

AN ACT

To amend KSPL No. K6-113-2000, as amended by KSPL No. K6-126-2001, to increase the amount of the fee for use of tourist activity areas, to require a separate permit and the payment of a \$35.00 fee for persons to enter Jellyfish Lake on Macharchar Island, to provide for the use of fees collected, to regulate activities in and to prohibit entry to jellyfish lakes, 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 "Jellyfish Lake", located in Macharchar Island, is a unique, natural eco-system that has evolved undisturbed for the last 10,000 to 5,000 years. In recent years, tourism has increased the number of visitors to the lake, and steps need to be taken to preserve the lake in its natural condition to the greatest extent possible, or else the unique natural beauty may be lost for future generations. Affirmative steps need to be taken to preserve this lake as one of the unique natural wonders of the world.

Each year, approximately 70,000 to 80,000 tourists come to Palau, and most of the tourists visit the rock islands, with a significant number of tourists swimming in Jellyfish Lake. In recent months, as many as 200 to 300 tourists have visited the lake on a daily basis. These large numbers of visitors have a significant impact on the natural ecosystem.

One problem associated with the high number of visitors to the lake is the potential introduction of "invasive" and non-native species, or species that are not natural to the lake as it has developed over thousands of years. Most of these invaders are found at or near the swimming "entry" dock at the lake, suggesting that they are being brought in by visitors; Swimmers in the lake may also use sun screen or other lotions, which may also have a negative impact and add to the stress on the delicate marine life. All of these

impacts will have a negative effect on the lake and the jellyfish populations, unless measures are taken to

1 prevent and detect invasive and non-native species, and to limit the number of visitors.

2 By increasing fees, those persons who are truly interested in observing the
3 jellyfish should be willing to pay the increased fee, and to pay for increased protection for
4 the lakes, and the expected decrease in the number of visitors will provide for a higher
5 quality visit and a more memorable experience.

6 T he increasing number of visitors to the rock islands is also placing a strain on
7 Koror State resources for maintaining and up keeping the rock island and guest facilities,
8 and an increase in the rock island use permit fees will help Koror State to adequately
9 clean and maintain tourist activity areas and other areas of the rock islands.

10 It is in the best interests of the people of the State of Koror to provide for a
11 separate permit, and a separate fee of \$35.00, to decrease the number of visitors and to
12 increase the quality of a visit to Jellyfish Lake, and to allow Koror State to generate
13 revenues that may be used to monitor and preserve the marine life in the lake. It is also in
14 the best interests of the people of Koror to increase the fee for the general tourist activity
15 permit, so that Koror State can take affirmative steps to monitor and improve the quality of
16 the rock island experience.

17 **SECTION 2. AMENDMENT OF SECTION "3.(f)1." OF KSPL NO. K6-113-**
18 **2000 RELATING TO THE DEFINITION OF TOURIST ACTIVITY AREAS.**

19 **Section "3.(f)1."** of KSPL No. K-113-2000 is hereby amended to read as follows:

20 "(f) Tourist Activity Areas. Tourist Activity Areas are designated areas...

21 The following areas, shown on the attached map, are hereby designated as Tourist Activity
22 Areas:

- 23 1. The island of Babelomekang;

24 **Sections "2."** through "11." are hereby renumbered to reflect the deletion of the

25 reference to Jellyfish Lake.

26 **SECTION 3. AMENDMENT OF SECTION "3." OF KSPL NO. K6-113-2000**

1 **RELATING TO DEFINITIONS FOR JELLYFISH LAKE PERMITS.**

2 A. Section "3." of KSPL No. K6-113-2000 is hereby amended to add new

1 definitions, as follows:

2 "Section 3. Definitions.

3 (K) "Jellyfish Lake" means the jellyfish lake on the
4 island of Macharchar, also known as Ongeim L'tketau
5 including the designated pathway to the lake.

6 (1) "Valid Jellyfish Lake Permit" means a permit
7 issued by Koror State that has originally been issued for one
8 person in their name, which is paid in advance, and which is
9 not transferable.

10 (m) "Waters of Koror". The waters of Koror include
11 all waters within the territorial jurisdiction of Koror.

