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A BILL FOR AN ACT

To further amend title 11 of the Code of the Federated States of Micronesia, as amended, by further amending section 701, as amended by Public Law No. 3-75, for the purpose of limiting attorney's fees awarded to a party prevailing against the National Government of the Federated States of Micronesia to \$40.00 per hour, and for other purposes.

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

1 Section 1. Section 701 of title 11 of the Code of the Federated
2 States of Micronesia, as amended by Public Law No. 3-75, is hereby
3 further amended to read as follows:

4 "Section 701. Deprivation of rights.

5 (1) Deprivation of rights. A person commits an offense
6 if he willfully, whether or not acting under color of law,
7 deprives another of, or injures, oppresses, threatens, or
8 intimidates another in the free exercise or enjoyment of, or
9 because of his having so exercised any right, privilege, or
10 immunity secured to him by the Constitution or laws of the
11 Federated States of Micronesia, the laws of the Trust Territory
12 of the Pacific Islands, or the Constitution or laws of the
13 United States of America which are applicable to the Federated
14 States of Micronesia.

15 (2) Penalty. A person convicted under this section shall
16 be punished by imprisonment for not more than three years.

17 (3) Civil liability. A person who deprives another of
18 any right or privilege protected under this section shall be
19 civilly liable to the party injured in an action at law, suit
20 in equity, or other proper proceeding for redress, without
21 regard to whether a criminal case has been brought or
22 conviction obtained. In an action brought under this section,
23 the court may award costs and reasonable attorney's fees to the
24 prevailing party; PROVIDED, however, that attorney's fees
25 awarded to a party prevailing against the National Government

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1 of the Federated States of Micronesia or the Government of any
2 State of the Federated States of Micronesia shall not exceed
3 \$40.00 per hour."

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

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8 Date: 10-16-87

Introduced by:

Claude H. Phillip
Claude H. Phillip

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