

TWELFTH KOSRAE STATE LEGISLATURE

EIGHT SPECIAL SESSION, MARCH, 2020

L.R. No.

12-117

W & M

A RESOLUTION

To amend the Governor's Declaration of a State of Emergency made on March 17th, 2020 by adding a new section 10) and reinserting and renumbering existing section 9) of the order made under the Declaration of State Of Emergency which was made on March 17, 2020 as 11).

1 **WHEREAS**, the Governor made a Declaration of a State of Emergency on March 17th,
2 2020 ;and

3 **WHEREAS**, members of the Twelfth Kosrae State Legislature pursuant to Section 13
4 of Article V of the Constitution of the State of Kosrae considered the Declaration of State of
5 Emergency ;; and

6 **WHEREAS**, members of the Twelfth Kosrae State Legislature after considering the
7 Declaration of State of Emergency perceive that there is a real risk of price gouging(which is the
8 selling or leasing fuel, food, medicine, lodging, building materials, construction tools or another
9 necessity at an exorbitant or excessive price or demanding an exorbitant or excessive price in
10 connection with the sale or lease of fuel, food occurring during the Declaration that a new
11 section be added under the order made by the Governor of the Declaration declaring price
12 gouging to be illegal and that such order is immediately required to be made to protect the
13 interests of the public ; NOW AND THEREFORE

14 **BE IT RESOLVED**, by members of the Twelfth Kosrae State Legislature
15 that pursuant to Article V, Section 13 of the Kosrae State Constitution
16 that a new section be inserted under the order made under the Declaration
17 of State of Emergency which will read "10) the selling or leasing of any
18 items of fuel, food, medicine, lodging, building materials, construction
19 tools or another necessity at an exorbitant or excessive price or demanding
20 an exorbitant or excessive price in connection with the sale or lease of any

1 items of fuel, food, medicine, lodging, building materials, construction
2 tools or another necessity is illegal. For the purposes of this Section an
3 exorbitant or excessive prices occurs where including in the price of an
4 item at first sale the cost of anything other than

5 (a) cost of the goods ;

6 (b) actual charges for inland and overseas freight;

7 (c) insurance;

8 (d) import taxes, duties and bank charges;

9 (e) van charges;

10 (f) handling and stevedoring charges; and

11 (g) a sum not greater than 20% of the cost of the goods

12 Or including in the price of a second or subsequent sale the cost of anything other

13 than:

14 (a) the price paid or promised to be paid to the previous seller;

15 (b) actual charges for transportation of goods from place of previous sale
16 in the State to place of second sale; and

17 (c) a sum not greater than 10% of the price paid or promised to be paid to the previous

18 seller

19 That existing section 9) under the order made under the Declaration of the State of
20 Emergency be reinserted and renumbered 11)

21 **BE IT FURTHER RESOLVED**, that certified copies of this resolution be transmitted
22 to the Honorable Carson K. Sigrah, Governor of the State of Kosrae, to His Excellency David
23 W. Panuelo President of the Federated States of Micronesia, The Honorable Wesley Simina

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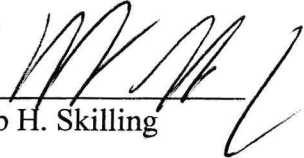
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1 Speaker of the 21st FSM Congress and the Kosrae Delegates to 21st FSM Congress: The

2 Honorable Aren B. Palik & The Honorable Paliknoa K. Welly

3 Date: 3/23/20

Introduced by: 
Bob H. Skilling