

## AN ACT

To delegate to the municipal governments the power to tax in accordance with Section 7 of Article VIII of the Chuuk State Constitution, and for other purposes.

BE IT ENACTED BY THE CHUUK STATE LEGISLATURE:

1           Section 1. Delegation of Power to Tax. Pursuant to Section 7 of Article VIII of  
2 the Chuuk Constitution, the power to assess, levy and collect taxes be and the same is  
3 hereby delegated to the municipal governments of the State of Chuuk. Each municipal  
4 government at its own discretion may enact ordinances to that effect.

5           Section 2. Limitations. The power to tax granted herein does not authorize any  
6 municipality to assess, levy or collect any tax on the followings:

7                   (a) tax on real property which is prohibited by Section 8 of Article VIII of  
8 the Chuuk State Constitution;

9                   (b) tax which burdens or regulates inter-municipal commerce which is  
10 prohibited by Section 7 of Article XIII of the Chuuk State  
11 Constitution;

12                   (c) surtax on subjects which have been preempted by taxes assessed,  
13 levied and collected by State law; or

14                   (d) tax on subject that is preempted by the Constitution and laws of the  
15 Federated States of Micronesia.

16           Section 3. License. Each Municipality may enact ordinance requiring a person to  
17 obtain and pay for a business license before engaging or continuing in a business within  
18 the municipality in which the business is located. In such event, the following shall  
19 apply:

20                   a) A business shall not be required to have more than one license for the  
21 same line of business at any one location within the municipality. For the  
22 purpose of this subsection a "line of business" means the products or  
23 services that are sold through a single business entity identified on the  
24 basis of whether it is a sole proprietorship, partnership, or corporation.

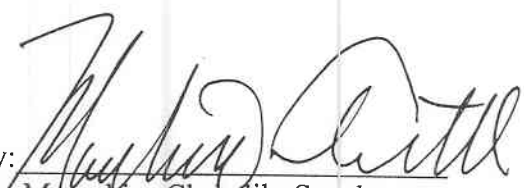
1           b) The amount of license tax to charge a business may be established by  
2           each municipal government through a licensing ordinance, but such tax  
3           shall not exceed \$1,000 per year for any type of business.

4           c) A roadside vendor license tax is \$5.00 per annum. For the purpose of  
5           this Act, a roadside vendor is limited only to local fish and farm produce  
6           temporary and not permanent in nature. Any roadside vendor other than  
7           this type is prohibited under this Act.

8           Section 4. Repeal. 29 TDC, sections 51-54 are hereby repealed.

9           Section 5. Reserved Power. Notwithstanding the provisions of this act, the State  
10          hereby expressly reserved the right to enact legislation to assess, levy and collect taxes on  
11          any subject for which a tax has been assessed and levied by ordinance by any of the  
12          municipality in the State of Chuuk. In the event that the State has enacted a legislation on  
13          that same subject, the enactment of such legislation automatically repeals the ordinance  
14          on the same subject.

15          Section 6. Effective Date. This act shall become law upon its approval by the  
16          Governor of Chuuk or upon its becoming law without such approval.


Signed by:   
Masachiro Christlib, Speaker  
House of Representative  
Chuuk State Legislature

Attested:

  
Herter Sorim, Chief Clerk  
House of Representatives  
Chuuk State Legislature

Date: Sept. 8, 1998

Signed by:

  
Detor Santos, President  
Senate  
Chuuk State Legislature

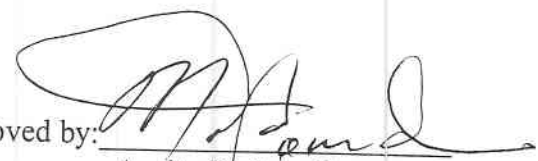
Attested:

  
Ismael Dobich, Chief Clerk  
Senate  
Chuuk State Legislature

Date:

9/14/98

Approved by:

  
Ansito Walter, Governor  
Chuuk State Government

Date:

September 21, 1998

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History

: H.B. No: 4-12;HD1;SD1;CD1  
: H.S.C.R.No: None  
: S,S.C.R.No: 4-1R-3S-16  
: J.C.R.No: 4-2R-03

## EW NAMOPWUNG

A mut ngeni ekkewe muun municipality ewe pochokunen fori me awora takises, ussun a affat me ren Tetten 7, Sopun VIII me non ewe Chunapen Annukun Muun Chuuk, me pwan ren ekkoch popun.

## EPWE PWUNG MEREN EWE ANEEPWUNGUN CHUUK:

1 Tetten 1. Mumutan Ewe Pochokunen Fori me Awora Takises. Fan pungun  
 2 Tetten 7, Sopun VIII me non ewe Chunapen Annukun Muun Chuuk, ewe pochokunen  
 3 fori, awora me iooni takises iei a kawor me mumuta ngeni ekkewe muun municipality  
 4 non Chuuk State. Ew me ew muun municipality epwe pusin foranong non noun annuk  
 5 napanapen an epwe fori an ei pochokunen fori me awora takises non kinikinin an we  
 6 nemenem.

