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A BILL FOR AN ACT

To amend section 802 of title 11 of the Code of the Federated States of Micronesia (Annotated), as amended, in order to clarify the enforceability of an emergency decree, eliminate the time restriction on the enforcement of emergency decrees, and prohibit the importation, purchase and sale of dangerous weapons during an emergency, and for other purposes.

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

1           Section 1. Section 802 of title 11 of the Code of the  
2 Federated States of Micronesia (Annotated), as amended, is hereby  
3 amended to read as follows:

4                   "Section 802. Emergency restrictions.

5                   (1) During the existence of a state of emergency, the  
6 President may, by proclamation, prohibit:

7                           (a) any person being on the public roads or at any  
8 other public place during the hours proclaimed by the  
9 President to be a period of curfew;

10                           (b) the manufacture, transfer, use, possession, or  
11 transportation of any device or object designed to  
12 explode or produce uncontained combustion;

13                           (c) the transportation, possession, or use of  
14 combustible, flammable, or explosive materials in a  
15 container of any kind except in connection the normal  
16 operation of motor vehicles, motor boats, normal home  
17 use, or legitimate commercial use;

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1           (d) the importation, sale, purchase and possession  
2 of firearms or any other dangerous weapon [~~by a person~~  
3 ~~in any place other than his or her place or residence,~~  
4 ~~work, or business~~] subject to the further restriction  
5 and regulation issued under section 1029 of this title;

6           (e) the sale, purchase, dispensing, importing, or  
7 exporting of alcoholic beverages or other commodities or  
8 goods designated by the President;

9           (f) the use of certain roads by the public; and

10          (g) other activities the President reasonably  
11 believes should be prohibited to help preserve public  
12 peace, health, or safety.

13          (2) As part of emergency measures, the President may  
14 issue emergency decrees to require social distancing  
15 measures and similar temporary measures or restrict any  
16 public gatherings or congregations in any places.

17          (3) Any proclamation issued under this section  
18 becomes effective immediately upon being signed by the  
19 President, who shall immediately give public notice of  
20 its contents by the most effective means available, with  
21 exceptions and areas designated by proclamation of the  
22 President.

23          ~~[(3) Prohibitions imposed by proclamation issued under~~  
24 ~~this section, shall automatically terminate at noon on~~  
25 ~~the fifth day after it becomes effective unless sooner~~

1                   ~~terminated by proclamation of the President.]”~~

2           Section 2. This act shall become law upon approval by the  
3 President of the Federated States of Micronesia or upon its  
4 becoming law without such approval.

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6   Date: 8/17/20

Introduced by: /s/ Florencio S. Harper  
Florencio S. Harper  
(by request)

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