

A BILL FOR AN ACT

To provide for organization of the Executive Branch of Koror State Constitutional Government and for other purposes.

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

SECTION 1. LEGISLATURE FINDINGS AND PURPOSES.

A. The Constitution of the State of Koror, in conjunction with the Constitution of the Republic of Palau, is the Supreme law of the State of Koror.

B. Article VII of the Koror Constitution provides for the establishment of State Governmental Departments pursuant to law.

C. The purpose of this bill is (1) to establish various State Government Departments, (2) to establish powers and duties of the State Executive Administrator, and (3) to prescribe administrative functions of the Departments.

SECTION 2. DEFINITIONS AND GENERAL MATTERS

A. The following terms have the following definitions herein:

1. "Administrator" means the Koror State Executive Administrator as stated in Article VI 2(5) and VII of the Koror State Constitution.

2. "Director" is the head of a State Government Department as stated in Article VII 1, 3, 6, and 7 of the Koror State Constitution.

3. "Executive Branch" means the Administrative section, as stated in Article VII of the Koror State Government Constitution.

SECTION 3. KOROR STATE GOVERNMENT DEPARTMENTS.

A. Creation of Departments

There are established in the Executive Branch of the Government of the State of Koror 'the following State Government Departments of:

1. Administration;
2. Treasury;
3. Public Works;
4. State and Cultural Affairs;
5. Planning, Resources, and Development; and

6. Public Land

B. Responsibilities, Duties, Powers, and Obligations

Each department shall have, subject to the Administrator's approval, veto, supervision, and control, the following respective duties, responsibilities, powers, and obligations:

1. The Administration Department shall:

- a. Order supplies, furniture, and equipment;
- b. Maintain inventories
- c. Dispose of equipment
- d. Be responsible for maintenance needs of employee personnel records, including hours worked;
- e. Analyze space, building, and office needs of the State.

Have and perform all other duties and powers which are necessary to effectuate the above and to cooperate with other departments.

2. The Treasury Department shall:

- a. Be responsible for the management of finance, revenue, and related matters;
- b. Prepare and submit by August 31 annually to the Administrator a detailed proposed budget for the State.'
- c. Perform all accounting and financial bookkeeping functions;
- d. Prepare checks for disbursements;
- e. Analyze and seek sources of revenue for the State;
- f. Invest monies in interest earning accounts;
- g. Receive and account for taxes and other revenues;
- h. Have and perform all other duties and powers which are necessary to effectuate the above and to cooperate with other departments.

3. The Public Works Department shall:

- a. Be responsible for the operation and maintenance of public projects, of the State's transportation system, of the State's housing and other buildings and facilities, and of State equipment;
- b. Assist in planning and implementation of the State's capital improvement programs;
- c. Provide design, engineering, and other related professional and technical services; and
- d. Have and perform all other duties and powers which are necessary to

effectuate the above and to cooperate with other departments;

4. The State Affairs and Cultural Department shall:

- a. Be responsible for dissemination of public information and education to the general public;
- b. Administer state elections and referanda;
- c. Facilitate and aid activities of the legislature, executive branch, departments, and other agencies of the state and national government;
- d. Collect and compile periodic population, census, economic, social, health, and similar data;
- e. Foster, develop, and operate youth, scouting, cultural, educational, and similar programs;
- f. Have and perform all other duties and powers which are necessary to effectuate the above and to cooperate with other departments.

5. The Planning, Resources, and Development Department shall:

- a. Be responsible for conservation, management, and development of natural parks, recreational facilities, and resources.
- b. Prepare effective economic development plans including:
 - (1) Prepare and maintain State development plans including developmental goals, objectives, strategies, and costs;
 - (2) Review State and private projects; programs, and plans of Koror to ensure compliance with applicable laws and regulations in the State of Koror and make necessary recommendations; and
 - (3) Review annual and long - term budget proposals and assess their compatibility with accepted development plans and programs for the states as a whole.
- c. Enforce laws necessary to conserve, manage, and develop the natural resources of the State of Koror;
- d. Be responsible:
 - (1) For administering and enforcing the building and zoning laws governing Koror (as found in P.L. 6-3S-19 and elsewhere);
 - (2) For cooperating with the Koror Planning Commission; and
 - (3) For aiding in the implementation of the Land Planning Act (51 T.T.C. 1 et seq.)
- e. Name one of its employees as Koror Building and Zoning Official;
- f. Have and perform all other duties and powers which are necessary to

effectuate the above and to cooperate with other departments.

