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A BILL FOR AN ACT

To establish a Weapons Control Act for the Federated States of Micronesia, and for other purposes.

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

1 Section 1. Short title. This act is known and may be cited as the
2 Federated States of Micronesia Weapons Control Act.

3 Section 2. Firearms and dangerous devices prohibited. No person
4 shall manufacture, purchase, sell, possess or carry any firearm,
5 dangerous device, or ammunition other than as hereinafter provided.

6 Section 3. Act not applicable. This act shall not apply to:

7 (1) Law enforcement officers while engaged on official duty
8 except to the extent that particular provisions of this act and regulations
9 pursuant thereto are expressly made applicable to them;

10 (2) Firearms which are in unserviceable condition and which
11 are incapable of being fired or discharged and which are kept as curios,
12 ornaments, or for their historical significance or value;

13 (3) Weapons or other dangerous devices which are not firearms
14 and which are kept as ornaments, curios, or objects of historical or
15 archeological interest; PROVIDED, that the article or articles referred
16 to herein are kept or displayed only in private homes, museums, or in
17 connection with public exhibitions; and

18 (4) Persons in the armed forces of the United States, whenever
19 such persons are engaged on official duty except to the extent that
20 particular provisions of this act and regulations pursuant thereto are
21 expressly made applicable to them.

22 Section 4. Definitions.

23 (1) "Firearm" means any device, by whatever name known, which is
24 designed or may be converted to expel or hurl a projectile or projectiles
25 by the action of an explosion, a release, or an expansion of gas, including

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1 but not limited to guns, except a device designed or redesigned for use
2 solely as a signaling, linethrowing, spearfishing, or industrial device, or
3 a device which hurls a projectile by means of the release or expansion
4 of carbon dioxide or air.

5 (2) "Dangerous device" means:

6 (a) Any explosive, including but not limited to dynamite,
7 incendiary or poison gas bomb, grenade, mine, or similar device; or

8 (b) Switch or gravity blade knife, blackjack, sandbag,
9 metal, wooden or shark's tooth knuckles, dagger, any instrument designed
10 or redesigned for use as a weapon, or any other instrument which can be
11 used for the purpose of inflicting bodily harm and which under the
12 circumstances of its possession serves no lawful purpose; PROVIDED that,
13 dangerous devices defined under this subparagraph (b) shall be subject to
14 the provisions of this act and regulations pursuant thereto only until such
15 time as the respective states establish state law regulating such
16 dangerous devices.

17 (3) "Handgun" means a pistol or revolver with an overall length
18 of less than 26 inches.

19 (4) "Long gun" means a rifle with one or more barrels more than
20 18 inches in length.

21 (5) "Gun" means a handgun or long gun.

22 (6) "Transfer" means sale, gift, purchase, or any other means by
23 which ownership or temporary rights of use and control are conveyed or
24 shifted from one person to another.

25 (7) "Carry" means having on one's person or in a motor vehicle

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1 or other conveyance.

2 (8) "Automatic weapon" means a weapon of any description,
3 irrespective of size, by whatever name designated or known, loaded or
4 unloaded, from which may be repeatedly or automatically discharged a
5 number of bullets contained in a magazine, ribbon or other receptacle,
6 by one continued movement of the trigger or firing mechanism.

7 (9) "Semi-automatic weapon" means a weapon of any description,
8 irrespective of size, by whatever name designated or known, loaded or
9 unloaded, from which may be repeatedly or automatically discharged a
10 number of bullets contained in a magazine, ribbon, or other receptacle by
11 a like number of movements of the trigger or firing mechanism without
12 recocking or resetting the trigger or firing mechanism.

13 (10) "Person" means any natural person, corporation, partnership,
14 or other business entity.

15 (11) "Attorney General" and "Office of the Attorney General"
16 mean the Attorney General and the Office of the Attorney General of the
17 National Government of the Federated States of Micronesia.

18 Section 5. Identification cards.

19 (1) No person shall acquire or possess any firearm, dangerous
20 device, or ammunition unless he holds an identification card issued
21 pursuant to this act. The identification card is evidence of the holder's
22 eligibility to possess and use or carry firearms, dangerous devices,
23 or ammunition.

