

AN ACT

To repeal Section "3" of Koror State Public Law No. K6-93-98 relating to the repeal of Koror State Public Law codified at 31 PNCA 3342, to amend Koror State Public Law codified as 31 PNCA 3342 to require the Koror State Planning Commission to propose amendments to the Koror Zoning laws, and for related purposes.

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

Section 1. Findings. The Seventh Koror State Legislature hereby finds that Koror State Public Law codified at 31 PNCA 3342 provided for the amendment of the Koror Zoning laws by requiring the Koror Planning Commission to recommend proposed changes to the Koror State Legislature and to the Olbiil Era Kelulau, and further that 31 PNCA 3342(c) required the Olbiil Era Kelulau to hold a public hearing on any proposed amendment, followed by the formal adoption, modification and adoption, or rejection of the proposed amendment by the Olbiil Era Kelulau. Upon the adoption of the Koror Zoning laws, codified at 31 PNCA 3001 et seq., including divisions 3 and 4 of Title 31 of the Palau National Code, the national laws found in divisions 3 and 4 of Title 31 of the Palau National Code were automatically repealed. And the Zoning laws became positive law of the State of Koror.

The Seventh Koror State Legislature further finds that section "3" of Koror State Public Law No. K6-93-98 repealed Koror State law codified at 31 PNCA 3342, and that as a result of such repeal, the Koror Planning Commission was divested of authority to propose changes to the Koror Zoning laws, and the Legislature was also divested of reviewing authority to consider changes proposed by the Koror Planning Commission

The Seventh Koror State Legislature finds that it is in the best interests of the people of the State of Koror to allow the Koror Planning Commission to propose changes to the Koror Zoning and Subdivision laws codified at divisions 3 and 4 of Title 31 of the Palau National Code, and thereafter to allow review and action by the Koror State Legislature. The making of recommendations by the Koror Planning Commission will allow the Koror Planning

Commission, which is the State agency charged with enforcing die laws, to make proposed changes or modifications to allow for greater enforcement as may be necessary, and to allow for orderly administration in changes made to the official Koror Zoning Mal) and greater input in the enactment of modifications of the applicable zoning and subdivision laws.

Section 2. Repeal of Section 3 of Koror State Public Law No K6-93-98 relating to the repeal of Koror State Public Law codified as 31 PNCA 3342. Section "3" of Koror State Public Law No. K6-93-98 is hereby repealed in its entirety.

Section 3. Amendment of KorOF State Public Law codified as 31 PNCA 3342 to require the Koror Planning Commission to make proposals for the amendment or modification of changes to the Koror State Zoning and Subdivision Laws; and to require public hearings to be conducted by the Koror Planning Commission followed by consideration and action by the Legislature. Koror State Public Law codified as 31 PNCA 3342 is hereby amended to read as follows:

§ 3342. Amendments.

(a) The requirements, restrictions and boundaries set forth in this division may from time to time be amended, supplemented, changed or repealed.

(b) The Planning Commission shall prepare and recommend to the legislature of Koror State any amendment or change to this division.

(c) Koror Planning Commission shall hold at least one public hearing on the proposed amendment which shall occur no later than 15 days after prominent notice of the hearing.

(d) The proposed amendment shall then be submitted to the Koror State Legislature for enactment into law.

Section 4. Severability. In the event that a court of competent jurisdiction determines that any part or portion of this Act are invalid or otherwise unenforceable, then the offending part or portions may be 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.

PASSED: October 4, 2002

CERTIFIED BY:

ATTESTED TO BY:

/s/ _____
Yositaka Adachi, Speaker
Seventh Koror State Legislature

/s/ _____
Charlyne Uong, Clerk
Seventh Koror State Legislature

APPROVED ON THIS _____ DAY OF _____, 2002.

John C. Gibbons
Governor, Koror State

APPROVED ON THIS 31st DAY OF October, 2002.

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