

President urges quick approval of Compact - Page 4



The National Union

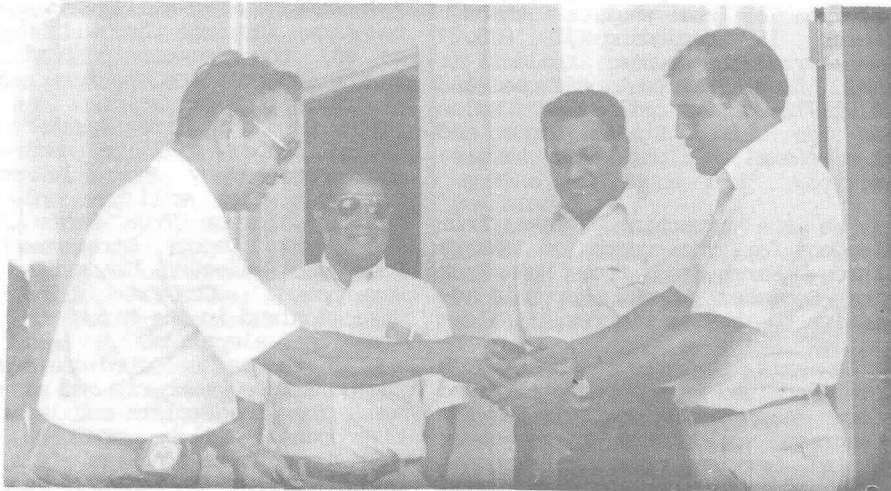
Peace Unity Liberty

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POHNPEI STATE COURT OFFICES COMPLETED - Pohnpei Home Builders owner Prudencio Reyes, left, is presenting April 22 to Gov. Resio Moses, right, keys to four new office-chambers for the State Supreme Court justices with Chief Justice Edwel Santos, center left, and Legislature Speaker Salter Etse looking on. The the \$22,700 project is the first of four phases of renovating the former lieutenant governor's residence to house the state court. The chief justice and three associate justice will move into the offices, after the second phase, staff offices, is completed, according to a State Information Office release.

Air Mike review set for D.C.

KOLONIA, Pohnpei - The Micronesian presidential summit meeting scheduled for May 3-7 in Washington, D.C., was postponed until June at the request of Palau's president, but the FSM and Marshall Islands presidents are expected to attend a May 3-4 bankruptcy court meeting there on the Air Micronesia accords, according to Attorney General David Nevitt.

FSM President Tosiwo Nakayama left Pohnpei on April 20 to attend an April 23 hearing on the Compact of Free Association in the U.S. House Foreign Affairs Committee in Washington and the U.N. Trusteeship Council annual meeting which begins May 13 in New York City. Marshall Islands President Amata Kabua reportedly is attending the two events.

Palau President Haruo I. Reme-

liik responded in April 18 TELEX message to Nakayama that he would not be able to accept the invitation from the FSM and Marshalls presidents to meet May 3-7 with them in Washington, because Vice President Alfonso R. Oiterong is scheduled to go to Washington during the second week in May and they could not be away from their country at the same time.

Remeliik said that his legal counsel, Vic Uherbelau, and three members of his cabinet would accompany Oiterong to Washington and the UNIC meeting in New York and suggested that they form a working group with the FSM and Marshalls staffs to finalize agreements for the three presidents to endorse in an early June sum-

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FSM delegates Hit APIL 'Irregularities'

KOLONIA, Pohnpei - The FSM Congress delegation to the April 15-19 Association of Pacific Island Legislatures Fourth General Assembly in Guam cited in an April 24 press release the "uncertainty" of remaining in the association due to "apparent irregularities with the voting for APIL president."

The FSM Congress delegation, in a separate April 24 press release, defended its not supporting a joint communique calling for an APIL study to determine a unified position on reorganizing Air Micronesia against charges at the meeting that it was evidence of the FSM's desire for a monopoly relationship with Continental Airline, to refuse to discuss the issue with the other delegates and to repudiate the spirit of regional cooperation in APIL.

The press release on the election procedures said that delegates unanimously adopted a resolution, E-4-14, which was described as only technical amendments

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Inside....

Congress session near

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Drinking curbs ordered

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Postal Service training starts

KOLONIA, Pohnpei - FSM Postmaster General Leo A. Falcam announced that he will leave May 1 for a May 7-June 28 philatelic bureau management training program to be provided by Crown Agents Philatelic, Ltd., in Brighton, England.

Falcam also announced that FSM Postal Service inspectors Herlino Makaya and Aurelio Joab would begin April 30 two and one-half weeks of training to be provided by U.S. Postal Inspector Jim Miller of San Francisco.

The training which will be held in the Truk, Kosrae and Pohnpei post offices will be followed by a seven-week basic criminal investigators' course which begins May 22 at the Federal Law Enforcement Training Center, Glynnco, Georgia, and two weeks of U.S. Postal Service specialized inspection service training at a site to be determined in the United States.

