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A BILL FOR AN ACT

To further amend title 24 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 5-20, 5-37, 5-72, 6-1 and 6-11, by amending section 502 for the purpose of increasing the civil fines set forth therein, 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 is hereby amended to read as follows:

3 "Section 502. Civil penalties.

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

9 (2) The amount of the civil penalty shall be not
10 ~~exceed~~ less than \$1,000,000 500,000 for each violation.
11 Each day of a continuing violation shall constitute a
12 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
21 under this section and to recover the amount assessed as a
22 civil penalty.

23 (5) The proceeds of civil penalties shall be deposited
24 into the General Fund of the Federated States of Micronesia.
25 Fifty percent of these proceeds from civil penalties shall

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C.B. NO. 6-83

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then be distributed to the State affected."

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: 9/12/89

Introduced by: Jack Fritz
~~Joseph J. Urusek~~
JOSEPH J. URUSEK