

TITLE 16

LAW AND PUBLIC SAFETY

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CHAPTER 1 POLICE AND SECURITY

Section

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§1-101. Short title. — This chapter is known and may be cited as the “Division of Police and Security Act of 1999.”

Source: S.L. No. 4L-139-99 §1, 11/22/99

§1-102. Definitions. — As used in this chapter, unless the context clearly requires otherwise:

- (1) “Chief” means the Chief of the Pohnpei Division of Police and Security.
- (2) “Commission” means the Pohnpei Police Commission.
- (3) “Director” means the Director of the Department of Public Safety.
- (4) “Division” means the Division of Police and Security of the Department of Public Safety.
- (5) “Member” means any employee of the Division who is charged with the responsibilities of keeping the peace and public safety.

Source: S.L. No. 4L-139-99 §2, 11/22/99; S.L. No. 5L-14-00 §3-4, 10/1/00

§1-103. Division established. — There is hereby established within the Department of Public Safety of the Pohnpei Government, a division to be known as the Division of Police and Security. The executive head of this division shall be the Chief of the Division of Police and Security.

Source: S.L. No. 4L-139-99 §3, 11/22/99; S.L. No. 5L-14-00 §3-4, 10/1/00

§1-104. Personnel and officers of the Division. — The Division shall consist of a Chief of the Division of Police and Security, such captains, lieutenants, sergeants, patrolmen, and other employees as the Chief of Police and Security may deem advisable within the limits of the funds appropriated for the Division; PROVIDED, HOWEVER, that the number of captains, lieutenants, and sergeants shall not exceed twenty-five percent (25%) of the total number of members of the Division exclusive of the Chief, but this requirement shall not be interpreted so as to require the demotion of any member of the Division of Police and Security existing immediately prior to the effective date of this chapter [November 22, 1999].

Source: S.L. No. 4L-139-99 §4, 11/22/99

§1-105. Existing Chief, members, and other employees retained. — The Chief and all members and other employees of the Division of Police and Security in office immediately prior to the effective date of this chapter [November 22, 1999] shall be continued in office under this chapter, and nothing contained in this chapter shall be held to require the dismissal of any such officer or employee.

Source: S.L. No. 4L-139-99 §5, 11/22/99

§1-106. Qualifications of members. —

(1) Each member of the Division shall:

- (a) At the time of his or her appointment, be a citizen of the Federated States of Micronesia;
- (b) At the time of his or her appointment, be at least 21 years of age and not more than 35 years of age;
- (c) Have at least a high school education or its equivalent;
- (d) Be of good moral character and not have been convicted of any felony or any infamous crime in the courts of Pohnpei or any other state or country; and
- (e) Successfully pass any physical examination the Chief shall require.

(2) Members of the Division shall not be over 60 years of age.

(3) Nepotism shall not be practiced in the appointment of members of the Division, and no person shall be appointed as a member who is related by blood or adoption within the first degree of consanguinity to the Chief.

(4) The Director, by regulation, may establish further qualifications for membership within the Division.

Source: S.L. No. 4L-139-99 §6, 11/22/99

§1-107. Exemption from Public Service System. — Upon the issuance and approval regulations pursuant to §1-111 providing for a public service system pursuant to this section, the Public Service System Act, Title 9 Chapter 2, and all amendments thereto, shall not apply to any member or employee of the Division. The Director shall, in accordance with applicable administrative procedure laws, promulgate rules and regulations governing all personnel matters respecting any member or employee of the Division, including the recruitment, placement, compensation, and discipline of all members and employees of the Division. Such rules and regulations shall be based on principles of merit; PROVIDED that preference in recruitment may be given to citizens of this state. The Director shall utilize the Government Salary Conversion Act, Title 9 Chapter 4 Subchapter II, as amended, in determining compensation for members and employees of the Division.

Source: S.L. No. 4L-139-99 §7, 11/22/99

§1-108. Oath of office. — All members of the Division shall take the following oath:

“I solemnly swear to protect and defend the Constitution of the state of Pohnpei and of the Federated States of Micronesia and to protect, defend, and serve the people within the state of Pohnpei and to protect and defend their property.”

