

A BILL FOR AN ACT

To amend section 203 of title 2 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 10-55, 15-09 and 15-74, and to amend sections 102, 105, 106, 110, 201, 205 and 211 of title 24 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 11-57, 12-34 and 15-38, repealing sections 206, 402, 403 and 504 in their entirety, for the purposes of creating the Fishing Authority Division of the Department of Resources and Development, to eliminate NORMA, and transfer all activities of NORMA to the Fishing Authority Division, and for other purposes.

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

1 Section 1. Section 203 of title 2 of the Code of the
2 Federated States of Micronesia, as amended by Public Laws Nos.
3 10-55, 15-09 and 15-74, is hereby further amended to read as
4 follows:

5 "Section 203. Departments. •

6 (1) There shall be the following departments which
7 shall be responsible for major programs or
8 administrative support areas in the Government of the
9 Federated States of Micronesia:

10 (a) Department of Resources and Development, which
11 shall contain among other units, a Fishing Authority
12 Division;

13 (b) Department of Finance and Administration;

14 (c) Department of Foreign Affairs; •

15 (d) Department of Health and Social Affairs;

16 (e) Department of Justice;

1 (f) Department of Transportation, Communication
2 and Infrastructure, which shall contain among other
3 units, a Project Management Unit for the Compact
4 Infrastructure Grants; and

5 (g) Department of Education.

6 (2) The administrative head of each department shall
7 be designated as a "Secretary".

8 (3) The administrative head of each office shall be
9 designated as a "Director".

10 (4) Succession. •

11 (a) Any reference to a previously existing
12 department, office or division thereof shall apply to
13 the appropriate successor entity.

14 (b) Any reference to any office or employee of an
15 entity referred to in subsection (4)(a) of this section
16 shall be construed as applying to the person holding the
17 same or most similar position in the appropriate
18 successor entity."

19 Section 2. Section 102 of title 24 of the Code of the
20 Federated States of Micronesia, as enacted by Public Law 12-34, is
21 hereby amended to read as follows:

22 "Section 102. Definitions. In this subtitle, except
23 where otherwise specified, the following terms shall
24 have the meanings stated below:

25 (1) 'Access agreement' means a treaty, agreement or

1 arrangement entered into by the [~~Authority pursuant to~~
2 ~~this act~~] Nation in relation to access to the exclusive
3 economic zone for fishing by foreign fishing vessels,
4 and includes bilateral and multilateral instruments
5 applicable at the national, subregional, regional or
6 international level.

7 (2) 'Administrator' means the director of a regional
8 fisheries agency or any other organization or person
9 authorized, pursuant to section 106 of chapter 1 of this
10 subtitle, to administer a fisheries access agreement or
11 fisheries management agreement to which the Federated
12 States of Micronesia is party.

13 (3) 'Agent' includes a person appointed or designated
14 by a foreign fishing company to act as the legal
15 representative of that company within the Federated
16 States of Micronesia, including acceptance of and
17 response to legal process, pursuant to section 404(4)(a)
18 of chapter 4 of this subtitle.

19 (4) 'Aircraft' means any craft capable of self-
20 sustained movement through the atmosphere and includes
21 helicopters.

22 (5) 'Atoll' means a naturally formed coral reef system
23 which has one or more islands situated on the reef
24 system, including, but not limited to, Ngulu, Ulithi,
25 Sorol, Eauripi, Woleai, Faraulep, Ifalik, Olaimarao,

1 Elato, Lamotrek, West Fayu, Puluwat, Pulap, Pulusuk,
2 Namonuito, Kuop, Nomowin, Murilo, Losap, Namoluk,
3 Satawan, Etal, Lukunor, Minto Reef, Oroluk, Nukuoro,
4 Kapingamarangi, Pakin, Ant, Sapwuahfik, Mwoakilloa and
5 Pingelap.

6 (6) 'Authority' means [~~the National Oceanic Resource~~
7 ~~Management Authority~~] the Fishing Authority Division of
8 the Department of Resources and Development as
9 established by section 201 of chapter 2 of this
10 subtitle.

