

ReD/ETC&I/L&MA

**A BILL FOR AN ACT**

To amend Section 14.1302 of Title 14, Part II Chapter 13, of the Kosrae State Code to streamline the consultation procedure required to undertaken by the State Government before the State Government may use the waters, land and other natural resources within the marine space of a municipality.

**BE IT ENACTED BY THE KOSRAE STATE LEGISLATURE**

1 Section 1. **Purpose.** The purpose of this Act is to amend Section 14.1302 of the State  
 2 Code to streamline the consultation procedure required to be undertaken by State Government  
 3 before the State Government may use the waters, land and other natural resources within the  
 4 marine space of a municipality by repealing (1), (2) and (3) of the cumulative consultation  
 5 procedural requirements contained in the above provision and in their place insert new  
 6 cumulative consultation procedural requirements (1) and (2)

7 Section 2. **Amendment.** Section 14.1302 of Title 14, Part II, Chapter 14 of the Kosrae  
 8 State Code shall be amended to read as follows:

9 “Section 14.1302. Consultation Procedure. The State Government may use the  
 10 waters, land and other natural resources within the marine space of a municipality, only after  
 11 consultation between the State Government and the municipality where in the marine space is  
 12 located. Consultation shall require:

- 13 (1) ~~A written notice by the State Government to the Mayor of the~~  
 14 ~~Municipality requesting a meeting to discuss the State's use of certain~~  
 15 ~~water, land or other natural resources situated in the Municipality's marine~~  
 16 ~~space.~~
- 17 (2) ~~The Mayor will respond to the State's notice within 10 calendar days;~~  
 18 ~~scheduling a meeting with the State Government.~~
- 19 (3) ~~The State Government and the Mayor of the Municipality or designated~~  
 20 ~~municipal representatives, will meet in the municipality where the marine~~

1 ~~space is located, to discuss the proposed use of the marine space, examine~~  
2 ~~the studies conducted, and exchange information and advice.~~

3 (1) The State Government to undertake any consultation which it sees  
4 reasonably fit in the circumstances with the Mayor of the Municipality or  
5 designate municipal representatives.

6 (2) The State Government to promptly prepare and keep a detailed written  
7 record of any such consultation referred to in (1) above.

8 .”

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

11  
12 Date: 8.04.20

Introduced by:   
Tulensa W. Palik