



GOVERNMENT OF KOSRAE

Office of the Governor

Post Office Box 158

Kosrae, Federated States of Micronesia 96944

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November 09, 2015

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 members ke Sroasr Masap kewa.

Nga sim in tukakin la L.B. No. 11-57, el inge masap se lun State su orala Kosrae State Law No. 11-42 su sifwa u fwak ouinge:

"TO AMEND TITLE 12 OF THE KOSRAE STATE CODE, BY AMENDING SECTOIN 12.1602 THEREOF, TO CLARIFY THE DEFINITION OF THE PHRASE "ENCLOSED AREAS", 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

Recd 11/10/15
@ 10:30 am
KS/Heath



ELEVENTH KOSRAE STATE LEGISLATURE

P.O. BOX 187

TOFOL, KOSRAE STATE

FEDERATED STATES OF MICRONESIA 96944

TELEPHONE: (691) 370-3019/3177

October 20, 2015



Fulensa W. Palik
SPEAKER

Robert I. Taulung
VICE SPEAKER

Jarinson M. Charley
FLOOR LEADER

LELU:
Alber T. Welly
Jilton A. Esahu
Reedson P. Abraham
Salpasr E. Tilfas
Fulensa W. Palik

PAFUNSAK:
Alokoa Jb. Sigrah
Maker L. Palsis
Robert I. Taulung
Rolner L. Joe

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

UTWE
Iosaiah F. Waguk
Rinson H. Edmond

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. 11-57, TO AMEND TITLE 12 OF THE KOSRAE STATE CODE, BY AMENDING SECTION 12.1602 THEREOF, TO CLARIFY THE DEFINITION OF THE PHRASE "ENCLOSED AREAS", AND FOR OTHER PURPOSES.**; which passed the Legislature, Third Special Session, by two-thirds of the members of the Legislature, a quorum being present.

Respectfully yours,

Andy J. Andrew
Deputy Chief Clerk
Eleventh Kosrae State Legislature

Enclosures

ELEVENTH KOSRAE STATE LEGISLATURE
THIRD SPECIAL SESSION
SEPTEMBER 28, 2015

A BILL FOR AN ACT

TO AMEND TITLE 12 OF THE KOSRAE STATE CODE, BY AMENDING SECTION 12.1602 THEREOF, TO CLARIFY THE DEFINITION OF THE PHRASE "ENCLOSED AREAS", AND FOR OTHER PURPOSES.

INTRODUCED: Senator

Salpasr E. Tilfas

DATE: August 24, 2015

ACTION BY THE LEGISLATURE

PASSED FIRST READING: October 12, 2015

REFERRING TO: Standing Committee Report No. 11-101

PASSED SECOND READING: October 13, 2015



Andy J. Andrew
Deputy Chief Clerk
Eleventh Kosrae State Legislature



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LEGISLATIVE BILL NO. 11-57

We hereby certify that the foregoing Bill has passed Second and Final Readings in the Legislature, Third Special Session, 2015, by two-thirds of the members of the Eleventh Kosrae State Legislature, a quorum being present.

Tulensa W. Palik
Speaker

Eleventh Kosrae State Legislature

Andy J. Andrew
Deputy Chief Clerk

A BILL FOR AN ACT

To amend Title 12 of the Kosrae State Code, by amending Section 12.1602 thereof, to clarify the definition of the phrase “enclosed areas”; and for other purposes.

BE IT ENACTED BY THE KOSRAE STATE LEGISLATURE

1 Section 1. Section 12.1602 Title 12. of the Kosrae State Code is hereby amended
2 to read as follows:

3 “Section 12.1602. Definition. For purpose of this Act, the following terms shall
4 have the meaning stated below:

5 (1) “Smoking” means the activity of inhaling and exhaling smoke from
6 tobacco and other substances that are lit in cigars, cigarettes, and pipes,
7 and to process to transport cigars, cigarettes, pipes and smoking articles
8 while lit.

9 (2) “Public Places” means that portion of any building or vehicle used by
10 and opens to the public, regardless of whether the building or vehicle is
11 owned in whole or in part by private persons or entities, the Kosrae State
12 Government, or other public entity, and regardless of whether a fee is
13 charged for admission or use.