24 (2) Identification cards shall be issued only by the Office of
25 the Attorney General pursuant to regulations made by the Office of the

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1 Attorney General in the manner which is or may be provided by law. The
2 identification card shall have on its face all of the following:

3 (a) The name and address of the holder;

4 (b) The sex, height, and weight of the holder;

5 (c) The birth date of the holder;

6 (d) The date of expiration for the card which shall be two
7 years from the date of issue;

8 (e) A photograph of the holder taken within 10 days prior
9 to issuance;

10 (f) An endorsement setting forth the extent of the holder's
11 eligibility to possess, use, and carry firearms, dangerous devices, or
12 ammunition; and

13 (g) The number of the identification card.

14 (3) An applicant for an identification card shall make application
15 therefor on a form approved by the Office of the Attorney General and shall
16 supply such information as may be necessary to afford the issuing agency
17 reasonable opportunity to ascertain the facts required to appear on the
18 face of the identification card, and to determine whether the applicant
19 complies with all requirements of this act to possess and use, or carry,
20 firearms, dangerous devices, or ammunition, as the case may be.

21 (4) No identification card shall be issued until 15 days after
22 application therefor, and unless the issuing agency is satisfied that the
23 applicant may lawfully possess and use, or carry firearms, dangerous
24 devices, or ammunition of the type or types enumerated on the identification
25 card. Unless the application for use and possession is denied, the

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1 identification card shall be issued within 60 days from the date of
2 application.

3 (5) No person shall be issued an identification card if he has
4 been:

5 (a) Acquitted of any criminal charge by reason of insanity;

6 (b) Adjudicated mentally incompetent;

7 (c) Treated in a hospital for mental illness, drug
8 addiction, or alcoholism;

9 (d) Convicted of a crime of which actual or attempted
10 personal injury or death is an element;

11 (e) Convicted of a crime in connection with which firearms
12 or dangerous devices were used or found in his possession; and

13 (f) Convicted of a crime of which the use, possession, or
14 sale of narcotics or dangerous drugs is an element.

15 (6) No person shall be issued an identification card if he has
16 a physical condition or impairment which makes him unable to use a firearm
17 or dangerous device with proper control.

18 (7) Any person suffering from a physical or mental defect,
19 condition, illness, or impairment which would make him ineligible for an
20 identification card pursuant to this section may submit the certificate of
21 a physician licensed to practice in the Federated States of Micronesia to
22 the issuing agency or officer. If the certificate states that it is the
23 subscribing physician's best opinion that the defect, condition, illness,
24 or impairment does not make the applicant incapable of possessing and using
25 a firearm or dangerous device without danger to the public safety, the

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1 identification card may be issued. But no such card shall be valid for a
2 period longer than six months.

3 (8) Any person who is ineligible for an identification card by
4 reason of conviction of a crime may be issued such a card if his most recent
5 discharge from probation or parole or the termination of his most recent
6 sentence, whichever is later, is more than 10 years prior to the time of
7 application for the identification card and if the issuing agency finds that
8 his record, taken as a whole, does not indicate that his possessing and
9 using, or carrying, a firearm or dangerous device as the case may be, is
10 likely to constitute a special danger to the public safety.

11 (9) The holder of an identification card shall have it on or
12 about his person at all times when he is carrying or using a firearm or
13 dangerous device and shall display the card upon the request of any law
14 enforcement official.

15 (10) A duplicate identification card may be issued to the holder
16 of a lost, destroyed, or defaced identification card upon proof of such
17 loss, destruction, or defacement as the Office of the Attorney General may
18 require, upon payment of the fee required by section 28 of this act and
19 upon surrender of any remaining portion of the original card. Notice shall
20 be given the Office of the Attorney General by the holder within 48
21 hours of his discovery of such loss, defacement, or destruction. The holder
22 shall notify the Office of the Attorney General of any change of name or
23 address from those appearing upon the identification card within 48
24 hours of such change.

25 (11) A person who is neither a citizen, nor resident of the

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1 Federated States of Micronesia shall not be eligible for an identification
2 card, except upon receiving special permission from the Attorney General.

