

## TABLE OF CONTENTS

<b>Constitution of the State of Pohnpei</b>	
A In Pohnpeian	21
B In English	41
<b>Division I Government</b>	
Title 1 General	59
Title 2 Legislature	79
Title 3 Executive	103
Title 4 Judiciary	119
Title 5 Public Auditor	149
Title 6 Local Government	157
Title 7 [Reserved]	
Title 8 Administrative Law	171
Title 9 Public Officers and Employees	181
Title 10 Elections	242
Title 11 Public Finance and Procurement	277
Title 12 Taxation	311
Titles 13 – 15 [Reserved]	
<b>Division II Human Resources</b>	
Title 16 Law and Public Safety	345
Title 17 Health and Welfare	365
Title 18 Education	425
Title 19 Labor	453
Title 20 Public Broadcasting	477
Title 21 Sports and Recreation	487
Title 22 Customs, Traditions, and Historic Preservation	493
Titles 23 – 25 [Reserved]	
<b>Division III Natural Resources</b>	
Title 26 Conservation and Resources	515
Title 27 Environmental Protection	567
Title 28 Agriculture and Livestock	589
Title 29 Fisheries	601
Title 30 [Reserved]	
<b>Division IV State Infrastructure</b>	
Title 31 Housing and Construction	623
Title 32 Sea and Air Transportation	639
Title 33 Roads	665
Title 34 Public Utilities	691
Title 35 [Reserved]	
<b>Division V Business and Development</b>	
Title 36 Economic Development	715
Title 37 Business Associations	743
Title 38 Professions and Occupations	830
Title 39 Trade Regulation	844
Title 40 [Reserved]	

<b>Division VI Property</b>	
Title 41 Real Property	868
Title 42 Public Lands	914
Title 43 Land Acquisition by Government	1000
Titles 44 & 45 [Reserved]	
Title 46 Personal Property	1016
Titles 47 & 48 [Reserved]	
Title 49 Wills and Decedents' Estates	1024
Title 50 [Reserved]	
<b>Division VII Family</b>	
Title 51 Domestic Relations	1034
Title 52 Minors	1054
Titles 53 – 55 [Reserved]	
<b>Division VIII Judicial Proceedings and Civil Law</b>	
Title 56 Intervention, Conciliation, and Arbitration	1070
Title 57 Judicial Proceedings	1074
Title 58 Civil Remedies and Defenses	1096
Title 59 Evidence	1116
Title 60 [Reserved]	
<b>Division IX Criminal Matters</b>	
Title 61 Criminal Law	1126
Title 62 Criminal Procedure	1172
Title 63 Citations	1206
Title 64 Corrections and Rehabilitation	1210
Title 65 [Reserved]	
<b>Division X Regulated Substances, Devices, and Activities</b>	
Title 66 Regulated Substances	1222
Title 67 [Reserved]	
Title 68 Regulated Devices	1262
Title 69 [Reserved]	
Title 70 Regulated Activities	1278
<b>Division XI Motor Vehicles</b>	
Title 71 Traffic and Motor Vehicles Law	1286
<b>Tables</b>	
Table I Disposition of Laws within the Code	1332
Table II Public Laws omitted	1356
<b>Index</b>	
Chapter Index by Subject	1374

**Division I Government**

<b>Title</b>	<b>Chapter</b>
1 General	
.....1 Sources of Law and Rules of Construction	
.....2 Procedure to Amend Constitution	
.....3 – 5 [Reserved]	
.....6 Names, Emblems, Symbols, and Anthem	
.....7 Holidays	
.....8 Census	
2 Legislature	
.....1 General Provisions	
.....2 Investigative Hearings	
.....3 Office of Legislative Investigations	
.....4 Code	
.....5 – 8 [Reserved]	
.....9 Legislature Finances	
3 Executive	
.....1 General Organization	
.....2 Office of the Governor and Lieutenant Governor	
.....3 & 4 [Reserved]	
.....5 Economic Planning Commission	
.....6 Development Plan	
.....7 – 9 [Reserved]	
.....10 Governor’s Office Finances	
4 Judiciary	
.....1 Establishment and Organization of Judiciary	
.....2 General Powers, Authority, and Jurisdiction	
.....3 Pohnpei Supreme Court	
.....4 [Reserved]	
.....5 Court of Traffic and Misdemeanor Offenses [Pending]	
.....6 Court of Land Tenure	
.....7 Judicial Ethics and Rules of Conduct	
.....8 [Reserved]	
.....9 Transition	
.....10 Judiciary Finances	
5 Public Auditor	
.....1 Office of the Auditor	
.....2 Auditor’s Finances	
6 Local Government	
.....1 [Reserved – General Provisions]	
.....2 Planning	
.....3 Financing	
.....4 Services	
.....5 Local Government Licensing	
.....6 – 9 [Reserved]	
.....10 Local Government Finances	
7 [Reserved]	
8 Administrative Law	
.....1 Administrative Procedures Act	
.....2 Impeachment of State Officials	
.....3 Judicial Review of Administrative Actions	
9 Public Officers and Employees	
.....1 Uniform Appointments and Tenure	
.....2 Public Service System	
.....3 Compensation Restructuring	
.....4 Compensation	

