

A BILL FOR 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 on 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 Micronesia
9 (Annotated); Statement of Intent. This section is intended
10 to effect a codification of the general and permanent
11 National laws of the Federated States of Micronesia and is
12 not intended to effect any substantive changes therein."

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

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

1 as the "Code of the Federated States of Micronesia
2 (Annotated)". This code contains the general and permanent
3 National laws of the Federated States of Micronesia and is
4 prepared under the authority of the Congress of the
5 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 subchapter II
12 of chapter 2 of title 1 of this code and all enacted general
13 and permanent National laws of the Congress of the Federated
14 States of Micronesia through the end of the 17th Congress of
15 the Federated States of Micronesia which are incorporated as
16 part II of the attached manuscript are hereby readopted and
17 reenacted as positive law of the Federated States of
18 Micronesia in the form appearing in the manuscript.

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

24 (3) All code sections that are designated as included
25 for reference only are included in the code as additional

1 tools for research and are not readopted and reenacted.

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4 repealed in its prior form."

5 Section 5. 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 254 to subchapter III, to read as follows:

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

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

20 "Section 255. Laws unaffected. Nothing in this Act affects
21 the validity of either appropriation laws, other temporary
22 National laws not included in this code, or laws enacted
23 after the Seventeenth Congress of the Federated States of
24 Micronesia."

25 Section 7. Chapter 2 of title 1 of the Code of the Federated

1 States of Micronesia, as amended, is hereby further amended by
2 adding a new section 256 to subchapter III, to read as follows:

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

8 Section 8. 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 257 to subchapter III, to read as follows:

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

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

25 "Section 258. State law reaffirmed. The authority of the

1 States of the Federated States of Micronesia with regard to
2 those provisions of the Trust Territory Code within the
3 jurisdiction of the States is unaffected and hereby
4 reaffirmed."

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

9 "Section 259. Technical amendments to the laws. Technical
10 amendments to the laws included in part II of this code,
11 whether or not those laws are readopted and reenacted
12 pursuant to section 253 of this subchapter, are hereby
13 enacted regarding the following:

14 (1) organization, numbering, and references to titles,
15 chapters, subchapters, parts, sections, subsections, and
16 other subparts;

17 (2) changes in phraseology;

18 (3) changes in introductory materials; and

19 (4) correction of typographical, grammatical, or other
20 errors."

21 Section 11. 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 260 to subchapter III, to read as
24 follows:

25 "Section 260. Future amendments; citations.

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

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

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

16 "Section 261. Supplements as part of code.

17 (1) The laws contained in any current pocket parts or
18 supplements to this code, printed and published under
19 contract or otherwise as may be authorized by law,
20 constitute *prima facie* a part of this code if the laws, as
21 so contained, purport to represent reproductions of
22 statutory amendments to this code, as stated in accompanying
23 notes thereto.

24 (2) If pocket parts or supplements are published on a
25 cumulative basis, then only the laws in the latest

1 publication thereof constitute *prima facie* a part of this
2 code.

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

10 Section 13. 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 262 to subchapter III, to read as
13 follows:

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

18 Section 14. Chapter 2 title 1 of the Code of the Federated
19 States of Micronesia, as amended, is hereby further amended by
20 adding a new section 263 to subchapter III, to read as follows:

21 "Section 263. Authorization for publication of F.S.M.C..
22 The publishing of the official edition of the Code of the
23 Federated States of Micronesia 2014 edition (Annotated)
24 (F.S.M.C.), pursuant to contract with the Congress of the
25 Federated States of Micronesia is hereby authorized."

1 Section 15. 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 264 to subchapter III, to read as
4 follows:

5 "Section 264. Contents of F.S.M.C.. The Code of the
6 Federated States of Micronesia (Annotated) shall contain the
7 general and permanent National laws codified as positive law
8 in the F.S.M.C. pursuant to sections 251 through 265 of this
9 subchapter III of this chapter, supplemented and updated
10 with any amendments or additions to the law requiring
11 codification through the end of the Seventeenth Congress of
12 the Federated States of Micronesia."

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

17 "Section 265. Laws unaffected by earlier publication. The
18 supplementing and updating to the original 1982 F.S.M.C. in
19 the First Supplement authorized by Public Law No. 4-33, any
20 subsequent codifications, and in this codification with
21 subsequently enacted general and permanent National laws,
22 shall not effect any substantive change to the law as
23 enacted and as it became effective."

24 Section 17. This act shall become law upon approval by the
25 President of the Federated States of Micronesia or upon its

1 becoming law without such approval.

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3 Date: 9/15/14

Introduced by: /s/ Wesley W. Simina
Wesley W. Simina

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