April 11, 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 stripa yok lun L.B. No. 10-63, L.D. 2. Ouinge nga fulela lusen len 30 la in eis comments nuka, panang oru el putatyang nuke pusren masap su orala Kosrae State Law No. Law No. 10-111.

“To further amend Title 14 of the Kosrae State Code, by amending Section 14.104, thereof, as amended, to establish new port and dock fees and increase existing rates; and to add new Sections 14.105, 14.106, 14.107 and 14.108 to improve services of the Kosrae Port Authority; and for other purposes.”

Copy se ke masap se inge pa nga supaot in mwe reference lom.

Kulo ma'ulap.

Lyndon H. Jackson
Governor
State of Kosrae

/jpa
March 4, 2014

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

Dear Governor Jackson:

I have the honor to transmit herewith for your consideration and action L. B.NO. 10-63, L.D. 2, TO FURTHER AMEND TITLE 14 OF THE KOSRAE STATE CODE, BY AMENDING SECTION 14.104, THEREOF, AS AMENDED, TO ESTABLISH NEW PORT AND DOCK FEES AND INCREASE EXISTING RATES; AND TO ADD NEW SECTIONS 14.105, 14.106, 14.107 AND 14.108 TO IMPROVE SERVICES OF THE KOSRAE PORT AUTHORITY; AND FOR OTHER PURPOSES., which passed the Legislature, Seventh Regular Session, by two-thirds of the members of the Legislature, a quorum being present.

Respectfully yours,

[Signature]

Rosie K. Elley
Chief Clerk
Tenth Kosrae State Legislature

Enclosures
LEGISLATIVE BILL NO. 10-63, L.D. 2

TENTH KOSRAE STATE LEGISLATURE
SEVENTH REGULAR SESSION
FEBRUARY 10, 2014 – MARCH 15, 2014

A BILL FOR AN ACT


INTRODUCED Floor Leader Robert J. Taulung (By Request)

DATE: February 12, 2012

ACTION BY THE LEGISLATURE

PASSED FIRST READING: September 30, 2013

REFERRING TO: Committee on R&D
SCR. No. 10-176 – A – 9/30/13

PASSED SECOND READING: March 4, 2014

Tosie K. Elley
Chief Clerk
KOSRAE STATE LEGISLATURE
LEGISLATIVE BILL NO. 10-63, L.D. 2

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

Gibson T. Siba
Speaker
Tenth Kosrae State Legislature

Tosie K. Elley
Chief Clerk
Tenth Kosrae State Legislature
A BILL FOR AN ACT

To further amend Title 14 of the Kosrae State Code, by amending Section 14.104, thereof, as amended, to establish new port and dock fees and increase existing rates; and to add new Sections 14.105, 14.106, 14.107 and 14.108 to improve services of the Kosrae Port Authority; and for other purposes.

BE IT ENACTED BY THE KOSRAE STATE LEGISLATURE

Section 1. Section 14.104 of Title 14 of the Kosrae State Code, as amended by S. L. Nos. 5-175 and 7-1, is hereby further amended to read as follows:

"Section 14.104. Port and Dock Fees. The Kosrae Port Authority, or its designee, collects the following fees from masters and agents of vessels using port and docks in the State of Kosrae:

(1) Entry Fee

   (a) $0.20 per gross registered ton for vessels of specified tonnage;

   (b) $3.00 per foot or fraction thereof as measured from bowsprit to stem for yachts, sailboats, pleasure crafts and other vessels of unspecified tonnage;

   (c) whichever is greater between subsection (a) and (b) in situation where both apply.

(2) Anchorage and Mooring Fees

   (a) $0.10 per gross registered ton per 24 hours or fraction thereof for vessels of specified tonnage;

   (b) $30.00 for the first 24 hours and $10 for each additional 24 hours for yachts, sailboats, pleasure crafts and other vessels of unspecified tonnage; except if such vessels anchors less than 24 hours the fee shall be $15.00;
(3) Dockage Fee
   (a) \$0.14 per gross registered ton per 24 hours or fraction thereof for vessels of specified tonnage;
   (b) \$50.00 for each yacht, sailboat, pleasure craft, and any other vessels of unspecified tonnage for every entry into the ports of Kosrae.

(4) Wharfage Fee
   (a) \$1.25 per revenue ton for cargo conveyed over the dock.
   (b) \$0.50 per metric ton of fuel conveyed from tanker to storage tank.

(5) Transshipment Fee. A transshipment fee of \$1.25 per revenue ton of fish or other cargoes off-loaded or transferred onto a carrier vessel at the port or in the territorial waters of Kosrae State.

(6) Handling Charges.
   (a) \$100 line handling fee per vessel.
   (b) \$50 line boat per service.

(7) Navigational Aids Dues of \$15 per trip.

(8) Passenger Fee. There shall be a charge of \$3.00 for every person that boards a vessel through any port within the control of Kosrae Port Authority.

Section 2. Chapter 1 of Title 14 of the Kosrae State Code, as amended by S. L. Nos. 5-175 and 7-1, is hereby further amended by adding new Sections 14.105, 14.106, 14.107 and 14.108 to read as follows:
“Section 14.105. Exemptions. The dockage fee prescribed in Section 14.104(3) does not apply to vessels docked at or using the small boat marinas in Lelu, Tafunsak, and Utwe. Section 14.104 does not apply to locally based non-commercial fishing vessels and outrigger vessels; vessels wholly owned by the Government, by Kosrae domiciliaries, or by the Government and Kosrae domiciliaries jointly; and military and law enforcement vessels. Crew members of vessels, transit passengers, persons on medical referrals certified by the Director of the Department of Health Services and their attendants, children under the age of two, and United States Armed Forces personnel traveling on duty, shall not be required to pay the passenger fee.

Section 14.06. Regulations. The Kosrae Port Authority shall promulgate regulations for the collection of the fees in Section 14.104.

Section 14.107. Distribution of fees. Notwithstanding any other laws or regulations to the contrary, the Kosrae Port Authority shall pay, commencing on the effective date of this act, the fees in Subsections 14.104(5) to the Director of the Department of Administration and Finance. The Kosrae Port Authority shall pay such fees not later than 10 days after its receipt of such fees.

Section 14.108. Deposit of the State’s share of port and dock fees. The State’s share of the fees collected pursuant to Section 14.104 of this chapter shall be deposited in the Infrastructure Maintenance Fund within the State’s General Fund.”

Section 3. Effective Date. This act becomes law upon the approval of the Governor or upon its becoming law without such approval.