

**A BILL FOR AN ACT**

To provide for the annual closure of Blue Corner and Blue Holes dive sites beginning in June of 2012, to establish a program of dive site regulations, to provide penalties for violations of this Act, to authorize the Governor to promulgate regulations for the enforcement of this Act, and for related purposes.

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

1           **Section . Findings.**

2           The Ninth Koror State Legislature hereby finds that over the last five years, from 2006-  
3 2010, Palau has averaged over 80,000 tourists each year. In the year 2010 alone, over 72,000  
4 tourists purchased rock island use permits, with around 60,000 paying for the privilege of  
5 enjoying Jellyfish Lake. Many visitors scuba dive in Koror, especially at the world famous  
6 “Blue Corner” and “Blue Holes”. As a result, on most days many dive boats crowd for parking  
7 spaces to drop their divers, and hundreds of divers may be in the waters at the same time.

8           It is in the best interests of the people of the State of Koror to close Blue Holes and Blue  
9 Corner dive sites annually, and to allow the regulation of scuba diving at other sites to prevent  
10 crowding and to maximize the enjoyment of the environment by visitors to Koror State and  
11 locals.

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12           **Section 2. Designation of “Rehabilitation Month”; closure and regulation of dive**  
13 **sites; promulgation of regulations.**

14           A. Beginning in June of 2012, the month of June shall annually be known as  
15 “Rehabilitation Month” for reefs and scuba diving sites in Koror.

16           B. The Governor is hereby authorized to close “Blue Corner” and “Blue Holes” dive  
17 sites in June of 2012, and to limit divers at popular dive sites after June 1, 2012. “Blue Corner”  
18 and “Blue Holes” dive sites shall be closed for the month of June every year on and after 2012,  
19 and the Governor may establish a system of “rotating” dive shops to limit diving at overcrowded  
20 dive sites, all after June 1, 2012.

1 C. The Governor may promulgate regulations to implement the objectives in section  
2 “A.” herein above. The regulations shall have the force and effect of law.

3 **Section 3. Penalties.**

4 A. Any person who is found scuba diving at a site that has been closed pursuant to this  
5 Act, and any person who violates any regulations promulgated under this Act, shall, upon a first  
6 conviction, be guilty of a misdemeanor and be sentenced to pay a fine to Koror State in the  
7 amount of \$250.00. Upon conviction for a second and subsequent offenses, the sentence shall be  
8 a fine in the amount of \$500.00. Each day that this Act is so violated shall be deemed a separate  
9 offense which may be separately punished.

10 B. Any person or business entity that employs a person who is found scuba diving at a  
11 site that has been closed pursuant to this Act, and any person or business entity that employs a  
12 person who violates any regulations promulgated under this Act, shall, upon a first conviction, be  
13 guilty of a misdemeanor and be sentenced to pay a fine to Koror State in the amount of \$250.00.  
14 Upon conviction for a second and subsequent offenses, the sentence shall be a fine in the amount  
15 of \$500.00. Each day that this Act is so violated shall be deemed a separate offense which may  
16 be separately punished.

17 In additions, upon a third conviction, the business license of such violator shall be subject  
18 to suspension, revocation and cancellation, and the Governor may deny any business license

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19 application by any violator for a period of one (1) year.

20 C. It shall be unlawful to aid, abet, counsel, command, induce, or procure or cause the  
21 commission of a violation of Section 2 of this Act or a violation of the regulations promulgated  
22 under this Act, which if directly performed by any person would be a violation of Section 2 of  
23 this Act, and any such person may and shall be punished as a principal. No distinction is made  
24 between principals in degrees, and no distinction is made between a principal and what may be  
25 referred to as an accessory before the fact.

26 **Section 4. Severability.**

27 In the event that a court of competent jurisdiction determines that any part or portion of

1 this Act are invalid or otherwise unenforceable, then the offending part or portions may be  
2 stricken, and the remaining portions shall continue in full force and effect.

**Section 5. Effective Date.**

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

NINTH KOROR STATE LEGISLATURE

Third Regular Session, March 2011

L.B. No. 9- 46

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Date: March \_\_\_\_\_, 2011

Introduced by:

Speaker Eyos Rudimch

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Legislator Jason Nolan