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'POHNPEI'

CONSTITUTION

VOTE SET

KOLONIA, Ponape - Gov. Resio Moses proclaimed Aug. 24 the referendum date for the draft Pohnpei constitution, according to State Information Officer Halvorsen Johnny.

The governor announced the date July 24, following consultation with the Ponape State Legislature leadership as required by law.

In a July 24 letter to Speaker Salter Etse, Moses said that the public information program on the draft constitution has been completed and that "the people are now ready to vote on the draft constitution.

"The day has come for our people to exercise their inalienable right of self-determination by deciding to either reject, or ratify this basic instrument of governance for our state," the governor told the speaker.

In its special session this month, the legislature appropriated some \$20,000 to fund the ref-

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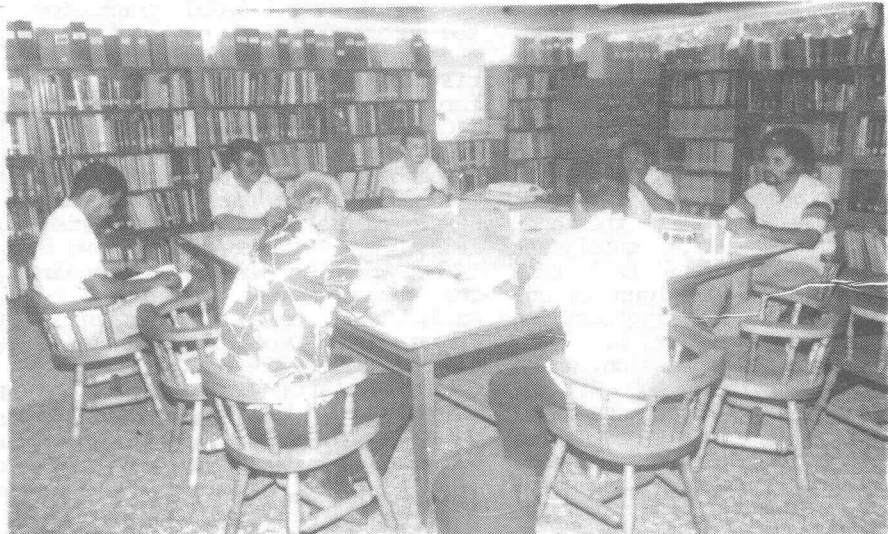
Inside....

Transition discussed

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COM REGENTS MEET - The College of Micronesia Board of Regents is meeting July 18 in the Community College of Micronesia Library Pacific Room. COM Executive Director Loren Peterson, third from left, advised the Regents in a later executive session that he would not renew his contract which ends Oct. 17. From left, clockwise, are Regent Strik Yoma of Ponape, Regent Claude Phillip of Kosrae, legal counsel Fred Ramp, Regent Billy Kuarate of Palau, Regent Sebastian Anefal of Yap, Regent Bernard Helgenberger of Ponape and Peterson.

Peterson to step down as COM director

KOLONIA, Ponape - College of Micronesia Executive Director Loren Peterson advised the Board of Regents during its July 16-19 meeting here that he will not renew his contract which ends Oct. 17.

Peterson, a former Peace Corps Ponape District director and Trust Territory state vocational education director who is completing his second two-year contract as COM executive director and acting chancellor, said that he is stepping down to start a family business here.

He said that he would take a 10-week leave of absence, beginning July 23 and returning Oct. 1 when the board holds its next meeting here to serve out his contract. COM Development Officer, Dr. Singeru Singeo, was designated to serve as acting executive director in his absence.

Peterson said that he would as-

sist in recruiting his replacement, during his leave, and that COM would begin a 30-day personnel advertisement for his replacement on July 23.

The regents gave Dr. Catalino Cantero a new two-year contract effective Aug. 4 to continue serving as Community College of Micronesia president at his present salary, \$23,005 a year.

Cantero was given a one-year contract, which expired in June and was extended, when he replaced Ponape Gov. Resio Moses as COM president last year.

The board also decided to retain Fred Ramp of Stovall, Spradlin, Ramp, Armstrong and Israel as its legal counsel for one year, beginning Oct. 1, for \$15,000. Ramp is serving on a six-month contract at \$7,500.

In other action, the board of-

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CCM has record 420 summer enrollment

KOLONIA, Ponape - The Community College of Micronesia has a record enrollment of 420 students during its first session this summer, according to CCM President Catalino Cantero.

"This is the largest enrollment in the history of the college," Cantero said, noting that summer sessions usually attract more students than regular quarters, due to teachers enrolling for courses toward certification.

"I would like to accept at least 300 students for the next fall quarter, including freshmen, sophomores and third year (education) students," he said.

CCM had 288 students enrolled in the 1983 fall quarter, according to Admissions and Records Director Betty Hiesterman, who said that acceptance letters were sent to 137 people who passed the entrance examination for enrollment as freshmen for the fall term which begins with freshmen orientation Oct. 1-5, registration Oct. 4-5 and classes Oct. 8.

