

(HICOM DISAPPROVES TWO BILLS)

SAIPAN, SEPTEMBER 23 (MNS)---IN LETTERS SENT THIS WEEKEND TO THE LEADERSHIP OF THE CONGRESS OF MICRONESIA, TRUST TERRITORY HIGH COMMISSIONER EDWARD E. JOHNSTON ANNOUNCED "WITH REGRET" HIS VETO OF TWO OF THE MAJOR BILLS HE RECEIVED FROM THE RECENT SPECIAL SESSION OF CONGRESS ON SAIPAN.

DISAPPROVED WERE A BILL RELATING TO THE TRANSFER OF PUBLIC LAND TO DISTRICT CONTROL (SB 296), AND A BILL AMENDING THE CONSTITUTIONAL CONVENTION LAW, PUBLIC LAW 5-50, TO, AMONG OTHER THINGS, PROVIDE FOR A CREDENTIALS COMMITTEE (SB 347).

THE HICOM SAID HE TOOK THE ACTIONS "RELUCTANTLY," AND "ONLY AFTER LONG DELIBERATION."

REGARDING THE BILL ON TRANSFER OF PUBLIC LAND, THE HIGH COMMISSIONER ENCLOSED IN HIS VETO MESSAGE AN OPINION ON THE BILL ISSUED BY TRUST TERRITORY ATTORNEY GENERAL RICHARD I. MIYAMOTO. THIS OPINION POINTED OUT CERTAIN IMPORTANT SUBSTANTIVE AND JURISDICTIONAL DEFECTS IN THE BILL WITH RELATION TO THE UNITED STATES POLICY, ANNOUNCED IN NOVEMBER, LAST YEAR, BY THE SECRETARY OF THE INTERIOR, A POLICY WHICH AUTHORIZED THE TRANSFER OF PUBLIC LAND TO DISTRICT CONTROL AND WAS ISSUED IN RESPONSE TO REQUESTS ORIGINALLY PUT FORTH BY LEADERS IN MICRONESIA. IT WAS SUBSEQUENTLY ENDORSED BY THE CONGRESS' JOINT COMMITTEE ON FUTURE STATUS. THE POLICY SETS OUT CERTAIN LIMITATIONS AND SAFEGUARDS WHICH MUST BE COMPLIED WITH SO THAT THE UNITED STATES, THROUGH THE TRUST TERRITORY GOVERNMENT, CAN FULFILL ITS RESPONSIBILITIES TO THE PEOPLE OF MICRONESIA, THE HICOM POINTED OUT.

HOWEVER, HE SAID, " THIS LEGISLATION, INSTEAD OF FACILITATING THE TRANSFER OF TITLE TO THE DISTRICTS, AS WAS INTENDED, WOULD, IN FACT, IMPAIR THIS ACTION.

"THE CONGRESS OF MICRONESIA," HE CONTINUED, "HAS NOW ENDEAVORED TWICE TO COMPLY WITH THE REQUEST OF THE ADMINISTERING AUTHORITY AND THE PEOPLE OF MICRONESIA TO PASS ENABLING LEGISLATION THAT WOULD TRANSFER PUBLIC LAND TO LOCAL CONTROL. BECAUSE DEFICIENCIES IN THE BILL REQUIRED DISAPPROVAL, I AM PREPARED TO TAKE WHATEVER EXECUTIVE ACTION MIGHT BE NECESSARY TO FULFILL THE ADMINISTRATION'S COMMITMENT TO FACILITATE THIS TRANSFER. EXECUTIVE ACTION, HOWEVER, WILL BE TAKEN ONLY UPON THE FORMAL REQUEST OF A DISTRICT AND ONLY IF THE CONDITIONS SET FORTH IN THE PUBLIC LAND POLICY STATEMENT ARE MET. I AM HOPEFUL THAT SUCH A TRANSFER OF PUBLIC LAND WILL SATISFY THE ORIGINAL MICRONESIAN REQUESTS FOR THE INTENTIONS OF THE CONGRESS WHICH ENDORSED THE PRINCIPLES EMBODIED IN THE POLICY STATEMENT."

IN HIS LETTER TO THE CONGRESS ON SENATE BILL 347, THE HIGH COMMISSIONER CONGRATULATED THE CONGRESS FOR TAKING THE INITIATIVE IN AMENDING CERTAIN PARTS OF THE CONSTITUTIONAL CONVENTION LAW. HE POINTED OUT THAT MOST OF THE AMENDMENTS WERE WELL CONCEIVED AND PROPER, AND HE URGED THE LAWMAKERS TO TAKE PRIORITY ACTION DURING ITS NEXT SESSION TO ENACT THESE CHANGES.

HIGH COMMISSIONER JOHNSTON FOUND THAT HE HAD TO VETO THE ENTIRE BILL, HOWEVER, BECAUSE OF CERTAIN FEATURES IN SECTIONS EIGHT AND NINE OF THE MEASURE. THESE SECTIONS RELATE TO THE TIMING OF ANY FUTURE POLITICAL STATUS PLEBESCIOTE AND

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THE CONSTITUTIONAL REFERENDUM, AND TO PARTICIPATION IN, AND APPROVAL OF THE CONSTITUTION BY, A REFERENDUM.

