

ORIGINAL

TENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIRST REGULAR SESSION, 1997

CONGRESSIONAL BILL NO. 10-55

AN ACT

To further amend title 1 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 6-56, 6-105, 7-20, 7-31, and 9-062, by repealing subchapter 2 of chapter 2, as enacted by Public Law No. 9-062, and by enacting a new subchapter 2 of chapter 2 thereof; to further amend title 6 of the Code of the Federated States of Micronesia, as amended by Public Law No. 5-123, by amending section 1303; and to further amend title 55 of the Code of the Federated States of Micronesia, as amended, by amending sections 920, 922, and 923, all for the purpose of publishing the 1997 edition of the Code of the Federated States of Micronesia, and for other purposes.

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

1 Section 1. Subchapter 2 of chapter 2 of title 1 of the
2 Code of the Federated States of Micronesia, as enacted by
3 sections 1 and 2 of Public Law No. 9-062, is hereby repealed in
4 its entirety.

5 Section 2. Title 1 of the Code of the Federated States
6 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
7 7-20, 7-31 and 9-062, is hereby further amended by enacting a
8 new subchapter 2 of chapter 2, to begin with section 220, to
9 read as follows:

10 "Section 220. Code of the Federated States of
11 Micronesia; Statement of intent. This section is
12 intended to effect a codification of the general and
13 permanent National laws of the Federated States of
14 Micronesia and is not intended to effect any
15 substantive changes therein."

16 Section 3. Title 1 of the Code of the Federated States
17 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
18 7-20, 7-31 and 9-062, is hereby further amended by enacting a
19 new section 221, to read as follows:

20 "Section 221. Designation of Code. The attached
21 manuscript is incorporated by reference herein and
22 is hereby designated as the 'Code of the Federated

1 States of Micronesia'. This code contains the
2 National laws of the Federated States of Micronesia
3 and is prepared under the authority of the Congress
4 of the Federated States of Micronesia, by contract
5 between the National Government of the Federated
6 States of Micronesia and the Book Publishing Company
7 of Seattle, Washington."

8 Section 4. Title 1 of the Code of the Federated States
9 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
10 7-20, 7-31 and 9-062, is hereby further amended by enacting a
11 new section 222, to read as follows:

12 "Section 222. Adoption as positive law.

13 (1) All enacted law of the Interim Congress of
14 the Federated States of Micronesia, except for
15 Public Law No. IC-28, and all enacted law of the
16 Congress of the Federated States of Micronesia which
17 are incorporated in part II of the attached
18 manuscript are hereby readopted and reenacted as
19 positive law of the Federated States of Micronesia
20 in the form appearing in the manuscript.

21 (2) All enacted law which is readopted and
22 reenacted pursuant to subsection (1) of this section
23 is hereby repealed in its prior form."

24 Section 5. Title 1 of the Code of the Federated States
25 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,

1 7-20, 7-31 and 9-062, is hereby further amended by enacting a
2 new section 223, to read as follows:

3 "Section 223. Other documents not adopted. The
4 inclusion in part III of the attached manuscript of
5 the documents relating to the Government of the
6 Trust Territory of the Pacific Islands is not to be
7 construed as an adoption of those documents or as
8 recognition of their efficacy in the Federated
9 States of Micronesia."

10 Section 6. Title 1 of the Code of the Federated States
11 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
12 7-20, 7-31 and 9-062, is hereby further amended by enacting a
13 new section 224, to read as follows:

14 "Section 224. Laws unaffected. Nothing in sections
15 220 through 231 of this chapter affects the validity
16 of either appropriation laws, other temporary
17 National laws not included in this code, or laws
18 enacted after October 1, 1981, by the Congress of
19 the Federated States of Micronesia."

20 Section 7. Title 1 of the Code of the Federated States
21 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
22 7-20, 7-31 and 9-062, is hereby further amended by enacting a
23 new section 225, to read as follows:

24 "Section 225. Rights and liabilities unaffected.
25 The repeal in subsection 2 of section 222 of this
26 chapter does not affect the status of any civil or

1 criminal actions, rights, or liabilities existing
2 before the repeal takes effect."

3 Section 8. Title 1 of the Code of the Federated States
4 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
5 7-20, 7-31 and 9-062, is hereby further amended by enacting a
6 new section 226, to read as follows:

7 "Section 226. Government authority unaffected. The
8 republication in this Code of Trust Territory laws
9 and the retention of references therein to the
10 authority of the Government of the Trust Territory
11 of the Pacific Islands are not intended to alter,
12 diminish, or in any way change or affect the
13 authority of the National Government or the
14 respective State governments of the Federated States
15 of Micronesia over the subject of legislation
16 included therein, as that authority has been
17 established by the Constitution of the Federated
18 States of Micronesia, the State charters or
19 constitutions, and other applicable law."

20 Section 9. Title 1 of the Code of the Federated States
21 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
22 7-20, 7-31 and 9-062, is hereby further amended by enacting a
23 new section 227, to read as follows:

24 "Section 227. State law reaffirmed. The authority
25 of the States of the Federated States of Micronesia

1 with regard to those provisions of the Trust
2 Territory Code within the jurisdiction of the States
3 is unaffected and hereby reaffirmed."

4 Section 10. Title 1 of the Code of the Federated States
5 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
6 7-20, 7-31 and 9-062, is hereby further amended by enacting a
7 new section 228, to read as follows:

8 "Section 228. Technical amendment of prior law.
9 Technical amendments to laws included in part II of
10 this code, whether or not those laws are readopted
11 and reenacted pursuant to subsection (3) of this
12 section, are hereby enacted regarding the following:

- 13 (1) Organization and numbering of titles,
14 chapters, subchapters, sections, and other subparts;
15 (2) Changes in phraseology;
16 (3) Changes in introductory materials; and
17 (4) Correction of errors."

18 Section 11. Title 1 of the Code of the Federated States
19 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
20 7-20, 7-31 and 9-062, is hereby further amended by enacting a
21 new section 229, to read as follows:

22 "Section 229. Future amendments; citations.

- 23 (1) Future amendments to laws included in part
24 II of this code, whether or not those laws are
25 readopted and reenacted pursuant to section 222 of

1 this title shall be made with reference to such laws
2 as they appear in this code.

3 (2) The preferred citation of laws included in
4 part II of this code is as follows: first, the
5 title number in Arabic numerals; second, "F.S.M.C.";
6 and third, section number. Example: The citation
7 of section 201, "Qualifications of Senators," of
8 title 9, "National Elections," would appear as "9
9 F.S.M.C. 201."

10 Section 12. Title 1 of the Code of the Federated States
11 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
12 7-20, 7-31 and 9-062, is hereby further amended by enacting a
13 new section 230, to read as follows:

14 "Section 230. Supplements as part of code.

15 (1) The laws contained in any current pocket
16 parts or supplements to this code, printed and
17 published under contract or otherwise as may be
18 authorized by law, constitute prima facie a part of
19 this code if the laws, as so contained, purport to
20 represent reproductions of statutory amendments to
21 this code, as stated in accompanying notes thereto.

22 (2) If pocket parts or supplements are
23 published on a cumulative basis, then only the laws
24 in the latest publication thereof constitute prima
25 facie a part of this code.

(3) If any discrepancy arises between the text of a provision set out in the current supplement and that contained in the basic act as separately printed and published by the President of the Federated States of Micronesia or his designee pursuant to the authority granted by law, the latter shall constitute the positive law and shall control."

Section 13. Title 1 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 6-56, 6-105, 7-20, 7-31 and 9-062, is hereby further amended by enacting a new section 231, to read as follows:

"Section 231. Repealer. The Trust Territory Code to the extent it is not republished herein or reaffirmed as within the jurisdiction of the States by section 227 of this chapter is hereby repealed in its entirety."

Section 14. Title 1 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 6-56, 6-105, 7-20, 7-31 and 9-062, is hereby further amended by enacting a new section 232, to read as follows:

"Section 232. Authorization for publication of 1997 edition of F.S.M.C. The publishing of the official 1997 edition of the Code of the Federated States of Micronesia (F.S.M.C.), pursuant to contract with the

1 Congress of the Federated States of Micronesia, is
2 hereby authorized."

3 Section 15. Title 1 of the Code of the Federated States
4 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
5 7-20, 7-31 and 9-062, is hereby further amended by enacting a
6 new section 233, to read as follows:

7 "Section 233. Contents of 1997 edition of F.S.M.C.

8 The 1997 edition of the Code of the Federated States
9 of Micronesia shall contain the general and
10 permanent National laws codified as positive law in
11 the original 1982 edition of the Code of the
12 Federated States of Micronesia pursuant to sections
13 220 through 231 of this chapter, supplemented and
14 updated with any amendments or additions to the law
15 requiring codification through the Ninth Congress of
16 the Federated States of Micronesia."

17 Section 16. Title 1 of the Code of the Federated States
18 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
19 7-20, 7-31 and 9-062, is hereby further amended by enacting a
20 new section 234, to read as follows:

21 "Section 234. Laws unaffected by 1997 publication.

22 The supplementing and updating of the original 1982
23 F.S.M.C. in the First Supplement authorized by
24 Public Law No. 4-33, and in this 1997 publication
25 which includes subsequently enacted laws, shall not

1 effect any substantive change to the law as enacted
2 and as it became effective."

3 Section 17. Section 1303 of title 6 of the Code of the
4 Federated States of Micronesia, as amended by section 3 of
5 Public Law No. 9-062, is hereby further amended to read as
6 follows:

7 "Section 1303. Legal status of laws included in the
8 F.S.M.C. enacted after the First Supplement.

9 (1) Pursuant to the authority provided in
10 section 11 of Public Law No. 2-48 and in this Act,
11 the laws contained in the 1997 edition of the
12 F.S.M.C. that are printed and published under
13 contract with the Congress of the Federated States
14 of Micronesia and as authorized by law, shall
15 constitute prima facie the laws of the Federated
16 States of Micronesia for those laws contained
17 therein, and as they purport to represent
18 reproductions of statutory amendments to the
19 F.S.M.C., as stated in accompanying notes or source
20 cites.

