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A BILL FOR AN ACT

To amend section 1205 of title 11 of the Code of the Federated States of Micronesia, the Weapons Control Act, to modify the time of disqualification from being issued a firearm identification card, and for other purposes.

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

1 Section 1. Section 1205 of title 11 of the Code of the Federated
2 States of Micronesia is hereby amended to read as follows:

3 "Section 1205. Identification cards required; Issuance.

4 (1) No person shall acquire or possess any firearm,
5 dangerous device, or ammunition unless he holds an
6 identification card issued pursuant to this chapter. The
7 identification card is evidence of the holder's eligibility
8 to possess and use or carry firearms, dangerous devices, or
9 ammunition.

10 (2) Identification cards shall be issued only by the
11 Office of the Attorney General pursuant to regulations made
12 by the Office of the Attorney General in the manner which is
13 or may be provided by law. The identification card shall have
14 on its face all of the following:

15 (a) the name and address of the holder;

16 (b) the sex, height, and weight of the holder;

17 (c) the birth date of the holder;

18 (d) the date of expiration for the card, which shall
19 be two years from the date of issue;

20 (e) a photograph of the holder taken within ten
21 days prior to issuance;

22 (f) an endorsement setting forth the extent of the
23 holder's eligibility to possess, use, and carry firearms,
24 dangerous devices, or ammunition;

25 (g) the number of the identification card.

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1 (3) An applicant for an identification card shall make
2 application therefor on a form approved by the Office of the
3 Attorney General and shall supply such information as may be
4 necessary to afford the issuing agency reasonable opportunity
5 to ascertain the facts required to appear on the face of the
6 identification card, and to determine whether the applicant
7 complies with all requirements of this chapter to possess
8 and use, or carry, firearms, dangerous devices, or ammunition,
9 as the case may be.

10 (4) No identification card shall issue until fifteen days
11 after application therefor, and unless the issuing agency is
12 satisfied that the applicant may lawfully possess and use, or
13 carry, firearms, dangerous devices, or ammunition of the type
14 or types enumerated on the identification card. Unless the
15 application for use and possession is denied, the identification
16 card shall issue within sixty days from the date of application.

17 (5) No person shall be issued an identification card if
18 he has been:

19 (a) acquitted of any criminal charge by reason of
20 insanity;

21 (b) adjudicated mentally incompetent;

22 (c) treated in a hospital for mental illness, drug
23 addiction, or alcoholism;

24 (d) convicted of a crime of which actual or attempted
25 personal injury or death is an element;

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1 (e) convicted of a crime in connection with which
2 firearms or dangerous devices were used or found in his
3 possession, unless the person had obtained a valid identification
4 card and the crime consists solely of failing to have such
5 card in his possession;

6 (f) convicted of a crime of which the use, possession,
7 or sale of narcotics or dangerous drugs is an element.

8 (6) No person shall be issued an identification card if
9 he has a physical condition or impairment which makes him unable
10 to use a firearm or dangerous device with proper control.

11 (7) Any person suffering from a physical or mental defect,
12 condition, illness, or impairment which would make him ineligible
13 for an identification card pursuant to this section may submit
14 the certificate of a physician licensed to practice in the
15 Trust Territory to the issuing agency or officer. If the
16 certificate states that it is the subscribing physician's best
17 opinion that the defect, condition, illness, or impairment does
18 not make the applicant incapable of possessing and using a firearm
19 or dangerous device without danger to the public safety, the
20 identification card may be issued. But no such card shall be
21 valid for a period longer than six months.

22 (8) Any person who is ineligible for an identification
23 card by reason of conviction of crime may be issued such a card
24 if his most recent discharge from probation or parole or the
25 termination of his most recent sentence, whichever is later, is

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1 more than ten years prior to the time of application for the
2 identification card and if the issuing agency finds that his
3 record, taken as a whole, does not indicate that his possessing
4 and using, or carrying, a firearm or dangerous device, as the
5 case may be, are not likely to constitute a special danger to
6 the public safety, PROVIDED that, if the crime which renders
7 him ineligible for an identification card is solely the failure
8 to have an identification card issued to him, then the rein-
9 statement to eligibility pursuant to this subsection shall
10 occur five years after the date of his sentencing.

11 (9) The holder of an identification card shall have it on
12 or about his person at all times when he is carrying or using
13 a firearm or dangerous device and shall display the card upon the
14 request of any law enforcement official.

15 (10) A duplicate identification card may be issued to the
16 holder of a lost, destroyed, or defaced identification card
17 upon proof of such loss, destruction, or defacement as the
18 Office of the Attorney General may require, upon payment of
19 the fee required by section 1230 of this chapter, and upon
20 surrender of any remaining portion of the original card. Notice
21 shall be given to the Office of the Attorney General by the
22 holder within forty-eight hours of his discovery of such loss,
23 defacement, or destruction. The holder shall notify the Office
24 of the Attorney General of any change of name or address from
25 those appearing upon the identification card within forty-eight

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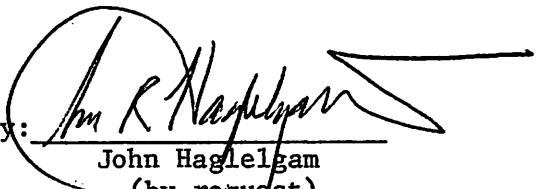
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1 hours of such change.

2 (11) A person who is neither a citizen nor resident
3 of the Trust Territory shall not be eligible for an
4 identification card, except upon receiving special
5 permission from the Attorney General."

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

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10 Date: 10/26/83

Introduced by: 
John Haglelgam
(by request)

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