



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

October 31, 2018

The Honorable Tulensa W. Palik
Speaker
Eleventh Kosrae State Legislature
Tofol, Kosrae FM 96944

Dear Mr. Speaker:

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

Wangin pa pusra yok lasr nuka sripa lun L.B. 11-265,L.D.1 Oinge nga fulela bill se inge sun len ak 30 la, suc el inge putatyang nuke sie pusren Masap su orala Kosrae State Law No. 11-174.

"TO AMEND STATE LAW NO. 11-116 BY AENDING CERTAIN SECTIONS OF TITLE II, CHAPTER 19 TO IDENTIFY PLASTIC GROCERY BAGS AND INCLUDE IT ACCORDINGLY; AND FOR OTHER PURPOSES."

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

Kulo ma lulap.


Lyndon H. Jackson
Governor, State of Kosrae

/mct



ELEVENTH KOSRAE STATE LEGISLATURE

P.O BOX 187

Tofol, Kosrae State

Federated States of Micronesia 96944

Telephone: (691) 370-3019/3177

Web Page: www.kosraelegislature.org

Tulensa W. Palik
SPEAKER

Robert I. Taulung
VICE SPEAKER

Jarinson M. Charley
FLOOR LEADER

LELU:
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Gilton A. Esahu
Reedson P. Abraham
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Rolner L. Joe

MALEM:
Jarinson M. Charley
Morgan S. Jonas
Sasaki L. George

UTWE:
Josaiah F. Waguk
Rinson H. Edmond

September 27, 2018

The Honorable Lyndon H. Jackson
Governor
State of Kosrae
Federated States of Micronesia 96944



Dear Governor Jackson,

I have the honor to transmit herewith for your consideration and action on **L.B. No. 11-265, L.D.1, TO AMEND STATE LAW NO. 11-116, BY AMENDING CERTAIN SECTIONS OF TITLE 11, CHAPTER 19 TO IDENTIFY PLASTIC GROCERY BAGS AND INCLUDE IT ACCORDINGLY; AND FOR OTHER PURPOSES;** which passed the Legislature, Eighth Regular Session, by two-thirds of the members of the Legislature, a quorum is present.

Respectfully yours,

Andy J. Andrew
Chief Clerk
Kosrae State Legislature

**ELEVENTH KOSRAE STATE LEGISLATURE
EIGHTH REGULAR SESSION
AUGUST 13, 2018 – SEPTEMBER 15, 2018**

A BILL FOR AN ACT

TO AMEND STATE LAW NO. 11-116, BY AMENDING CERTAIN SECTIONS OF TITLE 11, CHAPTER 19 TO IDENTIFY PLASTIC GROCERY BAGS AND INCLUDE IT ACCORDINGLY; AND FOR OTHER PURPOSES.

INTRODUCED BY: Floor Leader

Jarinson M. Charley by request

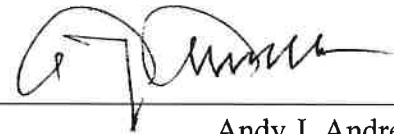
DATE: June 15, 2018

ACTION BY THE LEGISLATURE

PASSED FIRST READING: September 12, 2018

REFERRED TO: SCR No. 11-443

PASSED SECOND READING: September 13, 2018



Andy J. Andrew
Chief Clerk
Kosrae State Legislature



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LEGISLATIVE BILL No. 11-265

We hereby certify that the foregoing Bill has passed Second and Final Readings in the Legislature, Eighth Regular Session, 2018, by two-thirds of the members of the Legislature, a quorum is present.

Tulensa W. Palik
Speaker
Eleventh Kosrae State Legislature

Andy J. Andrew
Chief Clerk
Kosrae State Legislature

A BILL FOR AN ACT

To amend State Law No. 11-116, by amending certain sections of Title 11, Chapter 19 to identify plastic grocery bags and include it accordingly; and for other purposes.