The oath shall be administered by the Chief Justice of the Pohnpei Supreme Court or his designee.

Source: S.L. No. 4L-139-99 §8, 11/22/99

§1-109. Division duties and responsibilities. — The Division shall preserve the peace, maintain order, enforce all laws, conduct criminal investigations, assist in the conduct of prosecutions in the courts of Pohnpei and the local governments thereof, serve legal processes issued by competent judicial authority, provide fire protection, register motor vehicles and issue licenses for operation of such vehicles, and control the use of weapons.

Source: S.L. No. 4L-139-99 §9, 11/22/99

§1-110. Designation of district and home stations. — The Chief may divide Pohnpei into districts and may designate home stations for the members of the Division.

Source: S.L. No. 4L-139-99 §10, 11/22/99

§1-111. Regulations; rules to establish standards of conduct and training, policies, and procedures. — The Director, subject to this chapter and to the administrative procedures and laws of Pohnpei and following consultation with the Pohnpei Police Commission, shall have authority to make and promulgate rules and regulations for the purpose of carrying out the duties and responsibilities of the Division pursuant to this chapter. Such regulations, upon concurrence of the Governor, shall have the force and effect of law. The Chief, upon concurrence of the Director, shall establish by rules, from time to time, standards of conduct and training and policies and procedures for members of the Division and a copy thereof shall be delivered to each such member and displayed at each station of the Division. All regulations and rules so established shall be filed with the Clerk of the Pohnpei Supreme Court.

Source: S.L. No. 4L-139-99 §11, 11/22/99

§1-112. Pohnpei Attorney General to represent Division. — The Attorney General of Pohnpei is hereby directed to act as the attorney for the Division in all legal matters.

Source: S.L. No. 4L-139-99 §12, 11/22/99

§1-113. Concurrent law enforcement jurisdiction. — The Division shall have concurrent law enforcement jurisdiction with any other police or security force now or hereafter empowered by an act of the Legislature to have police power within the state of Pohnpei.

Source: S.L. No. 4L-139-99 §13, 11/22/99

Note: S.L. No. 4L-139-99 §14 repealing provision has been omitted.

§1-114. Commission established. — There is hereby established in and for Pohnpei State, a Pohnpei Police Commission, hereinafter referred to as “Commission,” which shall be composed of five members appointed by the Governor with the advice and consent of the Legislature. Three Commission members shall be appointed from the Pohnpei Government, and two members shall be appointed from the private sector. The Commission shall function in an advisory manner only, and shall meet and advise pursuant to those rules and regulations the Commission shall choose to promulgate.

Source: S.L. No. 4L-139-99 §15, 11/22/99

§1-115. Commission: tenure, removal. — Members of the Commission shall serve for terms of four years; PROVIDED, HOWEVER, that at its first organizational meeting, the Commission by the drawing of lots shall designate three members to serve for an initial term of two years each. A member may be removed from the Commission for cause by the Governor or upon the vote of three members of the Commission.

Source: S.L. No. 4L-139-99 §16, 11/22/99

§1-116. Commission: vacancies. — Vacancies in the Commission shall be filled in the same manner as initial appointments for the remainder of the unexpired term.

Source: S.L. No. 4L-139-99 §17, 11/22/99

§1-117. Commission: notification for appointment. — The Commission shall notify the Governor and the Legislature of the need to make an appointment 90 days prior to the expiration of any member's term on the Commission and as promptly as possible in the incidence of a vacancy otherwise occurring on the Commission.

Source: S.L. No. 4L-139-99 §18, 11/22/99

§1-118. Compensation and expenses of Commission. — The members of the Commission shall be compensated at the rates established by the Government Officers' Salary Act, Title 9 Chapter 4 Subchapter I, as amended or superseded, when actually attending meetings of the Commission, except that those members who are employees of the Pohnpei Government and other cooperating entities shall instead receive regular salaries while performing functions of the Commission. The members of the Commission shall be entitled to reimbursement for actual expenses incurred in the performance of their official duties, upon approval of such expenses by the Commission. The Commission members shall also receive travel expenses and per diem at Pohnpei Government rates when these amounts would be payable to Pohnpei Government employees in the same circumstances.

