

TWELFTH KOSRAE STATE LEGISLATURE

THIRTEENTH SPECIAL SESSION, OCTOBER, 2020

L.B. No. 12-205

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A BILL FOR AN ACT

To amend the Kosrae State Code by amending District Law 1-31 which was enacted on July 13, 1977 and subsequently incorporated in the Kosrae State Code as State Law 1-31 by amending the licensing fee for dogs and other amendments; and for other purposes.

BE IT ENACTED BY THE KOSRAE STATE LEGISLATURE

1           Section 1. Purpose. The purpose of this Act is to amend Section 1 of District Law  
2 1-31 which has been incorporated as State Law 1-31 of the Kosrae State Code to update  
3 this provision consequent upon Kosrae becoming a State of the Federated States of  
4 Micronesia ; and for other purposes.

5           Section 2. Amendment. Section 1 of District Law 1-31 which has been  
6 incorporated as State Law 1-31 of the Kosrae State Code is hereby amended to read as  
7 follows:

8           “Section. 1 License. All dogs in Kosrae ~~District State~~ are hereby required to be  
9 licensed. The owner of the dog will be responsible for assuring that the dog is  
10 licensed as evidenced by the wearing of a tag to be issued by the Public Safety Division of  
11 the Office of Attorney General upon payment of an annual fee. The license issued  
12 will be valid from January 1 to December 31 of the year of issuance.”

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14           Section 3 Purpose. The purpose of this Act is to amend Section 2 of District Law 1-31  
15 which has been incorporated as State Law 1-31 of the Kosrae State Code so as to increase  
16 the annual license charge from one dollar to five dollars.

17  
18           Section. 4 Amendment Section 2 of District Law 1-31 which has been incorporated  
19 as State Law 1-31 of the Kosrae State Code is hereby amended to read as follows:

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1 “Section. 2 Fee. A fee of ~~one~~ five dollars is hereby set as the annual license charge. Such  
2 fee shall be payable for each dog an owner owns The fees collected under this section  
3 shall be collected/deposited by each of the municipalities in the General Funds of ~~the~~  
4 ~~Kosrae District Legislature~~ of each of the municipalities in accordance where the owner  
5 of the dog who has paid the annual license charge resides.”

6

7 Section. 5. Purpose. The purpose of this Act is to amend Section 3 of District Law 1-31  
8 which has been incorporated as State Law 1-31 of the Kosrae State Code to update this  
9 provision consequent upon Kosrae becoming a State of of the Federated States of  
10 Micronesia; and for other purposes.

11

12 Section 6. Amendment Section 3 of District Law 1-31 which has been incorporated as  
13 State Law 1-31 of the Kosrae State Code is hereby amended to read as follows:

14

15 “Section 3. Authorization Sixty days after the effect date of this act, the Public Safety  
16 Division of the Office of the Attorney General is hereby authorized to destroy all  
17 unlicensed dogs.”

18

19 Section 7. The purpose of this Act is to add a new section to District Law 1-31 which has  
20 been incorporated as State Law 1-31 of the Kosrae State Code so that fines can be  
21 imposed on an owner of a dog who fails to pay the annual license charge within a  
22 specified period or fails without reasonable excuse to control his or her dog.

23

24 Section 8. Amendment. District Law 1-31 -which has been incorporated as State Law 1-31  
25 of the Kosrae State Code is hereby amended by adding a new Section 4 which will read  
26 as follows:

27

28 “ Section 4. Fines An owner of a dog is subject to fine of fifty dollars if he or she  
without reasonable excuse the onus of which will be on him or her to show in either of the

1 following circumstances:

2 (i) Fails to within sixty days after the effective date of this Act to pay the annual  
3 license charge applicable for 2021 for each dog he or she owns and thereafter  
4 fails to pay an annual license charge for each dog he or she owns by the 28<sup>th</sup> of  
5 February of each ensuing year thereafter so long as he or she is the owner of a  
6 Dog.

7  
8 (ii) Fails to control any of his or her dogs. Fails to control shall mean to include  
9 allowing his or dog to wander without the owner or a responsible person  
10 restraining by a hand held leash the dog or during such times when the owner is  
11 absent from the property where he or she resides to either place the dog in a  
12 locked cage or tie the dog securely. Responsible person means a person over 18  
13 years of age who the owner has delegated responsibility to control the dog.

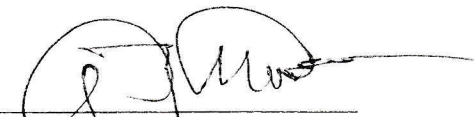
14  
15 (iii) Should the owner fail to within one month pay the fine imposed as result of the  
16 circumstances described in (i) or (ii) having occurred the dog shall be destroyed.

17  
18 Section 9. Effective Date. This Act takes effect upon the approval of the Governor or  
19 upon its becoming law without such approval.

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22 Date: 11/23/20

Introduced by:   
Andy J. Andrew