January 04, 2013

The Honorable Gibson T. Siba
Speaker
10th Kosrae State Legislature
Kosrae, FM  96944

RE: Transmittal

Dear Speaker Siba:

I present my compliments and wish the New Year brings you good health and prosperity.

Enclosed please find the following proposed Bill:

1. A Bill for an Act to amend Title 19 by creating the new offenses of prostitution, controlling prostitution for gain, and purchasing sexual services, in Title 13; and for other purposes.

Due to an oversight on my Office's part, L.B. No. 10-95, L.D. 2 became State Law 10-60 without my signature. Should you need clarifications, my Office stands ready to assist you.

Sincerely,

[Signature]
Lyndon H. Jackson
Governor

xc: Lt. Governor Sigrah
File

"SHAPING TOMORROW TODAY"
November 30, 2012

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. 10-95, L.D. 2, TO AMEND THE KOSRAE STATE CODE AT TITLE 19 BY CREATING THE NEW OFFENSES OF PROSTITUTION, CONTROLLING PROSTITUTION FOR GAIN, AND PURCHASING SEXUAL SERVICES, IN TITLE 13; AND FOR OTHER PURPOSES., which passed the Legislature, Eighth Special Session, by two-thirds of the members of the Legislature, a quorum being present.

Respectfully yours,

[Signature]

Tosie K. Elley
Chief Clerk
Tenth Kosrae State Legislature

Enclosures
LEGISLATIVE BILL NO. 10-95, L.P. 2

TENTH KOSRAE STATE LEGISLATURE
EIGHTH SPECIAL SESSION
OCTOBER 29, 2012

A BILL FOR AN ACT

TO AMEND THE KOSRAE STATE CODE AT TITLE 19 BY CREATING
THE NEW OFFENSES OF PROSTITUTION, CONTROLLING
PROSTITUTION FOR GAIN, AND PURCHASING SEXUAL SERVICES,
IN TITLE 13; AND FOR OTHER PURPOSES.

INTRODUCED Senator Jarinson M. Charley

DATE: August 16, 2012

ACTION BY THE LEGISLATURE

PASSED FIRST READING: September 12, 2012

REFERRING TO: J&GO Committee
SCR. No. 10-136 – A – 09/12/12

PASSED SECOND READING: November 27, 2012

Tosie K. Elley
Chief Clerk
KOSRAE STATE LEGISLATURE
LEGISLATIVE BILL NO. 10-95, L.D. 2

We hereby certify that the foregoing Bill has passed Second and Final Readings in the Legislature, Eighth Special Session, 2012, by two-thirds of the members of the Tenth Kosrae State Legislature, a quorum being present.

Palkun M. Shrew
Acting Speaker
Tenth Kosrae State Legislature

Yosie K. Elley
Chief Clerk
Tenth Kosrae State Legislature
TENTH KOSRAE STATE LEGISLATURE
FOURTH REGULAR SESSION, 2012

L. B. No. 10-95. L.D. 2

A BILL FOR AN ACT

To amend the Kosrae State Code at Title 19 by creating the new offenses of prostitution, controlling prostitution for gain, and purchasing sexual services, in Title 13; and for other purposes.

BE IT ENACTED BY THE KOSRAE STATE LEGISLATURE

Section 1. Findings and Purpose. The Kosrae State Legislature finds that the act of prostitution is offensive and morally repugnant to Kosrae culture, custom and tradition. Furthermore the Legislature finds that prostitution takes advantage of vulnerable persons and is degrading to the prostitute. The Legislature is mindful of the United Nations Convention o. the Elimination of Discrimination Against Women (CEDAW) and views prostitution as a form of sexual discrimination, degrading and violence against women which must be prohibited to protect its victims, stop any future occurrences of prostitution on the island, and protect Kosrae society, culture, custom and tradition from the social ills of prostitution. The purpose of this Bill is to outlaw prostitution, the act of controlling prostitution for gain, and the purchase of sexual services.

Section 2. Amendment. Title 13 of the Kosrae State Code is hereby amended by the addition of new sections 13.315, 13.316 and 13.317 to read as follows:


Section 13.316. Prostitution. Prostitution means when payment is received by the prostitute or a person controlling prostitution for gain for the sexual stimulation of a person (the client) by means of physical contact between the client and another person (the prostitute), or between the client and the prostitute and anything controlled by or emanating from the other. It
is irrelevant whether payment is in money or any other form.

Any person found guilty under this section shall be deemed guilty of a category four misdemeanor.

Section 13.317. **Controlling prostitution for gain.** A person controls prostitution for gain if he intentionally controls any of the activities of another person relating to that person’s prostitution and he does so for or in the exception of gain for himself or a third person.

Any person found guilty under this section shall be guilty of a category four misdemeanor. Any person found guilty under this section three or more times shall be deemed guilty of a category one misdemeanor.

Section 13.318. **Purchasing sexual services.** A person (the client) purchases sexual services when the person pays money to a prostitute or a person controlling prostitution for gain in return for sexual stimulation of a person (the client) by another person (the prostitute) or between either of them and anything controlled by or emanating from the other, and it is irrelevant whether payment is in money or any other form.

Any person found guilty under this section shall be deemed guilty of a category four misdemeanor.

Section 3. **Effective Date.** This act takes effect upon the approval of the Governor or upon it becoming law without such approval.
PASSED BY THE TENTH KOSRAE STATE LEGISLATURE ON 27TH DAY OF NOVEMBER, 2012.

Palikun M. Shrew, Acting Speaker, 10th Kosrae State Legislature

Attested by: Chief Clerk

Lyndon H. Jackson
Governor, State of Kosrae

Date: ____________________