



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

December 31, 2014

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

Dear Mr. Speaker:

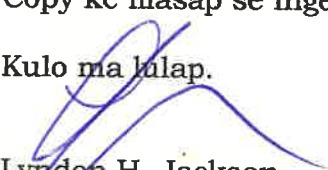
Pain kom a kulo nu sin God ke moul lasr a ke ma puspus kut pulakin El
akinsewowoye kut ka.

Nga engan in tafu nu sum la nga insese a sain L.B. No. 10-251 L.D.1 nuke
pusren masap su orala Kosrae State Law No. 10-157 su title u fwak oinge:

“To further amend Section 13.516(9) of Title 13 of the Kosrae State Code,
as amended by S.L. Nos. 8-22 nd 10-135, to improve restrictions
requirements for controlled facilities nd to reduce the distance limitation
for establishment of a controlled facility proximate to school and church
buildings; and for other purposes”

Copy ke masap se inge pa nga supaot wi letter luk nu sum.

Kulo ma lulap.


Lyndon H. Jackson
Governor, Kosrae State



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

December 16, 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. Sigrah
Maker L. Palsis
Robert I. Taulung
Rolner L. Joe

I have the honor to transmit herewith for your consideration and action **L. B. NO. 10-251, L.D. 1, TO FURTHER AMEND SECTION 13.516(9) OF TITLE 13 OF THE KOSRAE STATE CODE, AS AMENDED BY S. L. NOS. 8-22 AND 10-135, TO IMPROVE RESTERCTIONS REQUIREMENTS FOR CONTROLLED FACILITIES AND TO REDUCE THE DISTANCE LIMITATION FOR ESTABLISHMENT OF A CONTROLLED FACILITY PROXIMATE TO SCHOOL AND CHURCH BUILDINGS; AND FOR OTHER PURPOSES.;** which passed the Legislature, Twenty First 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
TWENTY FIRST SPECIAL SESSION
KOSRAE, FSM 96944**

A BILL FOR AN ACT

TO FURTHER AMEND SECTION 13.516(9) OF TITLE 13 OF THE KOSRAE STATE CODE, AS AMENDED BY S. L. NOS. 8-22 AND 10-135, TO IMPROVE RESTERCTIONS REQUIREMENTS FOR CONTROLLED FACILITIES AND TO REDUCE THE DISTANCE LIMITATION FOR ESTABLISHMENT OF A CONTROLLED FACILITY PROXIMATE TO SCHOOL AND CHURCH BUILDINGS; AND FOR OTHER PURPOSES.

INTRODUCED Senator

Tulensa W. Palik

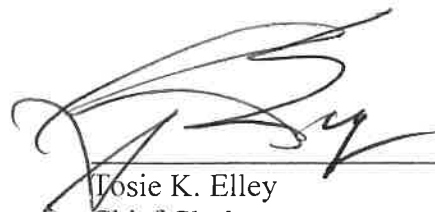
DATE: December 11, 2014

ACTION BY THE LEGISLATURE

PASSED FIRST READING: December 11, 2014

REFERRING TO:

PASSED SECOND READING: December 15, 2014



Josie K. Elley
Chief Clerk

KOSRAE STATE LEGISLATURE

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Tofol, Kosrae State
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Gibson T. Siba
SPEAKER

LEGISLATIVE BILL NO. 10-251, L.D. 1

Palikun M. Shrew
VICE SPEAKER

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

Robert I. Taulung
FLOOR LEADER

LELU

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

TAFUNSAK

Alokoa J. Sigras
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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 Section 13.516(9) of Title 13 of the Kosrae State Code, as amended by S. L. Nos. 8-22 and 10-135, to improve reterictions requirements for controlled facilities and to reduce the distance limitation for establishment of a controlled facility proximate to school and church buildings; and for other purposes.