11 (7) 'Authorized observer' means any person authorized
12 in writing by the Authority to act as an observer on
13 fishing vessels for the purposes of this subtitle,
14 including any observer authorized pursuant to the
15 provisions of an access agreement or a fisheries
16 management agreement.

17 (8) 'Authorized officer' means any person or category
18 of persons designated pursuant to section 602 of chapter
19 6 of this subtitle as an authorized officer.

20 (9) 'Automatic location communicator' or 'transponder'
21 means a device placed on a fishing vessel that
22 transmits, either in conjunction with another device or
23 devices or independently, information concerning the
24 position, fishing and other activities of the vessel.

25 (10) 'Based in the Federated States of Micronesia'

1 means using land-based facilities in the Federated
2 States of Micronesia to support fishing, including
3 location of the home port of a vessel in the Federated
4 States of Micronesia, landing or transshipping all fish
5 harvested within the exclusive economic zone and/or
6 operating under a joint venture arrangement in the
7 Federated States of Micronesia, or under arrangements
8 where the operator of a vessel is participating in
9 shore-based developments or is otherwise making a
10 substantial contribution to the development of the
11 domestic tuna industry.

12 (11) 'Buy' includes:

- 13 (a) barter or attempt to barter;
14 (b) purchase or attempt to purchase;
15 (c) receive on account or consignment;
16 (d) purchase or barter for future goods or for
17 any consideration of value; and
18 (e) purchase or barter as an agent for another
19 person, and 'buyer' shall have a corresponding meaning.

20 (12) 'Citizen' means a person who is a citizen of the
21 Federated States of Micronesia.

22 (13) 'Closed area' means an area in which fishing is
23 prohibited.

24 (14) 'Closed season' means a period of time during
25 which fishing is prohibited.

1 (15) 'Commercial fishing' means any fishing resulting
2 or intending or appearing to result in the sale or trade
3 of any fish which may be taken during the fishing
4 operation, and does not include subsistence fishing.
5 For the purposes of this act, the following shall be
6 presumed to be commercial fishing:

7 (a) use of a vessel for fishing which measures
8 twenty-seven (27) feet or more in overall length;

9 (b) use of more than one vessel for fishing which
10 is owned by a single person for the primary purpose of
11 selling or trading any fish.

12 (16) 'Commercial pilot fishing' means any fishing for
13 the purpose of testing the commercial viability of:

14 (a) new fishing methods;

15 (b) developing new stocks of fish; or

16 (c) fishing in previously unexploited areas.

17 (17) 'Court' means the Supreme Court of the Federated
18 States of Micronesia.

19 (18) 'Domestic fishing' means any fishing by a local
20 fishing vessel longer than twenty-seven (27) feet in
21 overall length, but not including commercial pilot
22 fishing.

23 (19) (Reserved)

24 (20) (Reserved)

1 (21) 'Drift net' means a gillnet or other net or
2 arrangement of nets which is more than 2.5 kilometers
3 (1.56 miles) in length, the purpose of which is to
4 enmesh, entrap or entangle fish.

5 (22) 'Drift net fishing activities' includes fishing
6 with the use of a drift net and any related activities
7 including transporting, transshipping and processing any
8 drift net catch, and provisioning of food, fuel and
9 other supplies for vessels used or outfitted for drift
10 net fishing.

11 (23) 'Exclusive economic zone' means the exclusive
12 economic zone as defined in title 18 of the Code of the
13 Federated States of Micronesia.

14 (24) 'Executive Director' means the individual
15 appointed by the Authority to be in charge of the daily
16 activities and operation of the authority and to perform
17 such other functions as required by this subtitle.