The first summer session, which began June 26 and ends Aug 6, had 123 sophomores, 232 Ponape state teachers, 60 special education teachers enrolled in a workshop and academic courses and five part-time students, according to Hiesterman.

Enrollment will drop to only sophomores and part-time students during the second summer session which begins with registration

Aug. 9-10 and classes Aug. 13-Sept. 24, she said.

There will be seven instructors for the second session, compared to 27 for the first session and 25 expected for the fall quarter, she said.

There were 264 students enrolled in the 1983 first summer session, according to Hiesterman.

CCM was scheduled to begin June 1 a special services program for incoming freshmen who scored relatively low on their entrance exams, but the \$75,000 grant for the program was not received from the U.S. Education Department until mid-June, according to Cantero.

Cantero said that he sent a request to Education Secretary Terrence Bell to delay the start of the program to the second summer session, this September, or June, 1985.

The problem with starting in the second summer session, he said, "will be to bring in participants from the other states, the Marshalls and Palau."

If it starts in September, the students would be put through the program and, if they "test out of the program," they would be put

in regular classes in January, he said.

CCM is advertising for one, or two additional English instructors provided for by the grant, Cantero said.

The special services program is scheduled for three years with the funding level for the second and third year depending on the success of the initial year, he said.

Special services program director Donna Dye said that CCM is planning to enroll 100 students in the program.

The program is part of the U.S. Education Department Trio Program which also includes Aid to Developing Institutions and Upward Bound.

CCM received \$37,500 from the Aid to Developing Institutions program to develop a five-year plan, according to Cantero, who said, "A draft is in place and being reviewed by the entire faculty."

CCM is not directly involved in Upward Bound, but Mrs. Dye represents the college on the Ponape State Upward Bound advisory council, he said.

Peterson to leave COM post

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officially accepted the proposal by the Association of Micronesian Chiefs of Police to establish a Micronesian Police Academy, beginning September, 1985, at the Micronesian Occupational College in Palau.

It authorized the three COM campuses, MOC, CCM in Ponape and CCM Nursing School in Saipan, to change from the quarter to the semester system during the 1985-86 school year.

It authorized MOC and CCM to study the feasibility of establishing computer science programs at the two campuses.

It approved a request by Northern Marianas College President Agnes McPhetres to continue the joint operation of the CCM Nursing School, until it is physically relocated in Majuro.

"This does not affect the board's intent to relocate in the Marshall Islands," Peterson said, adding, "we are going on as actively as we can."

The board gave the go ahead to continue negotiating with University of Hawaii Architecture School Dean Elmer Botsai on a proposal to reserve space for up to six Micronesian students a year at the Manoa campus for its

BA program in architecture, possibly starting in the fall of 1985.

The proposal was initiated by Barry Meyers of the Trust Territory Office of Planning and Statistics, and the negotiations include finding funding and working with the FSM, Palau and Marshall Islands governments on recruitment criteria, according to Peterson.

The board heard budget, financial and program reports from the three campuses, the continuing education program and the College of Tropical Agriculture and Science.

Regent Bernard Helgenberger of Ponape chaired the meeting in the absence of a rector, vice rector, or secretary-treasurer.

The board was scheduled to July 9-12 in Majuro, but failed to reach a quorum for the first time in the past four years, according to Peterson. Present in Majuro were Vice Rector Alfred Cappelle of the Marshalls, Claude Phillip of Kosrae and Sebastian Anefal of Yap, plus the COM central office staff, Cantero and MOC President Wilhelm Rengil.

Helgenberger, Phillip, Anefal, Strik Yoma of Ponape and the Rev. Billy Kuarte of Palau attended the Ponape meeting.

COM seeks director

KOLONIA, Ponape - The College of Micronesia is accepting applications through Aug. 30 for an executive director and a personnel officer, according to Acting Executive Director Singuru Singeo.

The executive director, who serves as a liaison between the Board of Regents and the three campus presidents and director and funding sources, should be a graduate of a recognized college familiar with higher learning institution administration and publicity procedures. The salary advertised is \$20,000-\$25,000 a year negotiable.

The personnel officer, at \$15,000 a year negotiable, must have a bachelor's degree in public, or business administration and five years of personnel management experience.

Applications may be obtained from government personnel offices throughout Micronesia and forwarded to: Personnel Officer, Office of the Chancellor, College of Micronesia, Kolonia, Ponape FSM 96941.

Health insurance Bill drafted

KOLONIA, Ponape— The FSM Health Insurance Committee received July 18 from the Chicago law firm Hopkins and Sutter draft legislation which would establish and implement the proposed National Health Care Plan, according to Budget Officer Del Pangelinan.

The draft legislation contains eight articles, including six which cover 1) a board of trustees, officers and corporate powers, 2) eligibility for benefits, 3) the nature and scope of benefits, 4) premiums, 5) establishing a trust fund and 6) administration.

The draft legislation also proposes that in order for the state health care systems to benefit from the additional funds which the NHCP would generate 1) state medical referral committees and procedures be strengthened and 2) state hospitals be permitted to retain all cost claim reimbursements paid by the NHCP.

