

(HICOM DISAPPROVES TWO BILLS)

SAIPAN, SEPTEMBER 23 (MNS) ⁷⁴ - 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 5-60, 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. BECUASE 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 PLEBESCITE AND

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.

(MARIANAS CONGRESS CANDIDATES CHOSEN)

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

BEEN SELECTED BY THE TWO POLITICAL PARTIES IN THE MARIANAS, THE POPULAR PARTY AND THE TERRITORIAL PARTY.

JOSE P. MAFNAS, A POLICE CAPTAIN, HAS BEEN CHOSEN BY THE TERRITORIAL PARTY TO RUN AGAINST TWO POSSIBLE CONDDIDATES FROM THE POPULAR PARTY FOR THE HOUSE SEAT FROM DISTRICT ONE. THEY ARE HERMAN T. PALACIOS AND INCUMBENT CONGRESSMAN FELIPE Q. ATALIG. BOTH WERE NOMINATED DURING THE CONVENTION SUNDAY BUT NO VOTES WERE TAKEN BECAUSE OF PROBLEMS AMONG THE TINIAN DELEGATES. THE OFFICIAL CANDIDATE WILL BE ANNOUNCED SOMETIME THIS WEEK, ACCORDING TO A POPULAR PARTY OFFICIAL.

HERMAN R. GUERRERO, (POPULAR PARTY), MARIANA ISLANDS COMMUNITY ACTION AGENCY EXECUTIVE DIRECTOR, WILL RUN AGAINST INCUMBENT CONGRESSMAN PEDRO P. TENORIO (TERRITORIAL PARTY) IN DISTRICT TWO.

INCUMBENT CONGRESSMAN HERMAN Q. GUERRERO, (POPULAR PARTY) WAS UNANIMOUSLY CHOSEN TO RUN AGAINST OSCAR C. RASA (TERRITORIAL PARTY) IN REPRESENTATIVE DISTRICT THREE. RASA

WAS AN UNSUCCESSFUL CANDIDATE FOR THE SENATE LAST ELECTION. HE LOST TO SENATOR OLYMPIO T. BORJA BY A MARGIN OF 156 VOTES.

INCUMBENT SENATOR EDWARD DLG. PANGELINAN, WAS ALSO UNOPPOSED DURING THE POPULAR PARTY NOMINATIONS SUNDAY FOR THE SENATE. PANGELINAN WILL RUN AGAINST PEDRO A. TENORIO, WHO WAS ALSO UNANIMOUSLY ELECTED BY THE TERRITORIAL PARTY DURING THEIR CONVENTION. TENORIO RAN LAST ELECTION FOR THE SENATE IN A THREE-WAY RACE, ON THE CONCERNED CITIZEN'S TICKET, LOSING TO SENATOR BORJA ALONG WITH RASA.

PANGELINAN IS CHAIRMAN OF THE DISTRICT POLITICAL STATUS COMMISSION AND SOME OBSERVERS ARE SAYING THE RACE WILL BE A GOOD INDICATION OF HOW THE PEOPLE OF THE MARIANAS FEEL ABOUT THE DIRECTIONS THE STATUS COMMISSION IS TAKING.

THE GENERAL ELECTION WILL TAKE PLACE NOVEMBER 5.

(PRE-CONVENTION COMMITTEE IN TRUK)

TRUK, SEPTEMBER 23 (MNS)---THE PRE-CONVENTION COMMITTEE OF THE MICRONESIAN CONSTITUTIONAL CONVENTION WHICH HAS BEEN TOURING THE EASTERN DISTRICTS, WAS IN TRUK LAST WEEK MEETING WITH VARIOUS GROUPS INCLUDING THE MEMBERS OF TRUK DISTRICT LEGISLATURE, THE TRUK DELEGATION TO THE CONGRESS OF MICRONESIA, THE TRUK DELEGATION TO THE MICRONESIAN CONSTITUTIONAL CONVENTION AND STUDENTS FROM XAVIER AND TRUK HIGH SCHOOLS.

COMMITTEE CHAIRMAN SEN. TOSIWO NAKAYAMA OF TRUK SAID THE PURPOSE OF THE MEETING IS TO GET IDEAS AND RECOMMENDATIONS FROM THE PEOPLE IN THE DISTRICTS ON THE CONSTITUTIONAL CONVENTION (CONCON). THE COMMITTEE MET THURSDAY MORNING (SEPT. 19) WITH THE TRUK DELEGATION TO THE CONCON. LEO FALCAM, OF PONAPE, EXPLAINED THAT THEY WERE TRAVELING TO GET IDEAS AS TO WHEN THE CONCON SHOULD BE HELD; WHAT LEGISLATION SHOULD BE INTRODUCED AT THE NEXT SESSION OF THE CONGRESS OF MICRONESIA TO CLARIFY OR AMEND THE PRESENT CONCON LAW; AND ON THE GENERAL SUBJECT OF THE CONVENTION.

ACCORDING TO FALCAM, THE PONAPE DISTRICT LEGISLATURE HAD ASKED THAT THE CONVENTION NOT BE HELD BEFORE OCTOBER 1975 BECAUSE THE LEGISLATORS PLAN TO GET THE VIEWS OF THEIR PEOPLE ON THE CONVENTION.