18 (25) 'Export' means to:

19 (a) send or take out of the country;

20 (b) attempt to send or take out of the country;

21 (c) receive on account or consignment for
22 purposes of paragraph (a) or (b) above;

23 (d) act as an agent for another person for
24 purposes of (a) through (c) above; and

25 (e) carry or transport anything for purposes of

1 paragraphs (a) through (d) of this subsection, and
2 'exporter' shall have a corresponding meaning.

3 (26) 'Fish' means any living marine resource.

4 (27) 'Fish aggregating device' means any man-made or
5 partly man-made floating or semi-submerged device,
6 whether anchored or not, intended for the purpose of
7 aggregating fish, and includes any natural floating
8 object on which a device has been placed to facilitate
9 its location.

10 (28) 'Fish processing' means the producing of any
11 substance or article from fish by any method and
12 includes the cutting up, dismembering, cleaning,
13 sorting, loining, freezing, canning, salting, preserving
14 and reduction of fish.

15 (29) 'Fisheries management agreement' means any
16 agreement, arrangement or treaty in force to which the
17 Federated States of Micronesia is a party, not including
18 any access agreement, which has as its primary purpose
19 cooperation in or coordination of fisheries management
20 measures in all or part of the region, or implementation
21 of a multilateral access agreement, including, but not
22 limited to, fisheries monitoring, control and
23 surveillance and establishing criteria or requirements
24 for fishing and fisheries access.

25 (30) 'Fishery' or 'Fisheries' means one or more stock

1 of fish or any fishing operation based on such stocks
2 which can be treated as a unit for purposes of
3 conservation and management, taking into account
4 geographical, scientific, technical, recreational,
5 economic and other relevant characteristics.

6 (31) 'Fishery waters' means the exclusive economic
7 zone, the territorial sea and internal waters as
8 described in title 18 of the Code of the Federated
9 States of Micronesia, and any other waters over which
10 the Federated States of Micronesia claims sovereignty or
11 sovereign Rights.

12 (32) 'Fishing' means:

13 (a) the actual or attempted searching for,
14 catching, taking or harvesting of fish;

15 (b) any activity which can reasonably be expected
16 to result in the locating, catching, taking or
17 harvesting of fish;

18 (c) the placing, searching for or recovering of
19 any fish aggregating device or associated electronic
20 equipment such as radio beacons;

21 (d) any operation at sea directly in support of
22 or in preparation for any activity described in this
23 subsection except for operations defined as related
24 activities in subsection (51) of this section; and

25 (e) the use of an aircraft in relation to any

1 activity described in this subsection except for flights
2 in emergencies involving the health or safety of crew
3 members or the safety of a vessel.

4 (33) 'Fishing gear' means any equipment, implement, or
5 other thing that can be used in the act of fishing,
6 including any fishing net, rope, line, float, trap,
7 hook, winch, boat, beacon or locating device, aircraft
8 or helicopter.

9 (34) 'Fishing vessel' means any vessel, boat, ship or
10 other craft which is used for, equipped to be used for
11 or of a type that is normally used for fishing as the
12 term fishing is defined in subsection (32) of this
13 section.

14 (35) 'Flag fishing vessel' means any foreign fishing
15 vessel that is registered in the Federated States of
16 Micronesia pursuant to title 18 of the Code of the FSM
17 and any domestic fishing vessel.

18 (36) 'Foreign fishing' means any fishing not defined as
19 domestic fishing, and not including commercial pilot
20 fishing or fishing from a local fishing vessel less than
21 or equal to twenty-seven (27) feet in overall length.

22 (37) 'Foreign fishing vessel' means any fishing vessel
23 other than a local fishing vessel.

24 (38) 'Foreign party' means a noncitizen party to an
25 access agreement or a party to an access agreement that

1 is at least twenty percent foreign-owned.

2 (39) 'Foreign recreational fishing' means fishing using
3 a foreign fishing vessel for recreational or sport
4 purposes.

5 (40) 'High seas' means all parts of the sea that are
6 not included in the exclusive economic zone, in the
7 territorial sea, or in the internal water of any nation,
8 or in the archipelagic waters of an archipelagic nation.

