

KOROR MUNICIPAL GOVERNMENT
Office of the Mayor
P.O. Box 116
Koror, Republic of Palau 96940

KOROR MUNICIPAL COUNCIL

ORDINANCE NO. 180-81

AN ORDINANCE

TO CREATE A KOROR CONSTITUTIONAL DRAFTING COMMISSION;
TO
EXTEND THE TERM OF OFFICE OF THE MAYOR AND MEMBERS OF
THE
KOROR MUNICIPAL COUNCIL; TO CONSTITUTE THE EXISTING
COUNCIL
AND MAYOR AS THE INTERIM GOVERNMENT UNTIL THE
ESTABLISHMENT
OF CONSTITUTIONAL GOVERNMENT; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE KOROR MUNICIPAL COUNCIL that:

Section 1. Finding. It is the finding of the Council that,
by virtue of the provisions of Section 6, Article XV, of the Constitution of the Republic of Palau requiring the presently constituted and chartered municipalities to establish constitutional governments within four years from the effective date of said Constitution, it would not be in the best interest of the residents of Koror Municipality to elect another municipal government under the existing Charter of Koror Municipality before the establishment of a constitutional government and that it would, rather, be in the interest of the residents of Koror to establish at this time an orderly transition from chartered government to a constitutional govern-
ment.

Section 2. Purpose. The purpose of this ordinance is to create

a constitutional drafting Commission to be known as the Koror Constitutional Drafting Commission, herein referred to as the "Commission", which is hereby empowered and directed to draft

a constitution for the State of Koror consistent with the provisions of the Constitution of the Republic of Palau; to

extend the term of office of the existing members of the Koror

Municipal Council and the Mayor of Koror and constitute the existing [sic] Council and Mayor as the Interim Government of Koror until the establishment of a constitutional government in Koror

or as otherwise provided in this ordinance.

Section 3. Members. The Commission shall be composed of fifteen (15) members who shall be appointed by the mayor with the advise and consent of the Council. A vacancy in the Commission shall be filled in the same manner as the original appointment of members. The Mayor shall call the first meeting of the Commission within fifteen (15) days following the members' confirmation by the Council and shall preside over such meeting until the Commission elects a chairman from among its members.

Section 4. Qualifications. A person eligible for appointment to the Commission shall be a citizen of the Trust Territory of the Pacific Islands and a resident of Palau and was registered as a voter in Koror during the first constitutional election in Palau.

Section 5. Duty. It is the duty of the Commission to draft a constitution for the State of Koror not inconsistent with the Constitution of the Republic of Palau and to submit such a draft to the Koror Municipal Council not later than December 31, 1981. The Commission shall include in the draft its recommendation on the procedure for the adoption of the constitution but the Council reserves the final authority to prescribe by ordinance the procedure for the adoption of the constitution.

Section 6. Powers. In the conduct of its official business the Commission is hereby empowered to exercise all the powers and privileges of a committee of the council, including the powers to:

- (a) hold public hearings;
- (b) issue subpoena requiring the attendance of witnesses or the production of documents or other evidence related to or required by the work of the Commission and
- (c) administer oath to witnesses.

Section 7. Freedom from Arrest. Unless otherwise prohibited by law, the members of the Commission shall be free from arrest while attending meetings of the Commission or while traveling to and from the Commission from their place of residence.

Section 8. Quorum and Procedure. A simple majority of the members of the Commission shall constitute a quorum of the Commission and shall be required in all decisions of the Commission. No voting except in person shall be permitted and abstentions shall not be counted as votes cast in determining the result of any question before the Commission.

Section 9. Staff Support. The Commission shall be assisted in carrying out its tasks by any and all staff members and consultants of Koror Municipality who shall not receive any compensation other than their regular salary or compensation from the Municipality. Nothing in this section shall prohibit the Commission from hiring additional staff as required and as authorized by the Council.

Section 10. Compensation. The members of the Commission shall receive a non-taxable stipend of Fifteen Dollars (\$15.00) per day while on the business of the Commission and shall be entitled to expenses for business conducted outside the boundaries of Koror Municipality at rates to be determined by the Council.

Section 11. Election of Council and Mayor Postponed. Notwithstanding the provisions of Koror Municipal Ordinance No. 6-1958, as amended, or any other ordinance to the contrary, the term of office of the Mayor and the members of the existing Koror Municipal Council is hereby extended to Midnight on December 31, 1982 at which time such term shall automatically expire unless expired earlier by virtue of the effective date of the constitution of the State of Koror. During the extended

term of office of the Mayor and the members of the Council, the Mayor and the Council are hereby constituted as the Interim Government of Koror under the existing Charter of Koror Municipality.

Section 12. Effective Date. This ordinance shall take effect upon its approval by the President of the Republic of Palau or upon its becoming law without such approval.

PASSED by a unanimous vote of the Koror Municipal Council on the 12th day of February 1981.

Certified by: /s/

Y. M. Gibbons
Mayor

APPROVED this 20th day of February 1981.

/s/

Haruo I. Remeliik
President