

SIXTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIRST SPECIAL SESSION, 1989

CONGRESSIONAL BILL NO. 6-83, C.D.1

Public Law No. 6-37

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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 not exceed  
10 \$5,000,000 for each violation, except as otherwise provided  
11 herein. Each day of a continuing violation shall  
12 constitute a separate offense. The Supreme Court of the  
13 Federated States of Micronesia may impose a penalty in  
14 excess of \$5,000,000 provided, in its review of the factors  
15 set forth in subsection (3), the Supreme Court finds that  
16 the defendant has committed a gross violation.

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

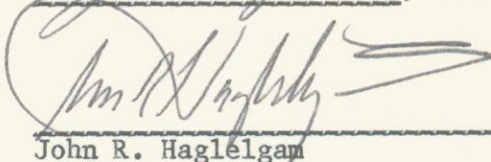
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require.

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

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

*January 9*, ~~1989~~ <sup>1990</sup>  
  
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John R. Haglélgam  
President  
Federated States of Micronesia