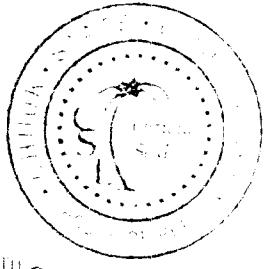


JOHNSON S. ELIMO
GOVERNOR

OFFICE OF THE GOVERNOR
STATE OF CHUUK
Federated States of Micronesia



MARSHAL J. AKAPITI Speaker Office
LT. GOVERNOR BY Jan S. Harper
Date/Time 11/21/16 @ 3:05 pm

November 10, 2016

The Honorable Mark M. Mailo
President
Chuuk State Senate
13th Chuuk State Legislature

The Honorable Innocente I. Oneisom
Speaker
Chuuk State House of Representatives
13th Chuuk State Legislature

Gentlemen:

I am very pleased to sign your Act No. 13-21 into our new Chuuk State Law No. 13-16-16 which provides for comprehensive protection of our state's fisheries resources. This Act is a milestone in our state's environmental and resources conservation effort. It puts us in line with national and international focus for the protection of our world resources and environment, while also providing for balanced management of our resources for local demand and customary practices. I have signed the law, based on these considerations, but I also want to point out a few areas in the law where I would urge the Legislature's continued consideration and improvement.

The first areas is the need for reasonable balance between our state regulatory and conservation authorities set forth in section 7 through 10, and sections 12 and 14 through 23, and the reef owners' natural right to use and enjoy their marine lands. As you know, in constitutional jurisprudence, a significant government restriction on a person's property rights could result in inverse condemnation litigations. I alert our relevant state authorities to that area of potential tensions for continued attention and improvement.

One possible solution to such potential disagreement with the reef or marine land owners is perhaps to revise the law to provide for sharing of the fines under sections 34 and 35 and the proceeds from forfeited properties under section 27 and 32, so that the marine land owners are reasonably compensated for such trespasses onto their lands. I urge the Legislature to give attention to my suggestions.

Sincerely,

A handwritten signature of Johnson S. Elimo.

Johnson S. Elimo
Governor

cc: All departments and municipalities

AN ACT

To protect the coastal fisheries resources of the State of Chuuk, and for other purposes.

Be it enacted by the Chuuk State Legislature:

1 Section 1. Findings and Intent. The Legislature finds that the living resources
2 that inhabit the reefs and territorial sea of Chuuk are quickly being depleted. Reports
3 from local fishermen and from our local conservation organizations confirm that reef fish
4 and other living resources require greater protection in order to ensure their continued
5 survival for the benefit of current and future generations. While Chuuk has its own
6 important traditional conservation techniques that are recognized by courts and
7 government authorities in Chuuk, the Legislature finds that additional legal protections
8 are required in order to safeguard the natural heritage of the islands of Chuuk.

9 Section 2. Short Title. This Act shall be known as the "Chuuk Coastal Fisheries
10 Protection Act of 2016."

11 Section 3. Definitions. As used in this Act, unless the context otherwise requires
12 and as may be further clarified by regulations:

13 (1) Atoll means a circular or oval coral reef forming a geographic and ecologic
14 unity crowned by at least one island."

15 (2) "Chuuk State Fisheries Zone" means all waters and submerged land
16 designated by section 6 of this act as the Chuuk State Fisheries Zone.

17 (3) "Clam" means all species of clam found within the State of Chuuk or, in
18 Chuukese, Too, Sim, or Amwe.

19 (4) "Coconut crab" means *Birgus latro* or, in Chuukese, Amwatang.

20 (5) "Corals" means all forms of hard and soft coral found within the State of
21 Chuuk or, in Chuukese Aan.

22 (6) "Commercial export" means export of fish or other marine resource for the
23 purpose of commercial sale. All exports of fish or other marine resources shall be
24 presumed to be for the purpose of commercial sale, except exports in accordance
25 with regulations adopted by the Director.

1 (7) "Commercial sale" means sale of fish or other marine resource in exchange for
2 money or for anything which has value, whether within the State of Chuuk or
3 abroad.

4 (8) "Export" means to:

- 5 (a) send or take out of the country;
6 (b) attempt to send or take out of the country;
7 (c) receive on account or consignment for purposes of subsections (a) or
8 (b);
9 (d) act as an agent for another person for purposes of subsections (a) - (c);
10 (e) carry or transport anything for purposes of subsections (a) - (d), and
11 (f) to send to another country after transshipment;

12 (9) "Fishing" means:

- 13 (a) The actual or attempted searching for, chasing of, catching, taking or
14 harvesting of fish;
15 (b) Any other activity which can reasonably be expected to result in the
16 locating, catching, taking or harvesting of fish; and
17 (c) The placing, searching for, or recovery of fish aggregating devices or
18 associated equipment.

19 (10) "Grouper" means fish of any species from the Family *Epinephelidae*
20 (formerly *Serranidae*), including but not limited to all members of the genera
21 *Plectropomus* spp., *Epinephelus* spp., *Hyporthodus* spp., *Cephalopholis* spp.,
22 *Variola* spp.; or, in Chuukese, Enni, Utur, Kunufou, Matou, ~~Namwar~~, Ukuppok.

23 (11) "Harvest," with respect to any marine resource, means to fish for, take, or
24 remove from its natural habitat or to attempt to fish for, take, or remove from its
25 natural habitat.

26 (12) "Hump head Parrotfish" means *bolibometopon muraticus* during all stages of
27 its development, including but not limited to juvenile through adult, or, in
28 Chuukese, Ukucho.

29 (13) "Lobster" means all species of lobster found within the State of Chuuk or, in
30 Chuukese, Uur.

31 (14) "Mangrove Crab" means *Scyila serrata* or, in Chuukese, Eninap.

1 (15) "Napoleon Wrasse" means *Cheilinus undulatus*, during all stages of its
2 development, including but not limited to juvenile through adult, or, in Chuukese,
3 Mam.

4 (16) "Octopus" means all species of octopus found within the State of Chuuk or,
5 in Chuukese, Nippach.

6 (17) "Sea Cucumber" means all species of sea cucumber found within the State of
7 Chuuk or, in Chuukese, Penipen.

8 (18)"Subsistence fishing" means fishing by a citizen substantially for personal
9 consumption, and does not include any fishing resulting or intending or appearing
10 to result, directly or indirectly, in selling or trading for profit any fish which may
11 be taken during the fishing operations.

12 (19) "Take," with respect to any living thing, means to harass, harm, pursue, hunt,
13 shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such
14 activity.

15 (20) "Trochus" means *trochus niloticus* or, in Chuukese Ammot.

16 Section 4. Application. This Act applies to all forms of marine animal and plant
17 life other than marine birds whose natural habitat is found within the fisheries jurisdiction
18 of Chuuk State and whose natural habitat does not include the Exclusive Economic Zone
19 of the Federated States of Micronesia. This includes reef fish, corals, mollusks, and
20 crustaceans, but does not include pelagic species of fish.

21 Section 5. Administration. This Act shall be administered by the Department of
22 Marine Resources.

23 Section 6. Powers and Duties of the Department of Marine Resources.

24 (1) The Department shall have the power and duty to control and regulate fishing
25 within the Chuuk State Fisheries Zone, and in accordance with this Act and with
26 regulations adopted and promulgated pursuant to this Act, and for this purpose, is
27 further empowered to:

28 (a) Adopt, approve, amend, revise, promulgate, and repeal regulations
29 consistent with this Act and Chuuk State law, and to enforce such
30 regulations, which shall have the force and effect of law;

Section 7. Regulation of Fish Stocks.

(1) The Department shall have the power to determine the total allowable harvest or catch level of fishing with respect to any stock of fish subject to this Act and shall set such level based on the precautionary approach as determined by:

20 (a) The best scientific evidence available, including statistical and other
21 information concerning such stocks of fish; and
22 (b) Conservation, management, and sustainable development measures
23 contained in management plans relating to such stocks of fish

27 (a) declaring an open or closed season for any specified area and for:

28 (i) any fish;

(ii) any period of time or all times;

30 (b) prohibiting the taking of fish or marine resources that are less or

31 greater than a specified size or dimension for:

16 (3) The Department shall have the power to require written permits for any
17 activities regulated or restricted by this Act or by regulations adopted and
18 promulgated pursuant to this Act.

19 Section 8. Traditional Rights. Nothing in this Act shall be interpreted to prohibit
20 or restrict traditional ownership and use rights where such rights are permitted by the
21 Director. Traditional ownership and use rights can only be exercised as provided for in a
22 valid written permit issued by the Director, and the Director shall not unreasonably deny
23 a permit upon the request of any individual, clan, or lineage to exercise traditional
24 ownership and use rights.

25 Section 9. Permit required.

(1) Notwithstanding the restrictions contained in this Act, the Director is authorized to permit individuals, clans, and lineages to exercise traditional ownership and use rights that would otherwise constitute a violation of this Act.

(2) Notwithstanding the restrictions contained in this Act, the Director is authorized to permit acts that would otherwise constitute a violation of this Act

1 for purposes of scientific research when such uses are consistent with the
2 precautionary approach to fisheries management.

3 (3) Notwithstanding the restrictions contained in this Act, the Director is
4 authorized to permit export, import, or sale of marine resources derived from
5 aquaculture or mariculture.

