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AN ACT

To enact a new Chuuk State Law prohibiting the taking, possession, collecting, selling, offer to sell, buy, transport, export, import, distribute, trading of shark fins, regardless of where captured, brought, transported from, bartered for, traded, or obtain and for other purposes.

BE IT ENACTED BY THE CHUUK STATE LEGISLATURE:

1           Section 1. Findings. The Chuuk State Legislature finds that Sharks are one of the top  
2 predators in the marine food chain and play an important role in our ocean's ecosystem. Sharks  
3 have characteristics that make them more vulnerable to overfishing than most fish, and data from  
4 state, federal, and international agencies show a decline in the shark population worldwide.  
5 Unlike other fish species, most sharks do not reach sexual maturity until seven to twelve years  
6 of age and ten only give birth to a small litter of young. Thus sharks cannot rebuild their  
7 populations quickly once they are over-fished.

8           The practice of shark finning, where a shark is caught, the fin is cut off, and the shark is  
9 returned to the water, causes tens of millions of sharks to die a slow death each year, some sharks  
10 starve to death, others are slowly eaten by other fish, and some drown because most sharks need  
11 to keep moving to force water through their gills for oxygen. Sharks are an essential element of  
12 the ocean's ecosystem, and by reducing the demand of shark fins. Chuuk State can help ensure  
13 that sharks will not become extinct.

14           The Legislature also finds that the taking of sharks for subsistence purposes is a  
15 longstanding tradition. Moreover, the Legislature recognizes that incident catching of sharks can  
16 be avoidable.

17           Section 2. Shark Finning Prohibited, Penalty, Enforcement.

18           (a) For the purpose of this Act Shark fins are the raw or dried fin tail of a shark.

19           (b) It shall be unlawful for any person to possess, sell, collect offer for sale, buy,  
20 transport, export, import, trade, or distribute shark fins in Chuuk State regardless of  
21 where captured, bought, transported from, bartered for, traded, or obtained.

22           (c) Notwithstanding the provisions of subsection (b) any person with a valid license  
23 or permit issued by the Department of Marine Resources to conduct research and who  
24 possesses shark fins shall not be subject to the penalties in this Act in accordance with

1 the regulations and the following conditions:

2 1. An administrative fee of not less than \$500 which shall be paid to the Tax and  
3 Revenue Section;

4 2. The permit shall be limited to a given or specific area;

5 3. The permit shall be valid only for thirty (30) days which may be renewed but  
6 shall not exceed 90 days in any given year;

7 4. The permit shall authorize any Marine Enforcement Officer of the Department  
8 of Public Safety to board and inspect the vessel conducting the research at any time  
9 without notice;

10 5. The permit shall not allow any intentional by-catch of other species.  
11 Intentional is always presumed if more than other marine species, other than shark, is  
12 caught;

13 6. The permit may impose any additional terms and condition consistent with this  
14 Act or the regulations promulgated pursuant to this Act.

15 (d) Notwithstanding the provisions of subsection (b) of a shark for subsistence purpose,  
16 noncommercial only shall not be subject to penalties in this Act.

17 (e) A catch limit n all or certain species of sharks in subsection (c) and (d) may be  
18 imposed by regulations promulgated by the Department of Marine Resources.

19 (f) The Department of Marine Resources or the Department of the Public Safety shall  
20 have jurisdiction to enforce, investigate and make referrals to the office of the Attorney  
21 General. The Attorney General may pursue either civic or criminal action to enforce this  
22 Act. Any person found in violation of this Act shall be punishable by imprisonment for a  
23 period not to exceed 10 years and the assessing of a fine not less than \$25,000 and not  
24 more than \$200,000 per violation.

25 (g) Any Shark that is inadvertently caught or captured, except as provided by subsections  
26 (c) and (d), shall be immediately released, whether the shark is dead or alive. No shark or  
27 any parts thereof shall be retained even caught as by-catch.

28 (h) Each Shark fin removed from the body shall constitute a separate prosecutable  
29 offense.

