

A BILL FOR AN ACT

To amend sections 1002 through 1031 of chapter 10 of title 11 of the Code of the Federated States of Micronesia, the Federated States of Micronesia Weapons Control Act, as amended by Public Law No. 11-72, to delegate to the states all authority over the manufacture, transfer, possession, and carriage of weapons and ammunition within the Federated States of Micronesia except as otherwise provided, to regulate the importation of weapons and ammunition, and for other purposes.

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

1 Section 1. Section 1002 of chapter 10 of title 11 of the
2 Code of the Federated States of Micronesia, as amended by
3 Public Law No. 11-72, is hereby further amended by to read as
4 follows:

5 "Section 1002. ~~[General prohibition.]~~ Manufacture,
6 transfer and possession of weapons - Delegation of
7 authority. ~~[No person shall]~~ All authority to regulate,
8 restrict, and prohibit the manufacture, transfer
9 ~~[purchase, sell], possession and ~~[or]~~ carr[y]iage ~~[any]~~~~
10 of: ~~[firearm, dangerous device,]~~
11 a) weapons, ~~[or]~~
12 b) ammunition, and
13 c) any other instruments or devices
14 which can be used for the purpose of inflicting bodily
15 harm and which under the circumstances of their
16 possession serve no lawful purpose,

1 within the territory of the Federated States of
2 Micronesia is delegated to the states other than as
3 hereinafter provided."

4 Section 2. Section 1003 of chapter 10 of title 11 of the
5 Code of the Federated States of Micronesia, as amended by
6 Public Law No. 11-72, is hereby further amended to read as
7 follows:

8 "Section 1003. Exemptions~~[from provisions of~~
9 ~~chapter]~~.

10 ~~[This chapter shall not apply to]~~ The following shall
11 be exempt from any state law, regulation, or ordinance
12 enacted pursuant to section 1002:

13 (1) national law enforcement officers while
14 engaged in official duty ~~except to the extent that~~
15 ~~particular provisions of this chapter are expressly~~
16 ~~made applicable to them;~~

17 (2) ~~[firearms which are in unserviceable~~
18 ~~condition and which are incapable of being fired or~~
19 ~~discharged and which are kept as curios, ornaments or~~
20 ~~for their historical significance or value]~~ weapons or
21 ammunition that are the property of the Government of
22 the Federated States of Micronesia;

23 (3) ~~[weapons or other dangerous devices which~~
24 ~~are not firearms and which are kept as ornaments,~~
25 ~~curios, or objects of historical or archeological~~

1 ~~interest, provided, that the article or articles~~
2 ~~referred to herein are kept or displayed only in~~
3 ~~private homes, museums, or in connection with public~~
4 ~~exhibitions,] persons lawfully in possession of weapons~~
5 or ammunition that are the property of the Government
6 of the Federated States of Micronesia;

7 (4) persons in the Armed Forces of the United
8 States, whenever such persons are engaged on official
9 duty except to the extent that particular provisions of
10 this chapter are expressly made applicable to them;

11 (5) persons designated from time to time by
12 the Secretary of the Department of Justice (hereinafter
13 referred to as the "Secretary" in this act), where such
14 exemption is in the best interest of the National
15 Government; provided, however, that the Secretary shall
16 define the time, manner and purpose of the exemption,
17 and limit the size and type of weapons which may be
18 used by such persons."

19 Section 3. Section 1004 of chapter 10 of title 11 of the
20 Code of the Federated States of Micronesia, as amended by
21 Public Law No. 11-72, is hereby further amended to read as
22 follows:

23 "Section 1004. Definitions. For the purposes of this
24 section:

25 (1) "Automatic weapon" means a weapon of any

1 description irrespective of size, by whatever name
2 designated or known, loaded or unloaded, from which may
3 be repeatedly or automatically discharged a number of
4 bullets contained in a magazine, ribbon or other
5 receptacle, by one continuous movement of the trigger
6 or firing mechanism.

7 (2) "Carry" means having on one's person or in
8 a motor vehicle or other conveyance.

9 (3) "Dangerous device" means any explosive,
10 incendiary or poison gas bomb, grenade, mine or similar
11 device, switch or gravity blade knife, blackjack,
12 [~~sandbag,~~ metal, wooden or shark's tooth knuckles,
13 dagger, or any instrument designed or redesigned [~~for~~
14 ~~use as a weapon, or any other instrument which can be~~
15 ~~used~~] for the purpose of inflicting bodily harm [~~and~~
16 ~~which under the circumstances of its possession serves~~
17 ~~no lawful purpose~~].

18 (4) "Department of Justice" means the
19 Federated States of Micronesia Department of Justice.

20 (5) "Firearm" means any device, by whatever
21 name known, which is designed or may be converted to
22 expel or hurl a projectile or projectiles by the action
23 of an explosion, a release, or an expansion of gas,
24 including but not limited to guns, except a device
25 designed or redesigned for use solely as a signaling,

1 line throwing, spearfishing, or industrial device, or a
2 device which hurls a projectile by means of the release
3 or expansion of carbon dioxide or air.

4 (6) "Gun" means a handgun or long gun.

5 (7) "Handgun" means a pistol or revolver with
6 an overall length of less than twenty-six inches.

7 (8) "National Law Enforcement Officer' means
8 an employee of a national [~~or state~~] law enforcement
9 agency authorized to enforce the laws of the National
10 or State Governments. [~~Employees of municipal law
11 enforcement agencies may be included for the purposes
12 of this chapter, at the discretion of the Secretary,
13 upon a showing that municipal law enforcement officers
14 meet the training requirements for National or State
15 law enforcement officers.~~]

16 (9) "Long gun" means a rifle with one or more
17 barrels more than eighteen inches in length.

18 (10) "Person" means any natural person,
19 corporation, partnership, or other business entity.

20 (11) "Semi-automatic weapon" means a weapon of
21 any description irrespective of size, by whatever name
22 designated or known, loaded or unloaded, from which may
23 be repeatedly or automatically discharged a number of
24 bullets contained in a magazine, ribbon or other
25 receptacle by a like number of movements of the trigger

1 or firing mechanism without recocking or resetting the
2 trigger or firing mechanism.

3 (12) "Transfer" means sale, gift, purchase or
4 any other means by which ownership or temporary rights
5 of use and control are conveyed or shifted from one
6 person to another.

7 (13) "Weapon" means any firearm or dangerous
8 device."

9 Section 4. Section 1005 of chapter 10 of title 11 of the
10 Code of the Federated States of Micronesia, as amended by
11 Public Law No. 11-72, is hereby further amended to read as
12 follows:

13 "Section 1005. Importation - Prohibitions.
14 [Identification cards required, Issuance.]