It is also proposed that the long-pending legislation before the FSM Congress to establish a national medical licensure and practice board be passed concurrent with the health plan, according to Pangelinan.

The current schedule calls for a legal review by the FSM Attorney General's Office, followed by consultation by the committee with FSM chief executives and legislatures, before a formal request for approval is made to the next state-national leadership conference, he said.

APIL board meets

KOLONIA, Ponape (Congress Release) - Resolutions calling for standardization of immigration laws in the region, creation of a regional development bank and soliciting U.N. development funds were reviewed during the July 26-27 Association of Pacific Islands Legislatures board of directors meeting in Kosrae.

Vice Speaker Joab Sigrah of Kosrae and Senator Peter Christian of Ponape attended in proxy for Speaker Bethwel Henry of Ponape and Senator Isaac Figir of Yap who are FSM Congress members of the APIL board.

Accompanying them was Sintaro Ezra, FSM Congress secretariat to the association.

If approved, the resolutions will go before the APIL Fourth General Assembly to be held in March, 1985, in the Marshall Islands.

Congress to air Monetary Bill

KOLONIA, Ponape (Congress Release) - The Monetary Authority Bill, a new Japanese fishing agreement and state projects appropriations will receive special attention during the third special session here Aug. 8-17 of the Third FSM Congress, Speaker Bethwel Henry said.

Henry, who called the special session, said that Congress can extend it, if it feels that it is necessary.

Prior to the session, public hearings on the Monetary Authority Bill were to be held July 28-30 in Kosrae by a delegation which will include Henry, Senators Raymond Setik of Truk and Elias Thomas of Ponape, Finance Secretary Al Tuuth, Banking Board Advisor Romulo Cison, Congress Budget Officer Tom Bussanich and Legal Counsel Delson Elnes.

"The presence of Secretary Tuuth and Mr. Cison for the hearing is of great value to us in that they can help explain the bill more thoroughly," a Congress official said.

National government and Truk state officials have testified on the bill and additional hearings will be held in Ponape during the early days of the special session.

"The governors of Yap and Truk have expressed strong support for the bill," Henry said. "On the other hand, the United States has raised its concerns relative to the issuing of our own currency."

Henry, however, assured that the Congress will consider all concerns and comments during the

session.

The bill, if passed, would create the Monetary Authority to replace the FSM Banking Board and become the central depository of all FSM money.

The Micronesian Maritime Authority negotiated a new fishing rights agreement with the Japanese fishing industry to replace the present agreement which ends Aug. 9. The new agreement was scheduled to be signed in Honolulu during the week of July 23.

The Congress also will consider any measures its committees have been examining during the interim since the third regular session in June, Henry said.

"We will also be looking forward to a report from the Status Commission which was recently reorganized and anything the National Plan Task Force can submit on the plan," he said.

Six bills signed

KOLONIA, Ponape - President Tosiwo Nakayama signed into law six of the eight bills enacted by the Third FSM Congress during its third regular session which ended June 12, including the \$10.5 million fiscal 1985 national government budget.

The President has until Aug. 2 to act on the remaining bills to reallocate fiscal 1984 funds for national government agencies and reallocate funds and extend the reversion date for Truk state public projects.

The Third Congress is scheduled to hold its third special session here Aug. 8-17.

The budget bill which represented a \$3.5 million reduction in the President's \$14 million budget request was signed July 24.

He signed on July 12 bills to amend Public Laws 2-2 and 2-46 relating to Truk state public and extend the reversion date to Sept. 30, 1985, and to eliminate specific allocation of funds for FSM technical assistance projects.

He signed on July 20 a bill to provide for the tenure, removal, salary, duties and powers of the Public Auditor.

Trust Territory High Commissioner Janet McCoy chose not to suspend bills to appropriate \$70,000 for the National Plan Task Force on June 13 and to re-appportion fiscal 1984 funds in the Attorney General's Office and provide it a \$10,000 supplement on July 13.



SEEK PULUWAT SCHOOL AID - Chief Magistrate Sour Bein, right, and Assistant Magistrate Biailuk Ekea, center, are meeting June 26 with President Tosiwo Nakayama to request funds for teaching materials for the new Puluwat Island Middle School which was built with local materials and is scheduled to open in September.

Compact transition discussed Akapito completes Aussie training

KOLONIA, Ponape - FSM and U.S. officials began discussions during the week of July 23 in Washington, D.C., on transition procedures for implementing the Compact of Free Association, according to Status Commission legal counsel Greg Swartz.

Status Commission Chairman Andon Amaraich, Transition Committee Chairman Jack Fritz of Truk and Commission member Isaac Figir of Yap met with Ambassador Fred Zeder, President Reagan's personal representative to the Micronesian status negotiations, and Assistant Interior Secretary for Territorial and International Affairs Richard Montoya to discuss transition procedures, Swartz said.

"The United States' current thinking is to create a U.S. government task force on transition to coordinate with similar task forces in the FSM and Marshalls," he said.

