



The President
Palikir, Pohnpei
Federated States of Micronesia

PRESIDENTIAL COMM. NO. 16-85
FSM CONGRESS

October 5, 2009

The Honorable Isaac V. Figir
Speaker
16th FSM Congress
Palikir, Pohnpei 96941

Dear Speaker Figir:

Transmitted herewith is the following Congressional Act, which has become Public Law 16-11 without my signature.

“AN ACT TO FURTHER AMEND PUBLIC LAW NO. 15-32 AS AMENDED, BY AMENDING SECTION 1 THEREOF, TO CHANGE THE USE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN FOR THE STATE OF KOSRAE, CHUUK AND YAP, AND FOR OTHER PURPOSES.”

Again, I raised my concern of the legality of double funding for delegation offices-both thru annual budget and thru public project appropriation. Part X of the Financial Management Regulations is the law governing “public projects”. A legal anomaly arises where Part X defines “public project” and exclude operating cost of any government agency and yet appropriations for operation cost of delegation offices are included in “public projects” appropriation.

I have raised legal and policy concerns on this same matter before. My sentiments remain the same. For the reasons stated herein, in conjunction with reasons stated in my past relevant communications, and assuming that the action of Congress is within constitutional muster, I have allow the Act to become law without my signature.

Sincerely,



Manny Mori
President

xc: Chief Justice, FSM Supreme Court
Secretary, Department of Justice
Director, SBOC
Library, CFSM
Legislative Counsel, CFSM
PIO, FSM





CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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PRESIDENTIAL COMM. NO. 16-85
FSM CONGRESS

Office of the Chief Clerk

September 23, 2009



His Excellency Manny Mori
President
Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear President Mori:

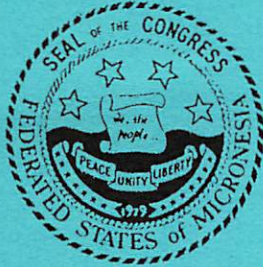
I have the honor to transmit herewith Congressional Act No. 16-9, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 15-32, AS AMENDED, BY AMENDING SECTION 1 THEREOF, TO CHANGE THE USE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN FOR THE STATES OF KOSRAE, CHUUK AND YAP, AND FOR OTHER PURPOSES.", which was passed by the Sixteenth Congress of the Federated States of Micronesia, Second Regular Session, 2009, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

Liwiana K. Ramon
Chief Clerk, Congress of the
Federated States of Micronesia

Enclosures





PUBLIC LAW No. 16-11

SIXTEENTH CONGRESS OF THE
FEDERATED STATES OF MICRONESIA
SECOND REGULAR SESSION
SEPTEMBER 14 – OCTOBER 3, 2009

PRESIDENTIAL COMM. NO. 16-85
FSM CONGRESS

An Act

TO FURTHER AMEND PUBLIC LAW NO. 15-32, AS AMENDED, BY AMENDING SECTION 1 THEREOF, TO CHANGE THE USE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN FOR THE STATES OF KOSRAE, CHUUK AND YAP, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: JOSEPH J. URUSEMAL

DATE: SEPTEMBER 10, 2009

REFERRED TO: WAYS AND MEANS COMMITTEE
S.C.R. NO. 16-15 – SEPTEMBER 17, 2009

FIRST READING: SEPTEMBER 18, 2009

SECOND READING: SEPTEMBER 21, 2009



Liwiana K. Ramon
Chief Clerk, FSM Congress



Office of the Speaker

*Congress of the
Federated States of Micronesia*

*Palikir, Pohnpei
Federated States of Micronesia*

**PRESIDENTIAL COMM. NO. 16-85
FSM CONGRESS**

ACT NO. 16-9

(CONGRESSIONAL BILL NO. 16-42, C.D.1,
C.D.2, C.D.3, C.D.4)

We hereby certify that on September 21 the foregoing act passed Second and Final Reading of the Sixteenth Congress of the Federated States of Micronesia, Second Regular Session, 2009, 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 K. Ramon
Chief Clerk
Congress of the
Federated States of Micronesia



SIXTEENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

SECOND REGULAR SESSION, 2009

CONGRESSIONAL BILL NO. 16-42, C.D.1,
C.D.2, C.D.3, C.D.4

PUBLIC LAW NO. 16-11

AN ACT

To further amend Public Law No. 15-32, as amended, by amending Section 1 thereof, to change the use of certain funds previously appropriated therein for the States of Kosrae, Chuuk and Yap, 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. 15-32, as amended by
2 Public Laws Nos. 15-36, 15-44, 15-57, 15-63, 15-72, 15-78 and 16-
3 03, is hereby further amended to read as follows:

4 "Section 1. The sum of \$3,780,000, or so much thereof,
5 is hereby appropriated from the General Fund of the
6 Federated States of Micronesia for the fiscal year
7 ending September 30, 2008, for the purpose of funding
8 public projects and social programs in each State of the
9 Federated States of Micronesia. The fund shall be
10 apportioned on the basis of \$250,000 or less per member
11 of Congress as follows, PROVIDED THAT an increase of
12 \$300,000 is for Yap State.

13	(1) State of Kosrae.....	\$ 500,000
14	(a) High School lunch program and	
15	past expenses incurred relating to the	
16	implementation of the program.....	48,000
17	(b) Bachelor degree program.....	80,000
18	(c) Lelu Community projects/programs	10,000

PUBLIC LAW No. 16-11

1	(d) Malem Community projects/	
2	programs	\$ 10,000
3	(e) Utwe Community projects/	
4	programs	10,000
5	(f) Tafunsak Community projects/	
6	programs	10,000
7	(g) Kosrae Women Association.....	10,000
8	(h) Promotion and travel for	
9	Tourism Office	10,000
10	(i) Kosrae State Government subsidy.	100,000
11	(j) Medical referrals for	
12	non-insured and non-employed Kosraeans	20,000
13	PROVIDED THAT reprogramming of this	
14	funding is not allowed	
15	(k) Supplemental funding for fuel	
16	for Caroline Voyager	-0-
17	(l) Tafunsak multipurpose	
18	building renovation	20,000
19	(m) Laptop Computers for Schools:	
20	(i) Lelu Elementary School.....	1,250
21	(ii) Tafunsak Elementary School.	1,250
22	(iii) Malem Elementary School....	1,250
23	(iv) Utwa Elementary School.....	1,250
24	(v) Walung Elementary School...	1,250
25	(vi) Sansrik Elementary School..	1,250

PUBLIC LAW No. 16-11

1	(vii) SDA School.....	\$ 1,250
2	(viii) Kosrae High School.....	1,250
3	(n) Kosrae Senior Citizens Meeting Halls	
4	(i) Lelu Senior Citizen.....	30,000
5	(ii) Tafunsak Senior Citizen....	30,000
6	(iii) Malem Senior Citizen.....	30,000
7	(iv) Utwa Senior Citizen.....	30,000
8	(o) Supplemental	
9	funding for a Master's Degree Program.....	8,000
10	(p) Tafunsak Youths' musical instruments	5,000
11	(q) KCSO's subsidy.....	5,000
12	(r) National Government debts to	
13	ABCOR Construction.....	12,000
14	(s) Kosrae Women Christian Associations	
15	(i) Lelu Women Christian	
16	Association.....	2,000
17	(ii) Tafunsak Women Christian	
18	Association.....	2,000
19	(iii) Malem Women Christian	
20	Association.....	2,000
21	(iv) Utwa Women Christian	
22	Association.....	2,000
23	(v) Walung Women Christian	
24	Association.....	2,000
25	(t) Kosrae Community in Pohnpei State	2,000

PUBLIC LAW No. 16-11

1	(2) State of Yap.....	\$ 800,000
2	(a) Chamber of Commerce (Matching	
3	fund) the funding shall not be expended	
4	unless the Chamber of Commerce contributes a	
5	50% of either in kind and/or monetary	
6	contribution as it's matching.....	50,000
7	(b) Ruu and Amun villages	
8	basketball courts.....	-0-
9	(c) Lands' Acquisition (Outer	
10	Island of Yap).....	50,000
11	(d) Southern Yap water system	
12	equipment purchase.....	25,000
13	(e) Tomil Road repair.....	25,000
14	(f) Amun bridge.....	20,000
15	(g) Water extension, Makiy village..	9,000
16	(h) Road improvements, Wanyan village	30,000
17	(i) Bugol women multipurpose building	45,000
18	(j) Ngulu dispensary.....	18,000
19	(k) Falalus and Seliap community	
20	centers repairs.....	23,000
21	(l) Qapluul village water, sewer,	
22	and power extension projects.....	27,000
23	(m) Gachpar men's house.....	50,000
24	(n) Wottegai Road project.....	10,000
25	(o) Tugunbinau bridge, Maap.....	50,000

