

1976
(REMENGESAU INKS PUBLIC LANDS AUTHORITY BILL)

KOROR, JUNE 20 (MNS)---PALAU DISTRICT ADMINISTRATOR THOMAS C. REMENGESAU HAS SIGNED INTO LAW A BILL CREATING A DISTRICT PUBLIC LANDS AUTHORITY AS THE LEGAL ENTITY TO RECEIVE CERTAIN PUBLIC LANDS PURSUANT TO THE PROVISIONS OF SECRETARIAL ORDER NO. 2969.

IN HIS LETTER TO ITELBIANG LUII, SPEAKER OF THE PALAU LEGISLATURE, THE DISTAD SAID THAT HE WAS PLEASED THAT HE HAD APPROVED THE BILL, (PALAU LEGISLATURE BILL NO. 373) WHICH NOW BECOMES PUBLIC LAW 5-8-10.

HOWEVER, HE SAID THAT THE ATTORNEY GENERAL ADVISED HIM (THE DISTAD) THAT THE LANDS IN QUESTION UNDER PL 5-8-10 WOULD NOT BE TRANSFERRED TO THE DISTRICT LAND AUTHORITY UNTIL SOME CHANGES HAVE BEEN MADE.

ALTHOUGH THE CHANGES ARE TECHNICAL IN NATURE, THE EARLY TRANSFER OF PUBLIC LAND TO THE PALAU DISTRICT PUBLIC LAND AUTHORITY.

ACCORDING TO THE LAW, THE AUTHORITY SHALL BE GOVERNED BY A BOARD OF TRUSTEES CONSISTING OF SEVEN (7) MEMBERS TO BE APPOINTED BY THE SPEAKER OF THE LEGISLATURE WITH THE ADVICE AND CONSENT OF THE LEGISLATURE DURING ITS SESSION OR ITS DULY AUTHORIZED COMMITTEE BETWEEN SESSIONS.

THE INITIAL APPOINTMENT SHALL BE AS FOLLOWS: TWO FOR A ONE YEAR TERM; TWO FOR TWO YEARS, AND THREE FOR A THREE YEAR TERM.

THE BOARD SHALL ELECT, FROM AMONG THE MEMBERS, A CHAIRMAN, VICE-CHAIRMAN, SECRETARY, TREASURER AND OTHER OFFICERS AS THE BOARD MAY DESIRE. THE COMPENSATION OF EACH BOARD MEMBER SHALL NOT EXCEED THE SUM OF \$15 EACH DAY OF ATTENDANCE AT OFFICIAL BOARD MEETINGS.

THE AUTHORITY SHALL HAVE FOLLOWING POWERS, DUTIES, LEGAL CAPACITIES AND CHARACTERISTICS:

--TO RECEIVE AND HOLD TITLE TO PUBLIC LANDS IN THE PALAU DISTRICT.

--TO ADMINISTER, MANAGE, AND REGULATE THE USE OF LANDS AND INCOME ARISING THEREFROM IN TRUST FOR THE PEOPLE OF THE DISTRICT.

---TO ESTABLISH A PROGRAM FOR HOMESTEADING ON PUBLIC LANDS AND TO ADMINISTER SUCH PROGRAM, PROVIDED, IT OBTAINS ADVANCE APPROVAL OF THE GOVERNMENT OF A MUNICIPALITY WITHIN WHOSE GEOGRAPHICAL BOUNDARIES THE SUBJECT LANDS ARE SITUATED.

--TO SELL, LEASE, EXCHANGE, USE, DEDICATE FOR PUBLIC PURPOSE, OR MAKE OTHER DISPOSITION OF SUCH PUBLIC LANDS WITH THE APPROVAL OF THE GOVERNMENT OF THE MUNICIPALITY WITHIN WHOSE GEOGRAPHIC BOUNDARIES THE SUBJECT LANDS ARE SITUATED AND PURSUANT TO THE LAWS OF THE DISTRICT AND THE MUNICIPALITY IN WHICH THE LANDS ARE SITUATED, PROVIDED THE MUNICIPAL LAWS ARE NOT INCONSISTENT WITH THE DISTRICT LAWS.

--TO EXERCISE THE POWER OF EMINENT DOMAIN TO ACQUIRE LAND FOR APPROPRIATE PUBLIC PURPOSES.

--TO ACQUIRE SUCH LANDS BY NEGOTIATION AS NECESSARY AND REQUIRED TO FILL THE PUBLIC NEEDS OF THE DISTRICT.