21 (2) Future supplements or updates published
22 pursuant to section 223 of title 1 of the Code of
23 the Federated States of Micronesia shall constitute
24 prima facie the laws of the Federated States of
25 Micronesia for those laws set forth in the latest

1 publication in which they appear.

2 (3) In the event of a conflict between the
3 text of a provision set out in the 1997 edition of
4 the F.S.M.C. or set out in any future supplement or
5 update thereto and the text contained in a Public
6 Law as originally enacted by Congress and as
7 approved or allowed to become law by the President
8 of the Federated States of Micronesia pursuant to
9 the laws and customs of the FSM, the text of the law
10 as it became effective shall constitute the positive
11 law and shall control.

12 (4) The official authenticated texts of Public
13 Laws as enacted by Congress and as approved or
14 allowed to become law by the President of the
15 Federated States of Micronesia and the 1997 edition
16 of the F.S.M.C. (as may be later updated or
17 supplemented) shall constitute evidence of the law
18 of the Federated States of Micronesia."

19 Section 18. Section 920 of title 55 of the Code of the
20 Federated States of Micronesia, as amended by section 4 of
21 Public Law No. 9-062, is hereby further amended to read as
22 follows:

23 "Section 920. Authorization for sale of 1997
24 edition of F.S.M.C.

25 (1) The sale of the 1997 edition of the Code

1 of the Federated States of Micronesia to the public
2 is hereby authorized.

3 (2) The sale price of the 1997 edition of the
4 Code shall be determined by the presiding officer of
5 the Congress of the Federated States of Micronesia,
6 who shall take into account the anticipated public
7 demand for the Code, as well as the costs associated
8 with completing and publishing it.

9 (3) The sale price of the 1997 edition of the
10 F.S.M.C. shall be set with the intent:

11 (a) to recover the costs of publishing,
12 and

13 (b) to allow for appropriately timed
14 supplements or updates to be completed and
15 published."

16 Section 19. Section 922 of title 55 of the Code of the
17 Federated States of Micronesia, as amended by section 6 of
18 Public Law No. 9-062, is hereby further amended to read as
19 follows:

20 "Section 922. Purpose. The purpose of the Fund is
21 to establish an ongoing fund to allow for the
22 receipt of revenues from the sale of the 1997
23 edition of the Code of the Federated States of
24 Micronesia and any supplement, update, pocket part,
25 or other addition of the F.S.M.C. and any future

1 appropriations to be used for the preparation and
2 publication of additional supplements, updates,
3 pocket parts, or other additions to the F.S.M.C."

4 Section 20. Section 923 of title 55 of the Code of the
5 Federated States of Micronesia, as amended by section 7 of
6 Public Law No. 9-062, is hereby further amended to read as
7 follows:

8 "Section 923. Deposits. All future appropriations
9 from the General Fund for the cost of producing
10 supplements, updates, pocket parts, or other
11 additions to the 1997 edition of the F.S.M.C., and
12 all revenues received from the sale of the 1997
13 edition of the F.S.M.C. and further supplements,
14 updates, pocket parts or other additions to the
15 F.S.M.C. shall be deposited into the Fund. Any
16 unexpended monies in this Fund shall not revert to
17 the General Fund unless Congress dissolves the
18 Fund."

19 Section 21. This act shall become law upon approval by
20 the President of the Federated States of Micronesia or upon its
21 becoming law without such approval.

22 _____, 1997

23

24

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Jacob Nena
President
Federated States of Micronesia



CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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COMMITTEE ON
JUDICIARY AND
GOVERNMENTAL OPERATIONS

STANDING COMMITTEE REPORT NO. 10-21

JUNE 05, 1997

RE: C.B. NO. 10-55

The Honorable Jack Fritz
Speaker, Tenth Congress
Federated States of Micronesia
First Regular Session, 1997

Dear Mr. Speaker:

Your Committee on Judiciary and Governmental Operations, to which was referred C.B. 10-55, entitled:

C.B. No. 10-55 "A BILL FOR AN ACT TO FURTHER AMEND TITLE 1 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED BY PUBLIC LAWS NOS. 6-56, 6-105, 7-20, 7-31, AND 9-062, BY REPEALING SUBCHAPTER 2 OF CHAPTER 2, AS ENACTED BY PUBLIC LAW NO. 9-062, AND BY ENACTING A NEW SUBCHAPTER 2 OF CHAPTER 2 THEREOF; TO FURTHER AMEND TITLE 6 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED BY PUBLIC LAW NO. 5-123, BY AMENDING SECTION 1303; AND TO FURTHER AMEND TITLE 55 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, BY AMENDING SECTIONS 920, 922, AND 923, ALL FOR THE PURPOSE OF PUBLISHING THE 1997 EDITION OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AND FOR OTHER PURPOSES."

begs leave to report as follows:

STANDING COMMITTEE REPORT NO. 10-21

JUNE 05, 1997

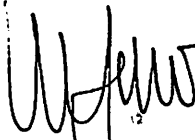
RE: C.B. NO. 10-55

The intent and purpose of the bill are expressed in its title.

Your committee has learned that there is a pressing need for a new official publication of our Nation's Code. The last such publication occurred in 1982. Due to the myriad changes in our Nation's laws since that time, the absence of a more recent publication of the Code has unduly hampered those who seek to know and to apply our laws.

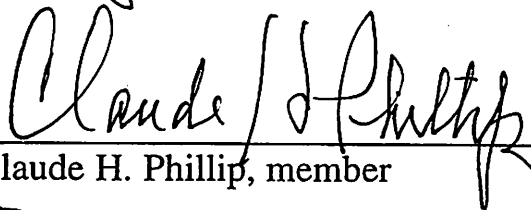
C.B. No. 10-55 would provide for a new publication of our Nation's Code and would make various necessary technical changes in previous laws addressing this subject. Therefore, your Committee on Judiciary and Governmental Operations is in accord with the intent and purpose of C.B. No. 10-55, and recommends its passage on First Reading, and that it be placed on the Calendar for Second and Final Reading.

Respectfully submitted,

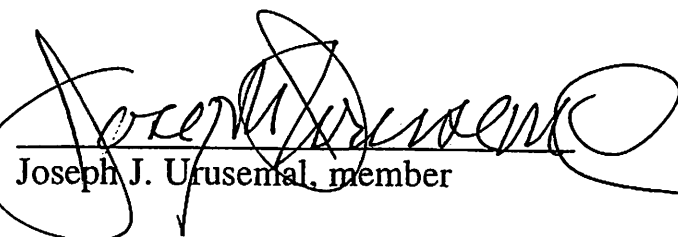


Wagner M. Lawrence, chairman

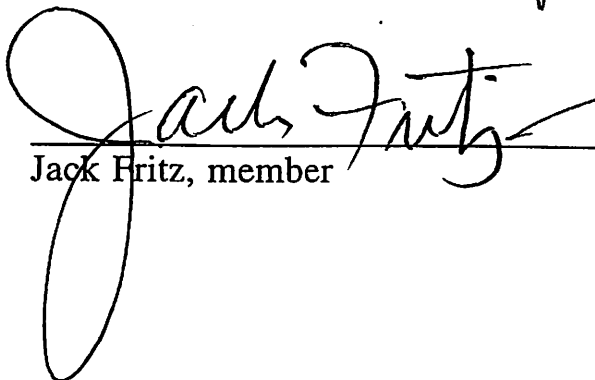
John R. Petewon, vice chairman



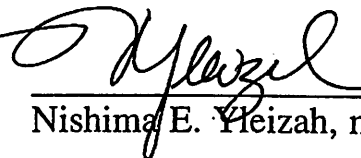
Claude H. Phillip, member



Joseph J. Urusenial, member



Jack Fritz, member



Nishima E. Yleizah, member

A BILL FOR AN ACT

To further amend title 1 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 6-56, 6-105, 7-20, 7-31, and 9-062, by repealing subchapter 2 of chapter 2, as enacted by Public Law No. 9-062, and by enacting a new subchapter of chapter thereof; to further amend title 6 of the Code of the Federated States of Micronesia, as amended by Public Law No. 5-123, by amending section 1303; and to further amend title 55 of the Code of the Federated States of Micronesia, as amended, by amending sections 920, 922, and 923, all for the purpose of publishing the 1997 edition of the Code of the Federated States of Micronesia, and for other purposes.

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

1 Section 1. Subchapter 2 of chapter 2 of title 1 of the
2 Code of the Federated States of Micronesia, as enacted by
3 sections 1 and 2 of Public Law No. 9-062, is hereby repealed in
4 its entirety.

5 Section 2. Title 1 of the Code of the Federated States
6 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
7 7-20, 7-31 and 9-062, is hereby further amended by enacting a
8 new subchapter 2 of chapter 2, to begin with section 220, to
9 read as follows:

10 "Section 220. Code of the Federated States of
11 Micronesia; Statement of intent. This section is
12 intended to effect a codification of the general and
13 permanent National laws of the Federated States of
14 Micronesia and is not intended to affect any
15 substantive changes therein."

16 Section 3. Title 1 of the Code of the Federated States
17 of Micronesia, as amended by Public Laws Nos. 6-56, -105,
18 7-20, 7-31 and 9-062, is hereby further amended by enacting a
19 new section 221, to read as follows:

20 "Section 221. Designation of Code. The attached
21 manuscript is incorporated by reference herein and
22 is hereby designated as the 'Code of the Federated
23 States of Micronesia'. This code contains the
24 National laws of the Federated States of Micronesia
25 and is prepared under the authority of the Congress

1 of the Federated States of Micronesia, by contract
2 between the National Government of the Federated
3 States of Micronesia and the Book Publishing Company
4 of Seattle, Washington."

5 Section 4. Title 1 of the Code of the Federated States
6 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
7 7-20, 7-31 and 9-062, is hereby further amended by enacting a
8 new section 222, to read as follows:

9 "Section 222. Adoption as positive law.

