March 19, 2020
Serial No. 20-1642

The Honorable Sabino Anastacio
Speaker of the House of Delegates
10th Olbiil Era Kelulau
Ngerulmud, Palau National Capitol
Republic of Palau 96939

Re: Signing Statement for HB 10-128-14S, HD8, SD2, PD1, the Fiscal Year 2020
Supplemental Budget Authorization and Appropriation Act

Dear Speaker Anastacio:

Thank you for your expedited action on House Bill No. 10-128-14S, HD8, SD2, PD1, enclosed herein. In this time of global uncertainty caused by COVID-19, your timely and responsive leadership is more important than ever.

I must thank you, again, for your critical appropriations toward addressing the COVID-19 pandemic. Your $916,808 to the Hospital Trust Fund supports our effort to gather emergency coronavirus supplies. Your appropriation of up to $6 Million in reserve funds will help ensure government services in the coming months. As the economic challenges of this pandemic continue to mount, we must continue to cooperate on such critical funding issues.

I also thank you for remembering that this, too, shall pass. While we tackle this pandemic with our full ability, we must not forget the long-term needs of this Republic, and your budget is responsive to those long-term needs. You have seen to the needs of our public utility, our educational organizations, and our cultural organizations, while looking even to the importance of Constitutional record-keeping. In this time of crisis, these important government priorities must proceed, and your attention ensures that they will.

With that said, I must make two adjustments. In the coming weeks and months, resources will be shifted to protecting the health of our people, and to the long, slow work of rejuvenating our economy. I understand the motivation behind your $800,000 increase to state government budgets, and your $200,000 increase to the budget of the House of Delegates. However, in this time of crisis, I believe we must err on the side of fiscal prudence. I seek your understanding as I exercise my authority to line-item reduce specific appropriations as follows:
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Please note that the budget for Kayangel State is being reduced by only $46,000, to reconcile a typographical error that was made on RPPL 10-42.

Thank you, again, for your attention to the financial health of our Republic.

Sincerely,

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

Cc: The Honorable Hokkons Baules, President of the Senate

Encl: HB 10-128-14S, HD8, SD2, PD1
March 19, 2020
Serial No. 20-1642

The Honorable Hokkons Baules
President of the Senate
10th Olbil Era Kelulau
Ngerulmud, Palau National Capitol
Republic of Palau 96939

Re: Signing Statement for HB 10-128-14S, HD8, SD2, PD1, the Fiscal Year 2020
Supplemental Budget Authorization and Appropriation Act

Dear Senate President Baules:

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Thank you, again, for your attention to the financial health of our Republic.

Sincerely,

[Signature]

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

Cc: The Honorable Sabino Anastacio, Speaker of the House of Delegates

Encl: HB 10-128-14S, HD8, SD2, PD1
TENTH OLBIIIL ERA KELULAU

FOURTEENTH SPECIAL SESSION

MARCH 2020

HOUSE BILL NO. 10-128-14S, HD8, SD2, PD1

AN ACT

SEE TITLE INSIDE

OFFERED BY DELEGATE(S): ROP President Tommy E. Remengesau, Jr., ET AL.

DATE INTRODUCED: February 21, 2020

HOUSE ACTION

FIRST READING: February 21, 2020
REFERRED TO: Ways and Means
STANDING COMMITTEE REPORT NO: 10-106/10-107
DATE ADOPTED: February 24, 2020/March 12, 2020
SECOND READING: February 24, 2020
LEGAL FORMAT: Proper
REVIEW: February 24, 2020
THIRD READING: February 27, 2020
FINAL ACTION: March 18, 2020

SENATE ACTION

FIRST READING: March 03, 2020
REFERRED TO: Ways and Means and Financial Matters
STANDING COMMITTEE REPORT NO: 10-245
DATE ADOPTED: March 05, 2020
SECOND READING: March 05, 2020
LEGAL FORMAT: Proper
REVIEW: March 06, 2020
THIRD READING: March 06, 2020
FINAL ACTION: March 18, 2020

CONFERENCE COMMITTEE ACTION

DATE: None
COMMITTEE REPORT: None
DATE PASSED: None

Marcello Nepelu
HOUSE CLERK

Ann L. Pedro
SENATE CLERK
TENTH OLBIIL ERA KELULAU

Fourteenth Special Session, February 2020

(Passed as House Bill No. 10-12B-145, HD8, SD2, PDI)

AN ACT

To authorize and appropriate additional sums from the National Treasury for general operations and capital improvements of the Republic of Palau for the fiscal year ending September 30, 2020, to amend Section 330, Title 40 of the Palau National Code, and for related purposes.