30 (i) Any individual shark, or parts of the same confiscated shall be destroyed by

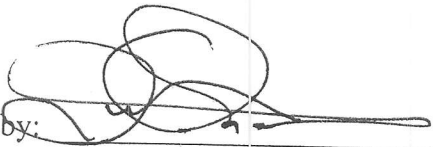
1 incineration, dumping at sea or any other appropriate means, subject to the requirements  
2 of subsection (l) below.

3 (j) If any provision of this Act or its application to any person or circumstance is found  
4 to be invalid or contrary to law, such invalidity shall not affect other provisions of  
5 application, and to this end the provisions of this law are severable.


6 (k) Any items seized pursuant to enforcement of this Act and its regulation shall be held  
7 by the Department of Marine Resources pending disposition of civil or criminal  
8 proceeding, or the institution of an action in rem for the forfeiture of such item, except  
9 that after Notice and Public Hearing the Department of Marine Resources, in lieu of  
10 holding such item, permit and the owner, consignee, or other responsible person to post a  
11 bond or other surety satisfactory to the Department of Marine Resources.

12 (l) The Department of Marine Resources may adopt rule; and regulations pursuant to the  
13 administrative procedures act necessary for the purpose of this Act.

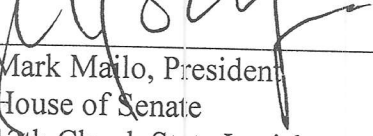
14 Section 3. Effective Date. This Act shall become law upon approval by the Governor or  
15 upon its becoming law without such approval.

Signed by:   
Innocente I. Oneisom, Speaker  
House of Representatives  
12th Chuuk State Legislature

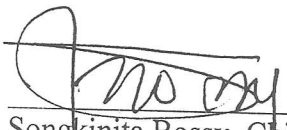
Attested:

  
Florence P. Stanley, Chief Clerk  
House of Representatives  
12th Chuuk State Legislature

Date: April 21, 2014

Signed by:   
Mark Mailo, President  
House of Senate  
12th Chuuk State Legislature

Attested:

  
Songkinita Bossy, Chief Clerk  
House of Senate  
12th Chuuk State Legislature

Date: April 22, 2014

Approved by:   
Johnson Elimo, Governor  
Chuuk State Government

Date: April 28, 2014

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History : H.B.NO: 12-02, HD1, SD1  
: H.S.C.R.NO: 12-1R-02  
: S.S.C.R.NO: 12-2R-01

EW NAMOPWUNG

A forata ew minafon Annukun Chuuk State ren an pineano angei, isois, ioni, amomo, ika ekiengin amomo, kamo, titino, amomou ngeni chon nukun, titinong, ainet fetanei, me ekesiwini tonen poko (shark fins), ese nifinifin ika ia ewe ra niapeni me ia, titito, amokutu seni ia, atatakisietiw ren, einetino ngeni ika angei ren, me pwan ren ekkoch popun.

Epwe Pwung me ren ei Annepwungun Chuuk State:

1           Tetten 1. Kunaien ei Annepwung. Ei Annepwungun Chuuk State a kuna pwe poko ir  
2    asanapen monun ninino me non ei riri-fengenin monun neset ewe mei pwan ew ekkewe auchean  
3    metoch me non ei kokotun manawen neset. Pokoa mei wor rer ewe sokosok mei mecheres ngeni  
4    an epwe tongeni itemutirino ren chon ataw me nein ekkewe ekkoch ikenen neset, met aneneten  
5    taropwe seni state, federal me non ekkewe neni pweninfeinin ei fonufan meinis ra pwarata pwe  
6    wor ei kisikisinon choochoon poko non unusen pwenin ei fonufan. Esapw usun ekkoch ekkewe  
7    monun neset napengeni poko rese mwo tufichin ar repwe tori aukukuochun tufichin oupup tori ra  
8    fisuw (7) ngeni engon me ruu (12) aukukun nefongir pwe repwe tongeni repwe aupwatiw  
9    murimwirir ika chounger. Ina mine poko rese tufichin ar repwe achomongono chochor non  
10   fanosun mei mutir tori ra enletin iteno ren chon atawer.  
11   Ei angangen angei tonen poko ia ewe ekkewe poko ra niapenir me ia, ra pokuweno toner kewe,  
12   iwe ewe poko a niwinsefaninong non ewe sat, iwe a forata pwe million-un poko ra akanifeno ne  
13   mano non ew ier. Ekkoch ekkei poko ra echik tori ra mano, ekkoch ekis me ekis ra winiti ochan  
14   pwan ekkoch ik, ekkoch ra pwan mwop pokiten poko mei fokkun namot ren ar repwe manaw  
15   iwe repwe ngasagas me non orer ren fetanin asapwal (oxygen). Poko ew me non ach ei tufichin  
16   manawen nemataw mei fokkun auchea, iwe an epwe ne fis ei kekisinor seni ei watten mochen  
17   ren tonen poko, Chuuk State mei tongeni an epwe aninis an poko esapw iteno .