10 (1) All enacted law of the Interim Congress of
11 the Federated States of Micronesia, except for
12 Public Law No. 10-28, and all enacted law of the
13 Congress of the Federated States of Micronesia which
14 are incorporated in part II of the attached
15 manuscript are hereby readopted and reenacted as
16 positive law of the Federated States of Micronesia
17 in the form appearing in the manuscript.

18 (2) All enacted law which is readopted and
19 reenacted pursuant to subsection (1) of this section
20 is hereby repealed in its prior form."

21 Section 5. Title 1 of the Code of the Federated States
22 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
23 7-20, 7-31 and 9-062, is hereby further amended by enacting a
24 new section 223, to read as follows:

25 "Section 223. Other documents not adopted The

inclusion in part III of the attached manuscript of
the documents relating to the Government of the
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10 authority of the National Government or the
11 respective State governments of the Federated States
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13 included therein, as that authority has been
14 established by the Constitution of the Federated
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17 7-20, 7-31 and 9-062, is hereby further amended by enacting a
18 new section 232, to read as follows:

19 "Section 232. Authorization for publication of 1997
20 edition of F.S.M.C. The publishing of the official
21 1997 edition of the Code of the Federated States of
22 Micronesia (F.S.M.C.), pursuant to contract with the
23 Congress of the Federated States of Micronesia, is
24 hereby authorized."

25 Section 15. Title 1 of the Code of the Federated States

1 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
2 7-20, 7-31 and 9-062, is hereby further amended by enacting a
3 new section 233, to read as follows:

4 "Section 233. Contents of 1997 edition of F.S.M.C.
5 The 1997 edition of the Code of the Federated States
6 of Micronesia shall contain the general and
7 permanent National laws codified as positive law in
8 the original 1982 edition of the Code of the
9 Federated States of Micronesia pursuant to sections
10 220 through 231 of this chapter, supplemented and
11 updated with any amendments or additions to the law
12 requiring codification through the Ninth Congress of
13 the Federated States of Micronesia."

14 Section 16. Title 1 of the Code of the Federated States
15 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
16 7-20, 7-31 and 9-062, is hereby further amended by enacting a
17 new section 234, to read as follows:

18 "Section 234. Laws unaffected by 1997 publication.
19 The supplementing and updating of the original 1982
20 F.S.M.C. in the First Supplement authorized by
21 Public Law No. 4-33, and in this 1997 publication
22 which includes subsequently enacted laws, shall not
23 effect any substantive change to the law as enacted
24 and as it became effective."

25 Section 17. Section 1303 of title 6 of the Code of the

1 Federated States of Micronesia, as amended by section 3 of
2 Public Law No. 9-062, is hereby further amended to read as
3 follows:

4 "Section 1303. Legal status of laws included in the
5 ~~FSMC~~ F.S.M.C. enacted after the First Supplement.

6 (1) Pursuant to the authority provided in
7 section 11 of Public Law No. 2-48 and in thi ~~Act~~
8 Act, the laws contained in the ~~1995~~ 1997 edition of
9 the F.S.M.C. that are printed and published under
10 contract with the Congress of the Federated States
11 of Micronesia and as authorized by law, shall
12 constitute prima facie the laws of the Federated
13 States of Micronesia for those laws contained
14 therein, and as they purport to represent
15 reproductions of statutory amendments to the
16 F.S.M.C., as stated in accompanying notes or source
17 cites.

18 (2) Future supplements or updates published
19 pursuant to section ~~2~~ (~~§ 220~~) 223 of ~~this Act~~ ~~(b)~~
20 ~~title 1~~ title 1 of the Code of the Federated
21 States of Micronesia shall constitute prima facie
22 the laws of the Federated States of Micronesia for
23 those laws set forth in the latest publication in
24 which they appear

25 (3) In the event of a conflict between the

text of a provision set out in the ~~1995~~ 1997 edition of the F.S.M.C. or set out in any future supplement or update thereto and the text contained in a Public Law as originally enacted by Congress and as approved or allowed to become law by the President of the Federated States of Micronesia pursuant to the ~~constitution and~~ laws and customs of the FSM, the text of the law as it became effective shall constitute the positive law and shall control.

(4) ~~Except for the~~ The official authenticated texts of Public Laws as enacted by Congress and as approved or allowed to become law by the President of the Federated States of Micronesia and the 1997 edition of the F.S.M.C. (as may be later updated or supplemented) ~~no other~~ ~~publication or codification of the laws of this nation~~ shall constitute ~~any~~ evidence ~~whichever~~ of the law of the Federated States of Micronesia and may not be introduced in any court of law.

Section 18. Section 920 of title 55 of the Code of the Federated States of Micronesia, as amended by section 4 of Public Law No. 9-062, is hereby further amended to read as follows:

Section 920. Authorization for sale of ~~1995~~ 1997

1 edition of F.S.M.C.

2 (1) The 1995 sale of the 1997 edition of the
3 Code of the Federated States of Micronesia to shall
4 be made available for sale to the branches and
5 agencies of the National and State Governments
6 of the Federated States of Micronesia, other
7 entities, and members of the public is hereby
8 authorized.

9 (2) The sale price of the 1997 edition of the
10 Code shall be determined by the speaker presiding
11 officer of the Congress of the Federated States of
12 Micronesia, who shall take into account the
13 anticipated public demand for the Code, as well as
14 all of the costs associated with completing and
15 publishing it the 1995 edition of the F.S.M.C.
16 and the ability to sell copies to the public.

17 (3) The sale price of the 1995 1997 edition of
18 the F.S.M.C. shall be set in such amount as to
19 come as close as possible to being sufficient
20 to recover with the intent:

21 (a) to recover the costs of completing
22 and publishing the F.S.M.C. and

23 (b) to allow for annual semi-annual
24 or other appropriately timed supplements or updates
25 to be completed and published."

1 Section 19. Section 922 of title 55 of the Code of the
2 Federated States of Micronesia, as amended by section 6 of
3 Public Law No. 9-062, is hereby further amended to read as
4 follows:

5 "Section 922. Purpose. The purpose of the Fund is
6 to establish an ongoing fund to allow for the
7 receipt of revenues from the sale of the ~~1995~~ 1997
8 edition of the Code of the Federated States of
9 Micronesia and any supplement, update, pocket part,
10 or other addition of the F.S.M.C. and any future
11 appropriations to be used for the preparation and
12 publication of additional supplements, updates,
13 pocket parts, or other additions to the F.S.M.C."

14 Section 20. Section 923 of title 55 of the Code of the
15 Federated States of Micronesia, as amended by section 7 of
16 Public Law No. 9-062, is hereby further amended to read as
17 follows:

18 "Section 923. Deposits. All future appropriations
19 from the General Fund for the cost of producing
20 supplements, updates, pocket parts, or other
21 additions to the ~~1995~~ 1997 edition of the F.S.M.C.,
22 and all revenues received from the sale of the ~~1995~~
23 1997 edition of the F.S.M.C. and further
24 supplements, updates, pocket parts or other
25 additions to the F.S.M.C. shall be deposited into

1 the Fund. Any unexpended monies in this Fund shall
2 not revert to the General Fund unless Congress
3 dissolves the Fund."

4 Section 21. This act shall become law upon approval by
5 the President of the Federated States of Micronesia or upon its
6 becoming law without such approval.

7

8 Date: 6/2/97 Introduced by: /s/ Jack Fritz
Jack Fritz

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Act no. 10-11

C.B. NO. 10-25

C.R. NO.

1. Measure as passed - proofread by: [Signature]

2. Engrossed (typed) by: [Signature]

3. Engrossed Measure - proofread by: [Signature]

4. Engrossed Measure - received and released by: [Signature]

5. Transmitted by Clerk: [Signature]

6. Received by President's Office

7. Approved as Public Law No.: _____

8. Disapproved - Veto Message No.: _____

Date

Date

Date

Date

Date

Date

Date

July 02/97

6/11/97

6/11/97

LC approved 6/30/97

Print other pages also

9 each

ORIGINALS

TENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIRST REGULAR SESSION, 1997

CONGRESSIONAL BILL NO. 10-55

AN ACT

To further amend title 1 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 6-56, 6-105, 7-20, 7-31, and 9-062, by repealing subchapter 2 of chapter 2, as enacted by Public Law No. 9-062, and by enacting a new subchapter 2 of chapter 2 thereof; to further amend title 6 of the Code of the Federated States of Micronesia, as amended by Public Law No. 5-123, by amending section 1303; and to further amend title 55 of the Code of the Federated States of Micronesia, as amended, by amending sections 920, 922, and 923, all for the purpose of publishing the 1997 edition of the Code of the Federated States of Micronesia, and for other purposes.

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

1 Section 1. Subchapter 2 of chapter 2 of title 1 of the
2 Code of the Federated States of Micronesia, as enacted by
3 sections 1 and 2 of Public Law No. 9-062, is hereby repealed in
4 its entirety.

5 Section 2. Title 1 of the Code of the Federated States
6 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
7 7-20, 7-31 and 9-062, is hereby further amended by enacting a
8 new subchapter 2 of chapter 2, to begin with section 220, to
9 read as follows:

10 "Section 220. Code of the Federated States of
11 Micronesia; Statement of intent. This section is
12 intended to effect a codification of the general and
13 permanent National laws of the Federated States of
14 Micronesia and is not intended to effect any
15 substantive changes therein."

16 Section 3. Title 1 of the Code of the Federated States
17 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
18 7-20, 7-31 and 9-062, is hereby further amended by enacting a
19 new section 221, to read as follows:

20 "Section 221. Designation of Code. The attached
21 manuscript is incorporated by reference herein and
22 is hereby designated as the 'Code of the Federated

1 States of Micronesia'. This code contains the
2 National laws of the Federated States of Micronesia
3 and is prepared under the authority of the Congress
4 of the Federated States of Micronesia, by contract
5 between the National Government of the Federated
6 States of Micronesia and the Book Publishing Company
7 of Seattle, Washington."