6 (4) A written permit shall be required to engage in any activity that requires a
7 permit under this Act or the regulations adopted and promulgated pursuant to this
8 Act.

9 (5) If the material provisions of any permit issued are violated by the permit
10 holder, in addition to any other remedies allowed by law, the Director may revoke
11 or suspend the permit permanently or for a specified period of time pursuant to
12 procedures established by regulations.

13 Section 10. Coastal Fisheries Management and Development Plan.

14 (1) The Director shall prepare, keep under review and be responsible for the
15 implementation of a plan for the management and development of the coastal
16 living resources of the State of Chuuk. The plan shall apply the precautionary
17 approach to fisheries management. The plan shall:

18 (a) identify key living resources and their characteristics, including
19 economic and social value and interrelationship with other species in the
20 ecosystem;

21 (b) specify the objectives to be achieved in the management and
22 development of coastal fisheries;

23 (c) assess the present state of exploitation of each key resource and
24 potential for future exploitation;

25 (d) determine the maximum sustainable yield, taking into account the best
26 information on all relevant biological, social, economic and other
27 applicable factors;

28 (e) determine conservation and management measures appropriate for the
29 key living resources of the State of Chuuk and specify the conservation
30 and management measures to be enforced to protect the coastal fisheries
31 from over-exploitation;

1 (f) where there is insufficient information and advice to determine
2 conservation and management measures, identify a plan for determining
3 such information and take appropriate interim measures, applying a
4 precautionary approach;

5 (g) specify the measures, if any, to be taken to promote the development
6 of local fisheries;

7 (h) take into account any relevant traditional fishing methods,
8 conservation practices, and principles.

9 (2) In preparing the plan, the Director shall consult with the municipal
10 Governments of Chuuk and relevant non-governmental and community
11 organizations..

12 Section 11. Use of Certain Fishing Gear Prohibited

13 (l) Except as authorized by regulation or permit, it shall be prohibited to fish with
14 a gill net or surround net having a mesh size of less than three (3) inches
15 measured diagonally.

16 (2) Except as authorized by regulation or permit, it shall be prohibited to fish
17 while using any form of underwater breathing apparatus other than a snorkel.

18 Section 12. Export or import of live fish. No person shall export or import any
19 live fish or viable fish eggs without the Director's prior written permission.

20 Section 13. Fishing with poisons or explosives.

21 (1) No person shall for the purpose of fishing

22 (a) use, permit to be used or attempt to use any:

23 (i) chemical, poison or noxious substance or material whether of
24 manufactured or natural origin;

25 (ii) dynamite or explosive substance or device,

26 (b) carry, permit to be carried, possess or control in circumstances which
27 indicate the intention of its use in fishing any:

28 (i) chemical, poison or noxious substance or material whether of
29 manufactured or natural origin;

30 (ii) dynamite or explosive substance or device,

31 (c) place in the water or assist in placing in the water any:

(i) chemical, poison or noxious substance or material whether of manufactured or natural origin;

(ii) dynamite, or any explosive substance or device, for any of the purposes referred to in paragraph (a).

(2) No person shall land, display for sale, sell, deal in, transport, export, receive or possess any fish or fish product taken by any means which contravenes this Section;

(3) For the purposes of this Section, the terms "poisonous", "chemicals" and "substance" include but are not limited to hypochlorous acid or any of its salts, including bleaches commonly sold under various trade names such as Clorox and Purex, and bleaching powders, preparations containing ratenone, tephrosin or plant material from Barrington asiatica, cocculusferrandianus, hura crepitans, piscidia erythrina, tephrosia purpurea and wikkstremia.

(4) For the purposes of this Section, any explosive, poison or other noxious substance found on board any fishing vessel shall be presumed to be intended for the purposes referred to in Subsection (1)(a) of this Section

Section 14. Grouper restrictions.

(1) Fishing for grouper shall be prohibited from January 1 through April 30, inclusive, of every year.

(2) Taking of grouper, by any means, shall be prohibited from January 1 through April 30, inclusive, of every year.

(3) No person, inclusive of corporations, partnerships, cooperatives or any other form of business, shall offer grouper for sale, allow grouper to be sold or possess grouper for sale, from January 1 through April 30, inclusive, of every year.

Section 15. Napoleon Wrasse restrictions

(1) Commercial export of Napoleon Wrasse shall be prohibited.

(2) Harvesting Napoleon Wrasse for purposes of commercial export shall be prohibited.

Section 16. Humphead Parrotfish restrictions

(1) Commercial export of Humphead Parrotfish shall be prohibited.

1 (2) Harvesting Humphead Parrotfish for purposes of commercial export shall be
2 prohibited.

3 Section 17. Trochus restrictions.

4 (1) Commercial export of trochus shall be prohibited, except where specifically
5 provided for by statute.

6 (2) Harvesting of trochus for purposes of commercial export shall be prohibited,
7 except where specifically provided for by statute.

8 Section 18. Corals restrictions.

9 (1) Commercial export of corals shall be prohibited.

10 (2) Harvesting of corals for purposes of commercial export shall be prohibited.

11 Section 19. Octopus restrictions.

12 (1) Commercial export of octopus shall be prohibited.

13 (2) Harvesting octopus for purposes of commercial export shall be prohibited.

14 Section 20. Bivalve restrictions.

15 (1) Commercial export of clams shall be prohibited.

16 (2) Harvesting clams for purposes of commercial export shall be prohibited.

17 (3) Harvesting clams is prohibited except in accordance with a permit issued by
18 the Director.

19 (4) It shall be prohibited to knowingly offer for sale clams that were harvested in
20 violation of this Act.

21 (5) The permit fee for harvest of clams shall be \$100 for each permit for one year
22 for one person, or \$500 for one business entity for one year. The permit is
23 evidence that a person is authorized to harvest and sell clams in the state, but does
24 not authorize the permittee to harvest clams on other people's lands. Fifty percent
25 (50%) of the permit fee shall be paid into the state's General Fund. The other fifty
26 percent (50%) shall be deposited into the Conservation and Enforcement
27 Revolving Fund.

28 Section 21. Lobster restrictions.

29 (1) Commercial export of lobster shall be prohibited.

30 (2) Harvesting of lobster for purposes of commercial export shall be prohibited.

31 Section 22. Crab restrictions.

- 1 (1) Commercial export of mangrove crab shall be prohibited.
- 2 (2) Harvesting of mangrove crab for purposes of commercial export shall be
3 prohibited.
- 4 (3) Commercial sale or commercial export of coconut crab is prohibited.
- 5 (4) Harvesting of coconut crab for purposes of commercial export or for purposes
6 of commercial sale shall be prohibited.
- 7 (5) It shall be prohibited to knowingly offer for sale coconut crabs that were
8 harvested in violation of this Act.

9 Section 23. Sea Cucumber restrictions.

- 10 (1) Commercial export of sea cucumbers shall be prohibited except in accordance
11 with a permit issued by the Director.
- 12 (2) Harvesting sea cucumbers for purposes of commercial export shall be
13 prohibited except in accordance with a permit issued by the Director.
- 14 (3) The Director may issue permits for harvest of sea cucumbers for commercial
15 export for a one year period during every seventh year. The Director shall not
16 issue any permits for the six-year period following the end of a year during which
17 permits are issued.
- 18 (4) The permit fee for harvest of sea cucumbers for commercial export shall be
19 \$60,000.00 per year, or \$5,000.00 per month if for less than one year. Seventy-
20 five percent (75%) of the permit fee shall go into the state's General Fund. The
21 remaining twenty-five percent (25%) shall be deposited into the Conservation and
22 Enforcement Revolving Fund.
- 23 (5) Each permit applicant, whether a natural person or a business entity, shall be
24 authorized one permit each, and the permit shall not be transferrable. A permit is
25 required for each business engaged in harvesting sea cucumbers for commercial
26 export, and each business is defined by its physical location regardless of
27 ownership or affiliation. A fishing boat is considered "one business" entity if
28 engaged in the commercial harvesting, exporting or marketing of the sea
29 cucumber.
- 30 (6) A permit issued under this section does not authorize the permittee to harvest
31 on any private farm or private property without the consent of the owners.

1 Section 24. Enforcement. The Department of Marine Resources and the
2 Department of Public Safety shall jointly enforce the provisions of this Act. The Director
3 of the Department of Public Safety, upon written request by the Director of the
4 Department of Marine Resources, may deputize other persons to assist in the enforcement
5 of this Act on a voluntary basis. Nothing in this chapter shall preclude municipal
6 governments from enacting legislation and prosecuting the violators. Nothing in this
7 chapter shall preclude any other existing causes of action under municipal, state or
8 national law, or actions by landowners or reef owners.

