

AN ACT

To amend the definition of "Resident Alien" as found in KSPL No. K8-207-2009, as amended by KSPL No. K8-209-2009, and to increase the penalties for violations of the law, and for related purposes.

THE PEOPLE OF KOROR REPRESENTED IN THE LEGISLATURE OF THE STATE OF KOROR DO ENACT AS FOLLOWS:

Section . Findings.

The Ninth Koror State Legislature hereby finds that the definition of "Resident Alien" as it appears in KSPL No. K6-113-2000 (the "Year 2000 Rock Islands Management and Conservation Act", and amendments thereto), and as used in KSPL No. K8-207-2009, as amended by KSPL No. K8-209-2009, has created confusion in that citizens of the United States have requested that they be exempt from the permit requirements, and should not be required to pay for and obtain a permit for visiting the rock islands. Under amended Immigration Regulations, United States citizens and other visitors to Palau automatically obtain an entry visa in excess of ninety days, even if they do not intend to remain in Palau for the full term of their visa. In some instances, American visitors to the rock islands have not been physically present in the Republic of Palau for more than ninety (90) days, and the intended duration of their stay in Palau is uncertain. The intent of the law is to allow true "residents" of Palau to be exempt from the permit requirements. Under Section "12.B." of KSPL No. K8-207-2009, as amended by KSPL No. K8-209-2009, resident aliens must already carry with them written proof of identification, including a current visa, or similar proof of status. However, it is in the best interests of the people of the State of Koror to amend the definition of "Resident Alien" as it appears in KSPL No. K8-207-2009 and KSPL No. K8-209-2009, to avoid confusion and misunderstanding as to the applicability of the law.

Section 2. Amendment of Section "3(d)" of KSPL No. K8-207-2009, as amended by section 2 of KSPL No. K8-209-2009, for the term "Resident Alien".

The term "Resident Alien" as it appears in Section "3(d) of Koror State Public Law No.

1 K8-207-2009, as amended by section 2 of KSPL No. K8-209-2009, is hereby amended to read as
2 follows:

3 “(d) **Resident Alien.** Any person who is:

4 (1) a non-resident worker who works in Palau under a valid
5 work permit and who remains in Palau under a valid Work Visa pursuant
6 to Chapter 3, section 313 of the Immigration Regulations, and persons
7 admitted to Palau under a “Government Employee” Visa pursuant to
8 Chapter 3, section 306 of the Immigration Regulations.

9 (2) a United States Peace Corps volunteer, or Peace Corps
10 staff.

11 (3) a Japan International Cooperative Association (JICA)
12 volunteer or JICA staff.

13 (4) a United States citizen, or a citizen of the Territory of
14 Guam, the Commonwealth of the Northern Mariana Islands, the Federated
15 States of Micronesia, or of the Republic of the Marshal Islands, who has
16 resided in or been physically present in the Republic of Palau for more
17 than ninety (90) days.

18 (5) a “dependent” of a Palauan or dependent admitted to
19 Palau under a “Dependent Visa”, issued pursuant to Chapter 3, section 303
20 of the Immigration Regulations.

21 (6) a student at Palau Community College, and any non-
22 Palauan student admitted to Palau pursuant to Chapter 3, section 310 of
23 the Immigration Regulations..

24 (7) a person admitted into Palau on a “Foreign
25 Government/International Organization Visa, pursuant to Chapter 3,
26 section 305 of the Immigration Regulations.

27 (8) a person admitted into Palau on an “Investor Visa”,

1 pursuant to Chapter 3, section 307 of the Immigration Regulations.

2 (9) non-citizens of Palau who are lawfully adopted by
3 Palauan citizens.”

4 **Section 3. Amendment of Section 14 of KSPL No. K8-207-2009 to increase penalties for**
5 **violations of the law.**

6 Section 14 of Koror State Public Law No. K8-207-2009 is hereby amended to read as
7 follows:

8 “Section 14. Penalties.

9 A. Each violation of this Act is punishable as follows: for a first offense, the penalty shall
10 be a fine in the amount of \$100.00. For a second offense, the fine shall be \$250.00. For a third and
11 subsequent offenses, the fine shall be \$500.00, and up to ninety days in jail, with a minimum
12 sentence of seven (7) days in jail. Each person transported or taken to the rock islands in violation
13 of this Act is deemed a separate offense which may be punished separately. For example, if a tour
14 guide were to transport ten Visitors to Jellyfish Lake without valid permits, the tour guide would
15 have committed ten separate violations.

16 B. Any person who aids, abets, counsels, commands, induces, or procures or causes the
17 commission of an offense under this Act, which if directly performed by him would be a violation
18 of this Act, shall be punished as a principal. No distinction is made between principals in degrees,
19 and no distinction is made between a principal and what may be referred to as an accessory before
20 the fact.

21 C. The permits required by this Act . . . “

22 **Section 4. Severability.**

23 In the event that a court of competent jurisdiction determines that any part or portions of this
24 Act are invalid or otherwise unenforceable, then the offending part or portions may be stricken, and
25 the remaining portions shall continue in full force and effect.

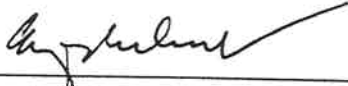
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Section 5. Effective Date.

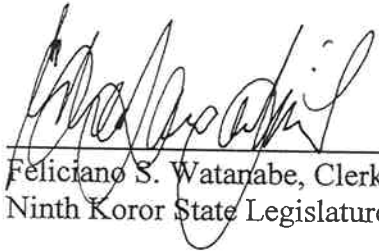
This Act shall become effective upon its becoming law by operation of the Koror State Constitution.

PASSED: July 30, 2010

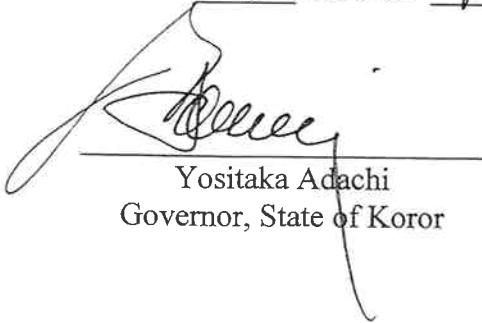
AS CERTIFIED AND ATTESTED TO BY :



Legislator Eynos Rudimch, Speaker
Ninth Koror State Legislature


Feliciano S. Watanabe, Clerk
Ninth Koror State Legislature

APPROVED ON THIS 24th DAY OF September, 2010.


Yositaka Adachi
Governor, State of Koror