BE IT ENACTED BY THE KOSRAE STATE LEGISLATURE

1 Section 1. Section 13.516(9) of Title 13 of the Kosrae State Code, as amended by S. L.
2 Nos. 8-22 and 10-135 is hereby further to read as follows:

3 “Section 13.516. Unauthorized selling of alcoholic drink. Unauthorized selling of
4 alcoholic drink is any of the following acts:

5 (1) Selling alcoholic drink without possessing and displaying conspicuously at the
6 place of sale a license authorizing that specific sale activity;

7 (2) Selling alcoholic drink by wholesale sales at a time other than between 0800
8 hours and 2200 hours Monday through Saturday;

9 (3) Selling alcoholic drink by retail sales to a person who has not displayed a
10 valid identification card;

11 (4) Selling alcoholic drink by retail sales at a time other than between 0800 hours
12 and 2200 hours Monday through Saturday;

13 (5) Selling alcoholic drink by retail sales within 100 feet of a school, church,
14 municipal office building or hospital;

15 (6) Being the holder of a retail sale license and permitting consumption of the
16 alcoholic drink sold on the property upon which stands the commercial facility where the retail
17 sale occurs;

1 (7) Selling alcoholic drink by bar sales to a person who has not displayed a valid
2 identification card;

3 (8) Selling alcoholic drink by bar sales at a time other than between 1300 hours
4 and 2400 hours Monday through Saturday;

5 (9) Selling alcoholic drink by bar sales from a facility located within 2,000 feet of
6 a school, church, municipal office building or hospital or 200 feet from the residence of another
7 or 100 feet from a road provided however that the distance requirement for residence and from
8 the road may be waived if a bar facility is one that is determined by the Chief of Police or
9 Attorney General to be a controlled facility or controlled area. A controlled or area means a bar
10 or a commercial facility providing entertainment such as music, dancing, and selling of alcoholic
11 drinks, as part of refreshment, that meets the following requirements;

12 (a) The facility must be soundproof that music therein not perceived or pass
13 through outside the facility to constitute a source of nuisance;

14 (b) There must be at least two security guards, hired by the owner of the
15 controlled facility or the bar, to work during operating hours of the controlled facility;

16 (c) The owner of the bar or controlled facility must adopt and enforce a
17 proactive approach in;

18 (i) alerting customers from driving under the influence of alcohol;

19 (ii) refusing to serve drinks to intoxicated or drunk and disorderly
20 customer;

1 (iii) providing appropriate code of conduct signage; and

2 (iv) prevent customer from:

3 1. making noise while leaving the premises; and

4 2. drinking and grouping in the streets, outside the premises and

5 the parking areas.

6 (d) The owner or manager of the controlled must ascertain that the
7 activities of the bar shall not cause any form of nuisance to the surrounding neighbourhood by
8 way of noise, vibration, and ensure that customers do not indulge in anti-social, rowdy behavior
9 and vandalism;

10 (e) The controlled facility must be located at least 1,000 feet from school or
11 a church building,

12 (10) Being the holder of a bar sales license and permitting a person to bring into or
13 take out of the bar an alcoholic drink or permitting consumption of an alcoholic drink outside the
14 bar and on the property upon which stands the bar;

15 (11) Selling alcoholic drink by restaurant sales to a person who has not displayed a
16 valid identification card and is not a seated diner at a restaurant ordering alcoholic drinks as part
17 of a meal.

18 (12) Being the holder of any type of alcoholic sale license and employing in
19 connection with such sale a minor;

20 (13) Being the holder of a restaurant license and permitting the consumption of

1 alcoholic drink in any place other than a designated dining area; or

2 (14) Selling or consuming alcoholic drink on the day of an election to State
3 government office until one hour after the polls have closed;

4 (15) Selling alcoholic drink on Gospel Day or the day on which it is celebrated
5 pursuant to Section 22.501(3), or December 25.

6 Unauthorized selling of alcoholic drink is a category one misdemeanor.

7 Section 2. Effective Date. This act shall become law upon approval by the Governor or
8 upon it's becoming law without such approval.

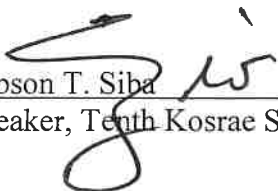
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10 PASSED BY THE TENTH KOSRAE STATE LEGISLATURE ON THE 15TH DAY OF
11 DECEMBER, 2014.

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16 Gibson T. Siba
Speaker, Tenth Kosrae State Legislature

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19 Attested by: 
20 Chief Clerk

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Lyndon H. Jackson
Governor, State of Kosrae

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Date: 12-31-14

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