A BILL FOR AN ACT

To amend section 1205 of title 11 of the Code of the Federated States of Micronesia, the Weapons Control Act, to modify the time of disqualification from being issued a firearm identification card, and for other purposes.

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

Section 1. Section 1205 of title 11 of the Code of the Federated States of Micronesia is hereby amended to read as follows:

"Section 1205. Identification cards required; Issuance.

(1) No person shall acquire or possess any firearm, dangerous device, or ammunition unless he holds an identification card issued pursuant to this chapter. The identification card is evidence of the holder's eligibility to possess and use or carry firearms, dangerous devices, or ammunition.

(2) Identification cards shall be issued only by the Office of the Attorney General pursuant to regulations made by the Office of the Attorney General in the manner which is or may be provided by law. The identification card shall have on its face all of the following:

(a) the name and address of the holder;

(b) the sex, height, and weight of the holder;

(c) the birth date of the holder;

(d) the date of expiration for the card, which shall be two years from the date of issue;

(e) a photograph of the holder taken within ten days prior to issuance;

(f) an endorsement setting forth the extent of the holder's eligibility to possess, use, and carry firearms, dangerous devices, or ammunition;

(g) the number of the identification card."
(3) An applicant for an identification card shall make application therefor on a form approved by the Office of the Attorney General and shall supply such information as may be necessary to afford the issuing agency reasonable opportunity to ascertain the facts required to appear on the face of the identification card, and to determine whether the applicant complies with all requirements of this chapter to possess and use, or carry, firearms, dangerous devices, or ammunition, as the case may be.

(4) No identification card shall issue until fifteen days after application therefor, and unless the issuing agency is satisfied that the applicant may lawfully possess and use, or carry, firearms, dangerous devices, or ammunition of the type or types enumerated on the identification card. Unless the application for use and possession is denied, the identification card shall issue within sixty days from the date of application.

(5) No person shall be issued an identification card if he has been:

(a) acquitted of any criminal charge by reason of insanity;

(b) adjudicated mentally incompetent;

(c) treated in a hospital for mental illness, drug addiction, or alcoholism;

(d) convicted of a crime of which actual or attempted personal injury or death is an element;
(e) convicted of a crime in connection with which firearms or dangerous devices were used or found in his possession, unless the person had obtained a valid identification card and the crime consists solely of failing to have such card in his possession;

(f) convicted of a crime of which the use, possession, or sale of narcotics or dangerous drugs is an element.

(6) No person shall be issued an identification card if he has a physical condition or impairment which makes him unable to use a firearm or dangerous device with proper control.

(7) Any person suffering from a physical or mental defect, condition, illness, or impairment which would make him ineligible for an identification card pursuant to this section may submit the certificate of a physician licensed to practice in the Trust Territory to the issuing agency or officer. If the certificate states that it is the subscribing physician's best opinion that the defect, condition, illness, or impairment does not make the applicant incapable of possessing and using a firearm or dangerous device without danger to the public safety, the identification card may be issued. But no such card shall be valid for a period longer than six months.

(8) Any person who is ineligible for an identification card by reason of conviction of crime may be issued such a card if his most recent discharge from probation or parole or the termination of his most recent sentence, whichever is later, is
more than ten years prior to the time of application for the
identification card and if the issuing agency finds that his
record, taken as a whole, does not indicate that his possessing
and using, or carrying, a firearm or dangerous device, as the
case may be, are not likely to constitute a special danger to
the public safety, PROVIDED that, if the crime which renders
him ineligible for an identification card is solely the failure
to have an identification card issued to him, then the rein-
statement to eligibility pursuant to this subsection shall
occur five years after the date of his sentencing.

(9) The holder of an identification card shall have it on
or about his person at all times when he is carrying or using
a firearm or dangerous device and shall display the card upon the
request of any law enforcement official.

(10) A duplicate identification card may be issued to the
holder of a lost, destroyed, or defaced identification card
upon proof of such loss, destruction, or defacement as the
Office of the Attorney General may require, upon payment of
the fee required by section 1230 of this chapter, and upon
surrender of any remaining portion of the original card. Notice
shall be given to the Office of the Attorney General by the
holder within forty-eight hours of his discovery of such loss,
defacement, or destruction. The holder shall notify the Office
of the Attorney General of any change of name or address from
those appearing upon the identification card within forty-eight
hours of such change.

(11) A person who is neither a citizen nor resident
of the Trust Territory shall not be eligible for an
identification card, except upon receiving special
permission from the Attorney General."

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: 10/26/83

Introduced by: John Hagegabam
(by request)