"THE MARIANA ISLANDS DISTRICT," THE HICOM POINTED OUT, "IS NOW NEGOTIATING FOR ITS OWN POLITICAL STATUS, AND MAY HAVE ALREADY ADOPTED A CONSTITUTION AND VOTED IN ITS OWN PLEBESCIOTE BEFORE THE OTHER DISTRICTS OF MICRONESIA. THIS BILL WOULD HAVE REQUIRED THE PLEBESCIOTE TO TAKE PLACE ON THE SAME DAY AS THE REFERENDUM THROUGHOUT THE TRUST TERRITORY.

"THE NATURE AND TIMING OF ANY POLITICAL STATUS PLEBESCIOTE," JOHNSTON STRESSED, "IS THE RESPONSIBILITY OF THE ADMINISTERING AUTHORITY." HE REAFFIRMED THE COMMITMENT OF THE UNITED STATES TO CONSULT FULLY AND AT LENGTH WITH THE PEOPLE AND LEADERS OF THE TRUST TERRITORY ON THESE MATTERS, BUT CONCLUDED THAT A BILL IN WHICH THE NATURE AND TIMING OF A POLITICAL STATUS PLEBESCIOTE WERE SPELLED OUT BY THE CONGRESS OF MICRONESIA COULD NOT BE SIGNED INTO LAW.

IN TAKING THE TWO VETO ACTIONS, THE HIGH COMMISSIONER EXPRESSED THE HOPE THAT THE CONGRESS AND THE ADMINISTRATION WILL WORK TOGETHER TOWARD THEIR SHARED GOALS OF INCREASED SELF-GOVERNMENT AND RESPONSIBILITY FOR MICRONESIA.

(HICOM SIGNS FINAL BILLS)

SAIPAN. SEPTEMBER 23 (MNS)---TRUST TERRITORY HIGH COMMISSIONER EDWARD E. JOHNSTON HAS SIGNED THE FINAL TWO BILLS FROM THE SUMMER SPECIAL SESSION OF THE CONGRESS OF MICRONESIA INTO LAW. THE ACTIONS MEAN THAT, OF THE 23 BILLS PASSED DURING THAT SESSION, 21 HAVE BECOME LAW WHILE TWO WERE DISAPPROVED (SEE PREVIOUS STORY). THAT TOTAL INCLUDES ONE BILL THAT WAS DISAPPROVED, RE-PASSED BY THE CONGRESS, AND SIGNED INTO LAW ON ITS SECOND CONSIDERATION BY THE HICOM.

SIGNED DURING THE WEEKEND WAS A BILL APPROPRIATING \$102,000 FOR PUBLIC PROJECTS ON KUSAIE, PONAPE DISTRICT, (HB 325). IT HAS NOW BECOME PUBLIC LAW 5-109.

ON MONDAY (SEPT. 23), THE FINAL BILL WAS SIGNED INTO LAW. IT IS A BILL REVISING AND STRENGTHENING TRUST TERRITORY CODES RELATING TO THE USE OF DRUGS AND OTHER DANGEROUS SUBSTANCES (HB 359). THE NEW DRUG CODE IS NOW PUBLIC LAW 5-110.

IN SIGNING THE DRUG LAW, HIGH COMMISSIONER JOHNSTON SAID: " THIS IS A VERY IMPORTANT PIECE OF LEGISLATION, AND BOTH THE CONGRESS OF MICRONESIA AND THE EXECUTIVE BRANCH WERE IN COMPLETE AGREEMENT AS TO THE NECESSITY FOR THE CONTROLS WHICH ARE PROVIDED IN THIS ACT."

PASSAGE OF DRUG LEGISLATION DURING THE SPECIAL SESSION BECAME LIKELY FOLLOWING A DECISION BY TRUST TERRITORY CHIEF JUSTICE HAROLD W. BERNETT WHICH , IN EFFECT, VOIDED THE TT CODE DRUG STATUTES ON THE BOOKS AT THAT TIME. ALTHOUGH THE U.S. FEDERAL DRUG LAWS REMAINED IN EFFECT IN THE TT, THERE WERE SOME WHO SAID THE JUDGE'S DECISION REMOVED EFFECTIVE CONTROLS ON THE USE OF DRUGS IN MICRONESIA, AND THE ADMINISTRATION RUSHED TO GET A NEW DRUG LAW TO THE CONGRESSMEN IN TIME FOR CONSIDERATION DURING THE SPECIAL SESSION.

THE BURNETT DECISION CAME IN A MARIJUANA CASE, AND THE NEW LAW SPELLS OUT NEW, SPECIFIC PENALTIES FOR THE POSSESSION AND USE OF THIS POPULAR SUBSTANCE.

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(MARIANAS CONGRESS CANDIDATES CHOSEN)

SAIPAN, SEPTEMBER 23 (MNS)---SLATES OF CONDIDATES FOR THE UP-COMING CONGRESS OF MICRONESIA GENERAL ELECTION HAVE