Amaraich, Fritz and Figir were in Washington to attend the July 26 hearing of the House Public Lands and National Parks Subcommittee on foreign policy implica-

tions of the Compact.

State Department counsellor Edward J. Derwinski was the lead witness and was accompanied by Deputy Assistant Secretary of State for East Asian Affairs William Brown, Zeder and Jim Berg of the Office of Micronesian Status Negotiations.

The hearing reportedly covered treaty devolution, or how the FSM and Marshall Islands would assume treaties entered into by the United States on behalf of the Trust Territory; diplomatic immunity; foreign affairs; termination of the trusteeship, and eligibility of the FSM and Marshalls to join the United Nations under the Compact.

"Brown, making reference to the Compact and the U.N. Charter, said the FSM would probably not qualify for U.N. membership," Swartz said, adding that "this will be discussed further by FSM and U.S. officials."

The House Foreign Affairs Committee is expected to schedule an additional hearing on foreign policy implications of the Compact on Sept. 18, he said.

Amaraich was scheduled to return to Ponape during the week of July 30, while Vice President Bailey Olter, a Status Commission member, left July 29 to join Figir and Fritz in Washington for Aug. 7 and 9 Public Lands and National Parks Subcommittee hearings on national security implications of the Compact.



COMPACT HEARING - FSM Senator Claude Phillip of Kosrae, center, a College of Micronesia regent, is reading testimony on education provisions of the Compact of Free Association on behalf of COM in the June 28 House Public Lands and National Parks Subcommittee. From left are FSM Senator Peter Christian, Phillip and COM Executive Director Loren Peterson.

Aussie training

KOLONIA, Ponape - Deputy Chief for South Pacific Affairs Ira Akapito is the first FSM External Affairs Department official to complete the Australian Foreign Service Training Course, according to International Affairs Chief Masao Nakayama.

Akapito was one of 17 overseas participants who joined 23 Australians April 5-June 29 in the course conducted by the Australian Foreign Affairs Department Training Division in Canberra.

The overseas participants were funded by the Australian Development Assistance Bureau, and is one of several training programs provided to the FSM by the Australian government.

The training included lectures and seminars on international law, economics, affairs, organizations and issues; diplomatic skills and practice, such as writing, negotiations and management, and field trips to Sydney and North Queensland.

"On the field trips we were assigned topics to research," Akapito said, adding, "The emphasis was on how to obtain information and report it accurately as if we were seeking information in a foreign country and reporting it back to our home government."

"I think the most interesting part was that we had almost an international conference with representatives from 17 countries, plus the Australians," he said, adding that "discussions were rich in that you have many interesting views on a particular topic."

The countries represented were the FSM, Papua-New Guinea, Solomon Islands, Western Samoa and Palau in the Pacific; Bhutan and Nepal in the Himalayas; St. Kitts-Nevis in the Caribbean; Kenya, Zambia and Namibia in Africa, and the Philippines, Thailand, Burnei, Indonesia, Malaysia and Singapore of the Association of Southeast Asian Nations (ASEAN).

Akapito, 36, is a native of Fefan Island, Truk Lagoon, who received a BA degree in social science from the University of Hawaii, Hilo and MA degree in education administration and supervision from California State University, Northridge.

He joined the External Affairs Department in 1982, after serving as Trust Territory vocational education director and assistant special education coordinator in Saipan for five years.

Briefs....

LELU, Kosrae - U.N. Tourism Planner Edward Inskeeb cautioned the government and people of Kosrae not to allow 100 per cent foreign ownership in hotels and restaurants here, according to a Kosrae State Release.

Inskeeb left June 27, after assisting in formulating the Kosrae State Tourism Plan to be included in the National Development Plan.

LELU, Kosrae - With the acquisition of electricity by Malem municipality in July, the Kosrae State government is succeeding in bringing electricity to almost all of the 6,000 people on the 42.5-square-mile island, according to a Kosrae State release.

Tafunsak municipality was hooked up in June and electricity is expected to be extended to Utwā in August.

The island wide electric distribution is part of Kosrae State capital improvement projects.

LELU, Kosrae - University of Hawaii archeologist Ross Cordy was awarded a grant by the university to clean up Saru ruins here and build a museum to house ancient Kosraean artifacts, according to a July 3 Kosrae State Release which said that Dr. Cordy has been studying the ruins since 1979.

Coast Guard Installs bouys

KOLONIA, Ponape - Navigational bouys in the main channel of the Kolonia harbor were replaced during the week of July 16 with fixed structures on reefs by the U. S. Coast Guard Cutter Basswood crew, according to a Ponape State Release.

These are the first of the 5,000-pound concrete block, stainless steel pole and navigational marker devices to be installed in Micronesia, according to Lt. Cmdr. Steve Sheek who said that the devices will be installed in Kosrae, Yap, Palau and possibly Saipan, while Truk's topography is not suited for them.

The ideal topography is like Ponape's where the reef runs out to the channel edge and drops off, he said.

Sheek, who originated the plan to install the devices and has been working on it for two years, said that the structures are relatively inexpensive and can be maintained for as little as \$50 a year.

