

AN ACT

To prohibit motorized watercraft from traveling on or over the reef area to the northwest of Ernguul Road, to provide for penalties for violations of this Act, and for related purposes.

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

SECTION 1. FINDINGS. The Seventh Koror State Legislature hereby finds that the reef area commonly known as "Kerker ra Kosiiil", a fringing reef to the west of Ernguul Road between the Llebuchel Channel and Toirechuii, and extending westward, is widely used by kayakers, canoers, fishermen, swimmers, and other recreational users. The reef area is also extensively crossed by motorized watercraft at high speeds, and at all times of the day and night. Measures should be taken to prohibit boat traffic over the reef to provide for the safety of recreational users, and to help to conserve the reef and the marine flora and fauna that inhabit the reef.

In order to accomplish these goals, no motorized watercraft should be allowed to pass over the reef area at any time, regardless of tidal conditions, and regardless of the speed of the motorized watercraft. Penalties should also be imposed to insure the safety of fishermen and other recreational users of the reef, and to deter boaters from crossing over the reef.

SECTION 2. DEFINITIONS. As used in this Act,  
(1) "person" means any individual, and also includes any corporation, partnership, joint venture, unincorporated association, co-operative, trust, group, and any combination of the foregoing, and includes the national government of the Republic of Palau, all State

governments,

and any agency or entity of the national and any State government.

(2) "Kerker ra Kosil" means the reef and reef flat areas bounded on the east by Ernguul Road, on the north and northwest by Llebuchel channel, and on the south by the area commonly known as Toirechuiu," and includes the entire reef flat area to the west of Ernguul Road, all as shown in red on the map attached hereto which is incorporated into this Act by this reference.

(3) "motorized watercraft" means any boat, jet-ski, skidoo, or other watercraft which is propelled by a motor or by an engine, including any outboard motor, inboard motor,

propelled by a motor or by an engine, including any outboard motor, inboard motor, outboard/inboard motor, "jet" motor, and any engine or motor that runs on fossil fuel or electricity,  
and any other power source other than human paddling or rowing.

SECTION 3. PROHIBITIONS. It shall be unlawful for any person to drive, operate, or otherwise use any motorized watercraft on, over or above Kerker ra Kosiil. It shall be unlawful to cross over or to cross above Kerker ra Kosiil in a motorized watercraft.

SECTION 4. PENALTIES. Any person who violates any provision of this Act shall, upon conviction, be fined one-hundred dollars (\$100.00) for a first offense, and shall also be sentenced for a period of up to ninety days for each offense. Each subsequent offense after the first offense shall be punished with a greater monetary fine, and/or increased jail offense, and no offense shall be deemed a continuing offense.

SECTION 5. SEVERABILITY. In the event that a court of competent jurisdiction determines that any part or portion of this law is invalid, then the offending part or portions may be stricken, and the remaining portions shall continue in full force and effect.

SECTION 6. EFFECTIVE DATE. This Act shall become effective upon its becoming law by operation of the Koror State Constitution.

PASSED: May 1, 2002

CERTIFIED BY:

ATTESTED TO BY:

/s/ \_\_\_\_\_  
Yositaka Adachi, Speaker  
Seventh Koror State Legislature

/s/ \_\_\_\_\_  
Charlyne Uong, Clerk  
Seventh Koror State  
Legislature



SEVENTH KOROR STATE LEGISLATURE  
First Regular Session, January-March, 2002

KSPL NO. K7-130-2002  
(Intro as Bill No. 7-5, LD1, HD1)

APPROVED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2002.

John C. Gibbons  
Governor, Koror State

APPROVED ON THIS 15 DAY OF May, 2002.

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