8 Section 4. Title 1 of the Code of the Federated States
9 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
10 7-20, 7-31 and 9-062, is hereby further amended by enacting a
11 new section 222, to read as follows:

12 "Section 222. Adoption as positive law.

13 (1) All enacted law of the Interim Congress of
14 the Federated States of Micronesia, except for
15 Public Law No. IC-28, and all enacted law of the
16 Congress of the Federated States of Micronesia which
17 are incorporated in part II of the attached
18 manuscript are hereby readopted and reenacted as
19 positive law of the Federated States of Micronesia
20 in the form appearing in the manuscript.

21 (2) All enacted law which is readopted and
22 reenacted pursuant to subsection (1) of this section
23 is hereby repealed in its prior form."

24 Section 5. Title 1 of the Code of the Federated States
25 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,

1 7-20, 7-31 and 9-062, is hereby further amended by enacting a
2 new section 223, to read as follows:

3 "Section 223. Other documents not adopted. The
4 inclusion in part III of the attached manuscript of
5 the documents relating to the Government of the
6 Trust Territory of the Pacific Islands is not to be
7 construed as an adoption of those documents or as
8 recognition of their efficacy in the Federated
9 States of Micronesia."

10 Section 6. Title 1 of the Code of the Federated States
11 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
12 7-20, 7-31 and 9-062, is hereby further amended by enacting a
13 new section 224, to read as follows:

14 "Section 224. Laws unaffected. Nothing in ~~this~~
15 section ^{220 through 231 of this chapter} affects the validity of either appropriation
16 laws, other temporary National laws not included in
17 this code, or laws enacted after October 1, 1981, by
18 the Congress of the Federated States of Micronesia."

19 Section 7. Title 1 of the Code of the Federated States
20 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
21 7-20, 7-31 and 9-062, is hereby further amended by enacting a
22 new section 225, to read as follows:

23 "Section 225. Rights and liabilities unaffected.
24 The repeal in subsection 2 of section 222 of this
25 chapter does not affect the status of any civil or

1 criminal actions, rights, or liabilities existing
2 before the repeal takes effect."

3 Section 8. Title 1 of the Code of the Federated States
4 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
5 7-20, 7-31 and 9-062, is hereby further amended by enacting a
6 new section 226, to read as follows:

7 "Section 226. Government authority unaffected. The
8 republication in this Code of Trust Territory laws
9 and the retention of references therein to the
10 authority of the Government of the Trust Territory
11 of the Pacific Islands are not intended to alter,
12 diminish, or in any way change or affect the
13 authority of the National Government or the
14 respective State governments of the Federated States
15 of Micronesia over the subject of legislation
16 included therein, as that authority has been
17 established by the Constitution of the Federated
18 States of Micronesia, the State charters or
19 constitutions, and other applicable law."

20 Section 9. Title 1 of the Code of the Federated States
21 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
22 7-20, 7-31 and 9-062, is hereby further amended by enacting a
23 new section 227, to read as follows:

24 "Section 227. State law reaffirmed. The authority
25 of the States of the Federated States of Micronesia

1 with regard to those provisions of the Trust
2 Territory Code within the jurisdiction of the States
3 is unaffected and hereby reaffirmed."

4 Section 10. Title 1 of the Code of the Federated States
5 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
6 7-20, 7-31 and 9-062, is hereby further amended by enacting a
7 new section 228, to read as follows:

8 "Section 228. Technical amendment of prior law.
9 Technical amendments to laws included in part II of
10 this code, whether or not those laws are readopted
11 and reenacted pursuant to subsection (3) of this
12 section, are hereby enacted regarding the following:

- 13 (1) Organization and numbering of titles,
14 chapters, subchapters, sections, and other subparts;
15 (2) Changes in phraseology;
16 (3) Changes in introductory materials; and
17 (4) Correction of errors."

18 Section 11. Title 1 of the Code of the Federated States
19 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
20 7-20, 7-31 and 9-062, is hereby further amended by enacting a
21 new section 229, to read as follows:

22 "Section 229. Future amendments; citations.

- 23 (1) Future amendments to laws included in part
24 II of this code, whether or not those laws are
25 readopted and reenacted pursuant to section 222 of

1 this title shall be made with reference to such laws
2 as they appear in this code.

3 (2) The preferred citation of laws included in
4 part II of this code is as follows: first, the
5 title number in Arabic numerals; second, "F.S.M.C.";
6 and third, section number. Example: The citation
7 of section 201, "Qualifications of Senators," of
8 title 9, "National Elections," would appear as "9
9 F.S.M.C. 201."

10 Section 12. Title 1 of the Code of the Federated States
11 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
12 7-20, 7-31 and 9-062, is hereby further amended by enacting a
13 new section 230, to read as follows:

14 "Section 230. Supplements as part of code.

15 (1) The laws contained in any current pocket
16 parts or supplements to this code, printed and
17 published under contract or otherwise as may be
18 authorized by law, constitute prima facie a part of
19 this code if the laws, as so contained, purport to
20 represent reproductions of statutory amendments to
21 this code, as stated in accompanying notes thereto.

22 (2) If pocket parts or supplements are
23 published on a cumulative basis, then only the laws
24 in the latest publication thereof constitute prima
25 facie a part of this code.

1 (3) If any discrepancy arises between the text
2 of a provision set out in the current supplement and
3 that contained in the basic act as separately
4 printed and published by the President of the
5 Federated States of Micronesia or his designee
6 pursuant to the authority granted by law, the latter
7 shall constitute the positive law and shall
8 control."

9 Section 13. Title 1 of the Code of the Federated States
10 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
11 7-20, 7-31 and 9-062, is hereby further amended by enacting a
12 new section 231, to read as follows:

13 "Section 231. Repealer. The Trust Territory Code
14 to the extent it is not republished herein or
15 reaffirmed as within the jurisdiction of the States
16 by section 227 of this chapter is hereby repealed in
17 its entirety."

18 Section 14. Title 1 of the Code of the Federated States
19 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
20 7-20, 7-31 and 9-062, is hereby further amended by enacting a
21 new section 232, to read as follows:

22 "Section 232. Authorization for publication of 1997
23 edition of F.S.M.C. The publishing of the official
24 1997 edition of the Code of the Federated States of
25 Micronesia (F.S.M.C.), pursuant to contract with the

1 Congress of the Federated States of Micronesia, is
2 hereby authorized."

3 Section 15. Title 1 of the Code of the Federated States
4 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
5 7-20, 7-31 and 9-062, is hereby further amended by enacting a
6 new section 233, to read as follows:

7 "Section 233. Contents of 1997 edition of F.S.M.C.
8 The 1997 edition of the Code of the Federated States
9 of Micronesia shall contain the general and
10 permanent National laws codified as positive law in
11 the original 1982 edition of the Code of the
12 Federated States of Micronesia pursuant to sections
13 220 through 231 of this chapter, supplemented and
14 updated with any amendments or additions to the law
15 requiring codification through the Ninth Congress of
16 the Federated States of Micronesia."

17 Section 16. Title 1 of the Code of the Federated States
18 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
19 7-20, 7-31 and 9-062, is hereby further amended by enacting a
20 new section 234, to read as follows:

21 "Section 234. Laws unaffected by 1997 publication.
22 The supplementing and updating of the original 1982
23 F.S.M.C. in the First Supplement authorized by
24 Public Law No. 4-33, and in this 1997 publication
25 which includes subsequently enacted laws, shall not

1 effect any substantive change to the law as enacted
2 and as it became effective."

3 Section 17. Section 1303 of title 6 of the Code of the
4 Federated States of Micronesia, as amended by section 3 of
5 Public Law No. 9-062, is hereby further amended to read as
6 follows:

7 "Section 1303. Legal status of laws included in the
8 F.S.M.C. enacted after the First Supplement.

9 (1) Pursuant to the authority provided in
10 section 11 of Public Law No. 2-48 and in this Act,
11 the laws contained in the 1997 edition of the
12 F.S.M.C. that are printed and published under
13 contract with the Congress of the Federated States
14 of Micronesia and as authorized by law, shall
15 constitute prima facie the laws of the Federated
16 States of Micronesia for those laws contained
17 therein, and as they purport to represent
18 reproductions of statutory amendments to the
19 F.S.M.C., as stated in accompanying notes or source
20 cites.

21 (2) Future supplements or updates published
22 pursuant to section 223 of title 1 of the Code of
23 the Federated States of Micronesia shall constitute
24 prima facie the laws of the Federated States of
25 Micronesia for those laws set forth in the latest

1 publication in which they appear.

2 (3) In the event of a conflict between the
3 text of a provision set out in the 1997 edition of
4 the F.S.M.C. or set out in any future supplement or
5 update thereto and the text contained in a Public
6 Law as originally enacted by Congress and as
7 approved or allowed to become law by the President
8 of the Federated States of Micronesia pursuant to
9 the laws and customs of the FSM, the text of the law
10 as it became effective shall constitute the positive
11 law and shall control.

12 (4) The official authenticated texts of Public
13 Laws as enacted by Congress and as approved or
14 allowed to become law by the President of the
15 Federated States of Micronesia and the 1997 edition
16 of the F.S.M.C. (as may be later updated or
17 supplemented) shall constitute evidence of the law
18 of the Federated States of Micronesia."

19 Section 18. Section 920 of title 55 of the Code of the
20 Federated States of Micronesia, as amended by section 4 of
21 Public Law No. 9-062, is hereby further amended to read as
22 follows:

23 "Section 920. Authorization for sale of 1997
24 edition of F.S.M.C.

25 (1) The sale of the 1997 edition of the Code

1 of the Federated States of Micronesia to the public
2 is hereby authorized.

3 (2) The sale price of the 1997 edition of the
4 Code shall be determined by the presiding officer of
5 the Congress of the Federated States of Micronesia,
6 who shall take into account the anticipated public
7 demand for the Code, as well as the costs associated
8 with completing and publishing it.

9 (3) The sale price of the 1997 edition of the
10 F.S.M.C. shall be set with the intent:

11 (a) to recover the costs of publishing,
12 and

13 (b) to allow for appropriately timed
14 supplements or updates to be completed and
15 published."

