

SEVENTH KOROR STATE LEGISLATURE

Sixth Regular Session, July-September, 2004

KSPL NO. K7-161-05  
(Introd. by Bill No. 7-43, LD1)

AN ACT

To authorize the Governor to promulgate regulations to implement the “Rock Islands Southern Lagoon Area Management Plan,” to repeal KSPL No. K6-113-2000 as amended by KSPL No. K6-126-2001, to provide for violations thereof, and for related purposes.

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

1                   **SECTION 1. Act Title.** This Act shall be known and cited as the “Rock Island  
2 Comprehensive Management Act of 2005.” It is referred to herein parenthetically as the  
3 “Act.”

4                   **SECTION 2. Findings.** The Seventh Koror State Legislature hereby finds that  
5 in April, 2004, Koror State Government produced a “Rock Islands - Southern Lagoon  
6 Area Compliance Plan 2004-2009", and in May of 2004, the Rock Island Management  
7 Area Executive Committee and Koror State Governor John C. Gibbons approved of a “Rock  
8 Islands - Southern Lagoon Area Management Plan 2004-2008”, consisting of three volumes (a  
9 Management Plan, an Action Plan & Monitoring Program, and Background and Analysis).  
10 Together, these works set forth guidelines for comprehensive, long term preservation and  
11 protection of the Koror State southern lagoon and rock islands.

12                   The Seventh Koror State Legislature further finds that the health, safety and welfare of  
13 the people of Koror will be advanced and served by the enactment of the Plan to supersede the  
14 Rock Island Management and Protection Act (K6-113-2000), as amended.

15                   It is in the best interests and welfare of the people of Koror to allow the Governor  
16 to promulgate rules and regulations that will implement the recommendations of the  
17 Management Plans, and which will serve to maintain and manage the rock islands and coastal  
18 marine resources as vital aspects of Koror's socio-cultural and economic well being.

19                   **SECTION 3. Authority to promulgate rules and regulations; Legislative**  
20 **approval; Penalties for violations.**

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21                   A. The Governor of the State of Koror is hereby authorized to promulgate rules and  
22 regulations to implement the “Rock Islands - Southern Lagoon Area Management Plan 2004-

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2008”, as approved by the Rock Island Management Area Executive Committee and Koror State Governor John C. Gibbons in May of 2004. The rules and regulations may contain the subject matter appearing in KSPL No. K6-113-2000, as amended by KSPL No. K6-126-2001. The rules and regulations shall comply with 40 PNC 2102(c) for the imposition of any new fees or charges.

B. Upon completion of the rules and regulations, the Governor shall transmit the regulations to the Legislature. The Legislature may recommend changes and refer the rules and regulations back to the Governor, or may adopt the rules and regulations with changes desired by the Legislature. Sixty days after the rules and regulations are adopted by the Legislature by way of Resolution, they shall have the force and effect of law. During the sixty day period, the Governor shall take affirmative steps to educate the public about the substance, content, and requirements of the rules and regulations.

C. Said regulations will have the force and effect of law, and any person who violates any provision thereof shall be fined One Hundred Dollars (\$100) and/or imprisoned for up to ninety (90) days for each such violation.

**SECTION 4. Repealer/Superseding.** Upon the effectiveness of the regulations hereafter promulgated under this Act, the Rock Island Management and Protection Act of 2000 (K6-113-2000), as amended by K6-126-2001, shall be repealed and superseded immediately and automatically by this Act and said regulations. Until such time as the regulations promulgated hereunder become effective, the Rock Island Management and Protection Act of 2000, as amended, shall remain the governing law.

**SECTION 5. Severability.** If any term of this Act is held by a court of competent jurisdiction to be invalid or unenforceable, then this Act, including all of the

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remaining terms, shall remain in force and effect as if such invalid or unenforceable term was not included.

**SECTION 6. Effective Period.** This Act shall take effect upon its becoming law by

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1                    operation of the Koror State Constitution.

PASSED: September 9, 2005

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(Introd. by Bill No.   7-43, LD1  )

CERTIFIED BY:

ATTESTED TO BY:

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

/s/ \_\_\_\_\_  
Marlena Sato, Assistant Clerk  
Seventh Koror State Legislature

Approved this \_\_\_\_ day of \_\_\_\_\_, 2005.

John C. Gibbons, Governor  
Koror State

Approved this   11   day of   OCT.  , 2005.

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