9 (41) 'Internal waters' means waters on the landward
10 side of the baseline of the territorial sea of any
11 island within the Federated States of Micronesia.

12 (42) 'Island' means a naturally formed area of land
13 surrounded by water, which is above water at high tide.

14 (43) 'Local fishing vessel' means any fishing vessel
15 wholly owned and controlled by:

16 (a) the Government of the Federated States of
17 Micronesia, any State government or any subdivision
18 thereof;

19 (b) one or more natural persons who are citizens
20 of the Federated States of Micronesia;

21 (c) any corporation, company, society, or other
22 association of persons incorporated or established under
23 the laws of the Federated States of Micronesia or of any
24 State and which is wholly owned and controlled by one or
25 more of the entities or persons described in paragraphs

1 (a) or (b) of this subsection; and

2 (d) any combination of persons or entities
3 described in paragraphs (a) through (c) of this
4 subsection.

5 (44) 'Master' in relation to any fishing vessel means
6 the person in charge or apparently in charge of that
7 vessel.

8 (45) 'Multilateral access agreement' means an access
9 agreement between a foreign party and one or more
10 regional parties, to which the Federated States of
11 Micronesia is a party.

12 (46) 'Officer' means any authorized officer or national
13 police officer, and includes any officer of a vessel or
14 aircraft used for the enforcement of this act, whether
15 or not such officers are officials of the Government of
16 the Federated States of Micronesia or of one of the four
17 State governments.

18 (47) 'Operator' means any person who is in charge of or
19 directs or controls a fishing vessel, or for whose
20 direct economic or financial benefit a vessel is being
21 used, including the master, owner, and charterer.

22 (48) 'Owner' in relation to a fishing vessel means any
23 person exercising or discharging or claiming the right
24 or accepting the obligation to exercise or discharge any
25 of the powers or duties of an owner, whether on his own

1 behalf or on behalf of another, and includes a person
2 who owns the vessel jointly with any other person or
3 persons and any manager, director or secretary of any
4 corporate body or company that holds an ownership
5 interest in the vessel.

6 (49) 'Permit' means any permit issued under this
7 subtitle or under an access agreement entered into
8 pursuant to this subtitle.

9 (50) 'Person' means any natural person or business
10 enterprise and includes, but is not limited to, a
11 corporation, partnership, cooperative, association, the
12 government of any of the four States, or any political
13 subdivision thereof, and any foreign government,
14 subdivision of such government or other entity.

15 (51) 'Port sampler' means a category of authorized
16 observer who performs duties at a point of transshipment
17 or port located either inside or outside the Federated
18 States of Micronesia.

19 (52) 'Recreational fishing' means fishing for sport or
20 leisure.

21 (53) 'Region' means that area of land and ocean which
22 falls within the sovereignty and sovereign rights of the
23 member countries of the South Pacific Forum Fisheries
24 Agency, whose headquarters are located in Honiara,
25 Solomon Islands, and includes high seas within such

1 area, and for the purposes of data collection, includes
2 that area of the Western and Central Pacific Ocean which
3 falls within the jurisdiction and sovereign rights of
4 the member countries of the Secretariat of the Pacific
5 Community located in Noumea, New Caledonia, and
6 'regional' shall have a corresponding meaning.

7 (54) 'Regional access license' means a regional access
8 license issued to any fishing vessel of a party to a
9 multilateral access agreement or fisheries management
10 agreement, in accordance with such agreement.

11 (55) 'Regulation' or 'Regulations' means any regulation
12 which may be promulgated by the Authority pursuant to
13 this act.

14 (56) 'Related activities' in relation to fishing means:

15 (a) transshipment;

16 (b) refueling or supplying fishing vessels,
17 selling or supplying fishing equipment, or performing
18 either activity in support of fishing; and

19 (c) on-shore storing, buying or processing fish
20 or fish products from the time they are first landed.

21 (57) 'Secretary' means the Secretary of the Department
22 of Justice.

