

A BILL FOR AN ACT

To designate and establish a State Park in Malakal in the area known as "Ice Box", to authorize the Governor to promulgate regulations relating to the use of the park area, and for related purposes.

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

SECTION 1. FINDINGS.

The Eighth Koror State Legislature hereby finds that there is a limited number of parks and recreation areas in Koror for use by tourists and the people of Palau, and that it is in the interests of the people of the State of Koror for the State Government to provide aesthetically pleasing open spaces with ocean access for various forms of recreation.

The Eighth Koror State Legislature further finds that the area commonly known as "Ice Box" is suitable for a State park and related recreational uses, and that it is in the best interests of the people of the State of Koror to designate, establish, and maintain an official State park for the benefit of Palauans and visitors alike.

SECTION 2. MALAKAL STATE PARK DESIGNATED AND ESTABLISHED.

A. There is hereby designated and established an official Koror State park in Malakal, Koror, on Lot No. 40816, as shown on Division of Lands and Surveys Map No. 4011/73, to be known as "Malakal Park". The park shall not include any area that is being utilized for mechanical sewage treatment, or for the "ponding" sewage treatment processes, and shall include all areas to the southeast, south, and southwest of the road to the Belau Mariculture Demonstration Area. The State of Koror shall develop and maintain recreational facilities and make other improvements for the use and enjoyment of the park by the people of Palau and visitors to Palau, including facilities such as playgrounds, picnicking and cooking areas, and other recreational facilities.

B. Until such time as a comprehensive plan is developed for the improvement of

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the park established by this Act, and until this section is repealed, there shall be no commercial development or commercial use's or other commercial activity on or in the

park area designated and established by this Act.

The prohibition against commercial development or uses shall not include the installation or construction of any infrastructure such as water and electrical services.

~~Nothing in this Act shall serve to diminish or interfere with any rights of the national government under any agreement for expansion of the sewage treatment plant, and the purpose of this Act is to allow for other beneficial use by the public until such time as the national government needs to use the area as authorized by any prior agreement.~~

C. Within sixty (60) days of the effective date of this Act, the Governor shall promulgate regulations relating to the use of the park designated or established under this Act, including but not limited to designating the boundaries of the park area, regulations relating to the hours that the Park may remain open, reservation of Park facilities for use by groups or individuals, issuance of permits for uses of Park facilities, and collection of fees for uses of buildings or other facilities. Koror State Government shall be responsible for maintaining the Park, including trimming or removal of grass and vegetation, painting and renovation of existing facilities as necessary, providing trash receptacles, and removal of trash and debris.

SECTION 3. SEVERABILITY

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

EIGHTH KOROR STATE LEGISLATURE

Second Regular Session, August 2006

**KSPL No. K8-177-2006
(Intro as Bill No. 8 - 02)**

SECTION 4. EFFECTIVE DATE.

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

PASSED ON: August 29, 2006

CERTIFIED BY:

ATTESTED TO BY:

/s/ _____
Timothy "Tero" Uehara
Speaker

/s/
Rena Iluches
Clerk

APPROVED ON THIS 6th DAY OF September, 2006

/s/
Yositaka Adachi
Governor Koror State