

SEVENTH KOROR STATE LEGISLATURE

Tenth Special Session, October, 2005

KSPL No. K7-163-05  
(Intro. as Bill No. 7-65, LD1)

AN ACT

To amend KSPL No. K7-160-05 (which amends KSPL No. K7-158-2005), Section 1 relating to legislative findings; Section 2 adding Initiatives to the referendum date; Section 3 adding Initiatives in the voting qualifications section; Section 5 adding Initiatives to the authorization and appropriation language; to amend KSPL No. K7-158-2005, Section 3.A. adding a subsection (8) relating to appointments to Political Education Committee; and for related purposes.

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

1           **Section 1. Amendment.** Section 1, of KSPL No. K7-160-05 is hereby amended to read  
2 as  
3 follows:

4           “Section 1. Findings. The Seventh Koror State Legislature hereby finds that  
5 Resolution No. 7-37,LD1, proposed amendments to the Koror State constitution, and set  
6 a referendum on the proposed amendments for June 23, 2005. The Seventh Koror State  
7 Legislature also passed KSPL No. K7-158-2005, which established a political education  
8 committee and authorized \$30,000.00 for the educational activities. On May 23, 2005,  
9 the Election Commission notified the Koror State Legislature that the referendum would  
10 not be conducted on June 23,2005. The Seventh Koror State Legislature filed suit, Civil  
11 Action No. 05-120, seeking to clarify the provisions of the Koror State constitution  
12 relating to referendums on proposed amendments. On June 9, 2005, the court in Civil  
13 Action No. 05120 ruled that the referendum on proposed amendments may only be held  
14 at the same time as the statewide general elections for Koror.

15           On October 11, 2005, a proposed amendment through popular initiative was filed  
16 with the Palau Election Commission. Such Initiative seeks to amend Koror State  
17 Constitution. The Palau Election Commission, on October 18, 2005, certified the  
18 Initiative, thus clearing the way for such Initiative to be placed on ballot of the November  
19 8, 2005 election.

20           ...”

21           **Section 2. Amendment.** Section 2 of KSPL No. K7-160-05, is hereby amended to read  
22 as follows:

1           **"Section 2. Referendum date.** A referendum (hereafter "the referendum")  
2 shall be conducted on November 8, 2005 in the State of Koror for the purpose of voting  
3 on proposed amendments to the Koror State Constitution by virtue of Resolution 7-37,  
4 LD1, adopted by the Seventh Koror State Legislature on March 9, 2005 and any  
5 Initiative. The statewide general election shall be held on the same date."

6           **Section 3. Amendment.** Section "2.A." of KSPL No. K7-158-2005 is hereby  
7 amended to read as follows:

8           "A. Any person eligible to vote in the State of Koror who desires to vote on the  
9 proposed amendments and any Initiative in the referendum shall register to vote for the  
10 referendum by 4:30 p.m., on Friday, October 14, 2005. A person desiring to register to  
11 vote in the referendum shall register to vote with the National Election Commission.  
12 Any person who is lawfully registered to vote as of the effective date of this Act shall not  
13 be required to re-register to vote, provided that such person meets the requirements of  
14 Section "2.B." of KSPL No. K6-123-2001. No person may register to vote in the  
15 referendum unless such person meets the eligibility requirements of the Koror State  
16 Constitution and Section 102 of Title 7 of the Koror State Code."

17 ....

18           **Section 4. Amendment of Section 4 of KSPL No. K7-158-2005.** Section 4 of KSPL  
19 No. K7-158-2005 is hereby amended to read as follows:

20           "Section 4. Authorization and appropriation. There is hereby authorized and  
21 appropriated the sum of thirty thousand dollars (\$30,000.00) which shall be used by the  
22 political education committee established by this Act to fund political education on the  
23 proposed amendments to the Koror State Constitution and any Initiative as described in  
24 this Act. The funds authorized and appropriated hereby shall come from revenues paid to  
25 the Koror State Public Lands Authority in the amount of \$73,332.70 on February 22,  
26 2005, and in the amount of \$49,305.29 on February 28, 2005. The Koror State governor

27 shall disburse the funds authorized and appropriated by this Act within three (3) business  
28 days after submission in writing by the political education committee of any request for  
29 payment; such

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1 request for payment shall include an invoice or other evidence of the debt or expenditure  
2 of the committee. All request for payments shall be approved by a majority of committee  
3 members.”

4 ...

5 **Section 5. Amendment.** A new Section 3, (A) (8) of KSPL No. K7-158-2005, shall  
6 read as follows:

7 ...

8 “Section 3. Political Education Committee.

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

11 ...

12 (8) In the event the House of Traditional Leaders and the  
13 Governor have not made the appointments, such appointments may still be  
14 made by October 26, 2005.”

15 **Section 6. Severability.** If any part of provision of this Act is determined to be unlawful  
16 or invalid, such invalidity may be stricken and shall not affect the other provisions of this Act.

17 **Section 7. Effective Date.** This Act shall take effect upon its approval by the House of  
18 Traditional Leaders or upon its becoming law without such approval.

DATE PASSED: October 22, 2005

CERTIFIED BY:

ATTESTED TO BY:

/s/ \_\_\_\_\_  
Yositaka Adachi  
Speaker, 7<sup>th</sup> Koror State Legislature

/s/  
Charlyne Uong  
Clerk, 7<sup>th</sup> Koror State Legislature

APPROVED ON THIS 23<sup>rd</sup> DAY OF October, 2005.

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/s/  
John C. Gibbons  
Governor, Koror State

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APPROVED ON THIS 26 DAY OF OCT., 2005.

/s/

Ibedul Y. M. Gibbons  
House of Traditional Leaders