23 (58) 'Sell' includes the exchange of any fish or fish
24 product or other thing for cash or for anything which

1 has value or which can be exchanged for cash, and
2 includes any exchange by barter.

3 (59) 'Stock of fish' means a species, subspecies or
4 other category of fish identified on the basis of
5 geographical, scientific, technical, recreational and
6 economic characteristics which can be treated as a unit
7 for purposes of conservation and management.

8 (60) 'Subsistence fishing' means fishing by a citizen
9 or a resident substantially for personal consumption,
10 and does not include any fishing resulting or intending
11 or appearing to result, directly or indirectly, in the
12 sale or trading of any fish which may be taken during
13 the fishing operations.

14 (61) 'Transponder' or 'automatic location communicator'
15 means a device placed on a fishing vessel that
16 transmits, either in conjunction with another device or
17 devices or independently, information concerning the
18 position, fishing and other activities of the vessel.

19 (62) 'Transshipment' means the transfer of any or all
20 fish or fish products to or from any vessel or aircraft
21 for the purposes of transporting such fish or fish
22 products elsewhere.

23 (63) 'United Nations Agreement' means the agreement for
24 the implementation of the provisions of the United
25 Nations Convention on the Law of the Sea of 10 December

1 1992 relating to the conservation and management of
2 straddling fish stocks and highly migratory fish stocks.

3 (64) 'United Nations Convention' means the United
4 Nations Convention on the Law of the Sea, 1982.

5 (65) 'Vehicle' means any car, truck, van, bus, trailer
6 or other powered land conveyance.

7 (66) 'Vessel' means any boat, ship, canoe or other
8 water-going craft."

9 Section 3. Section 105 of title 24 of the Code of the
10 Federated States of Micronesia, as enacted by Public Law No.
11 12-34, is hereby amended to read as follows:

12 "Section 105. Access agreements required.

13 (1) No foreign fishing vessel shall be issued a
14 permit to fish in the exclusive economic zone unless an
15 applicable access agreement is in force.

16 ~~[(2) The Authority is authorized to negotiate and enter~~
17 ~~into access agreements on behalf of the Government of the~~
18 ~~Federated States of Micronesia pursuant to chapter 2 and in~~
19 ~~accordance with chapter 4 of this subtitle."]~~

20 Section 4. Section 106 of title 24 of the Code of the
21 Federated States of Micronesia, as enacted by Public Law No.
22 12-34, is hereby repealed in its entirety.

23 Section 5. Section 110 of title 24 of the Code of the
24 Federated States of Micronesia, as enacted by 12-34, is hereby
25 amended to read as follows:

1 "Section 110. Permits - scope.

2 (1) A permit issued or renewed under this subtitle
3 shall only be valid for the species of fish, the type of
4 fishing gear or method of fishing, or such other
5 activity in accordance with this subtitle, as may be
6 specified in the permit.

7 (2) No permit shall authorize:•(a) fishing by foreign
8 fishing vessels on, over or within one nautical mile of
9 the edge of a coral reef that is wholly submerged at
10 mean high tide within the exclusive economic zone;

11 (b) fishing by foreign fishing vessels within a
12 two nautical mile radius of any fish aggregating device
13 of the Government, a citizen or any other body
14 established under the laws of the Federated States of
15 Micronesia;

16 (c) fishing using a drift net or other
17 substantially similar method of catching fish;

18 (d) drift net fishing activities, including the
19 transporting, transshipping and processing of any
20 driftnet catch, and the provisioning of food, fuel and
21 other supplies for vessels used or outfitted for drift
22 net fishing.