Source: S.L. No. 4L-139-99 §19, 11/22/99

§1-119. Commission: duties. — It shall be the responsibility of the Commission to:

(1) Oversee the activities of the Division of Police and Security and make periodic reports to the Governor and the Legislature as to the operations of the Division and its effectiveness in enforcing the laws of the state;

(2) Receive and investigate complaints from the general public on any matter relative to the jurisdiction and activities of the Division; and

(3) Advise the Director and the Chief as to corrective action where necessary.

Source: S.L. No. 4L-139-99 §20, 11/22/99

§1-120. Financial matters. —

(1) Within 30 days after the effective date of this chapter [*effective date is November 22, 1999*], and periodically thereafter, the Director shall, in consultation with the Commission, develop a budget for the Commission which shall be presented and considered in the manner prescribed in the Budget Act, Title 11 Chapter 1, as amended or superseded by state law.

(2) There is hereby authorized for appropriation such sums from such Treasury funds as may be identified and allocated annually in the Comprehensive Budget Act for the purposes of financing the compensation of members and expenses of the Pohnpei Police Commission.

(3) In addition to the sums appropriated under the authorization of Subsection (2) of this section, the Commission shall be eligible to receive financial assistance from other grants made available to the Pohnpei Government, including, but not limited to, contributions from intergovernmental associations, the United States of America Government, the FSM National Government, the local governments of this state, and other sources.

(4) All financing appropriated or otherwise made available to the Commission shall be administered and expended by the Governor solely for the purposes specified in this chapter and subject to the terms and conditions of the granting authority which are not inconsistent with this chapter.

(5) Unless otherwise provided in the Comprehensive Budget Act, the balance of any sums appropriated under the authorization of Subsection (2) of this section that are not expended or obligated for expenditure at the close of the fiscal year for which they are appropriated shall revert to the fund or funds in the Pohnpei Treasury from which the appropriation was made.

(6) Sums provided to the Commission from other sources as prescribed in Subsection (3) of this section shall remain available to the Commission until fully expended on the project or program for which the grant has been received. Upon conclusion of such project or program, such sums made available under the grant shall be returned or disposed pursuant to the terms of the grant; PROVIDED that if there be no such terms, said balance shall be deposited in the general fund of the Treasury as the realization of public revenues.

(7) The Governor shall submit an annual report to the Legislature on all financial matters with respect to the administration and expenditure of all monies made available to the Commission for a fiscal year within 15 days following the close of the fiscal year.

Source: S.L. No. 4L-139-99 §21, 11/22/99

§1-121. Regulations. — The Commission, subject to the administrative procedures and laws of Pohnpei and upon approval of the Governor, shall have the authority to make and promulgate rules and regulations for the performance of its responsibilities and duties pursuant to this chapter.

Source: S.L. No. 4L-139-99 §23, 11/22/99

§1-122. Costs and fees. —

(1) The costs and fees prescribed by Subsection (2) shall be paid by the person requesting the stated service of the division. All costs and fees shall be paid to the Pohnpei Treasury, and shall be credited to a Division of Police and Security Fund established by §10-102, for use by the division in offsetting the expenses of the Division of Police and Security.

(2) The costs and fees referred to in Subsection (1) are:

- (a) Furnishing a police clearance: \$25.00; PROVIDED, HOWEVER, that any person obtaining a police clearance for the purpose of attending a school abroad shall not be subject to payment of this fee.
- (b) Administering a driver's road test: \$5.00
- (c) Administering of a driver's written test: \$5.00
- (d) Registering a motor vehicle after the registration deadline: \$5.00
- (e) Issuing a duplicate driver's license: \$5.00
- (f) Conducting a liquor license application investigation: \$7.50

Source: S.L. No. 4L-139-99 §23A, 11/22/99; S.L. No. 5L-93-03 §5, 3/3/03

Note: §23A was inserted by S.L. No. 5L-18-00 §1, 9/21/00.

