



The President
Palikir, Pohnpei
Federated States of Micronesia

November 6, 2014

The Honorable Dohsis Halbert
Speaker
18th FSM Congress
Palikir, Pohnpei FM 96941



PRESIDENTIAL COMM. NO. 18-390
FSM CONGRESS

Dear Speaker Halbert:

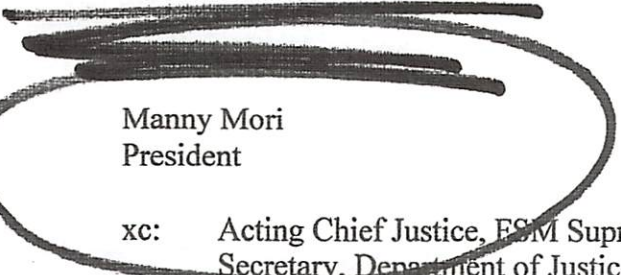
I transmit the following Congressional Act, which became Public Law No. 18-96 without my signature:

Congressional Act No. 18-102, entitled: "AN ACT TO FURTHER AMEND CHAPTER 2 OF TITLE 1 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, BY CREATING A NEW SUBCHAPTER III OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AND FOR OTHER PURPOSES."

The intent of the Act is to codify the general and permanent laws of the Federated States of Micronesia enacted up to the end of the 17th FSM Congress. Even though the codification is not meant to create substantive changes to the laws passed by the FSM Congress, it is nevertheless required by due process that the general and permanent laws are given due publicity by appending them to the Act passed by Congress. In reviewing Congressional Act No. 18-102, I discovered that there was no attached manuscript, therefore, I cannot confirm by signature the readopted and reenacted positive law.

In light of the above, I urge Congress to correct the deficiency and readopt the FSM Code (Annotated) at the earliest opportunity.

Sincerely,


Manny Mori
President

xc: Acting Chief Justice, FSM Supreme Court
Secretary, Department of Justice
Director, Office of SBOC
Legislative Counsel, CFSM
Library, CFSM
PIO, FSM



CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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Office of the Chief Clerk

PRESIDENTIAL COMM. NO. 18-390
FSM CONGRESS

October 04, 2014



His Excellency Manny Mori
President
Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear President Mori:

I have the honor to transmit herewith Congressional Act No. 18-102, "AN ACT TO FURTHER AMEND CHAPTER 2 OF TITLE 1 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, BY CREATING A NEW SUBCHAPTER III OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AND FOR OTHER PURPOSES.", which was passed by the Eighteenth Congress of the Federated States of Micronesia, Fifth Regular Session, 2014, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Liwiana Ramon Ioanis".

Liwiana Ramon Ioanis
Chief Clerk, Congress of the
Federated States of Micronesia

Enclosures



PRESIDENTIAL COMM. NO. 18-290
FSM CONGRESS

EIGHTEENTH CONGRESS OF THE
FEDERATED STATES OF MICRONESIA
FIFTH REGULAR SESSION
SEPTEMBER 15 – OCTOBER 04, 2014

PUBLIC LAW No. 18- 96

An Act

TO FURTHER AMEND CHAPTER 2 OF TITLE 1 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, BY CREATING A NEW SUBCHAPTER III OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: WESLEY W. SIMINA

DATE: SEPTEMBER 15, 2014

REFERRED TO: COMMITTEE ON JUDICIARY AND GOVERNMENTAL OPERATIONS

S.C.R. NO. 18-226 – SEPTEMBER 26, 2014

FIRST READING: SEPTEMBER 29, 2014

SECOND READING: SEPTEMBER 30, 2014

A handwritten signature in black ink, appearing to read "Liwiana Ramon Ioanis", is written over a horizontal line.

Liwiana Ramon Ioanis
Chief Clerk, FSM Congress



CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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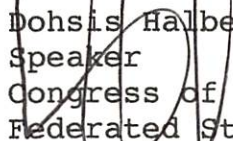
Office of the Speaker


PRESIDENTIAL COMM. NO. 18-390
FSM CONGRESS

ACT NO. 18-102

(CONGRESSIONAL BILL NO. 18-209, C.D.1)

We hereby certify that on September 30 the foregoing act passed Second and Final Reading of the Eighteenth Congress of the Federated States of Micronesia, Fifth Regular Session, 2014, by a two-thirds vote of all the State delegations as required under article IX, section 20, of the Constitution of the Federated States of Micronesia.


Dohsis Halbert
Speaker
Congress of the
Federated States of Micronesia


Liwiana Ramon Ioanis
Chief Clerk
Congress of the
Federated States of Micronesia

EIGHTEENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIFTH REGULAR SESSION, 2014

CONGRESSIONAL BILL NO. 18-209, C.D.1

PUBLIC LAW No. 18-96

AN ACT

To further amend chapter 2 of title 1 of the Code of the Federated States of Micronesia, as amended, by creating a new subchapter III of the Code of the Federated States of Micronesia (Annotated), and for other purposes.

