

(REFERENDUM BILL SIGNED INTO LAW)

1975

SAIPAN, APR. 10 (MNS)---A MEASURE CALLING FOR A NONBINDING REFERENDUM THROUGHOUT MICRONESIA TO GAUGE THE WILL OF THE PEOPLE REGARDING THEIR FUTURE POLITICAL STATUS, (SB 6-89), HAS BEEN SIGNED INTO LAW BY HIGH COMMISSIONER EDWARD E. JOHNSTON. THE HICOM SIGNED THE BILL LATE WEDNESDAY AFTERNOON (APRIL 9). THREE OTHER BILLS WERE VETOED (SEE SEPARATE STORY).

THE BILL PROVIDED THAT THE PEOPLE OF MICRONESIA WILL VOTE ON FOUR SPECIFIC ISSUES. THEY ARE: THE UNITY OF MICRONESIA, WHETHER MICRONESIA SHOULD SEEK FULL INTERNAL SELF-GOVERNMENT, SEPARATE POLITICAL STATUS NEGOTIATIONS, AND THE CONTINUATION OF THE NEGOTIATIONS.

THE REFERENDUM WOULD NOT BE BINDING ON ANY PERSON OR GROUP, BUT WOULD GUIDE THE CONGRESS OF MICRONESIA IN ITS FUTURE CONSIDERATION OF THE ISSUES OF THE FUTURE POLITICAL STATUS OF MICRONESIA.

THE BILL ALSO SPECIFIES THAT NOT EARLIER THAN 30 OR 40 DAYS AFTER THE EFFECTIVE DATE OF THE ACT, THE HIGH COMMISSIONER SHOULD ISSUE A PROCLAMATION ORDERING A GENERAL REFERENDUM ON A DAY DESIGNATED BY HIM THROUGHOUT ALL SIX DISTRICTS OF MICRONESIA NOT LATER THAN JULY 12, 1975.

IN THE GENERAL REFERENDUM BILL, SOME OF THE QUESTIONS TO BE ASKED INCLUDE: INDEPENDENCE--TO BECOME A FULLY INDEPENDENT SOVEREIGN NATION; COMMONWEALTH OF THE UNITED STATES--JOINING THE AMERICAN POLITICAL FAMILY; FREE ASSOCIATION WITH THE UNITED STATES--RELATIONSHIP WHICH MIGHT BE TERMINATED OR CHANGED IN THE FUTURE; STATEHOOD--BECOMING A STATE OF THE UNITED STATES OF AMERICA; THE PRESENT STATUS--REMAINING INDEFINITELY AS A UNITED NATIONS TRUST TERRITORY ADMINISTERED BY THE UNITED STATES AND OTHERS.

THE MEASURE PROVIDES \$30,000 TO DEFRAY THE EXPENSES OF THE REFERENDUM. THE BILL BECOMES PUBLIC LAW 6-20.

THE HIGH COMMISSIONER ALSO SIGNED EIGHT OTHER MEASURES, TWO OF THEM DEALING WITH THE MICRONESIAN CONSTITUTIONAL CONVENTION, (CONCON). A MEASURE TO ADD A SUBSECTION TO THE CONCON LAW (PL 5-60), RELATING TO THE PROCEDURE FOR ADOPTING THE CONSTITUTION OF MICRONESIA AND SETTING FORTH THE PERCENTAGE REQUIRED TO RATIFY THE CONSTITUTION (SB 6-86) BECOMES PUBLIC LAW 6-19. THE INTENT OF THE BILL IS TWOFOLD: FIRST, IT WOULD REQUIRE THAT THE REFERENDUM ON THE CONSTITUTION BE HELD SIMULTANEOUSLY IN EACH DISTRICT OF THE TT AS SUCH DISTRICTS EXIST ON THE EFFECTIVE DATE OF THE BILL; AND SECOND, IT WOULD PROVIDE FOR THE APPROVAL OF THE CONSTITUTION BY A 60 PERCENT MAJORITY OF THE PEOPLE OF MICRONESIA AND A SIMPLE MAJORITY OF THE PEOPLE IN AT LEAST TWO-THIRDS OF THE DISTRICTS. EVEN IF THE CONSTITUTION WERE APPROVED, IT COULD NOT TAKE EFFECT IN ANY DISTRICT WHICH REJECTED IT BY A TWO-THIRDS MAJORITY, ACCORDING TO THE BILL.

