



*The President*  
*Palikir, Pohnpei*  
*Federated States of Micronesia*

PRESIDENTIAL COMM. NO. 21-40  
FSM CONGRESS

July 4, 2019

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

Dear Speaker Simina:

I am pleased to transmit the following Act, which I have signed to become Public Law No. 21-08:

Congressional Act No. 21-04, entitled: "AN ACT TO FURTHER AMEND TITLE 11 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED, BY AMENDING SECTIONS 1141 AND 1147 THEREOF, TO CORRECT TECHNICAL ERRORS IN THE 2014 F.S.M.C. (ANNOTATED), AND FOR OTHER PURPOSES."

As indicated on its title, this act is addressing technical errors in the FSM Code. I therefore appreciate the efforts of Congress in passing this act. Thank you.

Sincerely,

David W. Panuelo  
President

xc: Chief Justice, FSM Supreme Court





Office of the Chief Clerk

CONGRESS OF THE FEDERATED STATES OF MICRONESIA

P.O. Box PS 3

Palikir, Sokehs Pohnpei State, FM 96941

Tel: (691) 320-2324 / 2338 Fax: (691) 320-5122

PRESIDENTIAL COMM. NO. 21-40  
FSM CONGRESS

8:55am

June 17, 2019

His Excellency David W. Panuelo  
President  
Federated States of Micronesia  
Palikir, Pohnpei FM 96941

RECEIVED  
JUN 17 2019  
Office of the  
President FSM

Dear President Panuelo:

I have the honor to transmit herewith Congressional Act No. 21-04, "AN ACT TO FURTHER AMEND TITLE 11 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED, BY AMENDING SECTIONS 1141 AND 1147 THEREOF, TO CORRECT TECHNICAL ERRORS IN THE 2014 F.S.M.C. (ANNOTATED), AND FOR OTHER PURPOSES.", which was passed by the Twenty-First Congress of the Federated States of Micronesia, First Special Session, 2019, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

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

Enclosures





PRESIDENTIAL COMM. NO. 21-40  
FSM CONGRESS

TWENTY-FIRST CONGRESS OF THE  
FEDERATED STATES OF MICRONESIA  
FIRST SPECIAL SESSION  
JUNE 13 - 17, 2019

## An Act

TO FURTHER AMEND TITLE 11 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED, BY AMENDING SECTIONS 1141 AND 1147 THEREOF, TO CORRECT TECHNICAL ERRORS IN THE 2014 F.S.M.C. (ANNOTATED), AND FOR OTHER PURPOSES.

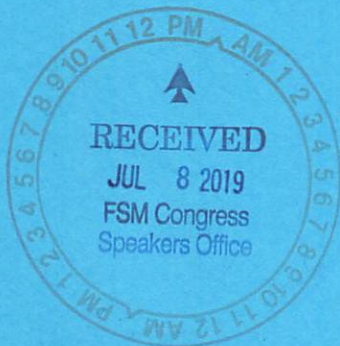
INTRODUCED BY SENATOR: WESLEY W. SIMINA

DATE: JUNE 13, 2019

REFERRED TO: COMMITTEE ON JUDICIARY & GOVERNMENTAL OPERATIONS  
WITHDRAWN – JUNE 13, 2019

FIRST READING: – JUNE 13, 2019

SECOND READING: – JUNE 14, 2019



PUBLIC LAW No. 21-08

A handwritten signature in blue ink, appearing to read "Liwiana Ramon Ioanis".

Liwiana Ramon Ioanis  
Chief Clerk, FSM Congress



Office of the Speaker

CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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PRESIDENTIAL COMM. NO. 21-40  
FSM CONGRESS

ACT NO. 21-04

(CONGRESSIONAL BILL NO. 21-15)

We hereby certify that on June 14 the foregoing act passed Second and Final Reading of the Twenty-First Congress of the Federated States of Micronesia, First Special Session, 2019, by a two-thirds vote of all the State delegations as required under article IX, section 20, of the Constitution of the Federated States of Micronesia.

Wesley W. Simina  
Speaker  
Congress of the  
Federated States of Micronesia

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



TWENTY-FIRST CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIRST SPECIAL SESSION, 2019

CONGRESSIONAL BILL NO. 21-15

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AN ACT

To further amend title 11 of the Code of the Federated States of Micronesia (Annotated), as amended, by amending sections 1141 and 1147 thereof, to correct technical errors in the 2014 F.S.M.C. (Annotated), and for other purposes.

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

1       Section 1. The purpose of this Act is to correct  
2 technical errors in the codification of sections 1141 and 1147  
3 of title 11 of the Code of the Federated States of Micronesia  
4 (Annotated). Public Law No. 10-54 amended sections 1141 and  
5 1147 of title 11; the amendments made by that law were  
6 unintentionally omitted from the 2014 F.S.M.C. (Annotated).  
7 This Act amends sections 1141 and 1147 of title 11 to  
8 accurately reflect the provision of Public Law No. 10-54.