15 (1) No person shall import any weapon or
16 ammunition into the territory of the Federated States
17 of Micronesia other than as hereinafter provided. [No
18 person shall acquire or possess any firearm, dangerous
19 device, or ammunition unless he or she holds an
20 identification card issued pursuant to this chapter.
21 The identification card is evidence of the holder's
22 eligibility to possess and use or carry firearms,
23 dangerous devices, or ammunition. A person need not
24 own or possess any firearm, dangerous device, or
25 ammunition to apply for and have issued to him an

1 ~~identification card.~~

2 ~~(2) Identification cards shall be issued only~~
3 ~~by the Department of Justice pursuant to regulations~~
4 ~~made by the Department of Justice in the manner which~~
5 ~~is or may be provided by law. The identification card~~
6 ~~shall have on its face all of the following:—~~

7 ~~(a) the name and address of the holder;~~

8 ~~(b) the sex, height, and weight of the~~
9 ~~holder;~~

10 ~~(c) the birth date of the holder;~~

11 ~~(d) the date of expiration for the card,~~
12 ~~which shall be two years from the date of issue;~~

13 ~~(e) a photograph of the holder taken~~
14 ~~within ten days prior to issuance;~~

15 ~~(f) an endorsement setting forth the~~
16 ~~extent of the holder's eligibility to possess, use, and~~
17 ~~carry firearms, dangerous devices, or ammunition; and~~

18 ~~(g) the number of the identification~~
19 ~~card.~~

20 ~~(3) An applicant for the issuance or renewal~~
21 ~~of an identification card shall make application~~
22 ~~therefor on a form approved by the Department of~~
23 ~~Justice and shall supply such information as may be~~
24 ~~necessary to afford the issuing agency reasonable~~
25 ~~opportunity to ascertain the facts required to appear~~

1 ~~on the face of the identification card, and to~~
2 ~~determine whether the applicant complies with all~~
3 ~~requirements of this chapter to possess and use, or~~
4 ~~carry firearms, dangerous devices, or ammunition, as~~
5 ~~the case may be. Such information shall include a~~
6 ~~complete description and serial number, if any, of any~~
7 ~~firearm or dangerous device the applicant owns or~~
8 ~~possesses.~~

9 ~~(4) No identification cards shall be issued~~
10 ~~until fifteen days after application therefor, and~~
11 ~~unless the issuing agency is satisfied that the~~
12 ~~applicant may lawfully possess and use, or carry~~
13 ~~firearms, dangerous devices, or ammunition of the type~~
14 ~~or types enumerated on the identification card,~~
15 ~~provided, however, that the Secretary may issue an~~
16 ~~identification card prior to the expiration of fifteen~~
17 ~~days where such issuance is in the best interest of the~~
18 ~~National Government. Unless the application for use~~
19 ~~and possession is denied, the identification card shall~~
20 ~~be issued within 60 days from the date of application.~~
21 ~~An identification card issued pursuant to this section~~
22 ~~shall be valid for two years from the date of its~~
23 ~~issuance unless it has been revoked. A valid~~
24 ~~identification card issued pursuant to this section may~~
25 ~~be renewed biannually upon application by the holder~~

1 ~~made on the form approved by the Department of Justice.~~

2 ~~(5)]~~ (2) No person shall be issued an
3 ~~[identification card]~~ import permit pursuant to this
4 chapter if he or she has been:

5 (a) acquitted of any criminal charge by
6 reason of insanity;

7 (b) adjudicated mentally incompetent;

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

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

12 (e) convicted of a crime in connection
13 with which ~~[firearms or dangerous devices]~~ weapons or
14 ammunition were used or found in his or her possession;
15 ~~[or]~~

16 (f) convicted of a crime of which the
17 use, possession, or sale of narcotics or dangerous
18 drugs is an element; or

19 (g) is prohibited from possessing weapons
20 or ammunition under any applicable state law.

21 (6) No person shall be issued an
22 ~~[identification card]~~ import permit unless that person
23 is at least 21 years of age at the time of application
24 therefor.

25 (7) No person shall be issued an

1 ~~[identification card]~~ import permit if he or she has a
2 physical condition or impairment which makes him or her
3 unable to use ~~[a firearm or dangerous device]~~ any
4 weapon listed therein with proper control.

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

20 (9) Any person who is ineligible for an
21 ~~[identification card]~~ import permit by reason of
22 conviction of a crime may be issued such a card if his
23 or her most recent discharge from probation or parole
24 or the termination of his or her most recent sentence,
25 whichever is later, is more than ten years prior to the

1 time of application for the [~~identification card~~]
2 import permit and if the issuing agency finds that his
3 or her record, taken as a whole, does not indicate that
4 his or her possessing and using, or carrying, [~~a~~
5 ~~firearm or dangerous device, as the case may be, are~~]
6 any weapon requested to be imported is not likely to
7 constitute a special danger to the public safety[~~+~~
8 ~~provided, that if the crime which renders him~~
9 ~~ineligible for an identification card is solely the~~
10 ~~failure to have an identification card issued to him,~~
11 ~~then the reinstatement to eligibility pursuant to this~~
12 ~~subsection shall occur five years after the date of his~~
13 ~~or her sentencing]~~.

14 [~~(10) A duplicate identification card may be~~
15 ~~issued to the holder of a lost, destroyed, or defaced~~
16 ~~identification card upon proof of such loss,~~
17 ~~destruction, or defacement as the Department of Justice~~
18 ~~may require, upon payment of the fee required by~~
19 ~~section 1030 of this chapter, and upon surrender of any~~
20 ~~remaining portion of the original card. Notice shall~~
21 ~~be given to the Department of Justice by the holder~~
22 ~~within forty eight hours of his or her discovery of~~
23 ~~such loss, defacement, or destruction. The holder~~
24 ~~shall notify the Department of Justice of any change of~~
25 ~~name or address from those appearing upon the~~

1 ~~identification card within forty eight hours of such~~
2 ~~change.~~

3 ~~(11)]~~ (10) A person who is neither a citizen nor
4 resident of the Federated States of Micronesia shall
5 not be eligible for an [~~identification card~~] import
6 permit, except upon receiving special permission from
7 the Secretary.

8 (11) If the applicant for an import permit is a
9 corporation, partnership, association, or other
10 business entity, it shall not be eligible for an import
11 permit if any if its directors, partners, associates,
12 or senior managers, or any individual who would be
13 responsible for the custody of any weapons under the
14 entity's control, would themselves not be eligible for
15 an import permit."