The new devices will allow the Ponape state government to handle its own navigational aids, after the trusteeship is terminated, he said, noting that the Coast Guard has been responsible for maintaining navigational aids throughout the Trust Territory.

In addition to replacing navigational aids, the Coast Guard is surveying harbors in the Trust Territory to update charts and maps, Sheek said, noting that some harbors have not been surveyed since 1920.

Poix 'not needed'

MOEN, Truk - A resolution declaring Christopher P. Poix, a U.S. military "medical personnel" from Guam, "not needed" in Truk due to allegedly disturbing the Truk State Legislature was adopted June 15 by the legislature.

Poix drove a vehicle through a barricade June 7 at the TSL Assembly Hall, contrary to state law; resisted instructions to remove the vehicle; tried to attack the sergeant-at-arms, and argued with him with "loud, provocative and very obnoxious language which disturbed the session of the legislature," according to the resolution.

Copies of the resolution were sent to Commodore Dale Hagen, commander, Naval Forces Marianas; President Tosiwo Nakayama; High Commissioner Janet McCoy; Truk and Guam governors, Guam Legislature, and Poix.

Pohnpei constitution vote set

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erendum.

The governor said he will soon transmit to the legislature a measure to accommodate transition from charter to constitutional government, and that he will request a special session of the legislature before the referendum to address transition matters, as the effective date of the constitution must be set by law.

Ponape is the last of the four

Jet buzzing protested

KOLONIA, Yap - Gov. John Mangefel protested U.S. military jet aircraft buzzing Yap proper and Fais Island, July 14-15, declaring it "shook up" older people, bringing back "unpleasant memories" of World War II U.S. bombing raids.

In a July 17 letter to Commodore Dale Hagen, commander, Naval Forces Marianas, Guam, Mangefel said that many people complained to his office about two apparent military jets making several passes July 14 over Fais and passing "quite low" July 15, "buzzing houses and even the U.S. Coast Guard IORAN station" on Yap proper.

"In fact, while fishing (July 15) my boat was buzzed by two jets," he said, citing reports that the planes turned off their lights while making low-level passes at night.

Mangefel said he suspected that the jets were from a U.S. aircraft carrier off Guam and that responsible officials were not aware of the flights.

"I do not want to make a big fuss over all this," he said, but "I hope that in the future, if Yap is to be a rendezvous point for military training flights, or whatever, that we be given advance notice so that the general public can be informed."

The governor said that "many older people were 'shook up' because these activities brought back unpleasant memories of bombing raids by U.S. aircraft during World War II."

FISHERMEN REWARD OFFERED

KOLONIA, Ponape, - Families of six Chinese fishermen, missing since June 10 off Guam, are offering a \$5,000 reward for their location, Guam Senator Joseph F. Ada said in a July 12 dispatch to President Tosiwo Nakayama, asking FSM government officials to keep a watchful eye out in remote isolated islands.

FSM states to draft a constitution which was signed Feb. 5 by convention delegates. Yap approved its constitution in 1982 and implemented it in January, 1983. Kosrae approved its constitution in 1983 and implemented it Jan. 11. Truk completed its draft in 1982 and the referendum date is pending in the State Legislature.

The Ponape draft constitution would officially change the spelling to "Pohnpei" and would set the Pohnpei language and English as the official government languages.

It would ban the introduction, disposal and testing of nuclear and other harmful materials and would proclaim state jurisdiction over submerged and surface marine resources within 200 nautical miles of all islands in the state in apparent conflict with the FSM Constitution which gives the states jurisdiction over the first 12 miles and the national government control of the remaining 200-mile economic and fishing zone.

It would change the name of the Ponape State Court to Pohnpei Supreme Court and increase the number of associate justices from three under current law to four.

It also provides for annexation of new territory and extension of citizenship to annexed territory.

Goat project set

KOLONIA, Ponape - The U.N. Development Program is sponsoring a goat breeding project which will include FSM-wide animal husbandry training at the Ponape Agriculture and Trade School in Madolenihmw, according to the Ponape Information Office.

U.N. Volunteer Hareesh Patel was transferred from Palau to begin a six-month animal husbandry and veterinary science training program in October at PATS for representatives of each of the Federated States and PATS seniors.

The project will include the development of a herd of 200 goats on about 70 acres at the State Forestry Station in Madolenihmw, according to Conservation and Resource Surveillance Director Kikuo Apis, who said that the goats will be purchased locally and abroad.

The UNDP is providing \$145,000 for the project, while the Ponape State Legislature appropriated \$10,000 and the national government is expected to provide another \$10,000. The state also is providing facilities and labor for the project.

Buekea conviction upheld

KOLONIA, Ponape - Rejecting the argument that testimony by a sex crime victim must be corroborated, the FSM Supreme Court Appellate Division upheld the sexual assault conviction of Marsinino Buekea of Truk.

Buekea was sentenced to three years and six months in prison, after being convicted in the FSM Supreme Court Trial Division in Truk for the alleged April 6, 1983, assault of a woman on Tol Island.