CHAPTER 2 JOINT LAW ENFORCEMENT

Section

2-101 Legislative findings and intent	2-106 Reporting
2-102 Law enforcement agreements authorized	2-107 Reversion
2-103 Authorization for appropriation	2-108 Appropriations not to be deemed a part of revenue sharing
2-104 Budgeting	
2-105 Administration	

§2-101. Legislative findings and intent. — The Legislature is cognizant of Article 7 §§6 & 7 of the Pohnpei Constitution, which authorizes the state government to delegate aspects of the administration of public safety to the local governments of this state. The Legislature further recognizes the importance of local government involvement in the maintenance of public safety within their respective communities. It is therefore the intent of this legislation to authorize the execution of joint law enforcement agreements between the state government and the local governments of this state, and to provide for an annual subsidy to the local governments for their assistance in the enforcement of state laws under such agreements.

Source: S.L. No. 4L-119-99 §1, 7/23/99

§2-102. Law enforcement agreements authorized. — For the purposes specified in §2-101, the Governor is hereby authorized to enter into joint law enforcement agreements with the local governments of this state for the joint administration of such state laws as are specified in said agreement. Each such agreement shall be executed by the Governor of Pohnpei and the chief executive officer of the respective local government (with the concurrence of the local counsel, where required by local law). Each law enforcement agreement shall specify the duration of the agreement and the terms thereof, inclusive of the extent to which the enforcement of state laws are delegated to authorized officials of the local government; PROVIDED that the agreement shall ensure that ultimate responsibility for policy and the proper administration of state law enforcement services are retained by the state government as required by Article 7 §7 of the Pohnpei Constitution. Each agreement shall provide that any liability of the state and the extent of liability and defense of any official of the local government acting on behalf of the state in enforcing state law under the joint law enforcement agreement shall be governed by the Government Liability Act, Title 58 Chapter 2, as it may be amended. Each agreement shall also provide for the proper administration and accounting of state funds provided to a local government pursuant to the agreement.

Source: S.L. No. 4L-119-99 §2, 7/23/99

§2-103. Authorization for appropriation. — There is hereby authorized for appropriation from such funds of the Pohnpei Treasury as are identified in the annual Comprehensive Budget Act, such funds as may be so appropriated and as may be allocated therein to help finance the activities of the local governments in the joint enforcement of the laws of this state pursuant to joint law enforcement agreements as specified in §2-102.

Source: S.L. No. 4L-119-99 §3, 7/23/99

§2-104. Budgeting. — The Governor shall, upon consultation with the Director of the Department of Public Safety and the local governments of this state, provide in his annual budget submission to the Legislature, a request for such funds as he deems necessary to administer the joint law enforcement

program described in this chapter for the next fiscal year and shall submit such supplemental requests from time to time as he deems necessary to maintain the program.

Source: S.L. No. 4L-119-99 §4, 7/23/99; S.L. No. 5L-14-00 §3-18, 10/1/00

§2-105. Administration. — All sums appropriated under the authorization of this chapter shall be administered and expended by the Director of the Department of Public Safety to assist local governments in the enforcement of state laws; PROVIDED that no such monies may be released to a local government or any agency thereof, unless there is in effect a valid joint law enforcement agreement executed in compliance with this chapter.

Source: S.L. No. 4L-119-99 §5, 7/23/99; S.L. No. 5L-14-00 §3-18, 10/1/00

§2-106. Reporting. — The Director of the Department of Public Safety shall submit an annual report to the Governor and the Legislature within 30 days following the close of each fiscal year describing the activities undertaken by the state and the local governments under the joint law enforcement agreements described in this chapter and detailing the administration and expenditure of all funds made available to the Director under the authorization of this chapter or from other sources for the purposes specified in this chapter. Said report shall also include an accounting of the local administration of all funds made available to each local government by the Director under the authority of this chapter.

Source: S.L. No. 4L-119-99 §6, 7/23/99; S.L. No. 5L-14-00 §3-18, 10/1/00

§2-107. Reversion. — Any balance of the monies appropriated under the authorization of this chapter in a fiscal year, remaining unexpended or unobligated for expenditure at the close of said fiscal year, inclusive of those funds allocated to a local government but not expended or obligated for expenditure by that local government, shall revert to the fund of the Pohnpei Treasury from which appropriated.

