



EIGHTH OLBIIL ERA KELULAU

SEVENTH REGULAR SESSION

JULY - AUGUST 2010

HOUSE BILL NO. 8-15-1, HD2, SD2

A BILL FOR AN ACT

To amend Title 19 of the Palau National Code to increase the penalties associated with the removal, theft, damage, or destruction of historical sites, tangible cultural property, and lagoon monuments, and for other related purposes.

OFFERED BY DELEGATE(S) J. Isechal, H. Rafael, J. Nabeyama,

W. Andrew, and R. Kesolei

ET AL,

DATE INTRODUCED February 20, 2010

HOUSE ACTION

FIRST READING:	02/20/09
REFERRED TO:	CYSA
STANDING COMMITTEE REPORT NO:	8-6
DATE ADOPTED:	02/26/09
SECOND READING:	02/26/09
LEGAL FORMAT:	Proper
REVIEW:	02/27/09
THIRD READING:	02/27/09
FINAL ACTION:	07/20/10 / SD2

SENATE ACTION

FIRST READING:	03/05/09
REFERRED TO:	YASWC
STANDING COMMITTEE REPORT NO:	8-113
DATE ADOPTED:	09/16/09
SECOND READING:	09/16/09
LEGAL FORMAT:	Proper
REVIEW:	09/21/09
THIRD READING:	09/23/09
FINAL ACTION:	Passed with 1 SD

CONFERENCE COMMITTEE ACTION

DATE:	None
COMMITTEE REPORT:	None
DATE PASSED:	None

Roman Yano

HOUSE CLERK

Wilbur Williams

SENATE CLERK

AN ACT

To amend Title 19 of the Palau National Code to increase the penalties associated with the removal, theft, damage, or destruction of historical sites, tangible cultural property, and lagoon monuments, 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 the historical and
2 cultural heritage of the people of Palau constitute a precious national resource that should be
3 preserved for the benefit of all. The Historical and Cultural Preservation Act, a thorough and
4 workable plan for historical preservation, assists in achieving this preservation goal. The Historical
5 and Cultural Preservation Act allows for the promulgation of a regulatory framework to assure that
6 historical sites and historical and cultural properties located in Palau are protected from destruction
7 from both intentional and unintentional actions.

8 The Palau Lagoon Monument Act also addresses historical preservation. It states that “[a]ll
9 ships, other vessels, and aircraft, and any and all parts and contents thereof, which formerly
10 belonged to or were part of the armed forces or commercial fleet of Spain, Germany, Japan, the
11 United States or any other nation, which were sunk to or otherwise deposited on the bottom of the
12 Palau Lagoon and its territorial waters, subject to applicable salvage laws, shall be and hereby are
13 set apart as monuments which shall be collectively called the ‘Palau Lagoon Monument.’”

14 These Acts work together to provide penalties for the damage or destruction of a historical
15 site, tangible cultural property, or a lagoon monument. Given the importance of historical sites,
16 cultural property, and lagoon monuments to Palau’s own cultural preservation, and to the tourism
17 and diving industries, the Olbiil Era Kelulau feels that the current penalties for the destruction or
18 theft of historical sites or artifacts are inadequate. These sites and artifacts are priceless in terms
19 of cultural significance and monetary value because of their irreplaceable nature. In order to
20 demonstrate the Republic’s dedication to cultural preservation and to show that Palau will not
21 tolerate the destruction and plundering of its heritage, the Olbiil Era Kelulau finds that it is
22 necessary to increase the penalties associated with the removal, theft, damage, or destruction of