16 Section 5. Section 1006 of chapter 10 of title 11 of the
17 Code of the Federated States of Micronesia, as amended by
18 Public Law No. 11-72, is hereby further amended to read as
19 follows:

20 "Section 1006. Reserved. [~~Identification cards~~
21 ~~required; Prima facie evidence of possession.~~

22 ~~No person shall purchase, possess, or use a~~
23 ~~firearm, dangerous device, or ammunition unless he or~~
24 ~~she is the holder of an identification card issued~~
25 ~~pursuant to this chapter evidencing the eligibility of~~

1 ~~such person to purchase, possess, and use a firearm,~~
2 ~~dangerous device or ammunition. Such person shall be~~
3 ~~at least 21 years of age.]~~

4 ~~Where a firearm, dangerous device, or ammunition is~~
5 ~~found in a vehicle or vessel, it shall be prima facie~~
6 ~~evidence that such firearm, dangerous device, or~~
7 ~~ammunition is in the possession of the occupant if~~
8 ~~there is but one. If there is more than one occupant,~~
9 ~~it shall be prima facie evidence that it is in the~~
10 ~~possession of all, except under the following~~
11 ~~circumstances:~~

12 ~~(a) where it is found upon the person of~~
13 ~~one of the occupants;~~

14 ~~(b) where the vehicle or vessel is not a~~
15 ~~stolen one and the firearm, dangerous device, or~~
16 ~~ammunition is out of view in a glove compartment,~~
17 ~~automobile trunk, or other enclosed customary~~
18 ~~depository, in which case it is prima facie evidence~~
19 ~~that such firearm, dangerous device, or ammunition is~~
20 ~~in the possession of the occupant or occupants who own~~
21 ~~or have authority to operate the vehicle or vessel;~~

22 ~~(c) where, in the case of a taxicab, the~~
23 ~~firearm, dangerous device, or ammunition is found in~~
24 ~~the passengers' portion of the vehicle, it shall be~~
25 ~~prima facie evidence that it is in the possession of~~

1 ~~all the passengers, if there are any, and, if not, that~~
2 ~~it is in the possession of the driver.]”~~

3 Section 6. Section 1007 of chapter 10 of title 11 of the
4 Code of the Federated States of Micronesia, as amended by
5 Public Law No. 11-72, is hereby further amended to read as
6 follows:

7 “Section 1007. Reserved. ~~[Carrying firearms.~~
8 ~~No person shall carry a firearm unless he or she has a~~
9 ~~valid identification card and is carrying the firearm~~
10 ~~unloaded in a closed case or other securely wrapped or~~
11 ~~closed package or container, or locked in the trunk of~~
12 ~~his or her vehicle while en route to or from a target~~
13 ~~range or area where he or she hunts or takes part in~~
14 ~~other sports involving firearms, or carries the firearm~~
15 ~~in plain sight on his or her person while actively~~
16 ~~engaged in hunting or sports involving the use of~~
17 ~~firearms.]”~~

18 Section 7. Section 1008 of chapter 10 of title 11 of the
19 Code of the Federated States of Micronesia, as amended by
20 Public Law No. 11-72, is hereby further amended to read as
21 follows:

22 “Section 1008. [New residents, temporary residents,
23 and visitors in]

24 (1) Travelers to the Federated States of
25 Micronesia. Visitors, new residents, and temporary

1 ~~residents in~~ Travelers to the Federated States of
2 Micronesia shall not import [~~, transport, purchase, use,~~
3 ~~or possess~~] any [~~firearm, dangerous device~~] weapon or
4 ammunition into the Federated States of Micronesia
5 without an [~~identification card~~] import permit issued
6 pursuant to this chapter. Any person who possesses any
7 [~~firearms, dangerous devices,~~] weapon or ammunition
8 [~~shall, before or immediately~~] upon his or her entrance
9 into the Federated States of Micronesia [~~,~~] shall
10 declare it and turn it in to a Customs officer or other
11 authorized law enforcement officer at the port of entry
12 [~~the Secretary, or his or her duly designated~~
13 ~~representative~~]. Such firearm, dangerous device, or
14 ammunition shall be returned to such person upon his or
15 her being issued an [~~identification card~~] import permit
16 pursuant to the provisions of this chapter or upon his
17 or her departure from the Federated States of
18 Micronesia.

19 (2) For the purpose of this section, a person
20 does not import a weapon or ammunition into the
21 Federated States of Micronesia if the firearm or
22 ammunition is in his or her possession or under his or
23 her control:

24 (a) on a vessel in the Territorial Sea of
25 the Federated States of Micronesia or at an official

1 port of entry; or

2 (b) on an aircraft within the airspace of
3 the Federated States of Micronesia or at an official
4 port of entry,
5 unless he or she lands such weapon or ammunition in the
6 Federated States of Micronesia from such vessel or
7 aircraft.

8 (3) Notwithstanding subsection (2), any use of
9 a weapon or ammunition on a vessel in the Territorial
10 Sea or on an aircraft within the airspace of the
11 Federated States of Micronesia shall be subject to
12 applicable state law, irrespective of whether the
13 vessel or aircraft originated outside or within the
14 Federated States of Micronesia."

15 Section 8. Section 1009 of chapter 10 of title 11 of the
16 Code of the Federated States of Micronesia, as amended by
17 Public Law No. 11-72, is hereby further amended to read as
18 follows:

19 "Section 1009. Law enforcement officers.

20 (1) Possession, use, and carriage of
21 ~~[firearms,]~~ weapons and ammunition ~~[and dangerous~~
22 ~~devices]~~ by national law enforcement officers derives
23 from the laws governing the powers, functions and
24 organization of the police and other organized forces
25 of peace officers. Eligibility of national law

1 enforcement officers to possess, use, and carry
2 [~~firearms,~~] weapons or ammunition [~~or dangerous~~
3 ~~devices~~] while on duty is not subject to [~~the holding~~
4 ~~of identification cards~~] state law or any other
5 qualifications prescribed in this chapter. Regulations
6 issued pursuant to section 1029 of this chapter may
7 include minimum qualifications for any national law
8 enforcement officer authorized to carry [~~firearms,~~]
9 weapons or ammunition [~~or dangerous devices~~] while on
10 duty.

11 [~~(2) Transfer of any firearm from or to a law~~
12 ~~enforcement officer or agency shall, except as provided~~
13 ~~in subsection (1) of this section, be subject to the~~
14 ~~provisions of this chapter and regulations made~~
15 ~~pursuant thereto.~~

16 ~~(3)]~~ (2) The head of any national[, ~~state, or~~
17 ~~municipal~~] law enforcement agency of the Federated
18 States of Micronesia shall furnish to the Department of
19 Justice the names, addresses, ranks, and badge numbers
20 or similar identification of each person on his or her
21 force who is authorized to possess, use, and carry
22 firearms in the course of his or her official duty.
23 Upon the occurrence of any changes in personnel to whom
24 this subsection applies, the head of the law
25 enforcement agency shall inform the Department of

1 Justice promptly of the change.

2 (4) Whenever a national law enforcement
3 officer is not engaged in official duties, this
4 chapter, and any applicable state laws, regulations, or
5 ordinances, shall be applicable to him or her in the
6 same manner and to the same extent as to any other
7 person."