9 Section 25. Enforcement Powers.

- 10 (1) For the purpose of ascertaining whether there is or has been any contravention
11 of this Act or any regulations passed hereunder, any authorized officer may:
- 12 (a) At all reasonable hours, enter any business associated with the sale,
13 processing or trade of natural resources other than premises used
14 exclusively as a dwelling-house;
- 15 (b) Stop, board and search any vessel within state waters or the exclusive
16 economic zone of the Federated States of Micronesia that the officer
17 reasonably believes may be involved in fishing or exploitation of other
18 natural resources;
- 19 (c) Stop and search any vessel or vehicle transporting, or reasonably
20 suspected of transporting, fish or fish products;
- 21 (d) Make such examination and inquiry as may appear necessary to him
22 concerning any premises, fish processing establishment, vessel, or vehicle,
23 in relation to which any of the powers conferred by this section have been
24 or may be exercised, and take samples of any fish or fish products found
25 therein;
- 26 (e) Require any person to produce his permit or his authority if it appears
27 to the authorized officer that such person is doing any act for which a
28 permit or other authority is required under this act;
- 29 (f) Require any person to produce any logbook, record or other document
30 required to be held by him under this chapter or any regulations made
31 hereunder, and take copies of such logbook, record or other document.

1 (2) Where he has reasonable cause to believe that an offense against this Act or
2 any regulations made hereunder has been committed, any authorized officer may,
3 with or without a warrant or other process:

4 (a) Following hot pursuit in accordance with international law and
5 commenced within state waters or the exclusive economic zone of the
6 Federated States of Micronesia, stop, board, and search within state
7 waters, or inside or outside the exclusive economic zone of the Federated
8 States of Micronesia, any vessel which he believes has been used in the
9 commission of that offense within state waters or in relation to which he
10 believes such offense has been committed, and bring such vessel and all
11 persons and things on board within state waters;

12 (b) Within state waters or the exclusive economic zone of the Federated
13 States of Micronesia:

14 (i) Arrest any person if he has reasonable cause to believe that such
15 person has committed an offense prohibited by this Act or any
16 regulations issued hereunder;

17 (ii) Seize any vessel used or employed in, or when it reasonably
18 appears to have been used or employed in, the violation of this Act
19 or any regulations issued hereunder;

20 (iii) Seize any fishing gear, furniture, appurtenances, stores, cargo,
21 and fish in or on a vessel seized pursuant to this section; and

22 (iv) Seize any fish that he reasonably believes to have been taken
23 or fish products produced in violation of this Act or any
24 regulations issued hereunder.

25 (3) Any authorized officer may execute any warrant or other process issued by
26 any court of competent jurisdiction.

27 (4) Where, following the commission of an offense under this chapter by a
28 vessel, that vessel is pursued beyond the limits of the exclusive economic zone of
29 the Federated States of Micronesia, the powers conferred on authorized officers
30 under this section shall be exercisable beyond the limits of the exclusive

1 economic zone of the Federated States of Micronesia in accordance with
2 international law.

3 (5) Any authorized officer may exercise any other lawful authority for the
4 enforcement of this Act and any regulations issued hereunder.

5 Section 26. Immunity of authorized officers. An authorized officer who acts
6 pursuant to this Act may not be found civilly or criminally liable for those actions or
7 omissions to act, unless taken in bad faith.

8 Section 27. Forfeiture: liability.

9 (1) Any vessel involved in the commission of any act prohibited by this Act shall,
10 along with its fishing gear, furniture, appurtenances, stores, or cargo used, be
11 forfeited to the state of Chuuk.

12 (2) Any fish taken or retained, in any manner, in connection with or as a result of
13 the commission of any act prohibited by this Act shall be forfeited to the state of
14 Chuuk upon the commission of the act giving rise to forfeiture under this section.

15 (3) Any action for forfeiture pursuant to Subsections (1) or (2) of this section shall
16 be a civil proceeding.

17 Section 28. Forfeiture: jurisdiction. The Chuuk Supreme Court shall have
18 jurisdiction, upon application by the Attorney General on behalf of the state of Chuuk, to
19 order any forfeiture under this Act.

20 Section 29. Forfeiture: seizures. If a judgment is entered for the state of Chuuk
21 in a civil forfeiture proceeding under this Act, the Attorney General shall seize any
22 property or other interest declared forfeited to the state of Chuuk, which has not
23 previously been seized pursuant to this chapter.

24 Section 30. Forfeiture: disposition of property. The forfeited vessel, gear,
25 furniture, appurtenances, stores, cargo, and fish may be sold and the proceeds deposited
26 into the Conservation and Enforcement Revolving Fund.

27 Section 31. Forfeiture: temporary disposition of property; security.

28 (1) Pending completion of the civil forfeiture proceeding, the seized vessel, gear,
29 furniture, appurtenances, stores, cargo, and fish, or any part thereof, may be
30 discharged at the discretion of the court upon deposit with the court of a

1 satisfactory bond or other security at least equal to the fair market value of the
2 seized property.

3 (2) Such bond or other security shall be conditioned upon such person delivering
4 such property to the appropriate court upon order thereof, without any impairment
5 of its value, or paying the monetary value of such property pursuant to an order of
6 such court.

7 (3) Judgment shall be recoverable on such bond or other security against both the
8 principal and any sureties in the event that any condition thereof is breached, as
9 determined by such court.

10 Section 32. Forfeiture: disposition of perishable articles.

11 (1) Any fish, fish products, or other perishable articles seized or taken pursuant to
12 this Act may be sold or donated for humanitarian purposes, subject to the
13 approval and direction of the Attorney General. The proceeds of any sale shall be
14 retained pending the outcome of court proceedings.

15 (2) For purposes of this Act, it shall be a rebuttable presumption that all fish found
16 on board a vessel that is seized or taken in connection with an act prohibited by
17 this Act, or that were seized from a business involved in the sale or trade of
18 marine resources, were taken or retained from state waters in violation of this Act.

19 Section 33. Injunctive and Other Relief.

20 (1) The Director may institute a civil action in the State Court for injunctive and
21 other relief to prevent any violation of this Act, any regulation adopted, or
22 condition of a permit or authorization issued pursuant to this Act, to impose and
23 collect civil penalties, to collect administrative penalties, or obtain other relief.

24 Section 34. Civil Penalties.

25 (1) Any person who violates this Act, any regulation adopted pursuant to this Act,
26 or any term or condition of a permit or authorization issued pursuant to this Act
27 shall be fined not more than \$10,000.00 for each separate offense. Each day of
28 each violation shall constitute a separate offense. Any action taken in court to
29 impose or collect the penalty provided for in this subsection shall be considered a
30 civil action. In determining the amount of the penalty, the gravity of the violation,

1 prior violations, and the demonstrated good faith of the person charged in attempt
2 to achieve rapid compliance after notification of a violation shall be considered.

3 (2) Any person who, with intent to export for commercial purposes, violates this
4 Act, any regulation adopted pursuant to this Act, or any term or condition of a
5 permit or authorization issued pursuant to this Act shall be fined not more than
6 \$250,000.00 for each separate offense. Each day of each violation shall constitute
7 a separate offense. Any action taken in court to impose or collect the penalty
8 provided for in this subsection shall be considered a civil action. In determining
9 the amount of the penalty, the gravity of the violation, prior violations, and the
10 demonstrated good faith of the person charged in attempt to achieve rapid
11 compliance after notification of a violation shall be considered.

12 (3) Fines and damages collected hereunder shall be deposited into the
13 Conservation and Enforcement Revolving Fund. The Department of Marine
14 Resources shall apportion fines and damages collected among private landowners
15 or property owners affected by the violation. The Department of Marine
16 Resources may share a portion of fines and damages collected with any
17 municipality that assists in the enforcement of this Act.

18 Section 35. Criminal Penalties.

19 (1) Any person who intentionally, knowingly, or recklessly violates this Act,
20 regulations adopted under this Act, or a permit issued under this Act shall be
21 guilty of an offense, and upon conviction, may be imprisoned for a period of up to
22 six months, or fined \$1,000.00, or both. A criminal conviction may be in addition
23 to any civil penalty herein provided.

24 (2) Any person convicted for a third time for the offense of intentionally,
25 knowingly, or recklessly violating this Act, regulations adopted under this Act, or
26 a permit issued under this Act may be imprisoned for a period of up to five years,
27 or fined \$10,000.00, or both. A criminal conviction may be in addition to any
28 civil penalty herein provided.

29 Section 36. Criminal Penalty for Commercial Export

30 (1) Any person who, with intent to export for commercial purposes, intentionally,
31 knowingly, or recklessly violates this Act, regulations adopted under this Act, or a

1 permit issued under this Act, shall be guilty of an offense, and upon conviction,
2 may be imprisoned for a period of up to five years, or fined \$250,000, or both. A
3 criminal conviction may be in addition to any civil penalty.

4 Section 37. Separate Offenses. For the purpose of imposing civil and criminal
5 penalties under this Act, each day of a continuing violation shall constitute a separate
6 offense. For the purpose of the higher criminal penalty imposed by Section 36(2), each
7 subsequent offense relied upon must have been committed after conviction for the
8 preceding violation.

9 Section 38. Liability of Vessels in rem. Any vessel used in the commission of a
10 violation of this Act, regulations adopted under this Act, or a permit issued under this Act
11 shall be liable in rem for any civil penalty or criminal penalty imposed.

12 Section 39. Conservation and Enforcement Revolving Fund.

13 (1) There is hereby established within the Treasury a fund, to be separate and
14 apart from other funds of the state, hereinafter referred to as the "Conservation
15 and Enforcement Revolving Fund."

