

SEVENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

THIRD REGULAR SESSION, 1992

CONGRESSIONAL BILL NO. 7-253, C.D.1

Public Law No. 7 - 89

AN ACT

To further amend title 3 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 5-19, 5-47, 5-53, 5-98 and 6-90, by further amending section 101, as amended by Public Laws Nos. 5-53 and 5-98, and by amending sections 415 and 416, to make technical corrections, to delete various references to the Trust Territory, by renumbering section 505, and for other purposes.

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

1 Section 1. Section 101 of title 3 of the Code of the Federated
2 States of Micronesia, as amended by Public Laws Nos. 5-53 and 5-98,
3 is hereby further amended to read as follows:

4 "Section 101. Membership.

5 (1) The Congress of the Federated States of
6 Micronesia shall be a unicameral National legislature.

7 Unless the Congress is reapportioned, it shall consist of
8 fourteen Members to be known as Senators as follows:

9 (a) four at-large Members, one from each of the
10 States of Kosrae, Pohnpei, Chuuk, and Yap, who are
11 elected on the basis of State equality to serve for a
12 four-year term.

13 (b) ten Members serving for a term of two years
14 and elected on the basis of population as follows:

15 (i) one Member elected from Kosrae as a
16 single-member congressional district;

17 (ii) one Member elected from Yap as a
18 single-member congressional district;

19 (iii) three Members elected from Pohnpei, one
20 of whom representing each single-member congressional
21 district; and

22 (iv) five Members elected from Chuuk,

1 one of whom representing each single-member congressional
2 district.

3 (2) Single-member congressional districts shall be
4 reapportioned at least every ten years. The first such
5 reapportionment shall be made in 1988."

6 Section 2. Section 415 of title 3 of the Code of the Federated
7 States of Micronesia is hereby amended to read as follows:

8 "Section 415. Penalties.

9 (1) A person guilty of contempt under this chapter
10 shall upon conviction be fined not more than \$1,000, or
11 imprisoned not more than one year, or both.

12 (2) If any investigating committee fails in any
13 material respect to comply with the requirements of this
14 chapter, any person subject to a subpoena or a subpoena
15 duces tecum who is injured by such failure shall be
16 relieved of any requirement to attend the hearing for which
17 the subpoena was issued or, if present to testify or
18 produce evidence therein; and such failure shall be a
19 complete defense in any proceeding against the person for
20 contempt or other punishment.

21 (3) Any witness shall have only those privileges
22 against testifying or producing other evidence under
23 subpoena duces tecum which are:

24 (a) authorized by the Supreme Court of the
25 Federated States of Micronesia Rules of Evidence; or

1 (b) required by the Declaration of Rights of
2 the Federated States of Micronesia, or other law applicable
3 to the Federated States of Micronesia.

4 (4) Any person other than the witness concerned or
5 his counsel who violates the provisions of subsections (7)
6 or (8) of section 412 of this chapter shall upon conviction
7 be fined not more than \$500, or imprisoned not more than
8 six months, or both. The Attorney General, on his own
9 motion or on the application of any person claiming to have
10 been injured or prejudiced by an unauthorized disclosure,
11 may institute proceedings for trial of the issue and
12 imposition of the penalties provided herein. Nothing in
13 this subsection shall limit any power which the Congress
14 may have to discipline a member or employee or to impose a
15 penalty in the absence of action by a prosecuting officer
16 or court."

17 Section 3. Section 416 of title 3 of the Code of the Federated
18 States of Micronesia is hereby amended to read as follows:

19 "Section 416. Government officers and employees to
20 cooperate. The officers and employees of the Federated
21 States of Micronesia, and of each political subdivision
22 thereof shall cooperate with any investigating committee or
23 committees or with their representatives and furnish to
24 them or to their representatives such information as may be
25 called for in connection with the research activities of

1 the committees."

2 Section 4. Section 505 of title 3 of the Code of the Federated
3 States of Micronesia is hereby renumbered as section 502.

4 Section 5. This act shall become law upon approval by the
5 President of the Federated States of Micronesia or upon its becoming
6 law without such approval.

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Nov. 11, 1992

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for Jacob Uena
Bailey Olter
President
Federated States of Micronesia

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