8 Section 9. Section 1010 of chapter 10 of title 11 of the
9 Code of the Federated States of Micronesia, as amended by
10 Public Law No. 11-72, is hereby further amended to read as
11 follows:

12 "Section 1010. Importation - Permits. [~~licenses for~~
13 ~~transfer requirements.~~]

14 (1) Notwithstanding any restrictions in this
15 chapter, the Secretary may import weapons and
16 ammunition on behalf of the National Government, and
17 shall put in place such regulations, policies, and
18 procedures as may be necessary to ensure the safe and
19 proper transfer, storage, carriage, and disposal of any
20 such weapons or ammunition, and to restrict the
21 carriage and use of such weapons to legitimate
22 government purposes. [~~No dealer, manufacturer or~~
23 ~~wholesaler shall transfer firearms, dangerous devices~~
24 ~~or ammunition except pursuant to a license section as~~
25 ~~provided in this section.~~]

1 (2) Other than as provided in subsection (1),
2 ~~a~~Any person, firm, corporation, association, government
3 agency, or other entity proposing to [~~engage in the~~
4 ~~business of selling~~] import weapons or [firearms,
5 ammunition[~~, and~~] or [dangerous devices at retail]
6 shall apply for an import permit [~~dealer's license~~].
7 The application shall be on a form approved by the
8 Department of Justice and shall contain the following
9 information:

10 (a) the name and address of the
11 applicant, including, if applicable, the address of
12 each separate location within the Federated States of
13 Micronesia at which the applicant proposes to do
14 business pursuant to the [~~license~~] permit;

15 (b) if the applicant is a partnership or
16 association, the names and addresses of the partners or
17 associates, or if the applicant is a corporation, the
18 names and addresses of the officers and directors, and
19 the names and addresses of any individuals who would be
20 responsible for the custody of any weapons under the
21 entity's control; and

22 (c) [~~such other~~] information bearing on
23 the applicant's eligibility to receive a permit
24 pursuant to section 1005, [~~ability to operate the~~
25 ~~business in a manner consonant with the public safety]~~

1 and other such relevant information as the Department
2 of Justice may require."

3 Section 10. Section 1011 of chapter 10 of title 11 of the
4 Code of the Federated States of Micronesia, as amended by
5 Public Law No. 11-72, is hereby further amended to read as
6 follows:

7 "Section 1011. ~~[Dealer's license]~~ Import Permit -
8 Issuance [inssuance].

9 (1) Upon receipt of a proper application and
10 payment of the prescribed fee, the Department of
11 Justice shall, within sixty days, issue an import
12 permit ~~[dealer's license]~~ to an applicant, if he or she
13 is found to be eligible therefor pursuant to this
14 chapter and any applicable regulations of the
15 Department of Justice. ~~[Such regulations shall place a~~
16 ~~reasonable limit on the number of dealer's licenses~~
17 ~~available.]~~ The ~~[license]~~ permit shall list the
18 quantity and types of [firearms,] weapons and
19 ammunition~~[, and dangerous devices]~~ which the ~~[dealer]~~
20 applicant has been authorized to ~~[offer for sale]~~
21 import, and the address where they will be received.

22 (2) A ~~[license]~~ permit issued pursuant to this
23 section shall be valid for ~~[one year]~~ six months from
24 the date of its issuance, unless cancelled sooner~~[,~~
25 ~~suspended,]~~ or revoked. A ~~[license]~~ permit shall bear

1 the expiration date thereof on its face.

2 ~~[(3) A license issued pursuant to this section~~
3 ~~may be renewed annually upon application by the holder~~
4 ~~made on a form approved by the Department of Justice.~~
5 ~~Eligibility for renewal shall be on the same terms and~~
6 ~~conditions as for an original license, except that~~
7 ~~renewal also may be denied on account of violation of~~
8 ~~this chapter or regulations of the Department of~~
9 ~~Justice made pursuant thereto or for any conduct in the~~
10 ~~operation of the applicant's business which gives the~~
11 ~~Department of Justice grounds to believe that the~~
12 ~~applicant will no longer operate in a manner consonant~~
13 ~~with the public safety.]”~~

14 Section 11. Section 1012 of chapter 10 of title 11 of the
15 Code of the Federated States of Micronesia, as amended by
16 Public Law No. 11-72, is hereby further amended to read as
17 follows:

18 “Section 1012. Respect for state law. [~~Dealer's~~
19 ~~license — Conduct of dealer's business.~~]

20 (1) The Department of Justice shall not issue
21 any permit permitting the importation of any weapon or
22 ammunition into a state where the possession of such
23 weapon or ammunition is prohibited by state law, or to
24 a person prohibited from possessing such weapon or
25 ammunition under state law.

1 (2) On issuing a permit, the Department of
2 Justice shall transmit a copy to the relevant law
3 enforcement agency of the state where any weapons or
4 ammunition will be received. ~~[The holder of a dealer's~~
5 ~~license shall:~~

6 ~~(1) display his or her license in a~~
7 ~~conspicuous place at all times at the establishment~~
8 ~~described in the license. If a dealer has more than~~
9 ~~one place of business at which he or she sells~~
10 ~~firearms, dangerous devices, and ammunition or any of~~
11 ~~them, he or she shall display in the same manner a~~
12 ~~certified copy of his or her license at each such~~
13 ~~additional place of business;~~

14 ~~(2) keep the records and file the reports~~
15 ~~required by this chapter and regulations made pursuant~~
16 ~~thereto;~~

17 ~~(3) display no firearms, dangerous devices or~~
18 ~~ammunition in any place where they can be seen from~~
19 ~~outside the premises;~~

20 ~~(4) keep all firearms, dangerous devices and~~
21 ~~ammunition in a securely locked place at all times~~
22 ~~except when they are actually being shown to a customer~~
23 ~~or prospective customer or when actually being repaired~~
24 ~~or otherwise worked on;~~

25 ~~(5) permit only employees who are holders of~~

1 ~~identification cards making them eligible to purchase,~~
2 ~~possess and use firearms, ammunition, or dangerous~~
3 ~~devices, to have access to firearms, dangerous devices,~~
4 ~~or ammunition.]”~~

5 Section 12. Section 1013 of chapter 10 of title 11 of the
6 Code of the Federated States of Micronesia, as amended by
7 Public Law No. 11-72, is hereby further amended to read as
8 follows:

9 “Section 1013. Records and reports [by dealers.]