"All of this is being arranged by the U.S. Postal Service International Postal Affairs Department in Washington, D.C.," Falcam said, adding that Miller, who was

formerly stationed in Honolulu and worked in Micronesia, is coming to the FSM on his vacation time.

He said that Crown Agent is paying for his transportation and training costs to attend its annual training program, while his office will pay his per diem.

Falcam said that he is taking the course to be able to train an FSM Postal Service philatelic manager when that position is authorized by the FSM Congress.

The Postal Service collected net revenues totalling \$353,543.-33 from the July 12, 1984, inauguration of the service through March 15, including \$191,825.27 in across-the-counter sales in the four FSM post offices and \$161,718.06 in philatelic sales in the United States, London and the central office here, he reported.

"We are expecting checks from London for the months of January through March and from New York for December through March in addition to these figures," Falcam said.

He said that the revenues which are deposited in the general fund for reappropriation by the FSM Congress would more than cover Postal Service operating expenses now and when the service will take over in fiscal 1986, beginning Oct. 1, the payment of wages to its employees who are now paid by the U.S. Postal Service.

Fourth Congress To convene May 13

KOLONIA, Pohnpei (Congress Release) - The Fourth FSM Congress will convene its first regular session May 13 to begin its two-year term with its youngest member, Senator-elect Jack Fritz of Truk, presiding.

The session, mainly an organizational one, may be quickly recesses, Speaker Bethwel Henry said, due to the U.N. Trusteeship Council meeting which begins May 13 in New York and possible hearings on the Compact of Free Association in Washington, D.C.

"However, it is still too early to know for sure what will happen as all the leadership positions in the Congress are up for reconsideration," Henry said.

The Speaker, Vice Speaker and Floor Leader will be nominated and approved by the 14-member Congress which will have only one new face, former Truk State Public Works Deputy Director Nick Bossy who unseated Resources and Development Committee Chairman Sasao Goulard in the March 5 congressional elections.

Also to be selected are standing committee members and chairmen. The chief clerk and legislative counsel will be appointed.

If the session runs its full 30 days without a lengthy recess, Henry said the Congress may consider legislation relating to the implementation of the Compact of Free Association.

The Congress is planning to invite President Tosiwo Nakayama to deliver a State of the Nation message on a day to be decided by resolution.

Henry said that any legislation which died at the end of the Third Congress could be reintroduced.

Congress starts newsletter

KOLONIA, Pohnpei - The FSM Congress Information Office began publishing March 20 a monthly "Congress Newsletter."

The editors, Congress Information Officer Marialice Eperiam and Assistant Information Officer Wilfred Gorongfel, invited public comments and subscription requests which may be mailed to "Congress Newsletter," c/o Congress Public Information Office, Box 370, Kolonia, Pohnpei FSM 96941.

The first issue featured the March 5 FSM congressional elections and Speaker Bethwel Henry's remarks in the March 19 U.S. House Public Lands Subcommittee hearing on the Compact of Free Association.

Yap girls visit Japan

KOLONIA, Pohnpei - A group of 12 girls from Gogil municipality, Yap state, arrived April 25 in Japan for a two-week visit at the invitation of Yokohama Mayor Michikazu Saigo to perform traditional dances, according to FSM Tokyo Liaison Officer Jesse Raglmar.

The group accompanied by Louis Pitmag and William Yad of Gachpar village, Gogil, have performances scheduled in several locations in the Yokohama-Tokyo area, before departing May 7, Raglmar said in an April 26 dispatch to the FSM Information Office.

Pitmag presented to Saigo, during a courtesy call, a letter and gifts including a traditional lava-lava, a model canoe and a sample of Yapese shell from Yap Gov. John Mangefel and told the mayor that "the canoe to the Yap islander is like a car to the Japanese."

Raglmar said that he told the mayor that the FSM "national government is grateful for these exchanges which, involving the young people from each country, will assure a strong, friendly and long-lasting relationship between the Federated States of Micronesia and Japan."

The group was met on its arrival by Raglmar and Hiroshi Nakajima, managing director of the Pacific Society of Tokyo which sponsored the visit.



PRESENTS DONATION - State Senator Midion Neth, left, is presenting April 9 a \$250 check to Pohnpei State Acting Health Services Director Aminis David as his third semi-annual donation since taking office in January, 1984, to assist low-income Madolenihmw municipality residents in paying medical costs. Neth plans to make eight donations during his four-year term, totalling \$2,000.

Summit delayed On Air Mike

(Continued from Page 1)

mit.

A site for the June summit was not suggested, but Remeliik cited "three vital subject matters" to be resolved, including 1) steps for implementing the March 22 San Francisco Accords on reorganizing Air Micronesia and memorandum of understanding on a regional transportation commission; 2) "coordinating and consolidating our efforts on surface shipping," namely the Shipping Conference on Entry Assurance, and 3) funding the College of Micronesia during the post trusteeship period.

Nakayama communicated April 18 his concurrence to Remeliik.

