

AN ACT

To amend Koror State Public Law No. K5-74-97 by changing the name of the Act, by adding a definition for the term "resident alien", and to provide for penalties for violations of the foregoing amendments, and for related purposes.

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

SECTION 1. AMENDMENT. Section 1 of KSPL No. K5-74-97 is hereby amended to read as follows:

Section 1. Title This Act shall be known as the "Koror Rock Islands Management and Preservation Act.

SECTION 2. AMENDMENT OF SECTION 3 OF KSPL No. K5-74-97 TO PROVIDE FOR THE DEFINITION OF THE TERM "RESIDENT ALIEN", AMENDMENT OF THE DEFINITION OF "TOURIST", AND RENUMBERING OF SUBSECTIONS.

A. Section 3 (a) (3), (4) and Section 3 (b) of KSPL No. K5-74-97 are hereby repealed in their entirety.

B. Section 3 (c) of KSPL No. K5-74-97 is hereby amended to read as follows:

(c) "Reserved Activity Area" shall mean the land portions of only those islands in the Koror Rock Islands Recreation Area not otherwise designated for tourists by this Act or otherwise prohibited for use.

C. Section 3 (e) of KSPL No. K5-74-97 is hereby amended to add the following language to the definition of "Tourist":

(e) 'Tourist' shall mean any person, not a citizen of the Republic of Palau and not a resident alien as defined by this Act, who has entered Palau under a "tourist" visa issued by the Division of Immigration of the Republic of Palau pursuant to laws, rules, and regulations of the Republic of Palau.

D. Section 3(f) of KSPL No. K5-74-97 is hereby amended to read as follows:

(f) "Tourist Activity Area" shall mean the jelly fish lake in the islands of Macharchar, the islands of Babelomekang, Youlomekang, Ngchelobel, Ngermeaus, Ngeanges, Ngchus, Ngeremdiu, Ulong, Ngeroblobang and Bkulotuut.

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(Introduced as Bill No. 6-12, LD2, HT1)

E. Sections (c), (d), (e), and (f) of Section 3 of KSPL No. K5-74-97 are hereby amended
to read as subsections (b), (c), (d) and (e) respectively.

F. Section 3 of KSPL No. K5-74-97 is hereby amended to add the following new subsection:

(f) "Resident alien" means any non-Palauan citizen who is the spouse of a Palauan citizen, a non-Palauan citizen who resides in Palau under an entry permit that is issued by the Division of Immigration of the Republic of Palau in conjunction with a work permit issued by the Division of Labor of the Republic of Palau, any other non-Palauan citizen who is physically present within the Republic of Palau for ninety (90) or more days in any one calendar year. The definition of this section shall not be construed to invalidate or preempt any national immigration or labor laws, rules, or regulations.

SECTION 3. AMENDMENT OF SECTIONS 4 AND 6 OF KSPL NO. K5-74-97.

A. Section 4 of KSPL No. K5-74-97 is hereby amended to delete the term "certain" with respect to the term "resident aliens" as follows:

Section 4. Reserved Activity Area. The Reserved Activity Area is hereby reserved for the exclusive use of citizens of Palau and resident aliens in strict accordance with the provisions of this Act.

B. Section 4(a) of KSPL No. K5-74-97 is hereby amended read as follows:

(a) Any Palauan citizen and any resident alien may use the Reserved Activity Area except as prohibited by another Section of this Act or by another law of the State of Koror or the Republic of Palau.

C. Section 4(b) of KSPL No K5-74-97 is hereby repealed in its entirety.

D. Section 4(c:) of KSPL No K5-74-97 is hereby redesignated and amended to read as follows:

(b) Except as provided in subsection (a) above, any non-Palauan other than a resident alien using the Reserved Activity Area violates this Act.

E. Section 4 (e) of KSPL No K5-74-97 is hereby amended to read as follows:

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(e). Ibedul or his designee is authorized to grant written requests to allow official guests of national or state government, or of community organizations, or persons in Koror for scientific, religious, or educational purposes, or "tourists" who are guests of Palauans who are present in Palau for no more than ninety (90) days to be

F. Subsections (d), (e), and (f) of Section 4 of KSPL No. K5-74-97 are hereby redesignated as subsections "(c)", "(d)", and "(e)" respectively.

G. New subsections (f) and (g) are hereby added to Section 4 of KSPL No. K5-74-97 to read as follows.

(f) It shall be unlawful for any resident alien to accompany or to transport into any Reserved Activity Area any person other than another resident alien or a citizen of Palau, except as permitted under subsections (a) or (d) herein above. Resident aliens are expressly prohibited from accompanying, or escorting any tourist in any Reserved Activity Area in violation of subsections (a) and (d) herein above. Any tourist and resident alien who are within any Reserved Activity Area in violation of this subsection and subsections (a) or (d) herein above may be subject to separate citations

for

violations of this subsection and subsections (a) or (d).

(g) The Ibedul or his designee may designate historical sites or points of interest that may be visited by any tourist, and any tourist who is actually visiting or observing such historical site or point of interest shall not be in violation of the prohibitions of this Act.

G. Section 6(b) of KSPL No. K5-74-97 is hereby to read as follows:

(b) Any person violating any of the provisions of Sections 4 or 5 of this

Act shall be fined

SECTION 4. 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.

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SECTION 5. EFFECTIVE DATE. This Act shall become effective upon its approval by the House of Traditional Leaders of the State of Koror, or upon its becoming law by operation of the Koror State Constitution.

PASSED: June 10, 1998

CERTIFIED BY:

ATTESTED TO BY:

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

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

APPROVED THIS 12th DAY OF June, 1998.

/s/
John C. Gibbons
Governor, Koror State

APPROVED THIS 12 DAY OF June, 1998.

/s/
Ibedul Yutaka M. Gibbons
Paramount High Chief
House of Traditional Leaders