PUBLIC LAW NO. 16-11

1	(p) Outer Islands' agriculture	
2	programs and projects (concrete taro	
3	patches, purchase of tools and equipment).	\$ 47,000
4	(q) Pikelot Island water	
5	catchment and shelter.....	7,000
6	(r) Outer Islands' Transportation	
7	needs (boats, two outboard motors for	
8	Falalus and Faraulap Islands, POL and	
9	charter and provisioning).....	102,000
10	(s) YSPSC subsidy for POL.....	100,000
11	(t) Boats & motors for Seliap &	
12	Tegailap, Woleai	30,000
13	(u) Meerur men's house repair.....	16,000
14	(v) Completion of Wottegai	
15	community center in Qapluul village.....	20,000
16	(w) Mariyong Island Community	
17	Piggery project.....	20,000
18	(x) Reimbursement to Woleai Atoll	
19	Community Account.....	6,000
20	(y) Woleai Airport equipments purchase	7,000
21	(z) Outboard motor for the Office	
22	of the Yap State Governor.....	13,000
23	(3) State of Pohnpei.....	1,000,000
24	(a) Pohnpei State At-Large	
25	(i) Construction and renovation of	

PUBLIC LAW No. 16-11

1	road, bridges, culverts and road drainages	
2	from Palikir to Kolonia.....	\$ -0-
3	(b) Election District No. 1	
4	(i) 2 nd Phase (Baptist School	
5	classroom construction).....	100,000
6	(ii) EDI operation.....	30,000
7	(iii) Kolonia Town Ladies	
8	Training Center renovations.....	10,000
9	(iv) Tomara Road construction...	60,000
10	(v) Sapwuafik Community	
11	Center Renovations.....	10,000
12	(vi) Peidie Road paving.....	72,000
13	(vii) Completion of Ipwal Road...	18,000
14	(viii) Sekere retaining wall.....	10,000
15	(c) Election District No. 2	
16	(i) Water Delivery Services....	40,000
17	(ii) Students' Financial	
18	Assistance.....	15,000
19	(iii) Secondary Road	
20	Improvement.....	100,000
21	(iv) ED2 operation.....	49,000
22	(v) Civic Centers.....	30,000
23	(vi) Agriculture Fair.....	3,500
24	(vii) Enipein Elementary	
25	School Teacher's Aide.....	2,000

~~PUBLIC LAW No. 16-11~~

1	(viii) Kitti Fish Market..... \$	-0-
2	(ix) Sports facilities	
3	improvement.....	1,500
4	(x) Outboard Motor for	
5	Kitti Police.....	3,370
6	(xi) Madolenihmw Municipal	
7	Government subsidy.....	10,000
8	(xii) Kitti/Madolenihmw	
9	Outreach program.....	10,000
10	(xiii) Grant writer assistance....	2,807
11	(xiv) Pohnpei Coconut Processing	
12	Plant repair.....	6,675
13	(xv) Nanmand Lumber	
14	Milling (Pwihno).....	3,500
15	(xvi) ED #2 Municipal management	
16	workshop.....	3,000
17	(xvii) Salapwuk Teacher's Aide....	4,000
18	(xviii) NMS cook.....	-0-
19	(xix) Madolenihmw Cold Storage...	4,000
20	(xx) Lukop/Wone ECE.....	4,552
21	(xxi) Temwen and Nanmadol water	
22	system supply.....	60,000
23	(xxii) Mand Community Nahs.....	7,096
24	(d) Election District No. 3	
25	(i) ED #3 Operation.....	63,500