U.S. Bankruptcy Court Judge T. Glover Roberts of Biloxi, Mississippi, in a letter to the three presidents and governors of Guam and the Northern Marianas called his second settlement conference in Washington to evaluate progress on the San Francisco Accords which were reached during his first settlement conference in the California city.

Roberts scheduled meeting with Guam and Northern Marianas representatives in the morning and the "sovereign governments (FSM, Marshalls and Palau)" in the afternoon May 3 and, again, with the free associated states in the morning and everyone in the afternoon May 4.

The San Francisco Accords to reorganized Air Micronesia were signed by Marshall Islands and Palau representatives and Nakayama for the FSM, but not by Guam and Northern Marianas representatives as reported in the April 15 NATIONAL UNION, according to Nevitt.

The five governments signed the MOU to establish a transportation commission.

In the accords, the three governments agreed to establish a formula for division of ownership of shares of United Micronesian Development Association which owns 60 per cent of Air Mike among the three governments and private interests in Guam and the Northern Marianas.

The settlement conference was called by Roberts to resolve suits filed against an agreement between the FSM and Continental Airlines that Continental purchase a majority of UMDA stocks to turn over to the FSM in addition to the 30 per cent of Air Mike which Continental owns directly and to establish a new joint venture agreement for operating service on Air Micronesia routes.

APIL hit on 'irregularities'

(Continued from Page 1)

to membership fees, but after FSM Senator Peter Christian of Pohnpei announced his candidacy for APIL president, it was disclosed that the resolution added a new voting formula based each jurisdiction's population and financial contribution to the association.

This gave Guam effective control of the election, as it makes the largest contribution to the organization, so after considerable discussion of the purported new rules, Christian withdrew his candidacy, declaring that he considered the rules "improper and illegal," and Guam Legislature Speaker Carl Gutierrez was reelected president.

There is no reference to proportionate voting or any other method of voting in the APIL by-laws, "thus a basic presupposition of the resolution is invalid (and) the position of the FSM Congress delegation was and is that the resolution itself is therefore invalid as well," the release said.

"In light of these apparent irregularities with the voting for APIL president, the FSM Congress delegation departed Guam with uncertainty as to the Congress' continuing involvement in APIL," it said, adding, "A report will be made to the entire Congress, and that collective body will be asked for a decision on this is-

sue."

The March 22 San Francisco Accords signed by President Tosiwo Nakayama and Congress Speaker Bethwel Henry for the FSM and Marshall Islands and Palau representatives and supported by Guam and Northern Marianas representatives is the proper mechanism for deciding how to reorganize Air Mike, according to the release which said:

"We felt that any involvement by APIL, as called for by the wording of the original joint communique, would only complicate and hinder an extremely complex and delicate situation."

APIL is not a venue for official decision making and the proposed language of the communique could be interpreted as trying to bind the FSM government, according to the release.

FSM government has officially briefed the executive branches of all of the governments involved on the complex issues of Air Mike reorganization, contrary to the suggestion that it is not willing to discuss the subject, it said.

The FSM delegation said it supports regional unity on the airlines issue "within the appropriate forum," and criticized a "special legislative communique" signed by some Guam, Northern Marianas, Palau and Marshalls delegates stating that the San Francisco Accords call for equal ownership and control of Air Mike by the five governments, including the FSM, or their people as not being a unanimous expression and improper for APIL to issue.

The FSM Congress delegation included, in addition to Christian, Senators Isaac Figir of Yap, chief delegate, and Kalisto Refalopei and Tony Otto of Truk and was accompanied to the meeting by Congress Legal Counsel Gary Takeuchi. The four FSM state legislatures also were represented.



TOURISM CHIEF VISITS - Assistant Commerce Secretary Martin Darity, right, who heads the U.S. Travel and Tourism Administration, and his wife, Betty, are visiting President Tosiwo Nakayama, April 8, in his office while en route to Guam where Darity addressed the Association of Pacific Island Legislatures. Darity first visited Pohnpei in January, 1983.

Academy accepts applications

KOLONIA, Pohnpei - The Calvary Christian Academy began April 15 accepting applications for enrollment in kindergarten-ninth grade for the 1985-86 school year, according to its principal, Sonny Padock.

Enrollment applications may be obtained from and returned to Sonny Padock, Principal, Calvary Christian Academy, P.O. Box H, Kolonia, Pohnpei FSM 96941.

Quick Compact approval urged

COLONIA, Pohnpei - The United States is the only nation in which the FSM could entrust its defense, President Tosiwo Nakayama told House Foreign Affairs subcommittees in an April 23 joint hearing, urging the U.S. Congress to quickly approve the Compact of Free Association without significant changes, according to the April 25 Pacific Daily News.

Asian and Pacific Affairs Subcommittee Chairman Stephen Solarz of New York who directed the session for three subcommittees said the full Foreign Affairs Committee plans to prepare by May 7 legislation implementing the Compact which has been reported to the full Senate by the Energy and Natural Resources Committee.

Nakayama was quoted as saying, "We want to be clear that the FSM anticipates a long and very close relationship with the United States in free association.

