

Public Law No. 3 - 80

THIRD CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIRST SPECIAL SESSION, 1983

CONGRESSIONAL BILL NO. 3-109, C.D.1

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AN ACT

To further amend section 502 of title 24 of the Code of the Federated States of Micronesia, as amended by Public Law No. 3-9, to require that proceeds from civil penalties be deposited into the General Fund of the Federated States of Micronesia, to provide for an equal sharing of these revenues with the State affected, and for other purposes.

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

1       Section 1. Section 502 of title 24 of the Code of the Federated  
2 States of Micronesia, as amended by Public Law No. 3-9, is hereby  
3 further amended to read as follows:

4               "Section 502. Civil penalties.

5               (1) Any person who is found by the Supreme Court of  
6 the Federated States of Micronesia in a civil proceeding  
7 to have committed an act prohibited by section 501 of this  
8 chapter shall be liable to the Federated States of Micronesia  
9 for a civil penalty.

10              (2) The amount of the civil penalty shall not exceed  
11 \$1 million for each violation. Each day of a continuing  
12 violation shall constitute a separate offense.

13              (3) In determining the amount of such penalty, the  
14 Supreme Court of the Federated States of Micronesia shall  
15 take into account the nature, circumstances, extent, and  
16 gravity of the prohibited acts committed and, with respect  
17 to the violator, the degree of culpability, any history of  
18 prior offenses, and such other matters as justice may require.

19              (4) The Attorney General of the Federated States of  
20 Micronesia is authorized to initiate all proceedings under  
21 this section and to recover the amount assessed as a civil  
22 penalty.

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1                   (5) The proceeds of civil penalties shall be  
2                   deposited into the General Fund of the Federated States  
3                   of Micronesia. Fifty percent of these proceeds from civil  
4                   penalties shall then be distributed to the State affected."

5                   Section 2. This act shall become law upon approval by the  
6                   President of the Federated States of Micronesia or upon its becoming  
7                   law without such approval.

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December 26, 1984



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Tosiwo Nakayama  
President  
Federated States of Micronesia