6. The Public Lands Department shall:

- a. Develop and administer programs for the leasing, maintenance, development, and management of Koror's public lands and buildings;
- b. Provide surveying and other technical assistance;
- c. Assist, coordinate, and manage the activities of the Koror State Public Lands Authority; and
- d. Have and perform all other duties and powers that are necessary to effectuate the above and, to cooperate with the other departments.

C. Department Divisions.

The head of each department may divide his department into two or more divisions; the head of each division shall be responsible to him and have such duties, responsibilities, and powers as he may delegate.

D. Department Heads.

1. Appointment and Removal.

The person responsible for each such department is a director. Each director shall be appointed by the Administrator with the consent of the House of Traditional Leaders and shall serve until he is removed for good cause by the Administrator.

2. Duties, Powers and Obligations.

Each Director

- a. Shall report to and be responsible to the Administrator;
- b. Shall annually submit to the Administrator:
 - (1) On October 30 a report of the performance and activities of his department for the preceding fiscal year ending on September 30;
 - (2) And to the Treasury Department by August 7 a detailed proposed budget for his department for the forthcoming fiscal year; and
 - (3) On September 1 a plan stating the proposed activities, goals, and timetable for their implementation for his department for the forthcoming fiscal year;
- c. Shall provide assistance to and supervise the employees within his department;
- d. Shall recommend the hiring, dismissal, promotion, disciplinary

action, pay raises, and other personnel matters for each employee within his department;

e. Shall be responsible for creating job definitions for each employee

within his department; and

f. Shall perform other activities as may be necessary and appropriate for his department or as prescribed by the Administrator.

SECTION 4. ADMINISTRATOR

A. Powers and Duties

The Administrator shall have the following powers and duties:

1. Provide ultimate supervision, control, and leadership of the departments;
2. Coordinate the plans and conduct of the departments;
3. Be responsible to hire, fire, discipline, and supervise all employees of the Executive Branch;
4. Establish the personnel manual for the employees of the Executive Branch;
5. Hire his own staff and assistants;
6. By executive order (a) establish offices and agencies within the Executive Branch and (b) declare holidays, practices, rules and regulations, policies, and emergency orders. Within ten days of his issuance of any executive order, he shall transmit a copy of it to both the House of Traditional Leaders and to the Koror State Legislature; a failure to so transmit shall not affect the validity of an executive order.
7. Levy and collect taxes, license fees, and other revenues and cause them to be deposited into the Koror State Treasury.
8. Delegate to other persons various duties, responsibilities, and powers.

SECTION 5. REPEAL.

All previous ordinances and any other provisions of law which conflict with this act are repealed and void to the extent of any conflict. Koror Ordinance K-01-81 is hereby repealed.

SECTION 6. SEVERABILITY.

Any judicial determination that any section or part of this act is unlawful shall not affect any other section or part hereof.

SECTION 7. EFFECTIVE DATE

This Act shall take effect upon approval by the House of Traditional Leaders or upon becoming law without such approval.

KOT EL OLBIIL RA LLACH ER OREOR
ELEVENTH SPECIAL SESSION, DECEMBER 1985

K1-13-86
(Passed as Bill No. 29)

PASSED: December 30, 1985

Certified by:/s/

Katsutoshi Becheserrak
SPEAKER

APPROVED ON:

by:/s/

Ibedul Yutaka M. Gibbons
HOUSE OF TRADITIONAL LEADERS