Source: S.L. No. 4L-119-99 §7, 7/23/99

§2-108. Appropriations not to be deemed a part of revenue sharing. — Any funds appropriated for and allocated to a local government under the authorization of this chapter shall be deemed to be financial assistance for that local government's participation in the enforcement of state laws and shall not be counted as an appropriation to said local government under the revenue sharing provisions of Article 11 §3 of the Pohnpei Constitution.

Source: S.L. No. 4L-119-99 §8, 7/23/99

CHAPTER 3 EMERGENCY SERVICES

Section

3-101 Emergency Services Unit

3-103 First Responders

3-102 Responsibility

§3-101. Emergency Services Unit. — There shall be an Emergency Service Unit attached to the Office of the Director of the Department of Public Safety.

Source: S.L. No. 7L-80-11 §2, 1/14/11

§3-102. Responsibility. — The responsibility of the Emergency Service Unit is to provide professional training within the Department of Public Safety to existing officers so they can act as first responders in cases of fire, disaster and medical emergency. The Department shall coordinate and conduct search and rescue operations, and cooperate with established search and rescue agencies of other states, the Government of the Federated States of Micronesia, the Government of the United States of America and its agencies, and any other regional governments or search and rescue agencies, in developing plans and programs, and mutual aid agreements for search and rescue activities within the state of Pohnpei.

Source: S.L. No. 7L-80-11 §2, 1/14/11

§3-103. First Responders. — The Department of Public Safety is authorized and directed to provide, in coordination with other agencies of the FSM National Government, Pohnpei State, and the Local Governments, first response services to fires emergencies and disasters. The Department of Public Safety may enter into contracts with the Department of Health Services to provide qualified staffing for ambulances and other first response services.

Source: S.L. No. 7L-80-11 §2, 1/14/11

LAW & PUBLIC SAFETY:

CHAPTER 4 FISH AND WILDLIFE DIVISION

Section

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4-102 Definitions	4-107 Failure to obey a summons or citation
4-103 Division duties and responsibilities	4-108 Regulations authorized
4-104 Officers' duties	4-109 Sharing of personnel and resources
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§4-101. Division established. — There is hereby established within the Department of Public Safety of the Pohnpei Government, a division to be known as the Division of Fish and Wildlife.

Source: S.L. No. 7L-80-11 §3, 1/14/11

§4-102. Definitions. —

- (1) "Department" as used in this chapter shall mean the Department of Public Safety.
- (2) "Director" as used in this chapter shall mean the Director of the Department of Public Safety.

Source: S.L. No. 7L-80-11 §3, 1/14/11

§4-103. Division duties and responsibilities. —

(1) The Division of Fish and Wildlife shall be responsible for conservation and resources enforcement programs relating to the enforcement of such state conservation laws and such other conservation and environmental laws and ordinances for which the state has enforcement responsibilities and any rules and regulations promulgated thereunder. Nothing in this chapter shall prevent other agencies of the Pohnpei Government from exercising concurrent authority to enforce conservation, resource, and environmental laws and ordinances and rules and regulations promulgated thereunder.

(2) The Director shall employ or appoint, and remove the following persons, subject to the Public Service System Act and regulations promulgated thereunder, who shall be provided with suitable badges or other insignia of office by the Department:

(a) A division chief, who shall be the head of conservation and resources enforcement programs, and who shall have charge, direction, and control, subject to the direction and control of the Director, of all matters relating to the enforcement of the state conservation and resource laws and rules and regulations promulgated thereunder.

(b) Personnel and enforcement officers of the conservation and resources enforcement programs, including, but not limited to, enforcement officers on a voluntary basis and without pay.

Source: S.L. No. 7L-80-11 §3, 1/14/11

§4-104. Officers' duties. — The division chief and officers of the Division of Fish and Wildlife, with respect to all land, seas, and waters subject to the jurisdiction of the Pohnpei Government, shall:

- (1) Enforce all conservation, resource, and environmental laws, ordinances, and regulations;
- (2) Investigate complaints, gather evidence, conduct investigations, and conduct field observations and inspections as required or assigned;
- (3) Cooperate with enforcement authorities of the state and of the government of the Federated States of Micronesia in the development of programs and mutual agreements for conservation and enforcement activities within the state;
- (4) Check and verify all relevant permits and licenses issued by the Department of Land and

Natural Resources; and

- (5) Carry out other duties and responsibilities as the Director may, from time to time, direct.