"The Compact not only evidences an act of self-determination by

our people but it provides the means to sustain and protect the process," the President said.

"The United States is the only nation with whom we share so completely the ideals of freedom, and thus is the only nation to whom we could entrust the defense of our freedom," he said.

Guam Delegate Ben Blaz urged quick approval of the Compact as it is, stating that the United States is bound by a 1947 pledge to promote self-government and self-determination in the Trust Territory.

Blaz said, "If we live up to our heritage as the champion of freedom, we will fulfill that obligation now in a timely and politically advantageous manner."

Guam Gov. Ricardo Bordallo supported quick approval of the Compact as it is in an April 12 hearing in Honolulu conducted by Virgin Islands Delegate Ron de Lugo.

De Lugo and American Samoa Delegate Fofu I.F. Sunia objected to the tax credit and tariff provisions of the Compact which have been denied the flag territories of American Samoa, Guam, the Northern Marianas, Puerto Rico and the Virgin Islands, according to the Gannett News Service article.

They reportedly said that the special tax incentives and lower minimum wages in Micronesia would entice industries away, wrecking their economies, and asked for equal treatment.

Ambassador Fred Zeder, President Reagan's personal representative to the Micronesian status negotiations, told the panel April 24 that he would be willing to agree to an annual review to ensure the Compact economic incentives do not adversely affect the U.S. territories.

Zeder also said that he did not expect the provision to allow U.S. citizens who reside 183 days a year in the FSM and Marshall Islands to pay local taxes, instead of U.S. income taxes, to create a tax haven.

Deputy Assistant Defense Secretary for East Asian Affairs James Kelly also urged prompt congressional approval of the Compact, stating, "The Compact is in the strategic interest of the United States because it provides the military elements we believe are most important for us.

"It denies use of the land and waters of the Federated States of Micronesia and the Marshall Islands to other countries indefinitely, and it ensures continued use of the Kwajalein missile range," Kelly said.

Outer islands food Aid sought by Yap

COLONIA, Yap - U.S. Agriculture Department food assistance for Yap outer islanders whose crops were severely damaged by the 1983 drought and 1984 storms, was requested by the Yap State Legislature in a resolution adopted March 13 and addressed to Trust Territory High Commissioner Janet McCoy.

The resolution supports a request by Gov. John Mangefel to President Tosiwo Nakayama to obtain USDA food supplies and follows a resolution adopted Feb. 13 by the Council of Tamol, outer islands traditional leaders, to provide food relief for Ulithi Atoll, Fais Island and Ngulu Atoll whose crops were destroyed by Tropical Storm Fabian and who ran out of rice and the means to buy more during November-January.

"The people of all of these islands have been suffering these past three months from hunger," the Tamol resolution said.

The legislature resolution said the outer islands were had not fully recovered from the effects of the prolonged drought in 1983 when Typhoon Clara and Tropical Storm Fabian hit in December, destroying most of the replanted crops.

In addition to high winds which "almost totally wiped clean the tiny islands," salt spray and salt water in the taro patches ruined what was left of the crops, it said.

While the State Agriculture Division is conducting hydrology research in the outer islands to correct salt water intrusion, the resolution said, "it is estimated that these islands will be in need of food assistance for an indefinite number of years."

Ruecho heads health council

COLONIA, Pohnpei - Yap State Senator Robert Ruecho was elected chairman of the FSM Sub-Area Health Planning Council during an April 25-26 meeting in the Congress chamber here.

Ruecho replaces FSM Senator Peter Christian of Pohnpei for a two-year term as chairman.

Pohnpei Acting Health Services Director Annis David was elected vice chairman and Kosrae Health Services Director Arthur Sigrah, secretary-treasurer.

The council members approved a federal grant application totaling \$200,330 for the FSM and decided discuss in the states whether to continue the Health Planning Council under the Compact of Free Association,

Tax act vetoed

COLONIA, Pohnpei - Gov. Resio Moses disapproved an act by the Pohnpei State Legislature which would double alcoholic beverage and cigarette sales taxes, according to a State Information Office release.

In an April 15 veto message to Speaker Salter Etse, the governor said he was concerned about "inherent conflict" with the Pohnpei State Constitution and about the disadvantage to rural municipalities caused by taxing on "first sale."

Moses said, "Ample time exists to rectify the problems with the bill as it was not intended to become effective until Oct. 1.

"I wish to be understood that I am in direct agreement with the tax proposal itself," he said. "Accordingly, I request that we jointly prepare a tax proposal that will not have an inherent conflict with the Constitution."

The act approved March 11 by the legislature would increase sales taxes on beer and malt beverages from 10 to 20 cents per 12 fluid ounces; on distilled alcoholic beverages from \$4 to \$8 per gallon; on wine from \$2 to \$4 a gallon; on cigarettes from .5 to 1 cent per cigarette, and on cigars from 3 cents to 6 cents each.