16 Section 19. Section 922 of title 55 of the Code of the
17 Federated States of Micronesia, as amended by section 6 of
18 Public Law No. 9-062, is hereby further amended to read as
19 follows:

20 "Section 922. Purpose. The purpose of the Fund is
21 to establish an ongoing fund to allow for the
22 receipt of revenues from the sale of the 1997
23 edition of the Code of the Federated States of
24 Micronesia and any supplement, update, pocket part,
25 or other addition of the F.S.M.C. and any future

1 appropriations to be used for the preparation and
2 publication of additional supplements, updates,
3 pocket parts, or other additions to the F.S.M.C."

4 Section 20. Section 923 of title 55 of the Code of the
5 Federated States of Micronesia, as amended by section 7 of
6 Public Law No. 9-062, is hereby further amended to read as
7 follows:

8 "Section 923. Deposits. All future appropriations
9 from the General Fund for the cost of producing
10 supplements, updates, pocket parts, or other
11 additions to the 1997 edition of the F.S.M.C., and
12 all revenues received from the sale of the 1997
13 edition of the F.S.M.C. and further supplements,
14 updates, pocket parts or other additions to the
15 F.S.M.C. shall be deposited into the Fund. Any
16 unexpended monies in this Fund shall not revert to
17 the General Fund unless Congress dissolves the
18 Fund."

19 Section 21. This act shall become law upon approval by
20 the President of the Federated States of Micronesia or upon its
21 becoming law without such approval.

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_____, 1997

Jacob Nena
President
Federated States of Micronesia



CONGRESS OF THE FEDERATED STATES OF MICRONESIA

P. O. Box PS 3

Palikir, Sokehs

Pohnpei State, FM 96941

Tel: (691) 320-2324/2325/2326/2327/2337/2538/2507

Telex: 729-6809 Fax: (691) 320-5122

Office of the Chief Clerk

July
June _____, 1997

The Honorable Jacob Nena
President
Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear Mr. President:

I have the honor to transmit herewith, Congressional Act No. 10-11, "AN ACT TO FURTHER AMEND TITLE 1 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED BY PUBLIC LAWS NOS. 6-56, 6-105, 7-20, 7-31, AND 9-062, BY REPEALING SUBCHAPTER 2 OF CHAPTER 2, AS ENACTED BY PUBLIC LAW NO. 9-062, AND BY ENACTING A NEW SUBCHAPTER 2 OF CHAPTER 2 THEREOF; TO FURTHER AMEND TITLE 6 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED BY PUBLIC LAW NO. 5-123, BY AMENDING SECTION 1303; AND TO FURTHER AMEND TITLE 55 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, BY AMENDING SECTIONS 920, 922, AND 923, ALL FOR THE PURPOSE OF PUBLISHING THE 1997 EDITION OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AND FOR OTHER PURPOSES.", which was passed on June 9 by the Tenth Congress of the Federated States of Micronesia, First Regular Session, 1997, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

Henry C. Asugar
Chief Clerk, Congress of the
Federated States of Micronesia

Enclosures

AN ACT

To further amend title 1 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 6-56, 6-105, 7-20, 7-31, and 9-062, by repealing subchapter 2 of chapter 2, as enacted by Public Law No. 9-062, and by enacting a new subchapter 2 of chapter 2 thereof; to further amend title 6 of the Code of the Federated States of Micronesia, as amended by Public Law No. 5-123, by amending section 1303; and to further amend title 55 of the Code of the Federated States of Micronesia, as amended, by amending sections 920, 922, and 923, all for the purpose of publishing the 1997 edition of the Code of the Federated States of Micronesia, and for other purposes.

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

1 Section 1. Subchapter 2 of chapter 2 of title 1 of the
2 Code of the Federated States of Micronesia, as enacted by
3 sections 1 and 2 of Public Law No. 9-062, is hereby repealed in
4 its entirety.

5 Section 2. Title 1 of the Code of the Federated States
6 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
7 7-20, 7-31 and 9-062, is hereby further amended by enacting a
8 new subchapter 2 of chapter 2, to begin with section 220, to
9 read as follows:

10 "Section 220. Code of the Federated States of
11 Micronesia; Statement of intent. This section is
12 intended to effect a codification of the general and
13 permanent National laws of the Federated States of
14 Micronesia and is not intended to effect any
15 substantive changes therein."

16 Section 3. Title 1 of the Code of the Federated States
17 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
18 7-20, 7-31 and 9-062, is hereby further amended by enacting a
19 new section 221, to read as follows:

20 "Section 221. Designation of Code. The attached
21 manuscript is incorporated by reference herein and
22 is hereby designated as the 'Code of the Federated

1 States of Micronesia'. This code contains the
2 National laws of the Federated States of Micronesia
3 and is prepared under the authority of the Congress
4 of the Federated States of Micronesia, by contract
5 between the National Government of the Federated
6 States of Micronesia and the Book Publishing Company
7 of Seattle, Washington."

8 Section 4. Title 1 of the Code of the Federated States
9 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
10 7-20, 7-31 and 9-062, is hereby further amended by enacting a
11 new section 222, to read as follows:

12 "Section 222. Adoption as positive law.

13 (1) All enacted law of the Interim Congress of
14 the Federated States of Micronesia, except for
15 Public Law No. IC-28, and all enacted law of the
16 Congress of the Federated States of Micronesia which
17 are incorporated in part II of the attached
18 manuscript are hereby readopted and reenacted as
19 positive law of the Federated States of Micronesia
20 in the form appearing in the manuscript.


21 (2) All enacted law which is readopted and
22 reenacted pursuant to subsection (1) of this section
23 is hereby repealed in its prior form."

24 Section 5. Title 1 of the Code of the Federated States
25 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,

1 7-20, 7-31 and 9-062, is hereby further amended by enacting a
2 new section 223, to read as follows:

3 "Section 223. Other documents not adopted. The
4 inclusion in part III of the attached manuscript of
5 the documents relating to the Government of the
6 Trust Territory of the Pacific Islands is not to be
7 construed as an adoption of those documents or as
8 recognition of their efficacy in the Federated
9 States of Micronesia."

10 Section 6. Title 1 of the Code of the Federated States
11 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
12 7-20, 7-31 and 9-062, is hereby further amended by enacting a
13 new section 224, to read as follows:

14 "Section 224. Laws unaffected. Nothing in this
15 -section affects the validity of either appropriation
16 laws, other temporary National laws not included in
17 this code, or laws enacted after October 1, 1981, by
18 the Congress of the Federated States of Micronesia."

19 Section 7. Title 1 of the Code of the Federated States
20 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
21 7-20, 7-31 and 9-062, is hereby further amended by enacting a
22 new section 225, to read as follows:

23 "Section 225. Rights and liabilities unaffected.
24 The repeal in subsection 2 of section 221² of this
25 chapter does not affect the status of any civil or

I changed this

1 criminal actions, rights, or liabilities existing
2 before the repeal takes effect."

3 Section 8. Title 1 of the Code of the Federated States
4 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
5 7-20, 7-31 and 9-062, is hereby further amended by enacting a
6 new section 226, to read as follows:

7 "Section 226. Government authority unaffected. The
8 republication in this Code of Trust Territory laws
9 and the retention of references therein to the
10 authority of the Government of the Trust Territory
11 of the Pacific Islands are not intended to alter,
12 diminish, or in any way change or affect the
13 authority of the National Government or the
14 respective State governments of the Federated States
15 of Micronesia over the subject of legislation
16 included therein, as that authority has been
17 established by the Constitution of the Federated
18 States of Micronesia, the State charters or
19 constitutions, and other applicable law."

20 Section 9. Title 1 of the Code of the Federated States
21 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
22 7-20, 7-31 and 9-062, is hereby further amended by enacting a
23 new section 227, to read as follows:

24 "Section 227. State law reaffirmed. The authority
25 of the States of the Federated States of Micronesia

1 with regard to those provisions of the Trust
2 Territory Code within the jurisdiction of the States
3 is unaffected and hereby reaffirmed."

4 Section 10. Title 1 of the Code of the Federated States
5 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
6 7-20, 7-31 and 9-062, is hereby further amended by enacting a
7 new section 228, to read as follows:

8 "Section 228. Technical amendment of prior law.
9 Technical amendments to laws included in part II of
10 this code, whether or not those laws are readopted
11 and reenacted pursuant to subsection (3) of this
12 section, are hereby enacted regarding the following:

- 13 (1) Organization and numbering of titles,
14 chapters, subchapters, sections, and other subparts;
15 (2) Changes in phraseology;
16 (3) Changes in introductory materials; and
17 (4) Correction of errors."

18 Section 11. Title 1 of the Code of the Federated States
19 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
20 7-20, 7-31 and 9-062, is hereby further amended by enacting a
21 new section 229, to read as follows:

22 "Section 229. Future amendments; citations.

- 23 (1) Future amendments to laws included in part
24 II of this code, whether or not those laws are
25 readopted and reenacted pursuant to section 222 of

1 this title shall be made with reference to such laws
2 as they appear in this code.

3 (2) The preferred citation of laws included in
4 part II of this code is as follows: first, the
5 title number in Arabic numerals; second, "F.S.M.C.";
6 and third, section number. Example: The citation
7 of section 201, "Qualifications of Senators," of
8 title 9, "National Elections," would appear as "9
9 F.S.M.C. 201."

10 Section 12. Title 1 of the Code of the Federated States
11 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
12 7-20, 7-31 and 9-062, is hereby further amended by enacting a
13 new section 230, to read as follows:

14 "Section 230. Supplements as part of code.

15 (1) The laws contained in any current pocket
16 parts or supplements to this code, printed and
17 published under contract or otherwise as may be
18 authorized by law, constitute prima facie a part of
19 this code if the laws, as so contained, purport to
20 represent reproductions of statutory amendments to
21 this code, as stated in accompanying notes thereto.

22 (2) If pocket parts or supplements are
23 published on a cumulative basis, then only the laws
24 in the latest publication thereof constitute prima
25 facie a part of this code.

