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A BILL FOR AN ACT

To approve the admission of the State of Faichuk as the fifth state of the Federated States of Micronesia, and for other purposes.

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

1           Section 1. Admission. Subject to all procedural  
2 requirements set out in chapter 9 of title 1 of the Code of the  
3 Federated States of Micronesia hereby approves the admission of  
4 the State of Faichuk as the fifth state of the Federated States of  
5 Micronesia upon that date.

6           Section 2. Territory. The territory of the State of Faichuk  
7 shall consist of the islands or municipalities of Eot, Udot,  
8 Fonuweisom, Romanum, Fanapanges, Tolensom, Oneisom, Paata Tupunion  
9 and Pwene, including reefs, shoals, banks, sands, oceans and other  
10 natural landmarks bearing the names of identifies known in any of  
11 the dialects of the State and any other territory of water  
12 belonging to the State by historic right, custom or legal title.  
13 Unless limited by law, this territory shall also include a marine  
14 space of 200 nautical miles measured outward from appropriate  
15 baselines, as well as the related seabed, subsoil, water column,  
16 insular and continental shelves and airspace over land and water.  
17 Each municipality shall be comprised of the island or islands with  
18 reefs, shoals, banks, sands, oceans and other natural landmarks  
19 bearing the names or identities known in any of the local dialects  
20 of each municipality as established by traditional boundaries.  
21 The Faichuk State Government shall be authorized to settle the

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1 boundary line, in accordance with applicable law, with the Chuuk  
2 State Government in the event of a dispute arising after the  
3 effective date of the Faichuk Constitution. Existing traditional  
4 landmarks, well known and agreed upon the adjacent municipalities  
5 shall determine the boundaries between municipalities. In the  
6 event of a dispute over municipal boundaries, the traditional  
7 leaders of the relevant municipalities shall settle the dispute by  
8 peaceful and traditional means. the Faichuk State Supreme Court  
9 shall adjudicate disputes over municipal boundaries in the event  
10 that traditional means are unsuccessful. New municipalities of  
11 the State of Faichuk may be crated by the Statute after the  
12 effective date of the Faichuk Constitution.

13 Section 3. Constitution. The Faichuk Constitution, ratified  
14 by plebiscite on November 28, 2000, shall come into force three  
15 years after the granting of statehood to Faichuk.

16 Section 4. Transition. If, on January 1, 2006, all  
17 procedural requirements set out in chapter 9 of title 1 of the  
18 Code of the Federated States of Micronesia have been met, the  
19 State of Faichuk shall become the fifth State of the Federated  
20 States of Micronesia. The Faichuk Commission for Statehood shall  
21 then appoint, by election, the officials of an interim government  
22 in accordance with section 4 of article XVIII of the Faichuk  
23 Constitution.

24 Section 5. First General Election. The first general  
25 election for the State of Faichuk will be held on the first

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1 Tuesday following the first Monday in the month of March three  
2 years following the grant of statehood, or earlier if directed by  
3 the Faichuk Commission for Statehood. The Governor, Lieutenant  
4 Governor and members of the First Legislature pursuant to the  
5 Faichuk Constitution shall be elected in the first general  
6 election. Each shall serve a full term. The term of the members  
7 of the First Legislature shall begin on the first Monday in May  
8 following the general election and the Legislature shall convene  
9 at 10:00 a.m. on the day. The first municipal elections shall be  
10 held on the same day as the first general election.

11 Section 6. Appointments. The elected office holders shall  
12 make such appointments or confirmations as are necessary,  
13 consistent with the Faichuk Constitution and any statutes adopted  
14 pursuant thereto.

15 Section 7. Adoption of the laws of the State of Chuuk. Any  
16 applicable statute in the State of Chuuk shall remain in effect in  
17 the State of Faichuk until it is superseded by a law made pursuant  
18 to the Faichuk Constitution.

19 Section 8. Survival of actions and other matters. Any  
20 current or pending writ, suit, proceeding, civil or criminal  
21 liability, prosecution, judgment, sentence, order, decree, appeal,  
22 cause of action, defense, contract, claim, title of right shall  
23 remain live and shall remain the responsibility of the State of  
24 Chuuk until concurrent statutes are established by the Faichuk  
25 State Government.

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1 Section 9. Capital. There shall be a temporary location of  
2 the Faichuk State Capital pending the completion of the State  
3 Capital on Tolensom Island. The Faichuk Commission for Statehood  
4 shall select the appropriate site for the temporary State Capital,  
5 which shall be based on accessibility of public land and existing  
6 government buildings to be used as temporary offices of the State  
7 of Faichuk.

8 Section 10. This act shall become law upon approval by the  
9 President of the Federated States of Micronesia or upon it  
10 becoming law without such approval.

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12 Date: 5/17/05

Introduced by: /s/ Tiwiter Aritos  
Tiwiter Aritos

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Introduced by: /s/ Roosevelt Kansou  
Roosevelt Kansou

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Introduced by: /s/ Manny Mori  
Manny Mori

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Introduced by: /s/ Moses Nelson  
Moses Nelson

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Introduced by: /s/ Peter Sitan  
Peter Sitan

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Introduced by: /s/ Simiram Sipenuk  
Simiram Sipenuk

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