He reportedly attacked a woman while she was bathing near her home by wrestling her to the ground, putting a knife to her throat, penetrating her with a finger and beating her, before fleeing because of her struggling and screaming.

In a June 26 hearing in the Appellate Division in Truk, counsel for Buekea reportedly argued that because various Micronesian cultures have distinctive attitudes toward sexuality, American, even Micronesian judges can misinterpret testimony and reach mistaken conclusions.

The appellant counsel argued that because the possibility of error is greatest in sexual offenses, the court should never accept the testimony of an alleged sex crime victim as sufficient unless it is corroborated by other testimony or physical evidence.

In a June 27 opinion signed by FSM Chief Justice Edward C. King and designated justices Mamoru Nakamura, Palau Supreme Court Chief Justice, and Herbert D. Soll, Northern Marianas Commonwealth Court Judge, the Appellate Division held that the victim's testimony was corroborated by two witnesses who saw Buekea and the victim immediately after the offense occurred.

"We appreciate appellant's concern with cross cultural problems that may arise in the truth finding," the opinion said. "Nevertheless, we remain unconvinced that the complaints by women of sexual assault in Micronesia require any more corroboration than that of other witnesses in other serious cases."

It also said that "there is sufficient evidence of other force in the record to support conviction for forced sexual penetration, wholly aside from use of the knife," in affirming the trial court decision.

Extradition lauded

KOLONIA, Ponape - The Marshall Islands Journal in a July 13 editorial called the extradition of Charles Wolfe to Truk state, FSM, from Honolulu on charges of theft for selling bogus airline stocks "is an important action which should not go unnoticed by those of us here in the Marshalls who, at one time or another, have had the misfortune to believe what is not necessarily so."

"While Chuck Wolfe, the returnee in this case, may very well be completely innocent, we think that the larger question of accountability at the site of an alleged misdeed is the best way to stave off the other crows who, feeling secure in ripping off our seeds, think they will not be wrested from their nest in Guam, or Honolulu."

It urged the foreign affairs and attorney general's offices to take a more aggressive role in screening business ventures coming to the area.

Jurisdiction Requests denied

KOLONIA, Ponape - The first motions for the FSM Supreme Court to assume jurisdiction over civil cases in the Ponape State Court were denied June 8 by Chief Justice Edward C. King who cited failure to follow required procedures.

The cases include two personal injury suits against Ponape Rock Products Co. and petition by Robert Etscheit to change his status from temporary to permanent administrator of the Leo Etscheit estate.

The three cases originally were filed in the Trust Territory High Court and steps were taken to transfer them from the High Court to the FSM Supreme Court, according to King's order, which said the TT court responded by transferring the cases to the Ponape State Court and motions to assume jurisdiction were then filed in the FSM court.

"This is the first case in which a party has filed papers with this court in an effort to place before us issues already pending in another court," the order said.

The standard method of obtaining a jurisdictional determination by the Supreme Court is to file a civil, or criminal action with the court, according to the order which said the other method is move in the state court to certify a substantial constitutional question which would be determined by the Supreme Court Appellate Division.

Neither method was employed, so "the motions to assume jurisdiction are denied, without prejudice to the right of any party to follow either of the procedures outlined in this opinion," the order said.

In each case, the movants claimed diversity of citizenship exists so the cases would be within Supreme Court jurisdiction under the FSM Constitution.

The injury suits allege that Adams, who heads Ponape Rock Products, caused Felix Koike and Weleriano Sham to be electrocuted Nov. 5, 1981, by carelessly putting a boom crane into contact with an overhanging uninsulated high-transmission wire at his warehouse in Nett Municipality.

Koike was employed by Adams and Sham was a PATS employee assigned to assist in constructing a barge.

The suits by Felix and Susa Koike and Weleriano and Sabina Sham are seeking a total of \$550,000 each in damages.

FSM Supreme Court Calendar

TRAIL DIVISION - STATE OF PONAPE

DATE/TIME	CASE NAME	TYPE	PROCEEDING
Aug. 1, 9 a.m.	FSM v. Plais	Escape	Trial
Aug. 2	FSM v. Akwinas and Rodriguez	Burglary	Pretrial
Aug. 2	FSM v. K. Rodriquez	Burglary	Pretrial
Aug. 2, 9 a.m.	FSM v. Peter	AWDW	Pretrial
Aug. 6, 9 a.m.	FSM v. Sowas	Sexual assault	Sentencing
Aug. 6, 9 a.m.	FSM v. Rupely	Funds misuse	Hearing
Aug. 7, 8:30 a.m.	Tokutake v. Porter	Contract	Trial
Aug. 8, 9 a.m.	FSM v. Peter	AWDW	Trial
Aug. 13	FSM v. Akwinas, Rodriquez	Burglary	Pretrial
Aug. 13	FSM v. K. Rodriquez	Burglary	Pretrial
Aug. 14, 9 a.m.	Johnny v. Hifo	Contract	Hearing
Aug. 15, 9 a.m.	FSM v. Akwinas, Rodriquez	Burglary	Trial
Aug. 16, 9 a.m.	FSM v. K. Rodriquez	Burglary	Trial

Wolfe guilty On one count

MOEN, Truk - Charles Wolfe of Honolulu was found guilty here July 27 on one count of theft by deception and not guilty on two counts in the \$45,000 sale of bogus airline stocks, according to the FSM Attorney General's Office.

