A BILL FOR AN ACT

To further amend title 21 of the Code of the Federated States of Micronesia, as amended, by amending section 203 and adding a new section 232 for the purpose of improving the Telecommunications services provided to the outer islands, and for other purposes.

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

Section 1. Section 203 of title 21 of the Code of the Federated States of Micronesia is hereby amended to read as follows:

"Section 203. Powers and responsibilities of the Corporation.

(1) The Corporation has the following powers and responsibilities:

[(1)] (a) to operate as the sole provider of all telecommunications services, except with respect to intra-state inter-island communications, and except radio and television broadcasting, within the Federated States of Micronesia and between points in the Federated States of Micronesia and points outside thereof;

[(2)] (b) to operate and manage such services on the basis of commercially accepted practices, treating all users of telecommunications services on equitable terms in accordance with its published tariffs, and requiring all users to pay for the services provided;

[(3)] (c) to plan for the expansion and improvement of telecommunications facilities and services;
(d) to the extent practicable, to expand telecommunications services to areas and communities in the Federated States of Micronesia that are presently unserved or poorly served and to improve the quality, reliability, and variety of services available to all users in a manner consistent with commercial reasonableness and with promoting economic development, the advancement of education and health care, and the preservation of the cultural identity of the people of the Federated States of Micronesia;

(e) to improve the telecommunications skills and promote the telecommunications training of Micronesia citizens who are employees of the Corporation;

(f) to establish, publish, and implement a structure of tariffs and rates for telecommunications services calculated to ensure that, to the extent practicable, adequate and equitable charges are imposed for services and that the tariff structure promotes the increased use of telecommunications services;

(g) to invest all surplus revenues of the Corporation in the expansion and improvement of telecommunications facilities and services;

(h) to incur indebtedness for the purpose of expanding and improving telecommunications facilities, to the extent and on such terms as are deemed
commercially reasonable by the Corporation;

[(9)] (i) to provide on a reimbursable basis emergency telecommunications services to governments, individuals, and entities in the Federated States of Micronesia; and

[(10)] (j) to represent the Federated States of Micronesia with regard to telecommunications matters in such international organizations and for fora in which the Federated States of Micronesia is represented, subject to the policy guidance of the Government of the Federated States of Micronesia.

(2) No provision of subsection 1 of this section shall be construed to limit the states’ authority to develop intra-state, inter-island communications networks.

Section 2. Title 21 of the Code of the Federated States of Micronesia, as amended, is hereby further amended by adding a new Section 232 to read as follows:

"Section 232. Inter-island Communication Networks.
Notwithstanding Section 203 of this Chapter, the states shall have the authority to establish inter-island communications networks for the purpose of providing intra-state, inter-island communications services."
Section 3. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

Date: 5/26/10

Introduced by: /s/ Setiro Paul

Setiro Paul