

A RESOLUTION

To amend Section 12 of Rule 8 of the Official Rules of Procedure of the Twenty-Third Congress of the Federated States of Micronesia and Section 13 of Rule 10 of the Official Rules of Procedure of the Twenty-Third Congress of the Federated States of Micronesia to require an affirmative vote of two-thirds of all the members elected from congressional districts in each state and affirmative vote of three-fourths of all members elected at-large in order to override a presidential veto.

1 WHEREAS, the Congress of the Federated States of Micronesia
2 is governed by its Official Rules of Procedure; and

3 WHEREAS, Section 12 of Rule 8 of the Official Rules of
4 Procedure of the Twenty-Third Congress of the Federated States
5 of Micronesia requires the affirmative vote of a least three
6 State delegations to override a presidential veto; and

7 WHEREAS, Section 13 of Rule 10 of the Official Rules of
8 Procedure of the Twenty-Third Congress of the Federated States
9 of Micronesia requires the affirmative vote of a least three
10 State delegations to override a presidential veto and requires
11 each state delegation to cast one vote to override a
12 presidential veto; and

13 WHEREAS, the Office of the National Election Director issued
14 the Certification of the Constitutional Referendum on September
15 12, 2023; and

16 WHEREAS, the Certification of the Constitutional Referendum
17 results certified the constitutional amendment to Article IX,

1 Section 2(q) of the Constitution passed, amending the
2 presidential veto override provision; and

3 WHEREAS, the amended to Article IX, Section 2(q) of the
4 Constitution provides that Congress may only override a
5 presidential veto by not less than two-third vote of all the
6 members elected from congressional districts in each state
7 followed by a three-fourths vote of all members elected at
8 large; and

9 WHEREAS, a Congressional Resolution is a transparent and
10 open mechanism for an amendment to the Official Rules of
11 Procedure; and

12 WHEREAS, the Members of the Twenty-Third Congress of the
13 Federated States of Micronesia desire to clarify that an
14 affirmative vote by at least two-thirds of all members from the
15 congressional districts in each state followed by an affirmative
16 vote by at least three-fourths of all members at-large is
17 required to override a presidential veto; now, therefore,

18 BE IT RESOLVED by the Twenty-Third Congress of the Federated
19 States of Micronesia, Second Regular Session, 2023, that Section
20 12 of Rule 8 of the Official Rules of Procedure of the Twenty-
21 Third Congress of the Federated States of Micronesia is hereby
22 amended to read as follows:

23 "Section 12. Overriding a Presidential veto. Whenever a
24 bill passed by the Congress is disapproved by the
25 President, the Speaker shall refer the bill and the

1 President's reasons for disapproving to the committee to
2 which the measure was originally referred. The committee
3 shall then report on the measure and recommend that the
4 measure either be overridden or not overridden. The bill
5 may be withdrawn from the committee by majority vote
6 of the Members of Congress present, a quorum being present,
7 at any time subsequent to such referral to the committee
8 notwithstanding the time periods established in rule 6,
9 section 11. Overriding requires an affirmative vote by at
10 least ~~[three State delegations, such vote to be conducted~~
11 ~~according to rule 10, section 12.]~~ two-thirds of all
12 members from the congressional districts in each state
13 followed by an affirmative vote by at least three-fourths
14 of all members at-large. Overriding shall be conducted in
15 accordance with rule 10, section 13. If a bill that was
16 disapproved by the President is overridden by the Congress,
17 the Clerk shall transmit the bill to the President under
18 the certification of the Speaker."; and

19 BE IT FURTHER RESOLVED by the Twenty-Third Congress of the
20 Federated States of Micronesia, Second Regular Session, 2023, that
21 Section 13 of Rule 10 of the Official Rules of Procedure of the
22 Twenty-Third Congress of the Federated States of Micronesia is
23 hereby amended to read as follows:

24 "Section 13. Overriding a Presidential veto. ~~[Each state~~
25 ~~delegation shall cast one vote upon a vote when voting to~~

1 ~~override a Presidential veto. An affirmative vote of three~~
2 ~~States is required to override a veto. The procedures for~~
3 ~~casting delegation votes set forth in rule 10, section 12,~~
4 ~~shall be followed.] Each member shall cast one vote when~~
5 ~~voting to override a presidential veto. An affirmative~~
6 ~~vote of two-thirds of all members from the congressional~~
7 ~~districts in each state followed by an affirmative vote of~~
8 ~~at least three-fourths of all members at-large is required~~
9 ~~to override a presidential veto. The procedures for~~
10 ~~casting votes for a presidential veto override shall be as~~
11 ~~conducted in a two-step approach as follows:~~

12 (a) First step. All members elected from the congressional
13 districts in each state shall cast one vote. An
14 affirmative vote of at least two-thirds of
15 congressional district members is required. If at
16 least two-thirds of congressional district members vote
17 affirmatively, then the Congress must proceed to
18 section 13(b). If less than two-thirds of members vote
19 in the affirmative, then the override fails.

20 (b) Second step. Members at-large cast one vote. An
21 affirmative vote of at least three members at-large is
22 required to override a presidential veto. If less than
23 three members at-large vote affirmatively, than the
24 override vote fails.”; and
25

1 BE IT FURTHER RESOLVED that a certified copy of this
2 resolution be transmitted to the President of the Federated States
3 of Micronesia.

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5 Date: 9/13/23

Introduced by: /s/ Esmond B. Moses
Esmond B. Moses

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