**Division I Government** *continued*

.....5 Per Diem and Reimbursable Expenses  
 .....6 Pension Plan [Pending]  
 .....7 [Reserved]  
 .....8 Codes of Ethics  
 10 Elections  
 .....1 General Provisions  
 .....2 Election Commissioner and Board of Election  
 .....3 Apportionment  
 .....4 Franchise and Registration  
 .....5 Candidates  
 .....6 Elections  
 .....7 Recounts and Appeals  
 11 Public Finance and Procurement  
 .....1 Budget  
 .....2 Department of Treasury and Administration  
 .....3 Lines of Credit  
 .....4 Compact Funds  
 .....5 Public Credit for Elementary Schools  
 .....6 Public Contracts  
 .....7 – 9 [Reserved]  
 .....10 Public Support Finances  
 12 Taxation  
 .....1 General Provisions  
 .....2 Sales Tax  
 .....3 Use Tax [Declared Unconstitutional]  
 .....4 Hotel and Vehicle Rental Tax  
 .....5 [Reserved – Luxury Tax]  
 .....6 [Reserved – Fuel Sales Tax]  
 .....7 Business License Fees Nexus Act  
 13 – 15 [Reserved]

**Division II Human Resources**

<b>Title</b>	<b>Chapter</b>
16 Law and Public Safety	
.....1 Police and Security	
.....2 Joint Law Enforcement	
.....3 – 5 [Reserved]	
.....6 Identification Cards	
.....7 – 9 [Reserved]	
.....10 Law and Public Safety Finances	
17 Health and Welfare	
.....1 Department of Health Services	
.....2 Public Hospital Corporation [Pending]	
.....3 Health Services Advisory Council	
.....4 Health Care Plan	
.....5 Telemedicine Program	
.....6 Infectious and Contagious Diseases	
.....6A HIV Prevention and Care	
.....7 Mental Illnesses	
.....8 Physical and Mental Disabilities	
.....9 Refuse Collection and Sanitation	
.....10 Health and Welfare Finances	
18 Education	
.....1 Department of Education	
.....2 Special Education	

**Division II Human Resources** *continued*

.....3 Truancy  
 .....4 – 9 [Reserved]  
 .....10 Education Finances  
**19 Labor**  
 .....1 [Reserved]  
 .....2 Residents Employment  
 .....3 Wage and Hour  
 .....4 & 5 [Reserved]  
 .....6 Apprenticeship Program  
 .....7 – 9 [Reserved]  
 .....10 Labor Finances  
**20 Public Broadcasting**  
 .....1 Public Broadcasting Corporation  
**21 Sports and Recreation**  
 .....1 Sports Commission  
**22 Customs, Traditions, and Historic Preservation**  
 .....1 Historical and Cultural Preservation  
 .....2 [Reserved]  
 .....3 Historical Monuments  
 .....4 Pohnpei Language Commission  
 .....5 – 9 [Reserved]  
 .....10 Traditional Affairs Finances  
 23 – 25 [Reserved]