PUBLIC LAW No. 16-11

1	(ii) Students and public	
2	transportation services.....	\$ 28,000
3	(iii) Students' financial	
4	assistance.....	8,000
5	(iv) Youth sports activities....	7,500
6	(v) Agriculture Fair.....	3,000
7	(vi) ED #3 Working Group	
8	supplemental.....	8,000
9	(vii) ED #3 Water System.....	10,000
10	(viii) U public facilities	
11	repairs and maintenance.....	50,000
12	(ix) Nett public facilities	
13	repairs and maintenance.....	55,000
14	(x) Mwoakilloa public	
15	facilities repairs and maintenance and	
16	transportation needs.....	20,000
17	(xi) Pingelap public facilities	
18	repairs and maintenance and	
19	transportation needs.....	25,000
20	(xii) Mwoakilloa multipurpose	
21	house renovation.....	2,000
22	(xiii) Pohnkeimw Secondary	
23	Road paving.....	50,000
24	(4) State of Chuuk.....	1,480,000
25	(a) Chuuk State At-Large	

PUBLIC LAW No 16-11

1	(i) Public Facilities repair	
2	and improvement.....	\$ 30,000
3	(ii) Youth Activities'	
4	programs and projects.....	27,000
5	(iii) Students' Financial	
6	Assistance	7,000
7	(iv) Low Income Housing	
8	subsidy.....	30,000
9	(v) Farmers and Students'	
10	land transportations.....	17,000
11	(vi) Leadership exposures	
12	and travel.....	15,000
13	(vii) Farmers planting tools and	
14	seedling project.....	11,000
15	(viii) CSCIP operation.....	5,000
16	(ix) Offices Rental and	
17	Operations Commission.....	7,000
18	(x) POL and Charter.....	5,000
19	(xi) At-Large Office Operation..	20,000
20	(xii) Sports facilities	
21	construction (basketball courts).....	18,000
22	(xiii) Fishing gear and	
23	equipment.....	15,000
24	(xiv) Seawall and Taro	
25	Patchs Protection.....	10,000

1	(xv) Multipurpose building	
2	repair and renovation.....	\$ 5,000
3	(xvi) Feeding program.....	10,000
4	(xvii) Medical referral and	
5	repatriation of remains.....	10,000
6	(xviii) OCHAP Community	
7	Hall Construction.....	5,000
8	(xix) Contribution and cost	
9	sharing with At-Large to ED #5 Operation...	20,000
10	(xx) Tonoas Municipal Government	
11	inauguration activities.....	1,000
12	(xxi) Udot Municipal Government	
13	inauguration activities.....	1,000
14	(xxii) Kuttu Municipal Government	
15	inauguration activities.....	1,000
16	(b) Election District No. 1	
17	(i) Students' Financial	
18	Assistance.....	10,000
19	(ii) Mortlock Development	
20	Commission outstanding debts (past and	
21	present).....	8,119
22	(iii) Municipal Governments'	
23	subsidy	
24	a. Nema Municipality.....	7,000
25	b. Losap Municipality....	5,500

PUBLIC LAW No. 16-11

1	c. Pis-emwar Municipality \$	5,000
2	d. Namoluk Municipality..	6,000
3	e. Ettal Municipality....	5,000
4	f. Moch Municipality.....	7,000
5	g. Kuttu Municipality....	6,000
6	h. Ta Municipality.....	5,000
7	i. Satowan Municipality..	7,000
8	j. Lekinioch Municipality	7,000
9	k. Oneop Municipality....	6,000
10	(iv) Community Housing improvement	45,000
11	(v) Leadership Conference.....	15,000
12	(vi) Leadership travel.....	10,000
13	(vii) Youth musical instruments..	8,000
14	(viii) Youth Centers subsidies....	21,881
15	(ix) Students' Land Transportation	5,000
16	(x) CSCIP.....	5,000
17	(xi) Sea transportation assistance	13,000
18	(xii) Contribution to	
19	ED #1 Associations.....	12,000
20	(xiii) Payment for printing services	3,500
21	(xiv) ED #1 Multipurpose building	
22	renovations supplements.....	11,000
23	(xv) ED #1 Operation.....	11,000
24	(xvi) Administrative Support	
25	costs for Delegation.....	5,000