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

Section 1. Short Title. This Act may be cited as “The Fiscal Year 2020 Supplemental Budget Authorization and Appropriation Act”.

Section 2. Amendment. The title of RPPL No. 10-42, as amended by RPPL No. 10-44 and RPPL No. 10-49, is hereby amended to read as follows:

“To enact a budget law for Fiscal Year 2020 through the authorization of $100,827,308 and appropriation of the sum of $100,827,308 from the National Treasury for the annual general operations, special revenue, and debt service budget of the Republic of Palau for the fiscal year ending September 30, 2020, including $3,000,000 from the General Fund Reserve to fund the Civil Service Pension Plan deficit, to amend Titles 8, 11, 13, 28, 32, 37, and 40 of the Palau National Code, and Section 41 of RPPL No. 10-25, and for related purposes.”

Section 3. Amendment. Section 2 of RPPL No. 10-42 is hereby amended to read as follows:

“Section 2. Executive Branch Operations. The sum of $47,972,000 is authorized for appropriation and is hereby appropriated for expenditure and obligation for Fiscal Year 2020 for the purpose of covering the operational and contingent expenses of the Executive Branch. The total amount authorized to be appropriated shall be made up of the following available revenues: the amount of $25,379,000 shall come from local revenues; the amount of $1,351,000, or the actual amount collected, shall come from the Pristine Paradise Environmental Fees (PPEF) allocation for the Palau International Airport operations and shall be applied to subsection 7(e); the amount of $962,000 shall come from alcoholic beverage tax and tobacco excise tax revenues earmarked for appropriation to the Ministry of Health and shall be applied to subsection 9; the amount
of $5,280,000 shall come from the allocation for direct economic assistance under the
2010 Compact Review Agreement; and the amount of $15,000,000 shall come from the
Compact Section 211(f) Trust Fund Investment Account. The total amount authorized
for appropriation and that is hereby appropriated in this section shall be allocated
according to the following schedule, respectively:

... 
(2) Office of the Vice President
  ...
  (b) National Emergency Management Office 259,000

Sub-Total $638,000

...

(4) Ministry of State
  ...
  (a) Southwest Island Field Trips/ Sonsorol & Hatohobei 310,000
  ...

Sub-Total $4,469,000

...

(7) Ministry of Public Infrastructure, Industries and Commerce
  ...
  (e) Bureau of Commerce 85,000
  ...
  (e) Bureau of Aviation 2,272,000
  (f) Bureau of Lands and Surveys 927,000
  ...
  (h) Palau Energy Administration 150,000
  ...
  (k) Bureau of Communications 150,000
Section 2 Total $47,972,000"
(6) Association of Pacific Island Legislatures (APIL) 15,000

(8) Palau Japan Parliamentary Friendship 35,000

(9) …

(10) …

Section 4 Total $6,028,000

Section 5. Amendment. Section 5 of RPPL No. 10-42 is hereby amended to read as follows:

"Section 5. Boards, Commissions, and Authorities. The sum of $1,531,000 is authorized for appropriation and is hereby appropriated for expenditure and obligation for Fiscal Year 2020 for the purpose of funding the operational and contingent expenses of Boards, Commissions, and Authorities. The entire amount of funds authorized and appropriated in this section shall come from local revenues. The total authorization and the total appropriation shall be allocated according to the following schedule, respectively:

…

(2) Palau Election Commission 563,000

Of these funds for the Palau Election Commission, the amount of $305,000, or so much thereof as may be necessary, shall be earmarked for state and primary elections.

(3) COFA Board of Trustees 50,000

…

Section 5 Total $1,531,000"

Section 6. Amendment. Section 6 of RPPL No. 10-42 is hereby amended to read as follows:

$8,456,000

"Section 6. State Block Grants. The sum of $9,257,000 is hereby authorized to be appropriated and is hereby appropriated for expenditure or obligation for Fiscal Year 2020 for the purpose of state governments’ operational and capital improvement
project expenses. The entire amount of funds authorized and appropriated in this section shall come from local revenues. The amount authorized for appropriation shall be available for expenditure for operations and CIP projects in accordance with 40 PNC Chapter 22. The total authorization and total appropriation shall be allocated according to the following schedule, respectively:

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Section 6 Total: $9,252,000

Section 7. Amendment. Section 7 of RPPL No. 10-42 is hereby amended to read as follows:

"Section 7. Independent Agencies. The sum of $3,530,000 is authorized for appropriation and is hereby appropriated for expenditure or obligation for Fiscal Year 2020 as operating grants or subsidies for independent agencies of the National Government. The entire amount of the funds authorized and appropriated in this
section shall come from local revenues. The total authorization and appropriation shall be allocated according to the following schedule, respectively:

(1) Office of the Public Auditor $665,000

... 