3 Section 6. Purchase, possession, and use of firearms, dangerous
4 devices, and ammunition.

5 (1) No person shall purchase, possess, or use a firearm,
6 dangerous device, or ammunition unless he is the holder of an identification
7 card issued pursuant to this act evidencing the eligibility of such person
8 to purchase, possess, and use a firearm, dangerous device, or ammunition.
9 Such person shall be at least 21 years of age.

10 (2) Where a firearm, dangerous device, or ammunition is found in
11 a vehicle or vessel, it shall be prima facie evidence that such firearm,
12 dangerous device, or ammunition is in the possession of the occupant if
13 there is but one. If there is more than one occupant, it shall be prima facie
14 evidence that it is in the possession of all, except under the following
15 circumstances:

16 (a) Where it is found upon the person of one of the
17 occupants;

18 (b) Where the vehicle or vessel is not a stolen one and the
19 firearm, dangerous device, or ammunition is out of view in a glove compartment,
20 automobile trunk, or other enclosed customary depository, in which case it is
21 prima facie evidence that such firearm, dangerous device, or ammunition is in
22 the possession of the occupant or occupants who own or have authority to
23 operate the vehicle or vessel;

24 (c) Where, in the case of a taxicab, the firearm, dangerous
25 device, or ammunition is found in the passengers' portion of the vehicle, it

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1 shall be prima facie evidence that it is in the possession of all the
2 passengers, if there are any, and, if not, that it is in the possession
3 of the driver.

4 Section 7. Carrying firearms. No person shall carry a firearm
5 unless he has in his immediate possession a valid identification card,
6 and is carrying the firearm unloaded in a closed case or other securely
7 wrapped or closed package or container, or locked in the trunk of his vehicle
8 while enroute to or from a target range, or area where he hunts, or takes
9 part in other sports involving firearms, or carries the firearm in plain
10 sight on his person while actively engaged in hunting or sports involving
11 the use of firearms.

12 Section 8. New residents and visitors—Temporary residents of the
13 Federated States of Micronesia. Visitors, new residents, and temporary
14 residents in the Federated States of Micronesia shall not import, transport,
15 purchase, use, or possess any firearm, dangerous device, or ammunition in the
16 Federated States of Micronesia without an identification card issued
17 pursuant to this act. Any person who possesses any firearms, dangerous
18 devices, or ammunition shall, before or immediately upon his entrance into
19 the Federated States of Micronesia, turn it in to the Attorney General's
20 Office or the chief of police of any State of the Federated States of
21 Micronesia. Such firearm, dangerous device, or ammunition shall be returned
22 to such person upon his being issued an identification card pursuant to
23 the provisions of this act or upon his departure from the Federated States
24 of Micronesia.

25 Section 9. Law enforcement officers.

1 (1) Law enforcement officers shall be eligible to
2 possess, use, and carry firearms, ammunition, or dangerous devices
3 while on duty without the issuance of identification cards or
4 compliance with the general provisions of this act, unless and except,
5 to the extent that specific provisions of this act or regulations issued
6 pursuant thereto are expressly made applicable to them. The Office
7 of the Attorney General may issue regulations defining law enforcement
8 officers for the purposes of this act.

9 (2) Transfer of any firearm from or to a law enforcement officer
10 or agency shall, except as provided in subsection (1) of this section, be
11 subject to the provisions of this act and regulations made pursuant thereto.

12 (3) The head of any law enforcement agency within the Federated
13 States of Micronesia shall furnish to the Office of the Attorney General
14 the names, addresses, ranks, and badge numbers or similar identification
15 of each person on his force who is authorized to possess, use, and carry
16 firearms in the course of his official duty. Upon the occurrence of any
17 changes in personnel to whom this subsection applies, the head of the
18 law enforcement agency shall inform the Office of the Attorney General
19 promptly of the change.

20 (4) Whenever a law enforcement officer is not engaged in
21 official duties, this act shall be applicable to him in the same manner
22 and to the same extent as to any other person.

23 Section 10. Transfer of firearms and dangerous weapons.

24 (1) No dealer, manufacturer, or wholesaler shall transfer
25 firearms, dangerous devices, or ammunition except pursuant to a license

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1 therefor as provided in this section.