1	(c) Election District No. 2	
2	(i) Basketball court.....	\$ 7,000
3	(ii) Meeting Halls	
4	(a) Neoram, Nepukos.....	10,000
5	(b) Faichu, Eor.....	6,000
6	(c) Faramas, Sapuk.....	4,000
7	(d) Neinifach, Mwan.....	5,000
8	(iii) Public/School/Bus	
9	Operation.....	35,000
10	(iv) Road Construction.....	-0-
11	(v) Repatriation of human remains	6,000
12	(vi) Kokumy cultural celebration	4,000
13	(vii) CSCIP.....	10,000
14	(viii) NNDA operation.....	25,000
15	(ix) Housing Assistance.....	15,000
16	(x) Fishing projects.....	20,000
17	(xi) Medical supplies &	
18	equipments-.....	-0-
19	(xii) Leadership travel & exposure	10,000
20	(xiii) Public facilities repair	
21	and improvement	33,000
22	(d) Election District No. 3	
23	(i) Election District	
24	No. 3 Operation.....	25,000
25	(ii) Housing and Community Halls	45,500

PUBLIC LAW No. 16-11

1	(iii) Fishing projects..... \$	15,000
2	(iv) Fiberglass boats repair....	5,000
3	(v) Municipal inauguration	
4	activities.....	4,500
5	(vi) Sport Tournaments	
6	facilities/supplies.....	3,000
7	(vii) Feeding Program.....	10,000
8	(viii) Crafting and sewing	
9	projects.....	7,000
10	(ix) Market/local produce.....	10,000
11	(x) Project Management.....	12,500
12	(xi) CSCIP operation.....	5,000
13	(xii) Subsidy for	
14	entrepreneurships and business start up....	10,000
15	(xiii) Nukuno Christian School	
16	solar panels/computers.....	10,000
17	(xiv) Leadership Travel.....	15,000
18	(xv) Youth rehabilitation programs	9,000
19	(xvi) Mayors Leadership Conference	5,000
20	(xvii) Land transportation.....	12,500
21	(xviii) Municipal Governments'	
22	subsidies.....	46,000
23	(e) Election District No. 4	
24	(i) Students' Financial	
25	Assistance.....	10,000

PUBLIC LAW No. 16-11

1	(ii) Youth activities and	
2	programs	\$ 10,000
3	(iii) Leadership exposure	
4	and travel	15,000
5	(iv) FDA operations	20,000
6	(v) CSCIP operation	5,000
7	(vi) Udot Municipal subsidy	10,000
8	(vii) Low income housing grant ...	40,000
9	(viii) Iongkumi fishing project ...	40,000
10	(ix) Fiberglass boats repair	10,000
11	(x) Food relief	10,000
12	(xi) Land transportation	20,000
13	(xii) Polle Municipal subsidy	10,000
14	(xiii) ED #4 office operation	30,000
15	(xiv) Famachaw farming project ...	10,000
16	(xv) Medical referrals &	
17	repatriation of remains	10,000
18	(f) Election District No. 5	
19	(i) POL & Charter	59,000
20	(ii) Food Relief	13,846
21	(iii) Rental office space, office	
22	supplies and equipment, communication and	
23	utilities	-0-
24	(iv) Students' Financial	
25	Assistance	-0-

~~PUBLIC LAW NO. 16-111~~

(v) Medical referral,	
pharmaceuticals and repatriation of remains \$	14,426
(vi) CSCIP.....	5,000
(vii) Operations (ED #5)	26,728
(viii) Project Management.....	20,000
(ix) On the job training subsidy	-0-
(x) Land Acquisition for the	
people of Halls, Weito and Pattiw Islands..	71,000
PROVIDED THAT the allottee of this specific	
funding shall deposit the funds into the	
Special Funds within the General Fund of the	
Federated States of Micronesia for Chuuk	
Election District No. 5 established pursuant	
to Public Law No. 13-83.	
(y) Land filling in Weno.....	10,000"

1 Section 2. 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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_____, 2009

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12 *Law & Justice Signature*

Manny Mori
President
Federated States of Micronesia

13 *10-05-09*

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