9       Section 2. Section 1141 of title 11 of the Code of the  
10 Federated States of Micronesia (Annotated), as amended, is  
11 hereby amended to read as follows:

12               "Section 1141. Trafficking.

13               (1) Except as authorized by this chapter, it shall be  
14 unlawful for any person knowingly or intentionally:

15                       (a) to import, export, manufacture, deliver, or  
16 possess with intent to manufacture, deliver, or  
17 dispense, a controlled substance; or

18                       (b) to create, distribute, or possess with

**PUBLIC LAW No. 21- 08**

1 intent to deliver, a counterfeit controlled substance.

2 (2) Any person who violates subsection (1) of this  
3 section with respect to:

4 (a) a large amount of an especially dangerous  
5 controlled substance, as defined in subsection 2(a)(i)a)  
6 through 2(a)(i)d) of this section, shall be sentenced to  
7 a term of imprisonment for not more than 15 years, a  
8 fine of not more than \$15,000, or both;

9 (i) for the purposes of subsection 2(a) of  
10 this section, 'a large amount of an especially dangerous  
11 controlled substance' is:

12 a) 100 grams or more of a substance  
13 containing a detectable amount of heroin;

14 b) 500 grams or more of a substance  
15 containing a detectable amount of cocaine, its salts,  
16 its isomers, or salts of its isomers;

17 c) 10 grams or more of a substance  
18 containing a detectable amount of lysergic acid  
19 diethylamide (LSD); or

20 d) 10 grams or more of crystal  
21 methamphetamine;

22 (a) any other substance classified in  
23 schedules I or II which is a narcotic drug or crystal  
24 methamphetamine shall be sentenced to a term of  
25 imprisonment for not more than ten years, a fine of not

1 more than \$10,000, or both;

2 (b) any controlled substance classified in  
3 schedules I, II, or III, which falls outside the  
4 parameters of subsections (2)(a) and (2)(b) of this  
5 section, shall be sentenced to a term of imprisonment of  
6 not more than five years, a fine of not more than  
7 \$5,000, or both;

8 (c) a substance classified in schedule IV shall  
9 be sentenced to a term of imprisonment for not more than  
10 two years, a fine of not more than \$1,000, or both;

11 a substance classified in schedule V shall be sentenced  
12 to a term of imprisonment for not more than one year, a  
13 fine of not more than \$1,000, or both."

14 (d) a substance classified in schedule V shall  
15 be sentenced to a term of imprisonment for not more  
16 than one year, a fine of not more than \$1,000, or  
17 both."

18 (1) Notwithstanding subsection (2)(c) of this  
19 section, any person who violates subsection (1)(a) of  
20 this section by distributing not more than one ounce of  
21 marihuana for no remuneration shall be treated as  
22 provided in subsection (3)(a) of section 1142 of this  
23 chapter.

24 Section 3. Section 1147 of title 11 of the Code of the  
25 Federated States of Micronesia (Annotated), is hereby amended

1 to read as follows:

2 "Section 1147. Distribution to persons under  
3 eighteen.

4 Any person who is at least 18 years of age who  
5 violates subsection (1)(a) of section 1141 of this  
6 chapter by distributing a substance listed in  
7 schedules I and II which is a narcotic drug or  
8 crystal methamphetamine to a person under 18 years of  
9 age who is at least three years his junior is  
10 punishable by a term of imprisonment of up to twice  
11 that authorized by subsection (2)(a) of section 1141  
12 of this chapter, by the fine authorized by subsection  
13 (2)(a) of section 1141 of this chapter, or both. Any  
14 person who is at least 18 years of age who violates  
15 subsection (1)(a) of section 1141 of this chapter by  
16 distributing any other controlled substance listed in  
17 schedules I, II, III and IV to a person under 18  
18 years of age who is at least three years his junior  
19 is punishable by a term of imprisonment up to twice  
20 that authorized in subsections (2)(c) or (d) of  
21 section 1141 of this chapter, by the fine authorized  
22 by subsection (2)(c) or (d) of section 1141 of this  
23 chapter, or both."

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1       Section 4. This act shall become law upon approval by the  
2 President of the Federated States of Micronesia or upon its  
3 becoming law without such approval.

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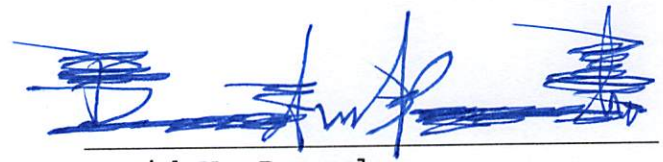
July 5<sup>th</sup>, 2019

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David W. Panuelo  
President  
Federated States of Micronesia

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**PUBLIC LAW No. 21- 08**