

AN ACT

To prohibit the capture or taking of *mekebud*, *merau*, and *teber* in certain areas of the Rock Islands of Koror, to prohibit the capture or taking of *mekebud*, *merau* and *teber* during particular times of the month, to prohibit the taking or disturbance of marine flora and fauna at popular tourists sites, to prohibit the sale of *mekebud*; to provide for penalties for violations of this Act, and for related purposes.

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

Section 1. Prohibitions against taking of *mekebud*, *merau* and *teber* in certain areas of the Rock Islands, and during certain times of the month.

A. It shall be unlawful for any person to take, capture, net, catch, contain, restrict, or remove *mekebud*, *merau*, and *teber* from the following areas of the rock islands of the State of Koror:

- (1) within one-hundred (100) yards of Ngkisaol Inlet.
- (2) "Ngkisaol Inlet" means the inlet into the rock islands commonly known as "Ngkisaol," and includes any area within one-hundred (100) yards of the entrance to Ngkisaol, and includes the shallow water area within the inlet itself.
- (3) "*merau*" means Blue sprat, *Spratelloides delicatulus*.
- (4) "*mekebud*" means Gold spot herring, *Herklotsichthys quadrimaculatus*.
- (5) "*teber*" means Hardyhead silverside, *Atberinomorus lacunosus*.

B. It shall be unlawful for any person to attempt or conspire to take, capture, net, catch, contain, restrict, or remove *mekebud*, *merau* and *teber* from the foregoing designated areas of the rock islands of the State of Koror.

C. It shall be unlawful for any person to take, capture, net, catch, contain, restrict, or remove *mekebud*, *merau* and *teber* during the four days immediately preceding the full moon, and on the day and night of the full moon itself. It shall be unlawful for any person to attempt or conspire to take, capture, net, catch, contain, restrict, or remove *mekebud*, *merau* and *teber* during the four days immediately preceding the full moon, and on the day and night

of the full moon itself. The prohibitions of this subsection apply to all of the territorial waters of the State of Koror.

Section 2. Prohibitions against taking marine flora and fauna at popular tourist sites.

A. It shall be unlawful for any person to take, capture, net, catch, contain, restrict, or remove any species of flora or fauna, alive or dead, from the following areas in the rock islands of the State of Koror:

(1) "Soft Coral Arch," which includes any area within 100 yards of the "archway" or hole in the rock islands, which archway is commonly known as Soft Coral Arch;

(2) "Cemetery Reef," which includes any area within 100 yards of any upper edge of the reef area commonly known as Cemetery Reef;

(3) any "marine lake," which means any body of water that is separated from the ocean water by rocks, island, land barrier, or which is cut off from the ocean at low tide even if there is a tunnel or cave which links another part of the marine lake to the ocean waters; and

(4) Ngkisaol Islet.

Section 3. Prohibition of sale of *mekebud*. It shall be unlawful for any person to sell *mekebud* in the State of Koror at any time.

Section 4. Penalties. Any person who violates any provision of this Act, or who attempts to violate any provision of this Act, or who conspires to violate any provision of this Act shall, upon conviction of a first offense, pay a fine in the amount of \$100.00, and may be sentenced to three (3) days in jail, or both. Upon conviction of a second offense, the penalty shall be \$100.00 and five (5) days in jail. Upon conviction for a third and subsequent offenses, the penalty shall be \$100.00 and up to ninety (90) days in jail. Each fish or marine organism taken, or other flora or fauna or part thereof captured, netted, speared, fished for,

removed, possessed, contained, restricted or otherwise caught in violation of the provisions of this Act shall be deemed a separate offense.

Section 5. Severability. In the event that a court of competent jurisdiction determines that any portion or portions 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 6. 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: March 5, 1999

CERTIFIED BY:

ATTESTED TO BY:

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

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

APPROVED THIS 16th DAY OF March, 1999.

/s/
John C. Gibbons
Governor, Koror State

APPROVED THIS 19 DAY OF March, 1999.

/s/
Ibedul Y. M. Gibbons
Chairman, House of Traditional Leaders
Koror State