

SENATE JOINT RESOLUTION

Equitably dividing all revenues derived from licensing foreign vessels to fish for highly migratory fish within the jurisdictional waters of Palau.

WHEREAS, Section 6 (c) of Article XII of the Constitution of the Republic of Palau states that “all revenues derived from licensing foreign vessels to fish for highly migratory fish within the jurisdictional waters of Palau shall be divided equitably between the national government and all the state governments as determined by the Olbiil Era Kelulau”; and

WHEREAS, the national government has many sources of revenues and is not solely dependent on the revenues from foreign fishing vessels to support its activities on behalf of the people of Palau; and

WHEREAS, the state governments have very few sources of revenue and [need badly] require the revenues from foreign fishing vessels to enable them to fulfill their Constitutional responsibilities; and

WHEREAS, the best method of dividing the states’ share of the revenues from foreign fishing vessels among them is based on the needs of each state; and

WHEREAS, the needs of each state depend most on the number of people who live within their boundaries; now, therefore,

BE IT RESOLVED by the Senate of the First Olbiil Era Kelulau, [First Second] Seventh Regular Session, 198[1]2 the House of Delegates concurring, that [seventy-five percent (75%) seventeenths // (16,17) ninety percent (90%)] eighty-five percent (85%) of the revenues derived from licensing foreign vessels to fish for highly migratory fish within the jurisdictional waters of Palau shall be divided among the states of the Republic of Palau based on the number of people living in each state with [thirty-two percent (32%)] fifty-five percent (55%) thereof allocated among the states in equal shares and [sixty-eight percent (68%)] thirty percent (30%) thereof apportioned between the states according to the 1980 Government Census population and

BE IT FURTHER RESOLVED that the remaining [~~twenty-five percent (25%)~~ ~~one seventeenth (1/17)~~ ~~ten percent (10%)~~] fifteen percent (15%) of such revenues shall be deposited in the National Treasury of the Republic of Palau and shall be available for appropriation; and

BE IT FURTHER RESOLVED that certified copies of this Joint Resolution be transmitted to the President of the Republic of Palau, the Magistrate of each state of the Republic of Palau, the [~~National Treasurer, and the~~] Minister of Administration High Commissioner of the Trust Territory of the Pacific Islands.

Date: 1/15/81

Introduced by: /s/ Johnson Toribiong
Senator

***Note: The bracketed highlighted portions were crossed out in the original resolution.**

**FIRST OLBIIIL ERA KELULAU
REPUBLIC OF PALAU
KOROR, PALAU
96940**

Phone: 407/455

July 30, 1982

Con. Com. Rep. No. 10
RE: SJ. No. 5, SD1,SD2, HD1
CD1,CD2

SENATE

**The Honorable Carlos H. Salii
Speaker, House of Delegates**

and

**The Honorable Kaleb Udui
President, Senate
First Olbiil Era Kelulau
Koror, Republic of Palau 96940**

Dear Gentlemen:

Your Conference Committee to which was referred Senate Joint Resolution No. 5, SD1, SD2, HD1, CD1, entitled:

“A Senate Joint Resolution Equitably dividing
all revenues derived from licensing foreign
vessels to fish for highly migratory fish
within the jurisdictional waters of Palau.”

begs leave to report as follows:

This Joint Resolution has been on Conference Committee for a long time. Many long hours have been spent debating and compromising, but the Committee failed to agree on an acceptable formula for dividing the revenues between the national government and the state governments, and among the state governments.

Naturally, the House preferred a larger percentage of the revenues be equally divided to the States and the Senate wanted a larger percentage be divided to the States based on population of each State. The figures offered by both houses were substantially different. The House conferees insisted that the revenues be distributed as follows:

10% goes to national government
70% be equally divided among the States
20% divided according to population of each State.

The Senate conferees insisted on the following formula:

**The Honorable Carlos H. Salii
Speaker, House of Delegates**

and

**The Honorable Kaleb Udui
President, Senate**

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20% goes to national government .
40% be equally divided among the States.
40% be apportioned between the States
according to population.

After comparing these figures, your Conference Committee finally agreed to average these figures in order to come up with an acceptable formula.

Therefore, it was agreed that 15% of the revenues will go to national government, 55% will be equally divided among the several states and 30% will be divided among the states according to population. It was further agreed that the 1980 Trust Territory of the Pacific Islands census will be used.

Your Conference Committee strongly supports the purpose and intent of this Joint Resolution as amended herein and recommends its adoption in the form attached hereto as Senate Joint Resolution No. 5, SD1, SD2, HD1, CD1, CD2.

Respectfully submitted by:

CONFERENCE COMMITTEE

House of Delegates:

Senate:

Blau Skebong, Chairman

/s/
Kuniwo Nakamura, Chairman

/s/
Hideo Termeteet, Conferee

/s/
Edobo Temengil, Conferee

/s/
Johnny Reklai, Conferee

/s/
Lucius Malsol, Conferee

Laurentino Ulechong, Conferee

/s/
Masami Siksei, Conferee