



GOVERNMENT OF KOSRAE

Office of the Governor

Post Office Box 158

Kosrae, Federated States of Micronesia 96944

Telephone: 691-370-3002/3003..Facsimile: 691-370-3162

November 19, 2014

The Honorable Gibson T. Siba
Speaker
Tenth Kosrae State Legislature
Tofol, Kosrae FM 96944

Dear Mr. Speaker:

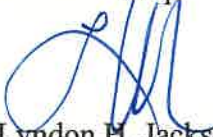
Kulo nu sin God ke moul lasr. Paing kom a members ke Sroasr Masap kewa.

Wangin pa pusra yok lasr nuke sripa yok lun L.B. No. 10-165, L.D. 4, Oinge nga fulela lusen len 30 la in eis comments nuka, panang oru el putatyang nuke pusren masap su orala Kosrae State Law No. 10-149.

" TO FURTHER AMEND TITLE 7 OF THE KOSRAE STATE CODE,
BY AMENDING SECTION 7.102 THEREOF AND CREATING A NEW
CHAPTER 17 TO ESTABLISH THE PRICE CONTROL COMMISSION;
AND FOR OTHER PURPOSES. "

Certified copy ke Masap se inge pa attached nuke letter luk.

Kulo ma lulap.


Lyndon H. Jackson
Governor

/mct



TENTH KOSRAE STATE LEGISLATURE
P. O. Box 187
Tofol, Kosrae State
Federated States of Micronesia 96944
Telephone: (691) 370-3019/3177 * Fax: 370-2177
Web Page: www.kosraelegislature.org

Gibson T. Siba
SPEAKER

October 8, 2014

Palikun M. Shrew
VICE SPEAKER

Robert I. Taulung
FLOOR LEADER

The Honorable Lyndon H. Jackson
Governor
State of Kosrae
Kosrae, FM 96944



LELU

Bob H. Skilling
Chang B. William
Gibson T. Siba
Reedson P. Abraham
Tulensa W. Palik

Dear Governor Jackson:

TAFUNSAK

Alokoa J. Sigras
Maker L. Palsis
Robert I. Taulung
Rolner L. Joe

I have the honor to transmit herewith for your consideration and action **L. B. NO. 10-165, L.D. 4, TO FURTHER AMEND TITLE 7 OF THE KOSRAE STATE CODE, BY AMENDING SECTION 7.102 THEREOF AND CREATING A NEW CHAPTER 17 TO ESTABLISH THE PRICE CONTROL COMMISSION; AND FOR OTHER PURPOSES.**; which passed the Legislature, Eighteenth Special Session, by two-thirds of the members of the Legislature, a quorum being present.

MALEM

Jarinson M. Charley
Jefferson M. Timothy
Palikun M. Shrew

Respectfully yours,

UTWA

Josaiah F. Waguk
Rinson H. Edmond

Tosie K. Elley
Chief Clerk
Tenth Kosrae State Legislature

Enclosures

TENTH KOSRAE STATE LEGISLATURE
EIGHTEENTH SPECIAL SESSION
KOSRAE, FSM 96944

A BILL FOR AN ACT

TO FURTHER AMEND TITLE 7 OF THE KOSRAE STATE CODE, BY
AMENDING SECTION 7.102 THEREOF AND CREATING A NEW
CHAPTER 17 TO ESTABLISH THE PRICE CONTROL COMMISSION;
AND FOR OTHER PURPOSES.

INTRODUCED Senator

Reedson P. Abraham


DATE: August 28, 2013

ACTION BY THE LEGISLATURE

PASSED FIRST READING: March 11, 2014

REFERRING TO: Committee on J&GO
SCR. No. 10-260 – A – 2/11/14

PASSED SECOND READING: October 3, 2014



Tosie K. Elley
Chief Clerk

KOSRAE STATE LEGISLATURE

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Gibson T. Siba
SPEAKER

LEGISLATIVE BILL NO. 10-165, L.D. 4

Palikun M. Shrew
VICE SPEAKER

Robert I. Taulung
FLOOR LEADER

We hereby certify that the foregoing Bill has passed Second and Final Readings in the Legislature, Eighteenth Special Session, 2014, by two-thirds of the members of the Tenth Kosrae State Legislature, a quorum being present.

LELU

Bob H. Skilling
Chang B. William
Gibson T. Siba
Reedson P. Abraham
Tulensa W. Palik

TAFUNSAK

Alokoa J. Sigrah
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Rinson H. Edmond


Gibson T. Siba
Speaker

Tenth Kosrae State Legislature


Tosie K. Eney
Chief Clerk

Tenth Kosrae State Legislature

A BILL FOR AN ACT

To further amend Title 7 of the Kosrae State Code, by amending Section 7.102 thereof and creating a new Chapter 17 to establish the Price Control Commission; and for other purposes.