Governor urges Kosrae leaders to prepare for transition

LELU, Kosrae - Citing the likelihood of the Compact of Free Association going into effect Oct. 1, Gov. Yosiwo George, in his March 29 state of the state address in the Kosrae State Legislature, urged Kosrae leaders to plan for transition to Compact funding to avoid disruption of U.S. federally funded programs.

In anticipation of federal program funds being cut off, "alot needs to be planned for transition to avoid disruption," George said, citing the possibilities of merging programs where possible and working within available funds to keep essential programs going.

Also in conjunction with the Compact and its funding, George said that the Kosrae leaders need to implement the State Development Plan which was approved in March by the Kosrae State Legislature in accordance with the National Economic Development Plan, stating, "There should be a logical sequence, so we can connect the projects" and attain the goals set for the first five years of the plans.

George also cited action by the state and national chief executives the proposed FSM Olympics currently scheduled for 1986 in Pohnpei as a nation building effort; the need to implement the budget procedures agreement adopted by the chief executives, and the need to prepare for implementation of the National Health

Care Plan after it is finalized and approved by the chief executives.

Internal developments he cited include establishment of the state judiciary and appointment of Chief Justice Harry Skilling, adoption of the State Development Plan, continued efforts to get commercial airline service with comments from Air Micronesia to serve Kosrae when the airport is paved and Air Marshall Islands' authorization awaiting national government approval and final arrangements being made for the utilization by PM&O Lines of the new Kosrae dock as a transshipment center with the installation of navigational aids by the U.S. Coast Guard.

He also cited the reorganization of the Kosrae State Legislature and urged its new leaders to work together with him to prepare for the Compact period. He cited the opening April 4 of the first commercial bank branch in Kosrae by the Bank of Hawaii.

He said that the 93 applications and 34 loans being awarded in the U.S. Housing and Urban Development Department funded housing renovation loan program demonstrate the demand for such a program as the Farmers Home Administration loan program which the state has requested.

The 1985 Salary Act which was signed Jan 6 into law reduces the biweekly working hour from 80 to 64 for state government employees and reduces the gap between the highest and lowest pay by raising lower salary levels, George said.

Kosrae opened a liaison office in Pohnpei, began its Community Action Program and held its second state leadership conference Feb. 5-8.

The governor noted that the first phase of the Ielu water project was completed by Heally-Tibbets Construction Co., providing the state its first water treatment plant and 3.5 million of main pipe connected to 170 homes. Black Micronesia Construction Co. was awarded the second phase contract and has completed 1.2 miles of construction.

Geo Engineering and Testing Co. was awarded a contract to drill six water wells in Tafunsak to provide water for the dock, airport and residences there and four wells in the Immen and Tofol areas for the Ielu water system; electrical distribution was extended to all four municipalities; the Kosrae Transportation Authority completed two miles of the circumferential road in Utwe and is ready to start on the next

three miles, and Black Micronesia was awarded the contract for paving and lighting at the airport and dock.

Kosrae in fiscal 1985 is receiving \$800,000 to construct an airport terminal, \$1.9 million for the circumferential road, \$1.45 million for a road paving project which starts at the airport, \$120,000 for the communications building and hospital annex, \$900,000 for a fuel tank farm at the dock, \$400,000 for a dock warehouse.

The governor said he anticipates shortfalls in the capital improvement projects, as it will cost \$4.5 million to complete the last 15 miles of the circumferential road, \$3.6 million to complete the road paving to the Tofol area, \$2 million to extend the water system to the rest of the state and \$560,000 to improve the electrical system and rewire the Lelu area.

George told the legislature that pending administration bills which he considers essential are the proposed public service system, narcotics control, new weapons control and alcoholic beverage control acts and amendments to the state tax, Public Land Authority, budget procedures and financial management acts.

Underage drinking hit

KOLONIA, Pohnpei - Gov. Resio Moses asked Pohnpei Legal Affairs Director Quirino Mendiola to crack down on underage drinking and to form a task force of traditional, community and church leaders to deal with the problem here, according to a State Information Office release.

In an April 15 memorandum to Mendiola, the governor directed the Legal Affairs Department to inform all establishments selling alcoholic beverages to adhere to the state law which proclaims it illegal for anyone under 21 years old to purchase, possess or consume alcoholic beverages or for anyone to sell, give or serve alcohol to anyone under that age.

Moses cited his concern about seeing a number of "obviously drunk" teenage boys and observing them going into stores and buying liquor "with no questions asked about their ages by the cashiers."

He suggested the creation of the task force to review existing laws and explore the possibility of setting up a liquor control board.



GETS WEATHER CERTIFICATE - Pohnpei Airport Manager Paulus Donne, right, is receiving April 24 from Gov. Resio Moses a certificate of authority to take weather observations for approaching aircraft. The certificate was issued by the U.S. National Oceanic and Atmospheric Administration based on Donne passing an April 4 examination administered by the FSM Weather Bureau in Pohnpei.

Truk firearms conviction upheld

KOLONIA, Pohnpei - The FSM Supreme Court Appellate Division affirmed the illegal firearms possession conviction by the Trial Division in Truk of Tekis Ludwig of Moen who claimed the weapon was illegally seized and should not have been admitted as evidence.

