

A BILL FOR AN ACT

To further amend title 11 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 5-24, 5-40 and 9-042, by amending sections 1141 and 1147, for the purpose of increasing the penalties for national controlled substance offenses involving crystal methamphetamine, and for other purposes.

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

1 Section 1. Section 1141 of title 11 of the Code of the
2 Federated States of Micronesia is hereby amended to read as
3 follows:

4 "Section 1141. Trafficking.

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

8 (a) to manufacture, deliver, or possess
9 with intent to manufacture, deliver, or dispense, a
10 controlled substance; or

11 (b) to create, distribute, or possess
12 with intent to deliver, a counterfeit controlled
13 substance.

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

16 (a) a substance classified in schedules
17 I or II which is a narcotic drug or crystal
18 methamphetamine shall be sentenced to a term of
19 imprisonment for not more than ten years, a fine of
20 not more than \$10,000, or both;

21 (b) any other controlled substance
22 classified in schedules I, II, or III shall be
23 sentenced to a term of imprisonment of not more
24 than five years, a fine of not more than \$5,000, or
25 both;

1 (c) a substance classified in schedule
2 IV shall be sentenced to a term of imprisonment for
3 not more than two years, a fine of not more than
4 \$1,000, or both;

5 (d) a substance classified in schedule V
6 shall be sentenced to a term of imprisonment for
7 not more than one year, a fine of not more than
8 \$1,000, or both.

9 (3) Notwithstanding subsection (2)(b) of this
10 section, any person who violates subsection (1)(a)
11 of this section by distributing not more than one
12 ounce of marihuana for no remuneration shall be
13 treated as provided in subsection (3)(a) of section
14 1142 of this chapter."

15 Section 2. Section 1147 of title 11 of the Code
16 of the Federated States of Micronesia is hereby amended to read
17 as follows:

18 "Section 1147. Distribution to persons under
19 eighteen. Any person who is at least eighteen
20 years of age who violates subsection (1)(a) of
21 section 1141 of this chapter by distributing a
22 substance listed in schedules I and II which is a
23 narcotic drug or crystal methamphetamine to a
24 person under eighteen years of age who is at least
25 three years his junior is punishable by a term of

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1 imprisonment of up to twice that authorized by
2 subsection (12) (a) of section 1141 of this chapter,
3 by the fine authorized by subsection (12) (a) of
4 section 1141 of this chapter, or both. Any person
5 who is at least eighteen years of age
6 who violates subsection (1) (a) of section 1141 of
7 this chapter by distributing any other controlled
8 substance listed in schedules I, II, III and IV to
9 a person under eighteen years of age who is at
10 least three years his junior is punishable by a
11 term of imprisonment up to twice that authorized in
12 subsections (2) (b) or (2) (c) of section 1141 of
13 this chapter, by the fine authorized by subsection
14 (2) (b) or (2) (c) of section 1141 of this chapter,
15 or both."

16 Section 3. This act shall become law upon approval by
17 the President of the Federated States of Micronesia or upon
18 its becoming law without such approval.

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20 Date: 6/02/97 Introduced by: *Jack Fritz*
21 Jack Fritz

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