July 31, 2017

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.

Wangin pusra yok nuke sripa yok lun l.B. No. 11-107, 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. 11-117, su sifwa u fwick mu:

TO AMEND TITLE 10 OF THE KOSRAE STATE CODE, BY AMENDING SECTION 10.205 THEREOF, TO ESTABLISH A PROTECTED AREAS FUND FOR THE PURPOSE OF FINANCING THE CONSERVATION AND MANAGEMENT OF PROTECTED AREAS IN THE STATE OF KOSRAE; 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
June 21, 2017

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. 11-107, L.D.3; TO AMEND TITLE 10 OF THE KOSRAE STATE CODE, BY AMENDING SECTION 10.205 THEREOF, TO ESTABLISH A PROTECTED AREAS FUND FOR THE PURPOSE OF FINANCING THE CONSERVATION AND MANAGEMENT OF PROTECTED AREAS IN THE STATE OF KOSRAE; AND FOR OTHER PURPOSES, which passed the Legislature, Fourteenth Special Session, by two-thirds of the members of the Legislature, a quorum is present.

Respectfully yours,

[Signature]

Andy J. Andrew
Chief Clerk
Kosrae State Legislature

Enclosures:
LEGISLATIVE BILL No. 11-107, L.D.3

ELEVENTH KOSRAE STATE LEGISLATURE
FOURTEENTH SPECIAL SESSION
JUNE 05, 2017

A BILL FOR AN ACT

TO AMEND TITLE 10 OF THE KOSRAE STATE CODE, BY AMENDING SECTION 10.205 THEREOF, TO ESTABLISH A PROTECTED AREAS FUND FOR THE PURPOSE OF FINANCING THE CONSERVATION AND MANAGEMENT OF PROTECTED AREAS IN THE STATE OF KOSRAE; AND FOR OTHER PURPOSES.

INTRODUCED BY: Senator Salpasr E. Tilfas

DATE: March 3, 2016

ACTION BY THE LEGISLATURE

PASSED FIRST READING: July 1, 2016

REFERRED TO: SCR No. 11-210

PASSED SECOND READING: June 16, 2017

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Andy J. Andrew
Chief Clerk
Kosrae State Legislature
LEGISLATIVE BILL No. 11-107, L.D.3

We hereby certify that the foregoing Bill has passed Second and Final Readings in the Legislature, Fourteenth 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 10 of the Kosrae State Code, by amending Section 10.205 thereof, to establish a Protected Areas Fund for the purpose of financing the conservation and management of protected areas in the State of Kosrae; and for other purposes.

BE IT ENACTED BY THE KOSRAE STATE LEGISLATURE

Section 1. Purpose. The purpose of this act is to amend Section 10.205 of Title 10 of the Kosrae State Code to establish a Protected Areas Fund with regulation and a board to oversee the fund.

Section 2. Amendment. Section 10.205 of Title 10 of the Kosrae State Code as amended by State Law Nos. 8-46, 8-234, 8-17, 9-15, 9-63, 9-81, 9-140, 10-109, 10-113 and 10-143, is hereby amended to read as follows:

Section 10.205. The Revenue Fund.

(1) The Revenue Fund contains all monies received by the Government pursuant to a law imposing a tax, duty or tariff, and all other revenues and reimbursements from a fine, fee, license, interest, rent, or Government service, and other Government collection or collections by a government for the Government’s benefit except as otherwise required by law. A person who receives monies pursuant to this section transmits the monies within seven days of receipt to the Division of Finance and Budget for deposit in the Revenue Fund except that:

(1) Monies received as probation fees may only be used to fund client services and programs that are under the supervision of the
Probation Officer.

(o) The Division of Finance and Budget retains in a Protected Areas Fund:

(i) all monies awarded directly into the fund or awarded to KIRMA and/or other non-governmental organizations, for the purpose of protected areas, shall be used for the purpose of conserving and managing protected areas in the Kosrae State Protected Areas System and/or proposed areas to be included in the System.

(ii) In order to ensure long-term sustainable financing into the Fund, monies donated, contributed, and financed thru external sources of fund assistance, including national, regional, international bilateral and multilateral environmental support programs, for the purposes of protected areas, shall be dedicated into the fund in the same manner as monies appropriated through the state and the national government.

(iii) Monies deposited into the Fund may be used for:

(1) Developing and implementing management plans for protected areas in the Protected Areas
System.

(2) Developing institutional capacities of existing and new community-declared protected areas to qualify for inclusion in the Protected Areas System; and

(3) Implementing community-based project activities support the Kosrae State Protected Areas System including projects involving the management and protection of identified areas of biodiversity significance (ABS) in the State of Kosrae.

(iv) The Administrator of KIRMA shall:

(1) work with the Protected Areas Fund Board to administer the Protected Areas Fund, but all funds shall be received, held, disbursed and accounted for by the Director of the Department of Administration and Finance or his designee.

(2) work with the Protected Areas Fund Board to determine on an annual basis prior to end of fiscal year how much, if any, funds will be made available for disbursement.

(3) issue the request to the Director of the Department of Administration and Finance to disburse monies for selected projects.
(v) The Director of the Department of Administration and Finance shall prepare a quarterly report detailing all monies received and expanded out of fund. A copy of the report shall be transmitted to the Administrator and to the Speaker of the Kosrae State Legislature within (5) business days of the end of each quarter.

(vi) KIRMA shall work with the Attorney General’s Office to establish regulations prescribing procedures for review of proposals, disbursement of funds from the special revenue fund, and criteria by which proposals should be considered. KIRMA and the Attorney General’s office shall also establish regulations specifying roles and compositions of the Protected Areas Fund Board. The regulation shall be consistent with Title 10 of the Kosrae State Code and Financial Management Regulations.

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

PASSED BY THE ELEVENTH KOSRAE STATE LEGISLATURE ON THE 16th DAY
ELEVENTH KOSRAE STATE LEGISLATURE
FOURTEENTH SPECIAL SESSION, JUNE 2017

L.B. No. 11-107, L.D.3

1 OF JUNE, 2017.

3 Tulensa W. Palik
Speaker, Eleventh Kosrae State Legislature

5 Attested by:
Chief Clerk

9 Lyndon H. Jackson
Governor, State of Kosrae

11 Date: ___________________