--TO ENTER INTO CONTRACTS, SUE AND BE SUED, AND HAVE OTHER POWERS AND DUTIES AS MAY BE NECESSARY OR APPROPRIATE TO FURTHER THE PURPOSES OF THE ORDER; AND

--TO EMPLOY STAFF AS MAY BE REQUIRED, TO MANAGE THE NORMAL OPERATIONAL AND ADMINISTRATIVE AFFAIRS OF THE AUTHORITY AND TO PERFORM SUCH OTHER DUTIES AS MAY, FROM TIME TO TIME, BE DIRECTED BY THE BOARD.

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--TO PROPOSE LEGISLATION TO THE LEGISLATURE AND MUNICIPAL COUNCILS PERTAINING TO ITS PROGRAMS, POWERS AND DUTIES.

--TO ESTABLISH RULES AND REGULATIONS, IN ACCORDANCE WITH APPLICABLE LAW AND PROCEDURE, FOR THE CONDUCT OF ITS BUSINESS AND PROGRAMS.

--TO TRANSFER AND CONVEY, UPON THE FORMAL REQUEST OF THE GOVERNMENT OF EACH MUNICIPALITY, TO ITS MUNICIPAL PUBLIC LANDS AUTHORITY, AS MAY BE ESTABLISHED PURSUANT TO SECTION 13 OF THIS ACT, SUCH PUBLIC LANDS WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE MUNICIPALITY. EITHER IN WHOLE OR IN PART OR BY PARTICULAR PARCELS, AND TO DELEGATE AND ASSIGN TO THE SAME AT THE TIME OF SAID TRANSFER CERTAIN OR ALL OF ITS RIGHTS, INTERESTS, POWER, RESPONSIBILITIES, DUTIES AND OBLIGATIONS PROVIDED FOR AND PRESCRIBED IN THIS ACT, EXCEPT THOSE POWERS RESERVED TO THE AUTHORITY BY SECTION 12 HEREOF.

--TO ESTABLISH THE BASIC GUIDELINES AND PROCEDURES FOR THE OPERATION OF EACH MUNICIPAL AUTHORITY AND TO PROVIDE TECHNICAL ASSISTANCE THERETO WHENEVER NECESSARY OR APPROPRIATE.

THE LAW ALSO PROVIDES THAT THE GOVERNMENT OF ANY MUNICIPALITY IN THE PALAU DISTRICT IS EMPOWERED TO CREATE ITS OWN LEGAL ENTITY TO RECEIVE, FROM THE DISTRICT AUTHORITY, SUCH PUBLIC LANDS WITHIN ITS GEOGRAPHICAL BOUNDARIES

EACH MUNICIPAL AUTHORITY SHALL BE GOVERNED BY A BOARD OF TRUSTEES CONSISTING OF THE FOLLOWING: THE PARAMOUNT HEREDITARY CHIEF AND THE MAYOR OR MAGISTRATE OF EACH MUNICIPALITY, THREE PERSONS TO BE APPOINTED BY THE MAYOR OR MAGISTRATE WITH ADVICE AND CONSENT OF THE MUNICIPAL COUNCIL AND THREE PERSONS TO BE APPOINTED BY SAID CHIEF WITH ADVICE AND CONSENT OF HIS TRADITIONAL CHIEF'S COUNCIL.

EACH MUNICIPAL AUTHORITY SHALL HAVE SUCH RIGHTS, INTERESTS, POWERS AND RESPONSIBILITIES, DUTIES AND OBLIGATIONS AS MAY BE GRANTED TO IT BY THE DISTRICT AUTHORITY.

PONAPE AND THE MARIANAS DISTRICT HAS ALSO CREATED ITS OWN LEGAL ENTITIES TO RECEIVE PUBLIC LANDS.

(SPECIAL SESSION BEGINS MONDAY)

Saipan, June 20 (HNS)---THE CONGRESS OF MICRONESIA SPECIAL SESSION WILL BEGIN MONDAY, JUNE 23 AT 10 A.M. THE 10-DAY SPECIAL SESSION WILL BE HELD ON SAIPAN AND WILL END NO LATER THAN 12 MIDNIGHT, JULY 12.