1 (3) If any discrepancy arises between the text
2 of a provision set out in the current supplement and
3 that contained in the basic act as separately
4 printed and published by the President of the
5 Federated States of Micronesia or his designee
6 pursuant to the authority granted by law, the latter
7 shall constitute the positive law and shall
8 control."

9 Section 13. Title 1 of the Code of the Federated States
10 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
11 7-20, 7-31 and 9-062, is hereby further amended by enacting a
12 new section 231, to read as follows:

13 "Section 231. Repealer. The Trust Territory Code
14 to the extent it is not republished herein or
15 reaffirmed as within the jurisdiction of the States
16 by section 227 of this chapter is hereby repealed in
17 its entirety."

18 Section 14. Title 1 of the Code of the Federated States
19 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
20 7-20, 7-31 and 9-062, is hereby further amended by enacting a
21 new section 232, to read as follows:

22 "Section 232. Authorization for publication of 1997
23 edition of F.S.M.C. The publishing of the official
24 1997 edition of the Code of the Federated States of
25 Micronesia (F.S.M.C.), pursuant to contract with the

1 Congress of the Federated States of Micronesia, is
2 hereby authorized."

3 Section 15. Title 1 of the Code of the Federated States
4 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
5 7-20, 7-31 and 9-062, is hereby further amended by enacting a
6 new section 233, to read as follows:

7 "Section 233. Contents of 1997 edition of F.S.M.C.
8 The 1997 edition of the Code of the Federated States
9 of Micronesia shall contain the general and
10 permanent National laws codified as positive law in
11 the original 1982 edition of the Code of the
12 Federated States of Micronesia pursuant to sections
13 220 through 231 of this chapter, supplemented and
14 updated with any amendments or additions to the law
15 requiring codification through the Ninth Congress of
16 the Federated States of Micronesia."

17 Section 16. Title 1 of the Code of the Federated States
18 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
19 7-20, 7-31 and 9-062, is hereby further amended by enacting a
20 new section 234, to read as follows:

21 "Section 234. Laws unaffected by 1997 publication.
22 The supplementing and updating of the original 1982
23 F.S.M.C. in the First Supplement authorized by
24 Public Law No. 4-33, and in this 1997 publication
25 which includes subsequently enacted laws, shall not

1 effect any substantive change to the law as enacted
2 and as it became effective."

3 Section 17. Section 1303 of title 6 of the Code of the
4 Federated States of Micronesia, as amended by section 3 of
5 Public Law No. 9-062, is hereby further amended to read as
6 follows:

7 "Section 1303. Legal status of laws included in the
8 F.S.M.C. enacted after the First Supplement.

9 (1) Pursuant to the authority provided in
10 section 11 of Public Law No. 2-48 and in this Act,
11 the laws contained in the 1997 edition of the
12 F.S.M.C. that are printed and published under
13 contract with the Congress of the Federated States
14 of Micronesia and as authorized by law, shall
15 constitute prima facie the laws of the Federated
16 States of Micronesia for those laws contained
17 therein, and as they purport to represent
18 reproductions of statutory amendments to the
19 F.S.M.C., as stated in accompanying notes or source
20 cites.

21 (2) Future supplements or updates published
22 pursuant to section 223 of title 1 of the Code of
23 the Federated States of Micronesia shall constitute
24 prima facie the laws of the Federated States of
25 Micronesia for those laws set forth in the latest

1 publication in which they appear.

2 (3) In the event of a conflict between the
3 text of a provision set out in the 1997 edition of
4 the F.S.M.C. or set out in any future supplement or
5 update thereto and the text contained in a Public
6 Law as originally enacted by Congress and as
7 approved or allowed to become law by the President
8 of the Federated States of Micronesia pursuant to
9 the laws and customs of the FSM, the text of the law
10 as it became effective shall constitute the positive
11 law and shall control.

12 (4) The official authenticated texts of Public
13 Laws as enacted by Congress and as approved or
14 allowed to become law by the President of the
15 Federated States of Micronesia and the 1997 edition
16 of the F.S.M.C. (as may be later updated or
17 supplemented) shall constitute evidence of the law
18 of the Federated States of Micronesia."

19 Section 18. Section 920 of title 55 of the Code of the
20 Federated States of Micronesia, as amended by section 4 of
21 Public Law No. 9-062, is hereby further amended to read as
22 follows:

23 "Section 920. Authorization for sale of 1997
24 edition of F.S.M.C.

25 (1) The sale of the 1997 edition of the Code

1 of the Federated States of Micronesia to the public
2 is hereby authorized.

3 (2) The sale price of the 1997 edition of the
4 Code shall be determined by the presiding officer of
5 the Congress of the Federated States of Micronesia,
6 who shall take into account the anticipated public
7 demand for the Code, as well as the costs associated
8 with completing and publishing it.

9 (3) The sale price of the 1997 edition of the
10 F.S.M.C. shall be set with the intent:

11 (a) to recover the costs of publishing
12 and

13 (b) to allow for appropriately timed
14 supplements or updates to be completed and
15 published."

16 Section 19. Section 922 of title 55 of the Code of the
17 Federated States of Micronesia, as amended by section 6 of
18 Public Law No. 9-062, is hereby further amended to read as
19 follows:

20 "Section 922. Purpose. The purpose of the Fund is
21 to establish an ongoing fund to allow for the
22 receipt of revenues from the sale of the 1997
23 edition of the Code of the Federated States of
24 Micronesia and any supplement, update, pocket part,
25 or other addition of the F.S.M.C. and any future

1 appropriations to be used for the preparation and
2 publication of additional supplements, updates,
3 pocket parts, or other additions to the F.S.M.C."

4 Section 20. Section 923 of title 55 of the Code of the
5 Federated States of Micronesia, as amended by section 7 of
6 Public Law No. 9-062, is hereby further amended to read as
7 follows:

8 "Section 923. Deposits. All future appropriations
9 from the General Fund for the cost of producing
10 supplements, updates, pocket parts, or other
11 additions to the 1997 edition of the F.S.M.C., and
12 all revenues received from the sale of the 1997
13 edition of the F.S.M.C. and further supplements,
14 updates, pocket parts or other additions to the
15 F.S.M.C. shall be deposited into the Fund. Any
16 unexpended monies in this Fund shall not revert to
17 the General Fund unless Congress dissolves the
18 Fund."

19 Section 21. This act shall become law upon approval by
20 the President of the Federated States of Micronesia or upon its
21 becoming law without such approval.

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23 _____, 1997

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25

Jacob Nena
President
Federated States of Micronesia

1 criminal actions, rights, or liabilities existing
2 before the repeal takes effect."

3 Section 8. Title 1 of the Code of the Federated States
4 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
5 7-20, 7-31 and 9-062, is hereby further amended by enacting a
6 new section 226, to read as follows:

7 "Section 226. Government authority unaffected. The
8 republication in this Code of Trust Territory laws
9 and the retention of references therein to the
10 authority of the Government of the Trust Territory
11 of the Pacific Islands are not intended to alter,
12 diminish, or in any way change or affect the
13 authority of the National Government or the
14 respective State governments of the Federated States
15 of Micronesia over the subject of legislation
16 included therein, as that authority has been
17 established by the Constitution of the Federated
18 States of Micronesia, the State charters or
19 constitutions, and other applicable law."

20 Section 9. Title 1 of the Code of the Federated States
21 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
22 7-20, 7-31 and 9-062, is hereby further amended by enacting a
23 new section 227, to read as follows:

24 "Section 227. State law reaffirmed. The authority
25 of the States of the Federated States of Micronesia

1 this title shall be made with reference to such laws
2 as they appear in this code.

3 (2) The preferred citation of laws included in
4 part II of this code is as follows: first, the
5 title number in Arabic numerals; second, "F.S.M.C.";
6 and third, section number. Example: The citation
7 of section 201, "Qualifications of Senators," of
8 title 9, "National Elections," would appear as "9
9 F.S.M.C. 201."

10 Section 12. Title 1 of the Code of the Federated States
11 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
12 7-20, 7-31 and 9-062, is hereby further amended by enacting a
13 new section 230, to read as follows:

14 "Section 230. Supplements as part of code.

15 (1) The laws contained in any current pocket
16 parts or supplements to this code, printed and
17 published under contract or otherwise as may be
18 authorized by law, constitute prima facie a part of
19 this code if the laws, as so contained, purport to
20 represent reproductions of statutory amendments to
21 this code, as stated in accompanying notes thereto.

22 (2) If pocket parts or supplements are
23 published on a cumulative basis, then only the laws
24 in the latest publication thereof constitute prima
25 facie a part of this code.

1 (3) If any discrepancy arises between the text
2 of a provision set out in the current supplement and
3 that contained in the basic act as separately
4 printed and published by the President of the
5 Federated States of Micronesia or his designee
6 pursuant to the authority granted by law, the latter
7 shall constitute the positive law and shall
8 control."

9 Section 13. Title 1 of the Code of the Federated States
10 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
11 7-20, 7-31 and 9-062, is hereby further amended by enacting a
12 new section 231, to read as follows:

13 "Section 231. Repealer. The Trust Territory Code
14 to the extent it is not republished herein or
15 reaffirmed as within the jurisdiction of the States
16 by section 227 of this chapter is hereby repealed in
17 its entirety."

18 Section 14. Title 1 of the Code of the Federated States
19 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
20 7-20, 7-31 and 9-062, is hereby further amended by enacting a
21 new section 232, to read as follows:

22 "Section 232. Authorization for publication of 1997
23 edition of F.S.M.C. The publishing of the official
24 1997 edition of the Code of the Federated States of
25 Micronesia (F.S.M.C.), pursuant to contract with the

1 Congress of the Federated States of Micronesia, is
2 hereby authorized."

3 Section 15. Title 1 of the Code of the Federated States
4 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
5 7-20, 7-31 and 9-062, is hereby further amended by enacting a
6 new section 233, to read as follows:

7 "Section 233. Contents of 1997 edition of F.S.M.C.
8 The 1997 edition of the Code of the Federated States
9 of Micronesia shall contain the general and
10 permanent National laws codified as positive law in
11 the original 1982 edition of the Code of the
12 Federated States of Micronesia pursuant to sections
13 220 through 231 of this chapter, supplemented and
14 updated with any amendments or additions to the law
15 requiring codification through the Ninth Congress of
16 the Federated States of Micronesia."