**Division III Natural Resources**

<b>Title</b>	<b>Chapter</b>
<b>26 Conservation and Resources</b>	
.....1 Conservation and Resources Enforcement	
.....2 Endangered Species	
.....3 Soil and Water Conservation	
.....4 Forest Conservation	
.....5 Marine Sanctuary and Wildlife Refuge System	
.....6 Marine and Aquatic Resources	
.....7 [Reserved]	
.....8 Land Resources	
.....9 [Reserved]	
.....10 Conservation and Resources Finances	
<b>27 Environmental Protection</b>	
.....1 Environmental Protection Agency	
.....2 Litter Abatement	
<b>28 Agriculture and Livestock</b>	
.....1 Plant and Animal Quarantine	
.....2 Agriculture	
.....3 – 5 [Reserved]	
.....6 Livestock	
.....7 – 9 [Reserved]	
.....10 Agriculture and Livestock Finances	
<b>29 Fisheries</b>	
.....1 Fishing in State Waters	
.....2 Bait Fishing	
.....3 Office of Fisheries and Acquaculture	
30 [Reserved]	

**Division IV State Infrastructure**

Title	Chapter
31 Housing and Construction	
.....	1 Housing Authority
.....	2 – 5 [Reserved]
.....	6 Building Code
.....	7 – 9 [Reserved]
.....	10 Housing and Construction Finances
32 Sea and Air Transportation	
.....	1 Port Authority
.....	2 Transportation Zone
.....	3 Airport Passenger Facility Fees
.....	4 & 5 [Reserved]
.....	6 Water Traffic Controls
.....	7 Watercraft
.....	8 Airport Restricted Access
.....	9 [Reserved]
.....	10 Transportation Finances
33 Roads	
.....	1 Pohnpei Transportation Authority [Pending, <i>see</i> 33 PC 1-134]
.....	2 Ponape Transportation Authority
.....	3 – 5 [Reserved]
.....	6 State Roads
.....	7 Roadway Construction
.....	8 & 9 [Reserved]
.....	10 Road Finances
34 Public Utilities	
.....	1 Pohnpei Utilities Corporation
.....	2 Board of Residential Properties and Public Utilities
.....	3 Commission on Energy
.....	4 – 9 [Reserved]
.....	10 Water and Sanitation Finances
35 [Reserved]	

**Division V Business and Development**

Title	Chapter
36 Economic Development	
.....	1 [RESERVED]
.....	2 [RESERVED]
.....	3 Trade and Investment Offices
.....	4 Economic Development Funds
.....	5 Development Loan Fund
.....	6 Business Development
.....	7 Pacific Islands Development Bank
.....	8 Financing Fisheries Programs
.....	9 Banking Investments
.....	10 Airline Investments
.....	11 Office of Economic Affairs
37 Business Associations	
.....	1 Corporations
.....	2 Partnerships
.....	3 – 6 [Reserved]
.....	7 Foreign Investment
38 Professions and Occupations	
.....	1 – 4 [Reserved]
.....	5 Notaries Public

Division V Business and Development *continued*  
 .....6 Land Surveyors  
 39 Trade Regulation  
 .....1 Unfair Business Practices  
 .....2 Consumer Protection  
 .....3 Price Control  
 .....4 Usury  
 .....5 Weights and Measures Act  
 40 [Reserved]

**Division VI Property**

<b>Title</b>	<b>Chapter</b>
41 Real Property	
.....1 Land Use Planning and Zoning	
.....2 Survey and Marking	
.....3 Land Measurement System	
.....4 Ownership, Registration, and Conveyance	
.....5 Development Leasehold	
.....6 Mortgages	
.....7 Deeds of Trust	
42 Public Lands	
.....1 Management and Administration	
.....2 Lease and Use Agreements	
.....3 Japanese and Trust Territory Government Leasehold and Mand Homestead Conveyance	
.....4 Residential Leasehold Conveyance	
.....4A Public Trust Lands Agricultural and Residential Leasehold Conveyance	
.....5 Planned Development Zone	
.....6 Industrial Development Zone	
.....7 Public Access	
.....8 Marine Areas	
.....9 Mining and Dredging	
.....10 Land Use Designations	
.....11 Government Conveyance Act	
43 Land Acquisition by Government	
.....1 Land Acquisition	
.....2 Eminent Domain	
.....3 Relocation Assistance	
44 & 45 [Reserved]	
46 Personal Property	
.....1 General Provisions	
.....2 Nonjudicial Foreclosure	
.....3 Judicial Foreclosure	
47 & 48 [Reserved]	
49 Wills and Decedents' Estates	
.....1 Intestate Succession	
.....2 Wills	
.....3 Probate of Small Estates	
50 [Reserved]	

