

AN ACT

To amend KSPL No. K6-101-99, to amend KSPL No. K6-119-2001 as amended by KSPL No. K7-156-2005, and to amend KSPL No. K8-191-2007, all for the purpose of standardizing and increasing criminal penalties for conservation and marine protection, 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 several Koror State laws provide penalties for violations, but the penalties are not uniform for violations of the law. In the case of marine protection and conservation laws, the monetary criminal penalties provide the greatest deterrent to violations of the law, and should be increased and standardized for uniform enforcement. It is in the best interests of the people of the State of Koror to standardize the monetary criminal penalties for violations of marine conservation laws.

Section 2. Amendment of section "2.C." and section "3.G." of KSPL No. K6-101-99 to increase criminal penalties.

A. Section "2.C." of Koror State Public Law No. K6-101-99 is hereby amended to read as follows:

"C. Penalties. Any person convicted of violating section "2.B." of this Act shall be guilty of a misdemeanor and imprisoned for a period not exceeding ninety (90) days, or fined \$250.00 for a first offense and \$500.00 for a second and subsequent offenses, or both."

B. Section "3.G." of Koror State Public Law No. K6-101-99 is hereby amended to read as follows:

"G. Penalties. Any person convicted of violating section "3.B.", section "3.C.", section "3.D.", section "3.E.", or section "3.F." of this Act shall be guilty of a misdemeanor and imprisoned for a period not exceeding

1 ninety (90) days, or fined \$250.00 for a first offense and \$500.00 for a
2 second and subsequent offenses, or both.”

3 **Section 3. Amendment of section “3.” of KSPL No. K6-119-2001 to increase criminal**
4 **penalties.**

5 A. Section “3.” of Koror State Public Law No. K6-119-2001 is hereby amended to read as
6 follows:

7 “Section 3. Penalties. Any person who violates any provision of
8 this Act shall, upon conviction, be fined no less than two hundred and fifty
9 dollars (\$250.00) for a first offense, and shall also be sentenced for a period
10 of up to ninety days for each offense. Each subsequent offense after the
11 first offense shall be punished by a fine of five hundred dollars (\$500.00)
12 and/or increased jail time, and no offense shall be deemed a continuing
13 offense. Each individual item of marine flora or fauna that is taken or
14 otherwise disturbed in violation of this Act shall also be deemed as a
15 separate offense, which may be punished separately.”

16 **Section 4. Amendment of section “4.” of KSPL No. K8-191-2007 to increase criminal**
17 **penalties.**

18 Section “4.” of Koror State Public Law No. K8-191-2007 is hereby amended to read as
19 follows:

20 “Section 4. Penalties. Any person who violates any provisions of
21 this Act or who violates any rules or regulations promulgated by the
22 Governor for the administration or enforcement of this Act, shall, upon
23 conviction, pay a fine in the amount of \$250.00, and may be sentenced to
24 spend up to ninety (90) days in jail, or both. Upon conviction for a second
25 and subsequent offenses, the monetary fine shall be increased to \$500.00 for
26 each offense, in addition to any jail time imposed. Each separate day that
27 this Act is violated, each separate location of violation, and each fish taken

1 or possessed in violation of this Act, shall be a separate offense which may
2 be punished separately.”

3 **Section 5. Severability.**

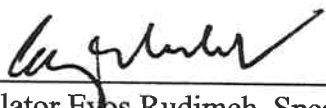
4 In the event that a court of competent jurisdiction determines that any part or portions of this
5 Act are invalid or otherwise unenforceable, then the offending part or portions may be stricken, and
6 the remaining portion shall continue in full force and effect.


7 **Section 6. Effective Date.**

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

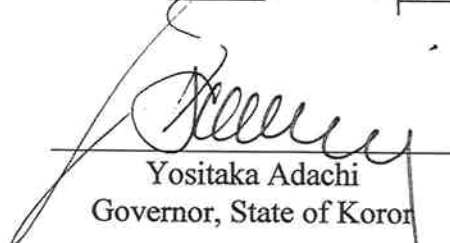
PASSED: JANUARY 27, 2011

AS CERTIFIED AND ATTESTED TO BY :


Legislator Eyos Rudimch, Speaker
Ninth Koror State Legislature


Feliciano S. Watanabe, Clerk
Ninth Koror State Legislature

APPROVED ON THIS 27th DAY OF February, 2011.


Yositaka Adachi
Governor, State of Koror