

AN ACT

To propose an amendment to section 2(d) of article IX of the Constitution of the Federated States of Micronesia to provide that a state may add a surtax upon taxes, duties and tariffs based on imports, imposed by the National Government, and for other purposes.

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

1 Section 1. Proposed amendment. It is hereby proposed that section 2(d)
2 of article IX of the Constitution of the Federated States of Micronesia be
3 amended to read as follows:

4 "Section 2. The following powers are expressly delegated to
5 Congress:

- 6 (a) to provide for the national defense;
- 7 (b) to ratify treaties;
- 8 (c) to regulate immigration, emigration, naturalization, and
9 citizenship;
- 10 (d) to impose taxes, duties, and tariffs based on imports;
11 provided that a state, at its option, may add a surtax thereon;
- 12 (e) to impose taxes on income;
- 13 (f) to issue and regulate currency;
- 14 (g) to regulate banking, foreign and interstate commerce,
15 insurance, the issuance and use of commercial paper and securities,
16 bankruptcy and insolvency, and patents and copyrights;
- 17 (h) to regulate navigation and shipping except within
18 lagoons, lakes, and rivers;
- 19 (i) to establish usury limits on major loans;
- 20 (j) to provide for a national postal system;
- 21 (k) to acquire and govern new territory;
- 22 (l) to govern the area set aside as the national capital;

1 (m) to regulate the ownership, exploration, and exploitation
2 of natural resources within the marine space of the Federated
3 States of Micronesia beyond 12 miles from island baselines;

4 (n) to establish and regulate a national public service
5 system;

6 (o) to impeach and remove the President, Vice-President,
7 and justices of the Supreme Court;

8 (p) to define national crimes and prescribe penalties, having
9 due regard for local custom and tradition;

10 (q) to override a Presidential veto by not less than a 3/4
11 vote of all the state delegations, each delegation casting one vote;
12 and

13 (r) to promote education and health by setting minimum
14 standards, coordinating state activities relating to foreign
15 assistance, providing training and assistance to the states, and
16 providing support for post-secondary educational programs and
17 projects."

18 Section 2. Procedure. Upon its becoming law, the proposed constitutional
19 amendment set out in section 1 will become part of the Constitution after
20 completion of the procedures and ratification as required by chapter 7 of title 1
21 of the Code of the Federated States of Micronesia.

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1 Section 3. Effective date. This act shall become law upon approval by the
2 President of the Federated States of Micronesia or upon its becoming law without
3 such approval.

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Bailey Olter
President
Federated States of Micronesia

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