

A RESOLUTION

Relating to the transfer of executive functions from the Government of the Trust Territory to the Federated States of Micronesia.

1 WHEREAS, Secretarial Order No. 3039 provides for the transfer of executive
2 functions from the Government of the Trust Territory to the Federated States of
3 Micronesia; and

4 WHEREAS, the Constitution of the Federated States of Micronesia allocates
5 government powers between the national and state governments; and

6 WHEREAS, executive functions performed by the Government of the Trust
7 Territory are within the scope of national and state powers as provided in the
8 Constitution; and

9 WHEREAS, the State-National Leaders Conference of the Federated States of
10 Micronesia, held in the State of Pohnpei, September 25 to September 27, 1979,
11 deliberated on the transfer of executive functions from the Government of the
12 Trust Territory to the Federated States of Micronesia and the performance of
13 such functions by national and state governments in a manner consistent with
14 the Constitution; and

15 WHEREAS, the State-National Leaders Conference established a consensus
16 on the transfer of certain executive functions from the Government of the
17 Trust Territory to the Federated States of Micronesia; and

18 WHEREAS, the consensus of the State-National Leaders Conference provides
19 that:

20 1. Agriculture research and development operations shall be
21 transferred to the national government and then to the state governments
22 upon request;

- 1 2. Transportation functions shall be transferred to the national
2 government and devolved to the state governments upon request;
- 3 3. The national government shall obtain and assign a government
4 vessel to the State of Kosrae to be operated by the national government until
5 devolved to the State Government of Kosrae;
- 6 4. The national government shall license air taxis and regulate
7 air transportation;
- 8 5. The state governments shall administer the physical grounds
9 and structures of airports and collect landing fees;
- 10 6. The state governments will be primarily responsible for
11 tourism and the national government will support and coordinate state tourism
12 activities;
- 13 7. Planning functions shall be transferred to the national
14 government which will provide technical assistance to the state governments;
- 15 8. Marine resources functions conducted by the Trust Territory
16 Government shall be transferred to the national government;
- 17 9. Coordination of United States federal programs functions shall
18 be transferred to the national government;
- 19 10. The Trust Territory Government should continue to fund and
20 operate the student and health services coordinator functions of the Trust
21 Territory Liaison Offices in Guam and Honolulu until the Federated States of
22 Micronesia can perform these functions;
- 23 11. The Office of the Student Services Coordinator should be
24 relocated to the University of Guam campus;
- 25 12. The Trust Territory Government should continue to operate the

1 Trust Territory San Francisco Office, performing recruitment and procurement
2 functions until the Federated States of Micronesia can perform these
3 functions;

4 13. Immigration functions shall be transferred to the national
5 government pursuant to national statute;

6 14. United States consuls shall be appointed to issue visas and
7 other travel documents within the states;

8 15. Training of government employees functions be transferred to
9 the national government; and

10 16. Information and broadcast functions conducted by the Trust
11 Territory Government be transferred to the national government; and

12 WHEREAS, this Congress concurs with the consensus established by the
13 State-National Leaders Conference and recognizes, as did the Conference,
14 that transfer of executive functions from the Government of the Trust Terri-
15 tory is not meaningful unless accompanied by the funds and property necessary
16 to perform those functions; now, therefore,

17 BE IT RESOLVED by the First Congress of the Federated States of Micro-
18 nesia, Second Regular Session, 1979, that the President of the Federated
19 States of Micronesia and the High Commissioner are requested to effectuate
20 as soon as feasible the transfer of executive functions and the funds and
21 property necessary to perform those functions consistent with the consensus
22 established by the State-National Leaders Conference of the Federated States
23 of Micronesia; and

24 BE IT FURTHER RESOLVED that certified copies of this resolution be
25 transmitted to the President of the Federated States of Micronesia, the High

CONGRESSIONAL RESOLUTION NO. 1-39, CD1, CD2

1 Commissioner, and the Governors and Speakers of State Legislatures of the
2 Federated States of Micronesia.

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4 Adopted: October 24, 1979

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