

A BILL FOR AN ACT

To amend Section 115 of title 50 of the Code of the Federated States of Micronesia, for the purpose of enabling divisions of the National Government responsible for immigration, customs, and quarantine to defray the costs of overtime accrued by their officials by collecting payments from the operators of aircraft and sea vessels, and for other purposes.

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

1 Section 1. Section 115 of title 50 of the Code of the
2 Federated States of Micronesia is hereby amended to read as
3 follows:

4 "Section 115. Aircraft and sea vessel operator
5 responsibilities for overtime. The operator of aAny
6 aircraft or sea vessel landing at any airport or calling
7 at any port in the Federated States of Micronesia shall
8 be responsible for paying ~~to the treasurer of the~~
9 ~~Federated States of Micronesia~~ an amount equal to the
10 actual costs to the National Government for overtime
11 accrued by the officials responsible for carrying out
12 the purposes of this title, chapter 4 of title 22, and
13 chapter 2 of title 54 whenever such officials are
14 required to carry out their official duties relating to
15 the aircraft or sea vessel at a time outside of the
16 official's ordinary working hours. The respective heads
17 of the [Secretary of Finance] Division of Immigration
18 and Labor of the Department of Justice, the Agriculture

1 Unit of the Department of Resources and Development, and
2 the Division of Customs and Tax Administration of the
3 Department of Finance and Administration shall determine
4 the amount payable ~~by the aircraft or sea vessel~~ for
5 each of their respective officials under this section
6 and shall submit invoices to the operator of the
7 aircraft or sea vessel for payment of such amounts on a
8 monthly basis; PROVIDED, HOWEVER [~~however~~], in the case
9 an aircraft or sea vessel's arrival is for one time only
10 or is likely to occur at infrequent intervals the
11 invoice shall be made as soon as possible after the
12 arrival of the vessel or aircraft, including at the time
13 of arrival itself as may be provided for by regulations.
14 For purposes of this section, overtime means actual
15 hours worked in excess of 40 actual hours per week
16 worked by an official or employee of the National
17 Government."

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

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22 Date: 11/15/10

Introduced by: /s/ Dohsis Halbert
Dohsis Halbert

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