Source: S.L. No. 7L-80-11 §3, 1/14/11

§4-105. Police powers. — The chief and officers of the Division of Fish and Wildlife shall have police powers, including the power to serve and execute warrants, issue summons and citations, and arrest offenders of all laws, ordinances, and regulations over which Pohnpei State has enforcement authority, and rules and regulations promulgated thereunder. An enforcement officer, upon arresting any person for violation of any of the above-stated laws, rules or ordinances, may immediately take the person arrested to a police station, or before a judge of competent jurisdiction, or take the name, address, and the number from the fishing, hunting or other licenses or permits, if any, of the person, and note the violation of such law, rule, ordinance or regulation by the person, and issue him or her a summons or citation, printed in the form described in §4-106, warning him or her to appear and to answer to the charges against him or her at a certain place and time within seven days after the arrest. Any person failing to obey a summons issued pursuant to this section shall be subject to §4-107.

Source: S.L. No. 7L-80-11 §3, 1/14/11

§4-106. Summons and citation. — There shall be a form of summons or citation for use in citing violators of conservation and resources and environmental laws, and rules and regulations promulgated thereunder, which do not mandate the physical arrest of the violators. The summons or citation shall be printed in a form commensurate with the form of other summons or citations used in modern methods of arrest and shall be so designed to include all the necessary information to make it valid and legal within the laws and regulations of the state. The form and content of the summons or citation shall be adopted or prescribed by the Attorney General, and both the Pohnpeian and English languages shall be used on the form for all printed notations. In every case where a summons or citation is issued, the original of the same shall be given to the violator; PROVIDED that the Attorney General may prescribe the issuance to the violator of a carbon copy of the summons or citation and provide for the disposition of the original and any other copies. Every summons or citation shall be consecutively numbered and each copy shall bear the number of its respective original.

Source: S.L. No. 7L-80-11 §3, 1/14/11

§4-107. Failure to obey a summons or citation. — Any person who fails to appear at the place and within the time specified in the summons or citation issued to him by the officer or their agents or subordinates, upon his arrest for violations as noted in §4-106, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$25, nor more than \$500, or be imprisoned not more than six months, or both such fine and imprisonment. If any person fails to comply with a summons or citation issued to him, or if any person fails or refuses to deposit bail as required and within the time permitted, the officer shall cause a complaint to be entered against the person and secure the issuance of a warrant for his arrest. When a complaint is made to any prosecuting officer of a violation as noted in §4-106, the officer who issued the summons or citation shall subscribe to it under oath administered by the Attorney General or his designee.

Source: S.L. No. 7L-80-11 §3, 1/14/11

§4-108. Regulations authorized. — The Director is empowered to issue and promulgate rules and regulations for the implementation and enforcement of this chapter, which upon approval of the Governor and compliance with the Administrative Procedures Act, Title 8 Chapter 1, or its successor, shall carry the force and effect of law.

Source: S.L. No. 7L-80-11 §3, 1/14/11

§4-109. Sharing of personnel and resources. — The Director of the Department of Public Safety is hereby authorized to arrange for the sharing of resources and personnel of the various divisions within the Department of Public Safety to accomplish the objectives of this chapter.

Source: S.L. No. 7L-80-11 §3, 1/14/11

**CHAPTER 5
[RESERVED]**

CHAPTER 6 IDENTIFICATION CARDS

Section

6-101 Authorization	6-104 Validity
6-102 Information	6-105 Fees
6-103 Proof	6-106 Unlawful use

§6-101. Authorization. — The Chief of the Division of Police and Security of the Department of Public Safety is authorized to issue an identification card to any person who requests such card, who tenders the fee therefore, and who submits sufficient proof of the information to be contained therein.