**Division VII Family**

<b>Title</b>	<b>Chapter</b>
51 Domestic Relations	
.....1 General Provisions	

**Division VII Family** *continued*

.....	2	Marriage
.....	3	Annulment and Divorce
.....	4	Reciprocal Enforcement of Support
.....	5	Adoption
.....	6	Child Abuse
52 Minors		
.....	1	Juvenile Defined
.....	2	Protection of Minors
.....	3	Truancy Matters [Reserved]
.....	4	Juvenile Offenses[Reserved]
.....	5	[Reserved]
.....	6	Juvenile Offender Proceedings
.....	7	Liability of Parents and Guardians for Acts of Delinquent Child
53 – 55 [Reserved]		

**Division VIII Judicial Proceedings and Civil Law**

<b>Title</b>	<b>Chapter</b>
56 Intervention, Conciliation, and Arbitration	
.....	1 Conciliation Proceedings and Intervention
57 Judicial Proceedings	
.....	1 Judicial Process and Procedure
.....	2 – 5 [Reserved]
.....	6 Certifications and Appeals
.....	7 Judgments
.....	8 Enforcement of Judgments
.....	9 [Reserved]
.....	10 Fees, Expenses, and Costs
58 Civil Remedies and Defenses	
.....	1 Statute of Frauds
.....	2 Sovereign Immunity
.....	3 Limitations of Actions
.....	4 [Reserved]
.....	5 [Reserved-Judicial Foreclosures]
.....	6 Tort Actions
.....	7 [Reserved]
.....	8 Habeas Corpus
59 Evidence	
.....	1 [Reserved]
.....	2 Authentication and Content of Records
.....	3 Presumptions
.....	4 Privileges
60 [Reserved]	

**Division IX Criminal Matters**

<b>Title</b>	<b>Chapter</b>
61 Criminal Law	
.....	1 General Provisions
.....	2 Principles of Penal Liability
.....	3 [Reserved – Principles of Justification]
.....	4 Inchoate Crimes
.....	5 Offenses Against the Person
.....	6 Offenses Against Property Rights
.....	7 Offenses Against the Family
.....	8 Offenses Against Public Health and Morals



**Division IX Criminal Matters** *continued*

.....9	Offenses Against Public Order
.....10	Offenses Against Public Administration
.....11 & 12	[Reserved]
.....13	Obscene Communications
.....14	[Reserved]
.....15	Fire Control
.....16	Misuse of Government Property
62	Criminal Procedure
.....1	General Provisions
.....2	Arrests; Search Warrants
.....3	Rights of Defendants
.....4	Preliminary Matters
.....5	Bail
.....6	Trial Court: Criminal Procedure
.....7	Insanity
.....8	Dismissal
.....9	[Reserved]
.....10	Criminal Extradition
63	Citations
.....1	Issuance of Citations
64	Corrections and Rehabilitation
.....1	Disposition of Convicted Defendants
.....2	Work-Release Program
65	[Reserved]

**Division X Regulated Substances, Devices, and Activities**

<b>Title</b>	<b>Chapter</b>
66	Regulated Substances
.....1	General Provisions
.....2	Alcoholic Beverages
.....3	Tobacco Products
.....4	Controlled Substances
67	[Reserved]
68	Regulated Devices
.....1	Weapons Control
.....2	Fireworks
69	[Reserved]
70	Regulated Activities
.....1	Commercial Gambling: Bingo
.....2	Juvenile Gambling
.....3	[Reserved]

**Division XI Motor Vehicles**

<b>Title</b>	<b>Chapter</b>
71	Traffic and Motor Vehicles Law
.....1	General Provisions
.....2	Motor Vehicle Registration and Licenses
.....3	Motor Vehicle Equipment
.....4	Inspection of Vehicles
.....5	Emergency Vehicles
.....6	Commercial Carriers and Vehicles
.....7	Operator's Licenses
.....8	Rules of the Road
.....9	Accident Reports

**Division XI Motor Vehicles** *continued*  
.....10 Traffic Offenses Procedure  
.....11 [Reserved]  
.....12 Serious Traffic Offenses