March 26, 2019

The Honorable Wesley W. Simina
Speaker
Twentieth Congress of the Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear Speaker Simina:

I am pleased to transmit the following Congressional Act, which I have signed into Public Law No. 20-169:

Congressional Act No. 20-171, entitled: "AN ACT TO FURTHER AMEND SECTION 611 OF TITLE 24 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED BY PUBLIC LAW NO. 19-169, TO CORRECT A TECHNICAL ERROR, AND FOR OTHER PURPOSES."

I thank Congress for the passage of this Act.

Sincerely,

Peter M. Christian

Enclosure:

Xc: Chief Justice, FSM Supreme Court
March 18, 2019

His Excellency Peter M. Christian  
President  
Federated States of Micronesia  
Palikir, Pohnpei FM 96941  

Dear President Christian:

I have the honor to transmit herewith Congressional Act No. 20-171, "AN ACT TO FURTHER AMEND SECTION 611 OF TITLE 24 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED BY PUBLIC LAW NO. 19-169, TO CORRECT A TECHNICAL ERROR, AND FOR OTHER PURPOSES.", which was passed by the Twentieth Congress of the Federated States of Micronesia, Seventh Special Session, 2019, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

[Signature]

Liwiana Ramon Ioanis  
Chief Clerk, Congress of the  
Federated States of Micronesia  

Enclosures
An Act

TO FURTHER AMEND SECTION 611 OF TITLE 24 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED BY PUBLIC LAW NO. 19-169, TO CORRECT A TECHNICAL ERROR, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: WESLEY W. SIMINA

DATE: MARCH 6, 2019

REFERRED TO: COMMITTEE ON WAYS AND MEANS

WITHDRAWN – MARCH 11, 2019

FIRST READING: – MARCH 11, 2019

SECOND READING: – MARCH 13, 2019

Liwiana Ramon Ioanis
Chief Clerk, FSM Congress
We hereby certify that on March 13 the foregoing act passed Second and Final Reading of the Twentieth Congress of the Federated States of Micronesia, Seventh Special Session, 2019, by a two-thirds vote of all the State delegations as required under article IX, section 20, of the Constitution of the Federated States of Micronesia.

Wesley W. Simina  
Speaker  
Congress of the  
Federated States of Micronesia

Liwiana Ramon Ioanis  
Chief Clerk  
Congress of the  
Federated States of Micronesia
AN ACT

To further amend section 611 of title 24 of the Code of the Federated States of Micronesia (Annotated), as amended by Public Law No. 19-169, to correct a technical error, and for other purposes.

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

1. Section 1. The purpose of this Act is to correct a technical error in section 611 of title 24 of the Code of the Federated States of Micronesia. Public Law No. 19-169 amended paragraph (1) of section 611 and omitted paragraphs (2)–(5) of that section, inadvertently causing them to be deleted. This Act reinserts paragraphs (2)–(5) of section 611 of title 24 of the Code of the Federated States of Micronesia.

2. Section 2. Section 611 of title 55 of the Code of the Federated States of Micronesia (Annotated), as amended by Public Law No. 19-169, is hereby further amended to read as follows:

"Section 611. Transponders required.

(1) The Authority may require, as a condition of fishing in the exclusive economic zone, that the operator of any vessel:

(a) install on such vessel, at its own expense, a transponder approved by the Authority;

(b) maintain such transponder in good working order at all times during the period of validity of a
permit;

(c) consent to the monitoring of the transponder by the Authority in all waters and at all times during the period of validity of the permit; and

(d) ensure that any information or data required by the Authority to be transmitted by the transponder is transmitted continuously, accurately and effectively to the designated receiver.

(2) For the purposes of this subtitle, a transponder, which may also be referred to as an automatic location communicator or ALC, means any device or machine placed on a fishing vessel as a condition of its permit or access agreement, which transmits, whether in conjunction with another machine or other machines, elsewhere or not, information or data concerning the position, fishing and such other activities of the vessel as may be required.

(3) The Authority may establish by regulation a list of approved transponders. An approved transponder shall be presumed to be accurate; a transponder that is not approved shall not be presumed to be accurate. All information or data obtained or ascertained by the use of a transponder, shall be presumed to:

(a) come from the vessel so identified; and
(b) be given by the master, owner and
charterer of the fishing vessel. This presumption
shall apply whether or not the information was stored
before or after any transmission or transfer.

(4) No person shall intentionally, recklessly or
unintentionally destroy, damage, render inoperative or
otherwise interfere with a machine aboard a vessel
which automatically feeds or inputs information or
data into a transponder, or intentionally feed or
input information or data into a transponder which is
not officially required or is meaningless.

(5) Any person who violates subsection (1) or
subsection (4) of this section, by failing to install,
maintain, or ensure the transmission of information
from a transponder as required, is subject to a civil
penalty of not less than $100,000 and not more than
$500,000."
Section 3. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

\[ \frac{3/20}{2019} \]

[Signature]

Peter M. Christian
President
Federated States of Micronesia