BE IT ENACTED BY THE KOSRAE STATE LEGISLATURE

1 Section 1. Purpose. Plastic grocery bags are often discarded into the environment
2 after use, causing detrimental impact both aesthetically and ecologically on Kosrae's
3 marine and terrestrial environment. Plastic grocery bags are responsible for the death of
4 many fish, turtles, dolphins and other marine and terrestrial animals that are essential to
5 the food security and ecology of Kosrae. These animals mistake plastic grocery bags for
6 jellyfish and other food sources. Plastic grocery bags take approximately 20 years to
7 break down once they are discarded on land and in the ocean. They do not dissolve; they
8 break down into smaller pieces allowing all levels of the food chain to be harmed. Plastic
9 pollution in oceans is an enormous problem globally, and plastic grocery bags are
10 significant part of this problem. Because of their wind borne nature, even plastic bags
11 that are disposed of responsibly are often carried by the wind reducing the beauty of
12 our natural landscape and ultimately ending up in our oceans. Purpose of these proposed
13 amendments is to restrict the sale and use of Plastic grocery bags in the State of Kosrae,
14 FSM.

15 Section 2. Amendments. Title 11, Section 11.1902 of the Kosrae State Code is
16 hereby amended to read as follows:

17 "Section 11.1902. Definition. Except as provided in Section 11.1904 of
18 this chapter:

1 “plastic bags” means a shopping or grocery carryout bags that hash handles,
2 made from (in whole, or in part) polyethylene and is either biodegradable or
3 non-biodegradable provided by a wholesale business or retailer, including shops,
4 restaurants and salespeople to a customer at the point of sale and incidental to the
5 purchase of other goods.

6 Section 11.1903. Prohibition regarding Plastic grocery bags.

7 (1) Except as provided in Section 11.194 of this Chapter, no person selling or
8 distributing any merchandise within the State, whether wholesale or retail,
9 shall offer or provided any form of plastic grocery bag to hold or contain
10 such merchandise for the convenience of the customer.

11 (2) Any person who violates this section shall be fined not more than \$100 for
12 each offense.

13 Section 11.1904. Exception. The ban on plastic bag imposed by Section 11.1903
14 shall not apply to:

15 (1) The original plastic packaging materials in which the merchandise is
16 enclosed and sealed upon manufacture, fabrication or preparation. Original
17 plastic packaging that constitutes, or forms an integral part of, the
18 packaging in which goods are sealed prior to sale; and

19 (2) Plastic Bags used exclusively to carry chilled or frozen merchandise sold
20 by the merchant, such as refrigerated meats and vegetables and freezer ice
21 cream and ice cubes, irrespective of whether individual chilled or
22 commodity are also originally packaged in plastic as described in

1 Subsection (1) of this section.

2 (3) Bags or baskets made entirely of paper or local plant materials; and

3 (4) Reusable bags that are specifically designed and manufactured for
4 multiple reuse over a period of at least two years and are made of durable
5 material suitable for reuse; and

6 (5) Single use, fresh produce bags without handles (barrier or roll bags) when
7 used for otherwise unpackaged fresh produce including meat, fish, fruits,
8 and vegetables; and

9 (6) Freezer bags or snap lock bags designed for food storage, when distributed
10 in their original packaging and not distributed individually to consumers
11 for otherwise unpackaged produce including meat, fish, fruits and
12 vegetables; and

13 (7) Garbage bin liners or garbage bags, when distributed in their original
14 packaging and not distributed individually to consumers.”

15 Section 11.1905. Rules and Regulations. KIRMA shall make, promulgate and
16 amend such rules and regulations necessary to implement and enforce this Chapter. All
17 such rules and regulations upon approval of the Governor, shall have the force and effect
18 of law.

19 Section 11.1906. Enforcement. Enforcement of this Chapter shall take effect six
20 months after adoption of amendments and this act becoming law.”

21 Section 3. Effective Date. This act takes effect upon approval by the Governor or
22 upon its becoming law without such approval.

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3 PASSED BY THE ELEVENTH KOSRAE STATE LEGISLATURE ON THE 13th DAY

4 OF SEPTEMBER, 2018.

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Tulensa W. Palik

Speaker, Eleventh Kosrae State Legislature

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Attested by:



Chief Clerk

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Lyndon H. Jackson

Governor, State of Kosrae

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Date: _____