7 Tetten 2. Aukukun Aeaan Ei Pochokkun Me Ren Muun Municipality. Ei  
 8 pochokunen fori me awora takises a mumuta ngeni ekkewe muun municipality, fan  
 9 pungun ei annuk, ese pwan mut ngeni ekkewe muun municipality pochokunen fori me  
 10 awora takises won ekkei mettoch a tettenitiw faan:

11 a) takisesii fonu, ewe mei pinepin me ren Tetten 8 me non Sopun VIII me  
 12 non ewe Chunapen Annukun Muun Chuuk;

13 b) takisesii pekin sopai mei fis nefinen ekkewe municipality, ewe mei  
 14 pusin pinepin me ren Tetten 7 me non Sopun VIII me non ewe  
 15 Chunapen Annukun Muun Chuuk;

16 c) takisesii met takises a fen foor me kawor pwan ioi me ren ewe Muun  
 17 Chuuk non noun annuk won metekewe pisekin amomo non Chuuk;  
 18 ika

19 d) takisesii pisekin amomo mei fen piin takises ika fen pwan pinepin me  
 20 ren ewe Muunapen FSM an epwe foor takises wor.

21 Tetten 3. Naisen. Ew me ew muun municipality a tongeni fori an annuk ren  
 22 niwinin naisenin business ika sopai, ren an emon aramas a mochen epwe fori, anganga  
 23 me sopweno ew business ika sopai non ena muun municipality, nge epwe tongeni  
 24 akomwen moonatiw niwinin me mwen an epwe fori angangen an we business ika sopai.

1 Non ena sakkun, ekkei tettenin mettoch epwe wor pochokkunan won ena sakkun  
2 mwokutukut:

3 a) Esap wor business ika sopai epwe mooni nap seni echo laisen ren ew  
4 chok sakkun business ren pwan ekkoch neni I mei fori an we chok ew  
5 sakkun business ika sopai non, me non ewe muun municipality. Fan  
6 asengesin ei kinikinin-Tetten, ei foos "ew chok sakkun business" a  
7 wewe ngeni pisekin amomo, ika angangen business mei fis non chok  
8 ew napanapen angangen amomo, pwan affat itan pokiten mei emon  
9 chok (single) chon fori ewe sopai, mei chiechi (partnership) chon fori  
10 ewe sopai, ika ew watten sopai (corporation).

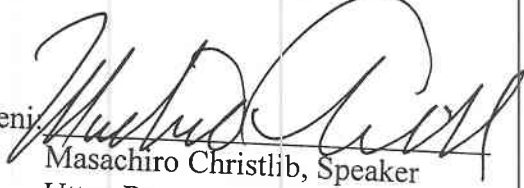
11 b) Aukukun niwinin echo naisenin business ika sopai epwe chok  
12 anongonong won aukukun niwin ewe muun municipality a pusin  
13 finata non forian annukun takises me naisenin sopai, nge esap chok  
14 nap seni \$1,000 ew ier ren ew me ew ekkewe sakkun sopai.

15 c) Business ika Sopai Unukkun Anenap epwe \$ 5.00 ew ier. Fan  
16 asengesin ei Sopun, "Sopain unukun" a wenengeni ekkewe chok sopain  
17 amomo ik me masowen atake ika iasai mei chok mochomoch fansoun an  
18 epwe angang nge esap namotam ika namwofoch unukun ewe anenap.  
19 Sopain unukun anenap me nukun ekkei mei pinepin me ren ei annuk.

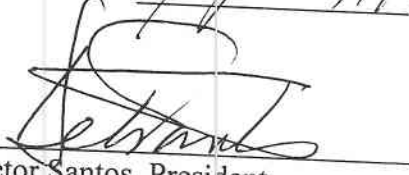
20 Tetten 4. Katano. Itenap 29 me non ewe Chuuk State Code, Tetten seni 51 tori  
21 54, iei ra katano.

22 Tettten 5. Pochokkun Mei Isoiseno. Inamwo ika a ikkei met a affatetiwi non ei  
23 annuk ren ekkei pochokkun, nge ewe Muun Chuuk a pusin anomwu ngeni me isoni ngeni  
24 ewe pochokkunen fori, iooni me angei takises won ese pwan nifinifin mettochun takises a  
25 fen foor me ren ew me ew ekkewe muun municipality fan pungun nour annuk a fen  
26 foruno, iwe non ena wewe, nupwen ewe muun state a fori noun annuk fan pungun ei  
27 wewe, iwe atun chok a winiti annuk an na annuk, an muun municipality we annukun  
28 takises mei weneiti ei pochokunen takises epwene katano manamanan won chok  
29 metekewe mettochun takises mei nom nou forier kewe annuk.

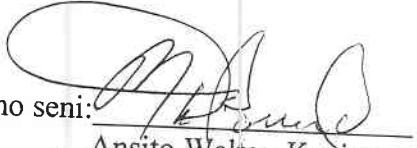
- 1 Tetten 6. Poputan Pochokkunan. Ei Namopwung epwe poputa pochokkunan atun chok a
- 2 kapunguno me ren ewe Kepina, ika atun chok an winiti annuk won winikapan.

Sain seni:   
 Masachiro Christlib, Speaker  
 Utten Representatives  
 Aneepwungun Chuuk

Pwiniin maram: Sept. 8, 1998

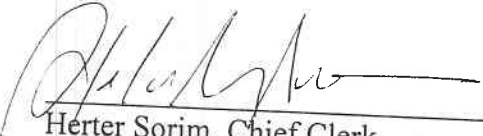
Sain seni:   
 Detor Santos, President  
 Senate  
 Aneepwungun Chuuk

Pwiniin maram: 9/14/98


Kopwunguno seni:   
 Ansito Walter, Kepina  
 Muun Chuuk

Pwiniin maram: September 21, 1998

Annetata:

  
 Herter Sorim, Chief Clerk  
 Utten Representatives  
 Aneepwungun Chuuk

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