

AN ACT

To amend Section 102 of Title 13 to exempt state governments from certain requirements in Title 13; and to add restrictions on tariffs by Palau Public Utilities Corporation; to authorize and appropriate funds for the Our Ocean Conference 2020 Fund, and for other related purposes.

THE PEOPLE OF PALAU REPRESENTED IN THE OLBIL ERA KELULAU DO ENACT AS FOLLOWS:

1 Section 1. Legislative findings. The Olbiil Era Kelulau finds that national and state
2 financial resources are finite and should be managed responsibly. Pursuant to this
3 responsibility, the national government currently receives an exemption from the
4 financial and logistical prerequisites and requirements when hiring nonresident workers.
5 State governments do not receive the same exemption in Title 13, and therefore expend
6 precious resources seeking clearances and paying fees when hiring nonresident state
7 workers. These nonresident workers who are hired on contractual basis often perform
8 specialized or professional work that directly benefits the states and their residents. The
9 Olbiil Era Kelulau finds that state governments should be supported in their efforts to
10 provide services for their residents and the national government should take positive
11 steps to remove hindrances to more efficient governance. Therefore, the Olbiil Era
12 Kelulau finds that a small amendment should be added to the Labor title of the Palau
13 National Code to exempt state governments from certain clearance procedures when
14 hiring nonresident workers.

15 Section 2. Amendment. Section 102 of Title 13 of the Palau National Code is
16 hereby amended by inserting the following definition (m) and re-lettering accordingly:

17 “§ 102. Definitions.

18 In this title:

19 (a) ...

20 ...

21 (e) “Employer” means any individual, partnership, association, or corporation
22 hiring employees in the Republic and any individual who has in his employ a domestic
23 servant, but does not include any branch or agency of the national government.

24 (f) ...

25 ...

26 (m) “Skilled worker” means an employee with specialized skills, training,

1 knowledge, and acquired ability in order to perform the duties of their employment, such
2 as software development, paramedics, physicians, heavy equipment operator, mechanics,
3 plumbers, craftsmen, and accountants.

4 ...”

5 Section 3. Amendment. Section 1023 of Title 13 of the Palau National Code is
6 hereby amended as follows:

7 “§ 1023. Application of chapter to employees of national government.

8 Nothing in this chapter shall be construed to exempt employees of the national
9 government who are seeking employment during hours when they are not engaged in the
10 performance of government employment, or employers other than the national
11 government who are seeking to hire such employees or prospective employees, from
12 complying fully with the provisions of this chapter. This chapter shall be construed to
13 apply to such persons for all purposes, except insofar as rendered inapplicable by a
14 specific provision of this chapter.”

15 Section 4. Amendment. Title 13 is amended by adding the following new Section:

16 “§ 1078. Exemptions for State governments.

17 In hiring skilled workers, state governments shall be exempted from the
18 provisions of this Title except for provisions required by Sections 1043 and 1044.”

19 Section 5. Amendment. Section 412 of Title 37 of the Palau National Code is
20 hereby amended as follows:

21 “§ 412 Rates; rate making process; restriction of tariff raises by Palau Public
22 Utilities Corporation.

23 (a) The rates set by PPUC for the electricity operations of the Republic that are in
24 effect on the effective date of this act shall be the rates of PPUC on the effective date of
25 this Acts, provided, however, that PPUC shall not increase any tariffs on utilities until
26 after June 30, 2018; PPUC shall also provide a supplemental report to the President of
27 the Republic, the Presiding Officers of the Olbiil Era Kelulau, and the Office of the Public
28 Auditor on or before May 31, 2018. Such report shall include but not be limited to the
29 following:

30 (1) A progress report on the improvements of the water and waste water systems
31 as funded by the ADB loan;

1 (2) A progress report on the Water Supply Improvement Project funded by the
2 Government of Japan;

3 (3) A detailed proposed tariff schedule pursuant to Section 412 of Title 37 of the
4 Palau National Code;

5 (4) The reasoning behind such tariff increases, and the corresponding provisions
6 in the ADB loan such increase seeks to satisfy; and

7 (5) a comprehensive action plan to stabilize utilities rates, to include the viability of
8 establishing variable wastewater rates for establishments which obtain the majority of
9 their water supply from water sources other than PPUC.”

10 Section 6. Amendment to RPPL 10-12. The title of RPPL No. 10-12 is hereby
11 amended to as follows:

12 “To enact a budget law for Fiscal Year 2018 through the authorization of the sum
13 of \$91,216,414 and appropriate \$86,014,414 from the National Treasury for the annual
14 general operations, special revenue, and debt service budget of the Republic of Palau for
15 the fiscal year ending September 30, 2018, and for related purposes.”

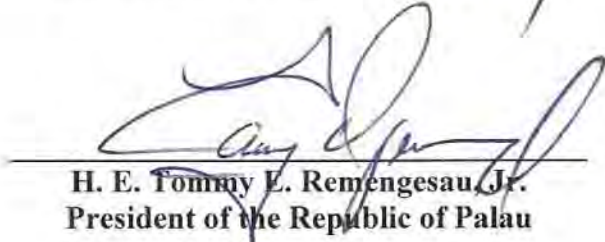
16 Section 7. Amendment to RPPL 10-12. Amend RPPL No. 10-12 to add a new
17 Section 37 and renumber accordingly:

18 “Section 37. Our Ocean Conference 2020 Fund. The amount of one hundred
19 thousand dollars (\$100,000) is authorized to be appropriated and is hereby appropriated
20 to the Our Ocean Conference 2020 Fund. The source of such funds shall be from local
21 revenues.”

22 Section 8. Effective date. This Act shall take effect either upon its approval by
23 the President of the Republic of Palau or upon its becoming law without such approval.

PASSED: January 31, 2018

Approved this 12th day of February, 2018.


H. E. Tommy L. Remengesau, Jr.
President of the Republic of Palau