16 (2) There shall be deposited into the Conservation and Enforcement Revolving
17 Fund such monies that this Act specifies shall be deposited into the fund. The
18 fund shall also be eligible for monies appropriated by the Chuuk State
19 Legislature and for other grants and funding. Monies in the fund are hereby
20 continually appropriated for use by the Department of Marine Resources solely
21 for the purpose of administering conservation and enforcement programs within
22 the State of Chuuk.

23 (3) The Director shall report to the Governor and to the Legislature annually on
24 all matters concerning the expenditure of the sums authorized, appropriated and
25 expended under this subsection.

26 Section 40. Repeal. 9 TDC Section 1-5, codified as Chapter 9 of Title 25 of the
27 Chuuk State Code, is hereby repealed.

28 Section 41. Effective Date. This act shall take effect upon approval by the
29 Governor or upon its becoming law without such approval.

Sign by:

Innocente I. Oneisom
House of Representatives
Chuuk State Legislature

Attested:

Date: Nov. 03, 2016

Florence P. Stanley
Florence P. Stanley, Chief Clerk
House of Representatives
Chuuk State legislature

Sign by:

Mark Mailo, President
House of Senate
Chuuk State Legislature

Attested:

Date: Nov. 9, 2016

Songkinita Bossy
Songkinita Bossy, Chief Clerk
House of Senate
Chuuk State legislature

Approved by:

Johnson Elimo, Governor
Chuuk State Government

Date: 11/14/16

History:	H.B.NO : 13-46;HD1
	H.C.R.NO : 13-2R-21
	S.C.R. NO : 13-2R-25
Introducer :	Floor Leader Kenruo Nero (By Request)
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EW NAMOPWUNG

Epwe tumuw ikeen me monun arosetin non Chuuk, me pwan ren ekkoch popun

Epwe pwung meren ewe Aneepwungun Chuuk:

1 Tetten 1. Kunaean me Popun. Ewe Anepwungun Chuuk a kuna pwe ekkewe monun me
2 iikenen woon oochen me nesetin Chuuk ra mwitir fein ngeni ar repwe ne iteno. Poraus me repot
3 a feito seni ekkewe chon attaw me ekkewe conservation organizations a pwarata pwe ikenan
4 woon och me chommong monun neset ra menei ar repwe tumun pwe ina tufichin aramasen
5 ikenai me nesor. Ina mo ika mei fen wor ekkewe angangen ooreni ren epetin me tumunun
6 monun neset mei pesepes seni Kapung me Mwuun Chuuk, nge ewe Anepwung a kuna pwe mi
7 namot me auchea an epwe pwan wor ei angangen tumun me epet epwe nom non annuk faniten
8 tumunun orenien me mettochun ekkewe fonu non Chuuk.

9 Tetten 2. Mochomochen Itenap. Ei Annuk epwe iteni "Annukun Tumunun Ikenan me
10 Moonun Arosetin Chuuk, 2016" ika "Chuuk Coastal Fisheries Protection Act of 2016"

11 Tetten 3. Awewen Foos. Ekkei foos me ititin foos non ei Annuk epwe ne iei wewer,
12 chinon chok ika mei pwisin wor awewer.

13 (1) "Atoll" ochen ew fonu ika mei pwenieno ew fonu
14 (2) "Chuuk State Fisheries Zone" wewen ukun setin me woochen ika wooch mi nom
15 faan saat mi affat non Tetten 6 non ei Annuk mi faat pwe ina koukun ewe Chuuk
16 State Fisheries Zone.

17 (3) "Clams" wewen ekkewe sakun pwaset ika monun neset non Chuuk ra eita ngenir
18 "Too", "Siim", me "Amwee"

19 (4) "Coconut Crab" wewen Amatang
20 (5) "Coral" wewen foun neset mei pochokun me pwetete ra pwan iteni "aan"
21 (6) "Commercial export" wewen iik me monun neset ra titino won ekkewe fonuen
22 nukun Chuuk faniten amomo. Meinisin iik me monun neset repwe titino nukun epwe
23 faniten amomo, chinon chok ekkewe mi affat non annuk meren ewe Director.
24 (7) "Commercial sale" wewen amomo iik me ekkewe monun neset ngeni ekkewe
25 fonuen nukun Chuuk

1 (8) “Export” a wewe ngeni:

- 2 (a) titino ika angei seni ekkewe fonuen nukun Chuuk
- 3 (b) ammonen titino ika angei me ren ekkewe fonuen nukun Chuuk
- 4 (c) angei fan iten ekkewe popun mi affat non subsection (a) me (b)
- 5 (d) wiiseni wiisen emon agent ngeni emon aramas faniten subsection (a)- (c)
- 6 (e) uwei ika tinano och mettoch faniten angangen subsection (a)- (d)
- 7 (f) tin-sefanieno och mettoch ngeni ew fonuen nukun me mwirin an wareto

8 (9) “Fishing” a wewe ngeni:

- 9 (a) attawa iik ren pwomweni ika wesewesan
- 10 (b) sakopaten angangen attaw iik
- 11 (c) angangen attaw iik won ekkewe ekkoch pisekin attaw ren “uu” me pwan
12 ekkoch

13 (10) “Grouper” wewen ekkewe sakopaten iik ra iteni Enni, Utur, Kunufou, Matouw,
14 Ukuppok

15 (11) “Harvest” ren ekkewe mettochun neset, a pwan chok wewe ngeni attaw

16 (12) “Hump head Parrot fish” ekkewe sakun iik ra iteni Ukicho

17 (13) “Lobster” a wewe ngeni Uur

18 (14) “Mangrove Crab” a wewe ngeni Eninap

19 (15) “Napoleon Wrasse” a wewe ngeni Mam

20 (16) Octobus” wewen Nipach

21 (17) “Sea cucumber” wewen Penichon ika Penipen.

22 (18) “Subsistence fishing” wewen attaw ren mongo chok, esap amorno

23 (19) “Take” wewen ekkewe sakopaten angangen angei mettochun neset ese pwan
24 nifinifin sakun pisekin attaw mi aca.

25 (20) “Trochus” wewen Ammot.

26 Tetten 4. Awenewenan ika Met Mi Weneiti. Ei Annuk a weneiti sakopaten monun me
27 pisekin neset mi manaw ika mamarita ese pwan pachenong ekkewe machangen neset mi nonom
28 ika manaw seni ekkewe kinikin mi nonom non ewe kinikinin attaw non setin Chuuk nge ese
29 pwan pachenong ekkewe neni non ewe Exclusive Economic Zone of the Federated States of
30 Micronesia.

1 Tetten 5. Angangan me Amwokutun. Ei Annuk epwe amwokut me ren ewe Putain
 2 Marine Resources.

3 Tette 6. Wisen me Pochokunen ewe Putain Marine Resources.

4 (1) Ewe Putain Marine Resources epwe wor ren ewe pochokun me sekining an epwe
 5 tumunu me oPOCHOKUNA annukun attaw non ewe Chuuk State Fisheries Zone, mi fiti
 6 pwungun ei Annuk me pwan ekkewe ekkoch annuk mi kawor fan nurun ei Annuk,
 7 me faniten ei wewe a pwan soposopono an pochokun an epwe ne:

8 (a) Etiwa, apwungono, siwini, siwinsefani, fori annukun, me ataeno annuk ese
 9 fich ngeni ei Annuk me Annukun Chuuk, me apochokuna ekkewe annuk, an
 10 epwe wor pochokunan me manamanan;

11 (b) Etiwa ekkewe mwoni mi kawor seni ewe Anepwungun Chuuk, FSM
 12 Congress, ewe FSM National Government, ika seni Putai ese pwan nifinifin,
 13 seni aramas ika mwuun, ekkei sakun mwoni mi kawor epwe anouwnouw fiti
 14 pwungun ei Annuk, chinon chok ika pwe mi pwisin affat anouwnouwun seni
 15 ian a feito me ian.

16 (c) Foori me awora fefeinon angangen taropwen mwumwuta ika “a permit
 17 system” nupwen ewe permit system epwe mumuta me pesepes me ren ei
 18 Annuk ika me ren ekkewe ekkoch annuk mi ketiw me kawor fan nurun ei
 19 Annuk;

20 (d) Epwe angei ika ion-fengeni ekkewe poraus ika information mei foorata ew
 21 record keeping, monitoring, me repot mi pesepes me pwan namot me
 22 weweoch ngeni ponuwetan angangen ei Annuk; me

23 (e) Foori taropwen etip-ew ngeni ewe Mwu Naap, me ekkewe kinikinin Ofes
 24 non Chuuk State, Municipal Governments, me ekkewe Organizations faniten
 25 tumunun me foorun annukun ekkewe mettoch mi manaw non ewe Chuuk
 26 State Fisheries Zone.

27 Tetten 7. Annukun Fite Ukukun Ik Epwe Kawor ika Isois.

28 (1) Ewe Putain Marine Resources epwe wor ren ewe pochokun an epwe finata koukun
 29 ika fite ukukun iik epwe attaw, ika aramas repwe tongeni attawa fiti pwungun met mi
 30 wor non ei Annuk, me ewe Putai epwe pwan finata ewe koukun anonganong won met
 31 kunaean me masowen:

1 (a) Ekkewe taropwen pwarata seni ekkewe sowu-sinenap non pekin neset (scientific
2 evidence) pachenong statistical me ekkoch porausen pwarata rni weneiti pekin
3 isois ikenen attaw; me

4 (b) Masowen ekkewe plans ren pekin tumun (conservation), anganga (management),
5 me fefeitan ewe angangen isoisen iik.