2 (2) Any person, firm, corporation, association, or other entity
3 proposing to engage in the business of selling firearms, ammunition, and
4 dangerous devices at retail shall apply for a dealer's license. The
5 application shall be on a form approved by the Office of the Attorney
6 General and shall contain the following information:

7 (a) The name and address of the applicant, including the
8 address of each separate location within the Federated States of Micronesia
9 at which the applicant proposes to do business pursuant to the license; and

10 (b) If the applicant is a partnership or association, the
11 names and addresses of the partners or associates, or

12 (c) If the applicant is a corporation, the names and
13 addresses of the officers and directors; and

14 (d) Such other information bearing on the applicant's
15 ability to operate the business in a manner consonant with the public
16 safety as the Office of the Attorney General may require.

17 Section 11. Issuance and renewal of dealer's license.

18 (1) Upon receipt of a proper application and payment of the
19 prescribed fee, the Office of the Attorney General shall within 60 days
20 issue a dealer's license to an applicant, if he is found to be eligible
21 therefor pursuant to this act and any applicable regulations of the
22 Attorney General. Such regulations shall place a reasonable limit on the
23 number of dealers. The license shall list the types of firearms,
24 ammunition, and dangerous devices which the dealer has been authorized
25 to offer for sale.

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1 (2) A license issued pursuant to this section shall be valid
2 for one year from the date of its issuance, unless cancelled sooner,
3 suspended, or revoked. A license shall bear the expiration date thereof on
4 its face.

5 (3) A license issued pursuant to this section may be renewed
6 annually upon application by the holder made on a form approved by the
7 Office of the Attorney General. Eligibility for renewal shall be on the
8 same terms and conditions as for an original license, except that renewal
9 also may be denied on account of violation of this act or regulations of
10 the Office of the Attorney General made pursuant thereto or for any
11 conduct in the operation of the applicant's business which gives the
12 Office of the Attorney General grounds to believe that the applicant will
13 no longer operate in a manner consonant with the public safety.

14 Section 12. Conduct of dealer's business. The holder of a dealer's
15 license shall:

16 (1) Display his license in a conspicuous place at all times at the
17 establishment described in the license. If a dealer has more than one
18 place of business at which he sells firearms, dangerous devices, and
19 ammunition or any of the above, he shall display in the same manner a certified
20 copy of his license at each such additional place of business.

21 (2) Keep the records and file the reports required by this act
22 and regulations made pursuant thereto.

23 (3) Display no firearms, dangerous devices, or ammunition in any
24 place where they can be seen from outside the premises.

25 (4) Keep all firearms, dangerous devices, and ammunition in a

1 securely locked place at all times except when they are actually being
2 shown to a customer or prospective customer or when actually being
3 repaired or otherwise worked on.

4 (5) Permit only employees who are holders of identification
5 cards, making them eligible to purchase, possess, and use firearms,
6 ammunition, or dangerous devices, to have access to firearms, dangerous
7 devices, or ammunition.

8 Section 13. Records.

9 (1) Every licensed dealer shall maintain records containing an
10 inventory of firearms, dangerous devices, and ammunition or any of the above;
11 together with the name and address of the person from whom they were
12 received, and the manufacturer, type, and serial number of each firearm and
13 dangerous device, the name and address of the person to whom transferred,
14 the identification card number of such person, the manufacturer, type, and
15 serial number of the gun or dangerous device transferred, and the date of
16 transfer. Such records shall be available for inspection at all reasonable
17 times by the Office of the Attorney General and his duly designated
18 representatives. Such records shall be retained at least five years.

