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

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

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

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

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

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 The bill may be withdrawn from the committee by majority vote of the Members of Congress present, a quorum being present, at any time subsequent to such referral to the committee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

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

“Section 13. Overriding a Presidential veto. [Each state delegation shall cast one vote upon a vote when voting to...}
override a Presidential veto. An affirmative vote of three States is required to override a veto. The procedures for casting delegation votes set forth in rule 10, section 12, shall be followed.] Each member shall cast one vote when voting to override a presidential veto. An affirmative vote of two-thirds of all members from the congressional districts in each state followed by an affirmative vote of at least three-fourths of all members at-large is required to override a presidential veto. The procedures for casting votes for a presidential veto override shall be as conducted in a two-step approach as follows:

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

(b) Second step. Members at-large cast one vote. An affirmative vote of at least three members at-large is required to override a presidential veto. If less than three members at-large vote affirmatively, than the override vote fails.”; and
BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the President of the Federated States of Micronesia.

Date: 9/13/23
Introduced by: /s/ Esmond B. Moses
Esmond B. Moses