PUBLIC LAW 6-24 EMPOWERS THE PRE-CONVENTION COMMITTEE OF THE MICRONESIAN CONSTITUTIONAL CONVENTION TO APPOINT A CREDENTIALS COMMITTEE, (SB 6-83), TO JUDGE THE QUALIFICATIONS AND CREDENTIALS OF THE DELEGATES TO THE CONVENTION.

A BILL TO PROVIDE FOR ADVICE AND CONSENT OF DISTRICT COURT JUDGES BY THE CONGRESS OF MICRONESIA, (SB 6-2) BECAME PUBLIC LAW 6-23. THE APPOINTMENT OF JUDGES IS FOR A THREE-YEAR TERM. NO JUDGE MAY BE AN OFFICER OR EMPLOYEE OF THE TT GOVERNMENT OR ANY POLITICAL SUBDIVISION DURING HIS TENURE, ACCORDING TO THE BILL.

AN ACT TO PROVIDE FOR THE ORDERLY AND PROTECTED DISTRIBUTION OF MAIL TO THE OUTER ISLANDS OF MICRONESIA, (SB 6-84) IS NOW PUBLIC LAW 6-25. THE BILL WILL AUTHORIZE THE HIGH COMMISSIONER TO ISSUE NEW REGULATIONS OR AMEND EXISTING ONES TO ASSURE THE

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PROMPT AND SAFE DELIVERY OF MAIL TO THE OUTER ISLANDS OF MICRONESIA.

THE OTHER FOUR MEASURES DEAL WITH APPROPRIATIONS FOR VARIOUS PROJECTS.

THEY ARE : A BILL APPROPRIATING \$90,000 TO CONSTRUCT A SEAWALL ON KUTTU, FALABEGUETS AND MOCH ISLANDS, TRUK DISTRICT, (HB 6-132), NOW PUBLIC LAW 6-21; A SECOND EARMARKING \$50,000 FOR CERTAIN PUBLIC PROJECTS AND PURCHASES FOR KUSAIE ISLAND, (HB 6-149), WHICH BECOMES PUBLIC LAW 6-22; A MEASURE PROVIDING FOR \$300,000 FOR THE STUDENT LOAN FUND FOR SCHOOL YEAR 1975-'76; AND \$100,000 FOR SCHOLARSHIPS, (SB 6-145) IS NOW PUBLIC LAW 6-26; AND A BILL APPROPRIATING \$80,000 TO RE-ENGINE THE MS KASELEHLIA, (SB 6-175), NOW PUBLIC LAW 6-28.

(HICOM VEToes THREE BILLS )

SAIPAN , APR. 10 (MNS)--- A BILL TO MAKE THE CONSTITUTION OF MICRONESIA THE SUPREME LAW OF THE LAND, (SB 6-139) HAS BEEN VETOED BY HIGH COMMISSIONER EDWARD E. JOHNSTON.

IN A LETTER TO SENATE PRESIDENT TOSIWO NAKAYAMA, HIGH COMMISSIONER JOHNSTON NOTED THAT THE ACT "USURPS THE POWER AND RESPONSIBILITY OF THE CONSTITUTIONAL CONVENTION" UNDER THE PROVISION OF PL5-60 (THE COM CON LAW). "IT WILL BE IN EFFECT, CIRCUMVENT OR LIMIT THE DISCRETION OF THE REPRESENTATIVES OF THE PEOPLE IN MAKING FREE CHOICE OF THEIR FUTURE GOVERNMENT," THE LETTER STATED.