19 (2) Every dealer, at the time of any transfer of any firearm
20 or dangerous device to any person other than a licensed dealer shall,
21 within 24 hours of the transfer, supply the following information
22 to the Office of the Attorney General on a form approved by it:

23 (a) The name, address, and license number of the dealer;

24 (b) The manufacturer, type, and serial number of the firearm
25 or dangerous device transferred. No firearm shall be transferred which

1 does not have a serial number or from which the serial number has been
2 removed, defaced, or altered; and
3 (c) The name, address, and identification card number of
4 the transferee.
5 Section 14. Repair.
6 (1) No person, other than a dealer or manufacturer licensed
7 pursuant to this act, shall repair firearms or accept the same for repair.
8 (2) No person shall accept any firearms for repair, unless he
9 is shown an identification card evidencing eligibility of the holder
10 to possess and use a firearm of the type offered for repair. Prior
11 to returning any such firearm, the manufacturer or dealer shall make and
12 keep a record identical with that required for the purchase of a firearm
13 pursuant to section 13 of this act, and shall maintain such record for
14 at least one year.
15 (3) Nothing in this section shall be construed to prohibit the
16 repair or maintenance of a firearm by the owner thereof.
17 Section 15. Ammunition.
18 (1) No person may transfer ammunition, unless he is a manufacturer,
19 wholesaler, or dealer, licensed pursuant to this act. If the transfer is
20 other than to another manufacturer, wholesaler, or dealer, the transfer
21 shall not be made until the transferor has ascertained that the transferee
22 is the holder of an identification card evidencing eligibility to possess
23 and use a firearm of the type for which the ammunition is suited. Upon
24 transfer the transferor shall record the quantity, type, and caliber or
25 gauge transferred, the name and address of the transferee, and the number

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1 of the transferee's identification card.

2 (2) No transferee of ammunition shall transfer it to any person
3 other than a dealer licensed pursuant to this act. Upon receipt of
4 ammunition, the dealer shall make and keep all records with respect to the
5 ammunition in the manner required by this section for ammunition sold by him.

6 Section 16. Private sale or transfer. No person other than a manufacturer,
7 wholesaler, or dealer licensed pursuant to this act shall transfer a firearm
8 or dangerous device to any person other than a manufacturer, wholesaler,
9 or dealer without first ascertaining that the transferee is the holder of an
10 identification card issued pursuant to this act. Prior to any such transfer,
11 the transferor shall furnish to the Office of the Attorney General in
12 person or by registered or certified mail, return receipt requested, a
13 properly completed form approved by the Office of the Attorney General
14 providing information equivalent to that required to be furnished by a
15 dealer upon the transfer by him of a firearm or dangerous device.

16 Section 17. Security transactions.

17 (1) No person, other than a licensed dealer, shall receive a
18 firearm as a pledge or pawn, or in any other manner as security.

19 (2) A dealer receiving a firearm as a pledge, pawn, or otherwise,
20 as security, shall record promptly the date of receipt; the full description
21 of the item or items received, including the manufacturer, type, and serial
22 number or numbers, if any; the name and address of the person making the
23 pledge, pawn, or other deposit as security; and the number of said person's
24 identification card. No dealer shall accept the pledge, pawn, or other
25 deposit as security unless the person making the same exhibits an

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1 identification card evidencing his entitlement to possess and use a
2 gun of the type involved.

3 (3) Upon the return or other disposition of the firearm in his
4 possession pursuant to this section, the dealer shall make a record
5 of the return or other disposition, including the date thereof and
6 the name and address of the person to whom the firearm was returned
7 or disposed. No firearm shall be returned or disposed of to any person
8 who, at the time of such return or disposition, does not exhibit a
9 valid identification card issued in his own name and entitling him to
10 possess and use the firearm involved.

11 Section 18. Manufacturers and wholesalers.

12 (1) No person shall manufacture or deal in firearms, dangerous
13 devices, or ammunition at wholesale unless:

14 (a) He is the holder of a dealer's license issued pursuant
15 to section 11 of this act; or

16 (b) He is the holder of a license issued pursuant to this
17 section.

18 (2) Any person proposing to manufacture or deal at wholesale
19 in firearms, dangerous devices, or ammunition, and not the holder of a
20 dealer's license, shall make application for a manufacturer's or
21 wholesaler's license. Such application shall contain the same information
22 required for a dealer's license, and any additional information required
23 by the Attorney General as may be appropriate to administer this act.
24 No manufacturer's license or wholesaler's license shall authorize transfer
25 or delivery within the Federated States of Micronesia except to a licensed

1 dealer, manufacturer, or wholesaler or to a political subdivision within
2 the Federated States of Micronesia or, subject to applicable laws of the
3 Federated States of Micronesia, for export.