6 (2) Ewe Putai epwe wor ren ewe pochokun an epwe etiwa me apwungano annukun epet
7 epwe fiti masowen ei Annuk me ekkewe otot ren tumunun iik pachenong:

8 (a) Esinesinen fansoun suukuun me kesipenon ekkewe neni mi afat ren:

9 (i) Sakkun iik

10 (ii) Inet fansoun ika non fansoun meinisin;

11 (b) Esipano attawan ekkewe iik me monun neset mi affat saisin me ukukun:

12 (i) Sakkun ik me monun neset

13 (ii) Neni ese nifinifin

14 (c) Epwe wor fansoun an esap mumuta an emon epwe atora ekkewe neni iik ra
15 osokun ika nouwnouwitiw ian

16 (d) Esap pwan mumuta an emon epwe angei iikenen ika ekkewe monun neset
17 seni ekkewe kinikin meinisin:

18 (i) An emon epwe pipisek ekkewe sakun pisekin attaw me angangen
19 attaw;

20 (ii) Seni ekkewe aramas mi pwan affat, nge epwe pwan wor ar pwung
21 an annuk epwe tumunur: me

22 (iii) Seni ekkewe waa mi pwan affat;

23 (e) Epwe pwan pinnei amomo, esinesinen amomo, titino, angei me isois
24 sakopaten iik ika monun neset;

25 (f) Epwe pwan pinnei sakopaten angangen attaw, pachenong ekkewe angang
26 ewe Putai mi nukuw pwe epwe angawano fefeitan ikenen neset me monun
27 neset.

28 (3) Ewe Putain Marine Resources epwe pwan wor ren ewe pochokun an epwe mochen
29 awora taropwen mumutan ekkewe angang mi pinepin ika kawor annukun fan nurun ei
30 Annuk me fan nurun annuk mi foruta me kawor fan nurun ei Annuk.

1 Tetten 8. An Oreni Pwuung. Esap wor masowen ei Annuk epwe nigiingiin an epwe
 2 pineii me epeti sowu-fonu me ekkewe pwungun oreni won ekkewe neni mi fen mumuta me ren
 3 ewe Director. Sowu-fonu me ekkewe pwungun aea ren ewe fonu epwe wor ika pwe mi wor
 4 taropwen mumuta me ren ewe Director; me ewe Director esap awewengawa an esap mutata an
 5 emon, ewe einang, ika io kewe mwirimwir ar repwe aea fonuer kewe mi newoto seni nom.

6 Tetten 9. Taropwen Mumuta Epwe Wor.

7 (1) Ina mo kakapasen ekkewe kapasen epet mi afat non ei Annuk, ewe Director mi
 8 mumuta ika wor ren ewe pochokun an epwe muut ngeni emon aramas, ika ewe
 9 einang me ekkewe mwirimwir ar repwe fori ar angangen pwuung non oreni won
 10 ekkewe neni mi pinepin non ei Annuk.

11 (2) Ina mo kakapasen ekkewe kapasen epet mi afat non ei Annuk, ewe Director mi pwan
 12 wor ren ewe pochokun an epwe mutata ewe sakun angang ese mumuta me non ei
 13 Annuk faniten scientific research ika pwe ewe angang mi namot me wewe ngeni met
 14 mi affat pwe ina oochunoon tumunun manawen iik.

15 (3) Ina mo kakapasen ekkewe kapasen epet mi afat non ei Annuk, ewe Director mi pwan
 16 wor ren ewe pochokun an epwe mutata titino, pwan mutata angei me amomo ekkewe
 17 mettochun neset mi foon.

18 (4) Ewe taropwen mumuta epwe kawor faniten ekkewe angang mi menei ar epwe wor
 19 taropwen mumuta rer, usun mi afat non ei Annuk ika seni ekkewe annuk mi kawor
 20 ika ketiw me non ei Annuk.

21 (5) Ika pwe mei wor masowen ewe permit ewe chon nowunowu ese oponueta, iwe me
 22 nukun met annuk mi awora fan iten tipisin, ewe Director a tongeni angei sefani ewe
 23 taropwen mumuta ika saspen-ini ren feinfeino ika suspen-ini non fituw fansoun usun
 24 mi afat non annuk.

25 Tetten 10. Kokotun Feifeitan Me Amarilon Ikenen Nesi.

26 (1) Ewe Director epwene amonata, nenengeni me wiiseni omokutunon ewe kokot ika
 27 plan ren fefeitan me mamarilon maanun nesetin Chuuk. Ewe kokot epwe fiti pungun
 28 met mi fich ngeni amwokutun tumunun iik. Ewe kokot epwe:

29 (a) Kuta ekkewe monun neset mi manaw non ewe neni me ifan usun nikinikir,
 30 pachenong namoter ren pekin mwoni me nonomwun aramas me ifan usun
 31 nonomwur ngeni ekkewe ekkoch monun neset mi manaw non ewe kinikin;

- (b) Afata fichi met ekkan epwe ponuweta me non ewe kokotun fefeitan me mwokutunon angangen tumunuw iiken neset;

(c) Nenengeni ifa usun ekkewe mettoch mi angawano ekkewe manaw me tufich ikenai me ifan usun an epwe efeiengawa manawen nesor;

(d) Epwe finata ika ekieki namotochun met epwe ponuweta non an epwe ekieki ekkewe wewe (information) mi nomot ngeni biological, social, economic me ekkoch mettoch mi weneiti;

(e) Ewe plan ika kokot epwe pwan finata pekin tumun me amwokut epwe fichi ngeni ekkewe mettoch mi amanawa monun neset non Chuuk me pwan afata met annuk ren pekin tumun me amwokut epwe apochokun an epwe ponueta me epeti ekkewe monun neset seni efeiengawen cheitaku;

(f) Nupwen fansoun esap naafeoch poraus me ourour an epwe afata sakun annuk ren tumunun me amwokutun ewe kokot, epwe ne wor ew plan ika otot an epwe affata met mi naafengaw ourour won iwe epwe awora ururun annuk mei namot me weneiti non ewe fansoun;

(g) Epwe affata-ochuw meni annuk, ika epwe wor, pwe epwe ne ina annukun epwe apochokuna fefeitan angangen attaw non Chuuk;

(h) Epwe pwan wor an sinei me weweiti ekkewe angangen attawen nom, angangen tumun, me oreni;

re Director epwe awora an fansoun churi ika poporaus ngeni ewe municipal government me ekkewe non-governmental me community organizatons fansoun an ewe poputa angang won ewe kokot ika plan.

Tetten 11. Ekkoch Pisekin Attaw Ese Mumuta Aean.

- (1) Chinon chok ika mi mumuta me non annuk ika me non ewe taropwen mumuta (permit), ese mumuta attaw non ekkewe epinon kotur mi kukun seni 3 inches mesan.

(2) Ese puan mumuta an emon epwe aca taipa ne attaw, chinon chok ika mi mumuta me non annuk ika non ewe permit.

Tetten 12. Tinano Ik Mi Manaw Nukun Chuuk ika Angei Ik Mi Manaw Mi Titito Me
n Chuuk. Esap wor emon aramas epwe tinano ika angei iik mi manaw ika sokuner kewe
re ese mumuta seni ewe Director non taropwe.

Tetten 13. Nounou Pakutang Me Poison Ne Attaw.

1 (1) Esap wor emon aramas epwe fori angangen attaw iik

2 (a) Epwe aea ika nouwnouw:

3 (i) Ekkewe mettoch mi poison mi foor ika mi pwisin pukuta me
4 nepwun;

5 (ii) Pakutang ika sakopaten pakutang epwe puung me neset

6 (b) Uwei, mumuta an epwe uwei, nukuw ika anamwu ekkewe mettoch mi sineno
7 pwe epwe aea ne attaw:

8 (i) Ekkewe mettoch mi poison mi foor ika mi pwisin pukuta me
9 nepwun;

10 (ii) Pakutang ika sakopaten mettochun pakutang

11 (c) Isetiw neset ika fiti chon isetiw neset ekkewe:

12 (i) Ekkewe mettoch mi poison mi foor ika mi pwisin pwukuta me
13 nepwun

14 (ii) Pakutang ika sakopaten mettochun pakutang an epwe aea ren
15 ekkewe popun mi fat non paragraph (a).

16 (2) Esap wor emon aramas epwe pwarano an epwe amomo, amomo, fitifit ne amomo,
17 titifetan, titiwu nukun Chuuk, angei me isois iik me sakopaten iik mi attai pwungun ei
18 Tetten.

19 (3) Faniten ei Tetten, ekkewe foos ren “poisonous”, “chemicals” me “substance”
20 pachenong chowe an hydrochloric acid me ekkewe mettoch mi popuseni mi neken
21 (salt). pachenong sarasko ika Clorox me purex, me ekkewe powders. mei pwan
22 tongeni nofit a inteni ratenone, tephrosin me ekkewe ira mi feito seni Barrington
23 asiatica, coccusferrandianus, hura crepitans, piscidia erythrina, tephrosia purpurea
24 me Wikstremia.

