

AN ACT

To amend Koror Public Law No K6-87-98 by extending the time for the implementation of a moratorium on the operation of "live-aboard" dive boats, and by authorizing the promulgation of regulations and enacting preliminary regulations, and for related purposes.

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

Section 1. Amendment of KSPL No. K6-87-98 to extend the time for the implementation of moratoriums on the operation of "live-aboard" dive boats, to describe the activities to be undertaken during the time of such moratoriums, by providing for the implementation of regulations.

A. Section 2 (B) of KSPL No. K6-87-98 is hereby amended as follows:

"B. There is hereby established a moratorium on the establishment or operation of live-aboard operations other than those live-aboard actually operating in the waters of the State of Koror as of the effective date of this Act; such moratorium shall remain in effect for a period of three (3) years after the effective date of this Act. During such moratorium, it shall be unlawful to bring a live-aboard into any body of water other than a live-aboard that was actually operating lawfully within the State of Koror as of the effective date of this Act, and it shall be unlawful for any live-aboard, other than a live-aboard actually operating lawfully in the waters of the State of Koror as of the effective date of this Act, to anchor in any body of water outside of Malakal Harbor, or to carry passengers for overnight lodging on any body of water.

On and after the third (3rd) anniversary date of this Act, it shall be unlawful for any liveaboard to anchor or moor, or to allow or permit any human occupancy, on any body of water. Live-aboards may transit or pass through any body of water, but such live-aboard may only anchor within Malakal Harbor in such area or areas designated by the Governor of the State of Koror. It shall also be unlawful for any person to permit or allow any person, who stays one (1) night or more on a live-aboard, to scuba dive on or in any body of water. It shall also be unlawful to operate, maintain, own, establish, anchor or otherwise navigate a live-aboard in

violation of this Act. Said prohibition and restrictions may be amended, modified, or repealed based upon the findings of an in-depth study to be conducted by the Governor as required by Section 2 D.

B. Section "2." of KSPL No. K6-87-98 is hereby amended to add new subsections "D" and "E" as follows:

D. The Governor of the State of Koror shall conduct an environmental, economical and social study of the live-a-board industry and shall within one year of the effective date of this Act, based on the findings of such study, promulgate comprehensive regulations and assess appropriate fees and transmit such regulations and fees in the form of legislation to the Legislature for enactment.

E. Until the adoption of permanent regulations by the Legislature, the following preliminary regulations shall take effect immediately and remain in force and effect. A violation hereof shall be deemed a violation of this Act, and KSPL K6-87-98:

(a) Anchorage. Anchoring in any body of water within the State where there are corals on the seabed or where the anchor or any part of the anchor line disturbs coral is prohibited;

(b) Mooring. All live-a-boards licensed to operate within the State may only moor at a pre-established location assigned by the Koror State Department of Law Enforcement;

(c) Wastewater. Wastewater from human body wastes and wastes from toilets and other receptacles intended to receive or retain body wastes and/or other domestic wastewater such as those from dishwashing and showers shall be discharged three miles outside the reef and is least three miles from all surrounding reefs. Wastewater may only be discharged at the approval of the Palau Environmental Quality Protection Board pursuant to the EQPB Marine and Fresh Water Quality Regulations, Chapter 2401-11.

(d) Oil and Petroleum Waste. Discharge of oil and petroleum waste including bilgewater into any body of water in Koror is prohibited. Oil, petroleum and bilgewater may be kept in a holding tank or container and brought to shore for proper disposal or for recycling.

(e) Solid Waste Disposal. Solid waste such as food wastes, aluminum cans, plastic containers, plastic litters (such as utensils and six-pack rings) and green wastes shall be segregated contained and transported to appropriate dump site or landfill on shore for proper disposal or recycling.

Section 2. Severability. In the event that a court of competent jurisdiction determines that any part or portion of this law is invalid, then the offending portion or portions may be stricken, and the remaining portions shall continue in full force and effect.

Section 3. Effective date. This Act shall become effective upon it:3 becoming law by operation of the Koror State Constitution.

PASSED: March 28, 2000

CERTIFIED BY:

ATTESTED TO BY:

/s/ _____
Salvador Tellames, Speaker

/s/ _____
Charlyne Uong, Clerk

APPROVED THIS 29th DAY OF March, 2000.

/s/
John C. Gibbons, Governor
Koror State

APPROVED THIS 3rd DAY OF April, 2000.

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