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

1 Section 1. Chapter 2 of title 1 of the Code of the Federated
2 States of Micronesia, as amended, is hereby further amended by
3 creating a new subchapter III entitled: "Code of the FSM
4 (Annotated)".

5 Section 2. Chapter 2 of title 1 of the Code of the Federated
6 States of Micronesia, as amended, is hereby further amended by
7 adding a new section 251 to subchapter III, to read as follows:

8 "Section 251. Code of the Federated States of
9 Micronesia (Annotated); Statement of Intent. This
10 section is intended to effect a codification of the
11 general and permanent National laws of the Federated
12 States of Micronesia and is not intended to effect any
13 substantive changes therein."

14 Section 3. Chapter 2 of title 1 of the Code of the Federated
15 States of Micronesia, as amended, is hereby further amended by
16 adding a new section 252 to subchapter III, to read as follows:

17 "Section 252. Designation of code. The attached
18 manuscript is incorporated by reference herein and is

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1 hereby designated as the "Code of the Federated States
2 of Micronesia (Annotated)". This code contains the
3 general and permanent National laws of the Federated
4 States of Micronesia and is prepared under the authority
5 of the Congress of the Federated States of Micronesia."

6 Section 4. Chapter 2 of title 1 of the Code of the Federated
7 States of Micronesia, as amended, is hereby further amended by
8 adding a new section 253 to subchapter III, to read as follows:

9 "Section 253. Adoption as positive law.

10 (1) All enacted law of the Congress of the Federated
11 States of Micronesia as adopted and enacted in
12 subchapter II of chapter 2 of title 1 of this code and
13 all enacted general and permanent National laws of the
14 Congress of the Federated States of Micronesia through
15 the end of the 17th Congress of the Federated States of
16 Micronesia which are incorporated as part II of the
17 attached manuscript are hereby readopted and reenacted
18 as positive law of the Federated States of Micronesia in
19 the form appearing in the manuscript.

20 (2) The tables of contents, sources, cross-
21 references, editor's notes, and errata are not to be
22 construed as an adoption of those citations and
23 resources, and these are included in the code as
24 additional tools for research and are for reference
25 purposes only.

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1 (3) All code sections that are designated as included
2 for reference only are included in the code as
3 additional tools for research and are not readopted and
4 reenacted.

5 (4) All enacted law which are readopted and reenacted
6 pursuant to subsection (1) of this section are hereby
7 repealed in its prior form."

8 Section 5. Chapter 2 of title 1 of the Code of the Federated
9 States of Micronesia, as amended, is hereby further amended by
10 adding a new section 254 to subchapter III, to read as follows:

11 "Section 254. Other documents not adopted. The
12 inclusion in parts I, III, and IV relating to the
13 Constitution of the Federated States of Micronesia, the
14 Government of the Trust Territory of the Pacific
15 Islands, the state constitutions, the cross-reference
16 table(s), and the index are not a part of the code and
17 are not to be construed as an adoption of these
18 documents and are included in the code for reference
19 purposes only and to add additional resources and tools
20 for research."

21 Section 6. Chapter 2 of title 1 of the Code of the Federated
22 States of Micronesia, as amended, is hereby further amended by
23 adding a new section 255 to subchapter III, to read as follows:

24 "Section 255. Laws unaffected. Nothing in this Act
25 affects the validity of either appropriation laws, other

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1 temporary National laws not included in this code, or
2 laws enacted after the Seventeenth Congress of the
3 Federated States of Micronesia."

4 Section 7. Chapter 2 of title 1 of the Code of the Federated
5 States of Micronesia, as amended, is hereby further amended by
6 adding a new section 256 to subchapter III, to read as follows:

7 "Section 256. Rights and liabilities unaffected. The
8 repeal in subsection (4) of section 253 of this
9 subchapter does not affect the status of any civil or
10 criminal actions, rights, or liabilities existing before
11 the repeal takes effect."

12 Section 8. Chapter 2 of title 1 of the Code of the Federated
13 States of Micronesia, as amended, is hereby further amended by
14 adding a new section 257 to subchapter III, to read as follows:

15 "Section 257. Government authority unaffected. The
16 republication in this code of Trust Territory laws and
17 the retention of any references therein to the authority
18 of the Government of the Trust Territory of the Pacific
19 Islands are not intended to alter, diminish, or in any
20 way change or affect the authority of the National
21 Government or the respective State governments of the
22 Federated States of Micronesia over the subject of
23 legislation included therein, as that authority has been
24 established by the Constitution of the Federated States
25 of Micronesia, the State constitutions, and other

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1 applicable law."

