

AN ACT

To amend Sections 3.(d), 12.B., 12.C., and 13.A. of Koror State Public Law Number K8207-2009, the Rock Islands Management and Conservation Act, 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 people of Koror, represented by the Eighth Koror State Legislature, find that because Visitors to Palau from the Federated States of Micronesia, the Republic of the Marshall Islands, and the United States of America, are currently being granted tourist and business visas for entry into Palau for a period of one year instead of thirty days, it is therefore necessary to amend the definition of “Resident Alien” and the requirements for obtaining a “Resident Identification Card” in Koror State Public Law Number K8-207-2009, the Rock Islands Management and Conservation Act, in order to prevent Visitors from these countries from possibly avoiding the requirement to obtain a Rock Island Use permit or a Jellyfish Lake permit for the purpose of enjoying the waters of Koror State. The Legislature further finds, pursuant to the request from the Department of Conservation and Law Enforcement, that it would assist the enforcement of this Act to require Tour Guides, as well as Boat Operators, to maintain a passenger list, and that this list include the Visitor’s permit number.

Section 2. Amendment of Section 3.(d) of Koror State Public Law No. K8-207-2009. Section 3.(d) of Koror State Public Law No. K8-207-2009 is amended to read:

“(d) Resident Alien. Any person who is not a citizen of Palau but who resides in Palau. For purposes of this Act, a person resides in Palau when they are physically present in Palau with the intent to, and they are lawfully authorized to, remain for a

period in excess of ninety consecutive days as a resident of Palau as evidenced by a current visa

EIGHTH KOROR STATE LEGISLATURE

KSPL NO.: K8-209-2009

Second Day, Ninth Special Session, June 23, 2009

Bill No. 08-65, LD 1

1 authorizing entry into Palau for a period in excess of ninety days or United States
 2 Military Orders authorizing entry in to Palau for a period in excess of ninety days, or
 3 by a valid work permit, and as evidenced by such other indicia of lawful residence
 4 and domicile in Palau. For purposes of this definition, neither a tourist visa (B2) nor a
 5 business visa (B1) provide evidence of residency.”

6 **Section 3. Amendment of Section 12.B of Koror State Public Law No. K8-207-**
 7 **2009.**

8 Section 12.B. of Koror State Public Law No. K8-207-2009 is amended to read:

9 “B. Resident Aliens must have in their possession written proof of identification
 10 to engage in any of the activities listed in section 6.A. or to visit any of the Rock Islands,
 11 and must provide this proof of identification for inspection by Koror State law
 12 enforcement personnel upon request. Failure to provide proof of identification
 13 establishes the presumption that the person is a Visitor and will subject the person to
 14 the same requirements and penalties that apply to Visitors under this Act. Written
 15 proof of identification shall be satisfied proven either by a valid work permit, or a
 16 current “Resident Identification Card” as described in Section 13, which must be in the
 17 possession and control of the Resident Alien at all times. Neither a Tourist Visa (B2),
 18 nor a Business Visa (B1), may be used to provide written proof of identification, no
 19 matter how many days they are issued for.”

20 **Section 4. Amendment of Section 12.C of Koror State Public Law No. K8-207-**
 21 **2009.**

22 Section 12.C. of Koror State Public Law No. K8-207-2009 is amended to read:

23 “C. All Boat Operators and Tour Guides must maintain in their possession a

24 passenger list of all Visitors that they are transporting to engage in any of the activities
 25 listed in section 6.A or to enter a Tourist Activity Area, and must provide this list for

1 inspection upon the request of Koror State law enforcement personnel. This list shall

1 include the name of each Visitor, the Visitor’s country of origin, the Visitor’s date of
2 arrival and departure, and the permit number of the Visitor’s Jellyfish Lake or Rock
3 Island Use permit. Failure to provide said list for inspection is a violation of this Act”.

4 **Section 5. Amendment of Section 13.A. of Koror State Public Law No. K8-207-**
5 **2009.**

6 “Section 13.A. of Koror State Public Law No. K8-207-2009 is amended to read:

7 “A. In order to satisfy the requirement of possession of written proof of
8 identification, a Resident Alien may purchase a “Resident Identification Card” from
9 Koror State. To purchase this card the Resident Alien must bring to the Koror State
10 Finance Office a current passport and visa authorizing entry into Palau for a period in
11 excess of ninety days or United States military orders authorizing entry into Palau for a
12 period in excess of ninety days. In addition, the Resident Alien must bring a current
13 one square inch color photograph. The price of the card shall be \$5.00. For purposes
14 of this Act, neither a tourist visa (B2) nor a business visa (B1) provide evidence of
15 residency and neither will be accepted by the Koror State Finance Office as proof of
16 residency in order to obtain a Resident Identification Card unless presented along with
17 some additional written form of identification or evidence establishing physical
18 presence and residency such as a current Work Permit card, Entry Permit card, a lease
19 of property for use as a residence, or proof of renting residential property which is the
20 place of abode of the applicant, or Palauan driver’s license, or such other evidence to
21 establish residency, physical presence, and place of abode as may be required by the
22 Governor or his designee.”

23 **Section 6. Severability.**

24 If a court of competent jurisdiction determines that any portion or portions of
25 this Act are invalid, then such offending portion or portions shall be stricken, but the

1 remainder of this Act shall continue in full force and effect.

1 **Section 7. Effective date.**

2 This Act shall take effect upon its becoming law as provided in the Koror State
3 Constitution. It shall become enforceable thirty days thereafter.

PASSED ON: JUNE 23, 2009

CERTIFIED BY:

ATTESTED TO BY:

_____/s/
Timothy “Tero” Uehara
Speaker
Eighth Koror State Legislature

_____/s/
Rena Iluches
Clerk
Eighth Koror State Legislature

APPROVED ON THIS 24th DAY OF June, 2009

_____/s/
Yositaka Adachi
Governor
State of Koror