



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

R. D.

March 25, 2011

The Honorable Lyndon P. Abraham
Speaker
Tenth Kosrae State Legislature
Tofol, Kosrae FM 96944

Dear Mr. Speaker,


Pain kom a kulo nu sin God ke moul mwowo lasr nukewa.

Nga engan in tukakin nu sum la nga insese a sainiya L.B. No. 10-07, nuke masap, su orala Kosrae State Law No. 10-2. Sifwa u fwak mu:

“To amend Titles 1, 5, 7 and 11 of the Kosrae State Code to add new definitions and requirements relating to climate change and climate change adaptation measures; and for other purposes.”

Certified copy ke masap se inge pa attached nu ke letter luk.

Kulo ma lulap.


Lyndon H. Jackson
Governor
State of Kosrae

/jpa





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

Lyndon P. Abraham
SPEAKER

Palikun M. Shrew
VICE SPEAKER

Robert I. Taulung
FLOOR LEADER

LELU:

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

TAFUNSAK:

Alokoa Joab Sigrah
Espil Tulensru
Maker L. Palsis
Robert I. Taulung

MALEM:

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

UTWE:

Josaiah F. Waguk
Rinson H. Edmond

March 14, 2011

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. 10-07, TO AMEND TITLES 1, 5, 7 AND 11 OF THE KOSRAE STATE CODE TO ADD NEW DEFINITIONS AND REQUIREMENTS RELATING TO CLIMATE CHANGE AND CLIMATE CHANGE ADAPTATION MEASURES; AND FOR OTHER PURPOSES.**, which passed the Legislature, First Regular Session, by two-thirds of the members of the Legislature, a quorum being present.

Respectfully yours,

Tosie K. Elley
Chief Clerk
Tenth Kosrae State Legislature

Enclosures

**TENTH KOSRAE STATE LEGISLATURE
FIRST REGULAR SESSION
FEBRUARY 14, 2011 – MARCH 19, 2011**

A BILL FOR AN ACT

**TO AMEND TITLES 1, 5, 7 AND 11 OF THE KOSRAE STATE CODE TO
ADD NEW DEFINITIONS AND REQUIREMENTS RELATING TO
CLIMATE CHANGE AND CLIMATE CHANGE ADAPTATION
MEASURES; AND FOR OTHER PURPOSES.**

INTRODUCED Senator

Josaiah F. Waguk (By Request)

DATE: February 18, 2011

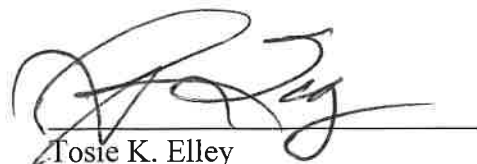
ACTION BY THE LEGISLATURE

PASSED FIRST READING: March 9, 2011

REFERRING TO: Committee on R&D

SCR. No. 10-04 -A - 030911

PASSED SECOND READING: March 11, 2011



Tosie K. Elley

Chief Clerk

KOSRAE STATE LEGISLATURE



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

Lyndon P. Abraham
SPEAKER

Palikun M. Shrew
VICE SPEAKER

Robert I. Taulung
FLOOR LEADER

LELU:

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

TAFUNSAK:

Alokoa Joab Sigras
Espil Tulensru
Maker L. Palsis
Robert I. Taulung

MALEM:

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

UTWE:

Josaiah F. Waguk
Rinson H. Edmond

LEGISLATIVE BILL NO. 10-07

We hereby certify that the foregoing Bill has passed Second and Final Readings in the Legislature, First Regular Session, 2011, by two-thirds of the members of the Tenth Kosrae State Legislature, a quorum being present.

Lyndon P. Abraham
Speaker
Tenth Kosrae State Legislature

Tosie K. Elley
Chief Clerk
Tenth Kosrae State Legislature

A BILL FOR AN ACT

To amend Titles 1, 5, 7 and 11 of the Kosrae State Code to add new definitions and requirements relating to climate change and climate change adaptation measures; and for other purposes.

1 BE IT ENACTED BY THE KOSRAE STATE LEGISLATURE

2 Section 1. Findings and Purpose. The Legislature finds that climate change is a real and
3 continuing process with substantial impacts upon the natural and human environment of the State
4 of Kosrae. Climate changes of increasing temperatures, rising sea levels, increased precipitation
5 and other severe weather events have impacted and will continue to impact the environment,
6 sustainable development, food production, and existing and future infrastructure of the State of
7 Kosrae.

8 The purposes of this act are to recognize and define climate change and climate change
9 adaptation measures, and to require development activities in Kosrae State to take in account
10 projected climatic changes, and to require the design and implementation of public infrastructure
11 such as roads and buildings incorporate climate change adaptation measures consistent with the
12 requirements of the FSM Nationwide Climate Change Policy of 2009, as presented by the Asian
13 Development Bank in “Climate Proofing, Risk Based Approach to Adaptation” (2005) and
14 “Climate Change Adaptation in the Pacific” (2005), and as reflected through the continuing
15 proceedings of the United Nations Framework Convention on Climate Change (1992 et seq).

16 Section 2. Amendment. Title 1, Section 1.201 of the Kosrae State Code is hereby
17 amended to read as follows.

1 operational safety;

2 (d) develops, designs for, calculates cost effectiveness of, and conducts
3 inspections of public projects, with all location, design and construction to include and
4 incorporate consideration of weather and climate extremes and climate change adaptation
5 measures; and

6 (e) maintains Government-owned buildings and equipment.”

7 Section 4. Amendment. Title 7, Section 7.402 of the Kosrae State Code is hereby
8 amended to read as follows:

9 “Section 7.402. Powers and duties. The Authority has the power and duty to:

10 * * *

11 (18) Adopt climate risk reduction and climate change adaptation measures based
12 upon existing weather and climate extremes and projected climate changes, and to provide
13 consultation on application of climate change impacts and adaptation measures to the location,
14 design and construction of public projects and other development projects.”

15 Section 5. Amendment. Title 7, Section 7.405(1) of the Kosrae State Code is hereby
16 amended to read as follows:

17 “Section 7.405. Environmental impact studies. The Authority requires that:

18 (1) All persons include in their development proposals an
19 environmental impact assessment study which shall include consideration of the effects of
20 climate change and potential adaptation options in accordance with regulations established by the

1 Authority.”

2 Section 6. Amendment. Title 11, Section 11.2104(1) of the Kosrae State Code is hereby
3 amended to read as follows:

4 “Section 11.2104. Provisions of the Code. The Kosrae State Building Code shall be
5 designed to achieve the following:

6 (1) To provide reasonably uniform standards and requirements for construction
7 and construction materials, consonant with accepted standards of engineering and fire prevention
8 practices and which shall include appropriate climate risk reduction and climate change
9 adaptation measures.”

10 Section 7. Effective Date. This Act takes effect upon approval by the Governor or upon
11 its becoming law without such approval.

12 PASSED BY THE KOSRAE STATE LEGISLATURE ON THE 11TH DAY OF MARCH, 2011

13
14 Lyndon P. Abraham
15 Speaker, Tenth Kosrae State Legislature

16 Attested by: [Signature]
17 Chief Clerk

18
19 Lyndon H. Jackson
20 Governor, State of Kosrae

Date: 3-25-11