4 (3) The Office of the Attorney General shall issue, renew,
5 cancel, deny, suspend, or revoke manufacturers' and wholesalers' licenses
6 on the same terms and subject to the same conditions as provided for
7 dealers' licenses.

8 (4) Every manufacturer shall assign a unique serial number
9 to each firearm manufactured by him and shall inscribe such number in
10 or on the firearm in such manner as will resist removal, alteration,
11 defacement, or obliteration. The Office of the Attorney General may make
12 regulations for the style of such serial numbers and for the manner of
13 their inscription.

14 Section 19. Registry of firearms and ammunition.

15 (1) The Office of the Attorney General shall maintain a
16 registry of firearms. The records in the registry shall be kept permanently
17 unless there is a record of the destruction of the gun.

18 (2) Records kept in the registry shall include all records
19 required to be filed with the Office of the Attorney General pursuant to
20 this act, copies of all records filed with an agency or officer of local
21 government pursuant to this act, and any records deposited with the Office
22 of the Attorney General pursuant to subsection (3) of this section.

23 (3) Any dealer, manufacturer, or wholesaler licensed pursuant
24 to this act, upon his discontinuance of the licensed business or activity,
25 shall transmit all records kept by him pursuant to this act to the Office

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1 of the Attorney General.

2 (4) Records relating to the repair of firearms shall be kept
3 by the Office of the Attorney General for a period of at least five years
4 after transmittal.

5 (5) Records in the registry shall not be public records. They
6 shall be made available only to law enforcement officers within the
7 Federated States of Micronesia, or at the discretion of the Office of
8 the Attorney General, to law enforcement officers and agencies of foreign
9 governments.

10 Section 20. Cancellation, denial, suspension, and revocation of licenses.

11 (1) Any license issued pursuant to this act shall be
12 surrendered for cancellation immediately on the discontinuance or termination
13 of business or upon the holder's discontinuing the manufacturing, selling,
14 acquisition for sale, or repair of firearms and the sale of ammunition.

15 (2) The issuing officer or agency may deny, suspend, or revoke
16 an identification card or a license issued pursuant to this act for
17 failure of the applicant or holder to meet or continue to meet any of the
18 requirements for eligibility therefor, or for any violation of this act
19 or regulations in force pursuant thereto.

20 (3) The Office of the Attorney General by regulation may
21 make classifications of offenses and other violations of this act or
22 regulations in force thereunder. Regulations made pursuant to this subsection
23 shall set forth those offenses and violations for which identification cards
24 and licenses may be suspended or revoked, and those for which the penalty
25 must be revocation. Such regulations shall be of general application.

1 (4) Any person who, by reason of the suspension or revocation
2 of his identification card is no longer eligible to continue in possession
3 of a firearm, dangerous device, or ammunition shall surrender any and all
4 firearms, dangerous devices, and ammunition to a State chief of police, or
5 shall dispose of the firearms, dangerous devices, and ammunition forthwith
6 under the direction and supervision of a State Chief of Police. In the
7 case of suspension of an identification card, the owner of the firearm,
8 dangerous device, or ammunition may request that the constabulary keep
9 same during the period of suspension and, except as herein provided, the
10 firearm, dangerous device, or ammunition shall be restored to the owner
11 when he again becomes eligible to possess same and requests return. Any
12 firearm, dangerous device, or ammunition in the possession of a State chief
13 of police pursuant to this subsection may be disposed of, without compensation
14 to the owner, upon revocation of the suspended identification card or at the
15 end of 60 days after receipt or the date of termination of the suspension,
16 whichever is later. However, if proceedings in connection with the
17 suspension or revocation are not yet finally determined, disposal shall not
18 be until such final determination has been made.

19 (5) Any denial, suspension, or revocation of an identification
20 card or a license shall be subject to review by the President of the
21 Federated States of Micronesia upon request by an aggrieved person, and
22 thereafter to a court of competent jurisdiction.

