

SECOND CONGRESS OF THE FEDERATED STATES OF MICRONESIA

THIRD REGULAR SESSION, 1982

CONGRESSIONAL BILL NO. 2-220, C.D.1

AN ACT

Relating to the adoption 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. Statement of intent. This act is intended to effect a
2 codification of the general and permanent National laws of the Federated
3 States of Micronesia and is not intended to effect any substantive changes
4 therein.

5 Section 2. Designation of code. The attached manuscript is in-
6 corporated by reference herein and is hereby designated as the "Code of
7 the Federated States of Micronesia." This code contains the National
8 laws of the Federated States of Micronesia and is prepared under the
9 authority of the Congress of the Federated States of Micronesia, by
10 contract between the National Government of the Federated States of
11 Micronesia and the Book Publishing Company of Seattle, Washington,

12 Section 3. Adoption as positive law.

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

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20 to subsection (1) of this section is hereby repealed in its prior form.

21 Section 4. Other documents not adopted. The inclusion in part
22 III of the attached manuscript of the documents relating to the Govern-

1 ment of the Trust Territory of the Pacific Islands is not to be con-
2 strued as an adoption of those documents or as recognition of their
3 efficacy in the Federated States of Micronesia.

4 Section 5. Laws unaffected. Nothing in this act affects the
5 validity of either appropriation laws, other temporary National laws
6 not included in this code, or laws enacted after October 1, 1981, by the
7 Congress of the Federated States of Micronesia.

8 Section 6. Rights and liabilities unaffected. The repeal in section
9 3 of this act does not affect the status of any civil or criminal actions,
10 rights, or liabilities existing before the repeal takes effect.

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

20 Section 8. State law reaffirmed. The authority of the States of
21 the Federated States of Micronesia with regard to those provisions of the
22 Trust Territory Code within the jurisdiction of the States is unaffected
23 and hereby reaffirmed.

24 Section 9. Technical amendment of prior law. Technical amendments
25 to laws included in part II of this code, whether or not those laws are

1 readopted and reenacted pursuant to section 3 of this act, are hereby
2 enacted regarding the following:

3 (1) Organization and numbering of titles, chapters, sub-
4 chapters, sections, and other subparts;

5 (2) Changes in phraseology;

6 (3) Changes in introductory materials; and

7 (4) Correction of errors.

8 Section 10, Future amendments; citations.

9 (1) Future amendments to laws included in part II of this
10 code, whether or not those laws are readopted and reenacted pursuant to
11 section 3 of this act, shall be made with reference to such laws as they
12 appear in this code,

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

18 Section 11, Supplements as part of code.

19 (1) The laws contained in any current pocket parts or
20 supplements to this code, printed and published under contract or other-
21 wise as may be authorized by law, constitute prima facie a part of
22 this code if the laws, as so contained, purport to represent reproduc-
23 tions of statutory amendments to this code, as stated in accompanying
24 notes thereto,

25 (2) If pocket parts or supplements are published on a

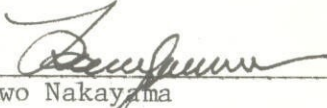
1 cumulative basis, then only the laws in the latest publication thereof
2 constitute prima facie a part of this code.

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

8 Section 12, Repealer, The Trust Territory Code to the extent it
9 is not republished herein or reaffirmed as within the jurisdiction of
10 the States by section 8 of this act is hereby repealed in its entirety,

11 Section 13, Effective date, This act shall become law upon approval
12 by the President of the Federated States of Micronesia or upon its be-
13 coming law without such approval,

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15 August 8, 1982
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19 Tosiwo Nakayama
20 President
21 Federated States of Micronesia
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