The Appellate Division set aside the conviction of Clinton Joker of Truk for possession of a dangerous weapon, a 12-inch dart fired from a slingshot, and remanded the case to the Trial Division for further findings of fact and a statement of how it applied the Weapons Control Act in the case.

The two cases were argued Dec. 20 in Truk and decided in April 10 opinions issued and signed by FSM Supreme Court Chief Justice Edward C. King and designated justices, Palau Supreme Court Chief Justice Mamoru and Northern Marianas Commonwealth Trial Court Judge Herbert D. Soll.

Ludwig argued in his appeal that the firearm which he was carrying Feb. 3, 1983, was illegally seized by Truk State Police officers Johnny Robert and Diem Mailo because they did not possess a warrant for his arrest and search.

The appellate court found the search legal as incident to Ludwig's arrest which was justified because the officers had probable cause to believe the defendant had violated Moen's drinking laws.

Ludwig also argued that the gun would be legal under the Weapons Control Act which allows possession of firearms as curios, or collector's items.

The court pointed out that the collector's item exception is applicable "only if the firearm is 1) unserviceable, 2) incapable of being fired or discharged and 3) being kept as a curio, ornament or for its historical significance.

"The evidence presented by the government to the effect that the weapon was loaded and being carried at 1:30 a.m. in strange rigging (a black cloth) at the hand of one who had been drinking, at a time when gunshots had been heard in the area, was inconsistent with each of those requirements," the opinion stated.

The Appellate Division rejected arguments by Joker that the FSM Trial Division has no jurisdiction over Weapons Control Act violations, because the FSM Congress did not specifically declare those violations national crimes.

The court cited the transition provision of the FSM Constitution

which makes all Congress of Micronesia and Interim Congress acts FSM law unless in conflict with its Constitution, or repealed and the FSM code which makes all violations punishable by three or more years of imprisonment national crimes under its jurisdiction.

Joker also argued that the Weapons Control Act prohibition against possession of "any...instrument which can be used for the purpose of inflicting bodily harm and which under the circumstances of its possession serves no lawful purpose" is unconstitutional, too vague to serve as the basis for criminal prosecution.

The court said that when interpreted and applied properly, it meets constitutional standards, "however, because we are unable to determine from the record whether the trial court applied the provision in accordance with our interpretation, the conviction is set aside and the case is remanded for further findings."

It said the trial court should have determined whether the slingshot-dart was "a dangerous device" because it was "designed as a weapon, or because it had the potential of inflicting bodily harm and under the circumstances of its possession served no lawful purpose," in order to help the defendant and others understand the decision and to assist the appellate court in reviewing it.

Joker was convicted of illegally possessing the dangerous device after allegedly firing the dart from the slingshot toward a group of people at 2 a.m., Jan. 1, 1983, in Moen. The dart missed the people and embedded itself in the tin wall of a store behind them.

3 take bar oath

KOLONIA, Pohnpei - Martin F. Mix of Pohnpei, who became the first Micronesia trial advocate to pass the FSM Supreme Court bar examination on March 7, was admitted April 18 to the bar as a practicing attorney by Chief Justice Edward King.

King administered the oath to be admitted to the FSM bar to Mix, Micronesian Legal Services Corp. Pohnpei Office Directing Attorney Ron Kirschenheiter and FSM Assistant Attorney General W. Alan Lautanen.

Mix, 40, came to Pohnpei in 1967 as a Peace Corps volunteer and practiced in the Trust Territory courts since 1975 as a trial advocate without attending law school.

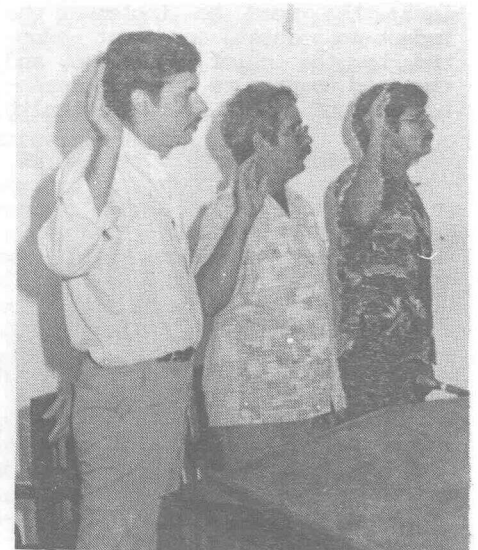
Sentenced for PCAA Funds misuse

KOLONIA, Pohnpei - Three men who pleaded guilty April 12 to misusing Pohnpei Community Action Agency funds while employed by the agency in 1982 were sentenced to jail terms, fines, restitution payments and community service by FSM Supreme Court Chief Justice Edward C. King, according to National Justice Ombudsman Nickontro Johnny.

Swing Jason of Kolonia was fined \$400, ordered to pay \$1,008.57 in restitution within 30 months and provide 40 hours of community service and sentenced to 30 days in jail with daytime work release.

