

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:

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

4           "Section 115. Aircraft and sea vessel operator  
5 responsibilities for overtime. The operator of any  
6 aircraft or sea vessel landing at any airport or calling  
7 at any port in the Federated States of Micronesia shall  
8 be responsible for paying an amount equal to the actual  
9 costs to the National Government for overtime accrued by  
10 the officials responsible for carrying out the purposes  
11 of this title, chapter 4 of title 22, and chapter 2 of  
12 title 54 whenever such officials are required to carry  
13 out their official duties relating to the aircraft or  
14 sea vessel at a time outside of the official's ordinary  
15 working hours. The respective heads of the Division of  
16 Immigration and Labor of the Department of Justice, the  
17 Agriculture Unit of the Department of Resources and

1           Development, and the Division of Customs and Tax  
2           Administration of the Department of Finance and  
3           Administration shall determine the amount payable for  
4           each of their respective officials under this section  
5           and shall submit invoices to the operator of the  
6           aircraft or sea vessel for payment of such amounts on a  
7           prompt basis; PROVIDED, HOWEVER, in the case an aircraft  
8           or sea vessel's arrival is for one time only or is  
9           likely to occur at infrequent intervals the invoice  
10          shall be made as soon as possible after the arrival of  
11          the vessel or aircraft, including at the time of arrival  
12          itself as may be provided for by regulations. For  
13          purposes of this section, overtime means actual hours  
14          worked in excess of 40 actual hours per week worked by  
15          an official or employee of the National Government. The  
16          President shall ensure the promulgation of regulations  
17          consistent with this section."

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

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December 17, 2010

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for /s/ Alik L. Alik  
Manny Mori  
President  
Federated States of Micronesia

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