Source: PDC §1-202(a), 3/71; S.L. No. 5L-14-00 §3-51, 10/1/00

§6-102. Information. — An identification card issued by the Chief of the Division of Police and Security of the Department of Public Safety shall contain the name, sex, height, weight, birth date, place of birth, residency, color of hair and eyes, marks, blood type, date of issue, number of card, fingerprint, the signatures of authorizing officials and of the owner of the card, and a facial photograph.

Source: PDC §1-202(b), 3/71; S.L. No. 5L-14-00 §3-51, 10/1/00

§6-103. Proof. — Any person requesting issuance of an identification card must present to the issuing officer proof of his name, age, birth date and place of birth. It shall be sufficient for the purposes of this section if the applicant presents a valid and proper birth certificate, issued by any authorized personnel of the Pohnpei Government or of any other state, territory or nation, containing the above information, or a copy of such a certificate. If an applicant is unable to produce a valid birth certificate or copy thereof, the Chief may accept as proof of the above information any other evidence, oral or written, that satisfies him as to the validity of the information.

Source: PDC §1-202(c), 3/71; S.L. No. 5L-14-00 §3-51, 10/1/00

§6-104. Validity. — An identification card issued pursuant to this chapter shall be proof of the information contained therein, and may be used for any legal purpose for which such identification is required by law, custom or usage.

Source: PDC §1-202(d), 3/71; S.L. No. 5L-14-00 §3-51, 10/1/00

§6-105. Fees. — A fee of 50 cents shall be charged to any applicant requesting an identification card. The Chief of the Division of Police and Security of the Department of Public Safety must account for all fees received for the issuance of identification cards and shall remit such fees to the Director of the Department of Treasury and Administration no later than three months from the date on which received.

Source: PDC §1-202(e), 3/71; S.L. No. 5L-14-00 §3-51, 10/1/00

§6-106. Unlawful use. — It shall be unlawful for any person to use, or attempt to use for purpose of identification, a card issued in the name of another. It shall be unlawful for any person to knowingly lend, transfer or permit another to use an identification card issued to him. A violation of this section shall be punishable by a fine of not more than \$25, or imprisonment for not longer than one month, or both such fine and imprisonment.

Source: PDC §1-202(f), 3/71; S.L. No. 5L-14-00 §3-51, 10/1/00

**CHAPTERS 7 – 9
[RESERVED]**

CHAPTER 10 LAW AND PUBLIC SAFETY FINANCES

Section

10-101 Search and rescue fund: authorization for appropriation; administration

10-102 Division of Police and Security Fund

§10-101. Search and rescue fund: authorization for appropriation; administration. —

(1) There is hereby established a search and rescue fund to assist in financing the cost of the search and rescue of persons or craft lost or stranded at sea, or of persons lost or missing on land in Pohnpei State.

(2) There is hereby authorized for appropriation from the general fund of Pohnpei a sum to be determined annually in the Comprehensive Budget Act to provide operating capital for the fund established by Subsection (1) of this section. All sums appropriated under the authorization of this section shall remain available until fully expended.

(3) The fund established by Subsection (1) of this section shall be administered and expended by the Governor solely for the purposes specified in Subsection (1) of this section. The Governor shall submit an annual report to the Legislature within 15 days after the closing day of the previous fiscal year on all matters relating to the administration and expenditure of the fund for the previous fiscal year.

Source: D.L. No. 4L-82-77 §§1 – 3, 5/6/77; D.L. No. 4L-136-78 §5, 3/27/78; S.L. No. 2L-37-80 §2, 10/21/80

§10-102. Division of Police and Security Fund. — There is hereby established in the Pohnpei Treasury a Division of Police and Security Fund, that shall be the depository for all costs and fees collected pursuant to §1-122 hereof. Monies in this fund may be obligated or expended by the Division of Police and Security pursuant to appropriation of the Pohnpei Legislature, but solely for offsetting the expenses of rendering the services provided by §1-122; PROVIDED that the Director of the Department of Public Safety shall report to the Legislature on or before October 15 each year on all matters concerning the expenditure of the sums authorized for appropriation by this section and Chapter 1 of this title.

Source: S.L. No. 4L-139-99 §23B, 11/22/99

Note: §23B was inserted by S.L. No. 5L-18-00 §2, 9/21/00.

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