Kohkin Ioanis of Pingelap was sentenced to 30 days in jail and ordered to pay \$3,291.87 in restitution within 27 months and to provide 160 hours of community service at the Pohnpei State Agriculture Division, after release from jail.

Bailey Moses of Mand, Madolenihmw, who previously served 30 days in jail and paid \$1,025.53 in restitution for similar crimes committed during the same period, for the new crimes was sentenced to one day in jail and ordered to pay \$2,890 in restitution and provide 200 hours of community service in the State Agriculture Division.



TAKE FSM BAR OATH - From left, Micronesian Legal Services Corp. Pohnpei Office Directing Attorney Ron Kirschenheiter, attorney Martin F. Mix and FSM Assistant Attorney General W. Alan Lautanen are taking the oath to practice in the FSM Supreme Court administered April 18 in its chamber by Chief Justice Edward King, after their passing the March 7 bar examination.

Nedlic court Administrator

LELU, Kosrae - The Kosrae State Court Chief Justice Harry Skillington announced April 16 the appointment of Marcus Nedlic as administrative officer of the court, according to a State Information Office release.

Trust Territory High Court Associate Justice Alfred Loretta visited Kosrae on April 17 to clear up all cases pending in the Kosrae District Court.

Chief Clerk Richard Sigrah announced that the court officially began April 15 accepting cases, set a weekly schedule and certified 12 trial assistants to practice before it.

The weekly scheduled is: Small claims and related matters, Mondays; criminal preliminary motion initial appearances, Tuesdays; criminal trials, Wednesdays; civil pre-trial motions, Thursdays; civil trials, Fridays, and traffic cases, any day.

The trial assistants certified April 12 are Aliksa B. Aliksa, Akyusi Palsis, Gerson Jackson, Palikkum N. Sigrah, Rison Wakuk, Lyndon Cornelius, Thurston Siba, Robinhood Noda, Leeroy Miller, Patrick Olter, Albert Welly and Alex Phillip.

Nedlic served as Heally Tibbitts Construction Co. liaison officer in Kosrae since 1983, after serving many years as Kosrae Island Cooperative Association manager.

He attended the former PICS (Pacific Islands Central School) high school in Truk and Cagagan Deord University in Mindanao, Philippines.

Cafeteria dedicated

KOLONIA, Pohnpei - Pohnpei Gov. Resio Moses, Community Services Director Bermin Weilbacher and Education Director Damian Sohl participated in the April 24 dedication of the new \$9,500 cafeteria and \$13,000 activity court at the Sekere Elementary School in Sokehs municipality, according to a State Information Office release.

Sohl urged the Sekere community and Parent-Teachers Association to share in the maintenance of the cafeteria and activity court which is equipped with basketball goals and can be used for volleyball and tennis.

The cafeteria is one of 15 being built and six completed at elementary schools throughout the state, according to Sohl.

Yap may get T3 program in June

KOLONIA, Pohnpei - The national Trades Training and Testing Program will be extended to Yap in June, if the state has a suitable building ready for occupancy, according to T3 Program Coordinator Henry Hickey.

FSM Labor Chief Simon Poll and Hickey met April 15-16 with Gov. John Mangefel and his staff to discuss implementation of the program in Yap.

"Suitability of a potential building site was discussed and it was agreed that if the state could have the building ready for occupancy, the T3 Program could be implemented in Yap in early June," Hickey said.

If this occurs, Hickey would take a team of International Labor Organization and local experts to Yap for approximately one month, beginning in June, to set up the workshops and begin the training.

"It is intended that the first class will be comprised of trainees with at least three years experience in either construction, electrical or mechanical trades so that one Yap training officer in each of the three areas can be selected to become part of the national T3 staff," Hickey said.

The starting date and site where the trainees are to report will be announced on the state

broadcast station, he said.

Poll and Hickey stopped over April 11-12 in Truk to sign a five-year lease with the Moen Church of Christ to use its land and buildings for the T3 Program and to attend the April 12 awards ceremony which was addressed by FSM Senator Sasao Goulard.

Goulard urged the trainees to submit applications for employment to the state employment service office, according to Hickey, "so that Micronesians instead of expatriates would some day make up the work force."

Twenty-seven Truk trainees received certificates, including:

Mechanical trades—Kataichy Osey, basic, and George Irons, Pilot Rosky, Adan Hetiback, Akino Thomas and Akapito Nakamura, intermediate.

Electrical—Heric C., basic, and Terswick Francis, David Sadak, Petrus Sipenuk, Arun Kansou, Yosmen Rekis, Serino Xymon, Minoru Mori and Fine Siren, intermediate.

Construction—Yokio Shones, Res Mefi, Ace Nifon, Dannimichy Simon, Andrew Samuel, Kasto Sani, Simina Kansou, Ketner Etoamara, Kinaver Rachulap, Kariosi Paul, Aruoi Haruo and Dionis Pete, basic.

