

AN ACT

To repeal section “3.” of Koror State: Public Law No. K5-83-97 relating to the authority of the House of Traditional Leaders to terminate any employee of Koror State Government, 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.** The Seventh Koror State Legislature hereby finds
2 that under the Koror State constitution, each branch of the government has the
3 authority to recruit, hire, and supervise its own staff.

4 Under Article VI, section 2(5) of the Constitution, the House of Traditional
5 Leaders “may recruit, hire, and supervise its own staff”. Under Article VII, section
6 4(4) of the Constitution, the Governor may “Recruit, hire, and supervise the
7 supporting staff for the Administration”. Under Article VIII, section 6(6) of the
8 Constitution, the Legislature may “Recruit hire and supervise its own staff”. Under
9 these constitutional delegations of authority, it appears that each branch should have
10 the authority to terminate its own employees, without interference from any other
11 branch of government. These provisions of the constitution appear to be “self
12 executing” with respect to the termination of employees of each branch of the
13 government. It is in the best interests of the people of the State of Koror to allow each
14 branch to exercise its constitutional authority with respect to their employees.

15 **Section 2. Repeal of Section “3.” of Koror State Public Law No. K5-83-97.**
16 Section “3.” of Koror State Public Law No. K5-83-97 is hereby repealed in its entirety.
17 The House of Traditional Leaders, the Governor, and the Legislature may exercise all
18 authority over their employees as set forth in the respective portions of the Koror State
19 constitution.

SIXTH KOROR STATE LEGISLATURE

Tenth Special Session, October-November, 2005

KSPL NO. K7-172-06
(Intro as Bill No. 7-68)

1 **Section 3. Severability.** In the event that a court of competent jurisdiction
2 determines that any part or portion of this law is invalid, then the offending portion or
3 portions may be stricken, and the remaining portions shall continue in full force and effect.

4 **Section 4. Effective date.** This Act shall become effective upon its becoming
5 law by operation of the Koror State Constitution.

PASSED: December 1, 2005

CERTIFIED BY:

ATTESTED TO BY:

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

/s/ Marlena Sato
Marlena Sato, Assistant Clerk
Seventh Koror State Legislature

APPROVED ON THIS _____ DAY OF _____, 2005.

John C. Gibbons
Governor of Koror State

DISAPPROVED ON THIS 30th DAY OF DECEMBER, 2005.

/s/ Y. M. Gibbons
IBEDUL Y. M. GIBBONS
HOUSE OF TRADITIONAL LEADERS

**OVERRIDE ACTION BY THE SEVENTH KOROR STATE LEGISLATURE
ON JANUARY 6, 2006, WAS DULY CARRIED BY A ROLL CALL VOTE OF
14 - 0.**

CERTIFIED BY:

ATTESTED TO BY:

/s/ _____

/s/

Yositaka Adachi, Speaker
Seventh Koror State Legislature

Charlyne Uong, Clerk
Seventh Koror State Legislature