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A RESOLUTION

That the Governor directs the Attorney General of the Kosrae State Government to provide to the Legislature within ~~21~~<sup>30</sup> days of this Resolution being transmitted to the Governor a report concerning the action he has taken to regulate the issuing of alcoholic drinking permits and collection of fees for such permits since October 26, 2017.

1           **WHEREAS**, by Legislative Bill LB 11-54 L.D. 2 was passed by the Eleventh Kosrae  
2 State Legislature on September 12, 2017 and was enacted as Kosrae State Law No. 11-121 on  
3 October 26, 2017; and

4           **WHEREAS**, the purpose of State Law No. 11-121 is “TO AMEND TITLE 12 AND  
5 TITLE 13 OF THE KOSRAE STATE CODE, BY AMENDING CHAPTER 14 OF TITLE 12  
6 AND SECTIONS 13.516 AND 13.517 OF TITLE 13, AS AMENDED, TO ESTABLISH THE  
7 REQUIREMENT OF A DRINKING PERMIT FOR ALCOHOLIC DRINKS, A FEE FOR ITS  
8 ISSUANCE AND PENALTY OF INFRACTION OF SUCH REQUIREMENT; AND FOR  
9 OTHER PURPOSES”; and

10          **WHEREAS**, members of the Twelfth Kosrae State Legislature note that by State Law 11-  
11 121 Section 12.405 was introduced to in effect require that a person who attained the age of 21,  
12 is required to apply to the Office of the Attorney General for an alcoholic drinking permit if he or  
13 she wishes to consume alcohol, otherwise he or she commits a category one misdemeanor  
14 offence pursuant to Section 13.517 (9) of State Law 11-121 if he or she consumes alcohol  
15 without such permit , that the Office of the Attorney General shall establish by regulation the  
16 requirements for issuance of alcohol drinking permit fees, that the annual fee for an alcoholic

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1 drinking permit is \$20.00, that a person who is not a resident of the State or who is visiting the  
2 State on a temporary basis pays à fee for the fraction of his or her stay; and

3       **WHEREAS**, from inquiries made by some of the members of the Twelfth Kosrae State  
4 Legislature or from inquiries made on their behalves the following state of affairs exist: it would  
5 appear that since State Law 11-121 was enacted there have been as at the date this Bill is to be  
6 introduced no alcoholic drinking permits have been issued nor any regulation established by the  
7 Office of the Attorney General for the requirement for issuance of an alcoholic drinking permit;  
8 and

9       **WHEREAS**, members of the Twelfth Kosrae State Legislature are deeply concerned  
10 upon becoming aware of the above-mentioned state of affairs and perceive that such state of  
11 affairs must be immediately attended to and rectified without any further delay; and

12       **WHEREAS**, members further perceive that since the Governor is pursuant to Article V ,  
13 Section 9 of the Kosrae State Constitution responsible for the faithful execution of law that it is  
14 incumbent upon the Governor to immediately take action towards endeavoring to rectify the  
15 above state of affairs, by amongst other things, directing the Attorney General, to within 21 days  
16 of this Bill being transmitted to the Governor to provide the Twelfth Kosrae State Legislature a  
17 report including his establishing a regulation concerning the requirements for issuance of an  
18 alcoholic drinking permit, ~~what steps he is taking to collect not only the fees for issuance of such~~  
19 ~~permits to be issued but also the fees due and now payable by persons liable to pay such fees~~  
20 ~~since October 26, 2017;~~ **NOW AND THEREFORE**

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1           **BE IT RESOLVED**, by members of the Twelfth Kosrae State Legislature that Governor  
2 directs the Attorney General, to within 21 days of this Bill being transmitted to the Governor to  
3 provide the Twelfth Kosrae State Legislature a report including his establishing a regulation  
4 concerning the requirements for issuance of an alcoholic drinking permit, ~~what steps he is taking~~  
5 ~~to collect not only the fees for issuance of such permits to be issued but also the fees due and~~  
6 ~~now payable by persons liable to pay such fees since October 26, 2017.~~

7           **BE IT FURTHER RESOLVED**, that a certified copy of this resolution be transmitted to  
8 The Honorable Carson K. Sigrah, Governor of the State of Kosrae.

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Date: July 19, 2020

Introduced by:   
Alik S. Isaac