12 (n) "Official guests" Official guests means
13 ambassadors and diplomatic corps or staff, foreign
14 dignitaries who are in Palau on official business, foreign
15 government officials and representatives, representatives of
16 religious, scientific, educational, or charitable non-profit
17 organizations, and any other official representative in Palau
18 to meet with national and state government officials, or to
19 participate in an official seminar or conference, or to
20 participate in athletic or educational competition."

21 **SECTION 4. AMENDMENT OF SECTION "4." OF KSPL NO. K6-113-2000**
22 **RELATING TO AREAS RESERVED FOR PALAUANS AND RESIDENT ALIENS.**

23 Section "4." of KSPL No. K6-113-2000 is hereby amended to read as follows:

24 "Section 4. Area reserved for Palauan Citizens and

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Resident Aliens. All rock islands and the Jellyfish Lake
26 within the territorial boundaries of Koror not designated as

EIGHT KOROR STATE LEGISLATURE

Second Day, 3rd Regular Session, February 02, 2007

**KSPL No. K8-180-2007
(Intro as Bill No. 08-11, LD1)**

1

Tourist

1 Activity Areas are reserved for the exclusive use for Palauan
2 citizens and Resident Aliens. Tourists, unless excepted
3 under this or another Act, may not enter, visit, stay or remain
4 in Jellyfish Lake, or on any rock island, beach or portion of
5 a rock island that is not specifically designated herein as a
6 Tourist Activity Area.

7 Unless otherwise excepted, Palauan Citizens and
8 Resident Aliens are prohibited from accompanying or
9 transporting any Tourist into or on any non-Tourist Activity
10 Area, and are prohibited from accompanying or
11 transporting any Tourist into Jellyfish Lake unless such
12 Tourist has a valid Jellyfish Lake permit.

13 **SECTION 5. AMENDMENT OF SECTION "5." OF KSPL NO. K6-113-**
14 **2000 RELATING TO AREAS OPEN TO TOURISTS.**

15 Section "5." of KSPL No. K6-113-2000 is hereby amended to read as follows:

16 "Section 5. Areas Open to Tourists. Tourists may
17 enter, visit, stay or remain on any area specifically
18 designated as a Tourist Activity Area, and in
19 Jellyfish Lake, provided that they have in their
20 possession or control a valid Rock Island Use
21 Permit while on or in any Tourist Activity Area and
22 a Jellyfish Lake permit while in Jellyfish Lake,
23 pursuant to Section 6 and Section 7 of this Act."

24 **SECTION 6. AMENDMENT OF SECTION "7." OF KSPL NO. K6-113-**

25 **2000, AS AMEN ED BY KSPL NO. K6-126-2001, RELATING TO ROCK ISLAND**
26 **USE PERMIT FEES, AND TO ESTABLISH A FEE FOR JELLYFISH LAKE**

EIGHTH KANSAS STATE LEGISLATURE

Second Day, 3rd Regular Session, February 02, 2007

**KSPL No. K8-180-2007
(Intro as Bill No. 08-11, LD1)**

1 **PERMITS.**

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1 person to aid, abet, encourage, assist, guide, or otherwise
2 take any person to the Jellyfish Lake in violation of the
3 prohibitions of this section, and each person who enters or
4 attempts to enter the Jellyfish Lake in violation of this Act
5 may be considered a separate offense which may be
6 punished separately.

7 C. Each permit issued to a Tourist shall, be
8 sequentially numbered, and shall show on its face the type
9 of permit, the date the permit is issued, and the expiration
10 date of the permit;. It shall be unlawful to counterfeit,
11 duplicate, forge, alter, or otherwise tamper with a validly
12 issued permit and only a valid permit issued by the State of
13 Koror shall be deemed lawful under this Act.

14 B. Section "7.C" KSPL No. K6-113-2000, as amended by KSPL No. K6-126-
15 2001, is hereby redesignated as subsection "7.D."