10 (1) ~~[Every licensed dealer shall maintain~~
11 ~~records containing an inventory of firearms, dangerous~~
12 ~~devices, and ammunition or any of them received,~~
13 ~~together with the name and address of the person from~~
14 ~~whom they were received, and the manufacturer, type and~~
15 ~~serial number of each firearm and dangerous device, the~~
16 ~~name and address of the person to whom it was~~
17 ~~transferred, the identification card number of such~~
18 ~~person, the manufacturer, type and serial number of the~~
19 ~~gun or dangerous device transferred and the date of~~
20 ~~transfer. Such records shall be available for~~
21 ~~inspection at all reasonable times by the Secretary,~~
22 ~~and his or her duly designated representatives. Such~~
23 ~~records shall be retained for at least five years.~~

24 (2) Every person issued with an import permit
25 under this chapter ~~[dealer, at the time of any transfer~~

1 ~~of any firearm or dangerous device to any person other~~
2 ~~than a licensed dealer]~~ shall, within [~~twenty four~~
3 ~~hours]~~ seven days of [~~the transfer]~~ receipt of any
4 weapon or ammunition, supply the following information
5 to the Department of Justice on a form approved by it:

6 (a) the name~~[,]~~ and address of the person
7 from whom they were received [~~and license number of the~~
8 ~~dealer]~~;

9 (b) the manufacturer, type, and, where
10 applicable, serial number of any weapon or ammunition
11 received [~~firearm or dangerous device transferred]~~. ~~No~~
12 ~~firearm shall be transferred which does not have a~~
13 ~~serial number or from which the serial number has been~~
14 ~~removed, defaced, or altered,];~~

15 (c) the name~~[,]~~ and address [~~and~~
16 ~~identification card number]~~ of the transferee."

17 Section 13. Section 1014 of chapter 10 of title 11 of the
18 Code of the Federated States of Micronesia, as amended by
19 Public Law No. 11-72, is hereby further amended to read as
20 follows:

21 "Section 1014. Reserved. [~~Repair of firearms.~~

22 ~~(1) No person, other than a dealer or~~
23 ~~manufacturer licensed pursuant to this chapter shall~~
24 ~~repair firearms or accept the same for repair.~~

25 ~~(2) No person shall accept any firearms for~~

1 ~~repair unless he or she is shown an identification card~~
2 ~~evidencing eligibility of the holder to possess and use~~
3 ~~a firearm of the type offered for repair. Prior to~~
4 ~~returning any such firearm, the manufacturer or dealer~~
5 ~~shall make and keep a record identical with that~~
6 ~~required for the purchase of a firearm pursuant to~~
7 ~~section 1013 of this chapter, and shall maintain such~~
8 ~~record for at least one year.]~~

9 ~~(3) Nothing in this section shall be construed~~
10 ~~to prohibit the repair or maintenance of a firearm by~~
11 ~~the owner thereof.]”~~

12 Section 14. Section 1015 of chapter 10 of title 11 of the
13 Code of the Federated States of Micronesia, as amended by
14 Public Law No. 11-72, is hereby further amended to read as
15 follows:

16 “Section 1015. Reserved. [~~Transfer of ammunition.~~

17 ~~(1) No person may transfer ammunition, unless~~
18 ~~he or she is a manufacturer, wholesaler or dealer~~
19 ~~licensed pursuant to this chapter. If the transfer is~~
20 ~~other than to another manufacturer, wholesaler, or~~
21 ~~dealer, the transfer shall not be made until the~~
22 ~~transferor has ascertained that the transferee is the~~
23 ~~holder of an identification card evidencing eligibility~~
24 ~~to possess and use a firearm of the type for which the~~
25 ~~ammunition is suited. Upon transfer the transferor~~

1 ~~shall record the quantity, type and caliber or gauge~~
2 ~~transferred, the name and address of the transferee and~~
3 ~~the number of the transferee's identification card.~~

4 ~~(2) No transferee of ammunition shall transfer~~
5 ~~it to any person other than a dealer licensed pursuant~~
6 ~~to this chapter. Upon receipt of ammunition, the~~
7 ~~dealer shall make and keep all records with respect to~~
8 ~~the ammunition in the manner required by this section~~
9 ~~for ammunition sold by him.] "~~

10 Section 15. Section 1016 of chapter 10 of title 11 of the
11 Code of the Federated States of Micronesia, as amended by
12 Public Law No. 11-72, is hereby further amended to read as
13 follows:

14 "Section 1016. Reserved. [~~Transfer of firearms and~~
15 ~~dangerous devices.~~ No person other than a
16 ~~manufacturer, wholesaler, or dealer licensed pursuant~~
17 ~~to this chapter shall transfer a firearm or dangerous~~
18 ~~device to any person other than a manufacturer,~~
19 ~~wholesaler, or dealer without first ascertaining that~~
20 ~~the transferee is the holder of an identification card~~
21 ~~issued pursuant to this chapter. Prior to any such~~
22 ~~transfer, the transferor shall furnish to the~~
23 ~~Department of Justice in person or by registered or~~
24 ~~certified mail, return receipt requested, a properly~~
25 ~~completed form approved by the Department of Justice~~

1 ~~providing information equivalent to that required to be~~
2 ~~furnished by a dealer upon the transfer by him of a~~
3 ~~firearm or dangerous device.]”~~

4 Section 16. Section 1017 of chapter 10 of title 11 of the
5 Code of the Federated States of Micronesia, as amended by
6 Public Law No. 11-72, is hereby further amended to read as
7 follows:

8 “Section 1017. Reserved. [Secured transactions in
9 firearms.”

10 ~~(1) No person, other than a licensed dealer,~~
11 ~~shall receive a firearm as a pledge or pawn, or in any~~
12 ~~other manner as security.~~

13 ~~(2) A dealer receiving a firearm as a pledge,~~
14 ~~pawn or otherwise as security, shall record promptly:~~

15 ~~(a) the date of receipt;~~

16 ~~(b) the full description of the item or~~
17 ~~items received, including the manufacturer, type, and~~
18 ~~serial number or numbers, if any;~~

19 ~~(c) the name and address of the person~~
20 ~~making the pledge, pawn, or other deposit as security;~~
21 ~~and~~

22 ~~(d) the number of said person's~~
23 ~~identification card.~~

24 ~~(3) No dealer shall accept the pledge, pawn,~~
25 ~~or other deposit as security unless the person making~~

1 ~~the same exhibits an identification card evidencing his~~
2 ~~or her entitlement to possess and use a gun of the type~~
3 ~~involved.~~

4 ~~(4) Upon the return or other disposition of~~
5 ~~the firearm in his or her possession pursuant to this~~
6 ~~section, the dealer shall make a record of the return~~
7 ~~or other disposition, including the date thereof and~~
8 ~~the name and address of the person to whom the firearm~~
9 ~~was returned or disposed. No firearm shall be returned~~
10 ~~or disposed of to any person who, at the time of such~~
11 ~~return or disposition, does not exhibit a valid~~
12 ~~identification card issued in his or her own name and~~
13 ~~entitling him to possess and use the firearm~~
14 ~~involved.]”~~

15 Section 17. Section 1018 of chapter 10 of title 11 of the
16 Code of the Federated States of Micronesia, as amended by
17 Public Law No. 11-72, is hereby further amended to read as
18 follows:

19 “Section 1018. Reserved. [~~Manufacturer's and~~
20 ~~wholesaler's license.~~

21 ~~(1) No person shall manufacture or deal in~~
22 ~~firearms, dangerous devices, or ammunition at wholesale~~
23 ~~unless:~~

24 ~~(a) he or she is the holder of a dealer's~~
25 ~~license issued pursuant to section 1011 of this~~

1 ~~chapter, or~~

2 ~~(b) he or she is the holder of a license~~
3 ~~issued pursuant to this section.~~

4 ~~(2) Any person proposing to manufacture or~~
5 ~~deal at wholesale in firearms, dangerous devices, or~~
6 ~~ammunition, which person is not the holder of a~~
7 ~~dealer's license, shall make application for a~~
8 ~~manufacturer's or wholesaler's license. Such~~
9 ~~application shall contain the same information required~~
10 ~~for a dealer's license and any additional information~~
11 ~~required by the Secretary, as may be appropriate to~~
12 ~~administer this chapter. No manufacturer's license or~~
13 ~~wholesaler's license shall authorize transfer or~~
14 ~~delivery within the Federated States of Micronesia~~
15 ~~except to a licensed dealer, manufacturer, or~~
16 ~~wholesaler or to an authorized law enforcement agency~~
17 ~~in the Federated States of Micronesia or, subject to~~
18 ~~applicable laws of the Federated States of Micronesia,~~
19 ~~for export.~~

20 ~~(3) The Department of Justice shall issue,~~
21 ~~renew, cancel, deny, suspend, or revoke manufacturers'~~
22 ~~and wholesalers' licenses on the same terms and subject~~
23 ~~to the same conditions as provided for~~
24 ~~dealers' licenses.~~

25 ~~(4) Every manufacturer shall assign a unique~~

1 ~~serial number to each firearm he or she manufactures~~
2 ~~and shall inscribe such number in or on the firearm in~~
3 ~~such manner as will resist removal, alteration,~~
4 ~~defacement or obliteration. The Department of Justice~~
5 ~~may make regulations for the style of such serial~~
6 ~~numbers and for the manner of their inscription.]”~~

7 Section 18. Section 1019 of chapter 10 of title 11 of the
8 Code of the Federated States of Micronesia, as amended by
9 Public Law No. 11-72, is hereby further amended to read as
10 follows:

11 “Section 1019. Reserved. [~~Registry of firearms and~~
12 ~~ammunition.~~

13 ~~(1) The Department of Justice shall maintain a~~
14 ~~registry of firearms. The records in the registry~~
15 ~~shall be kept permanently unless there is a record of~~
16 ~~the destruction of the gun.~~

17 ~~(2) Records kept in the registry shall include~~
18 ~~all records required to be filed with the Department of~~
19 ~~Justice pursuant to this chapter, copies of all records~~
20 ~~filed with an agency or officer of local government~~
21 ~~pursuant to this chapter, and any records deposited~~
22 ~~with the Department of Justice pursuant to subsection~~
23 ~~(3) of this section.~~

24 ~~(3) Any dealer, manufacturer, or wholesaler~~
25 ~~licensed pursuant to this chapter, upon his or her~~

1 ~~discontinuance of the licensed business or activity,~~
2 ~~shall transmit all records kept by him pursuant to this~~
3 ~~chapter to the Department of Justice.~~

4 ~~(4) Records relating to the transfer or repair~~
5 ~~of firearms shall be kept by the Department of Justice~~
6 ~~for a period of at least five years after transmittal.~~

7 ~~(5) Records in the registry shall not be~~
8 ~~public records. They shall be made available only to~~
9 ~~law enforcement officers of the national, state and~~
10 ~~municipal governments of the Federated States of~~
11 ~~Micronesia, or at the discretion of the Department of~~
12 ~~Justice, to law enforcement officers and agencies of~~
13 ~~foreign governments.]”~~

14 Section 19. Section 1020 of chapter 10 of title 11 of the
15 Code of the Federated States of Micronesia, as amended by
16 Public Law No. 11-72, is hereby further amended to read as
17 follows:

18 “Section 1020. Cancellation, denial, [suspension] and
19 revocation of [licenses] permits.

20 ~~(1) [Any license issued pursuant to this~~
21 ~~chapter shall be surrendered for cancellation~~
22 ~~immediately on the discontinuance or termination of~~
23 ~~business or upon the holder's discontinuing the~~
24 ~~manufacturing, selling, acquisition for sale or repair~~
25 ~~of firearms, and the sale of ammunition.~~

1 ~~(2)~~] The issuing officer or agency may deny~~[~~
2 ~~suspend]~~ or revoke ~~[an identification card or]~~ a
3 ~~[license]~~ permit issued pursuant to this chapter for
4 failure of the applicant or holder to meet or continue
5 to meet any of the requirements for eligibility
6 therefor, or for any violation of this chapter or
7 regulations in force pursuant thereto.

8 ~~[(3)]~~ (2) The Department of Justice by
9 regulation shall make classifications of crimes and
10 other violations of this chapter or regulations in
11 force thereunder. Regulations made pursuant to this
12 subsection shall set forth those crimes and violations
13 for which ~~[identification cards and licenses]~~ permits
14 may be ~~[suspended or]~~ revoked, and those for which the
15 penalty must be revocation. Such regulations shall be
16 of general application.

17 ~~[(4) Any person who, by reason of the~~
18 ~~suspension or revocation of his or her identification~~
19 ~~card, is no longer eligible to continue in possession~~
20 ~~of a firearm, dangerous device, or ammunition shall~~
21 ~~surrender any and all firearms, dangerous devices, and~~
22 ~~ammunition to the Secretary, or his or her duly~~
23 ~~designated representative, or shall dispose of the~~
24 ~~firearms, dangerous devices, and ammunition forthwith~~
25 ~~under the direction and supervision of the Secretary,~~

1 ~~or his or her duly designated representative. In the~~
2 ~~case of suspension of an identification card, the owner~~
3 ~~of the firearm, dangerous device, or ammunition may~~
4 ~~request that the Department of Justice keep same during~~
5 ~~the period of suspension and, except as herein~~
6 ~~provided, the firearm, dangerous device, or ammunition~~
7 ~~shall be restored to the owner when he or she again~~
8 ~~becomes eligible to possess same and requests return.~~
9 ~~Any firearm, dangerous device, or ammunition in the~~
10 ~~possession of the Secretary, or his or her duly~~
11 ~~designated representative, pursuant to this subsection~~
12 ~~may be disposed of, without compensation to the owner,~~
13 ~~upon revocation of the suspended identification card or~~
14 ~~at the end of sixty days after receipt or the date of~~
15 ~~termination of the suspension, whichever is later.~~
16 ~~However, if proceedings in connection with the~~
17 ~~suspension or revocation are not yet finally~~
18 ~~determined, disposal shall not be until such final~~
19 ~~determination has been made.~~

20 ~~(5)]~~ (3) Any denial ~~[, suspension,~~ or revocation
21 of ~~[an identification card or]~~ a ~~[license]~~ permit shall
22 be subject to review by the Trial Division of the FSM
23 Supreme Court upon petition by the aggrieved person."

