February 21, 2020

The Honorable Wesley W. Simina
Speaker
Twenty-First Congress
Palikir, Pohnpei, FM 96941

Dear Speaker Simina:

I am pleased to transmit the following congressional act, which I have signed into Public Law No. 21-79:

Congressional Act No. 21-90, entitled: "AN ACT TO FURTHER AMEND TITLE 22 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED, BY REINSERTING SECTION 416 THEREOF, TO CORRECT TECHNICAL ERRORS IN THE 2014 F.S.M.C. (ANNOTATED), AND FOR OTHER PURPOSES."

I wish to thank the 21st FSM Congress for the passage of this act. I would further recommend that the language of section 416 as reinserted by this act be updated given that the Department of Economic Affairs had since been renamed into the Department of Resources and Development.

Sincerely,

David W. Panuelo
President

xc: Chief Justice, FSM Supreme Court
February 12, 2020

His Excellency David W. Panuelo  
President  
Federated States of Micronesia  
Palikir, Pohnpei FM 96941

Dear President Panuelo:

I have the honor to transmit herewith Congressional Act No. 21-90, "AN ACT TO FURTHER AMEND TITLE 22 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED, BY REINSERTING SECTION 416 THEREOF, TO CORRECT TECHNICAL ERRORS IN THE 2014 F.S.M.C. (ANNOTATED), AND FOR OTHER PURPOSES.", which was passed by the Twenty-First Congress of the Federated States of Micronesia, Third Regular Session, 2020, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

The Signature

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

Enclosures
An Act

TO FURTHER AMEND TITLE 22 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED, BY REINSERTING SECTION 416 THEREOF, TO CORRECT TECHNICAL ERRORS IN THE 2014 F.S.M.C. (ANNOTATED), AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: WESLEY W. SIMINA

DATE: FEBRUARY 5, 2020

REFERRED TO: COMMITTEE ON TRANSPORTATION AND COMMUNICATION
WITHDRAWN – FEBRUARY 10, 2020
FIRST READING: – FEBRUARY 10, 2020
SECOND READING: – FEBRUARY 11, 2020

Liwiana Ramon Ióannis
Chief Clerk, FSM Congress
ACT NO. 21-90

(CONGRESSIONAL BILL NO. 21-138)

We hereby certify that on February 11 the foregoing act passed Second and Final Reading of the Twenty-First Congress of the Federated States of Micronesia, Third Regular Session, 2020, 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 title 22 of the Code of the Federated States of Micronesia (Annotated), as amended, by reinserting section 416 thereof, to correct technical errors in the 2014 F.S.M.C. (Annotated), 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 the codification of title 22 of the Code of the Federated States of Micronesia (Annotated). Public Law No. 11-41 enacted section 416 of title 22; however, that section was unintentionally omitted from the 2014 F.S.M.C. (Annotated).

6 This Act amends title 22 to accurately reflect the provisions of Public Law No. 11-41.

8 Section 2. Title 22 of the Code of the Federated States of Micronesia (Annotated), as amended, is hereby amended by reinserting section 416 to read as follows:

11 "Section 416. Aircraft and sea vessel responsibilities for overtime. Any aircraft or sea vessel landing at any airport, or calling at any port in the Federated States of Micronesia, shall be responsible for paying to the Treasurer of the Federated States of Micronesia an amount equal to the actual costs to the National Government for overtime accrued by the officials responsible for carrying out the purpose of this title
whenever such officials are required to carry out their official duties relating to the aircraft or sea vessel at a time outside of the officials' ordinary working hours. The Secretary of Economic Affairs shall determine the amount payable by the aircraft or sea vessel under this section and shall submit invoices to the aircraft or sea vessel for payment of such amounts on a monthly basis; provided, however, if an aircraft or sea vessel's arrival is for one time only or is likely to occur at infrequent intervals the invoice shall be made as soon as possible after the arrival of the vessel or aircraft, including at the time of the arrival itself as may be provided by the regulations. For purposes of this section, overtime means actual hours worked in excess of 40 actual hours per week worked by an official or employee of the National Government."
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.

February 7, 2020

David W. Panuelo
President
Federated States of Micronesia