August 13, 2015

The Honorable Wesley W. Simina
Speaker
Nineteenth Congress of the Federated States of Micronesia
Palikir, Pohnpei, FM 96941

Dear Speaker Simina:

I reviewed Congressional Act No. 19-21 entitled:

“AN ACT TO FURTHER AMEND SECTION 913 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED BY PUBLIC NO. 18-108, TO EXTEND THE APPLICATION OF SUBSECTION 913 (4) (B) TO PURSE SEINE VESSELS TO OCTOBER 31, 2015, AND FOR OTHER PURPOSES.”

The Act is approved and is designated as Public Law No. 19-21.

I take this opportunity to thank you and members of Congress for the hard work that led to the swift passage of this Act.

Sincerely,

Peter M. Christian
President

Enclosure:

Xc: Chief Justice, FSM Supreme Court
Secretary, Department of Finance and Administration
Secretary, Department of Justice
Legislative Counsel, CFSM
Library, CFSM
FSM PIO
July 22, 2015

His Excellency Peter M. Christian
President
Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear President Christian:

I have the honor to transmit herewith Congressional Act No. 19-21, "AN ACT TO FURTHER AMEND SECTION 913 OF TITLE 24 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED BY PUBLIC LAW NO. 18-108, TO EXTEND THE APPLICATION OF SUBSECTION 913(4)(B) TO PURSE SEINE VESSELS TO OCTOBER 31, 2015, AND FOR OTHER PURPOSES.", which was passed by the Nineteenth Congress of the Federated States of Micronesia, First Special Session, 2015, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

[Signature]

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

Enclosures
An Act

TO FURTHER AMEND SECTION 913 OF TITLE 24 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED BY PUBLIC LAW NO. 18-108, TO EXTEND THE APPLICATION OF SUBSECTION 913(4)(B) TO PURSE SEINE VESSELS TO OCTOBER 31, 2015, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: DAVID W. PANUELO

DATE: JULY 15, 2015

REFERRED TO: COMMITTEE ON RESOURCES AND DEVELOPMENT
WITHDRAWN – JULY 16, 2015
FIRST READING: JULY 16, 2015
SECOND READING: JULY 17, 2015

Liwiana Ramoh Ioanis
Chief Clerk, FSM Congress
ACT NO. 19-21

(CONGRESSIONAL BILL NO. 19-43, C.D.1)

We hereby certify that on July 17 the foregoing act passed Second and Final Reading of the Nineteenth Congress of the Federated States of Micronesia, First Special Session, 2015, 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.

Wesley W. Simina
Speaker
Congress of the Federated States of Micronesia

Liwiana Ramon Ioisnis
Chief Clerk
Congress of the Federated States of Micronesia
AN ACT

To further amend section 913 of title 24 of the Code of the Federated States of Micronesia (Annotated), as amended by Public Law No. 18-108, to extend the application of subsection 913(4)(b) to Purse Seine Vessels to October 31, 2015, and for other purposes.

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

Section 1. Section 913 of title 24 of the Code of the Federated States of Micronesia (Annotated), as amended by Public Law No. 18-108, is hereby further amended to read as follows:

"Section 913. Possession, handling and sale of fish, shark, or shark fin, unlawfully taken.

(1) No person shall knowingly capture ship, transport, offer for sale sell, purchase, import, export or have custody, control or possession of any fish taken or retained in contravention of this subtitle or any access agreement, permit or applicable law.

(2) It shall be unlawful to remove shark fins from sharks on board fishing vessels, and to retain on board, transshipment or land sharks or shark fins, subject to subsections (4) and (6).

(3) It shall be unlawful for fishing vessels to possess wire leaders, steel trace, or wire trace."

(4) All sharks caught by a fishing vessel shall be either: (a) if still alive, immediately released back
into the ocean. Fishing vessels must ensure that sharks are released whole, and that sharks are not unnecessarily harmed during the release process; or (b) if dead, landed at a transshipment port in the Federated States of Micronesia. Fishing vessels must ensure that sharks are landed whole with all shark fins attached to the carcass; PROVIDED THAT the application of subsection 913(4)(b) to Purse Seine vessels shall commence on October 31, 2015.

(5) It shall be unlawful to purchase, offer for sale or sell sharks or shark parts, including shark fins which have been removed on board a vessel, transshipped or landed in contravention of this section.

(6) Any person who holds a license or permit from the Authority to conduct scientific research on sharks and carries out activities in accordance with that license or permit shall not be held in contravention of this section.”

(7) Any person who commits an act in violation of this section shall be subject to a civil penalty of not less than $50,000 and not more than $250,000.

(8) It shall be a rebuttable presumption that any sharks caught or shark fins possessed by a fishing vessel originated from the EEZ of the Federated States of Micronesia.
(9) All shark or shark fins seized and forfeited shall be destroyed by incineration."

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.

August 13, 2015

Peter M. Christian
President
Federated States of Micronesia