23 Section 21. Shipment and delivery of firearms, dangerous devices,
24 and ammunition.

25 (1) No person shall ship, transport, or deliver any firearm,

1 dangerous device, or ammunition to anyone other than a licensed
2 manufacturer, wholesaler, dealer, or person who possesses a valid
3 identification card.

4 (2) Any person who ships, transports, or delivers firearms, or
5 dangerous devices to a manufacturer, wholesaler, dealer, or person
6 possessing an identification card in the Federated States of Micronesia
7 shall, before delivery, furnish to the Office of the Attorney General
8 an invoice listing his name and address, the name and address of the
9 manufacturer, wholesaler, dealer, or person possessing the identification
10 card to whom such firearms or dangerous devices are to be delivered, the
11 place of origin of the shipment, the number of firearms and dangerous
12 devices of each type, and the manufacturer and serial number of each firearm
13 and dangerous device in the shipment.

14 (3) Any person who ships, transports, or delivers ammunition
15 to a manufacturer, wholesaler, dealer, or person possessing an identification
16 card in the Federated States of Micronesia shall, before delivery, furnish
17 to the Office of the Attorney General an invoice listing his name and
18 address, the name and address of the manufacturer, wholesaler, dealer,
19 or person possessing an identification card to whom the ammunition is to
20 be delivered, the place of origin of the shipment, and the quantity of
21 ammunition of each type in the shipment.

22 (4) If shipment is by common carrier, a copy of the invoice
23 required by subsections (2) and (3) of this section shall also be
24 delivered to the common carrier. The common carrier shall deliver the
25 invoice and any said shipment to the State chief of police who will

1 verify the accuracy of the shipment and compliance with this act, before
2 delivery to the manufacturer, wholesaler, dealer, or person possessing an
3 identification card. A copy of the invoice shall be left with the
4 manufacturer, wholesaler, dealer, or person possessing an identification card
5 at the time of delivery.
6 (5) If shipment is by other than common carrier, a copy of
7 the invoice shall be furnished to the manufacturer, wholesaler, dealer, or
8 person possessing an identification card at the time of delivery.
9 (6) No person shall ship, transport, or deliver firearms,
10 dangerous devices, or ammunition via air without first complying with
11 international regulations pertaining to air shipment of firearms,
12 dangerous devices, or ammunition.
13 Section 22. Loss, destruction, or theft of firearms or dangerous
14 devices. Whoever owns or possesses a firearm or dangerous device
15 shall within 24 hours of discovery, notify the Office of the Attorney
16 General of the loss, theft, or destruction of any such firearm or
17 dangerous device and, after such notice, of recovery thereof.
18 Section 23. Prohibitions. No person shall:
19 (1) Acquire, possess, carry, transfer, or use more than two
20 firearms simultaneously with the exception of a dealer, wholesaler, or
21 manufacturer licensed pursuant to this act;
22 (2) Knowingly remove, obliterate, or alter the importer's or
23 manufacturer's serial number of any firearm;
24 (3) Knowingly deface, alter, or destroy an identification card;
25 (4) Acquire, possess, or use any firearm silencer or muffler;

1 (5) Carry any gun or dangerous device while under the influence
2 of alcohol or narcotic or other disabling drug;

3 (6) Import, sell, transfer, give away, purchase, possess, or use
4 any handgun, automatic weapon, rifle larger than .22 caliber, shotgun
5 larger than .410 gauge, or any other firearm;

6 (7) Board or attempt to board any commercial aircraft while
7 carrying any firearm, dangerous device, or ammunition, either on his person
8 or in his luggage. Such firearm, dangerous device, or ammunition shall be
9 turned in prior to departure to an appropriate official or to the pilot of
10 the airline or aircraft concerned, who shall keep a record of the name of the
11 person turning in such firearm, dangerous device, or ammunition, and the
12 type and quantity turned in. Upon completion of such person's travel, the
13 official of the airline or pilot of the aircraft shall personally deliver
14 the article or articles turned in to the police chief of the State in which
15 such completion took place, or to his delegate. Such person may reobtain
16 the article or articles turned in upon either:

17 (a) Presentation of a valid identification card or license
18 for such article or articles to the police officer having custody thereof, or

19 (b) Departure from the Federated States of Micronesia.

