

TWELFTH KOSRAE STATE LEGISLATURE

TWENTY SECOND SPECIAL SESSION, APRIL 2022

L.B. No.

12-294

R&D

A BILL FOR AN ACT

To prescribe the power and duties of the Director of the Department of Resources and Economic Affairs in matters of lease of public lands, and for other purposes.

BE IT ENACTED BY THE KOSRAE STATE LEGISLATURE

- 1 Section 1. Findings of the Legislature. The Legislature makes the following
2 findings:
- 3 1. All executive and administrative offices, departments, and instrumentalities of
4 the State Government and their respective functions, powers and duties shall be
5 established by law. Kosrae State Constitution Article V, section 12.
- 6 2. Legislative power of the State of Kosrae is vested in the Kosrae State
7 Legislature. Kosrae Constitution Article IV section 1. The functions, powers,
8 and duties of the Director of the State Department of Resources and Economic
9 Affairs need to be further established by law.
- 10 3. The Director of the State Department of Resources and Economic Affairs is
11 under the supervision of the Governor. Kosrae Constitution Art. V. Section 12.
- 12 4. The Governor is required by statute to seek the approval of the Legislature in
13 matters of proposed lease of public lands as required under Chapter 1 of Title
14 11.
- 15 5. The Director submits proposed public land lease or transfer to the Governor;
16 the Governor then submits proposed public land lease and transfer to the
17 Legislature.

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1 Section 2. Purpose. The purpose of this Act is to further establish the functions,
2 powers and duties of the Director of Resources and Economic Affairs in matters of lease
3 and contracts involving use of public lands.

4 Section 3. Amendment. 5 Kosrae State Code 5.202 is hereby amended to state as
5 follows.

6 5.202. Powers and duties of principal departments In addition to other
7 powers and duties provided by law a director of a principal department is
8 responsible to the Governor or to the other branches of the Kosrae State
9 Government for the exercise of the departmental powers and duties indicated
10 below by subsection. The Governor may delegate additional powers and duties to
11 the director as the Governor deems necessary. The Governor shall not delegate
12 such additional powers and duties to the director that is contrary to the Kosrae
13 State Constitution or contrary to Kosrae State statutes or higher law.

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15 Section 4. Amendment. 5 Kosrae State Code 5.202(5) (h) is hereby amended to
16 state as follows.

17 5.202(5)(h) Negotiates Government leases, easements, and contracts and
18 designates for home-steading purpose public land in accordance with Chapter 5 of
19 Title 11 of this Code. All negotiated Government leases and contracts involving
20 use of public land shall constitute proposals until ratified or approved by the

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1 Legislature. All such proposals shall be submitted to the Governor for the
2 Governor's action required under Title 11 of this Code and other State statutes.
3 The Governor shall submit all such proposals to the Legislature for ratification or
4 approval.

5 Section 5. Effective Date. This act takes effect upon the approval of the Governor
6 or upon its becoming law without such approval.

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9 Date: 01 Apr. '22

Introduced by: 
Sasaki L. George