25 (4) Faniten pwan ei Tetten, ika pwe efnoch sein attaw me wor won ekkewe sakopaten
26 peirakin pakutang me poison iwe epwe chok wor ekiek pwe epwe nounou ekkewe
27 mettoch faniten ekkewe wewe mi afat non ei Subsection (1)(a) non ei Tetten 13.

28 Tetten 14. Annukun Ekkewe Sakun Iik iter Enni, Utur, Kunufou, Matow me Ukuppok.

29 (1) Seni January 1 tori April 30, iteiten ier esap mumuta an emon epwe attawa ekkewe
30 sakun iik (Grouper) mi affat me asan.

- 1 (2) Pwan seni January 1 tori April 30, iteiten ier ese pwan mumuta an emon epwe angei
 2 ekkewe sakkun iik iter Grouper
 3 (3) Ese pwan mumuta an emon aramas, pachenong ekkewe sakopaten sopai ika
 4 businesses epwe mutata an epwe amomo, ika angei ekkewe sakun iik ren grouper an
 5 epwe amomono me isois an epwe amomo, seni ewe maram January 1 tori April 30,
 6 iteiten ier.

7 Tetten 15. Annukun Ewe Sakun Iik Itan Maam.

- 8 (1) Ese mumuta amomo non Chuuk me nukun Chuuk ewe iik itan Mam.
 9 (2) Attawa ewe iik itan Mam faniten an epwe amomo non Chuuk me nukun Chuuk iei
 10 mei pwan pinepin me annuk.

11 Tetten 16. Annukun Ewe Iik Itan Ukicho.

- 12 (1) Mei annuk an emon epwe amomo non Chuuk me nukun Chuuk ewe iik itan Ukicho.
 13 (2) Attawa ewe iik itan Ukicho faniten amomo non Chuuk me nukun Chuuk, ese pwan
 14 mumuta ika mei annuk.

15 Tetten 17. Annukun Ammot.

- 16 (1) Amomo Ammot non Chuuk me nukun Chuuk iei a pwan pinepin ikaese pwan
 17 mumuta.
 18 (2) Ioni, kuta, angei Ammot faniten amomo non Chuuk me nukun Chuuk, ese pwan
 19 mumuta, chinon chok ika pwe mei afatafat non annuk.

20 Tetten 18. Annukn Angei me Amomo Aan (Corals).

- 21 (1) Ese mumuta Amomo Aan non Chuuk me nukun Chuuk.
 22 (2) Angei, ion, me kuta Aan faniten amomo non Chuuk me nukun Chuuk iei a pwan
 23 pinepin.

24 Tetten 19. Annukun Nipach.

- 25 (1) Amomo Nipach non me nukun Chuuk, ese pwan mumuta
 26 (2) Angei, ion, me kuta Nipach faniten amomo non me nukun Chuuk iei a pwan pinepin
 27 ika annuk.

28 Tetten 20. Annukun Too, Siim me Amwe.

- 29 (1) Amomo Too, Siim me Amwe non Chuuk me nukun Chuuk ese mumuta.
 30 (2) Angei, ion, me kuta Too, Siim me Amwe faniten amomo non Chuuk me nukun
 31 Chuuk ese mumuta

1 (3) Angei, ion, me kuta Too, Siim, me Amwe ese mumuta chinon chok ika pwe mei wor
 2 ewe taropwen mumuta (permit) seni ewe Director.

3 (4) Ese pwan fakkun mumuta an emon epwe amomo Too, Siim me Amwe nge mei fen
 4 sinei me weweiti pwe kaworer mi attai pwungun ei Annuk.

5 (5) Niwinin ewe taropwen mumutan angei, ion met kuta Too, Siim me Amwe epwe
 6 \$100 chana echo taropwe ew ier ngeni emon aramas, ika \$500 ngeni ew sopai ew ier.
 7 Ewe taropwen mumuta epwe pwarata pwe ewe aramas a mumuta an epwe angei, ion
 8 me kuta Too, Siim me Amwe an epwe amomo non Chuuk, nge esap mutata an ewe
 9 aramas epwe angei ekkewe mettoch seni fonuwen emon aramas. Iwe nime pesen
 10 (50%) seni niwinin ewe taropwen mumuta iwe epwe tonong non ewe Mwonienapen
 11 Mwuun Chuuk. Ewe nusun nime pesen (50%) epwe no ngeni ewe Conservation and
 12 Enforcement Revolving Fund.

13 Tetten 21. Annukun Uur.

14 (1) Ese mumuta an emon epwe amomo Uur non Chuuk me nukun Chuuk.
 15 (2) Ese pwan mumuta an emon epwe angei, ion, me kuta Uur faniten an epwe amomo
 16 non Chuuk me nukun Chuuk.

17 Tetten 22. Annukun Enninap.

18 (1) Ese mumuta an emon epwe amomo Enninap non Chuuk me nukun Chuuk.
 19 (2) Ese pwan mumuta an emon epwe angei, ion me kuta Enninap faniten an epwe
 20 amomo non Chuuk me nukun Chuuk.
 21 (3) Ese pwan mumuta an emon epwe amomo Amwatang non Chuuk me nukun Chuuk.
 22 (4) Angei, ion me kuta Amwatang fanitern amomo non Chuuk me nukun Chuuk ese
 23 pwan mumuta.
 24 (5) Ese pwan mumuta an emon epwe amomo Amwatang nge mi weweiti me sinei pwe
 25 kaworan mi attai masowen ei Annuk.

26 Tetten 23. Annukun Penichon ika Penipen.

27 (1) Amomo Penipen nukun Chuuk ese mumuta chinon chok ika mei wor taropwen
 28 mumuta seni ewe Director.
 29 (2) Angei, ion me kuta Penipen faniten amomo nukun Chuuk ese mumuta chinon chok
 30 ika pwe mei afat non ewe taropwen mumuta seni ewe Director.

1 (3) Ewe Director epwe awora ewc taropwen mumutan angei, ion i me kuta Penipen
 2 faniten amomo nukun Chuuk non ew ier me mwirin fisuw ier. Ewe Director esap
 3 awora ewe tarpwen mumuta non ewe owonuwen ier me mwirin mwuchunon ewe ier
 4 ewe taropwe a kawor non.

5 (4) Niwinin ewe taropwen mumutan angei, ion i me kuta Penipen faniten amomo nukun
 6 Chuuk epwe ukukun \$60,000 ew ier, ika \$5,000 chana ew maram ika pwe
 7 manamanen ewe taropwe mi kukun seni ew ier. Fiik me nimuw pesen (75%) seni
 8 niwin ewe taropwe iwe epwe tonong non ewe Mwonienapen Mwuun Chuuk. Iwe ewe
 9 nusun ruwe me nimuw pesen (25%) epwe tonong non ewe Conservation and
 10 Enforcement Revolving Fund.

11 (5) Emon me emon ekkewe chon mochen nouwnouw ewe taropwen mumuta, ese pwan
 12 nifinifin ika emon aramas ika ew sopai, epwe chok mumu-nger.i echo taropwen
 13 mumuta, iwe ewe taropwe esap pwan mumuta an emon epwe nouwnouw. Ewe
 14 taropwen mumuta epwe kawor faniten ew me ew sopai mi fori angangen angei, ion i
 15 me kuta Penipen faniten amomo nukun Chuuk, me ew me ew ekkewe sopai epwe
 16 afata nenian ika ian ina mo ika ese pwan afaat an ion. Efoch sein attaw a
 17 pwan tongeni nom non tettenin ew sopai ika pwe mei forin angangen angei, ion i me
 18 kuta Penipen faniten amomo non Chuuk me nukun Chuuk.

19 (6) Ewe taropwen mumuta a kawor fan nurun ei Tetten ese mutata an mine noun ewe
 20 taropwen mumuta epwe angei, ion i me kuta Penipen won fonuwen ika setin emon
 21 aramas ika pwe ese angei an mumuta seni mine fonuan me setin ewe.

22 Tetten 24. Apochokuna.Ewe Putain Marine Resources me ewe Putain Public Safety
 23 repwe ani sekining ne apochokuna masowen non ei Annuk. Ewe Meinapen ewe Putain Public
 24 Safety. non an epwe wor taropwen tingor me ren ewe Meinapen ewe Putain Marine Resources.
 25 epwe awor ika finata ekkoch aramas ar repwe siwini io kewe seni ewe Putai at repwe aninis ne
 26 apochokuna ei Annuk won pwisin winikaper ika non ar pwisin finata. Esap wor masowen ei
 27 Annuk epwe pinei ekkewe municipal governments ar repwe foori annukun me etipisi ion kaan ra
 28 puratiw masowen ei Annuk. Esap pwan wor masowen ei Annuk epwe pwan epeti ekkewe
 29 mwokutukut me annuk a fen kapunguno me kawor seni ewe municipal, state me national, me
 30 seni ekkewe sou-fonu me sou-ooch (landowners and reef owners).