Section 7 Total $3,530,000" 

Section 8. Amendment. Section 8 of RPPL No. 10-42 is hereby amended to read as follows:

"Section 8. Other Agencies and Activities. The sum of $1,886,000 is authorized for appropriation and is hereby appropriated for expenditure or obligation for Fiscal Year 2020 as grants or subsidies for recurring programs, agencies, and activities. The entire amount of funds authorized and appropriated in this section shall come from local revenues. The total authorization and appropriation shall be allocated according to the following schedule, respectively:

... 

(3) Palau Community Action Agency 354,000

Of these funds, the sum of $50,000, or so much thereof as may be necessary, is earmarked for the apprentice program for the Civic Action Team.

... 

Section 8 Total $1,886,000" 

Section 9. Amendment. Section 11 of RPPL No. 10-42 is hereby amended to read as follows:

"Section 11. PAN Fund. The sum of $1,621,500, or the actual amount collected, is hereby authorized to be appropriated and is hereby appropriated for Fiscal Year 2020 for the purposes of the Protected Areas Network Fund pursuant to 24 PNC § 3413, as amended. The amount authorized to be appropriated and that is hereby appropriated in this section shall come from local revenues derived from the collection of the environmental protection fee ("Green Fee") during the fiscal year. Any
unexpended or unobligated balance of the appropriation of this section shall not lapse at
the end of the fiscal year.”

Section 10. Amendment. Section 14 of RPPL No. 10-42 is hereby amended to
read as follows:

“Section 14. Pristine Paradise Environmental Fees (PPEF). The actual amount
collected is hereby authorized to be appropriated and is hereby appropriated for Fiscal
Year 2020 for purposes related to the security, operations, maintenance, and
improvement of the Palau International Airport. The amount authorized to be
appropriated and that is hereby appropriated shall come from the portion of the
Pristine Paradise Environmental Fee allocated and to be used for such purposes, to the
extent that the actual expenditures or obligations do not exceed actual revenue receipts.
Any unexpended or unobligated balance of the appropriation of this section shall not
lapse at the end of the fiscal year.”

Section 11. Amendment. Section 22 of RPPL No. 10-42 is hereby amended to
read as follows:

“Section 22. PPUC Water & Wastewater Subsidy. The sum of $1,600,000 is
hereby authorized to be appropriated and is hereby appropriated for expenditure or
obligation for Fiscal Year 2020 to subsidize the water and sewer improvement
operations of the Palau Public Utilities Corporation (PPUC). PPUC shall be responsible
for connecting water and power services to the New Correctional Facility from
Ngerikii, Airai State. The entire amount authorized to be appropriated and
appropriated in this section shall come from local revenues, except that up to $304,500
shall come from applicable Green Fee allocation for water and wastewater services and
improvements.” Section 12. Amendment. Section 44 of RPPL No. 10-42 is hereby
amended to read as follows:

“Section 44. 13th Festival of Pacific Arts & Culture. The sum of $250,000 is
authorized to be appropriated and is hereby appropriated for expenditure or obligation
for Fiscal Year 2020 for the purpose of funding the Republic of Palau’s participation
Page 7 of 11
and attendance at the 13th Festival of Pacific Arts & Culture to be held in Honolulu, Hawai‘i. The entire amount authorized to be appropriated and appropriated in this section shall come from local revenues and shall be non-lapsing."

Section 13. Amendment. Section 330 of Title 40 of the Palau National Code is hereby amended as follows:

"§330. General fund reserve.

(a) A permanent “General Fund Reserve” is hereby established, into which all unspent appropriated funds shall be deposited. The following revenues shall be managed and invested by the COFA Board of Trustees:

(1) The general fund cumulative surplus balance;

(2) ...

...

(b) The General Fund Reserve may be used only for the following purposes:

(1) Prior to the expiration of the Compact funding period, the General Fund Reserve may be utilized for emergency expenditures under a declared state of emergency, in accordance with Article VIII, Section 14 of the Constitution, so long as no other funds are available.

...

(3) In Fiscal Year 2020, the General Fund Reserve may be utilized, subject to authorization and appropriation, to maintain the Republic of Palau Civil Service Pension Plan on a sound actuarial basis, and to offset any local revenue shortfall related to the impact of the coronavirus pandemic.

