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PRESS RELEASE

TRUST TERRITORY OF THE PACIFIC ISLANDS

Office of the High Commissioner

Saipan, Mariana Islands

FOR IMMEDIATE RELEASE
TRUST TERRITORY HEADQUARTERS

JULY 26, 1965
RELEASE: 89-65

HEARING ON URGENT BILL HELD BY COMMITTEE
ON JUDICIARY AND GOVERNMENT RELATIONS,
GENERAL ASSEMBLY, CONGRESS OF MICRONESIA

SAIPAN, M.I. (July 26)...Testimony on Assembly Bill No. 23 delineating the primary powers and responsibilities of different levels of government in the Trust Territory -- designated "urgent" by High Commissioner Goding -- was heard by the Committee on Judiciary and Government Relations, General Assembly, Congress of Micronesia, Thursday afternoon.

Members of the Committee on Judiciary and Government Relations are Luke Tman, Yap, chairman; Mitaro Danis, Truk; Soukichi Fritz, Truk; Bethwel Henry, Ponape; Namo Hermios, Marshalls; Max Iriarte, Ponape; and Benjamin T. Manglona, Marianas.

Assembly Bill No. 23 delineates the primary powers and responsibilities of the Trust Territory Government, district governments, and municipal and local governments. The committee asked Robert K. Shoecraft, Trust Territory Attorney General, representing the Administration, why this bill was labeled "urgent." He replied that the Administration had so designated this bill since other bills presently before the Congress, such as several tax measures, were based on the delineation of powers and responsibilities of different levels of government as contained in Assembly Bill No. 23

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Mr. Shoecraft added that if Bill No. 23 were not passed and tax bills did pass, a vacuum would be created, as the present Code of the Trust Territory does not provide a clear delineation of government powers and responsibilities.

Further discussion of the committee centered on Section 2 (e) of the bill which provides December 31, 1966, as a cut-off date when judges, members of the Insular Constabulary and all employees of the Trust Territory or district governments receiving an annual salary of more than \$2,800, would be ineligible to run as candidates for membership in any district legislature. The Committee expressed misgivings that if that section became law, several members of the district legislatures would be disqualified, as for example in Ponape where two-thirds of the legislature would be disqualified. Members of the committee asked why the date of disqualification for district legislatures was not made the same as that for the Congress of Micronesia; that is, November 1970. Mr. Shoecraft emphasized that the Administration felt that a distinction between the three branches of government--executive, judicial, and legislative--has to come some time and it would appear advisable that this be accomplished as soon as possible. In other words, if a person in a legislature helps make a law, he should not, as a judge, rule on questions arising from it; or as a member of the Insular Constabulary, enforce it; or as an administrator, apply it.

Earlier last week the first public hearing of the Congress was held by the Committee on Resources and Development of the House of Delegates to discuss three bills dealing with foreign participation in various aspects of Territory economic development.

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Thursday afternoon, the General Assembly passed Assembly Bill no. 3 adopting an official flag for Micronesia. This was the first bill passed by either house.

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