Urusemal, member

Paliknow K. Welly, member

The President
Palikir, Pohnpei
Federated States of Micronesia

PRESIDENTIAL COMM. NO. 21-321
FSM CONGRESS

June 23, 2020

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

Dear Speaker Simina:

I am transmitting the following Congressional Act, which I have vetoed for the reasons stated below:

> Congressional Act No. 21-146, entitled: "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 AND 21-52, BY AMENDING SECTIONS 5 AND 6 THEREOF, TO CHANGE THE USE, ALLOTTEE AND LAPSE DATE OF FUNDS PREVIOUSLY APPROPRIATED THEREIN, TO FUND PRIORITY INFRASTRUCTURE PROJECTS AND OTHER PROGRAMS IN THE STATE OF CHUUK, AND FOR OTHER PURPOSES".

These projects for PL 21-52 for Chuuk project had been allotted. Department of Finance had certified that there are not sufficient funds to accommodate proposed changes. Therefore, I respectfully veto this Act. Thank you.

Sincerely,

David W. Panuelo
President

Enclosure:

RECEIVED
JUN 23 2020
FSM Congress
Speakers Office

CONGRESS OF THE FEDERATED STATES OF MICRONESIA
P.O. Box PS 3
Palikir, Sokehs Pohnpei State, FM 96941
Tel: (691) 320-2324 / 2338 Fax: (691) 320-5122

Office of the Chief Clerk

PRESIDENTIAL COMM. NO. 21-321
FSM CONGRESS

June 8, 2020

RECEIVED
JUN 8 2020
Office of the President FSM

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. 21-146, "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 AND 21-52, BY AMENDING SECTIONS 5 AND 6 THEREOF, TO CHANGE THE USE, ALLOTTEE AND LAPSE DATE OF FUNDS PREVIOUSLY APPROPRIATED THEREIN, TO FUND PRIORITY INFRASTRUCTURE PROJECTS AND OTHER PROGRAMS IN THE STATE OF CHUUK, AND FOR OTHER PURPOSES", which was passed by the Twenty-First Congress of the Federated States of Micronesia, Fourth Regular Session, 2020, 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

ACT NO. 21-146
(CONGRESSIONAL BILL NO. 21-221, C.D.1)

PRESIDENTIAL COMM. NO. 21-321
FSM CONGRESS

TWENTY-FIRST CONGRESS OF THE
FEDERATED STATES OF MICRONESIA
FOURTH REGULAR SESSION
MAY 11 - 30, 2020
(EXTENDED BY C.R. NO. 21-157, ADOPTED 5/30/20)

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 AND 21-52, BY AMENDING SECTIONS 5 AND 6 THEREOF, TO CHANGE THE USE, ALLOTTEE AND LAPSE DATE OF FUNDS PREVIOUSLY APPROPRIATED THEREIN, TO FUND PRIORITY INFRASTRUCTURE PROJECTS AND OTHER PROGRAMS IN THE STATE OF CHUUK, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: VICTOR V. GOULAND

DATE: MAY 20, 2020

REFERRED TO: COMMITTEE ON WAYS AND MEANS

WITHDRAWN – MAY 26, 2020

FIRST READING: – MAY 27, 2020

SECOND READING: – JUNE 03, 2020

Liwiana Ramon Ioanis
Chief Clerk, FSM Congress

Office of the Speaker

CONGRESS OF THE FEDERATED STATES OF MICRONESIA
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Pohnpei State, FM 96941
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PRESIDENTIAL COMM. NO. 21-321
FSM CONGRESS

ACT NO. 21-146

(CONGRESSIONAL BILL NO. 21-221, C.D.1)

We hereby certify that on June 03 the foregoing act passed Second and Final Reading of the Twenty-First Congress of the Federated States of Micronesia, Fourth Regular Session, 2020, 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

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

TWENTY-FIRST CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FOURTH REGULAR SESSION, 2020 CONGRESSIONAL BILL NO. 21-221, C.D.1

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 and 21-52, by amending sections 5 and 6 thereof, to change the use, allottee and lapse date of funds previously appropriated therein, to fund priority infrastructure projects and other programs in the state of Chuuk, and for other purposes.

