

FIFTH KOROR STATE LEGISLATURE

FOURTH REGULAR SESSION, January-March 1997

KSPL NO. K5-77-97
(Intro. as Bill No.
5-23, LD2)

AN ACT

To provide for the registration of voters for a referendum on proposed amendments to the Koror State Constitution, to provide for a program of political education on the proposed amendments, to authorize and appropriate funds for the program of political education, and for related purposes.

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

Section 1. Findings; Referendum date. A referendum (hereafter "the referendum") shall be conducted on July 1, 1997 in the State of Koror for the purpose of voting on proposed amendments to the Koror State Constitution as ordered by the court in the case of *Bechesserak v. Koror State Government* (Supreme Court of the Republic of Palau, Trial Division, Civ. Act. No. 166-86, Order of March 12, 1997).

Section 2. Voting qualifications; Secret ballots.

A. Any person eligible to vote in the State of Koror who desires to vote on the proposed amendments in the referendum shall register to vote for the referendum by 4:30 p.m. on Friday, May 30, 1997. A person desiring to register to vote in the referendum shall register to vote with the national Election Commissioner. No person may register to vote in the referendum unless such person meets the eligibility requirements of the Koror State Constitution and Section 102 of Title 7 of the Koror State Code.

B. All votes cast in the referendum shall be cast by secret ballot.

Section 3. Political Education Committee.

A. There is hereby established a Political Education Committee to consist of nine (9) members as follows:

(1) the House of Traditional Leaders of Koror State Government shall appoint five (5) of the members;

(2) the Fifth Koror State Legislature shall appoint four (4) members;

(3) all the members of the Political Education Committee shall be appointed no later than 7 days upon approval of this Act;

(4) no employee of Koror State Government may serve on the political education committee, and no elected or appointed office holder in Koror State Government may serve on the Committee;

(5) no person who is a party, or a member of a party, to the case of *Bechesserak v. Koror State Government* (Civ. Act. No. 166-86) may serve on the political education committee;

(6) no member of the Palau Election Commission may serve on the committee;

(7) any vacancy on the committee shall be filled in the same manner as the original appointment that was vacated.

B. The committee shall commence its work on or before May 17, 1997. A quorum of five (5) members may conduct the business and affairs of the committee. The duties of the committee shall terminate as of 11:59 p.m. on June 30, 1997. Members of the committee shall receive compensation of ten dollars (\$10.00) per meeting for serving on the committee.

C. The committee shall have the following duties, responsibilities, and powers:

(1) the committee shall, as its primary purpose and function, inform the citizens and voters of Koror in an unbiased manner about the substance, nature, and effect of the proposed amendments to the Koror State Constitution that will be voted upon in the referendum; and to inform the

public about the court decisions in Civil Action 166-86, *Becheserrak v. Koror State Government*, in an unbiased manner;

(2) the committee may utilize television, radio, newspaper advertisements, signs, flyers, public hearings, or any other medium or method of providing unbiased education on the proposed amendments;

(3) the committee may select from among its members a chairman and such other officers as deemed necessary for the committee to fulfill its functions, and may promulgate or adopt such rules and procedures as may deemed necessary by the committee;

(4) the committee may hire such staff as may be necessary to fulfill the duties of the committee, but in no event shall the committee exceed the limit of funds authorized and appropriated by this Act; and

(5) the committee shall at a minimum print and disseminate copies of the proposed amendments to the Koror State Constitution that will be voted upon in the referendum, and the committee shall include in such copies the current versions of the Koror State Constitution sought to be amended in the referendum.

Section 4. Authorization and appropriation. There is hereby authorized and appropriated the sum of twenty thousand dollars (\$20,000.00) which shall be used by the political education committee established by this Act to fund political education on the proposed amendments to the Koror State Constitution as described in this Act. The funds authorized and appropriated herein shall come from the Koror State block grant revenues received under RPPL 5-2. The Koror State Executive Administrator shall disburse the funds authorized and

appropriated by this Act within three (3) business days after submission in writing by the political education committee of any request for payment, such request for payment shall include an invoice or other evidence of the debt or expenditure of the committee. All requests for payment shall be approved by a majority of committee members. The Koror State Executive Administrator may not withhold or refuse to disburse any money requested to be disbursed by the political education committee that is within the limit of funding authorized and appropriated by this Act; if the Koror State Executive Administrator feels that any request or expenditure of the committee is improper or otherwise not warranted, then the Koror State Executive Administrator shall make the disbursement as requested, and may thereafter file suit on behalf of Koror State Government for the recovery of any funds improperly spent.

Any unexpended sum herein authorized and appropriated shall revert to the Koror State Treasury subject for reappropriation.

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 portion 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 approval by the House of Traditional Leaders of the State of Koror, or upon its becoming law by operation of the

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Koror State Constitution.

PASSED: April 22, 1997

CERTIFIED BY:

ATTESTED TO BY:

/s/ _____
Salvador Tellames, Speaker
5th Koror State Legislature

/s/ _____
Charlyne Uong, Clerk
5th Koror State
Legislature

APPROVED THIS _____ DAY OF _____ 1997.

Ibedul Y. M. Gibbons
House of Traditional Leaders
Koror State Government

Note: Automatically became law upon it self. 5/12/97 Dom.