20 (8) Use or attempt to use any firearm, dangerous device, or
21 ammunition in connection with or in aid of the commission of any crime
22 against the laws of the Federated States of Micronesia, except those set
23 forth under other provisions of this act.

24 Section 24. Forfeiture. All firearms, dangerous devices, or ammunition
25 unlawfully possessed, carried or used, or shipped, transported or delivered

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1 into the Federated States of Micronesia are declared to be inimical to
2 the public safety and are forfeited to the Federated States of Micronesia.
3 When such forfeited articles are taken from any person, they shall be
4 surrendered to the Office of the Attorney General.

5 Section 25. Emergencies. In case of an emergency concerning the
6 public safety declared by the President of the Federated States of Micro-
7 nesia or the Governor of a State, with respect to his State, all
8 establishments dealing in guns, dangerous devices, or ammunition may be
9 ordered closed by such official and required to remain closed during the
10 continuance of the emergency. During any such closure, any and all guns,
11 dangerous devices, and ammunition belonging to or in the keeping of a closed
12 establishment may be impounded.

13 Section 26. Other laws. Nothing in this act shall be deemed to
14 prevent any State or municipality from further restricting, by State law
15 or ordinance, the transfer, possession, use, or carriage of firearms,
16 ammunition, or dangerous devices. This act shall supersede all State laws
17 and municipal ordinances in conflict with this act.

18 Section 27. Regulations. The Attorney General, with the approval of
19 the President of the Federated States of Micronesia, shall have the authority
20 to issue, amend, and repeal regulations implementing the provisions of this
21 act. Such regulations shall have the force and effect of law.

22 Section 28. Fees. The fees for issuance and renewal of licenses and
23 identification cards as required by this act shall be as follows:

- 24 (1) For an identification card, \$20;
25 (2) For a dealer's license, \$150;

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- 1 (3) For a manufacturer's license, \$500;
- 2 (4) For a wholesaler's license, \$500;
- 3 (5) For replacement of lost, destroyed, or defaced
- 4 identification card, \$5.

5 Fees collected pursuant to the provisions of this act shall be paid to
6 the Treasurer of the Federated States of Micronesia and become part
7 of the General Fund of the Federated States of Micronesia as local
8 revenue realization available for appropriation by the Congress of the
9 Federated States of Micronesia.

10 Section 29. Penalties. Any person who violates any provision of
11 this act or any regulations issued pursuant thereto shall be guilty of
12 a major crime, and upon conviction thereof, shall be fined not more than
13 \$2,000 or imprisoned not more than five years, or both, and shall be
14 subject to confiscation of any firearm, dangerous device, or ammunition
15 without compensation, involved in a violation of this act. The holder
16 of any dealer's license or the manager or supervisor of employees of any
17 establishment so licensed, or both, shall be liable for any violation
18 of this act by his employee or agent committed in the course of the
19 dealer's business, to the same extent as such employee or agent.

20 Section 30. Severability. If any provision of this act or
21 amendments or additions thereto, or the application thereof to any person,
22 thing, or circumstances is held invalid, the invalidity does not affect the
23 provisions or application of this act or the amendments or additions that
24 can be given effect without the invalid provisions or application, and to
25 this end the provisions of this act and the amendments or additions

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1 thereto are severable.

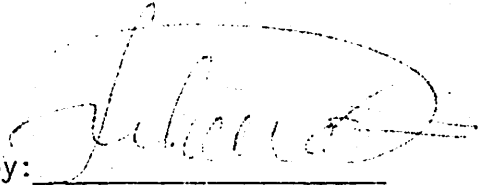
2 Section 31. Repealer. Sections 551 through 581 of Title 63 of
3 the Trust Territory Code, as amended by Public Law No. 6-100, insofar as they
4 apply to the Federated States of Micronesia, are hereby repealed.

5 Section 32. Effective date. This act shall become law upon approval
6 by the President of the Federated States of Micronesia or upon its
7 becoming law without such approval.

8

9 Date: June 8, 1987

Introduced by:



Luke M. Tman
(By Request)

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