THE SPECIAL SESSION IS CALLED TO CONSIDER AMONG OTHER THINGS THE FOLLOWINGS AREAS OF LEGISLATION:

LEGISLATION ON BASE SALARY SCHEDULE FOR EMPLOYEES OF THE EXECUTIVE BRANCH OF THE TRUST TERRITORY GOVERNMENT; APPROPRIATION OF FUNDS FOR THE COMPREHENSIVE AND BALANCED DEVELOPMENTAL POLICY, SUPPLEMENTAL APPROPRIATION FOR THE OPERATION AND CONTINGENT EXPENSES OF THE CONGRESS, LEGISLATION AFFECTING THE MICRONESIAN CONSTITUTIONAL CONVENTION AND OTHER ITEMS WHICH MAY BE SPECIFIED IN A SPECIAL MESSAGE BY THE HIGH COMMISSIONER TO THE CONGRESS WHILE IN SPECIAL SESSION.

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(PALAU STATUS COMMISSION ELECTS ITS OFFICERS)

KOROR, JUNE 20 (MNS)---MEMBERS OF THE PALAU POLITICAL STATUS COMMISSION (PPSC) MET RECENTLY AND ELECTED CONGRESS OF MICRONESIA SENATOR ROMAN TETUOHL AS ITS CHAIRMAN AND DR. MINORU UEKI, VICE-CHAIRMAN.

IN A LETTER TO AMBASSADOR FRANKLIN HAYDN WILLIAMS, THE PRESIDENT'S PERSONAL REPRESENTATIVE TO THE MICRONESIAN STATUS TALKS, SEN. TETUOHL STATED THAT IT IS THE PPSC'S DESIRE TO "ESTABLISH A FORMAL DIALOGUE WITH THE UNITED STATES GOVERNMENT TO CONSIDER A FUTURE POLITICAL STATUS AGREEMENT BETWEEN THE PEOPLE OF PALAU AND THE UNITED STATES SIMILAR IN NATURE TO THAT OF THE NORTHER MARIANA ISLANDS.

"IT IS THEREFORE THE COMMISSION'S HUMBLE REQUEST THAT YOUR GOOD OFFICE WAKE KNOW TO US THE OFFICIAL POSITION OF THE UNITED STATES GOVERNMENT WITH RESPECT TO THIS PROPOSAL OF THE PALAU POLITICAL STATUS COMMISSION," TETUOHL'S LETTER READ.

THE PPSC WAS CREATED BY RESOLUTION ADOPTED BY THE PALAU DISTRICT LEGISLATURE DURING ITS LAST REGULAR SESSION.

MEMBERS OF THE PPSC IN ADDITION TO SEN. TETUOHL AND DR. MINORU UEKI ARE: REV. FELIX K. YOACH, S.J.; SADANG SILMAI, LEGISLATOR; HARUO I. REMELIK; DEPUTY DISTRICT ADMINISTRATOR; REP. KUNIWO NAKAMURA, CONGRESS OF MICRONESIA; GEORGE NGIRARSAOL, LEGISLATOR; JOSHUA KOSHIBA, LEGISLATOR; TARKONG PEDRO; AND SANTOS OLIKONG, LEGISLATOR.

(HEFNER RULED ON ILLEGITIMATE CHILD SUPPORT)

SAIPAN, JUNE 20 (MNS)---TRUST TERRITORY ASSOCIATE JUSTICE ROBERT A. HEFNER RULED APRIL 16 THAT AN "ILLEGITIMATE CHILD" IS ENTITLED TO FINANCIAL SUPPORT FROM HIS FATHER, ACCORDING TO MARIANAS VARIETY NEWS AND VIEWS, SAIPAN'S WEEKLY NEWSPAPER.

IN THE MOLAU NGIRCHECHBANGEL VS. CLYDE A. BENGE CASE, HEFNER STATED THAT THE "COURT HOLDS THAT, NOTWITHSTANDING, THERE IS NO STATUTE PROVIDING FOR SUPPORT OF ILLEGITIMATE CHILDREN, THE CHILD HAS A LEGAL ENFORCEABLE RIGHT TO SUPPORT FROM THE BIOLOGICAL FATHER. TO RULE OTHERWISE, WOULD BE TO DENY THE CHILD EQUAL PROTECTION OF THE LAWS," THE PAPER SAID.

ACCORDING TO THE SAIPAN NEWSPAPER, THE COURT RECORDS INDICATE THAT MOLAU HAD A CHILD ON JUNE 24, 1960 AND THAT BENGE IS THE BIOLOGICAL FATHER. BENGE RETIRED RECENTLY FROM TRUST TERRITORY GOVERNMENT AND HAS LEFT SAIPAN.