Sentencing was pending with FSM Supreme Court Associate Justice Richard Benson, according to an AG official who said that Wolfe could be sentenced to up to five years in the Truk State Prison.

Benson found Wolfe guilty of the first count of theft by deception and acquitted him on a second count of theft by deception and a count of theft by failure to make required disposition of funds.

Wolfe was extradited from Honolulu, arriving July 6 in Truk under the custody of FSM Security and Investigations Division Acting Chief Lester Ruda.

Benson issued March 3 a bench warrant, and Wolfe was arrested March 29, after a governor's warrant was issued in Hawaii at the request of President Tosiwo Nakayama through High Commissioner Janet McCoy.

Wolfe had been in jail in Honolulu unable to post a \$45,000 bail bond since his March 29 arrest. He was jailed in Truk failing to post \$45,000 bail, but was released prior to the trial which began July 23.

The \$45,000 was paid Feb. 3, 1983, to Wolfe in Truk and another \$15,000 was delivered to him a week later in Honolulu to purchase 40 per cent of Trans-Pacific Airlines which was not incorporated until Oct. 26, 1983.

The funds, representing 800 shares at \$750 a share paid by 12 Truk International Development Co. shareholders, were to be used to purchase an amphibious airplane to provide service between Moen and the Mortlock Islands of Truk.

DORES COUSINS SENTENCED

KOLONIA, Ponape - Benjamin Dores, 26, and Andonio Dores, 30, of Takaihu, Uh Municipality received maximum allowable sentences of six months in jail and were fined \$100 each July 3 by FSM Supreme Court Chief Justice Edward King, after pleading guilty to assault and battery of Ioana and Erlino Makaya.

The Dores cousins were charged with assaulting Erlino and his mother, Iowana, of Lukohp, Madolenihmw Municipality, Feb. 15 when the Makayas gave the defendants a ride in their pickup truck.



CONSUL GENERAL VISITS - President Tosiwo Nakayama, left, is with Yoshinobu Nagashima, center, Japanese Consul General to Guam and Micronesia, and his aide, Jimmy Shintaku, during a July 27 dinner hosted by the President honoring Nagashima's first visit to Ponape.

Porter hearing set

KOLONIA, Ponape - An extradition hearing is set for Aug. 6 in Guam for Andrew Porter who is charged in Truk with contempt of court for jumping bail on charges of theft of services for not paying at least \$12,500 in taxes and telephone bills, according to FSM Assistant Attorney General David Brown.

Porter was charged June 8 in the FSM Supreme Court in Truk with three counts of theft by deception and other means to avoid paying at least \$10,000 in FSM gross revenue and employee income taxes, \$1,600 in Social Security taxes and \$1,923 in telephone bills owed the FSM Telecommunications Corp.

He was ordered by State Court Chief Justice Soukitchi Fritz not to leave Truk.

On June 25, Porter allegedly sneaked on board an Air Micronesia flight to Guam and went from there to Honolulu.

Supreme Court Chief Justice Edward King issued a warrant on June 27 and Porter was arrested July 15 when he returned to Guam on business. Bail was set at \$5,000 when he appeared in a July 16 hearing in Guam.

FSM President Tosiwo Nakayama and Trust Territory High Commissioner Janet McCoy made formal requests to Guam Gov. Ricardo J. Bordallo for his extradition.

Porter reportedly represented Structural Finishing Co. which was contracted to build a weather station in Truk and received \$315,000 in payments on the contract.

Japanese consul Visits Ponape

KOLONIA, Ponape - Yoshinobu Nagashima made his first visit July 26-28 to Ponape, since becoming the Japanese Consul General to Guam and Micronesia, as part of an orientation tour.

Nagashima replaced Hideji Tsukakoshi, who was reassigned April 6 to the consulate general of Japan in Curitiba, Brazil.

Nagashima met July 27 with FSM President Tosiwo Nakayama, Congress Speaker Bethwel Henry and Ponape Lt. Gov. Strik Yoma, and the President hosted a private dinner for him that evening in the PCR Restaurant.

Accompanied by Jimmy Shintaku of the consulate staff and their wives, Nagashima visited the Marshall Islands before coming to Ponape and Truk before returning to Guam.

Born in Manchuria, Nagashima served for two years before being assigned to Guam as special assistant for protection of Japanese nationals abroad in the Japanese Foreign Affairs Ministry Consular and Immigration Department.

He has served as Foreign Affairs Ministry chief archivist; four years with the Japanese permanent U.N. mission, New York; as a consul in Hong Kong and Los Angeles, and as first secretary of the Japanese embassy in Thailand.

