

AN ACT

To amend section 7 of Koror State Public Law No. K6-113-2000 by extending the time for Rock Island Use Permit and by altering the rates applicable for children aged five (5) and under and by creating an exemption for persons who attend the "Dolphins Pacific" educational and research facility in Malakal Harbor; 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 Sixth Koror State Legislature hereby finds that as a result of terrorist attacks in the United States with the use of large commercial jet airliners, and the resulting international economic recessions, that there has been a decline in travel and tourism in the Republic of Palau. The national government of the Republic of Palau, along with the Palau Visitors Authority and private tour companies, have been taking active measures to stimulate an increase in tourism to Palau by reducing rates and by providing other incentives to attract tourists and to stimulate the tourism industry, and the State of Koror desires to contribute to the encouragement of tourism to bolster the local economy.

The Legislature has enacted Koror State Public Law No. K6-113-2000 which establishes a fee for Rock Island Use Permits at the flat rate of \$15.00 for a total of seven (7) days. The Legislature has received a formal, written request from the Palau Visitors Authority, and has received many other requests from local tour companies, to extend the effective dates for the permits, and to reduce the rates for younger children.

The Legislature is aware that many of the tourists who are coming to Palau during this international recession are staying in Palau for more than seven days, and that one of the main attractions for tourists in the Republic of Palau is water related recreational activities in the rock islands of the State of Koror. The Legislature desires to stimulate visitors to come to Palau to enjoy the rock islands by extending the effective period for the permit from the current seven (7) day limit up to a period of fifteen (15) days in order to encourage tourists to stay longer in Palau, and to take advantage of and to enjoy the natural beauty of the rock islands during their entire stay. The Legislature seeks to obtain

these goals by keeping the cost of the permits at the current level of \$15.00 for adults and older children, but the period will be extended to a total of fifteen (15) days, making the purchase of the permit easier and more attractive for tourists. Children five (5) years old and under will not be required to pay for a permit, which will allow families to afford more recreational activities while visiting Koror and the Republic of Palau.

Finally, the Koror State Public Lands Authority and the State of Koror have agreed to lease as portion of the rock islands and water space within Malakal Harbor for the establishment and maintenance of the world's largest open water dolphin training, educational, and research facility, which allows tourists and Palauans the opportunity to interact with dolphins in a natural setting. The non-profit facility allows Palauan citizens the opportunity to interact with the dolphins at no charge, on a space available basis, and the facility offers dolphin encounters free of charge for children twelve (12) and under. The Legislature is aware that this venture has significant overhead in its operations, and believes that this facility will help to promote tourism to the State of Koror, and to further provide international recognition to the State of Koror and its efforts to develop and maintain a sustainable tourism industry. In order to help attract visitors to this internationally recognized facility, and to make the facility more attractive to tourists coming to the State of Koror and the Republic of Palau, the Legislature believes that it is in the best interests of the people of the State of Koror to exempt visitors to the facility from the permit fee; this exemption is intended to apply only to those persons who attend the permanent facility in Malakal Harbor. This exemption created by this Act is consistent with the intent of Koror Public Law No. K6-113-2000, which is to manage resources and to minimize adverse impacts on the environment, since the dolphin facility is located within Malakal Harbor, and is required by the Environmental Quality Protection Board to remove from the site all waste, including sewage, generated by tourists.

Section 2. Amendment of section 7 of Koror State Public Law No. K6-113-2000.

Section 7 of Koror State Public Law No. K6-113-2000 is hereby amended to read as follows:

"Section 7. Permits Purchase; Expiration Date and Conditions of Use; Exemptions.

A. Rock Island Use Permits must be purchased for a fee of \$15.00 for all persons who are six (6) years old and older, and free for children five (5) years old and younger. Permits are valid for a period of fifteen (15) days only and are not transferable. Permits are available for purchase from the Koror State Finance Office or designated agents. Permits must be kept in the Tourists' possession or control at all times, except that a boat or tour operator may hold or control the permit for the tourist while the Tourist is engaged in recreational activities. Permits must be made available for inspection by law enforcement personnel upon demand, and it shall be unlawful for any person to fail or refuse to allow inspection of a Rock Island Use Permit.

B. Each permit issued to a Tourist shall set forth the name of the Tourist, the signature of the Tourist, the date the permit is issued, the expiration date of the permit, and the name of the agent who sold the permit. It shall be unlawful to counterfeit, duplicate, forge, alter, or otherwise tamper with a validly issued permit and only a valid permit issued by the State of Koror shall be deemed lawful under this Act.

C. There is hereby created an exemption from the permit requirement for all persons who attend the 'Dolphins Pacific' training, educational, and research facility in Malakal Harbor. No such persons shall be required to obtain a permit to attend the permanent facility in Malakal Harbor; provided, however, that any such person shall be required to obtain a permit for all other areas as required by this Act."

Section 3. Severability. In the event that a court of competent jurisdiction determines that any part or portion 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 4. Effective date. This Act shall become effective upon its becoming law by operation of the Koror State Constitution.

PASSED: November 29, 2001

CERTIFIED BY:

ATTESTED TO BY:

/s/ _____
Salvalor Tellames, Speaker
Sixth Koror State Legislature

/s/ _____
Charlyne Uong, Clerk
Sixth Koror State Legislature

APPROVED ON THIS _____ DAY OF _____, 2001.

John C. Gibbons
Governor, Koror State

APPROVED ON THIS 31 DAY OF December, 2001.

/s/
Ibedul Y. M. Gibbons
House of Traditional Leaders