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A BILL FOR AN ACT

To amend 52 TTC 202, as set forth by Public Law No. 7-71, as amended by Public Law No. IC-3, to increase the amount of civil penalty, and for other purposes.

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

1 Section 1. Section 202 of 52 TTC (P.L. No. 7-71), as amended
2 by section 15 of Public Law No. IC-3, is hereby further amended
3 to read as follows:

4 "Section 202. Civil Penalties.

5 (a) Any person who is found by the ~~national court of~~
6 ~~the Government of Micronesia~~ Supreme Court of the Federated
7 States of Micronesia in a civil proceeding to have committed
8 an act prohibited by Section 201 of this Title shall be
9 liable to the ~~Government of Micronesia~~ Federated States of
10 Micronesia for a civil penalty. The amount of the civil
11 penalty shall not ~~exceed \$75,000~~ be less than \$500,000 for
12 each violation. Each day of a continuing violation shall
13 constitute a separate offense. In determining the amount of
14 such penalty, the ~~national court of the Government of~~
15 ~~Micronesia~~ Supreme Court of the Federated States of
16 Micronesia shall take into account the nature, circumstances,
17 extent, and gravity of the prohibited acts committed and,
18 with respect to the violator, the degree of culpability, any
19 history of prior offenses, and such other matters as justice
20 may require.

21 (b) The Attorney General of the Federated States of
22 Micronesia is authorized to initiate all proceedings under
23 this section and to recover the amount assessed as a civil
24 penalty. The proceeds of civil penalties shall be deposited
25 with the Authority and expended in accordance with Section

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205 of this Act."

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

Date: May 17, 1982

Introduced by: Jack Fritz
Jack Fritz