A BILL FOR AN ACT

To amend Section 115 of title 50 of the Code of the Federated States of Micronesia, for the purpose of enabling divisions of the National Government responsible for immigration, customs, and quarantine to defray the costs of overtime accrued by their officials by collecting payments from the operators of aircraft and sea vessels, and for other purposes.

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

Section 1. Section 115 of title 50 of the Code of the Federated States of Micronesia is hereby amended to read as follows:

"Section 115. Aircraft and sea vessel operator responsibilities for overtime. The operator of any aircraft or sea vessel landing at any airport or calling at any port in the Federated States of Micronesia shall be responsible for paying to the treasurer of the Federated States of Micronesia an amount equal to the actual costs to the National Government for overtime accrued by the officials responsible for carrying out the purposes of this title, chapter 4 of title 22, and chapter 2 of title 54 whenever such officials are required to carry out their official duties relating to the aircraft or sea vessel at a time outside of the official’s ordinary working hours. The respective heads of the [Secretary of Finance] Division of Immigration and Labor of the Department of Justice, the Agriculture
Unit of the Department of Resources and Development, and
the Division of Customs and Tax Administration of the
Department of Finance and Administration shall determine
the amount payable by the aircraft or sea vessel for
each of their respective officials under this section
and shall submit invoices to the operator of the
aircraft or sea vessel for payment of such amounts on a
monthly basis; PROVIDED, HOWEVER[however], in the case
an aircraft or sea vessel’s arrival is for one time only
or is likely to occur at infrequent intervals the
invoice shall be made as soon as possible after the
arrival of the vessel or aircraft, including at the time
of arrival itself as may be provided for by regulations.
For purposes of this section, overtime means actual
hours worked in excess of 40 actual hours per week
worked by an official or employee of the National
Government.”

Section 2. 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: 11/15/10  Introduced by: /s/ Dohsis Halbert
Dohsis Halbert