31 Tetten 25. Pochokunen Apochokuna.

1 (1) Faniten an epwe faat pwe mi wor ika a fen wor chon puratiw ei Annuk ika angangen
 2 annuk a fen kapwunguno, ewe chon apochokuna ei annuk epwe wor ren ewe
 3 pochokun an epwe:

- 4 (a) Non ururochun kunok, ii a tongeni tonong non ewe sopai mi aani angangen
 5 amomo, foori me ekesiwini ekkewe tufichin neset (marine resources) ese
 6 pachenong ekkewe imwen aramas imwen annut;
- 7 (b) Akounoi ika ouwono, me toota woon me chosani efoch waa mi nom non
 8 nesetin Chuuk ika mi nom non ewe exclusive economic zone an ewe Mwuu
 9 Nap nupwen ewe officer ika chon apochokuna ei Annuk ee wesewesen
 10 nukuw pwe ewe waa mi attawa ika asonopano me angawano ekkewe
 11 tufichin neset;
- 12 (c) Akounoi me chosani ekkewe sein neset me sein neman, ra nukuw me
 13 oumouma pwe ir mi uwouw fetan ika titi-fetan iik me ekkewe mettochun iik;
- 14 (d) Ewe officer a pwan tongeni an epwe kakaton me ekeis-fetan ika pwe ii mi
 15 nukuw me kuna pwe ewe neni, ewe nenien foor iik, sein neset, me sein
 16 neman, faniten ewe pochokun mi kawor ngeni fan nurun ei Tetten epwe angei
 17 me tesini ekkewe iik me mettochun kewe a kuna me non ewe neni;
- 18 (e) Ewe officer a pwan tongeni an epwe eiis ika ewe aramas mei wor noun
 19 taropwen mumuta ika wor an pochokun nupwen ewe officer e mefi pwe ewe
 20 aramas mi foori ew fofor mi mumuta non ewe taropwen mumuta me mumuta
 21 me ren ei Annuk;
- 22 (f) Ewe aramas epwe pwan pwarata ngeni ewe officer noun iwe pukun sopai
 23 (logbook). repotun me ekkewe taropwe mi ururun an epwe wor ren fan nurun
 24 ei Annuk, me annuk mei kawor, me epwe angei kapin ewe logbook, record
 25 me ekkoch taropwe mi auchea.

26 (2) Nupwen a wor weweochun an a nukuw pwe a wor fofor mi puratiw masowen ei
 27 Annuk ika ekkoch annuk, ewe officer, ina mo ika ese wor noun warrant ika ekkoch
 28 taropwen mumuta a tongeni;

- 29 (a) Cheei fiti pungun annukun fonufan me poputa me non setin Chuuk me ewe
 30 exclusive economic zone an ewe Federated States of Micronesia, ewe officer
 31 epwe akouwono, tota won, me chosani masowen ewe waa ewe officer a

1 nukuw pwe ina ewe waa mi foori ewe angangen foforungaw non setin Chuuk
 2 we me non ewe exclusive economic zone an ewe Federated States of
 3 Micronesia. Ewe officer a tongeni uwei ewe waa me aramasan tori
 4 pisekisekin won ewe waa meinisin ngeni nesetin Chuuk;

5 (b) Non kinikinin setin Chuuk me ewe exclusive economic zone an ewe
 6 Federated States of Micronesia:

7 (i) Emon aramas a tongeni tipis ika mi wesewesen weweoch pwe a foori
 8 ew fofor ese mumuta me non ei Annuk me pwan ekkoch annuk;

9 (ii) Efoch waa a pwan tongeni tipis me oono nupwen a pwan wesewesen
 10 weweoch pwe ina ewe waa io kewe ra waawaa ne fori ekkewe fofor ese
 11 mumuta me non ei Annuk me pwan ekkoch annuk;

12 (iii) Pisekin attaw meinisin, tori sakopaten pisek won ewe waa mei nom non
 13 nenien isois, non cargo, me niaper iik ra pwan tongeni oono ika nonom
 14 fan nemenien annuk;

15 (iv) Meinisin iik mi faat pwe mi wor ika kawor nge ese fiti pungun ei
 16 Annuk me pwan ekkoch annuk repwe pwan oono me nonom fan
 17 nemenien annuk.

18 3. Ewe officer mei angei an mumuta me pochokun a tongeni uwei me fori pochokunen
 19 ewe warrant mi katowu seni Kapung

20 4. Me mwirin an efoch waa epwe fori ew fofor mi attai pungun ei Annuk, ina mo ika a
 21 towu seni ewe kinikinin exclusive economic zone an ewe Federated States of
 22 Micronesia, ewe pochokun ei Annuk mi mutata ngeni ekkewe officers ar repwe fori
 23 ar angang me nukun ewe kinikin non ewe exclusive economic zone an ewe Federated
 24 States of Micronesia fiti pungun annukun fonufan.

25 5. Ewe officer mi mumuta an epwe fori an angang fan pungun ekkoch ar.nuk faniten an
 26 epwe apochokuna masowen ei Annuk.

27 Tetten 26. Eppetin Ewe Officer Mi Mumungeni ika Wor Ren Ewe Pochokun. Ewe
 28 Officer mi fori an angang fan nurun ei Annuk ese tongeni an epwe tuur non tipis ren ekkewe
 29 angang ika angang ese fori, chinon chok ika ese wenechar kewe angang.

30 Tetten 27. Tipisin me Wosukosukan.

1 (1) Ewe waa mi tuur non ewe fofor mi pinepin me non ei Annuk, fiti pisekin attaw
2 meinisin, pisekisekin woon, met mi isoiseno, met mi nom non cargo, epwe nonom fan
3 tumunuwen ewe Mwuun Chuuk.

4 (2) Iik ewe waa mi niapeni ika met niapen ewe waa seni ekkewe angangan attaw mei
5 pinepin non ei Annuk epwe ne pwan nonom fan nemenien me tumunuwen ewe
6 Mwuun Chuuk non chok ewe fansoun a wor ewe fofor mi affat non ei Tetten.

7 (3) Ekkewe fofor ren tipisin met pungun Subsection (1) me (2) non ei Tetten epwe
8 nonom won civil proceeding.

9 Tetten 28. Tipisin: kinikinin pochokunan. Ewe Chuuk State Supreme Court epwe wor
10 ren ewe pochokun, nupwen epwe katonong me ren ewe Attorney General fan iten ewe Mwuun
11 Chuuk, an epwe atouwu sakkun niwinin tipis fan nurun ei Annuk.

12 Tetten 29. Tipisin: angei fan okunowen annuk. Nupwen a towu ewe pungun kapung
13 faniten ewe Mwuun Chuuk won kapungun fitikoko fan nurun ei Annuk, ewe Attorney General
14 epwe angei ekkewe pisek me ekkewe mettoch mi faat pwe mi oono ngeni ewe Mwuun Chuuk,
15 ekkewe ese mwo oono me mwan fan nurun ei Annuk.

16 Tetten 30. Tipisin: ekiekin ekkewe pisek. Ekkewe pisek mi oono, ren waa, pisekin
17 attaw, pisekin aea me annut, pisek mi isoiseno, cargo, me iik repwe amomono, iwe momor epwe
18 tonong non ewe Conservation and Enforcement Revolving Fund.

19 Tetten 31. Tipisin Pisek Mi Oono: ekiekin ekkewe pisekin; tumunun.

20 (1) Witiwitin an epwe taweno angangan ewe kapungun fitikoko, ewe waa mi oono.
21 pisekin attaw, pisekisekin woon ewe waa, met mi nom non nenien isoisi, non cargo
22 me iik mi nonom won ewe waa epwe tongeni kepichino ika pwe a wor ren Kapung
23 me Kapung a mefi pwe a naaf ewe ukukun mwoni (bond ika security) epwe totiw
24 faniten ekkewe pisek mi oono.

25 (2) Ewe bond ika security epwe ononganong won touroton ekkewe pisek ngeni Kapung.
26 nge ekkewe pisek resap taa, me epwe wor moni epwe kamotiw ren ukukun niwinin
27 ekkewe pisek fan okunowen Kapung.

28 (3) Ewe pwungun kapung mi tongeni siwin ren ukukun ewe bond me security ika pwe
29 ese ponuweta tumunun ekkewe pisek mi affat seni kapung.

30 Tetten 32. Tipisin: ekiekin ekkewe pisek mi mwitir ar repwe ngaweno.

1 (1) Sakopaten iik, met mi foor seni iik, me ekkewe pisek mi mwitir ar repwe ngaweno re
 2 woono ika mwwun mi angei fan nurun ei Annuk ra tongeni amomono ika fang ngeni
 3 aramas mi osupwang, fiti tipe-ewin me kapungunon me ren ewe Attorney General.
 4 Mwonien ekkewe iik me pisek mi amomono epwe nonom tori inet epwe towu ewe
 5 pwungun kapung.

6 (2) Faniten ei Annuk, mei tufich an epwe wor ekiek sefan, pwe met nukunuk me ekiek,
 7 pwe ekkewe iik mi nom won ewe waa a woono faniten an fori ekkewe fofor mi atai
 8 pwungun ei Annuk, me mei pwan tufichin wor ekiek sefan, pwe met nukunuk me
 9 ekiek ren ekkewe mettoch re angei seni ekkewe sopai mi amomo ekkewe monun
 10 nesetin, ra angei me nesetin Chuuk nge mi atati pwungun ei Annuk.

