

AN ACT

To further amend title 50 of the Code of the Federated States of Micronesia, as amended, by further amending section 114, as amended by Public Law No. 5-105 and as renumbered by Public Law No. 10-14, for the purpose of allowing the issuance of citations and the collection of fees for the violation of certain provisions of chapter 1 or any regulations issued pursuant thereto without a hearing, and for other purposes.

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

Section 1. Section 114 of title 50 of the Code of the Federated States of Micronesia, as amended by Public Law No. 5-105 and as renumbered by Public Law No. 10-14, is hereby further amended to read as follows:

"Section 114. Penalties.

(1) Any person who, not being a citizen of the Federated States of Micronesia, unlawfully enters or attempts to enter the Federated States of Micronesia or having lawfully entered, remains willfully and unlawfully after expiration or revocation of his entry authorization, or who violates by act or omission any provision of this chapter or regulations issued pursuant thereto, upon conviction thereof shall be imprisoned for a period of not more than two years, or fined not more than \$10,000, or both.

(2) In lieu of subsection (1) of this section or in addition thereto, any person who unlawfully enters the Federated States of Micronesia or having lawfully entered, willfully and unlawfully remains after expiration or revocation of his entry permit shall be subject to deportation after hearing upon application by the President

or his designee to any competent court in the Federated States of Micronesia.

(3) Any carrier violating the provisions of section 109 shall be fined \$500 per person for persons not allowed to disembark or returned to an aircraft.

(4) Any person who fails to comply with subsection (5) of section 103 of this chapter shall lack standing to bring an action in the Supreme Court of the Federated States of Micronesia for accounts due on sales made or contracts entered into during the period of noncompliance.

(5) Notwithstanding subsections (1) and (2) of this section, the President or his designee may issue a citation and collect a fee in such amount provided by regulations against any person who violates any provision of this chapter or regulations issued thereunder. The provisions of subsections (1) and (2) of this section shall apply if the defendant chooses to challenge the citation issued or the fee charged."

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.

\_\_\_\_\_, 1999

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Leo A. Falcam  
President

Federated States of Micronesia