23 (3) A permit issued to a vessel may authorize
24 fishing on, over or within one nautical mile of the edge
25 of a coral reef that is wholly submerged at mean high

1 tide within the exclusive economic zone, only if:

2 (a) the applicant's permit application provides
3 adequate support for marine scientific research or
4 commercial pilot fishing in such area; and

5 (i) with respect to commercial pilot fishing,
6 the Authority has determined that commercial pilot
7 fishing at the levels proposed in the permit application
8 will not damage the sustainability of the fishery
9 resources; or

10 (ii) with respect to marine scientific
11 research, the Authority has determined that the research
12 methodology proposed in the permit application will not
13 damage the sustainability of the fishery resources; or

14 (b) the Authority has determined that such fishing
15 is commercially viable and sustainable; and

16 (c) [~~the Executive Director~~] head of the Fishing
17 Authority has submitted a copy of the application to the
18 Governor of the FSM State whose customary inhabitants
19 have been traditionally ascribed the authority to
20 control the fishing over such reef; and

21 (d) within seventy-five (75) days of the Governor
22 of the concerned FSM State having received such
23 submission, the Governor of the concerned FSM State, on
24 behalf of either the State government or the State's
25 customary or traditional leadership, has communicated in

1 writing to the Executive Director its consent to the
2 issuance of the permit with respect to the reef or reefs
3 traditionally ascribed to its customary inhabitants."

4 Section 6. Section 201 of title 24 of the Code of the
5 Federated States of Micronesia, as amended by Public Law No.
6 15-38, is hereby further amended to read as follows:

7 "Section 201. ~~[National Oceanic Resource Management~~
8 ~~Authority]~~ Fishing Authority Division- established.

9 (1) There is hereby established a ~~[National Oceanic~~
10 ~~Resource Management Authority]~~ Fishing Authority
11 Division ('Authority') as a unit of the Department of
12 Resources and Development. ~~[composed of five members,~~
13 ~~each discharging a national duty and charged with~~
14 ~~responsibility for overseeing the FSM exclusive economic~~
15 ~~zone, and appointed as follows:~~

16 ~~(a) one member from each FSM State appointed by~~
17 ~~the President of the Federated States of Micronesia, in~~
18 ~~consultation with the Governor and with the advice and~~
19 ~~consent of the Congress; and~~

20 ~~(b) one at large member appointed by the~~
21 ~~President of the Federated States of Micronesia with the~~
22 ~~advice and consent of the Congress.~~

23 ~~(c) No member shall be appointed for more than~~
24 ~~two consecutive terms after the effective date of this~~
25 ~~Act.~~

1 ~~(2) No member shall also serve as a member of the~~
2 ~~Board of Directors of the National Fisheries Corporation~~
3 ~~of the Federated States of Micronesia or any subsidiary~~
4 ~~or affiliate thereof or serve as executive director or a~~
5 ~~member of any board or authority of any entity operating~~
6 ~~in the states dealing with fishing in the Federated~~
7 ~~States of Micronesia under an agreement or permit issued~~
8 ~~pursuant to this subtitle during the term of his~~
9 ~~membership on the Authority.~~

10 ~~(3) The Authority shall choose a chairman by a~~
11 ~~majority vote of the members of the Authority.~~

12 ~~(4) The Authority shall meet at such time and place as~~
13 ~~may be designated by the Chairman or by vote of the~~
14 ~~members pursuant to any method set out in the Authority~~
15 ~~bylaws.~~

16 ~~(5) The Authority shall adopt its own bylaws governing~~
17 ~~the conduct of its business and performance of the~~
18 ~~powers and duties granted to or imposed upon it by law.~~

19 ~~(6) A quorum of the Authority shall consist of a~~
20 ~~majority of all voting members. All official business~~
21 ~~of the Authority shall be conducted by a majority of~~
22 ~~those members present and voting at a meeting of the~~
23 ~~Authority for which a quorum exists, unless otherwise~~
24 ~~provided by law or the bylaws of the Authority."]~~

25 Section 7. Section 205 of title 24 of the Code of the

1 Federated States of Micronesia, as enacted by Public Law No.
2 12-34, is hereby amended to read as follows:

3 "Section 205. Authority - duties and functions.