NOHA RUBEN, TRUK DISTRICT PUBLIC INFORMATION OFFICER, SAID THE DISCUSSION CENTERED ON THE QUESTION OF HAVING THE TRADITIONAL LEADERS VOTE AT THE CONVENTION. DELEGAT MAKETO

ROBERT TOLD THE COMMITTEE THAT THE TRADITIONAL LEADERS HAVE A SPECIAL ROLE AT THE CONCON TO ADVISE THE DISTRICT DELEGATES ON MATTERS OF TRADITIONAL LAWS AND CUSTOMS. ACCORDING TO RUBEN, IT WAS THE GENERAL FEELING OF THE TRUK DELEGATION THAT THE TRADITIONAL LEADERS SHOULD BE ALLOWED TO VOTE AT THE CONCON.

THE COMMITTEE THEN MET WITH TRUK'S CONGRESSIONAL DELEGATION, TELLING THEM OF PLANS TO HOLD THE CONVENTION AT THE SAIPAN CONTINENTAL HOTEL. THE MEMBERS ALSO TOLD THE DELEGATES THAT THE CONGRESS SHOULD GIVE MORE TIME AND MORE MONEY FOR THE CONVENTION. SENATOR ANDON AMARAICH STATED THAT THE CONCON IS THE MOST IMPORTANT EVENT FOR MICRONESIANS, AND ALL OTHER GOVERNMENT ACTIVITIES SHOULD BE SCHEDULED AROUND THAT DATE.

SEVERAL BUSINESSMEN WITH WHOM THE COMMITTEE MET TOLD THE COMMITTEE THAT INFORMATION AND POLITICAL EDUCATION SHOULD BE EFFECTIVELY COMMUNICATED TO THE PEOPLE OF MICRONESIA. MANY PEOPLE, SAID MASATOKY STEVEN, OPERATIONS MANAGER OF THE TRUK TRADING COMPANY, ARE STILL UNAWARE OF ALL THE DEVELOPMENTS AND ISSUES OF THE CONSTITUTION AND THE STATUS NEGOTIATIONS.

WHEN THE COMMITTEE MET WITH TRADITIONAL LEADERS OF TRUK, THE RELATIONSHIP BETWEEN THE DRAFT COMPACT OF FREE ASSOCIATION AND THE CONCON WERE DISCUSSED. KINTOKY JOSEPH SAID THAT THE RELATION BETWEEN THE U.S. AND MICRONESIA SHOULD BE MADE CLEAR BEFORE THE DELEGATES MEET.

SENATOR NAKAYAMA AGREED, SAYING THE JOINT COMMITTEE ON FUTURE STATUS WILL TRY TO HAVE THE NEGOTIATIONS COMPLETED BY THE NEXT SESSION OF CONGRESS IN JANUARY, SO THAT THE DELEGATES WILL HAVE AN IDEA WHEN THEY MEET OF THE DRAFT COMPACT.

THE COMMITTEE MET IN THE EVENING WITH STUDENTS FROM TRUK AND XAVIER HIGH SCHOOLS, ACCORDING TO RUBEN. SEVERAL QUESTIONS WERE ASKED BY THE STUDENTS PERTAINING TO THE MICRONESIAN CONSTITUTION, ITS RELATIONSHIP TO FUTURE STATUS, POSSIBLE CONFLICT WITH THE DRAFT COMPACT OR THE U.S. CONSTITUTION, AND ITS PRECEDENCE OVER THE DRAFT COMPACT. SENATE PRESIDENT NAKAYAMA SAID THAT THERE IS A STRONG POSSIBILITY OF CONFLICT BETWEEN THE TWO. TO SOLVE THIS, HE CONTINUED, THERE IS A POSSIBILITY OF ESTABLISHING SOME FORM OF NEGOTIATIONS WITH THE U.S. EITHER THROUGH THE CONGRESS JOINT COMMITTEE ON FUTURE STATUS OR THROUGH SOME OTHER GROUP WHERE SUCH CONFLICTS MAY ARISE. ONE STUDENT ASKED THE GROUP WHAT THE GREATEST OBSTACLE FACING THE CONCON AT THIS TIME IS. LEO FALCAM RESPONDED THAT, "MONEY IS THE BIGGEST PROBLEM." THE STUDENTS SUGGESTED THAT THE CONCON BE HELD DURING THE SUMMER SO THAT STUDENTS WILL BE ABLE TO OBSERVE.

AT A BREAKFAST MEETING ON THE FINAL DAY OF THE COMMITTEE'S STAY IN TRUK, LEGISLATURE SPEAKER SANA GAVE A SPEECH AND EXPLAINED HIS IDEAS ON WHY MICRONESIA SHOULD BE A UNIFIED COUNTRY. HE SAID MICRONESIANS HAVE MUCH IN COMMON. "IF WE GO THROUGH ALL THE DISTRICTS," HE STATED, "WE'LL FIND THAT THE PEOPLE OF MICRONESIA ALL FEEL STRONGLY ON THE IDEA OF SHARING WITH THEIR FRIENDS WHATEVER THEY MAY HAVE."

THE PRE-CONVENTION COMMITTEE LEFT TRUK FRIDAY AFTERNOON (SEPT. 20) FOR GUAM WHERE THEY WERE TO MEET WITH MICRONESIAN STUDENTS BEFORE TRAVELLING TO YAP AND PALAU.

(EDITORS' NOTE: IN THE FRIDAY, SEPT. 20 MNS DISPATCH, THE DATE FOR THE WOTJE SUPER DISPENSARY DEDICATION SHOULD BE SEPT. 28, RATHER THAN SEPT. 21.)