18   Ei Aneepwung a pwan kuna pwe nieno poko ren ekkoch tufichin aean mei chok nonom-etam  
19   non oruniach. Iwe iei mine ei Aneepwung a pwan esina pwe ekkoch sokkun ni-mwani poko  
20   epwe fokkun tumun an esapw napeno.

21           Tetten 2. Angei ei tonen Poko ese Mumuta; Tipisin; APOCHOKUNEN ANNUKUN.

22           (a)    Fan iten popun ei Annuk “Tonen Poko” tonen poko mei amas ika mei apwas.

23           (b)    Epwe wor tipisin emon ika pwe a isois, amomo, ioni, ika mochen amomo, kamo,  
24           titifetan, amomo ngeni fonuwen nukun, titiuw nukun, angei me amomo fetan ika

1 fangefatan tonen poko non Chuuk State ese fokkun nifinifin ika ia ewe ra niapeni me ia,  
2 kamo, titito me ia, atatakisietiw ren, einetifetanei, ika angei me ia.

3 (c) Epwe wor me non ei Annuk ika kinikinin ei Annuk (b) pwe emon mei wor ren  
4 noun taropwen mumuta (license) mei katou seni ewe Putain Marine Resources an epwe  
5 fori angeangen kao me ika io mei wor noun ei taropwe faniten isoisen tonen poko iwe  
6 esapw tipis ren niwinin tipis me non ei Annuk ewe mei fiti pwungun ekkei Annuk me  
7 nonomun mi tetenitiw:

8 1) Echo Administrative fee ewe esapw kis seni \$500 chana ewe epwe kamotiw ngeni  
9 ewe Tax me revenue Section;

10 2) Ei taropwen mumuta (permit) epwe chok aukuk ngeni chok ew neni mi afatafat;

11 3) Ei taropwen mumuta (permit) epwe chok wor manamanan non chok aukukun inik (30)  
12 ran ewe mei pwan tongeni an epwe ekesiwin nge esapw nap seni tiwe (90) ran non ew  
13 sutiwen ier.

14 4) Ewe taropwen mumuta (permit) epwe muttata an emon chon ewe Marine  
15 Enforcement Officer ika ewe Putain Public Safety an epwe tota won ekkewe wa iwe a  
16 fori an angangen chosa non fansoun ina mwo ika esapw wor esinesin.

17 5) Ei taropwen mumuta espw pwan mumuta atawa ekkoch pwan ekewe ikenen neset.  
18 Eii angangen atawen ekkoch pwan ekkewe ekkoch ikenen neset a tongeni fis ika pwe a  
19 nap seni nimu sokkun ikenen neset ra angei me nukun poko ir mei atawa ika niapeni.

20 6) Ei taropwen mumuta (permit) mei pwan tongeni an epwe kawor ekkoch katonong  
21 sofo ren ngingin me kokot an epwe mase fengen me met masowen ei Annuk ika met  
22 amwokut mei kawor fan nurun ei Annuk.

23 (d) Ina mwo ika pwe mei wor me non ei Annuk subsection (b), emon aramas a isois poko  
24 ren popun mei weweoch ika aean (subsistence) ika ren an esapw amomo ewe esapw tipis  
25 ren ei Annuk.

26 (e) Aukukun an emon epwe niapeni sokopaten poko fan nurun ekkei ruu kinikin-kisin ©  
27 me (d) epwe kawor kokotun me ren ewe Putain Marine Resources.