(4) After expiration of the Compact funding period, the General Fund Reserve may be utilized to fund any lawful purpose."

Section 14. Local Revenue Shortfall Funding. The sum of $6,000,000, or so much thereof as may be necessary, is authorized for appropriation and is hereby appropriated to the General Fund for expenditure or obligation for Fiscal Year 2020, to offset any local revenue shortfall related to the impact of the coronavirus pandemic. The entire
amount of the funds authorized and appropriated in this section shall come from the
General Fund Reserve.

Section 15. 26th Mechesil Belau Conference. The amount of $50,000 is authorized
for appropriation and is hereby appropriated for expenditure or obligation for Fiscal
Year 2020 for the organization and conduct of the 26th Mechesil Belau Conference. The
entire amount authorized to be appropriated and appropriated in this section shall
come from local revenues.

Section 16. PPUC Power Subsidy. The sum of $1,800,000 is authorized for
appropriation and is hereby appropriated as a reimbursable subsidy for expenditure or
obligation for Fiscal Year 2020 for power operations and improvements of the Palau
Public Utilities Corporation (PPUC). The entire amount authorized and appropriated
in this section shall come from the General Fund Reserve and shall be reimbursed to the
General Fund Reserve once concessionary financing for operations and capital
investment requirements is secured pursuant to Section 17 of this Act and is drawn
down.

Section 17. Authorization for the President of the Republic of Palau to secure a
concessionary loan to finance the operational deficit and capital investment
requirements of the Palau Public Utilities Corporation (PPUC). The President is hereby
authorized to negotiate and secure a concessionary loan agreement on behalf of the
Palau Public Utilities Corporation (PPUC) in order to address the operational deficit
and capital investment requirements of PPUC. The President shall submit the
concessionary loan agreement to the Olbiil Era Kelulau for appropriation of funds
necessary to meet the Republic’s obligations thereunder.

Section 18. Coronavirus Emergency Funding. The sum of $916,808 is authorized
for appropriation and is hereby appropriated for expenditure or obligation for Fiscal
Year 2020 to the Hospital Trust Fund and used under 34 PNC §332(a)(3) for the cost of
emergency coronavirus monitoring, treatment, and related activities. The entire
amount authorized to be appropriated and appropriated in this section shall come from
the Non-Communicable Diseases Fund. The use of any outside grant funding received in Fiscal Year 2020 for preventing, containing, responding to, or mitigating the effects of the coronavirus pandemic shall be exempt from the requirements of 40 PNC Chapter 6.

Section 19. **Airai-Aimeliik “Ngerderar Bridge” Waterline Connection.** For the purpose of the completion of the Airai-Aimeliik “Ngerderar Bridge” Waterline Connection project the sum of up to $800,000, or a fraction thereof, is authorized for appropriation for expenditure or obligation for Fiscal Year 2020. The entire amount authorized to be appropriated in this section shall come from local revenues.

Section 20. **Additional Supplemental SSA Benefit Payment.** The sum of $660,000 is hereby authorized for appropriation and is hereby appropriated to the Social Security Administration for the purpose of funding the additional fifty dollar ($50) supplemental social security benefit to old age insurance and disability beneficiaries who are citizens of the Republic of Palau, Federated States of Micronesia, or United States of America pursuant to Section 20 of RPPL No. 10-42, as amended by RPPI No. 10-44. The entire amount authorized to be appropriated and that is hereby appropriated in this section shall come from local revenues. Any unexpected or unobligated balance of the appropriation of this section shall not lapse at the end of the fiscal year.

Section 21. **Official Copy of the Constitution of the Republic of Palau.** The sum of $25,000 is hereby authorized for appropriation and is hereby appropriated to Palau Community College for the purpose of funding the compilation of pertinent records from the First and Second Constitutional Conventions and the creation of copy of the Constitution of the Republic of Palau that incorporates the official Palauan and English versions. Palau Community College shall administer these funds and lead a team including representatives from the Judiciary, the Palau National Code Commission, and other appropriate organizations. The resulting document shall be submitted to the Olbiil Era Kelulau for possible adoption as an “official” copy of the Constitution.
entire amount authorized to be appropriated and appropriated in this section shall come from local revenues and shall be non-lapsing.

Section 22. Effective Date. This Act shall take effect upon its approval by the President of the Republic of Palau or upon becoming law without such approval, except as otherwise provided by law.

Passed: March 18, 2020

Approved this 11th day of March, 2020

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