16 **SECTION 7. AMENDMENT OF SECTION "8.7." OF KSPL NO. K6-113-**
17 **2000 RELATING TO POSTING OF PERMIT REQUIREMENTS.**

18 A. Section "8.7." of KSPL No. K6-113-2000 is hereby amended to add new
19 language to permit notice requirements, as follows:

20 "Section 8. Tour Operators Selling Permits. Tour
21 Operators may be authorized by the Koror State Governor
22 to sell permits to their customers under the conditions set
23 forth below:"

24 7. Tour Operators are required to post a notice at
25 their operating site that contains the following: "NOTICE:

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27 ALL TOURISTS ARE REQUIRED TO PURCHASE A
28 PERMIT AND PAY A USER FEE OF \$25.00 BEFORE
THEY WILL BE PERMITTED TO ENJOY THE

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(Intro as Bill No. 08-11, LD1)**

1

WATERS AND

1 ISLANDS OF KOROR. A SEPARATE PERMIT AND
2 THE PAYMENT OF A \$35.00 FEE IS REQUIRED TO
3 ENTER JELLYFISH LAKE. IT IS YOUR
4 RESPONSIBILITY TO MAKE SURE YOU HAVE BEEN
5 ISSUED A VALID PERMIT FROM YOUR TOUR
6 OPERATOR. THE PERMIT MUST BE IN YOUR
7 POSSESSION OR CONTROL AT ALL TIMES."

8 **SECTION 8. AMENDMENT OF SECTION "9." OF KSPL NO. K6-113-**
9 **2000 RELATING TO GRANTS OF EXEMPTION.**

10 A Section "9." of KSPL No. K6-113-2000 is hereby amended as follows:

11 "Section 9. Special Grants of Exemption.

12 A. Governor, is authorized to provide a special
13 grant of exemption from the permits and fees required by
14 this Act to allow official guests who would otherwise be
15 classified as Tourists to enter areas of the Rock Islands that
16 are not Tourist Activity Areas and/or to enter Jellyfish Lake
17 without a valid permit. \Palauans and Resident Aliens may
18 also be exempted by the Governor, for the specific purpose
19 of transporting or accompanying such official guests to such
20 areas. Such grant of exemption shall be in writing
21 identifying the persons and dates of exemption, and shall be
22 carried with the official guests at all times while in the Rock
23 Islands. Such grant of exemption shall not exempt the
24 official guest, Palauan, or Resident Alien from any
25 requirements or prohibitions of this Act, or any other law,

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rules, or regulation.

27 B. The Governor may also provide a written
28 exemption for the permit and the fee required by this Act to

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1 any scientific, educational, or environmental activity, or to
2 any other person in the discretion of the Governor. The
3 exemption shall state the name of the person exempted, the
4 purpose of the exemption, and the dates of exemption."
5

6 **SECTION 9. AMENDMENT OF SECTION "10." OF KSPL NO. K6-113-**
7 **2000 RELATING TO PENALTIES.**

8 A. Section "10." of KSPL No. K6-113-2000 is hereby amended as follows:

9 "Section 10. Penalties. Any person violating any
10 provision of this Act shall be guilty of a misdemeanor and
11 shall, upon conviction-to pay a fine in the amount of
12 \$100.00 for each offense, and be sentenced to jail for a
13 period of up to ninety (90) days for each offense, or both.
14 Each person who is in violation of this Act is a separate
15 offense which may be punished separately, and a separate
16 citation or Count of a criminal Information may be issued
17 for each violation.

18 The permits required by this Act allow people to
19 enjoy the privilege of going to the rock islands and to
20 Jellyfish Lake. The Governor may refuse to sell permits to
21 any tour operator or to any person who has violated the
22 provisions of this Act."

23 **SECTION 10. AMENDMENT OF SECTION "10." OF KSPL NO. K6-113-**
24 **2000 RELATING TO USE OF FES COLLECTED.**

25 A. Section "11." of KSPL No. K6-113-2000 is hereby amended as follows:

26 Page 14 of 19
27 "Section 11. Use of Revenues; Date of Termination
28 of Permit Fees.

A. Fees generated from this Act shall be used:

1 (1) to enforce compliance with this Act, including

1 purchase of fuel and oil, boats and boating equipment, and
2 to pay salaries and wages and compensation, along with
3 other enforcement expenses;

4 (2) To maintain and protect the rock islands, including
5 maintenance and groundskeeping, construction of improvements and
6 facilities for tourists and conservation activities;