28 (f) Ewe Putain Marine resources ika ewe Putain Public Safety epwe wor rer ewe  
29 nemenemen ar repwe apochokuna, chosa tori an epwe awora ar angangen esinesin ngeni  
30 ewe ofesin Attorney General. Ewe Attorney General epwe fori ew me nein criminal

1 action an epwe opochokuna masowen ei Annuk. Io aramas mei fat pwe a atai ei Annuk  
 2 epwe tipis ren an epwe kanapus ren aukukun esapw nap seni engon (10 ) ier iwe epwe  
 3 pwan kawor paking ren esapw kis seni ruwe me nimu ngorow chana (25,000) ika esapw  
 4 nap seni ruwopwuku ngorow chana (\$200,000) ew angangangaw

5 (g) Poko mei nomwomwan ren an emon niapeni ika tup, chinon chok met mei afatafat  
 6 me non subsections © me (d) repwe chok ketiweno, ina mwo ika pwe ewe poko a fen  
 7 mano ika mei chuwen manaw. Esapw wor poko ika ew kinikinin poko epwe nomw ika  
 8 mwo niapen ar atawa ika nom pokiten atawen pwan ekkoch sokkun ik.

9 (h) Eoch tonen poko ese nom won emon poko epwe awora pwe ew nongonongun  
 10 kapungun tipis.

11 (i) Ese nifinifin ika emon ika eoch kinikinin ewe poko mei nom epwe katano ren  
 12 kekkino, aturau neset ika non ekkewe neni mei weweoch, fiti met annuk mei fiti  
 13 pwungun subsection (i) me fan.

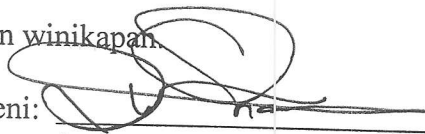
14 (j) Ika pwe mei wor me non ei Annuk ika ekkewe ekkoch mei wenengeni ei metoch  
 15 faniten emon aramas ika ew kokotun fanosun ika pwe a fat pwe mei ititingaw ika u-ngeni  
 16 ei Annuk, iwe ewe kinikini mei u-ngnei epwe ne chok ina met epwe ngaw nge ekkewe  
 17 nusun me non ei Annuk repwe chok nom me apochokun me non ei Annuk.

18 (k) Met mei kawor (seized) fan pochokunen ei Annuk me pwan ekkewe kokotun ei  
 19 Annuk repwe nom fan tumunuwen ewe Putain Marine Resources ren an epwe awitiwiti  
 20 angangen kapwung ren civil ika criminal, ika ren an epwe katonong angangen kapwung  
 21 mei kawor faniten isoisen ekkewe metoch, chinon chok met mei fis me murin ewe  
 22 arongorong ewe Putain Marine Resources, a ekesiwinini an epwe isois ekkewe metoch  
 23 epwene mut ngeni ewe sou-pisek, ika ewe cosignee ika io ewe aramas mei mumuta an  
 24 epwe awaiti ewe pakinging komusano ika watiw ewe taropwen anukunuk (surety) epwe  
 25 wor menemenoch ngeni ewe Putain Marine Resources.

26 (l) Ewe Putain Marine Resources epwe pwan awora an etiwa ekkoch annuk me kokot fan  
 27 nurun ewe Administrative Procedures Act ekkewe mei namot ngeni auchean ei Annuk.


28 Tetten 3. Poputa Pochokunan. Ei Annuk epwe poputa pochokunan ika pwe a  
 29 kapwunguno seni ewe Kepina, ika a pusin winiti annuk won winikapan.

Sain seni:

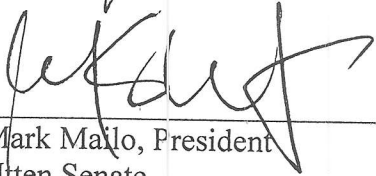
  
 Innocente I. Oneisom, Speaker

Annetata:


House of Representatives  
12th Aneepwungun Chuuk State

  
\_\_\_\_\_  
Florence P. Stanley, Chief Clerk  
Utten Representatives  
12th Aneepwungun Chuuk State

