



Trusteeship Council

LIBRARY

REC 1100

UN COLLECTION

Distr.
LIMITED

T/COM.10/L.236
9 January 1979

ORIGINAL: ENGLISH

COMMUNICATION FROM THE HOUSE OF REPRESENTATIVES, CONGRESS
OF MICRONESIA, CONCERNING THE TRUST TERRITORY OF THE
PACIFIC ISLANDS

(Circulated in accordance with rule 24 of the rules of
procedure of the Trusteeship Council)

CONGRESS OF MICRONESIA

KOLONIA PONAPE EASTERN CAROLINE ISLANDS 96941

House of Representatives
Seventh Congress of Micronesia
Second Special Session, 1978

8 September 1978

The President
Trusteeship Council
United Nations
New York, New York 10017

Dear Mr. President:

I transmit herewith a certified copy of House joint resolution No. 7-134, which was adopted by the Seventh Congress of Micronesia, second special session, 1978.

Respectfully,

(Signed) Tadao P. SIGRAH
Clerk
House of Representatives

Encl.

SEVENTH CONGRESS OF MICRONESIA

SECOND SPECIAL SESSION, 1978

HOUSE JOINT RESOLUTION NO. 7-134

A HOUSE JOINT RESOLUTION

Providing for the establishment of a Special Joint Committee on Referendum Review to review the results of the referendum on the constitution of the Federated States of Micronesia and to make recommendations to each house of the Congress relating thereto.

WHEREAS, on 12 July 1978, a referendum was held throughout the Trust Territory of the Pacific Islands to consider ratification of the constitution of the Federated States of Micronesia; and

WHEREAS, Public Law 5-60, section 11 (6), provides that the "Congress shall be the sole judge of the referendum and the results thereof"; and

WHEREAS, the results of the referendum have been transmitted to the presiding officers of the Congress for review; now, therefore,

BE IT RESOLVED by the House of Representatives of the Seventh Congress of Micronesia, second special session, 1978, the Senate concurring, that:

(1) There is established a Special Joint Committee on Referendum Review, pursuant to 2 TTC 263, for the purpose of reviewing the results of the referendum on the constitution of the Federated States of Micronesia and for the purpose of conducting any necessary or incidental investigations related thereto. The powers, duties, and scope of investigatory authority of the Special Joint Committee are as provided in 2 TTC sections 261 through 278, as provided elsewhere by law and as may be considered inherent in legislative bodies;

(2) The Special Joint Committee shall be composed of three members from the Senate of the Congress of Micronesia appointed by its President, and three members from the House of Representatives of the Congress of Micronesia appointed by its Speaker, such Committee to include a member from each of the six administrative districts of the Trust Territory;

(3) A chairman and vice-chairman of the Special Joint Committee shall be appointed by the president of the Senate and the Speaker of the House of Representatives;

(4) The Special Joint Committee shall remain in existence until the Congress has taken final action in its review of the referendum results in all six districts;

(5) Funding and staff assistance for the Special Joint Committee shall be provided by Congress;

(6) The Special Joint Committee is authorized to issue subpoenas, warrants of arrest and other processes, administer oaths or affirmations and do such other acts as may be necessary and proper to compel testimony and the production of records and documents; and

BE IT FURTHER RESOLVED that the Special Joint Committee:

(1) Review the results of the referendum on the constitution of the Federated States of Micronesia in all six districts and submit a report to each house of the Congress as soon as possible, recommending certification of the results in those districts in which, in the judgment of the Special Joint Committee, it is warranted;

(2) Initiate an investigation into the circumstances of the referendum in any district in which in the judgment of the Special Joint Committee a meritorious challenge to the results has been presented. During the investigation of the results in a particular district, the Committee member from that district is disqualified from sitting with the Committee;

(3) Submit a final report to the Congress with its conclusions and recommendations, attaching all documents, testimony and physical evidence relating to its investigation during this second special session of the Seventh Congress of Micronesia; and

BE IT FURTHER RESOLVED that representatives from the United Nations Trusteeship Council, its 1978 Visiting Mission, the United Nations Security Council, and the Administering Authority are invited to sit as observers in all proceedings of the Special Joint Committee, and are hereby respectfully urged to do so; and

BE IT FURTHER RESOLVED that certified copies of this House joint resolution be sent to the President of the United Nations Trusteeship Council, the Chairman of the 1978 Visiting Mission of the United Nations Trusteeship Council, the President of the Security Council, the Secretary of the United States Department of Interior and the High Commissioner of the Pacific Islands.

Adopted: 4 September 1978.