120 loans approved

KOLONIA, Pohnpei - The Pohnpei State Farmers Home Administration Office approved in March 120 home improvement loan applications totalling \$270,000 by very low income families who cannot obtain credit elsewhere under the same conditions, according to FmHA Area Supervisor Shelten G. Neth.

Neth also reported that nine long-term loans were paid in full through March 31, leaving 1,039 accounts outstanding. Theodore Joab, an Uh Municipality resident employed by the FSM Revenue Division here, paid in full his 15-year note in less than three years, according to the FmHA Finance Office, St. Louis, Missouri.

The FmHA Pohnpei office also is assisting families who obtain FmHA loans and grants for construction, repairs or improvements by holding pre-construction conferences with the builder, homeowner and FmHA officials and providing at least three inspections "to assure that the builder is following the approved plans and materials lists," according to FmHA Chief Construction Inspector Francisco W. Abraham.



WINS TRAVEL AWARD - Village Travel manager Kae Devereaux, right, and travel consultants Marla Hawley, left, and Chris Bussanich are displaying the plaque awarded April 13 by Air Micronesia officials in Guam to Ms. Devereaux on behalf of the Pohnpei travel agency for the second largest volume of sales among 60 travel agencies in Micronesia, during 1984, its second year in business.



CAT TEAM TRANSFERS CRANE TO POHNPEI - Army Lt. Howard Klei, Pohnpei Civic Action Team commander, is handing over April 19 to Gov. Resio Moses the key to a 15-year-old crane with clam shell and dredging bucket, transferring it to Pohnpei state because it was removed from Navy inventory, according to a State Information Office release. Lt. Col. Mark Potter, center left, of Honolulu, Klei's commander, and State Community Services Director Bermin Weilbacher are looking on. The crane will be used to dredge coral at Meilap in Kiti for road maintenance.

Nanpil hydroplant Permit issued

KOLONIA, Pohnpei - The U.S. Army Corps of Engineers issued April 12 a federal permit to Pohnpei Gov. Resio Moses authorizing construction of a hydroelectric facility on the Nanpil River in Nett municipality, according to Col. Michael M. Jenks, Honolulu district engineer.

The U.S. Congress provided \$8 million in fiscal 1984 supplemental funds for the corps to construct of the facility which will include an intake structure near the present Kolonia municipal water diversion dam, a 4,600-foot-long and 51-inch inside diameter concrete penstock entrenched under the access roadway, a powerhouse, switchyard and transmission lines.

The powerhouse and switchyard will be constructed on fastland near a deteriorated hydro plant built during the Japanese administration at the confluence of the Nanpil and Kiepw rivers, as the diverted waters will be released in the Kiepw River.

The hydropower facility will be capable of generating 1,700 kilowatts and is expected to produce 4.02 million kilowatt hours annually to supply 20 per cent of the island's energy needs, according to Jenks.

Terminal design begins

KOLONIA, Pohnpei - The Alfred Daly Yee architectural firm of Hawaii began April 24 a preliminary users' survey for designing the \$1.2 million Pohnpei International Airport terminal, according to a State Information Office release.

The architectural and engineering work will cost \$92,000 and is scheduled to be completed within 12 months to be followed by advertising for construction contract bids, according to State Community Services Director Bermin Weilbacher.

20 named to CCM winter Honor Roll

KOLONIA, Pohnpei - Twenty students made the Honor Roll by earning 3.4 or better grade averages including four who earned perfect 4.0 grade averages, during the Winter Quarter at the Community College of Micronesia here, according to CCM Admissions Director Bette Hiesterman.

The Spring Quarter began April 1 with 292 students enrolled, including 88 sophomores, 64 regular freshmen, 26 special services freshmen, 11 third year elementary education, 16 third year special education, 24 part-time and 63 extension only students.

The Spring Quarter is scheduled to end June 10 and 1985 graduation exercises are set for June 20.

Diselina David and Martha Nena completed their course work for associate degrees at the end of the Winter Quarter.

Students earning 4.0 grade averages in the Winter Quarter were

sophomores Dwightson Likkiaksa of Kosrae and Millian Phillip of Truk and third-year students Arthur Joel of Pohnpei and Sepe Taulung of Kosrae.

The other Honor Roll students are:

Sophomores—Liza Allen and Aussen Linje, Pohnpei; Warren Fukui-chi, Palau; Jarinson Kehpas, Alexander O'Doal, Klafwa Palik and Edmond Salik, Kosrae; John Menger and Romanes Yarofaichie, Yap, and Gary Ueno, Marshall Islands.

Freshmen—Merlyn Basilius, Palau; Robert Em and Moses Haleyalur, Yap; Rainer Frank, Iwaiser Fredrick, Romeo Joel, Benjamin Ludwig and Pandora Weital, Pohnpei; Cinder Kom, Truk, and Lipton Tilfas, Kosrae.

Third-year—Felisa Brel, Palau; Machipen Elymore and DereRose Richard, Truk; Hilman George and Ranson Tilfas, Kosrae, and Ruthiran Lokeijak, Marshalls.

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