
A BILL FOR AN ACT

To establish a public park and recreation area at Ngetmeduch, to provide for development for public benefit, to provide penalties for violations of this Act and regulations promulgated under 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 1. Findings.**

2 The Ninth Koror State Legislature hereby finds that during the construction of the
3 “Compact Road”, the former recreation area of Ngetmeduch was used as a staging area for
4 construction purposes. With the completion of the Compact Road, the terrestrial and marine
5 areas are suitable for use as, and deserve to be designated as, a State Park and Conservation
6 Area. It is in the best interests of the people of the State of Koror to designate as a State Park the
7 entire rock island adjoining Ngetmeduch for natural preservation and recreational activities.

8 **Section 2. “Ngetmeduch Park and Conservation Area” established.**

9 A. There is hereby established a Koror State Park to be known as “Ngetmeduch Park and
10 Conservation Area”.

11 B. The Ngetmeduch Park and Conservation Area (the “Park”) shall consist of all of the
12 marine and terrestrial areas shown in the photograph appended to this Act, which photograph is
13 hereby incorporated into and made a part of this Act.

14 **Section 3. Development of park areas; restrictions and prohibitions.**

15 A. Koror State Government, alone or in consultation or conjunction with any other
16 persons or entities, shall provide for the development and maintenance of Park facilities and
17 recreational areas, and other public service areas and utilities.

18 B. It shall be unlawful to fish for, take, harvest, remove, transport, touch, or otherwise

19 control any marine flora or any marine fauna, or any parts thereof, within the marine areas of the
20 Ngetmeduch Park and Conservation Area. It shall be unlawful to remove any marine flora or

1 fauna, or parts thereof, from the waters and reefs of the Ngetmeduch Park and Conservation
2 Area. It shall be unlawful to possess any marine flora or fauna, or parts thereof, in the
3 Ngetmeduch Park and Conservation Area.

4 C. It shall be unlawful to take, harvest, remove, possess, transport, touch, cut, destroy, or
5 otherwise control any terrestrial flora or any terrestrial fauna within the Ngetmeduch Park and
6 Conservation Area, including seeds and parts of plants, and animal parts or eggs. It shall be
7 unlawful to remove any terrestrial flora or terrestrial fauna from the Ngetmeduch Park and
8 Conservation Area, including seeds and parts of plants, and animal parts or eggs. It shall be
9 unlawful to introduce any terrestrial flora or fauna into the Ngetmeduch Park and Conservation
10 Area.

11 D. The prohibitions of this Section shall not apply to activities performed by Koror State
12 Government or its employees, contractors, or agents, or any person who receives advance written
13 permission from the Governor for non-commercial activities, and who is acting within the scope
14 of such written permission, and not for economic gain or profit.

15 **Section 4. Regulations.**

16 The Governor is authorized to promulgate regulations relating to the use and activities
17 conducted at the Ngetmeduch Park and Conservation Area. Such regulations shall have the force
18 and effect of law, and a violation of the regulations may be punished as a violation of this Act.
19 The Regulations may include hours for use of the Park, reservation and payment of a fee for
20 exclusive use of the Park, and all other aspects of management and use of the Park area for the
21 benefit of the public.

22 **Section 5. Penalties.**

23 A. Any person who violates any provision of this Act shall, upon conviction, be fined at
24 least one-hundred dollars (\$100.00), and no more than five-hundred dollars (\$500.00). Each
25 subsequent conviction after the first offense shall be punished by a fine of five hundred dollars
26 (\$500.00).

27 B. It shall be unlawful to violate any regulations issued by the Governor pursuant to this

1 Act. Any person who violates any provision of this subsection shall, upon conviction, be fined at
2 least one-hundred dollars (\$100.00), and no more than five-hundred dollars (\$500.00). Each
3 subsequent conviction for violation of regulations after the first offense shall be punished by a
4 fine of five hundred dollars (\$500.00).

5 C. It shall be unlawful to aid, abet, counsel, command, induce, or procure or cause the
6 commission of a violation of Section 4 of this Act or the regulations promulgated under this Act,
7 which if directly performed by any person would be a violation of Section 3 of this Act or such
8 regulations, and any such person shall be punished as a principal and upon conviction, shall be
9 fined at least one-hundred dollars (\$100.00), and no more than five-hundred dollars (\$500.00),
10 with increased fines for each subsequent or multiple violations. No distinction is made between
11 principals in degrees, and no distinction is made between a principal and what may be referred to
12 as an accessory before the fact.

13 **Section 6. Severability.**

14 In the event that a court of competent jurisdiction determines that any part or portion of
15 this Act are invalid or otherwise unenforceable, then the offending part or portions may be
16 stricken, and the remaining portions shall continue in full force and effect.

17 **Section 7. Effective Date.**

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

Date: September ____, 2011

Introduced by:

Speaker Eyos Rudimch