17 Section 16. Title 1 of the Code of the Federated States
18 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
19 7-20, 7-31 and 9-062, is hereby further amended by enacting a
20 new section 234, to read as follows:

21 "Section 234. Laws unaffected by 1997 publication.
22 The supplementing and updating of the original 1982
23 F.S.M.C. in the First Supplement authorized by
24 Public Law No. 4-33, and in this 1997 publication
25 which includes subsequently enacted laws, shall not

1 publication in which they appear.

2 (3) In the event of a conflict between the
3 text of a provision set out in the 1997 edition of
4 the F.S.M.C. or set out in any future supplement or
5 update thereto and the text contained in a Public
6 Law as originally enacted by Congress and as
7 approved or allowed to become law by the President
8 of the Federated States of Micronesia pursuant to
9 the laws and customs of the FSM, the text of the law
10 as it became effective shall constitute the positive
11 law and shall control.

12 (4) The official authenticated texts of Public
13 Laws as enacted by Congress and as approved or
14 allowed to become law by the President of the
15 Federated States of Micronesia and the 1997 edition
16 of the F.S.M.C. (as may be later updated or
17 supplemented) shall constitute evidence of the law
18 of the Federated States of Micronesia."

19 Section 18. Section 920 of title 55 of the Code of the
20 Federated States of Micronesia, as amended by section 4 of
21 Public Law No. 9-062, is hereby further amended to read as
22 follows:

23 "Section 920. Authorization for sale of 1997
24 edition of F.S.M.C.

25 (1) The sale of the 1997 edition of the Code

1 appropriations to be used for the preparation and
2 publication of additional supplements, updates,
3 pocket parts, or other additions to the F.S.M.C."

4 Section 20. Section 923 of title 55 of the Code of the
5 Federated States of Micronesia, as amended by section 7 of
6 Public Law No. 9-062, is hereby further amended to read as
7 follows:

8 "Section 923. Deposits. All future appropriations
9 from the General Fund for the cost of producing
10 supplements, updates, pocket parts, or other
11 additions to the 1997 edition of the F.S.M.C., and
12 all revenues received from the sale of the 1997
13 edition of the F.S.M.C. and further supplements,
14 updates, pocket parts or other additions to the
15 F.S.M.C. shall be deposited into the Fund. Any
16 unexpended monies in this Fund shall not revert to
17 the General Fund unless Congress dissolves the
18 Fund."

19 Section 21. This act shall become law upon approval by
20 the President of the Federated States of Micronesia or upon its
21 becoming law without such approval.

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 _____, 1997



Jacob Nena
President
Federated States of Micronesia

Step 4

5/350

GP is mostly done / a few things left
from Dennis - & the GP has a long way to go -

Dennis Lamase -

File 1 of 2

ORIGINALS

TENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

CONGRESSIONAL BILL NO. 10-55

FIRST REGULAR SESSION, 1997

AN ACT

To further amend title 1 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 6-56, 6-105, 7-20, 7-31, and 9-062, by repealing subchapter 2 of chapter 2, as enacted by Public Law No. 9-062, and by enacting a new subchapter 2 of chapter 2 thereof; to further amend title 6 of the Code of the Federated States of Micronesia, as amended by Public Law No. 5-123, by amending section 1303; and to further amend title 55 of the Code of the Federated States of Micronesia, as amended, by amending sections 920, 922, and 923, all for the purpose of publishing the 1997 edition of the Code of the Federated States of Micronesia, and for other purposes.

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

1 Section 1. Subchapter 2 of chapter 2 of title 1 of the
2 Code of the Federated States of Micronesia, as enacted by
3 sections 1 and 2 of Public Law No. 9-062, is hereby repealed in
4 its entirety.

5 Section 2. Title 1 of the Code of the Federated States
6 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
7 7-20, 7-31 and 9-062, is hereby further amended by enacting a
8 new subchapter 2 of chapter 2, to begin with section 220, to
9 read as follows:

10 "Section 220. Code of the Federated States of
11 Micronesia: Statement of intent. This section is
12 intended to effect a codification of the general and
13 permanent National Laws of the Federated States of
14 Micronesia and is not intended to effect any
15 substantive changes therein."

16 Section 3. Title 1 of the Code of the Federated States
17 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
18 7-20, 7-31 and 9-062, is hereby further amended by enacting a
19 new section 221, to read as follows:

20 "Section 221. Designation of Code. The attached
21 manuscript is incorporated by reference herein and
22 is hereby designated as the Code of the Federated

1 States of Micronesia'. This code contains the
2 National laws of the Federated States of Micronesia
3 and is prepared under the authority of the Congress
4 of the Federated States of Micronesia, by contract
5 between the National Government of the Federated
6 States of Micronesia and the Book Publishing Company
7 of Seattle, Washington."
8 Section 4. Title 1 of the Code of the Federated States
9 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
10 7-20, 7-31 and 9-062, is hereby further amended by enacting a
11 new section 222, to read as follows:
12 "Section 222. Adoption as positive law.
13 (1) All enacted law of the Interim Congress of
14 the Federated States of Micronesia, except for
15 Public Law No. IC-28, and all enacted law of the
16 Congress of the Federated States of Micronesia which
17 are incorporated in part II of the attached
18 manuscript are hereby readopted and reenacted as
19 positive law of the Federated States of Micronesia
20 in the form appearing in the manuscript.
21 (2) All enacted law which is readopted and
22 reenacted pursuant to subsection (1) of this section
23 is hereby repealed in its prior form."
24 Section 5. Title 1 of the Code of the Federated States
25 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,

A BILL FOR AN ACT

To further amend title 1 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 6-56, 6-105, 7-20, 7-31, and 9-062, by repealing subchapter 2 of chapter 2, as enacted by Public Law No. 9-062, and by enacting a new subchapter 2 of chapter 2 thereof; to further amend title 6 of the Code of the Federated States of Micronesia, as amended by Public Law No. 5-123, by amending section 1303; and to further amend title 55 of the Code of the Federated States of Micronesia, as amended, by amending sections 920, 922, and 923, all for the purpose of publishing the 1997 edition of the Code of the Federated States of Micronesia, and for other purposes.

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

1 Section 1. Subchapter 2 of chapter 2 of title 1 of the
2 Code of the Federated States of Micronesia, as enacted by
3 sections 1 and 2 of Public Law No. 9-062, is hereby repealed in
4 its entirety.

5 Section 2. Title 1 of the Code of the Federated States
6 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
7 7-20, 7-31 and 9-062, is hereby further amended by enacting a
8 new subchapter 2 of chapter 2, to begin with section 220, to
9 read as follows:

10 "Section 220. Code of the Federated States of
11 Micronesia; Statement of intent. This section is
12 intended to effect a codification of the general and
13 permanent National laws of the Federated States of
14 Micronesia and is not intended to effect any
15 substantive changes therein."

16 Section 3. Title 1 of the Code of the Federated States
17 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
18 7-20, 7-31 and 9-062, is hereby further amended by enacting a
19 new section 221, to read as follows:

20 "Section 221. Designation of Code. The attached
21 manuscript is incorporated by reference herein and
22 is hereby designated as the 'Code of the Federated
23 States of Micronesia'. This code contains the
24 National laws of the Federated States of Micronesia
25 and is prepared under the authority of the Congress

1 of the Federated States of Micronesia, by contract
2 between the National Government of the Federated
3 States of Micronesia and the Book Publishing Company
4 of Seattle, Washington."

5 Section 4. Title 1 of the Code of the Federated States
6 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
7 7-20, 7-31 and 9-062, is hereby further amended by enacting a
8 new section 222, to read as follows:

9 "Section 222. Adoption as positive law.

10 (1) All enacted law of the Interim Congress of
11 the Federated States of Micronesia, except for
12 Public Law No. IC-28, and all enacted law of the
13 Congress of the Federated States of Micronesia which
14 are incorporated in part II of the attached
15 manuscript are hereby readopted and reenacted as
16 positive law of the Federated States of Micronesia
17 in the form appearing in the manuscript.

18 (2) All enacted law which is readopted and
19 reenacted pursuant to subsection (1) of this section
20 is hereby repealed in its prior form."

21 Section 5. Title 1 of the Code of the Federated States
22 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
23 7-20, 7-31 and 9-062, is hereby further amended by enacting a
24 new section 223, to read as follows:

25 "Section 223. Other documents not adopted. The

1 inclusion in part III of the attached manuscript of
2 the documents relating to the Government of the
3 Trust Territory of the Pacific Islands is not to be
4 construed as an adoption of those documents or as
5 recognition of their efficacy in the Federated
6 States of Micronesia."

7 Section 6. Title 1 of the Code of the Federated States
8 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
9 7-20, 7-31 and 9-062, is hereby further amended by enacting a
10 new section 224, to read as follows:

11 "Section 224. Laws unaffected. Nothing in this
12 section affects the validity of either appropriation
13 laws, other temporary National laws not included in
14 this code, or laws enacted after October 1, 1981, by
15 the Congress of the Federated States of Micronesia."

16 Section 7. Title 1 of the Code of the Federated States
17 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
18 7-20, 7-31 and 9-062, is hereby further amended by enacting a
19 new section 225, to read as follows:

20 "Section 225. Rights and liabilities unaffected.
21 The repeal in subsection 2 of section 221 of this
22 chapter does not affect the status of any civil or
23 criminal actions, rights, or liabilities existing
24 before the repeal takes effect."

