

CHAPTER 6

HISTORICAL SITES AND ANTIQUITIES

[§252. Powers and duties of director.](#)

[§253. Historic sites commission; established; composition; appointment; terms; compensation.](#)

[§254. Same; powers and duties.](#)

[§255. Cooperation with and assistance of governmental and private agencies.](#)

[§256. Conflict of chapter with other laws.](#)

§252. Powers and duties of director.

It is hereby declared that it is a territorial policy to preserve for public use historic sites, buildings and objects of territorial significance for the inspiration and benefit of the people of Micronesia. (Code 1970, tit. 67, § 251.)

§252. Powers and duties of director.

The deputy director for resources and development (hereinafter referred to as the "director"), for the purpose of effectuating the policy expressed in this chapter, shall have the following powers and perform the following duties and functions:

(1) Secure, collate, and preserve drawings, plans, photographs and other data of historic and archaeological sites, buildings and objects.

(2) Make a survey of historic and archaeological sites, buildings and objects for the purpose of determining which possess exceptional value as commemorating or illustrating the history of Micronesia.

(3) Make necessary investigations and research in the Trust Territory relating to particular sites, buildings or objects to obtain true and accurate historical and archaeological facts and information concerning the same.

(4) For the purpose of this chapter, acquire in the name of the Trust Territory government by gift, purchase or otherwise any property, personal or real, or any interest of estate therein, title to any real property to be satisfactory to the director; provided, that no such property which is owned by any

religious or educational institution, or which is owned or administered for the benefit of the public, shall be so acquired without the consent of the owner; provided further, that no such property shall be acquired, or contract or agreement for the acquisition thereof made which will obligate the fund of the Trust Territory for the payment of such property, unless or until the Congress of Micronesia or the Congress of the United States has appropriated money which is available for that purpose.

(5) Contract and make cooperative agreements with district governments, municipalities, corporations, associations or individuals to protect, preserve, maintain, or operate any historic or archaeological building, site, object or property used in connection therewith for public use, regardless of whether the title thereto is in the Trust Territory government; provided, that no contractor cooperative agreement shall be made or entered into which will obligate the fund of the Trust Territory unless or until the Congress of Micronesia or the Congress of United States has appropriated money for such purpose.

(6) Restore, reconstruct, rehabilitate, preserve and maintain historic or prehistoric sites, buildings, objects and properties of territorial, historical or archaeological significance and, where deemed desirable, establish and maintain museums in connection therewith.

(7) Erect and maintain tablets to mark or commemorate historic or archaeological significance.

(8) Operate and manage historic and archaeological sites, buildings and properties acquired under the provisions of this chapter together with lands and subordinate buildings for the benefit of the public, such authority to include the power to charge reasonable visitation fees and grant concessions, leases or permits for the use of land, building space, roads or trails when necessary or desirable either to accommodate the public or to facilitate administration; provided, that such concessions, leases, or permits shall be let at competitive bidding to the persons making the lowest and best bid.

(9) When the director determines that it would be administratively burdensome to restore, reconstruct, operate or maintain any particular historic or archaeological site, buildings or property donated to the Trust Territory government, he may cause the same to be done by organizing a corporation in accordance with the law for that purpose under the laws of the Trust Territory.

(10) Develop an educational program and service for the purpose of making available to the public facts and information pertaining to Micronesia's historic and archaeological sites, buildings and properties of territorial significance. Reasonable charges may be made for the dissemination of any such facts or information.

(11) Perform any and all acts, and make such rules and regulations not inconsistent with this chapter as may be necessary and proper to carry out the provisions thereof.

Any person violating any of the rules and regulations authorized by this chapter shall be punished by a fine of not more than three hundred dollars and be adjudged to pay all costs of the proceedings. (Code 1970, tit. 67, § 252.)

§253. Historic sites commission; established; composition; appointment; terms; compensation.

A general advisory board to be known as the "Historic Sites Commission" is hereby established, to be composed of not more than eleven persons, citizens of the United States or Micronesia, or both, and to include representatives competent in the fields of history, archaeology, architecture, and human geography, who shall be appointed by the High Commissioner and serve at his pleasure. The members of such commission shall receive no salary but may be paid expenses incidental to travel when engaged in discharging their duties as such members. (Code 1970, tit. 67, § 253.)

§254. Same; powers and duties.

It shall be the duty of such commission to advise on any matters relating to territorial parks and to the administration of this chapter submitted to it for consideration by the director. The commission may also recommend policies to the director from time to time pertaining to territorial parks and to the restoration, reconstruction, conservation and general administration of historic and archaeological sites, buildings and properties. (Code 1970, tit. 67, § 254.)