14 Public place include, but are not limited to: Elevators, public conveyances such as buses,
15 taxis, trains, airplanes, or other transportation facilities or means of transportation,
16 museums, concert halls, theaters, auditoriums, exhibition halls, indoor sports arenas,
17 hospitals, nursing homes, health care facilities or clients, enclosed shopping centers,
18 retail stores, retail services establishments, financial institutions, educational facilities,

1 tickets areas, public hearing facilities, legislative chambers, courthouses and the
2 immediately adjacent hallways and offices, public restrooms, libraries, restaurants,
3 waiting areas, lobbies, reception areas. A public place does not include a private
4 residence, unless such residence is used as a licensed day care center.

5 (3) “Restaurant” means an eating establishment, including but not
6 limited to, coffee shop, cafeterias, sandwich stands, and private and
7 public school cafeterias, which gives or offers for sale of food to the public,
8 guests, or employees, as well as kitchens and catering facilities in which food is
9 prepared on the premises for serving elsewhere. The term “restaurant” shall
10 include a bar area within a restaurant.

11 (4) “Place of Employment” means an area under the control of a public
12 or private employer, including, but not limited to, work areas, private
13 offices, employee lounges, restrooms, conference rooms, meeting rooms,
14 classrooms, employee cafeterias, hallways, and vehicles. A private
15 residence is not a “place of employment” unless it is used as a child care,
16 adult day care, or health care facility.

17 (5) “Enclosed Areas” means all space between a floor and ceiling that is
18 enclosed on all sides by permanent or temporary walls or windows, which
19 extend from the floor to within two feet of the ceiling.

20 (6) “Bar” means an establishment that is devoted to the serving of
21 alcoholic beverages for consumption by guests on the premises and in

1 which the serving of food is only incidental to the consumption of those
2 beverages, including but not limited to, taverns, nightclubs, cocktail
3 lounges, and cabarets.

4 (7) “Business” means a sole proprietorship, partnership, joint venture,
5 corporation, or other business entity, either for-profit or not-for-profit,
6 including retail entities where legal, medical, dental, engineering,
7 architectural, or other professional services are delivered; and private
8 clubs.

9 (8) “Employee” means a person who is employed by an employer in
10 consideration for direct or indirect monetary wages or profit, and a
11 person who volunteers his or her services for a non-profit entity.

12 (9) “Employer” means a person, business, partnership, association,
13 corporation, including a municipal corporation, trust or non-profit entity
14 that employs the services of one or more individual persons.

15 (10) “Health Care Facility” means an office or institution providing care
16 or treatment of diseases, whether physical, mental, or emotional, or other
17 medical, physiological, or psychological conditions, including but not
18 limited to, hospitals, rehabilitation hospitals or other clinics, including
19 weight control clinics, nursing homes, long-term care facilities, home for
20 the aging or chronically ill, laboratories, and offices or surgeons,
21 chiropractors, physical therapist, physicians, psychiatrists, dentists, and

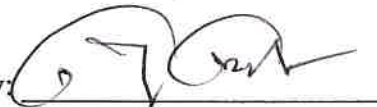
1 all specialties within these professions. This definition shall include all
2 waiting rooms, hallway, private rooms, semiprivate rooms and wards
3 within health care facilities.

4 (11) “ Private Club” means an organization, whether incorporated or not,
5 which is the owner, lessee, or occupant of a building or portion thereof
6 used exclusively for club purposes at all times, which is operated solely
7 for a recreational, fraternal, social, patriotic, political, benevolent, or
8 athletic purpose, but not for pecuniary gain, and which only sells,
9 alcoholic beverage incidental to its operation.

10 Section 3. Effective Date. This act takes effect upon the approval of the
11 Governor or upon its becoming law without such approval.

12 PASSED BY THE ELEVENTH KOSRAE STATE LEGISLATURE ON THE 13TH
13 DAY OF OCTOBER, 2015.

14 
15 Tulensa W. Palik
16 Speaker, Eleventh Kosrae State Legislature

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18 Attested by: 
19 Deputy Chief Clerk
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ELEVENTH KOSRAE STATE LEGISLTURE

THIRD SPECIAL SESSION – SEPTEMBER 2015

L.B. No. 11-57

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Lyndon H. Jackson
Governor, State of Kosrae

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Date: 11-6-15