A BIL TO MAKE CERTAIN MATTERS PUBLIC RECORD AND PROVIDE FOR PUBLIC ACCESS (SB 6-142) WAS ALSO DISAPPROVED. THE HICOM STATED THAT WHILE HE IS IN COMPLETE ACCORD WITH THE INTENT OF THE LEGISLATION, THE MEASURE CONTAINS CERTAIN DEFICIENCIES. HE POINTED OUT THAT UNDER THE PROVISIONS OF CERTAIN SECTIONS OF THE BILL, IT MAY REQUIRE DISCLOSING TRADE SECRETS OR WORK PRODUCTS OF A COMPETITOR OF THE REQUESTOR. IN THIS RESPECT, THE GOVERNMENT EMPLOYEE OR AGENCY MAY BE SUBJECTED TO CIVIL SUIT AND MAY BE LIABLE FOR DEFAMATION, INVASION OF THE RIGHT OF PRIVACY OR UNFAIR COMPETITION. THE HICOM TOLD PRESIDENT NAKAYAMA. FURTHERMORE, THE BILL LACKS CONTROL TO PREVENT "FISHING EXPEDITIONS" WHICH MAY RESULT IN THE DISRUPTION OF THE DAILY OPERATIONS OF THE ADMINISTRATION.

THE TT HIGH COMMISSIONER ALSO VETOED A BILL TO ALLOW A JURY TRIAL IN EMINENT DOMAIN PROCEEDINGS (SB 6-143). THE HIGH COMMISSIONER REASONED THAT BECAUSE OF PARTICULAR SIGNIFICANCE OF LAND OWNERSHIP IN THE TT, "IT IS IMPERATIVE THAT ALL EMINENT DOMAIN PROCEEDINGS RECEIVE A FAIR AND IMPARTIAL DETERMINATION OF THE FACTS OF THE CASE INCLUDING THE VALUE OF LAND."

FURTHER, THIS IMPARTIALLY WOULD BE JEOPARDIZED BY A JURY

OF FRIENDS, NEIGHBORS OR, PERHAPS, EVEN RELATIVES OF THE LAND OWNER, OR A JURY OF PERSONS WHO FEEL ENMITY TOWARD EITHER THE LAND OWNER OR OF THE GOVERNMENT, ACCORDING TO THE HIGH COMMISSIONER.

(ADA INKS 5-YEAR RESIDENCY BILL)

SAIPAN, APR. 10 (MNS)--- A BILL REQUIRING FIVE-YEARS RESIDENCY FOR VOTING IN THE MARIANAS DISTRICT ELECTION HAS BEEN SIGNED INTO LAW BY DISTRICT ADMINSTRATOR FRANCISCO C. ADA. ACTION ON THE BILL TOOK PLACE WEDNESDAY, (APR. 9), WHEN ADA SIGNED ACT NO. 89-1975 INTO DISTRICT LAW 4-91.

TO BE ELIGIBLE TO VOTE A PERSON MUST LIVE IN HIS ELECTORAL PRECINCT FOR AT LEAST FIVE YEARS.

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THE BILL'S AUTHOR, LEGISLATURE PRESIDENT VICENTE N. SANTOS, TOLD MNS THAT HE WAS GLAD ABOUT THE DISTAD'S ACTION BECAUSE THE BILL NOW CLOSES THE "LOOPHOLE- THROUGH WHICH PEOPLE FROM OTHER DISTRICTS ARE ALLOWED TO VOTE. ONLY PEOPLE WHO ARE -"DOMICILED" IN THE MARIANAS CAN VOTE IN FUTURE DISTRICT ELECTIONS, ACCORDING TO SANTOS.

HE EXPLAINED THAT "DOMICILE" MEANS A PERSON MUST "OWN A HOUSE OR PROPERTY" TO VOTE IN THE DISTRICT ELECTIONS.

THE BILL APPLIES ONLY TO DISTRICT ELECTIONS FOR THE LEGISLATURE, MUNICIPAL COUNCIL, DISTRICT COMMISSIONERS AND MAYOR AND DOES NOT INCLUDE NATIONAL ELECTIONS FOR THE CONGRESS OF MICRONESIA.