25 Section 8. Title 1 of the Code of the Federated States

1 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
2 7-20, 7-31 and 9-062, is hereby further amended by enacting a
3 new section 226, to read as follows:

4 "Section 226. Government authority unaffected. The
5 republication in this Code of Trust Territory laws
6 and the retention of references therein to the
7 authority of the Government of the Trust Territory
8 of the Pacific Islands are not intended to alter,
9 diminish, or in any way change or affect the
10 authority of the National Government or the
11 respective State governments of the Federated States
12 of Micronesia over the subject of legislation
13 included therein, as that authority has been
14 established by the Constitution of the Federated
15 States of Micronesia, the State charters or
16 constitutions, and other applicable law."

17 Section 9. Title 1 of the Code of the Federated States
18 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
19 7-20, 7-31 and 9-062, is hereby further amended by enacting a
20 new section 227, to read as follows:

21 "Section 227. State law reaffirmed. The authority
22 of the States of the Federated States of Micronesia
23 with regard to those provisions of the Trust
24 Territory Code within the jurisdiction of the States
25 is unaffected and hereby reaffirmed."

1 Section 10. Title 1 of the Code of the Federated States
2 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
3 7-20, 7-31 and 9-062, is hereby further amended by enacting a
4 new section 228, to read as follows:

5 "Section 228. Technical amendment of prior law.
6 Technical amendments to laws included in part II of
7 this code, whether or not those laws are readopted
8 and reenacted pursuant to subsection (3) of this
9 section, are hereby enacted regarding the following:

10 (1) Organization and numbering of titles,
11 chapters, subchapters, sections, and other subparts;

12 (2) Changes in phraseology;

13 (3) Changes in introductory materials; and

14 (4) Correction of errors."

15 Section 11. Title 1 of the Code of the Federated States
16 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
17 7-20, 7-31 and 9-062, is hereby further amended by enacting a
18 new section 229, to read as follows:

19 "Section 229. Future amendments; citations.

20 (1) Future amendments to laws included in part
21 II of this code, whether or not those laws are
22 readopted and reenacted pursuant to section 222 of
23 this title shall be made with reference to such laws
24 as they appear in this code.

25 (2) The preferred citation of laws included in

part II of this code is as follows: first, the title number in Arabic numerals; second, "F.S.M.C."; and third, section number. Example: The citation of section 201, "Qualifications of Senators," of title 9, "National Elections," would appear as "9 F.S.M.C. 201."

Section 12. Title 1 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 6-56, 6-105, 7-20, 7-31 and 9-062, is hereby further amended by enacting a new section 230, to read as follows:

"Section 230. Supplements as part of code.

(1) The laws contained in any current pocket parts or supplements to this code, printed and published under contract or otherwise as may be authorized by law, constitute prima facie a part of this code if the laws, as so contained, purport to represent reproductions of statutory amendments to this code, as stated in accompanying notes thereto.

(2) If pocket parts or supplements are published on a cumulative basis, then only the laws in the latest publication thereof constitute prima facie a part of this code.

(3) If any discrepancy arises between the text of a provision set out in the current supplement and that contained in the basic act as separately

1 printed and published by the President of the
2 Federated States of Micronesia or his designee
3 pursuant to the authority granted by law, the latter
4 shall constitute the positive law and shall
5 control."

6 Section 13. Title 1 of the Code of the Federated States
7 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
8 7-20, 7-31 and 9-062, is hereby further amended by enacting a
9 new section 231, to read as follows:

10 "Section 231. Repealer. The Trust Territory Code
11 to the extent it is not republished herein or
12 reaffirmed as within the jurisdiction of the States
13 by section 227 of this charter is hereby repealed in
14 its entirety."

15 Section 14. Title 1 of the Code of the Federated States
16 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
17 7-20, 7-31 and 9-062, is hereby further amended by enacting a
18 new section 232, to read as follows:

19 "Section 232. Authorization for publication of 1997
20 edition of F.S.M.C. The publishing of the official
21 1997 edition of the Code of the Federated States of
22 Micronesia (F.S.M.C.), pursuant to contract with the
23 Congress of the Federated States of Micronesia, is
24 hereby authorized."

25 Section 15. Title 1 of the Code of the Federated States

1 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
2 7-20, 7-31 and 9-062, is hereby further amended by enacting a
3 new section 233, to read as follows:

4 "Section 233. Contents of 1997 edition of F.S.M.C.
5 The 1997 edition of the Code of the Federated States
6 of Micronesia shall contain the general and
7 permanent National laws codified as positive law in
8 the original 1982 edition of the Code of the
9 Federated States of Micronesia pursuant to sections
10 220 through 231 of this chapter, supplemented and
11 updated with any amendments or additions to the law
12 requiring codification through the Ninth Congress of
13 the Federated States of Micronesia."

14 Section 16. Title 1 of the Code of the Federated States
15 of Micronesia, as amended by Public Laws Nos. 6-56, 6-105,
16 7-20, 7-31 and 9-062, is hereby further amended by enacting a
17 new section 234, to read as follows:

18 "Section 234. Laws unaffected by 1997 publication.
19 The supplementing and updating of the original 1982
20 F.S.M.C. in the First Supplement authorized by
21 Public Law No. 4-33, and in this 1997 publication
22 which includes subsequently enacted laws, shall not
23 effect any substantive change to the law as enacted
24 and as it became effective."

25 Section 17. Section 1303 of title 6 of the Code of the

1 Federated States of Micronesia, as amended by section 3 of
2 Public Law No. 9-062, is hereby further amended to read as
3 follows:

4 "Section 1303. Legal status of laws included in the
5 ~~FSMC~~ F.S.M.C. enacted after the First Supplement.

6 (1) Pursuant to the authority provided in
7 section 11 of Public Law No. 2-48 and in this ~~Act~~
8 Act, the laws contained in the ~~1995~~ 1997 edition of
9 the F.S.M.C. that are printed and published under
10 contract with the Congress of the Federated States
11 of Micronesia and as authorized by law, shall
12 constitute prima facie the laws of the Federated
13 States of Micronesia for those laws contained
14 therein, and as they purport to represent
15 reproductions of statutory amendments to the
16 F.S.M.C., as stated in accompanying notes or source
17 cites.

18 (2) Future supplements or updates published
19 pursuant to section ~~2~~ (~~§ 220~~) 223 of ~~this Act~~ this
20 ~~title 1~~ title 1 of the Code of the Federated
21 States of Micronesia shall constitute prima facie
22 the laws of the Federated States of Micronesia for
23 those laws set forth in the latest publication in
24 which they appear.

25 (3) In the event of a conflict between the

text of a provision set out in the ~~1995~~ 1997 edition of the F.S.M.C. or set out in any future supplement or update thereto and the text contained in a Public Law as originally enacted by Congress and as approved or allowed to become law by the President of the Federated States of Micronesia pursuant to the ~~constitution and~~ laws and customs of the FSM, the text of the law as it became effective shall constitute the positive law and shall control.

(4) ~~Except for the~~ The official authenticated texts of Public Laws as enacted by Congress and as approved or allowed to become law by the President of the Federated States of Micronesia and the 1997 edition of the F.S.M.C. (as may be later updated or supplemented) ~~no other~~ publication or codification of the laws of this nation shall constitute ~~any~~ evidence ~~whatsoever~~ of the law of the Federated States of Micronesia ~~and may not be introduced in any court of law.~~

Section 18. Section 920 of title 55 of the Code of the Federated States of Micronesia, as amended by section 4 of Public Law No. 9-062, is hereby further amended to read as follows:

"Section 920. Authorization for sale of ~~1995~~ 1997

1 edition of F.S.M.C.

2 (1) The 1995 sale of the 1997 edition of the
 3 Code of the Federated States of Micronesia to shall
 4 be made available for sale to the branches and
 5 agencies of the National and State Governments
 6 of the Federated States of Micronesia, other
 7 entities and members of the public is hereby
 8 authorized.

9 (2) The sale price of the 1997 edition of the
 10 Code shall be determined by the speaker presiding
 11 officer of the Congress of the Federated States of
 12 Micronesia, who shall take into account the
 13 anticipated public demand for the Code, as well as
 14 all of the costs associated with completing and
 15 publishing it the 1995 edition of the F/S/M/C/
 16 and the ability to sell copies to the public.

17 (3) The sale price of the 1995 1997 edition of
 18 the F.S.M.C. shall be set in such amount as to
 19 come as close as possible to being sufficient
 20 to recover with the intent:

21 (a) to recover the costs of completing
 22 and publishing the F/S/M/C/ and

23 (b) to allow for annual semi-annual,
 24 or other appropriately timed supplements or updates
 25 to be completed and published."

1 Section 19. Section 922 of title 55 of the Code of the
2 Federated States of Micronesia, as amended by section 6 of
3 Public Law No. 9-062, is hereby further amended to read as
4 follows:

5 "Section 922. Purpose. The purpose of the Fund is
6 to establish an ongoing fund to allow for the
7 receipt of revenues from the sale of the ~~1995~~ 1997
8 edition of the Code of the Federated States of
9 Micronesia and any supplement, update, pocket part,
10 or other addition of the F.S.M.C. and any future
11 appropriations to be used for the preparation and
12 publication of additional supplements, updates,
13 pocket parts, or other additions to the F.S.M.C."

14 Section 20. Section 923 of title 55 of the Code of the
15 Federated States of Micronesia, as amended by section 7 of
16 Public Law No. 9-062, is hereby further amended to read as
17 follows:

18 "Section 923. Deposits. All future appropriations
19 from the General Fund for the cost of producing
20 supplements, updates, pocket parts, or other
21 additions to the ~~1995~~ 1997 edition of the F.S.M.C.,
22 and all revenues received from the sale of the ~~1995~~
23 1997 edition of the F.S.M.C. and further
24 supplements, updates, pocket parts or other
25 additions to the F.S.M.C. shall be deposited into

1 the Fund. Any unexpended monies in this Fund shall
2 not revert to the General Fund unless Congress
3 dissolves the Fund."

4 Section 21. This act shall become law upon approval by
5 the President of the Federated States of Micronesia or upon its
6 becoming law without such approval.

7

8 Date: 6/2/97 Introduced by: /s/ Jack Fritz
Jack Fritz

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