§255. Cooperation with and assistance of governmental and private agencies.

The director, in administering this chapter, is authorized to cooperate with and may seek and accept the assistance of any United States department or agency, or any educational or scientific institution, or any patriotic association or any individual. (Code 1970, tit. 67, § 255.)

§256. Conflict of chapter with other laws.

The provisions of this chapter shall control if any of them are in conflict with any other laws relating to the same subject matter

CHAPTER 8

Chuuk Lagoon Monument

[§ 1701.](#) Declaration of Policy.

[§ 1702.](#) Establishment of Chuuk Lagoon State Monument.

[§ 1703.](#) Administration, Protection, and Development.

[§ 1704.](#) Appropriations.

[§ 1705.](#) Permits to Examine.

[§ 1706.](#) Rules and Regulations.

[§ 1707.](#) Penalties.

§ 1701. Declaration of Policy.

It is hereby declared that it is a State district policy to preserve forever historic landmarks, structures, and other sites and objects of State district and national territorial significance situated within the administration area of the State of Chuuk Truk District for the inspiration and benefit of the people of the Federated States of Micronesia.

Source: TDL 21-5, § 1, modified.

Editor's note: TDL 21-5 that created this Chapter was signed into law by the District Administrator on August 14, 1971.

§ 1702. Establishment of ChuukTruk Lagoon StateDistrict Monument.

All ships, vessels and aircraft, and any and all parts thereof and all other objects, including non-military items, which formerly belonged to or were part of the armed forces of Japan and were sunk to or otherwise deposited in the Chuuk Truk Lagoon prior to December 31, 1945 shall be, and hereby are, designated as State district monuments, which shall be collectively called the "Chuuk Truk Lagoon State District Monument". For purposes of this Section the Chuuk Truk Lagoon is defined as all marine areas below the ordinary high water mark which are enclosed by the Chuuk Truk barrier reef.

Source: TDL 21-5, § 2, as amended by TDL 24-20, § 1, modified.

§ 1703. Administration, Protection, and Development.

The administration, protection, and development of the aforesaid State district monuments shall be exercised under the direction of the Governor District Administrator of the Chuuk State Truk District Legislature shall be obligated therefor unless or until the Chuuk State Truk District Legislature has appropriated funds which are available for that purpose.

Source: TDL 21-5, § 2, modified.

§ 1704. Appropriations.

There are authorized to be appropriated annually such sums as may be necessary to carry out the provisions of this Chapter act.

Source: TDL 21-5, § 4, modified.

§ 1705. Permits to Examine.

(1) All persons who dive to or by any other means seek and obtain access to the aforesaid ships, other vessels and aircraft, or any and all parts thereof, for the purpose of examination shall first obtain a permit therefor from the managers of the duly licensed diving shops in the State, and no person may dive to or by any other means seek and obtain access to the aforesaid ships, other vessels and aircraft, or any and all parts thereof for the purpose of examination without first obtaining a certified diving guide from the duly licensed diving shops in the State. The managers of the duly licensed diving shops are authorized to issue such permits to those persons whom they deem qualified to conduct such examination subject to such rules and regulations as the Governor may prescribe.

(2) The managers of the duly licensed diving shops in the State shall collect a 30 thirty dollars fee for each permit and deliver the collected fees to the State Treasury to be deposited in the General Fund. All fees collected pursuant to this Section 5 of this act shall be earmarked exclusively for the administration, protection, and development of Chuuk Lagoon State Monument.

Source: TDL 21-5, § 5, as amended by TSL 3-18, § 1 (5) and CSL 5-99-19, § 1 (5), modified.

Editor's note: CSL 5-99-10 that amended this Section was signed into law by the Governor on February 17, 2000.

§ 1706. Rules and Regulations.

The Governor District Administrator of the State of Chuuk Truk District shall make and publish from time to time uniform rules and regulations for the purpose of carrying out the provisions of this Chapter Act.

Source: TDL 21-5, § 6, modified.

§ 1707. Penalties.

Any person who, without the written permission of the Governor, removes, appropriates, damages, or destroys the aforesaid ships, other vessels or aircraft, or any or all parts thereof, or who violates any provisions of this act, any rules and regulations issued pursuant to the act shall, upon conviction, be fined a sum not more than \$1,000 or be imprisoned for a period of not more than six months, or both.

Source: TDL 21-5, § 7, as amended by TSL 3-26, § 1 (7), modified.