

SEVENTH CONGRESS OF MICRONESIA

FIRST SPECIAL SESSION, 1977

S B. NO.

7-123

A BILL FOR AN ACT

Amending Public Law No. 6-87, as amended, relating to the Commission on Future Political Status and Transition, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

1 Section 1. Section 2 of Public Law 6-87 is hereby amended by the
2 addition of a new subsection to read as follows:

3 "(4) 'Central Districts' means the administrative districts of
4 Kosrae, Ponape, Truk, and Yap."

5 Section 2. Subsections (1) and (3) of Section 3 of Public Law
6 6-87, as amended by Public Law 6-113, are hereby further amended to
7 read as follows:

8 "(1) Members of the Commission shall be Trust Territory
9 citizens, and shall serve for a term of two years subject to the
10 provisions of ~~Subsections~~ Subsection (A) and (B) (4) of Section
11 § 4. The Commission shall consist of the following members:

12 (a) ~~five~~ four members from the Congress of Micronesia, each
13 representing one of the central districts of Micronesia ~~and~~
14 ~~Administrative Districts~~ to be appointed jointly by the President
15 of the Senate and the Speaker of the House of Representatives
16 of the Congress of Micronesia;

17 (b) one member from each of the ~~five Administrative~~ four
18 central districts existing on the effective date of this Act
19 to be appointed by resolution of ~~the~~ their respective district
20 legislatures; PROVIDED, that in the event a district legislature
21 is not in session, appointment shall be made by a committee thereof
22 duly authorized to act on behalf of the legislature when it is not
23 in session, or in the absence of such a committee, by an appropriate
24 committee designated by the presiding officer of that legislature.

25 A member appointed by a district legislature may be a member of the

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1 legislature and shall be a resident of the district from which
2 appointed; and

3 *(1) one member from the island of Kusaie to be appointed*
4 *by the KUSAIE MUNICIPAL COUNCIL, subject to the provisions of*
5 *subsection (2) of section A of this act.*

6 "(3) An appointing authority may not revoke an appointment of
7 a member of the Commission *except as provided for in subsection (2)*
8 *of section A.* Upon the expiration of the term of the Commission,
9 the appointing authority shall make a new appointment. A member
10 may be reappointed to serve on the Commission."

11 Section 3. Section 3 of Public Law 6-87, as amended, is hereby
12 further amended by adding a new subsection (4) to read as follows:

13 "(4) The term of office of the present members of the
14 Commission from the central districts will continue until
15 expiration or termination in accordance with Public Law 6-87 as
16 amended. The term of office of appointees from the remaining
17 districts is hereby terminated on the effective date of this
18 act."

19 Section 4. Section 4 of Public Law 6-87 is hereby repealed in its
20 entirety, and Sections 5 through 9 are hereby renumbered 4 through 8
21 respectively.

22 Section 5. Section 5 of Public Law 6-87 is hereby amended to
23 read as follows:

24 "Section 3 4. Vacancy. *Except as provided in subsection (2)*
25 *of section A, a* vacancy on the Commission shall be filled in

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1 the same manner as the original appointment. Members appointed
 2 to fill a vacancy shall serve only for the unexpired term. As
 3 used in this section, the term "vacancy" includes a vacancy
 4 resulting from:

- 5 (1) death;
 6 (2) resignation;
 7 (3) incapacity to serve by reason of illness, upon finding
 8 of same by the Commission; or

9 ~~(A) revocation as provided in Subsection (2) of Section 6~~
 10 ~~of~~

11 ~~(B)~~ (4) in the case of members appointed by the President
 12 of the Senate and the Speaker of the House of Representatives of
 13 the Congress, termination of membership in the Congress of
 14 Micronesia.

15 Section 6. Section 9 of Public Law 6-87 is hereby amended to
 16 read as follows:

17 "Section § 8. Duties and Responsibilities.

18 (1) The Commission shall make recommendations to the Congress of
 19 Micronesia, the High Commissioner, and the future national legislature
 20 of the ~~Federated States of Micronesia~~ central districts relating to:

21 (a) a governmental structure for ~~the~~ a new national
 22 Government of Micronesia under ~~the~~ a ~~constitution~~ constitution;

23 (b) legislation necessary to implement ~~the~~ a ~~constitution~~
 24 constitution;

25 (c) legislation required when existing laws are found to be

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- 1 inconsistent with the provisions of ~~the~~ a new Constitution
2 constitution;
- 3 (d) terms and timetables ~~is~~ ~~in~~ ~~areas~~ ~~not~~ ~~specifically~~ ~~provided~~
4 ~~for~~ ~~in~~ ~~the~~ ~~Constitution~~ for transition from the Trust Territory
5 Government to ~~the~~ a new Government of Micronesia;
- 6 (e) procedure for an equitable reallocation of government
7 personnel and property;
- 8 ~~(f) relocation of the national capital~~
9 ~~and~~ (f) equitable division, if necessary, of assets in the
10 Social Security Fund, Copra Stabilization Fund, Economic Development
11 Loan Fund, and other special funds;
- 12 ~~(g) government personnel and employees, including the~~
13 present and future need for expatriate employees, and the
14 priorities for the development and training of the Trust Territory
15 citizen manpower, including education and training for new public
16 officers and essential government staff;
- 17 ~~(h) effectiveness of and necessity for United States~~
18 Federal programs, agencies, public entities or organizations that
19 are operating in the Trust Territory, and which programs, agencies,
20 public entities, or organizations should continue to operate in
21 Micronesia both under the Trust Territory Government and ~~the~~ a new
22 government; and
- 23 ~~(i) implementation of full self-government prior to~~
24 termination of the Trusteeship ~~of those portions of the~~
25 ~~Constitution not in fundamental conflict with the United Nations~~

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1 CHARTER AND THE TRUSTEESHIP AGREEMENT.
2 (2) The Commission shall also
3 (A) continue and/complete the work of the Joint Committee on
4 Future Status in strict conformity with the Constitution, and
5 (B) renegotiate the existing Draft Compact to the extent
6 necessary to bring it into conformity with the Constitution
7 negotiate termination of the Trusteeship and post-trusteeship
8 political status arrangements for the central districts of
9 Micronesia only. In conducting negotiations, the Commission is
10 neither bound by the Draft Compact of Free Association nor the
11 Draft Constitution of the Federated States of Micronesia. In
12 negotiating post-trusteeship arrangements, the Commission shall
13 be guided by the various political status policy statements of
14 the Congress of Micronesia including House Joint Resolution No.
15 87 adopted by the Third Congress of Micronesia during the Third
16 Regular Session. The Commission shall also be guided in
17 negotiation by relevant United Nation's resolutions, and in
18 particular by General Assembly Resolution 1541 (XV).
19 (3) The Commission may negotiate, study, recommend, or otherwise
20 deal with any other matters, including those matters originally assigned
21 to the Joint Committee on Future Status, which will effect early and
22 satisfactory conclusion of the future political status negotiation and
23 promote a smooth and orderly transition to government under ~~the~~
24 Constitution a constitution.
25 Section 7. Public Law 6-87, as amended, is hereby further

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1 amended by the addition of a new section to read as follows:

2 "Section 9. The Marshall Islands District and the Palau
3 District are hereby authorized to independently conduct all
4 discussions and negotiations concerning their own respective poli-
5 tical futures."

6 Section 8. This act shall take effect upon approval by the
7 High Commissioner, or upon its becoming law without such approval.

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9 Date: 8-24-77

Introduced by: Ambilos Iehsi
Ambilos Iehsi

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