

AN ACT

To require permits to be obtained by owners or operators of cruising yachts when such yachts anchor, moor or dock within the territorial waters of the state of Koror.

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

Section 1. Findings. This Act shall be known as the Cruising Yacht Permit Act.

Section 2. Legislative findings and purpose. The Sixth Koror State Legislature finds that the anchoring, mooring or docking of cruising yachts adversely impacts Koror's marine environment. The Legislature further finds that cruising yachts must be regulated by assessing impact fees and using such fees for the benefit of the people of Koror.

Section 3. Definition of cruising yacht. "Cruising yacht" is defined as a non-commercial pleasure boat that is not required to register under any boat registration act within the Republic of Palau or any of its states.

Section 4. Permits required. No cruising yacht may anchor, moor or dock at any location within the territorial boundaries of the State of Koror, with the exception of the Malakal Port, unless the owner or operator of the cruising yacht obtains from the State a permit allowing for such use.

Section 5. Permit fees. Permits may be purchased at the Koror State Government Offices, or at a location designated by the Governor at the following rates:

1. Cruising yachts with an overall length equal to or exceeding 16 feet but less than 23 feet: \$10.00 per month.
2. Cruising yachts with an overall length equal to or exceeding 23 feet but less than 40 feet: \$20.00 per month.
3. Cruising yachts with an overall length equal to or exceeding 40 feet but less than 65 feet: \$40.00 per month.
4. Cruising yachts with an overall length equal to or exceeding 65 feet: \$80.00 per month.

Section 6. Display of permits. Permits must be kept in the possession or control of the operator of the cruising yacht at all times. Permits must be made available for inspection by Law Enforcement Officers upon demand.

Section 7. Penalties. Any person violating any provision of this Act shall be guilty of a misdemeanor and imprisoned for a period not exceeding ninety (90) day, or fined not more than \$100.00, or both. Each day that this Act is violated constitutes a separate offense and a citation may be issued for each violation.

Section 8. Use of revenues from cruising yacht permits: Sunset date. All fees generated from this Act shall be used to enforce compliance with the Act; to maintain and protect the marine environment of Koror; to acquire and install mooring buoys at appropriate locations; for monitoring purposes and for other expenses associated with the preservation of Koror State resources. The fees generated by this Act shall be collected until the impacts from cruising yachts cease to exist, but in no event, beyond a period of 10 years from the effective date of this Act.

Section 9. Severability. If a court of competent jurisdiction determines that any portion or portions of this Act are invalid, then such offending portion or portions shall be stricken, but the remainder of this Act shall continue in full force and effect.

Section 10. Effective date. This Act shall become effective upon its becoming law by operation of the Koror State Constitution.

PASSED BY: December 7, 1999

CERTIFIED BY:

/s/ _____
Salvador Tellames, Speaker
6th Koror State Legislature

ATTESTED TO BY:

/s/
Charlyne Uong, Clerk
6th Koror State Legislature

APPROVED ON THIS _____ DAY OF DECEMBER, 1999.

John C. Gibbons
Governor, Koror State

APPROVED ON THIS 3rd DAY OF JANUARY, 2000.

/s/
Ibedul Y. M. Gibbons
House of Traditional Leaders