2 Section 9. Chapter 2 title 1 of the Code of the Federated
3 States of Micronesia, as amended, is hereby further amended by
4 adding a new section 258 to subchapter III, to read as follows:

5 "Section 258. State law reaffirmed. The authority of
6 the States of the Federated States of Micronesia with
7 regard to those provisions of the Trust Territory Code
8 within the jurisdiction of the States is unaffected and
9 hereby reaffirmed."

10 Section 10. Chapter 2 of title 1 of the Code of the
11 Federated States of Micronesia, as amended, is hereby further
12 amended by adding a new section 259 to subchapter III, to read as
13 follows:

14 "Section 259. Technical amendments to the laws.
15 Technical amendments to the laws included in part II of
16 this code, whether or not those laws are readopted and
17 reenacted pursuant to section 253 of this subchapter,
18 are hereby enacted regarding the following:

- 19 (1) organization, numbering, and references to
20 titles, chapters, subchapters, parts, sections,
21 subsections, and other subparts;
22 (2) changes in phraseology;
23 (3) changes in introductory materials; and
24 (4) correction of typographical, grammatical, or
25 other errors."

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1 Section 11. Chapter 2 of title 1 of the Code of the
2 Federated States of Micronesia, as amended, is hereby further
3 amended by adding a new section 260 to subchapter III, to read as
4 follows:

5 "Section 260. Future amendments; citations.

6 (1) Future amendments to laws included in part II of
7 this code, whether or not those laws are readopted and
8 reenacted pursuant to section 253 of this subchapter,
9 shall be made with reference to such laws as they appear
10 in this code.

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

17 Section 12. Chapter 2 of title 1 of the Code of the
18 Federated States of Micronesia, as amended, is hereby further
19 amended by adding a new section 261 to subchapter III, to read as
20 follows:

21 "Section 261. Supplements as part of code.

22 (1) The laws contained in any current pocket parts or
23 supplements to this code, printed and published under
24 contract or otherwise as may be authorized by law,
25 constitute *prima facie* a part of this code if the laws,

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1 as so contained, purport to represent reproductions of
2 statutory amendments to this code, as stated in
3 accompanying notes thereto.

4 (2) If pocket parts or supplements are published on a
5 cumulative basis, then only the laws in the latest
6 publication thereof constitute *prima facie* a part of
7 this code.

8 (3) If any discrepancy arises between the text of a
9 provision set out in the current supplement and that
10 contained in the basic Act as separately printed and
11 published by the President of the Federated States of
12 Micronesia or his designee pursuant to the authority
13 granted by law, the latter shall constitute the positive
14 law and shall control."

15 Section 13. Chapter 2 of title 1 of the Code of the
16 Federated States of Micronesia, as amended, is hereby further
17 amended by adding a new section 262 to subchapter III, to read as
18 follows:

19 "Section 262. Repealer. The Trust Territory Code to
20 the extent it is not republished herein or reaffirmed as
21 within the jurisdiction of the States by sections 257
22 and 258 of this subchapter are hereby repealed in its
23 entirety."

24 Section 14. Chapter 2 title 1 of the Code of the Federated
25 States of Micronesia, as amended, is hereby further amended by

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1 adding a new section 263 to subchapter III, to read as follows:

2 "Section 263. Authorization for publication of
3 F.S.M.C.. The publishing of the official edition of the
4 Code of the Federated States of Micronesia 2014 edition
5 (Annotated) (F.S.M.C.), pursuant to contract with the
6 Congress of the Federated States of Micronesia is hereby
7 authorized."

8 Section 15. Chapter 2 of title 1 of the Code of the
9 Federated States of Micronesia, as amended, is hereby further
10 amended by adding a new section 264 to subchapter III, to read as
11 follows:

12 "Section 264. Contents of F.S.M.C.. The Code of the
13 Federated States of Micronesia (Annotated) shall contain
14 the general and permanent National laws codified as
15 positive law in the F.S.M.C. pursuant to
16 sections 251 through 265 of this subchapter III of this
17 chapter, supplemented and updated with any amendments or
18 additions to the law requiring codification through the
19 end of the Seventeenth Congress of the Federated States
20 of Micronesia."

21 Section 16. Chapter 2 of title 1 of the Code of the
22 Federated States of Micronesia, as amended, is hereby further
23 amended by adding a new section 265 to subchapter III, to read as
24 follows:

25 "Section 265. Laws unaffected by earlier publication.

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1 The supplementing and updating to the original 1982
2 F.S.M.C. in the First Supplement authorized by Public
3 Law No. 4-33, any subsequent codifications, and in this
4 codification with subsequently enacted general and
5 permanent National laws, shall not effect any
6 substantive change to the law as enacted and as it
7 became effective."

8 Section 17. This act shall become law upon approval by the
9 President of the Federated States of Micronesia or upon its
10 becoming law without such approval.

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_____, 2014

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Law w/out Signature
11-06-14

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Manny Mori
President
Federated States of Micronesia

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