4 In addition to the regulatory authority granted in
5 the preceding section, the Authority shall have the
6 following duties and functions:

7 (1) to provide technical assistance in the
8 delimitation of the exclusive economic zone in
9 accordance with section 107 of title 18 of the Code of
10 the Federated States of Micronesia;

11 ~~[(2) to negotiate, conclude and implement access~~
12 ~~agreements and fisheries management agreements in~~
13 ~~accordance with sections 105 and 106 of chapter 1~~
14 ~~of this subtitle and chapters 4 and 5 of this subtitle,]~~

15 (3) to issue fishing permits in accordance with this
16 subtitle;

17 (4) to issue permits for fishing in the
18 territorial sea or internal waters of an FSM State as
19 authorized pursuant to section 118 of chapter 1 of this
20 subtitle;

21 (5) to regulate related activities in accordance with
22 this subtitle;

23 (6) to coordinate and implement fisheries monitoring
24 and control as required under this subtitle and
25 under international treaties to which the Federated

1 States of Micronesia is a party;

2 ~~[(7) to cooperate as appropriate with other nations or~~
3 ~~territories in the region and with foreign~~
4 ~~states fishing in the region and adjacent high seas area~~
5 ~~for the conservation and management of highly migratory~~
6 ~~fish stocks;]~~

7 (8) to cooperate in and coordinate as appropriate with
8 each FSM State on fisheries management measures in the
9 exclusive economic zone and territorial sea;

10 (9) to convene and chair a Fisheries Management and
11 Surveillance Working Group as set forth in section
12 207 of this chapter;

13 ~~[(10) to employ a full time Executive Director and~~
14 ~~such other staff as it may deem necessary;]~~

15 (11) to submit the Authority's budget and
16 report regarding the expenditure of its funds to the
17 Congress each regular session for review;

18 (12) to contribute to the planning of programs relating
19 to fisheries, or fishing in the exclusive economic
20 zone, in which an FSM State government or the Government
21 of the Federated States of Micronesia, or any agency or
22 subdivision thereof, has a proprietary interest, direct
23 or indirect, by way of stock ownership, partnership,
24 joint venture or otherwise; and

25 (13) to perform such other duties and functions as may

1 be necessary to carry out the purpose of this subtitle."

2 Section 8. Section 206 of title 24 of the Code of the
3 Federated States of Micronesia, as enacted by Public Law No.
4 12-34, is hereby repealed in its entirety.

5 Section 9. Section 211 of title 24 of the Code of the
6 Federated States of Micronesia, as amended by Public Law No.
7 15-38, is hereby further amended to read as follows:

8 "Section 211. Annual report. The Chairman of the Authority
9 shall present a written report annually on its activities to
10 the [~~President of the Federated States of Micronesia, the~~
11 ~~Speaker of the Congress of the Federated States of~~
12 ~~Micronesia, and each FSM State Governor]~~ the head of R&D by
13 December 1st of each year, which report shall contain a
14 detailed accounting of the expenditure of funds of the 1
15 Authority, the number of permits and licenses issued, the
16 fees, forfeitures and fines collected, estimates of the
17 effect of the current level of fishing on the stock of fish
18 in the exclusive economic zone, and such other information
19 regarding the implementation of this subtitle in the
20 preceding fiscal year as the Authority may determine. [~~All~~
21 ~~departments and offices of the FSM National Government shall~~
22 ~~be provided copies of the Authority's annual report]~~."

23 Section 10. Section 402 of title 24 of the Code of the
24 Federated States of Micronesia, as enacted by Public Law No.
25 12-34, is hereby repealed in its entirety.

1 Section 11. Section 403 of title 24 of the Code of the
2 Federated States of Micronesia, as enacted by Public Law No.
3 12-34, is hereby repealed in its entirety.

4 Section 12. Section 504 of title 24 of the Code of the
5 Federated States of Micronesia, as enacted by Public Law No.
6 12-34, is hereby repealed in its entirety.

7 Section 13. 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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11 Date: 3/26/14

Introduced by: /s/ David W. Panuelo
David W. Panuelo

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