11 Tetten 33. Injective and Other Relief.

12 (1) Ewe Director a tongeni atononga ew kapungun fitikoko non ewe State Court faniten
 13 injective me other relief an epwe epeti an esap taa ei Annuk, sakopaten annuk mi
 14 kawor, me met mi mumuta non ewe taropwen mumuta mi towu me wor pochokunan
 15 me ren ei Annuk, epwe pwan apochokuna me angei chapen tipisin ekkewe kapungun
 16 fitikoko, me ekkoch chapen tipis, me pwan ekkoch relief.

17 Tetten 34. Ekkoch Chapen Tipis Kukun.

18 (1) Ion aramas a atai pungun ei Annuk; annuk mi kawor fan nurun ei Annuk. me met
 19 masowen ewe taropwen mumuta (permit) me ekkewe taropwe mi kawor fiti pwungun
 20 ei Annuk epwe paking esap kukun seni \$10,000 ren ew fofor ika tipis. Ewraan e fis
 21 ew fofor epwe pwan ew chapen tipis ren. Ew otutur mi tonong non kapung faniten an
 22 epwe apochokuna me ion chapen tipis ren ei subsection epwe ew kapungun fitikoko.
 23 An epwe faat ukukun ewe chapen tipis, epwe anonganong won watten me anononun
 24 ewe fofor mi puratiw ei Annuk. met foforun me mwan, me an pwarata non wenechar
 25 pwe mi mwitir an achocho ngeni an epwe aponueta ne fori met ururun epwe fori me
 26 mwirin an atai ei annuk epwe nom non ekiekin kapung.

27 (2) Ion aramas, a finata an epwe amomo non Chuuk me nukun Chuuk, mi atati ei Annuk;
 28 annuk mi kawor fan nurun ei Annuk, me met masowen ewe taropwen mumuta me
 29 ekkewe taropwe mi kawor fan pochokunen ei Annuk, epwe paking esap nap seni
 30 \$250,000 ren ew fofor ika tipis. Ew raan a fis ew fofor epwe pwan ew chapen tipis
 31 ren. Ew otutur mi katonong non kapung faniten an epwe apochokuna me ion chapen

1 tipis ren ei subsection epwe ew kapungun fitikoko. An epwe faat ukukun ewe chapen
 2 tipis, epwe anonganong won watten me anononun ewe fofor mi puratiw ei Annuk,
 3 fofor mi fisi me mwan, me pwarata non wenechar pwe mi mwitir an achocho ngeni
 4 an epwe aponueta ne fori met ururun epwe fori me mwirin an atai ei annuk epwe
 5 pwani nonom non ekiekin kapung.

6 (3) Niwinin chapen tipis mi towu fan nurun ei Annuk epwe tonong non ewe
 7 Conservation and Enforcement Revolving Fund. Ewe Putain Marine Resources epwe
 8 ineti ewe monien chapen tipis won ekkewe sou-fonu me io kewe mi tano pisekir ren
 9 ewe fofor mi puratiw ei Annuk. Ewe Putain Marine Resources a tongeni
 10 anouwnouwu ooch ei mwoni ngeni ekkewe municipalities mei aninis ne apochokuna
 11 ei Annuk.

12 Tetten 35. Chapen Tipis Watte.

13 (1) Ion aramas, a finata, weweiti, me wesewesen finata an epwepuratiw ei Annuk;
 14 ekkewe annuk mi kawor fan nurun ei Annuk, me ewe taropwen mumuta (permit) mi
 15 kawor fan nurun ei Annuk, epwe tongeni tipis ren ewe fofor, iwe ika a kapung nge a
 16 tipis, iwe epwe kanapus esap kukun seni wonuw maram, me paking \$1,000 chana. ika
 17 ir me ruu. Ewe chapen tipis epwe soposopun met chapen tipis won kapungun fitikoko
 18 mei wor non ei Annuk.

19 (2) Ion aramas a tuur ika atai pwungun ei Annuk fan unungat epwe kapung, iwe ika a
 20 tipis epwe kanapus non ukukun nimuw ier, paking \$10,000 chana ika ir me ruu. Ewe
 21 chapen tipis epwe soposopun met chapen tipis ren kapungun fitikoko mi kawor fan
 22 nurun ei Annuk.

23 Tetten 36. Chapen Tipis Ren Amomo Non Chuuk me Nukun Chuuk.

24 (1) Ion aramas, a finata an epwe amomo non Chuuk me nukun Chuuk, me atai pwungun
 25 ei Annuk, me ekkewe annuk mei kawor fan nurun ei Annuk, me masowen ewe
 26 taropwn mumuta mi kawor me non ei Annuk, epwe tongeni tipis, ika pwe a kopung
 27 nge a tipis, iwe epwe kanapus nimuw ier, me paking \$250,000 chana, ika ir me ruu.
 28 Ewe chapen tipis epwe soposopun met chapen tipis won kapungun fitikoko me wor
 29 non ei Annuk.

30 Tetten 37. Ekkewe Ekkoch Foforungaw. Faniten apochokunen kapungun fitikoko me
 31 kapung tekia fan nurun ei Annuk, ew raan mi soposepono ewe foforungaw non a tongeni anea

1 pwe ew minafon foforungaw. Ren tipisin kapung tekia mi watte a wor pochokunan non Tetten
 2 36(2), foforungaw mi tapweto me mwirin epwe fiis me mwirin a wor tipisin ekkewe fofor me
 3 mwan.

4 Tetten 38. Tipis Ren Ekkewe Waa Mi Atai Ei Annuk. Ewe waa a atai pwungun ei Annuk,
 5 ekkewe annuk mi kawor me ren ei Annuk, me atai masowen ewe taropwen mumuta (permit) mi
 6 katou me ren ei Annuk epwe tipis won tipis kukun me tipis watte.

7 Tetten 39. Conservation and Enforcement Revolving Fund.

8 (1) Iei a foruta me non ewe Treasury och mwoni, epwe imuseni me esap pache ngeni
 9 ekkewe mwonien Chuuk, iei epwe ne iteni "Conservation and Enforcement
 10 Revolving Fund."

11 (2) Epwe tonong non ewe Conservation and Enforcement Revolving Fund meinisin
 12 mwoni mi affat non ei Annuk pwe epwe tonong non ewe Conservation and
 13 Enforcement Revolving Fund. Ewe Fund mi pwan mumuta an epwe kawor seni ewe
 14 Anepwungun Chuuk me seni pwan ekkewe ekkoch kinikinin mwoni mi feito me
 15 nukun. Mwoni meinisin non ewe Fund epwe sopolopono an epwe kawor faniten ewe
 16 Putain Marine Resources epwe anouwnouw ngeni amwokutun pekin tumunun me
 17 apochokunen ekkewe programs non Chuuk.

18 (3) Ewe Director epwe fori an repot ngeni ewe Kepinan Chuuk me ngeni ewe
 19 Anepwungun Chuuk iteiten ier won pekin mwoni towu me met ukukun mei mumuta
 20 non annuk, kawor me anouwnouwno fan pungun ei subsection.

21 Tetten 40. Katanon. 9 TDC Tetten 1-5, Chapter 9 non Title 25 non ewe Chuuk State
 22 Code iei a katano non unusan.

23 Tetten 41. Poputan Pochokkunan. Ei Namopwung epwe poputa pochokkunan fansoun
 24 chok a kopwunguno meren ewe Kepina, ika fansoun chok a winiti annuk won winikapan.



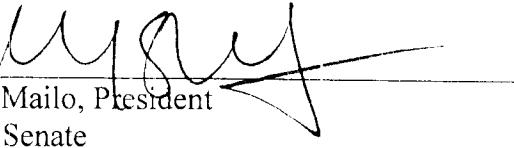
Sain sem:
 Innocete I. Oneisom, Speaker
 Utten Representatives
 Anepwuungun Chuuk

Annetata:

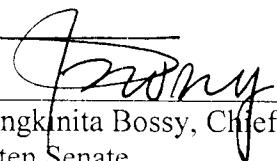

 Florence Stanley, Chief Clerk
 Utten Representatives
 Anepwuungun Chuuk

Pwinin maram: Nov 83, 2016

Sain seni:


Mark Mailo, President
Utteh Senate
Anepwuungun Chuuk

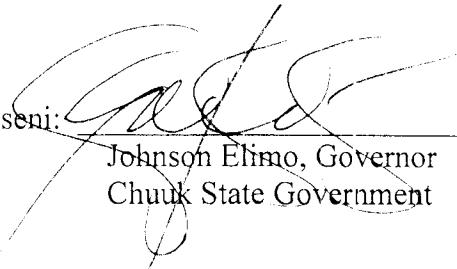
Annetata:


Songkinita Bossy, Chief Clerk
Utten Senate
Anepwuungun Chuuk

Pwinin maram:

Nov. 9, 2016

Kopwunguno seni:


Johnson Elimo, Governor
Chuuk State Government

Pwinin maram:

11/13/16

Uruwon	H.B.NO	:	13-46;HD1
	H.C.R.NO	:	13-2R-21
	S.C.R. NO	:	13-2R-25
	Introducer	:	Floor Leader Kenruo Nero (By Request)
	Date Introduced	:	August 23, 2016
	Date Adopted	:	September 07, 2016