Arts group selected

KOLONIA, Ponape - The 26-member Pwihn en Pidek en Dolen Wenik (Wenik mountain group) from Uh Municipality was selected to represent Ponape in the Dec. 8-23 Pacific Arts Festival in Noumea, New Caledonia, according to State Information Officer Halvorsen Johnny.

Second place winner, Micronesian Cultural Center, also will go to Noumea, if funds are made available, according to Simon Kihleng who served as staff for the selection committee which included Santiago Joab, chairman; State Senator Joseph Moses, vice chairman; Pensile Lawrence; Sungiwo Hadley, and Bismarck Weillbacher.

The winning group combined singing, weaving, traditional dances and sakau-making in their presentation.

Ponape sent Pwihn en Ononleng of Kitti to the 1980 South Pacific Arts Festival in Papua-New Guinea.

Ponape fishing Tournament set

KOLONIA, Ponape - Laid en Pohnpei (Fishing in Ponape), the first annual Ponape Open Fishing Tournament is scheduled for Labor Day, Sept. 3, according to Ray Peterson, assistant general manager of the Cliff Rainbow Hotel, its sponsor.

First, second and third place prizes will present for the largest fish and the most pounds caught per boat at a banquet at the Cliff Rainbow Restaurant, following the tournament, Peterson said.

Aug. 27 is the deadline for entry fees, \$25 per boat, to be submitted to the Cliff Rainbow Hotel in Kolonia. The fees will be refunded, if the tournament is cancelled, according to Peterson who said the tournament will be rescheduled for Sept. 8, if bad weather prevents holding it on Sept. 3.

The tournament is to begin at 6:30 a.m. at the Economic Development Authority dock and end at 5 p.m. at the nearby Coop Fish Market. Participants may begin checking in at 5:30 a.m. and purchase ice at the EDA dock.

The prizes, to be determined by the number of entries, will be announced at a later date, Peterson said.

"The tournament is meant for Ponape fishermen and women, but we hope to attract contestants from outside of the state," Peterson said, noting that there will be no restriction on fishing methods in the contest.

The tournament banquet will be served buffet style in the Cliff Rainbow naus for \$8 a person beginning at 7 p.m. and tournament winners will be announced at 9 p.m., Peterson said.

TOURISM WORKSHOP HELD

LELU, Kosrae - Michael Jane of the U.N. Development Program in Fiji conducted a World Tourism Organization-sponsored workshop for hotel and restaurant owners here June 19-20, according to a Kosrae State Release.

EDLF delinquency rate down

KOLONIA, Ponape - The delinquency rate on old Economic Development Loan Fund loans was down from 97 per cent when the FSM Development Bank took over their collection in 1983 to 43 per cent in May, according to Acting FSMDB President Manny Mori.

The number of new loans by the bank increased to 55 totalling \$1,186,840 through June from 52 totalling \$1,157,140 in February, Mori reported.

The bank took over 63 old Trust Territory EDLF loans totalling \$664,882.14 and began restructuring them in November, 1983, according to a report released by Mori which said that through May 31 about 50 per cent of the loans totalling

\$333,374.61 had been restructured "and the borrowers in default were reduced from over 95 per cent to 43 per cent."

A \$1.2 million claim by the Commonwealth of the Northern Marianas against remaining EDLF funds is prolonging the final distribution of the fund, according to Mori who said that the dispute is expected to be settled soon with the remaining funds to be turned over to the Micronesian governments' development banks.

The FSM share originally was expected to be about \$3.5 million, including the delinquent loans.

Forty-one new EDLF loans totalling \$954,310 have been issued by the FSMDB which also approved 14 loans totalling \$232,530 funded by the FSM Congress.

The number of new loans and total amounts by category in each state are:

Yap—three, \$9,000, fishing; three, \$25,500, commercial; totalling six, \$34,500.

Truk—one, \$15,300, crops; five, \$69,000, livestock and poultry; two, \$86,200, fishing; one, \$42,500, manufacturing; two, \$137,500, real estate; three, \$69,400, commercial; totalling 14, \$419,900.

Ponape—five, \$25,000, crops; two, \$32,500, livestock-poultry; six, \$65,930, fishing; three, \$60,600, manufacturing; one, \$105,840, real estate; seven, \$224,400, commercial; totalling 24, \$514,270.

Kosrae—two, \$23,370, fishing; one, \$10,000, manufacturing; three, \$90,680, real estate; five, \$94,120, commercial; totalling 11, \$218,170.

The FSMDB board of directors is scheduled to hold its next meeting Sept. 25-27, following a joint meeting with the FSM resources and development directors tentatively set for Sept. 18-24, Mori said.

The bank received July 26 notification of its certification as a full member of the Association of Development Financing Institutions in Asia and the Pacific (ADFIAP), Mori said.



MOBIL DONATION PRESENTED - Mobil Oil Micronesia executive vice president and general manager John Nagai, right, and vice president and director Lucky Tarkong, center, are presenting July 23 a \$500 Mobil donation to the FSM Red Cross to President Tosiwo Nakayama in his office.

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