24 Section 20. Section 1021 of chapter 10 of title 11 of the
25 Code of the Federated States of Micronesia, as amended by

1 Public Law No. 11-72, is hereby further amended to read as
2 follows:

3 "Section 1021. Shipment and delivery of [firearms,
4 dangerous devices,] weapons and ammunition.

5 (1) No person shall ship, transport or deliver
6 any [~~firearm, dangerous device,~~] weapons or ammunition
7 from outside the Federated States of Micronesia to
8 anyone other than a ~~licensed manufacturer, wholesaler,~~
9 ~~dealer, or~~ person who possesses a valid import permit
10 for such weapons and ammunition [~~identification card~~].

11 (2) Any person who ships, transports or
12 delivers [~~firearms or dangerous devices to a~~
13 ~~manufacturer, wholesaler, dealer, or~~] weapons or
14 ammunition [~~person possessing an identification card~~]
15 into the Federated States of Micronesia shall, before
16 delivery, furnish to the Department of Justice an
17 invoice listing his or her name and address, the name
18 and address of the [~~manufacturer, wholesaler, dealer,~~
19 ~~or~~] person [~~possessing the identification card~~] to whom
20 such [~~firearms or dangerous devices~~] weapons or
21 ammunition are to be delivered, the place of origin of
22 the shipment, and the [~~number of firearms and dangerous~~
23 ~~devices~~] manufacturer and quantity of weapons or
24 ammunition of each type [~~, and the manufacturer and~~
25 ~~serial number of each firearm and dangerous device~~] in

1 the shipment.

2 (3) ~~[Any person who ships, transports or~~
3 ~~delivers ammunition to a manufacturer, wholesaler,~~
4 ~~dealer or person possessing an identification card in~~
5 ~~the Federated States of Micronesia shall, before~~
6 ~~delivery, furnish to the Department of Justice an~~
7 ~~invoice listing his or her name and address, the name~~
8 ~~and address of the manufacturer, wholesaler, dealer, or~~
9 ~~person possessing an identification card to whom the~~
10 ~~ammunition is to be delivered, the place of origin of~~
11 ~~the shipment, and the quantity of ammunition of each~~
12 ~~type in the shipment].~~

13 ~~(4)]~~ If shipment is by common carrier, a copy
14 of the invoice required by subsection[s] (2) ~~[and (3)]~~
15 of this section shall also be delivered to the common
16 carrier. The common carrier shall deliver the invoice
17 and any said shipment to local law enforcement
18 authorities who will verify the accuracy of the
19 shipment, and compliance with this chapter, before
20 delivery to the ~~[manufacturer, wholesaler, dealer, or]~~
21 person possessing an identification card. A copy of
22 the invoice shall be left with the ~~[manufacturer,~~
23 ~~wholesaler, dealer, or]~~ person possessing a ~~[n~~
24 ~~identification card]~~ permit at the time of delivery.

25 ~~[(5)]~~ (4) If shipment is by other than common

1 carrier, a copy of the invoice shall be furnished to
2 the [~~manufacturer, wholesaler, dealer, or~~] person
3 possessing a[n] [~~identification card~~] permit at the
4 time of delivery.

5 [~~6~~] (5) No person shall ship, transport, or
6 deliver [~~firearms, dangerous devices,~~] weapons or
7 ammunition via air without first complying with
8 international regulations pertaining to air shipment of
9 [~~firearms, dangerous devices,~~] weapons or ammunition."

10 Section 21. Section 1022 of chapter 10 of title 11 of the
11 Code of the Federated States of Micronesia, as amended by
12 Public Law No. 11-72, is hereby further amended to read as
13 follows:

14 "Section 1022. Reserved. [~~Loss, destruction or theft~~
15 ~~of firearms or dangerous devices. Whoever owns or~~
16 ~~possesses a firearm, dangerous device, or ammunition~~
17 ~~shall, within twenty-four hours of discovery, notify~~
18 ~~the Department of Justice of the loss, theft, or~~
19 ~~destruction of any such firearm, dangerous device or~~
20 ~~ammunition, and, after such notice, of any subsequent~~
21 ~~recovery thereof.]"~~

22 Section 22. Section 1023 of chapter 10 of title 11 of the
23 Code of the Federated States of Micronesia, as amended by
24 Public Law No. 11-72, is hereby further amended to read as
25 follows:

1 "Section 1023. Prohibited acts. No person shall:

2 (1) [~~knowingly remove, obliterate, or alter~~
3 ~~the importer's or manufacturer's serial number of any~~
4 ~~firearm,~~

5 ~~(2) knowingly deface, alter, or destroy an~~
6 ~~identification card,~~

7 ~~(3) acquire, possess, or use]~~ import any
8 firearm silencer or muffler;

9 ~~[(4) carry any gun or dangerous device while~~
10 ~~under the influence of alcohol or narcotic or other~~
11 ~~disabling drug,~~

12 ~~(5)]~~ (2) import [~~, sell, transfer, give away,~~
13 ~~purchase, possess or use]~~ any handgun, automatic
14 weapon, rifle larger than .22 caliber, or shotgun
15 larger than .410 gauge, or any other firearm;

16 ~~[(6)]~~ (3) board or attempt to board any
17 commercial aircraft while carrying any [~~firearm,~~
18 ~~dangerous device,~~] weapon or ammunition, either on his
19 or her person or in his or her luggage. Such [~~firearm,~~
20 ~~dangerous device,~~] weapon or ammunition shall be turned
21 in prior to departure to an appropriate official or to
22 the pilot of the airline or aircraft concerned, who
23 shall keep a record of the name of the person turning
24 in such [~~firearm, dangerous device,~~] weapon or
25 ammunition, and the type and quantity turned in. Upon

1 completion of such person's travel, the official of the
2 airline or pilot of the aircraft shall personally
3 deliver the article or articles turned in to the
4 Secretary, or his or her duly designated
5 representative, or another authorized law enforcement
6 officer, at the point of disembarkation. If the point
7 of disembarkation is in the Federated States of
8 Micronesia, such person may recover the article or
9 articles turned in upon either:

10 (a) [~~presentation of a valid~~
11 ~~identification card or license for such article or~~
12 ~~articles to the police officer having custody thereof]~~
13 providing proof of compliance with the relevant laws of
14 all states in which the article or articles were or
15 will be kept or transported or, if the point of
16 embarkation was outside the Federated States of
17 Micronesia, a valid import permit, or

18 (b) departure from the Federated States of
19 Micronesia; provided, however, that persons departing
20 the Federated States of Micronesia via commercial
21 aircraft shall be subject to the provisions of this
22 section;

23 [~~(7)~~] (4) use or attempt to use any [~~firearm,~~
24 ~~dangerous device,~~] weapon or ammunition in connection
25 with or in aid of the commission of any crime against

1 the laws of the Federated States of Micronesia, except
2 those set forth under other provisions of this
3 chapter."