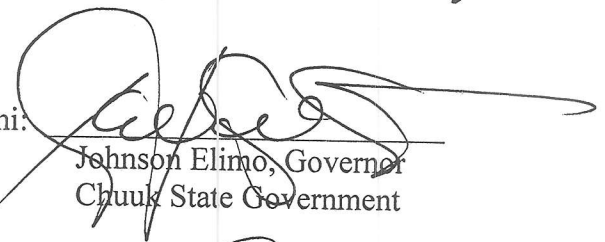
Pwinin Maram: April 21, 2014

Sain seni:   
\_\_\_\_\_  
Mark Mallo, President  
Utten Senate  
12th Aneepwungun Chuuk State

Annetata:

  
\_\_\_\_\_  
Songkinita Bossy, Chief Clerk  
Utten Senate  
12th Aneepwungun Chuuk State

Pwinin Maram: April 22, 2014

Kapwunguno seni:   
\_\_\_\_\_  
Johnson Elimo, Governor  
Chuuk State Government

Pwinin Maram: April 28, 2014

Uruo : H.B.NO: 12-02, HD1, SD1  
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EW NAMOPWUNG

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Epwe Pwung me ren ei Annepwungun Chuuk State:

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3 metoch me non ei kokotun manawen neset. Pokoa mei wor rer ewe sokosok mei mecheres ngeni  
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8 fisuw (7) ngeni engon me ruu (12) aukukun nefongir pwe repwe tongeni repwe aupwatiw  
9 murimwirir ika chounger. Ina mine poko rese tufichin ar repwe achomongono chochor non  
10 fanosun mei mutir tori ra enletin iteno ren chon atawer.  
11 Ei angangen angei tonen poko ia ewe ekkewe poko ra niapenir me ia, ra pokuweno toner kewe,  
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13 mano non ew ier. Ekkoch ekkei poko ra echik tori ra mano, ekkoch ekis me ekis ra winiti ochan  
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21           Tetten 2. Angei ei tonen Poko ese Mumuta; Tipisin; APOCHOKUNEN ANNUKUN.

22           (a) Fan iten popun ei Annuk “Tonen Poko” tonen poko mei amas ika mei apwas.

23           (b) Epwe wor tipisin emon ika pwe a isois, amomo, ioni, ika mochen amomo, kamo,  
24 titifetan, amomo ngeni fonuwen nukun, titiuw nukun, angei me amomo fetan ika

1 fangefatan tonen poko non Chuuk State ese fokkun nifinifin ika ia ewe ra niapeni me ia,  
2 kamo, titito me ia, atatakisietiw ren, einetifetanei, ika angei me ia.

3 (c) Epwe wor me non ei Annuk ika kinikinin ei Annuk (b) pwe emon mei wor ren  
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14 4) Ewe taropwen mumuta (permit) epwe muttata an emonchon ewe Marine  
15 Enforcement Officer ika ewe Putain Public Safety an epwe tota won ekkewe wa iwe a  
16 fori an angangen chosa non fansoun ina mwo ika esapw wor esinesin.

17 5) Ei taropwen mumuta espw pwan mumuta atawa ekkoch pwan ekewe ikenen neset.  
18 Eii angangen atawen ekkoch pwan ekkewe ekkoch ikenen neset a tongeni fis ika pwe a  
19 nap seni nimu sokkun ikenen neset ra angei me nukun poko ir mei atawa ika niapeni.

20 6) Ei taropwen mumuta (permit) mei pwan tongeni an epwe kawor ekkoch katonong  
21 sofo ren ngingin me kokot an epwe mase fengen me met masowen ei Annuk ika met  
22 amwokut mei kawor fan nurun ei Annuk.

23 (d) Ina mwo ika pwe mei wor me non ei Annuk subsection (b), emon aramas a isois poko  
24 ren popun mei wewech ika aean (subsistence) ika ren an esapw amomo ewe esapw tipis  
25 ren ei Annuk.

