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A BILL FOR AN ACT

To further amend title 38 of the Code of the Federated States of Micronesia, as amended, by creating a new chapter 5 to regulate the importation of skiffs, and for other purposes.

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

1           Section 1. Title 38 of the Code of the Federated States of  
2 Micronesia, as amended, is hereby amended by creating a new  
3 chapter 5 entitled: "Importation of Skiffs".

4           Section 2. Title 38 of the Code of the Federated States of  
5 Micronesia, as amended, is hereby amended by adding a new  
6 section 501 to chapter 5 to read as follows:

7                   "Section 501. Short title.  
8                   This chapter is known and may be cited as the "Skiff  
9                   Import Safety Act."

10          Section 3. Title 38 of the Code of the Federated States of  
11 Micronesia, as amended, is hereby amended by adding a new  
12 section 502 in chapter 5 to read as follows:

13                   "Section 502. Definition.  
14                   As used in this chapter:  
15                   (1) "Law enforcement agency" means any governmental  
16                   agency of the Federated States of Micronesia or the  
17                   States responsible for the enforcement of the laws.

18                   (2) "Marine safety fluorescent green" paint means any  
19                   fluorescent green paint suitable for use in the a  
20                   marine environment.

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1           (3) "Marine safety orange" paint means any orange  
2           paint suitable for use in a marine environment.

3           (4) "Person" means any individual, corporation,  
4           partnership, organization, association, foreign  
5           government, State or National governmental agency or  
6           entity, or other entity.

7           (5) "Secretary" means and is synonymous with the  
8           Secretary of the Department of Justice of the Federated  
9           States of Micronesia, or with the chief law enforcement  
10          officer of the Federated States of Micronesia, whatever  
11          the title of such position is or in the future becomes.

12          (6) "Skiff" means any multi-purpose boat with single  
13          deck or double deck, less than 30 feet in length,  
14          propelled by an outboard/inboard motor or  
15          oars/paddles."

16          Section 4. Title 38 of the Code of the Federated States of  
17          Micronesia, as amended, is hereby amended by adding a new  
18          section 503 to chapter 5 to read as follows:

19          "Section 503. Requirements and Prohibition.

20          (1) It is unlawful for any person to import into the  
21          Federated States of Micronesia for sale, trade,  
22          donation, gift, or for personal or governmental usage  
23          of any kind, any skiffs of any sort which open deck is  
24          not pre-painted in marine safety fluorescent green or  
25          marine safety orange.

26          (2) It shall be unlawful to intentionally conceal any

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1           part of the marine safety fluorescent green paint or  
2           marine safety orange paint.

3           (3) It shall be unlawful to intentionally conceal any  
4           part of the fluorescent green paint."

5           Section 5. Title 38 of the Code of the Federated States of  
6           Micronesia, as amended, is hereby amended by adding a new  
7           section 504 to chapter 5 to read as follows:

8           "Section 504. Law Enforcement Exception.  
9           The prohibition of this section does not apply to  
10          skiffs owned and operated by a law enforcement agency  
11          of the Government of the Federated States of Micronesia  
12          or of the States provide such skiffs have minimum  
13          safety equipment on board when in operation."

14          Section 6. Title 38 of the Code of the Federated States of  
15          Micronesia, as amended, is hereby amended by adding a new  
16          section 505 to chapter 5 to read as follows:

17          "Section 505. Violation - Enjoinment.  
18          The Attorney General of the Federated States of  
19          Micronesia may bring legal action to enjoin violations  
20          of this chapter, and for civil penalties."

21          Section 7. Title 38 of the Code of the Federated States of  
22          Micronesia, as amended, is hereby amended by adding a new  
23          section 506 to chapter 5 to read as follows:

24          "Section 506. Violation - Civil Penalty.  
25          Any person who violates any provision of this chapter  
26          is subject to a civil penalty of not more than \$5,000