THE COURT DENIED BENGE'S MOTION TO DISMISS THE CASE NOTING THAT "SINCE THERE IS NO SPECIAL STATUTE OF LIMITATIONS FOR PATERNITY SUITS, IT IS HELD THAT THE CONTINUING OBLIGATION OF SUPPORT CREATES A CAUSE OF ACTION THAT ACCRUES AS LONG AS THE CHILD REQUIRES SUPPORT AND IS UNDER THE AGE OF EIGHTEEN," THE PAPER STATED.

LEGAL OBSERVERS IN PALAU UNANIMOUSLY AGREED THAT THE RULING IS UNPRECEDENTED AND WILL HAVE OVERWHELMING LEGAL RAMIFICATIONS THROUGHOUT MICRONESIA.

MOSES ULUDONG, MICRONESIAN LEGAL SERVICES ATTORNEY WHO REPRESENTED MOLAU STATED THAT "A LOT OF GUYS IN PALAU HAVE BEEN LUCKY BUT THEY HAVE TO FACE THE CONSEQUENCES OF THEIR NIGHTLY ACTIONS."

(NUI TO VISIT THE TT)

SAIPAN, JUNE 20 (MNS)---ROBERT NUI, PROGRAM MANAGER FOR THE HONOLULU OFFICE OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WILL BE VISITING THE TRUST TERRITORY BETWEEN JUNE 23-JULY 10, TO OBSERVE AND REVIEW FEDERALLY-FUNDED ACTIVITIES PLANNED OR UNDERWAY. NUI'S OFFICE HAS AUTHORITY OVER THE HUD'S TITLE I COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND TITLE IV COMPREHENSIVE PLANNING PROGRAM.

DURING THE WEEK OF JUNE 23, NUI WILL GO TO YAP, PALAU, ~~GEOGRAPHICAL BOUNDARIES OF THE MUNICIPALITY~~ ~~FILED IN~~ AND SAIPAN TO CONFER WITH LOCAL OFFICIALS ON THEIR PROPOSED COMMUNITY DEVELOPMENT ACTIVITIES AND VISIT PROJECT SITES IN RULL MUNICIPALITY, YAP, IN NGEREMLENGUI VILLAGE. BABELTHAUP, PALAU, AND IN GARAPAN, SAIPAN.

THE TTPI GOVERNMENT, THROUGH THE TERRITORIAL HOUSING COMMISSION RECENTLY SUBMITTED A REQUEST OF \$250,000 TO THE DEPARTMENT OF HUD FOR TITLE I COMMUNITY DEVELOPMENT FUNDING TO CONSTRUCT WATER AND SEWERAGE SYSTEM, RECREATIONAL FACILITIES, A PARK, AND TO RENOVATE A LOCAL BRIDGE AND DOCK IN THOSE THREE DISTRICTS.

THE SECOND HALF OF NUI'S ITINERARY WILL TAKE HIM TO MAJURO WHERE HE WILL PARTICIPATE IN THE MICRO PLANNING SCHOOL, AN ACTIVITY FUNDED IN PART BY THE FEDERAL GOVERNMENT'S TITLE IV PROGRAM, AND BEING CONDUCTED BY THE OFFICE OF THE TERRITORIAL PLANNER.

(COMMUNITY COURT JUDGES COMPLETED TRAINING)

KOROR, JUNE 20 (MNS)--- ELEVEN COMMUNITY COURT JUDGES COMPLETED A GENERAL TRAINING SESSION IN PALAU DISTRICT RECENTLY. THE TRAINING WAS DIRECTED BY HIGH COURT ASSOCIATE JUSTICE ROBERT A. HEFNER AND WAS ASSISTED BY THE PALAU COURT STAFF.

THE MUNICIPALITIES INCLUDED NGATBANG, NGARDMAU, PELELIU, AIRMELIK, KOROR, NGEREMLENGUI, NGERCHELONG, ANGAUP, MELEKEOK, AIRAI AND NGECHESAR. JUDGES FROM TOSI, SONSOROL, KAYANGEL AND NGIVAL WERE UNABLE TO ATTEND DUE TO TRANSPORTATION PROBLEMS.

SUBJECTS COVERED IN THE TRAINING INCLUDE THE PROVISIONS IN THE TRUST TERRITORY CODE WHICH APPLY TO THE COMMUNITY COURTS, INCLUDING THE RULES OF PROCEDURES IN CIVIL, CRIMINAL AND JUVENILE PROCEEDINGS, THE GENERAL PROVISIONS. THE LEVELS OF GOVERNMENT IN THE TRUST TERRITORY AND THEIR RESPONSIBILITIES AND THE JURISDICTIONS IN THE COURT WITH EMPHASIS PRIMARILY ON THE ROLE OF THE COMMUNITY COURTS.

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