26 (e) Aukukun an emon epwe niapeni sokopaten poko fan nurun ekkei ruu kinikin-kisin ©  
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30 ewe ofesin Attorney General. Ewe Attorney General epwe fori ew me nein criminal

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2 epwe tipis ren an epwe kanapus ren aukukun esapw nap seni engon (10 ) ier iwe epwe  
3 pwan kawor paking ren esapw kis seni ruwe me nimu ngorow chana (25,000) ika esapw  
4 nap seni ruwopwuku ngorow chana (\$200,000) ew angangangaw

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8 mwo niapen ar atawa ika nom pokiten atawen pwan ekkoch sokkun ik.

9 (h) Eoch tonen poko ese nom won emon poko epwe awora pwe ew nongonongun  
10 kapungun tipis.

11 (i) Ese nifinifin ika emon ika eoch kinikinin ewe poko mei nom epwe katano ren  
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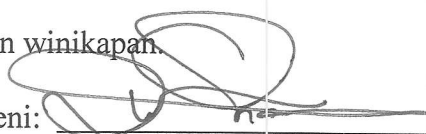
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16 ei Annuk, iwe ewe kinikini mei u-ngnei epwe ne chok ina met epwe ngaw nge ekkewe  
17 nusun me non ei Annuk repwe chok nom me apochokun me non ei Annuk.

18 (k) Met mei kawor (seized) fan pochokunen ei Annuk me pwan ekkewe kokotun ei  
19 Annuk repwe nom fan tumunuwen ewe Putain Marine Resources ren an epwe awitiwiti  
20 angangen kapwung ren civil ika criminal, ika ren an epwe katonong angangen kapwung  
21 mei kawor faniten isoisen ekkewe metoch, chinon chok met mei fis me murin ewe  
22 arongorong ewe Putain Marine Resources, a ekewinini an epwe isoisen ekkewe metoch  
23 epwene mut ngeni ewe sou-pisek, ika ewe cosignee ika io ewe aramas mei mumuta an  
24 epwe awaiti ewe pakinging komusano ika watiw ewe taropwen anukunuk (surety) epwe  
25 wor menemenoch ngeni ewe Putain Marine Resources.

26 (l) Ewe Putain Marine Resources epwe pwan awora an etiwa ekkoch annuk me kokot fan  
27 nurun ewe Administrative Procedures Act ekkewe mei namot ngeni auchean ei Annuk.


28 Tetten 3. Poputa Pochokunan. Ei Annuk epwe poputa pochokunan ika pwe a  
29 kapwunguno seni ewe Kepina, ika a pusin winiti annuk won winikapan.

Sain seni:

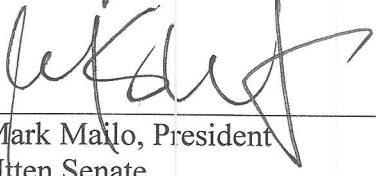
  
Innocente I. Oneisom, Speaker

Annetata:

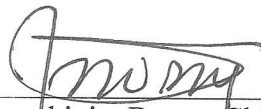
House of Representatives  
12th Aneepwungun Chuuk State

  
\_\_\_\_\_  
Florence P. Stanley, Chief Clerk  
Utten Representatives  
12th Aneepwungun Chuuk State

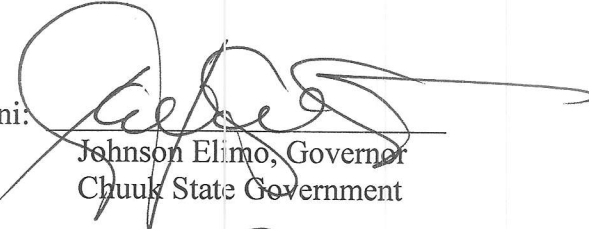
Pwinin Maram: April 21, 2014

Sain seni:   
\_\_\_\_\_  
Mark Mallo, President  
Utten Senate  
12th Aneepwungun Chuuk State

Annetata:

  
\_\_\_\_\_  
Songkinita Bossy, Chief Clerk  
Utten Senate  
12th Aneepwungun Chuuk State

Pwinin Maram: April 22, 2014

Kapwunguno seni:   
\_\_\_\_\_  
Johnson Elimo, Governor  
Chuuk State Government

Pwinin Maram: April 28, 2014

Uruo : H.B.NO: 12-02, HD1, SD1  
: H.S.C.R.NO: 12-1R-02  
: S.S.C.R.NO: 12-2R-01