4 Section 23. Section 1024 of chapter 10 of title 11 of the
5 Code of the Federated States of Micronesia, as amended by
6 Public Law No. 11-72, is hereby further amended to read as
7 follows:

8 "Section 1024. Forfeiture. All [~~firearms, dangerous~~
9 ~~devices, or~~] weapons and ammunition unlawfully
10 [~~possessed, carried, used,~~] shipped, transported or
11 delivered into the Federated States of Micronesia are
12 declared to be inimical to the public safety and are
13 forfeited to the Federated States of Micronesia. When
14 such forfeited articles are taken from any person, they
15 shall be surrendered to the Department of Justice.

16 Section 24. Section 1025 of chapter 10 of title 11 of the
17 Code of the Federated States of Micronesia, as amended by
18 Public Law No. 11-72, is hereby further amended to read as
19 follows:

20 Section 1025. Closing of establishments during
21 emergencies. In case of emergency concerning the
22 public safety declared by the President, pursuant to
23 chapter 8 of this title, all establishments dealing in
24 [~~guns, dangerous devices,~~] weapons or ammunition may be
25 ordered closed and required to remain closed during the

1 continuation of the emergency. During any such closure,
2 any and all [~~guns, dangerous devices,~~] weapons and
3 ammunition belonging to or in the keeping of a closed
4 establishment may be impounded."

5 Section 25. Section 1026 of chapter 10 of title 11 of the
6 Code of the Federated States of Micronesia, as amended by
7 Public Law No. 11-72, is hereby further amended to read as
8 follows:

9 "Section 1026. Reserved. [~~Registration of weapons~~
10 ~~possessed on effective date of chapter.~~

11 ~~(1) Any person having in his or her possession~~
12 ~~a firearm or dangerous device on the effective date of~~
13 ~~this chapter shall, within ninety days of such~~
14 ~~effective date, furnish, on a form approved by the~~
15 ~~Department of Justice, to the agency or officer~~
16 ~~authorized to receive information concerning the~~
17 ~~transfer of firearms or dangerous devices pursuant to~~
18 ~~this chapter, equivalent information concerning any~~
19 ~~firearm or dangerous device in his or her possession.~~

20 ~~(2) If, prior to the expiration of the ninety~~
21 ~~day period provided in subsection (1) of this section,~~
22 ~~the firearm is transferred, the transferor shall comply~~
23 ~~with the provisions of this chapter for furnishing of~~
24 ~~information on transfer and need not comply with~~
25 ~~subsection (1) of this section.] "~~

1 Section 26. Section 1027 of chapter 10 of title 11 of the
2 Code of the Federated States of Micronesia, as amended by
3 Public Law No. 11-72, is hereby further amended to read as
4 follows:

5 "Section 1027. Reserved. [~~Surrender of and~~
6 ~~compensation for weapons held on effective date by~~
7 ~~ineligible persons.~~ Any person who possessed any
8 firearm or dangerous device in the Federated States of
9 Micronesia prior to the effective date of this chapter,
10 and who is determined to be ineligible to possess or is
11 prohibited from possessing such firearm or dangerous
12 device under this chapter, shall tender such firearm or
13 dangerous device to the Secretary or his or her duly
14 designated representative within ninety days of the
15 effective date of this chapter and be reasonably
16 compensated therefor.] "

17 Section 27. Section 1028 of chapter 10 of title 11 of the
18 Code of the Federated States of Micronesia, as amended by
19 Public Law No. 11-72, is hereby further amended to read as
20 follows:

21 "Section 1028. Local laws. [~~Nothing in this chapter~~
22 ~~shall be deemed to prevent any state or municipal~~
23 ~~government from further restricting, by local law or~~
24 ~~ordinance, the transfer, possession, use, or carriage~~
25 ~~of firearms, ammunition, or dangerous devices.] This~~

1 chapter shall supersede all state laws and municipal
2 ordinances in conflict with this act."

3 Section 28. Section 1029 of chapter 10 of title 11 of the
4 Code of the Federated States of Micronesia, as amended by
5 Public Law No. 11-72, is hereby further amended to read as
6 follows:

7 "Section 1029. Regulations. The Secretary shall have
8 power to issue, amend, and repeal regulations
9 implementing this chapter in the manner which is or may
10 be provided by law, as may be required by the public
11 interest, safety, and welfare."

12 Section 29. Section 1030 of chapter 10 of title 11 of the
13 Code of the Federated States of Micronesia, as amended by
14 Public Law No. 11-72, is hereby further amended to read as
15 follows:

16 "Section 1030. Fees for permits [~~licenses and~~
17 ~~identification cards~~].

18 (1) The Secretary shall, by regulation, set
19 reasonable fees for the issuance of import permits.
20 [~~fees for issuance and renewal of licenses and~~
21 ~~identification cards as required by this chapter shall~~
22 ~~be as follows:~~

23 (a) ~~for an identification card, \$5;~~

24 (b) ~~for a dealer's license, \$150;~~

25 (c) ~~for a manufacturer's license, \$500;~~

1 ~~(d) for a wholesaler's license, \$500,~~
2 ~~(e) for replacement of lost, destroyed,~~
3 ~~or defaced identification card, \$5.]~~

4 (2) Fees collected pursuant to the provisions
5 of this chapter shall be paid to the General Fund of
6 the Federated States of Micronesia."

7 Section 30. Section 1031 of chapter 10 of title 11 of the
8 Code of the Federated States of Micronesia, as amended by
9 Public Law No. 11-72, is hereby further amended to read as
10 follows:

11 "Section 1031. Penalties for violation of chapter.

12 ~~[(1) Any person convicted of a violation of~~
13 ~~section 1007 or section 1022 of this act shall be~~
14 ~~imprisoned for not more than one year.~~

15 ~~(2)]~~ Any person convicted of a violation of any
16 ~~[other]~~ provision of this chapter or any regulations
17 issued pursuant thereto shall be imprisoned for not
18 more than ten years, and shall be subject to
19 confiscation of any ~~[firearm, dangerous device,]~~ weapon
20 or ammunition, without compensation, involved in a
21 violation of this act. ~~[The holder of any dealer's~~
22 ~~license, or the manager or supervisor of employees of~~
23 ~~any establishment so licensed, or both, shall be liable~~
24 ~~for any violation of this act by his or her employee or~~
25 ~~agent committed in the course of the dealer's business,~~