#### (CREWMEN REPATRIATED)

SAIPAN, APR. 10 (MNS)---THE 22 CREW MEMBERS OF THE FIRST TAIWAN VESSEL THAT RAN AGROUND ON HELEN REEF HAVE BEEN REPATRIATED TO TAIWAN, ACCORDING TO BOYD MACKENZIE, SPECIAL ASSISTANT FOR DISTRICT AFFAIRS.

THE VESSEL, SHIN CHIFAH NO. 1, RAN AGROUND LAST MONTH AT HELEN REEF, AN UNINHABITED ISLAND 371 MILES SOUTHWEST OF KOROR, PALAU DISTRICT CENTER.

THE 12 CREW MEN ON THE SECOND VESSEL, YUNG HO 101, ARE STILL ON BOARD AND AWAITING REPATRIATION TO TAIWAN.

MACKENZIE TOLD THE MICRONESIAN NEWS SERVICE THAT THE TAIWAN GOVERNMENT WILL SEND A TUG BOAT TO ATTEMPT TO REMOVE BOTH VESSELS FROM THE REEF. THE NICON'S SPECIAL ASSISTANT SAID THAT THE FUEL ON BOTH VESSELS WILL BE REMOVED BY THE TRUST TERRITORY GOVERNMENT.

ASKED ABOUT THE CAUSE OF DEATH OF THE SEVEN CREWMEN ON BOARD THE THIRD VESSEL THAT CAME TO THE RESCUE, MACKENZIE SAID HE HAD NO INFORMATION, AND IS STILL WAITING FOR TAIWAN TO RESPOND.

EACH OF THE STRANDED VESSELS WEIGHS ABOUT 200 TONS, MACKENZIE SAID.

#### (GUAM CONTINGENTS VISITS SAIPAN)

SAIPAN, APR. 10 (MNS)---A MICRONESIAN MINI-COMMON MARKET, FOREIGN INVESTMENT, FUTURE POLITICAL STATUS AND ENERGY CRISIS IN THE PACIFIC WERE AMONG THE TOPICS DISCUSSED BY THE PRESIDENT OF THE PACIFIC CONFERENCE OF LEGISLATORS (PCL), GUAM SENATOR VICENTE D. ADA AND MEMBERS OF THE PCL EXECUTIVE COMMITTEE OF THE MARIANAS DISTRICT LEGISLATURE IN A MEETING EARLIER THIS WEEK.

OTHER TOPICS CONSIDERED FOR THE 7TH ANNUAL PCL WORKSHOP SCHEDULED FOR JULY OF THIS YEAR ON GUAM INCLUDE YOUTH AND THE SENIOR CITIZENS, EDUCATION AND MANPOWER DEVELOPMENT, FEDERAL AND LOCAL RELATIONSHIPS, EXTRADITION LAWS, LEGALIZED GAMBLING, POLLUTION, ENVIRONMENTAL QUALITY AND THE LAWYER'S ROLE IN DRAFTING LEGISLATION.

ACCORDING TO A SPOKESMAN FOR THE DISTRICT LEGISLATURE, THE TOPICS WILL ALSO BE DISCUSSED AT THE PCL EXECUTIVE COMMITTEE MEETING THAT WILL BE HELD IN AMERICAN SAMOA THIS MONTH.

WHILE ON SAIPAN, SENATOR ADA, ACCOMPANIED BY FORMER GUAM SENATOR GEORGE BANBA AND SANTA RITA COMMISSIONER PETE LG. ROBERTO, PAID A COURTESY CALL ON DEPUTY HIGH COMMISSIONER PETER T. COLEMAN. COLEMAN ASSURED THEM THAT THE TRUST TERRITORY GOVERNMENT WILL CONTINUE TO SUPPORT THE PCL.

THE MEETING WAS ATTENDED BY LEGISLATORS DANIEL T. MUNA, LARRY I. GUERRERO, SANTIAGO B. MAGOFNA, LEGISLATIVE COUNSEL 14035 WILLIAM B. NABORS, AND SAIPAN COUNCILMAN JOAQUIN TORRES.

THE GUAM CONTINGENT LEFT SAIPAN WITH SCHEDULED STOPS ON TRUK, PONAPE AND MAJURO BEFORE PROCEEDING TO AMERICAN SAMOA.