BE IT ENACTED BY THE KOSRAE STATE LEGISLATURE

1 Section 1. Section 7.102 of Title 7 of the Kosrae State Code, as amended by State Law
2 Nos. 4-117, 5-56, 5-68, 6-1, 6-158, 7-1, 7-62, 7-91, 8-118, 9-52 and 9-53, is hereby amended to
3 read as follows:

4 “Section 7.102. Agencies; enumeration. The agencies are:

- 5 (1) The Broadcast Authority
6 (2) The Election Commission
7 (3) The Kosrae Island Resource Management Authority
8 (4) The Port Authority
9 (5) The Parole Board
10 (6) The Sports Council
11 (7) The Scholarship Board
12 (8) The Utility Authority
13 (9) The Visitors Bureau
14 (10) The Education Advisory Board
15 (11) Health Advisory Board
16 12 The Housing Authority
 (12) Price Control Commission”

1 Section 2. Title 7 of the Kosrae State Code is hereby amended to include a new Chapter
2 17 to read as follows:

3 “Chapter 17. Price Control Commission

4 Section 7.1701. Purpose. Whereas the people of Kosrae rely heavily on imported
5 goods, such as food, fuel, building materials, and others to supplement daily living, and whereas
6 the price charged to the ultimate consumer for imported goods often rises, especially in time of
7 shortage thereby exploiting the public. Now therefore, this new Chapter is created to establish
8 the Price Control Commission to protect the people of Kosrae from price exploitation.

9 Section 7.1702. Definitions. The following definitions shall apply in this chapter,
10 unless the context clearly requires otherwise:

11 (1) “Commission” means Price Control Commission.

12 (2) “Cost” means the actual cost paid or promised by the seller for the
13 item itself, exclusive of charges for shipping, handling, interest, warehousing, overhead, rent,
14 salaries, damage, and loss.

15 (3) “Item” means any good, personal property or tangible thing brought
16 into Kosrae from outside the state.

17 (4) “Price” means the total amount of money or other valuable
18 consideration exclusive of sale tax paid or promised by the buyer to the seller.

19 (5) “Sale” means any transfer for money or other valuable consideration in
20 the regular course of business, whether wholesale or retail.

1 Section 7.1703. Presumptions. The following presumptions shall apply to the
2 interpretation and enforcement of this chapter:

3 (1) Origin of Items. It is presumed that any item sold in Kosrae is imported
4 until the contrary is proven. The burden of proving that an item is not imported shall be upon the
5 seller.

6 (2) Place of sale. It is presumed that any sale of an imported item that is
7 arranged or consummated through or with the assistance of an agent in Kosrae is a sale within
8 Kosrae unless the contrary is proven. The burden of proving a sale outside of Kosrae shall be
9 upon the seller or his Kosrae agent.

10 Section 7.1704. Price Control Commission.

11 (1) There is hereby established a Price Control Commission in Kosrae to be
12 composed of five members appointed by the Governor with the advice and consent of the
13 Legislature. The members appointed shall be citizens residing in Kosrae State. The membership
14 of the Commission shall not include more than one person having a controlling ownership or a
15 managerial interest in one or more businesses in Kosrae. The Director for the Department of
16 Resources and Economic Affairs shall be an ex-officio member of the Commission, without the
17 right to vote.

18 (2) The term of office of the appointed members of the Commission shall
19 be two years. Appointments to fill vacancies shall be for the remainder of the unexpired term.

20 (3) At the first meeting and annually thereafter the Commission shall elect a

1 Chairman from among its appointed members. Meetings shall be held not less than every 60
2 days and may be called by the Chairman, three of the appointed members, or the Governor. A
3 quorum of the Commission shall be four appointed members, and the assent of three members
4 present and voting shall be required for all decisions requiring a vote. With prior approval from
5 the Governor, the Commission shall adopt regulation and by-laws for its own governance.

6 (4) Members of the Commission shall be compensated at rates established
7 by the law when actually attending meetings of the Commission; PROVIDED, that those
8 members who are government employees shall receive their regular salaries while performing
9 functions of the Commission. The Department of Resources and Economic Affairs shall offer
10 technical assistance to the Commission and provide records within its possession as requested by
11 the Commission. The Attorney General shall serve as counsel for the Commission. The
12 Department of Resources and Economic Affairs shall serve as secretariate for the Commission.

13 Section 7.1705. Duties and Functions of the Board. The Board's duties and
14 functions shall:

15 (1) Inspection and examination of the cost of items to seller and the price to
16 buyers in Kosrae;

17 (2) Reports to Chief of Police or the Attorney General Office of non-
18 compliance;

19 (3) Maintain records and files of the cost of items imported into the state
20 and advise the public of the maximum price chargeable by sellers of items;

1 (4) Develop information concerning the pricing practices of sellers in
2 Kosrae;

3 (5) Consult with and advice merchants and sellers of imported items
4 concerning this chapter and its implementation;

5 (6) Promulgate regulations, subject to the approval of the Governor, for the
6 implementation and enforcement of this chapter; and

7 (7) Ensure compliance of all sellers of imported items in the state with this
8 chapter and all rules and regulations issued pursuant hereto.


9 Section 3. Effective Date. This act shall become law upon approval by the Governor or
10 upon its becoming law without such approval.

11
12 PASSED BY THE TENTH KOSRAE STATE LEGISLATURE ON THE 3RD DAY OF
13 OCTOBER, 2014.

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Gibson T. Siba
Speaker, Tenth Kosrae State Legislature

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20 Attested by: 
Chief Clerk

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Lyndon H. Jackson
Governor, State of Kosrae

Date: _____

