

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

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

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

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

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

25 (3) All code sections that are designated as included

1 for reference only are included in the code as
2 additional tools for research and are not readopted and
3 reenacted.

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6 repealed in its prior form."

7 Section 5. Chapter 2 of title 1 of the Code of the Federated
8 States of Micronesia, as amended, is hereby further amended by
9 adding a new section 254 to subchapter III, to read as follows:

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

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

23 "Section 255. Laws unaffected. Nothing in this Act
24 affects the validity of either appropriation laws, other
25 temporary National laws not included in this code, or

1 laws enacted after the Seventeenth Congress of the
2 Federated States of Micronesia."

3 Section 7. Chapter 2 of title 1 of the Code of the Federated
4 States of Micronesia, as amended, is hereby further amended by
5 adding a new section 256 to subchapter III, to read as follows:

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

11 Section 8. Chapter 2 of title 1 of the Code of the Federated
12 States of Micronesia, as amended, is hereby further amended by
13 adding a new section 257 to subchapter III, to read as follows:

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

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

4 "Section 258. State law reaffirmed. The authority of
5 the States of the Federated States of Micronesia with
6 regard to those provisions of the Trust Territory Code
7 within the jurisdiction of the States is unaffected and
8 hereby reaffirmed."

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

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

- 18 (1) organization, numbering, and references to titles,
19 chapters, subchapters, parts, sections, subsections, and
20 other subparts;
21 (2) changes in phraseology;
22 (3) changes in introductory materials; and
23 (4) correction of typographical, grammatical, or other
24 errors."

25 Section 11. Chapter 2 of title 1 of the Code of the

1 Federated States of Micronesia, as amended, is hereby further
2 amended by adding a new section 260 to subchapter III, to read as
3 follows:

4 "Section 260. Future amendments; citations.

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

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

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

20 "Section 261. Supplements as part of code.

21 (1) The laws contained in any current pocket parts or
22 supplements to this code, printed and published under
23 contract or otherwise as may be authorized by law,
24 constitute *prima facie* a part of this code if the laws,
25 as so contained, purport to represent reproductions of

1 statutory amendments to this code, as stated in
2 accompanying notes thereto.

3 (2) If pocket parts or supplements are published on a
4 cumulative basis, then only the laws in the latest
5 publication thereof constitute *prima facie* a part of
6 this code.

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

14 Section 13. Chapter 2 of title 1 of the Code of the
15 Federated States of Micronesia, as amended, is hereby further
16 amended by adding a new section 262 to subchapter III, to read as
17 follows:

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

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

1 "Section 263. Authorization for publication of
2 F.S.M.C.. The publishing of the official edition of the
3 Code of the Federated States of Micronesia 2014 edition
4 (Annotated) (F.S.M.C.), pursuant to contract with the
5 Congress of the Federated States of Micronesia is hereby
6 authorized."

7 Section 15. Chapter 2 of title 1 of the Code of the
8 Federated States of Micronesia, as amended, is hereby further
9 amended by adding a new section 264 to subchapter III, to read as
10 follows:

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

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

24 "Section 265. Laws unaffected by earlier publication.
25 The supplementing and updating to the original 1982

1 F.S.M.C. in the First Supplement authorized by Public
2 Law No. 4-33, any subsequent codifications, and in this
3 codification with subsequently enacted general and
4 permanent National laws, shall not effect any
5 substantive change to the law as enacted and as it
6 became effective."

7 Section 17. This act shall become law upon approval by the
8 President of the Federated States of Micronesia or upon its
9 becoming law without such approval.

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13 _____, 2014

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16 LAW W/OUT SIGNATURE 11/6/14

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Manny Mori
President
Federated States of Micronesia

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