



GOVERNMENT OF KOSRAE

Office of the Governor

Post Office Box 158

Kosrae, Federated States of Micronesia 96944

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July 10, 2017

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

Dear Mr. Speaker,

Kulo nu sin God ke mou l lasr. Paing kom a members ke Sroasr Masap kewa.

Wangin pusra yok nuke sripa yok lun L.B. No. 11-53, L.D.3. Oinge, nga fulela lusen len 30 la in eis comments nuka, wangin pa, panang oru el putatyang nuke pusren masap su orala Kosrae State Law No. 11-116, su sifwa u fwak mu:

TO AMEND TITLE 11 OF THE KOSRAE STATE CODE BY ADDING A NEW CHAPTER 19
"CONTROL OF PLASTIC WASTES " TO PROHIBIT THE USE OF PLASTIC BAGS IN THE SALE
OR DISTRIBUTION OF MERCHANDISE; 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

KSH
Rec'd 07/13/2017
@ 11:40am
KSH



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. Paik
SPEAKER

May 29, 2017

Robert I. Taulung
VICE SPEAKER

Jarinson M. Charley
FLOOR LEADER

LELU:
Aiber T. Welly
Gilton A. Esahu
Reedson P. Abraham
Salpasr E. Tilfas
Tulensa W. Paik

TAFUNSAK:
Alokoa Jb. Sigrah
Malzer L. Palsis
Robert I. Taulung
Reiner L. Joe

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

UTWE
Josaiak F. Waguk
Rinson H. Edmond

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 **L.B. No. 11-53, L.D. 3; TO AMEND TITLE 11 OF THE KOSRAE STATE CODE BY ADDING A NEW CHAPTER 19 "CONTROL OF PLASTIC WASTES" TO PROHIBIT THE USE OF PLASTIC BAGS IN THE SALE OR DISTRIBUTION OF MERCHANDISE; AND FOR OTHER PURPOSES;** which passed the Legislature, Thirteenth Special Session, by two-thirds of the members of the Legislature, a quorum is present.

Respectfully yours,

Andy J. Andrew
Chief Clerk
Kosrae State Legislature

Enclosures:

LEGISLATIVE BILL No. 11-53, L.D.3

ELEVENTH KOSRAE STATE LEGISLATURE
THIRTEENTH SPECIAL SESSION
MAY 4, 2017

A BILL FOR AN ACT

TO AMEND TITLE 11 OF THE KOSRAE STATE CODE BY ADDING A NEW CHAPTER 19 "CONTROL OF PLASTIC WASTES" TO PROHIBIT THE USE OF PLASTIC BAGS IN THE SALE OR DISTRIBUTION OF MERCHANDISE; AND FOR OTHER PURPOSES.

INTRODUCED BY: Senator

Alokoa Jb. Sigrah

DATE: August 19, 2015

ACTION BY THE LEGISLATURE

PASSED FIRST READING: August 5, 2015

REFERRED TO: SCR No. 11-91

PASSED SECOND READING: May 25, 2017



Andy J. Andrew
Chief Clerk
Kosrae State Legislature



ELEVENTH KOSRAE STATE LEGISLATURE

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LEGISLATIVE BILL No. 11-53, L.D.3

We hereby certify that the foregoing Bill has passed Second and Final Readings in the Legislature, Thirteenth Special Session, 2017, 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 Title 11 of the Kosrae State Code by adding a new Chapter 19, entitled “Control of Plastic Wastes” to prohibit the use of plastic bags in the sale or distribution of merchandise; and for other purposes.

BE IT ENACTED BY THE KOSRAE STATE LEGISLATURE

1 Section 1. Purpose and Findings. The purpose of this act is to codify and provide
2 control for the use of plastic waste in the State of Kosrae. The plastic bags provided by
3 businesses, whether wholesale or retail, to contain merchandise purchase by consumers
4 at those establishments are often discarded into the environment after a single use. These
5 plastic bags have an estimated decay life of 1,000 years. A public policy of the State of
6 Kosrae is hereby declared to free itself of the insightly nuisance environmental hazards
7 of plastic bag debris.

8 Section 3. Amendment. Title 11 of the Kosrae State Code is hereby amended by
9 adding a new Chapter 19 to read as follows:

10 **“CHAPTER 19: Control of Plastic Waste”**

11 Section 11.1901. Short Title. This act shall be known as the “Control of Plastic
12 Wastes Act of 2017”.

13 Section 11.1902. Definition. Except as provided in Section 11.1904 of this
14 chapter “plastic bags” means a carryout bag that is less than 5.0 mils thick and
15 made primarily of thermoplastic synthetic polymeric material which is provided
16 by a wholesale or retail business to a customer at the point sale and incidental to
17 the purchase of other goods.

18 Section 11.1903. Prohibition regarding plastic bags.

1 (1) Except as provided in Section 11.1904 of this Chapter, no person
2 selling or distributing any merchandise within the state, whether
3 wholesale or retail, shall offer or provide any form of plastic bag to
4 hold or contain such merchandise for the convenience of the customer.

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

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

9 (1) The original packaging materials in which the merchandise is enclosed
10 upon manufacture, fabrication or preparation, inclusive of sanitary
11 wrapping that is directly applied to fresh or frozen food product prepared
12 by local business as approved by Kosrae Island Resource Management
13 Authority (KIRMA) in a manner prescribed by KIRMA in its regulations
14 issued pursuant to this Chapter.

15 (2) Plastic bags used exclusively to carry chilled or frozen merchandise sole
16 by the merchant, such as refrigerated meats and vegetables and freezer
17 ice cream and ice cubes, irrespective of whether individual chilled or
18 commodity are also originally packaged in plastic as described in
19 Subsection (1) of this section.

20 (3) Plastic bags certified by KIRMA to be fully biodegradable within five
21 years of their manufacture; and

22 (4) Durable plastic bag with a material thickness of at least five mil and sack

1 and satchel made of composite materials, which bag, sack or satchel, is
2 certified by KIRMA to be convertible to continuous and rigorous use for
3 household or business purposes for at least five years from the date of
4 manufacture.

5 Section 11.1904. Rules and Regulation. KIRMA shall make, promulgate and
6 amend such rules and regulations necessary to implement and enforce this Chapter. All
7 such rules and regulations, upon approval of the Governor, shall have the force and effect
8 of law.”

9 Section 3. Effective Date. This act shall takes effect upon the approval of the
10 Governor or upon its becoming law without such approval. Enforcement of Chapter 19
11 shall not take effect until one year after this act becoming law.

12
13 PASSED BY THE ELEVENTH KOSRAE STATE LEGISLATURE ON THE 25th DAY
14 OF MAY, 2017.

15 

16 Tulensa W. Palik
17 Speaker, Eleventh Kosrae State Legislature

15
16 Attested by: 
17 Chief Clerk

ELEVENTH KOSRAE STATE LEGISLATURE

SECOND REGULAR SESSION, AUGUST 2015

L.B. No. 11-53, L.D.3

1

2 Lyndon H. Jackson
3 Governor, State of Kosrae

3

4

5 Date: _____

