

A BILL FOR AN ACT

To propose an amendment to section 6 of article XI of the Constitution of the Federated States of Micronesia for the purpose of eliminating diversity jurisdiction in the national courts of cases in which the ownership of land or waters is at issue, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1 Section 1. Proposed amendment. It is hereby proposed that
2 article XI, Section 6 of the Constitution of the Federated States
3 of Micronesia be amended to read as follows:

4 "Section 6. (a) The trial division of the Supreme
5 Court has original and exclusive jurisdiction in cases
6 affecting officials of foreign governments, disputes
7 between states, admiralty or maritime cases, and in
8 cases in which the national government is a party except
9 where an interest in land is at issue.

10 (b) The national courts, including the trial
11 division of the Supreme Court, have concurrent original
12 jurisdiction in cases arising

13 (i) under this Constitution;

14 (ii) under national law or treaties; and

15 (iii) ~~[in]~~ from disputes between a state and a
16 citizen of another state, between citizens of different
17 states, and between a state or a citizen thereof, and a
18 foreign state, citizen, or subject, provided that the
19 national courts shall not have jurisdiction under

1 subparagraph (b) (iii) of this section in cases in which
2 the ownership of land or waters is at issue.

3 (c) When jurisdiction is concurrent, the proper
4 court may be prescribed by statute."

5 Section 2. This act shall become law upon approval by the
6 President of the Federated States of Micronesia or upon its
7 becoming law without such approval.

8
9 Date: 12/13/04

 Introduced by: /s/ Peter M. Christian
 Peter M. Christian

- 10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25