

**A BILL FOR AN ACT**

To prohibit the cutting of trees and vegetation in the rock islands, to provide 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. Findings.**

The Tenth Koror State Legislature hereby finds that the cutting of trees and the clearing of vegetation was illegal under Section "5.(d)(4) of KSPL No. K5-74-97, an Act creating the "Rock Island Recreation Area". KSPL No. K5-74-97 was repealed by KSPL No. K6-113-2000, the "Year 2000 Rock Island and Conservation Act", which did not contain any prohibitions relating to the cutting of trees or vegetation. Finally, KSPL No. K8-207-2009, the "Rock Islands Management and Conservation Act" repealed KSPL No. K6-113-2000, and similarly, KSPL No. K8-207-2009 did not contain any prohibitions relating to the cutting of trees or vegetation in the rock islands.

The Legislature further finds that the rock islands are currently zoned as a "Conservation" zone (former 31 PNC 3175-3178), but the cutting of trees and vegetation is not expressly prohibited in such law.

The trees and vegetation, and insect and animal life, of the rock islands have grown and adapted to the rock islands over thousands and thousands of years, without human intervention. The cutting of trees and vegetation destroys animal habitat, and creates unnatural conditions that allow other forms of vegetation to replace old growth and other trees and vegetation. It is in the best interests of the people and environment of Koror to prohibit the cutting of trees in the rock islands.

**Section 2. Definitions.**

As used in this Act, the term:

(1) "Rock Islands Conservation Area" means all of the islands and areas above the ordinary high water mark as defined in Section "3" of the "Rock Islands Conservation Area" established under KSPL No. K6-100B-99, but does not include the islands of Malakal and Arakebesang, the

1 Koror Mainland, any other small islets or islands joined to Malakal, Arakebesang or Koror Mainland  
2 by causeway or bridge, and Ngerur Island.

3 (2) "trees or vegetation" means all species and forms of flora.

4 **Section 3. Prohibitions in the Rock Island Conservation Area.**

5 A. It shall be unlawful for any person to cut, harvest, trim, or otherwise remove any trees or  
6 vegetation from the Rock Island Conservation Area.

7 B. It shall be unlawful for any person to possess or have in his or her custody or control, and  
8 trees or vegetation that have been cut, harvested trimmed, or otherwise removed from the Rock  
9 Island Conservation Area.

10 C. The provisions of this Act, and the penalties provided for herein, shall apply to the person  
11 who actually violates any provision of this Act, and shall also extend to the employer, principal,  
12 superior, partner, or supervisor of such person who commands, aids, abets, assists, provides  
13 transportation, or who provides tools or equipment to any person who violates this Act.

14 **Section 4. Penalties.**

15 A. Any person convicted of violating any provision of Section 3 of this Act shall be  
16 sentenced to pay a fine in the amount of two-hundred and fifty dollars (\$250.00) for a first offense,  
17 and five-hundred dollars each subsequent violation. Each separate tree or plant cut, harvested,  
18 removed, or possessed in violation of this Act shall be a separate offense which may be punished  
19 separately.

20 B. It shall be unlawful for anyone to aid, abet, council, command, induce, or procure or cause  
21 commission of a violation of any provision of Section 3 of this Act, which directly performed by  
22 anyone would be a violation of Section 3 of this Act, and such person shall be punished as a  
23 principal and shall pay the maximum fines stated herein above in this Act. No distinction is made  
24 between principal in degrees, and no distinction is made between principal and what may be referred  
25 to as accessory before the fact.

26 **Section 5. Exemptions.**

27 A. The prohibitions of Section 3 of this Act shall not apply to Koror State Government

