

AN ACT

To amend Section 2 of KSPL No. K6-90-98 as amended by KSPL No. K7-145-04, and to create a new prohibition to prohibit the membership on the Board of Trustees of the Koror State Public Lands Authority and the Koror Planning Commission by any employee, elected or appointed official of Koror State Government, or any member of any other board, commission, or authority 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:

SECTION 1. FINDINGS.

The Ninth Koror State Legislature hereby finds that section 67 of RPPL No. 5-7 amends 35 PNCA 215 (b), which provides that each state authority shall be governed by a board of trustees established by state law. Consequently, KSPL No. K6-90-98, was enacted and further amended by KSPL No. K7-145-04, to provide for the appointment of the members of the Board of Trustees of the Koror State Public Lands Authority. As Trustees, the KSPLA Board needs to be free from potential conflicts of interest, so that they can devote their full loyalty to the interests of the KSPLA. Similarly, members of the Koror Planning Commission should be free from actual and potential conflicts of interest, and this may also be accomplished by prohibiting employees, elected, and appointed officials from sitting on the Planning Commission.

The Ninth Koror State Legislature hereby finds that it is in the best interest of the people of Koror to expressly prohibit the appointment of certain government employees and officials to the KSPLA Board of Trustees and to the Koror Planning Commission, so that the Board and the Planning Commission can properly and impartially exercise their fiduciary obligations to the people of Koror.

SECTION 2. AMENDMENT. Section 2 of KSPL No. K6-90-98 as amended by KSPL No. K7-145-04, is hereby amended to read as follows:

“SECTION 2. COMPOSITION OF BOARD OF TRUSTEES OF THE KOROR STATE PUBLIC LANDS AUTHORITY; STAFFING.

“The Koror State Public Lands Authority Board of Trustees shall be comprised of seven (7) members, all of whom shall be appointed by the Governor with the advice and consent of the Koror



1 State Legislature. No appointee shall be an employee, elected official, appointed official, or member
2 of any other board, commission or authority of Koror State Government. Three members as
3 designated by the Governor shall be appointed for an initial term of two years, and four members as
4 designated by the Governor shall be appointed for an initial term of three years, and after such initial
5 terms, all subsequent appointees shall serve for a term of three years. When the Board has been fully
6 constituted, the Board shall select a Chairman and other appropriate officers. The Board may also
7 hire and supervise their own staff subject to availability of funding in the Koror State budget. A
8 Board member may be removed for cause by a vote of five (5) Board members or two-third (2/3)
9 of the membership of the Legislature.”

10 **SECTION 3. PROHIBITION AGAINST HOLDING KOROR STATE PUBLIC**
11 **OFFICE OR EMPLOYMENT BY MEMBERS OF KOROR PLANNING COMMISSION.**

12 No member of the Koror Planning Commission may be an employee, elected official,
13 appointed official, or member of any other board, commission or authority of Koror State
14 Government. Any member of the Planning Commission who is also an employee, elected official,
15 appointed official, or member of any other board, commission or authority of Koror State
16 Government as of the effective date of this Act shall be disqualified from serving on the Planning
17 Commission, and shall resign from such Koror State public office or employment, or other board,
18 commission or authority before being allowed to continue serving as a Planning Commission
19 member. In the event that such Planning Commission member does not resign from such other
20 employment or public office or service as required herein, then his or her position on the Planning
21 Commission shall be forfeited and vacated, and a new member shall be appointed to replace him or
22 her.

23 **SECTION 4. SEVERABILITY.**

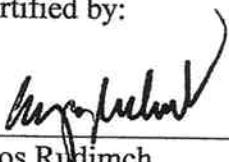
24 In the event that a court of competent jurisdiction determines that any part or portion of this
25 Act are invalid or otherwise unenforceable, then the offending part or portions may be stricken, and
26 the remaining portions shall continue in full force and effect.

1 **SECTION 5. EFFECTIVE DATE.**

2 This Act shall become effective upon its becoming law by operation of the Koror State
3 Constitution.

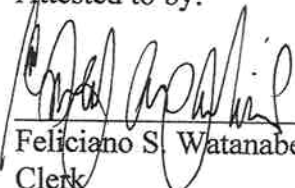
PASSED : February 11, 2010

Certified by:



Eyos Rudimch
Speaker
Ninth Koror State Legislature

Attested to by:



Feliciano S. Watanabe
Clerk
Ninth Koror State Legislature

Approved on this 18th day of September, 2010.



Yositaka Adachi
Governor
State of Koror