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

Section 1. Section 5 of Public Law No. 19-124, as amended by Public Laws Nos. 19-140, 19-150, 20-05, 20-15, 20-48, 20-175 and 21-52, is hereby further amended to read as follows:

"Section 5. Of the $11,300,000 appropriated under this act, $5,650,000 shall be apportioned for priority infrastructure projects and other programs in the state of Chuuk.

(1) state of Chuuk ..... $	5,650,000
(a) Land outright acquisition for Chuuk State and prior year obligations	1,646,186
(b) Road improvement, upgrade/ equipment/municipal docks/bridges	870,341
(c) Ms. Chief Mailo repair	-0-
(d) Administration cost & management	150,000
(e) Public safety and jailhouse supplemental funding	400,000
(f) Second phase renovation of	

Chuuk House in Honolulu, Hawaii	$	400,000
(g) Chuuk State Health Insurance Plan subsidy		100,000
(h) Chuuk State Inaugurations including previous expenses		50,000
(i) Chuuk Leadership conference (2017)		50,000
(j) Chuuk Goodwill Games (2017)		50,000
(k) Chuuk State special programs/travel		50,000
(l) Food Relief Fund		200,000
(m) Piss Paneu cell phone tower		60,000
(n) Nepukos bridge/road improvement		205,500
(2) At Large		324,658
(a) Uman Sopota Community Water Project		45,000
(b) Land Transportation		60,000
(c) House repairs/renovations/improvements		65,000
(d) Contributions to State, Municipal and Community activities, events and programs		36,658
(e) Fishing projects		68,000
(f) Women Home Economic Projects ...		10,000
(g) Students financial assistance ..		10,000
(h) Family water and sanitation projects		20,000
(i) Allottee's adminstrative support Costs including prior obligations		10,000
(3) Election District No. 1		218,663
(a) Fishing Projects		108,000

(b) Communication system ..... $	8,663
(c) Solar and Electrical Power generators and equipment	49,500
(d) Water and sanitation projects ..	30,000
(e) Municipal and community special occasions	22,500
(4) Election District No. 2	218,663
(a) Food Security	30,000
(b) Housing and Community Halls repair/renovation	100,000
(c) Water project	20,633
(d) Administrative support costs ...	20,000
(e) Municipal subsidy	10,000
(f) Seawall/retaining wall	10,000
(g) Land transportation	10,000
(h) POL/Freights/Charters	10,000
(i) Leadership conference	8,000
(5) Election District No. 3	218,663
(a) Tonoas Election 2020	15,000
(b) SNDA Administrative costs	25,000
(c) Sewing Projects	10,000
(d) Fishing projects	105,000
(e) Purchase of medicine	10,000
(f) Land transportation	45,000
(g) POL/Freight/Charters	8,663

(6) Election District No. 4	$	218,663
(a) Fishing Projects		60,000
(b) Housing Renovation/Repair		40,000
(c) Food Relief Program		30,000
(d) Faichuk Development Authority Administrative cost		20,000
(e) Municipal Governments election .		10,000
(f) Filling materials		7,500
(g) Land transportation		30,000
(h) Office rental		10,000
(i) Water projects		11,163
(7) Election District No. 5		218,663
(a) Community, Municipal activities/ events/programs		30,000
(b) Low Income/Community Housing Renovation/Rehabilitation		50,000
(c) Land transportation		18,000
(d) Administrative support costs ...		10,000
(e) Fishing projects		30,000
(f) POL/Freight/Charters		10,663
(g) Northwest citizen outstanding balance at Genesis		5,000
(h) Food relief program		20,000
(i) Solar Freezers		40,000

(j) Northwest citizen retaining wall subsidy ..... $ 5,000

Section 2. Section 6 of Public Law No. 19-124, as amended by Public Laws Nos. 19-133, 19-140, 20-05, 20-15, 20-33, 20-48, 20-63, 20-156 and 21-22, is hereby further amended to read as follows:

"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) through 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) and 4(3)(x) 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 Moanlap of Kitti, 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 Kitti or his designee. The allottee of the 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)(n) and 5(1)(4) of this act shall be the Mayor of Weno Municipal Government or his designee; 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, 2022."

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.

_____, 2020

Disapproved
6-23-20

David W. Panuelo
President
Federated States of Micronesia