7 (3) To maintain and protect diving sites;

8 (4) To acquire and install mooring buoys at
9 appropriate locations;

10 (5) For monitoring purposes and for other expenses
11 associated with the protection and preservation of Koror's
12 rock islands;

13 (6) To pay for personnel to monitor entry into the
14 Jellyfish Lake;

15 (7) To pay for scientific studies, technical
16 assistance, and equipment to monitor or study Jellyfish
17 Lake and other marine lakes, and to take action to conserve,
18 preserve and protect the Jellyfish Lake and other marine
19 lakes, including expenses for the removal of invasive or on-
20 native species in Jellyfish Lake and other marine lakes;

21 (8) To make improvements to docks, trails, access,
22 and other facilities;

23 (9) To pay for education, interpretive materials,
24 permits, and other materials needed to allow the Governor
25 to implement this Act.

26 B. Other fees generated by this Act may be used to
27 compensate the people of Koror for the impacts associated

1 with this Act pursuant to the directives of the Governor.

2 C. The fees generated by this Act shall be collected
3 until April 1, 2017."

4 **SECTION 11. PROHIBITION AGAINST ENTRY TO OTHER**
5 **JELLYFISH LAKES.**

6 A. It shall be unlawful to enter or to come within two-hundred feet (200') of any
7 other marine lake with jellyfish in Koror. "Marine Lake" means any body of water that
8 contains salt water, and which appears to be landlocked, but which is connected to the sea
9 by fissures, cracks, caves, or tunnels.

10 B. It shall be unlawful to aid, abet, encourage, assist, guide, escort, or otherwise
11 take any person regardless of citizenship or immigration status to any jellyfish lake in
12 violation of the prohibitions of this section.

13 C. The Governor may provide a written exemption from the prohibitions of this
14 section for any scientific, educational, or environmental activity, or to any other person in
15 the discretion of the Governor. The exemption shall state the name of the persons
16 exempted, and the dates of exemption.

17 **SECTION 12. PROHIBITIONS WHILE IN JELLYFISH LAKES.**

18 A. It shall be unlawful to take, remove, capture, or otherwise possess any marine
19 life, including but not limited to jellyfish, from any jellyfish lake.

20 B. It shall be unlawful to wear gloves while in any jellyfish lake.

21 C. It shall be unlawful to bring any living or non-living organism into any jellyfish
22 lake, and no living or non-living organisms may be introduced or otherwise released into
23 any jellyfish lake. This prohibition includes, shells, corals, rocks, fish, crabs, vertebrates,
24 invertebrates, and pieces of any organism, living or dead.

25 D. The prohibitions of this section apply to the jellyfish lake on Mecherchar Island,

26 and the jellyfish lake on Ngermeuangel Island, and to any other marine lake with jellyfish.

27 E. It shall be unlawful to aid, abet, encourage, assist, guide, escort, or otherwise
28 take

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1 any person regardless of citizenship or immigration status to any jellyfish lake in violation
2 of the prohibitions of this section.

3 F. The Governor may provide a written exemption from the prohibitions of
4 subsections "A." and "B." herein for any scientific, educational, or environmental activity,
5 or to any other person in the discretion of the Governor. The exemption shall state the
6 name of the persons exempted, and the dates of exemption.

7 **SECTION 13. SEVERABILITY.**

8 The provisions of this Act are severable. If any part or portion of this Act is held to
9 be invalid or unenforceable, then the offending portions may be stricken and the remaining
10 portions shall continue in full force and effect.

11 **SECTION 14. EFFECTIVE DATE.**

12 This Act shall become effective upon its becoming law of the State of Koror by operation
13 of the Koror State constitution, except that Section 3 (Jellyfish Lake permit and fee
14 requirement) shall become effective beginning on April 1, 2007.

PASSED ON: February 02, 2007

CERTIFIED BY:

ATTESTED TO BY:

/s/ _____
Timothy "Tero" Uehara
Speaker

/s/
Rena Illuches
Clerk

APPROVED ON THIS 14th DAY OF February, 2007

/s/
Yositaka Adachi
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Governor Koror State